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Students with Disabilities: Transitioning from PK-18 to the Workplace

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Students with Disabilities: Transitioning from PK-18 to the Workplace

Keywords: Reasonable Accommodation (Academic Setting) (Work Setting), Global Competence, Culture and Disabilities, International workforce

Case Level: Higher Education

Applicable Topics: Tension between educational and workplace accommodations for persons with disabilities, tension between disability and culture

Abstract

The case study investigates the conflict that arises when a student who has received services and accommodation, under IDEA and ADA, for an invisible disability (a disability that cannot be seen; there is no overt physical or behavioral appearance) throughout her education (PK-12 through graduate school) transitions to her first job. The case explores the tension between the employee and her employer. The case specifically addresses three of the Eight Key Questions of Ethical Reasoning (number three-authority, number five-rights, and number six-responsibilities).

Case Description and Dilemma:

Early Childhood

Early in her development, Stephanie had been observed struggling to maintain focus on a task or information for sustained time, to know what to focus on and when, and completing a task before moving on to another offered challenges. Her mother noted that Stephanie was a very good child, but was very energetic and often transitioned quickly from one play activity to the next. Stephanie's mother often stated that Stephanie left a trail behind her as she first learned to color, cut paper, use play dough, or finger-paint. Stephanie never seemed to be able to finish her activities - she just simply moved from one activity to next, dropping all of her supplies onto the floor.

Elementary School

It was no surprise that when she first started elementary school, Stephanie struggled with school assignments and time management. Her difficulties with focusing and sustaining that focus, especially in an active learning environment, caused delays for her reading and mathematics. After a disastrous first two years in school, her teacher recommended that Stephanie be taken to the school's Child Study Team, which eventually led to a comprehensive individualized assessment of Stephanie's learning and achievement.

After a battery of tests, Stephanie was diagnosed with ADHD, her physician prescribed medication and she was enrolled in a pull out program designed to teach her behavior and learning strategies. Stephanie learned how to focus and sustain focus, to schedule her schoolwork assignments, manage her time, organize her physical space to reduce distractions and complete her homework. Quickly, Stephanie began to improve her reading and mathematics skills and use them more effectively.

Stephanie adhered to a complex system of learning and behavioral strategies. She knew that to optimize her learning potential, she needed to sit in a seat that minimized distractions - things like noise, conversation among fellow students, hallway chatter, video, outside playground activities, movement, posted visuals, clutter, etc. She was better able to focus-in on what was relevant, sustain her focus across time, organize her space to minimize distractions, monitor her off-task triggers and behavior, and use behavioral and metacognitive coping strategies that allowed her to be successful in her academic and extracurricular activities, Stephanie's teachers worked with Stephanie to accommodate her specific learning requirements and developed an overall, comprehensive plan to maximize her learning outcomes. In such a supportive environment, Stephanie thrived.

Middle School and High School

Stephanie continued to thrive throughout middle and high school. She successfully navigated switching classes and having single-subject classes taught by specific teachers. Stephanie mastered the learning and behavioral strategies she had been given and grew into an outstanding high school student. She carefully sequenced her choice of courses and continued to use her strategies to adapt to the growing demands of content courses, number of assignments, changes of classes, and diverse teachers/teaching styles.

College

In college, Stephanie immediately registered with the Office of Disability Services (ODS). She continued to use the strategies that had proven successful in K-12 schooling and honed their use in the increasingly complex and busy college experience. She studied hard, diligently worked on her assignments, and progressed successfully through her undergraduate curriculum and extra-curricular activities. ODS worked with Stephanie's professors to ensure she had reasonable accommodations during in-class work and on tests. Although she was registered with the ODS, Stephanie grew less dependent on their services and became less likely to inform her instructors of her learning accommodation needs.

Graduate School

Even as a graduate student, facing more intense time demands, autonomy, and responsibility for her learning outcomes, Stephanie successfully coped with her ADHD. She opted not to inform her professors of her ADHD diagnosis or accommodation requirements. She was a successful, if stressed, student and completed her degree program in a timely manner.

The Ethical Dilemma

After receiving her Master's Degree, Stephanie was immediately hired by an international consulting firm (owned by a U. S. corporation) located in Dublin, Ireland for an entry-level position. Like all new hires, Stephanie was assigned to a cubicle office - one among 50 such cubicles in a large open office space. Her new office location was near the copier machine and right outside her boss's office. All day long, employees congregated in front of Stephanie's desk, either to discuss ongoing projects, engage in office small talk, or meet with Stephanie's boss.

With just 5 days on the job, Stephanie knew she was going to fail. The constant humming of the copier machine, employee chatter, hectic motion, and busy tasking was driving Stephanie to the point of distraction. She could not concentrate on her new duties, could not engage in meeting new friends, nor could she focus on upcoming deadlines.

Not only did Stephanie find herself working for an international company with colleagues and supervisors from a variety of nationalities and cultures, but she was living in a new country and culture. Stephanie found herself having to pay attention to more diverse and subtle cues, processes and practices, and ‘norms’. She was experiencing cognitive and social-emotional dissonance and overloading her coping strategies. Those strategies that had proven successful in the familiar world of U. S. schools and home were not proving successful in her new company or community.

Stephanie sought advice and counsel from her Human Resources Department. She discussed her disability at length with the HR officer assigned to her department. After several meetings with her HR officer, Stephanie was asked to participate in a meeting with the HR Director and the Director of the Employee Activities Program (EAP). The HR Director suggested that a meeting be convened to get input from all of the parties involved: HR, EAP, and Stephanie’s supervisors. Stephanie worried about how her immediate supervisor and her supervisor’s boss might view her request for accommodation.

Stephanie left the HR department feeling that she had not been heard. Her HR officer discouraged Stephanie from making a request for accommodation implying that such a request might hurt Stephanie’s chances for promotion. Stephanie felt marginalized, devalued. She could not understand why her company took such a negative view of her disability.

Ethical Considerations

1. Authority—Key Question Number Three
 - a. What laws, rules, and regulations govern how employees with disabilities are treated in the workplace (U. S. vs. International)?
 - b. Must/should prospective applicants for employment disclose their disabilities to their future employers?
 - c. What is the impact of such disclosures on hirability?
2. Rights—Key Question Number Five
 - a. What are Stephanie’s rights with regard to what are reasonable accommodations?
 - b. What are the rules, regulations, policies and procedures that govern the employment relationship (U. S. vs. non-U. S.)?
 - c. How might the issues of skill, routinization, attendance, job description, pay policy, hierarchy, authority, and work schedule impinge on Stephanie’s request for accommodation?

- d. What are the company's rights with regard to what are reasonable accommodations?
3. Responsibility—Key Question Number Six
 - a. Employer
 - i. What responsibilities do employers have to accommodate their employees with hidden disabilities?
 - ii. How far must employers go to maximize employee potential by providing accommodations?
 - iii. Must employers invest in accommodations without the benefit of a return on investment?
 - iv. How should employers maximize the contributions of their employees with disabilities?
 - b. Employee
 - i. What responsibilities does a person with a disability have, to 'do their homework' about a company or location prior to accepting a job (especially if an international company or location)?
 - ii. What responsibility does a person with a disability have to identify and accommodate for cultural challenges to their disability?

Instructor Insights

The instructor can re-introduce the three key questions throughout each of the following discussions.

1. Are the rights of a student with disabilities the same or different than an employee with disabilities?
 - a. Instructor will provide a brief outline of the relevant sections of ADA and IDEA and have students, in pairs, do a comparison.
 - b. Lead a discussion about what is disability and ableness (Weston, 1990).
2. Lead a discussion about different career options for which students are being prepared.
 - a. Break students into teams and explore what are knowledge and skills required to do the job.
 - b. Return to the discussion on disability and ableness and consider whether the job could be done by a person with a specific kind of disability (instructor could provide the disability description).
 - c. What accommodations would need to be made for a person with a specific kind of disability (see item b) and whose responsibility is it to make those accommodations?
3. Lead a discussion about whose responsibility it is to identify whether an employee has a disability, and the reasonable accommodations appropriate.
 - a. Compare the responsibilities of employee versus employer.
 - i. Use information from comparison of ADA and IDEA.
4. Ask students the question: Should you assume that every country has a law similar to the ADA regarding the rights of individuals with disabilities in the workplace?

- a. If you accept a job in a foreign country, is it safe to assume that you are automatically protected by the ADA because you are an American citizen?
- b. Are U. S. companies located in foreign countries required to follow U. S. laws (ADA) regarding employment of persons with disabilities?
- c. Break students into small groups and assign countries to each group to investigate ADA laws. Use information on ADA from comparison activity.

References

Weston, K. (1990). Production as means, production as metaphor: Women's struggle to enter trades. In F. Ginsburg & A. Lowenhaupt Tsing (Eds.), *Uncertain terms: Negotiating gender in American culture*, (137-151). Boston: Beacon.