

Guidelines for Faculty, Staff, and Administrators

A. Maintaining Confidentiality of Student Disability Information

- All disability-related information including accommodation letters, correspondence, and consultations are considered confidential and must be managed in line with The Family Educational Rights and Privacy Act (FERPA) regulations. This includes electronic, paper, verbal, and any other types of communication.
- In addition to fulfilling legal obligations, maintaining a high standard of confidentiality also serves to maintain an environment in which students with disabilities feel respected, safe, supported, and protected.
- Unauthorized disclosures of student information must be documented and can result in the University being in non-compliance with federal regulations. The Office for Civil Rights (OCR) may audit FERPA compliance and require corrective actions. Additionally, such disclosures may violate state privacy laws and may subject the university and the individual to liability.
- We recognize that disclosures of information are generally inadvertent. For this reason, a high level of vigilance to avoid unintentional but inappropriate disclosure of disability information must be maintained. Please contact the Student Disabilities Access Office if there are any questions, issues, or concerns regarding maintaining confidentiality of information.
- All information that the SDAO and student share with a faculty member is to be used specifically for arranging reasonable accommodations for the course of study.
- Do not leave student disability information visible on your computer or in any printed format that others can see.
- Professor letters of accommodations should be kept in a safe place.
- Refrain from discussing a student's disability status and necessary accommodations within hearing range of fellow students or others who do not have an "educational need to know."
- Discuss Accommodation Letters and logistics of implementing accommodations with students in private. Make yourself available by email, during office hours, or by appointment to discuss.
- Do not assume that a student registered with the SDAO is aware of other students registered with the office. Keep this information private.
- When sending emails to a group of students with disabilities (SWD), even if they are all registered with the SDAO, blind copy (Bcc) students so they are not privy to other student's information, or better yet, send separate emails to each student.
- At no time should the class be informed that a student has a disability, except at the student's request.
- Casual conversations with colleagues about a student's disability status are prohibited.
- Confidential disability information, to which you have access, should be released to other faculty or staff based only on their need to know (e.g. they are a co-instructor in the course, they are proctoring an exam, they are arranging for exam space, they are assisting you to identify a note-taker in the course). In such cases, disclose only the necessary information. For example:
 - A **TA or other course coordinator** proctoring your exam would only need to know the student's approved exam accommodation (e.g. 1.5 extended time and private room).

- A TA only needs to know the approved on-site accommodations, not why the student requires them.
- It is acceptable to communicate an anticipated number of students with testing needs to faculty in other blocks to aid in test administration pre-planning.

B. Requesting specific information about a student's disability is inappropriate.

- Instead, faculty should focus any inquiry on how a student's learning is impacted by their disability.
- Requesting a letter from the student's physician is inappropriate. The Accommodation Letter is all that is needed to justify the accommodation and supersedes any letter from the student's provider.
- If a student voluntarily discloses the nature of their disability to you, even if it is obvious, do not disclose it to others.
- If a student tries to provide you with their primary disability documentation, refuse to read or accept it and refer the student to the designated Disability Service Liaison, DGS(A) or the SDAO. Duke has designated the Student Disabilities Access Office as the repository of all disability documentation for SWD.

C. Collaborate closely with the SDAO, DSL/DGS(A) to provide accommodations in a timely manner

- If you are notified that alternative formatted materials (PDFs, Closed Captioned videos, etc.) are requested, immediately begin working with the appropriate person to begin the process of getting the materials converted. *This process takes a great deal of time and manpower; technical difficulties arise.*
- Make arrangements for SWDs that receive extended test time and/or minimal distraction testing. Collaborate with department heads, DSL or DGS(A); *The SDAO does not have the personnel nor room to accommodate these students.*
 - If a TA coordinates your testing accommodations for SWDs, it is the professor's responsibility to forward the accommodation letter(s) to the TA; it is not the responsibility of the SDAO case manager to do so.
- Begin now on alternative formatting of documents and videos to accessible formats before uploading to Sakai.

For further information about the University's expectations for accommodating students with disabilities please refer to our webpage: www.access.duke.edu