

## **Sylvan Learning Centers, L.L.C.**

### **Policy on Effective Communication with Students with Hearing Disabilities**

Under the Americans with Disabilities Act (ADA), Sylvan Learning Centers, L.L.C. (Sylvan) is required to provide auxiliary aids and services when they are necessary to ensure effective communication with individuals who are deaf or hard-of-hearing, unless doing so would impose an undue burden or effect a fundamental alteration of its programs and services. Examples of such auxiliary aids and services include, but are not limited to, providing qualified sign language interpreters, notetakers, computer-aided transcription services, written materials, telephone handset amplifiers, assistive listening devices, videotext displays, or any other effective methods of making aurally delivered materials available to students with hearing disabilities. The purpose of this Policy is to provide Sylvan employees with guidance to ensure that Sylvan complies with provisions of the ADA applicable to students with hearing disabilities.

#### **Contact Center Inquiries**

If a prospective customer contacts Sylvan's Contact Center and discloses that he or she is seeking services for a deaf or hard-of-hearing student, the proper response is to inform the prospective customer that Sylvan routinely provides services to children with hearing disabilities. The Contact Center representative should schedule an appointment for the prospective customer to meet in a Consultation with the Center Director and/or Education Director in the local Sylvan Learning Center to discuss the student's needs and whether auxiliary aids and services are appropriate, as set forth below. For example, Contact Center responses to inquiries concerning students with hearing disabilities should be similar to the following:

Example: "Sylvan would love to work with (student's name). Can we schedule a meeting where we can more fully discuss your student's needs and the accommodations we can make for him/her?"

Example: "Why don't I schedule a free Consultation for you. Then we can determine how to best meet (student's) needs. The Sylvan Center Director will also be available to answer any questions you may have."

The **wrong** answer is to say, "Our staff does not know sign language so we can't help your student."

#### **Consultation at Sylvan Learning Center**

At the Consultation concerning the deaf or hard-of-hearing student, the student and his or her guardian will discuss with the Center Director and/or Education Director what auxiliary aids and services are appropriate, and the timing, duration and frequency with which they need to be provided.

The assessment of what auxiliary aids and services will be appropriate must be made by Center staff who are otherwise primarily responsible for coordinating and providing educational services, in consultation with the student and his or her guardian. Center staff should take into account all relevant facts and circumstances, including the nature, length and importance of the communications at issue; the individual's communication skills and knowledge; the student's or guardian's request for or statement of need for an interpreter or other assistance; and the reasonably foreseeable educational activities of the student while enrolled at the Center.

### **Determination, Either During or After the Consultation, of Auxiliary Aids and Services to Be Provided**

During or after Consultation with the student and the student's parent or guardian, the Center staff shall determine what auxiliary aids and services (which, in some cases, will include sign language interpreter services) are necessary to ensure effective communication. Except when doing so would impose an undue burden, Sylvan must provide qualified sign language interpreters to students who are deaf or hard-of-hearing and whose primary means of communication is sign language, as necessary for effective communication. When the Center provides auxiliary aids and services, including sign language interpreter services, these aids and services must be free of charge. In the event that Center staff is not sure whether auxiliary aids and services in general, or a specific auxiliary aid or service, need to be provided; or if the resources to provide a specific auxiliary aid or service are readily available, Center staff should immediately contact their district or regional supervisor, or the corporate legal department, for further instructions. Sylvan is not required to pay for personal devices, such as hearing aids.

If, either during or after conducting the Consultation, Center staff determines that the circumstances do not warrant the provision of an auxiliary aid or service, Center staff must document the date and time of the denial, the names and titles of the Center staff member or members who made the determination and the district or regional supervisor who approved the determination, and the basis for the determination. A copy of this documentation must be provided to the person who made the request, along with information on Sylvan's grievance procedure.

### **Implementation of Auxiliary Aids and Services**

Each Sylvan Center must take appropriate steps to ensure that all Center staff having contact with a student who is deaf or hard-of-hearing are made aware of the student's disability and the auxiliary aids and services Sylvan will provide to supplement and enhance the student's experience at Sylvan. In addition, the Center Director or Education Director shall be responsible for monitoring the progress of the student and the effectiveness of the auxiliary aids and services and, if reasonably necessary or appropriate, changing the auxiliary aids and services to meet the needs of the student.