Guidance around Accommodations

• Relevant Legal Standards upon which the Disability & Reasonable Accommodation Policy is based
  - Americans with Disabilities Act, as amended and Section 504 of the Rehabilitation Act
    - Require the University to provide academic adjustments and auxiliary aids and services that are necessary to afford the student an equal opportunity to participate in the University’s program, unless the adjustments, aids, and/or services would result in a fundamental alteration of the University’s program or impose an undue burden. Undue burden considers the entire resources of the university, so rarely, if ever will expense/cost be a reason not to provide an academic adjustment.
    - Require the University to provide reasonable accommodations to allow an employee to perform the essential functions of their position unless doing so would impose an undue hardship.
      - "Undue hardship" means significant difficulty or expense. Undue hardship refers not only to financial difficulty, but to reasonable accommodations that are unduly extensive, substantial, or disruptive, or those that would fundamentally alter the nature or operation of the college, department, program, or unit.

• Strategic Plan
  - Disability is diversity.
  - Disability accommodations are not advantages, they are civil rights.
  - The verbal and nonverbal language we use toward individuals with disabilities matters.
  - Students with VISAs and employees with SEADs have been evaluated and determined to have a disability – a physical or mental impairment that substantially impairs a major life activity.
  - Validating students and employees, without questioning their need for accommodations or implying it advantages them, creates an atmosphere of encouragement, and fosters equitable learning and working experiences.

• Resource Center for Persons with Disabilities (RCPD)
  - The unit on campus responsible for assessing and documenting disabilities for students and employees.
  - Builds and facilitates individual plans for reasonable academic adjustments and auxiliary aids for students.
  - Connects students with technology, education, and resources as part of the reasonable accommodation process.
  - Partners with the Office of Employee Relations concerning reasonable accommodations for faculty and staff.
  - Maintains guidance on website describing most common academic adjustments, assistive technology, and other accommodations.
• Office of Employee Relations
  o Builds and facilitates individual plans for reasonable accommodations for employees.
  o Connects employees with resources as part of the reasonable accommodation process.
  o Partners with RCPD concerning reasonable accommodations for faculty and staff.

• Verified Individualized Statement of Accommodation (VISA)
  o A document that enables students to validate and communicate their accommodation needs to faculty. Must be implemented as written until a revised or new VISA is issued or appeal decision challenging accommodation or denial of accommodation is issued by ADA Coordinator

• Verified Individualized Statement of Temporary Accommodation (VISTA)
  o A document that performs the same functions as a VISA for students with conditions of a temporary nature. Such adjustments are not required under the ADA but may be granted by the University in certain circumstances.

• Statement of Employee Accommodation Determination (SEAD)
  o A document that enables employees to validate and communicate their accommodation needs to their supervisor. Must be implemented as written until a revised or new SEAD is issued, or appeal decision challenging accommodation or denial of accommodation is issued by the ADA Coordinator
  o Requested accommodations are marked as one of the following: granted, granted with modification, or denied. Determination comments and dates are provided by OER to further explain the outcome.
  o The employee and the OER staff member are named in the SEAD to provide linkages should supervisors need clarification or desire further communications with OER.

• Examples of Academic Adjustments for Students
  o Changes in the length of time permitted for the completion of degree requirements.
  o Substitution of specific courses required for the completion of degree requirements.
  o Adaptation in the way specific courses are conducted.

• Examples of Auxiliary Aids for Students
  o Audio, large print or Braille texts aiding those with print-related disabilities including visual, learning or hand dexterity challenges.
  o Interpreters or other effective methods of making orally delivered materials available to individuals with hearing impairments.
  o Scribes and/or qualified readers that make learning environments accessible

• Examples of Reasonable Accommodations for Employees
  o Making existing facilities accessible
  o Job restructuring
  o Part-time or modified work schedules
  o Acquiring or modifying equipment
- changing tests, training materials, or policies
- providing qualified readers or interpreters
- reassignment to a vacant position

- Frequently Asked Questions
  - What do I do if I disagree with the accommodation determination in the VISA or SEAD?
    ▪ Contact the RCPD or OER specialist identified in the VISA/SEAD to discuss your concerns. Continue to provide the accommodations in the VISA/SEAD until a new or revised VISA/SEAD is issued.
  - My student was granted an academic adjustment of occasional absences from class. I don’t know exactly what this means, but I believe the student is frequently absent from class. What do I do?
    ▪ Contact the RCPD specialist to discuss your concerns. Continue to provide the accommodations in the VISA until a new or revised VISA is issued.
  - I believe that the academic adjustment is not reasonable and fundamentally alters program requirements, what do I do?
    ▪ Appeal to the ADA Coordinator. Continue to provide the accommodations in the VISA until a new or revised VISA is issued.
  - The accommodation determination by the OER is not reasonable or is an undue burden, what do I do?
    ▪ Appeal to the ADA Coordinator. Continue to provide the accommodations in the VISA until a new or revised VISA is issued.

- Dos and Don’ts
  - Do contact RCPD with questions about how to implement a specific academic adjustment or auxiliary aid. Continue to provide the academic adjustment as indicated in the VISA unless and until a new or revised VISA is issued.
  - Do contact RCPD with questions about the student’s use of a specific academic adjustment. Continue to provide the academic adjustment as indicated in the VISA unless and until a new or revised VISA is issued.
  - Do contact RCPD with questions about RCPD’s determination that a specific accommodation is reasonable. Continue to provide the academic adjustment as indicated in the VISA unless and until a new or revised VISA is issued.
  - Do contact RCPD with any questions you may have about implementation of the student’s accommodation. Continue to provide the academic adjustment as indicated in the VISA unless and until a new or revised VISA is issued.
  - Do meet with the student if requested to discuss the VISA.
  - Do provide information in your syllabus directing students to RCPD if they need accommodations for a disability.
  - Do provide the accommodations in the VISA even if you disagree with it, have concerns about the student’s use of the accommodations, or other issues.
  - Do not discuss the students VISA or disability in the presence of other students.
  - Do not question the student about their disability, medical condition, etc.