

921 AMERICANS WITH DISABILITIES POLICY

Policy 921 was approved by the ISU Board of Trustees on April 29, 2005

921.1 Policy. Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990, the Indiana Civil Rights Act, and this policy prohibits discrimination in employment and educational programs against qualified individuals with disabilities. It is the policy of Indiana State University to provide reasonable accommodations or academic adjustments for its employees and students upon documentation of the disability and making known the type of accommodation needed. These accommodations and adjustments shall be made in a timely manner and on an individualized and flexible basis, and shall be the result of the dialogue between the requesting individual and designated representatives of the institution.

921.1.1 Individual Responsibility. It is the responsibility of individual students, staff and faculty to identify themselves as individuals with a disability when seeking an accommodation or adjustment. It is also the responsibility of individual students, staff and faculty to document their disability from an appropriate licensed professional, and to demonstrate how the disability limits their ability to complete the essential functions of their job or limits students' participation in programs or services of the university. Medical documentation will be kept confidential as the law permits.

921.1.2 Institutional Standards of Performance. Students, staff and faculty must maintain institutional standards of performance.

921.2 Definitions.

921.2.1 Individual with a Disability. An Individual with a Disability is a person who:

- (1) Has a physical or mental impairment that substantially limits one or more major life activities;
- (2) Has a record of such impairment; or
- (3) Is regarded as having such impairment.

921.2.2 Qualified Individual with a Disability. A Qualified Individual with a Disability is someone who, with or without accommodations, meets the essential eligibility requirements for participating in programs, services, and activities provided by Indiana State University.

921.2.3 Qualified Employee or Applicant with a Disability. A Qualified Employee or Applicant with a Disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job in question.

921.2.4 Reasonable Accommodation. Reasonable accommodation may include, but is not limited to:

- (1) Making existing facilities used by employees readily accessible to and usable by persons with disabilities.
- (2) Job restructuring, modifying work schedules, reassignment to a vacant position;
- (3) Acquiring or modifying equipment or devices, adjusting or modifying formats or language, training materials or policies, or providing qualified readers, interpreters or adaptive software;
- (4) Alternative testing, extended time, scribes, interpreter, environment free of distractions, brailled material, taped lectures, text-to-audio software, and computer-assisted instruction.

921.2.5 Undue Hardship. An employer is required to make an accommodation to the known disability of a qualified applicant or employee if it would not impose an "undue hardship" on the operation of the employer's business. Undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as an employer's size, financial resources and the nature and structure of its operation.

921.2.6 Essential Eligibility Requirements. Essential Eligibility Requirements means the academic or other technical standards required for admission to or participation in Indiana State University programs, services, or activities which an individual must be able to meet with or without accommodation.

921.2.7 Essential Function. An "essential function" of a job means a fundamental duty of a job that helps defines the nature and purpose of the position.

921.3 Implementation.

921.3.1 Requests for Accommodation. Procedures and forms for requesting accommodation by employees or applicants can be found at www.indstate.edu/diversity/affactdiversity; students should contact Disabled Student Services, Gillum Hall 204A, 237-2301 or www.indstate.edu/sasc/dss.

921.3.2 Advisory Committee. The President's Commission for Enhancement of Diversity Resources (PCEDR) shall act as an advisory committee to the Office of Diversity & Affirmative Action regarding both students and employees and diversity issues relating thereto. The Commission shall include, as part of its purpose, identifying campus wide concerns relating to disabilities and making recommendations regarding policy, procedures and problem resolution related to disability issues.

921.3.3 Discrimination Concerns. Applicants, employees or students who believe that they may have been subjected to discrimination on the basis of disability in any campus program, activity or service should contact: The Office of Diversity & Affirmative Action, 510 Erickson Hall, 812-237-2877

- 921.3.4 Disabled Student Services.** Disabled Student Services (DSS), as part of Student Academic Support Services, shall maintain data on the nature and extent of the services provided to students with disabilities. Disabled Student Services will develop data collection requirements as part of the operational guidelines for implementing this policy.
- 921.3.5 Complaints.** ISU Office of Diversity & Affirmative Action (ODAA) shall be responsible for receiving complaints alleging any action that would violate Title II of the ADA or Section 504. Complaints will be handled under the "Campus Procedures for Discrimination and Sexual Harassment Complaints".
- 921.3.6 Training.** ODAA and DSS shall provide periodic in-service training for faculty and staff to develop their awareness and understanding of the needs of individuals with disabilities and legal compliance issues. Departments can request training from the ODAA or DSS. The Benefits Office will house the formal medical records and information for its employees requesting FMLA or disability accommodation.
- 921.3.7 Information for Students.** Each semester, all teachers and advisors should inform their students and advisees where they may obtain information about services available to those who have, or believe they have, a disability that may need accommodation.
- 921.3.8 Known Disabilities.** The institution can accommodate only known disabilities.

Last revised February 1, 2011.