

Americans with Disabilities Act (ADA) Policy

UA-02



About This Policy

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Responsible University Office:

Office of Affirmative Action

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Policy Statement

The Americans with Disabilities Act (ADA), the Indiana Civil Rights Act, and Indiana University policy prohibit discrimination in employment and educational programs against qualified individuals with disabilities. It is the policy of Indiana University to provide reasonable accommodations or academic adjustments when necessary. These accommodations and adjustments must be made in a timely manner and on an individualized and flexible basis.

It is the responsibility of individual students, staff, and faculty members to identify themselves as an individual with a disability when seeking an accommodation or adjustment. It is also the responsibility of individual students, staff, and faculty members to document their disability (from an appropriately licensed professional) and to demonstrate how the disability limits their ability to complete the essential functions of their job or limits student's participation in programs or services of the university. Medical documentation will be kept confidential.

Students, staff, and faculty members must maintain institutional standards of performance.

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Procedure

Faculty and Academic Appointee Accommodation Request Procedures

1. To receive an accommodation under the ADA, a faculty member must file an application with the **Dean of the Faculties**. (www.indiana.edu/~dfac, **855-2809**) The faculty member should include documentation of his or her functional limitations.

2. After reviewing the documentation and the facts of each request, the Dean of the Faculties will determine if the faculty member is eligible for accommodations under the ADA.
3. The Dean of the Faculties will then meet with the faculty member and his or her chair/dean to develop a plan of reasonable accommodation. During this meeting, the participants will:
 - a. identify the essential and marginal functions of the position (if not already done),
 - b. discuss the faculty member's specific physical or mental abilities or limitations as they relate to the essential functions along with potential accommodations, and
 - c. identify the accommodation that best serves the needs of the faculty member, his or her students, and the university
4. The Dean of the Faculties may require the faculty member to provide medical documentation in order to verify a condition or to provide further information that will assist in identifying reasonable accommodations. In most cases documentation is necessary to determine the appropriate accommodation. The Dean of the Faculties may seek advice from third party experts when necessary.
5. It is the responsibility of the Dean of the Faculties to determine the reasonable accommodation in a particular case.
6. The reasonable accommodation shall be documented by placing a copy of the accommodation plan in the faculty member's personnel file and in the Office of the Dean of the Faculties. To the extent necessary, this documentation should include a long-term plan for dealing with changes in the faculty member's limitations over time. Medical documentation shall be retained only by the Dean of the Faculties and shall be kept confidential.

Non-Academic Staff Accommodation Request Procedures

1. To receive an accommodation under the ADA, employees must file an application with the **University Human Resources Accommodation Specialist**. (www.indiana.edu/~uhrs, 855-7511) Employees are permitted to make the request on university time, but they must first request release time from their supervisor. Employees may be accompanied by a union representative or a representative from the Bloomington Professional Council when they meet with the Accommodation Specialist. During the initial meeting with the Accommodation Specialist, two things will be accomplished:
 - a. The Accommodation Specialist will determine what documentation from a licensed professional is needed to support the employee's request for accommodation.
 - b. The responsibilities of the university and the employee throughout the process will be clarified.
2. After reviewing the documentation and the facts of each request, the Accommodation Specialist will determine if the employee is eligible for accommodations under the ADA.
3. The Accommodation Specialist will review the marginal and essential functions of the job, the functional limitations of the disability, and the reasonableness of an accommodation. The Accommodation Specialist will then facilitate a discussion with the supervisor/unit head/dean and the employee to determine what accommodations may be reasonable.
4. The Accommodation Specialist may seek advice from third party experts when necessary. Medical documentation shall be retained by only the Accommodation Specialist and shall be kept confidential.
5. It is the responsibility of the Accommodation Specialist to determine the reasonable accommodation in a particular case after reviewing all the facts. The Accommodation Specialist will outline the process for providing the accommodation verbally and in writing to the employee and the department.
6. The employee is responsible for contacting the Accommodation Specialist if reasonable accommodations are not implemented in an effective and timely manner. The Accommodation Specialist will work with the employee and the department to resolve disagreements regarding the recommended accommodation.

Student Accommodation Request Procedures

1. To receive an accommodation under the ADA, students must file an application with the **Office of Disability Services for Students (DSS), a unit of the Division of Student Affairs**. (studentaffairs.iub.edu, 855-7578) Requests for accommodations should be made far enough in advance to allow DSS staff adequate time to coordinate needed services. Generally it is best to request needed services before a semester begins or as soon as a disability becomes known.

2. Students must provide documentation of their disability and how it limits their participation in courses, programs, services, jobs, activities, and facilities of the University. Documentation of the disability should be timely and from appropriate professionals licensed to diagnose the type of disability the student has. Medical documentation will be retained by only the Office of DSS and kept confidential.
3. The Office of DSS makes the determination of whether the student is eligible for accommodations under the ADA. Then DSS staff and the student will discuss what assistance is needed and, if requested, DSS staff will provide information to relevant faculty members and/or the academic unit verifying the disability and indicating the nature of the accommodation required.
4. If there is a discrepancy between opinions of faculty and/or the academic unit and student regarding what adjustments are appropriate, the Office of DSS will facilitate discussions between the student and faculty members and/or academic units. It is the responsibility of the Office of Disabled Student Services to determine the reasonable accommodation in a particular case, taking into account the content of the course, the student's disability, and the documentation from an appropriately credentialed professional. Nothing in these procedures require an academic unit to fundamentally alter the nature of its academic program.
5. Students are expected to meet with their instructors during office hours to discuss needed assistance in their course work so that details of various adjustments are coordinated. Students are responsible for notifying DSS staff if reasonable accommodations are not implemented in an effective and timely way.

Grievance Procedures

Faculty, staff, and students who believe the university has not met its obligations under the ADA should consult with the **Office of Affirmative Action**. (www.indiana.edu/~affirm, 855-7559)

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