

Past Posts

ACCOMMODATION REQUESTS FOR NON-ACADEMIC CAMPUS OFFICE VISITS AND/OR UNIVERSITY EVENTS

The posts in this document are divided by specific questions that were posted to the listserv related to handing service requests for non-academic events (i.e., providing services for a campus event or a parent visit). The responding posts show a variety of ways colleges and universities handle these type of requests and there is also discussion as to who is financially responsible for these types of requests.

PEPNet has also developed a 'Frequently Asked Questions' document related to this topic titled, " Are Colleges/Universities Responsible for Providing Interpreting Services for Individuals other than Students, such as Parents or People from the Community who are Deaf?" The FAQ is available at <http://www.pepnet.org/faq.asp>.

Question from June 2008:

I have a situation on my campus that I would appreciate your input. There is a new freshman that will be attending our university in the fall. The student is hearing but her mother is deaf. When she called the financial aid office to request an interpreter, they referred her to our office. (Our campus does not have centralized services so our Deaf/Hard of Hearing Program is only financially responsible for interpreting relating to registered student's academic program) I called the financial aid office and spoke with the director to explain our role and that it was their responsibility to provide an interpreter, but that we would be willing to help them with the process. The director did not feel it was their obligation because it was not the student that needed the service, but rather the parent. I said that she may want to contact the legal department. I then got a call from the legal department stating that she found a lot of case studies to support providing services for the parents at the elementary and secondary level, but none at the postsecondary level. She said that the financial aid office is not responsible and they are concerned with setting a precedent that other departments would then have to provide services for parents.

I would appreciate hearing about your experiences and how your university resolved the issue. If you know of any case studies at the postsecondary level, I would appreciate that information.

The director of the financial aid office said an interpreter was more of a convenience so the student would not have to interpret for her mother. We did provide an interpreter for the appointment, but stated that we would only do so for this one appointment.

University of Wisconsin—Milwaukee



*The PEPNet
Past Posts is a
compilation of
the most
frequently
discussed topics
on the PEPNet
listserv.*

Title II of the ADA and Section 504 requires that all government programs and services be accessible. Parents are allowed to attend meetings with financial aid advisors/counselors because they play a major role in the financing of their children's education, including providing their information on the FAFSA. The parents have a fiduciary interest in all this, and any decisions that are made could affect the parents, therefore, they have a right to be able to access the information being provided. Having the child interpret is in NO way appropriate unless the child is being paid for their services.

And my response to the legal team's fear of setting precedent... well, the fact of the matter is any time the parents are allowed to play a role, attend, or be otherwise involved, access must be provided. Even if say, the Economics department was giving out awards to graduating students and parents were invited, the ceremony must be made accessible. Graduations, open houses, everything where parents are invited needs to be accessible to them!

If the legal team is resistant to what I'm saying, tell them I just completed my second year of law school and I just took disability law this past quarter. If I was the student's mother, I'd be getting a good lawyer right now....

If the legal team is so concerned about precedent... well, it is fairly obvious to me here that the reason accommodations are being refused is because the financial aid office doesn't want to pay for it. Legal precedent shows the courts will slam hard on the refusal by government and school agencies and services to provide accommodations because they didn't want to pay for it.

Location not available

This is a surprising situation. As an interpreter in private practice, I have been hired many times by colleges and universities in our area to provide interpreting services for parents who are deaf at orientations, meetings, awards ceremonies, homecoming events and graduations. The idea that the financial aid office would even question providing access is disconcerting.

Freelance Interpreter, Metro Atlanta area

The legal department is saying that this is different because "the student has invited a parent to an otherwise private meeting. I don't think that the parent is a "patron" because we're not "providing services" to the parent...; rather, it seems to me like the parent is the invitee/companion of a student." If you do not mind, I would like to forward your emails on to the person I have been working with in our Legal Affairs office.

University of Wisconsin—Milwaukee

At our campus we have 6 staff interpreters, a pool of part-time contracted interpreters, and C-printers. We provide services to students as well as their families for financial aid, counseling, award ceremonies, graduation, etc. Our college also owns a theatre in downtown St. Petersburg, Florida where concerts, plays, recitals, etc are held and we provide interpreters to those performances for ANYONE that requests an interpreter. It does not matter if they are a registered student or not. The same goes for our music/theater department when they have performances open to the public at our own campus auditorium, we provide the interpreters. It comes down to the law as Kyle explained.

It sounds like perhaps we are ahead of our time in going above and beyond for providing services to our Deaf/HH students and community.

Location not available

What I think this situation brings up in a more general sense is the danger of charging individual departments or offices for what is an institution-wide obligation. If this student's parents were to file suit, it would be brought against the entire university, not the office of financial aid.

In my humble opinion, decentralized models of funding disability services could lead to individual departments or offices making discriminatory decisions because they fear the adverse affect providing services would have on their budgets. At an institution where funding is centralized, a department need not worry about even the perception of bias in the hiring of a deaf employee, the admission of a deaf student, or the provision of accommodations to the deaf family members of a hearing student. It certainly doesn't eliminate fiscal management considerations; it only shifts them. However, again in my opinion, it rightfully shifts them to be shouldered by the entire institution.

I think it's high time our administrations started to see what we do as a necessary part of the infrastructure of running the institution, not a value-added service.

Columbia University, New York

We are somewhere in the middle of the recent respondents. While many of our students bring their parents to their counseling meetings, they are expressly told in front of the student, that we cannot and will not provide information regarding their child without the student's signature on a release form or the student must be present. We acknowledge that their attendance is permission to engage in conversation at that particular time but not once they leave our office and the student is not present all bets are off. Bottom line the student must be present or a release form on file. As for providing an interpreter for the parent, most have purposely brought their own (not their child) or have called ahead and requested one. When they do make the request, we are clear that the student must be present (or the form on file) and the activity must be directly related to the student's attendance.

Santa Monica College, California

Question from November 2008:

I'm wondering what everyone's thoughts are, or more importantly if there are any laws or cases, regarding interpreting for parents on campus. I have done research in this area and there seems to be very little out there about interpreting on campus. We are in a bit of a unique situation since the Access Office for Students with Disabilities is funded by student fees, hence our office only interprets for students attending the University. If people who are deaf or hard of hearing come onto campus that are not students (for interviews or what not) then the department they are dealing with pays for interpreters.

So to my question, we have parents of a student already enrolled (hearing, not with our office) who would like to come and get some help in learning about the university and what all they can do to get involved. Who provides the interpreting services? My gut is saying the department they meet with however, I would like to have a little more substantial proof than just my gut. Please let me know what your institutions do and what policies you may have in place about these types of circumstances. We are also in the midst of adding who is responsible for interpreting to our policies and procedures, so this will greatly help get a feel for what others are doing.

Valdosta State University, Georgia

Our office is also for Students with Disabilities but most of the other departments are not as familiar with laws regarding access so we have all requests for services come through our department and then have the department requesting services prepare a budget transfer to reimburse our department for services rendered. This allows our office to ensure laws are followed and lets the interpreter submit an invoice to only one department. I hope this info helps.

Lamar University, Texas

I don't know of any cases yet involving providing accommodations to parents but it's been pretty much settled that under section 504, campuses must accommodate parents for services they would provide to any parent upon request. There might be case law on this subject out there already, but I haven't come across any yet.

Location not available

We had a similar issue on our campus. I did contact our Legal Affairs department to get their input and they contacted OCR. The law they quoted was Title II of the ADA and its regulation dealing with communication. Specifically, 28 C.F.R. 35.160 provides that "A public entity shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others" and "A public entity shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by a public entity." As for who is responsible for the cost, that would depend on your university. Here at UWM, our program is responsible for the academic program of enrolled students. If they are attending other events on campus, that department would be responsible. The University has a policy on "Responsibility for Funding Reasonable Accommodations" (<http://www4.uwm.edu/sac/fundpolicy.htm>), which addresses requests and funding for accommodations for any department on campus. If a department cannot pay, then it moves up the ladder, but ultimately the university is responsible.

There are many exceptions to the rule. Our situation involved a hearing student who wanted to bring a parent that needed an interpreter to a financial aid meeting. The department and our legal department said that it was a private meeting and the parent was an invited guest and they, therefore, were not responsible to provide the service. My contact in legal affairs also said that UWM is free to provide accommodations beyond what is required by law. However, that would be a policy decision, which is not for Legal Affairs to determine. As part of that decision, it would be appropriate to consider who should be responsible for paying for any accommodation that is not required by law but might be required as a matter of policy.

University of Wisconsin—Milwaukee

At UVM, we have a centralized budget that covers accommodations for anyone on campus - students, visitors, parents, employees, etc. This allows all requests for interpreters to come through one office. There are no questions asked when an interpreter is needed (provided the event is a University event). In the past, we had many issues when individual departments were asked and billed for interpreting services with many saying they would not pay because they did not have the budget. This led to a lack of accommodations so we decided to centralize all funds and requests.

University of Vermont

Concerning interpreting for parents that are deaf on college campuses why is it up to the college to accommodate parents? I believe families should figure this out amongst themselves. As a parent of a deaf young adult I interpret for him in every situation. I have never requested or expected that someone else be responsible for my son's communication needs WHEN I am right there. Take responsibility.

Concerning who pays for the interpreter services please explain to me who is paying for the deaf/individual to attend college? If it is the family or the deaf/individ. paying via a student loan are these services part of the student loan? Or, is it voc rehab via state and Federal money paying for these extra student services?

If it is state and Federal money following the deaf student to college HOW is this happening? When you read through the Rehab Services Adm guidelines it states very clearly that the most profound disability receives Voc Rehab services. Please explain.

From a parent of a Deaf child

As a parent, I admire parents who are involved and concerned in their children's lives. As a parent of young adults, I also understand that a "child" needs to learn autonomy and independence. As an interpreter adhering to the RID Code of Ethics and professional practices inherent to our work I am very ill at ease when any family member decides to take on this kind of responsibility. The entities that allow that practice are opening themselves to ethical and legal ramifications. Advocates across the country have worked hard to ensure that Deaf/Hard of Hearing consumers are afforded appropriate accommodations, sometimes it even takes law suits from consumers who have suffered trauma from lack of communication. While I am not at all accusing you of doing a poor job of providing communication, I do ponder a person's ability to remain objective where their child is concerned. I am only pointing out that family members/friends who provide the interpreting are setting/perpetuating a precedent that the Deaf/Hard of Hearing community has been fighting against for many years. How can a DHH consumer follow you into the dentist's office and request their legal right to a qualified/professional interpreter when you have just provided the service for free? It's a long hard road to equality, we have to work together.

University of Wisconsin—Milwaukee

When it comes to accommodations, it doesn't matter where the money for the student's tuition comes from. The law would not allow colleges to distinguish between categories of disabled students based on how they paid for school and use that to determine what accommodations the student can receive. Also, each school will have to figure out how to pay for the accommodation. That is not the concern of the student or parent, that is the concern of the school officials and administrators.

Asking a student to interpret for his/her parents is quite awkward. They're there to discuss the student's future at that school, and making the student interpret will distract him from what he/she needs to focus on. Quite a conflict of roles. Also, often, hearing children of deaf parents will not be proficient enough to interpret, meaning the parents and the college officials will not be getting full and accurate translation through the student. So, it wouldn't be reasonable accommodations as mandated by 504 and ADA.

My mother has often interpreted when nobody was available to do it, but she isn't a trained interpreter. Also, often the reason she would even be at the meeting or event is because she has a role - as a parent. I don't want to distract her from that role, so I prefer having the school provide an interpreter then she can participate fully and leave the communication accommodations to someone else. It has been a long upheld tradition in the interpreting community that interpreters cannot cannot cannot be participants in the proceeding, they can only be there as a communication accommodation. That has been codified in the code of ethics as well.

The better question to ask here would be - would the school provide that service/event/meeting for any parent upon request regardless of whether they were deaf or not? If the answer is yes, then accommodations must be provided when requested for.

Location not available

Colleges are covered under the ADA (Americans with Disabilities Act) and not under IDEA. According to the ADA, college course and events must be accessible to deaf and hard of hearing students. There is no federal funding that goes into this (unless the University receives state or federal funding). By law, a college must accommodate visiting students, parents, professors, etc. It is not the family's responsibility to pay for interpreters (which would be too expensive for most families). If an event is hosted by the college and open to a specific population, then it must be accessible to that population. For example, if the University is hosting a homecoming weekend and all parents are invited, then they must provide interpreters for deaf parents.

I admire your willingness to interpret for your son. However, if you were to attend a college event (or other events as well - high school, elementary, etc), the college or host for the event should provide an interpreter for your son so that you can sit back, relax and enjoy the event (and participate if you choose).

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It is not about funding, it's about accessibility. As your son grows older and goes on to college and into the work world, he will need to find interpreters in those domains. The responsibility for interpreting will change hands because under law, these entities are required to be accessible to your son.

Location not available

I'm a nationally certified interpreter and I have two deaf children, one 17 and one 9. I really don't like to interpret for either one of them. It confuses the role I have as their mom to be responsible for their understanding the communication - confuses thing for them and confuses things for the hearing party (when it is them speaking with me voicing and when is it me speaking). It breaks my Code of Ethics as an interpreter to be neutral. I will do so only in very rare situations, and usually only if it is a very short exchange. I will not do so if we are in a situation where it is their legal right to have a professional interpreter. I have taught them to plan ahead and request an interpreter if they are going to need one. My son is a little young still, but my daughter knows her rights. I may have been more willing in years past, but I can see how difficult it is with growing clarity. I have seen other hearing children of deaf parents or hearing parents of deaf children provide "services" for their family member, and it undermines the process of establishing sound practices for businesses for other deaf people. Just my two cents worth.

Axia College of the University of Phoenix

Regarding the parent of the young adult who is deaf who wrote in. There are several different issues that she brought up. I believe it is admirable that she wants to take responsibility for her child, and even more admirable that she has learned sign language to communicate with her child.

She may not be aware that the Americans with Disabilities Act covers deaf and hard of hearing parents of students at colleges and universities under Titles II (State and local governments, including state owned community colleges, colleges and universities) and III (public accommodations). Deaf or hard of hearing parents of a hearing student should have the ability to receive the same information that other parents receive in meeting with representatives of the college, convocations, etc. if other parents also have that opportunity. When my hearing niece graduated from college, they provided me with an interpreter at her graduating ceremony as that ceremony was free and open to the public, and I was a member of the public attending.

Students who are deaf or hard of hearing should receive appropriate interpreting services (Title II, or if a private school or university, Title III). As an administrator of a summer program for deaf and hard of hearing students, I have seen firsthand the deleterious effects of interpreter services that are inappropriate and actually harm the student during their pre-college years. I am not just talking about students who receive unqualified interpreters during their elementary, middle and high school years who do not know basic signs related to their students' classes, and therefore eventually are unable to attend college. I'm talking about well-meaning signers who may be the only "interpreter" to follow that student throughout their schooling (and take care of their homework and other needs), only to have that student enter college and flunk out immediately because the student thought their college interpreters would function the same way their school interpreters did. I do not know the skills of the parent who wrote in, however even if she were a certified interpreter with many years of experience, I think of students in my program who enter immature and unable to make friends because they've never been able to interact with other students with or without an interpreter (if a solitary deaf or hard of hearing student), let alone an interpreter who is also their parent and following them around all day, possibly precluding that their child from making friends, whether of the same or opposite sex. That parent, no matter how skilled he or she is, still will not be able to accompany his/her child to college. It would be a tremendous disservice to that student. This is why the ADA was enacted.

The parent did put a qualifier, "...WHEN I am right there...". She may not be interpreting for her child during classes. Even so, at the child's high school graduating ceremony, will she interpret for her child, or will she, as a parent, enjoy watching her child and revel in a moment of accomplishment in raising a child?

Continued on next page

The parent that takes responsibility to ensure that his or her child is receiving the best accommodations in all situations is the one, I believe, who is accepting responsibility. And the child who endeavors to communicate with others outside of classes AND afterschool activities (including sports), and who has been given the appropriate tools for doing so, is accepting responsibility for his/her actions. The key phrase is: when the child has been given the appropriate tools. Way too many deaf and hard of hearing students are not given these tools (such tools include interpreters, but also experiences where he/she attempts and succeeds at communication, and knowing when certain situations do require accommodations).

Regarding who pays for the deaf or hard of hearing student to attend, that may differ from state to state. If the state does not pay via VR services, the student may still pay for college him/herself, or his/her parents or via scholarships. However the college education is paid for, the college or university still, under ADA, has to provide for interpreters, captioning, assistive devices, etc. according to the student's documented need for accommodation.

University of Washington, Seattle

Question from October 2006:

I know this has come up before but wanted to see if anyone is doing anything differently these days.

A Deaf student has expressed an interest in attending a Fall Festival party on campus. While I know we have to make everything accessible on campus, what are you doing when requests for "socials" come to your attention? Of course we send interpreters to club meetings and guest speakers (when the request is made in a reasonable amount of time) but what about all the social events that occur on campus? My contract terps and I would almost be living on campus if we had to go to all the activities! :-) Any suggestions?

University of North Florida—Jacksonville

Where I'm going to school right now, we get interpreters for social events as long as they're sponsored by an organization on campus.

Aside from any ADA or 504 requirements, I'd say that social events are beneficial for students in general because they get to meet other students and it's often at this kind of occasion that students establish relationships that could lead to employment opportunities in the future.

Location not available

Question from June 2006:

Hello Colleagues,

I wanted to get some information about what other colleges/universities are doing when requests for interpreters come in for events and activities when Deaf students are not attending.

Over the semesters more and more departments on campus are requesting that sign language interpreters be present at lectures (and sign to no one!) even when students and D/HH persons from the general public have not requested this service. The Disability office is reimbursed for the cost of the interpreters but it is getting harder and harder to find available and qualified persons to "do these lectures" AND cover classes for enrolled students! (our primary responsibility).

If an event is NOT a school event (when outside agencies rent campus facilities), do you provide the interpreters, assist the outside group to find terps, have that group pay or have the disability office/university absorb the cost for the services?? (Lots of money for plays and rehearsals AND time away from classes).

Do any of you have a policy for when you send interpreters to events or a request form for interpreter services that you would be willing to share? Do you get reimbursed for services provided? Any input and guidance will be helpful.

University of North Florida—Jacksonville

Please read with bit of humor (especially in the parenthesis) and some pathos and some TGIF

I am going to take a different approach. My parents are deaf (yes both of them!). Growing up I had so many experiences where people told my folks what is important for them to know about. (a big no no in the deaf community is telling deaf people what is important or what is not or even worse, "I'll tell you later") What will be captioned, what will be interpreted, that they are not worth the cost of an interpreter, do they need a skilled interpreter or a beginner. So they get handouts. They get summaries. (luckily my parents are highly educated so reading is not an issue for them) And they sit with silly smiles on their faces for an hour watching a talking head. They watch the people around them taking notes, nodding in approval or disapproval, or smiling at something. Is that something on the handout? Which page? Or is it on the transcript? Which page? Then they have to wonder, if this how all the deaf people are treated here? What about other folks who need access services? What does that tell their child about how people with disabilities are treated? I know if I was there and found out that there was not going to be an interpreter, I would have been torn between interpreting and going to my orientation (hmmmm..... A potential interpreter leaves the field before they start!) . You'll reap the benefits if you provide the interpreters. Plus, what they are asking for is not unreasonable, they are paying the tuition for their child, they just want to know what they are getting in return. Sorry for the Friday rant!

Location not available

I've only just seen this correspondence and agree with Jeffrey Jaech's query about why Mercer wouldn't hire interpreters for the whole day. As a deaf person and a professional in the field, I would want to have access to the same information as the other parents are getting, including the jokes and additions the college president will likely add to his/her scripted speech.

I hope you will follow through with getting interpreters, even if you need three, to come from Atlanta if you can't find them locally. You will win the appreciation and get free advertising from the parents when they tell their peers how accessible Mercer University is.

Location not available

Gary Sanderson's cross post regarding the provision of interpreters for Deaf parents should give all of us food for thought and help us realize the impact of the decisions that we make. It's clear that, according to the law, access must be provided. It is more clear, on a human level, that persons working in the field of disability services need to remain sensitive to the inequalities that still exist.

Location not available

We generally inform the outside agencies about what their requirements are under the ADA and supply them with a list of interpreters. After that we back off. This is no different than using a hotel conference room as far as I am concerned .

ADA and Disabilities Resource Center, Idaho

I would like to thank all those who posted to my original question about my university providing interpreters for events on campus. The replies went on to include events such as graduations, conferences, and Gary's recent orientation etc. If the school is offering these events, then we need to provide access.

BUT another part of my question was what about outside agencies using the university's facilities when the school is NOT a co-sponsor, (renting the theater for a speaker, play). Do we have to provide access/ accommodations when it is NOT our event but still on our campus? I have an idea of what to do, but my administration is asking for input about other institutions do in these cases.

University of North Florida—Jacksonville

All educational institutions are REQUIRED by the ADA to provide services at all public school sponsored events upon request, regardless of whether the requestor is a registered student or otherwise associated to the institution. This would include graduation, plays, conferences, open houses, and so on.

It's easy to think that refusing to provide services for a school play may not seem like a big deal, you just don't have the money for it, it'd be too much trouble. Wrong. Your school could get slapped with a lawsuit that they can't defend against and would lose easily.

A better question to ask would be which department within the university is responsible or should be for paying for this accommodation? Each school has a different policy. At some schools, the office who handles classroom services also has money in their budget for special events, while at others, the department who's sponsoring the event is responsible for paying for the services.

Location not available

I saw Debra's email and wondered how other colleges might handle providing interpreters for graduation ceremonies for the deaf parents of a student. If the student herself isn't qualified for the services, are we obligated to provide services for her parents?

Florida Health College of Health Sciences

YES YES YES, the college is obligated to provide access for the deaf parents of a hearing student graduating. Under Title III - Public Accommodations - colleges and universities MUST make their services available to the parents wishing to attend their daughter's graduation. Not only does the ADA require this, but these parents paid for their daughter's education and for the college to even consider not paying for access during graduation seems to me to be rather lacking in awareness of the key roles these parents played in this student attending your college.

Consultant from Colorado

If an outside event is held at our campus we do not provide services, they may call me for a referral. The only time we pay for an event, even held at our campus, is when a D/HH registered student request services. If a department on campus is holding an event that a registered student has not requested interpreting services for they are responsible for payment, again they can ask for a referral. We do not get reimbursed for services provided. Hope this helps, feel free to contact for more info.

Location not available

Here at the University of North Florida, interpreters are provided for the graduation ceremonies as well as the convocation ceremonies regardless if there are Deaf people there or not.(I do this with a team terp) We do provide this to family and friends of the graduates as this is a "public event" sponsored by the university and the request is made from the President's Office. This is one of the few events that we do not ask for reimbursement (from the President's office).

University of North Florida—Jacksonville