

# Americans with Disabilities Act (ADA) Policy

UA-02



## About This Policy

Effective Date:

01-01-2007

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12-22-2016

Responsible University Office:

Office of Affirmative Action

Responsible University Administrator:

President, Indiana University

Policy Contact:

Julie Knost, University Director

Office of Affirmative Action

[affirm@indiana.edu](mailto:affirm@indiana.edu)

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## Scope

All academic, including faculty; staff; hourly employees; students; and volunteers at Indiana University. All university units.

Any questions regarding interpretation of this policy or procedures can be referred to the University ADA Coordinator.

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## Policy Statement

Indiana University is committed to maintaining an inclusive and accessible environment across all of its campuses. Ensuring that all university community members have access to facilities, information, and information technology associated with administration and services, coursework and instruction, programs, and university-sponsored activities is critical to our educational mission and is among our highest priorities. 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. University websites must be accessible so that students, prospective students, employees, guests and visitors with disabilities have equivalent access to the information and functionality provided to individuals without 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

The standard procedures for accommodation requests allow for an interactive process whereby the following occur:

1. A request for accommodation is made
2. The appropriate documentation is provided to support the disability
3. A reasonable accommodation is made, if appropriate

More detailed procedural steps based on role can be found below.

## Employee Accommodations

1. To receive an accommodation under the ADA, an employee must make a request to the designated office on their campus. The employee should include documentation of his or her functional limitations. An initial request can be made through a departmental chair, HR representative, dean, or directly with academic affairs, but please keep in mind that requests made are ultimately elevated to the designated office identified. Note: If you receive a request for accommodations from someone in your school or unit, that request should be elevated to the designated office identified on the ADA@IU website.
2. After reviewing the documentation and the facts of each request, the designated office will determine if the employee is eligible for accommodations under the ADA.
3. A member of the designated office will then facilitate a plan of reasonable accommodation. A member of the designated office will:
  - a. Determine what documentation is needed to support the employee's request for accommodation
  - b. Clarify the responsibilities of the university and the employee throughout the process
  - c. Identify the essential and marginal functions of the position (if not already done)
  - d. Discuss the employee's specific physical or mental abilities or limitations as they relate to the essential functions along with potential accommodations
  - e. Identify the accommodation that best serves the needs of the employee and the university
4. The University may require that a request for reasonable accommodation be supported by documentation.
5. It is the responsibility of the designated office to determine the reasonable accommodation in a particular case. The designated office will coordinate with the appropriate parties as necessary.
6. The accommodation and any related documentation is maintained by the identified designated office. Information shall be shared only with those having an official need to know.
7. The employee is responsible for contacting the designated office if reasonable accommodations are not implemented in an effective and timely manner. The designated office will work with the employee, and other parties as needed, to resolve disagreements regarding the recommended accommodation.

## Student Accommodation

1. To receive an accommodation under the ADA, students must file an application with the office serving students with disabilities on their campus. Requests for accommodations should be made far enough in advance to allow 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 programs or services of 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 serving students with disabilities and kept confidential.

3. The office serving students with disabilities makes the determination of whether the student is eligible for accommodations under the ADA. Then the office serving students with disabilities and the student will discuss what assistance is needed and, if requested, will provide information to relevant faculty members, information technology personnel, and/or the academic unit indicating the nature of the accommodation required.
4. If there is a discrepancy regarding requested accommodations, the office serving students with disabilities will facilitate discussions between the student and faculty members and/or academic units. It is the responsibility of the office serving students with disabilities 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 requires an academic unit to fundamentally alter the nature of its academic program.
5. Students are expected to discuss with their instructors the need for accommodations in their respective course. Faculty members are expected to discuss such matters privately and maintain confidentiality.
6. Students are responsible for notifying the office serving students with disabilities if reasonable accommodations are not implemented in an effective and timely way.

### **Grievance Procedures**

Employees or students who believe the university has not met its obligations under the ADA should consult with the University's ADA Coordinator, who serves all IU campuses and has overall responsibility for coordinating the efforts of the University to comply with the Americans with Disabilities Act (ADA) and investigating any complaints regarding the same.

### **Website Accessibility**

As of November 1, 2016, all new university websites must meet the accessibility standards set forth by Web Content Accessibility Guidelines (WCAG) 2.0 AA. Existing university websites will also be expected to meet accessibility standards and will be prioritized for review and compliance. Priority websites will be determined by electronic and information technology (EIT) coordinator and university chief compliance officer Marcia Gonzales, in consultation with the UITS Assistive Technology & Accessibility Centers (ATAC) and the Office of the Vice President and General Counsel.

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### **Sanctions**

Any violations of university policies by an individual will be dealt with in accordance with applicable university policies and procedures.

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### **Additional Contacts**

#### **Employee Accommodations and Resources by Campus**

Navigate to the following pages to identify the designated offices that can assist on your campus:

[Employee Accommodations and Resources by Campus](#)

#### **Student Accommodations and Resources by Campus**

Navigate to the following pages to identify the designated offices that can assist on your campus:

[Student Accommodations and Resources by Campus](#)

#### **University ADA Coordinator**

Julie V. Knost

University Director

Office of Affirmative Action Equal Opportunity

Poplars Building, Room 825

400 East Seventh Street

Bloomington, IN 47405

812-855-7559

[jknot@indiana.edu](mailto:jknot@indiana.edu)

**Office for Civil Rights**

U.S. Department of Education

Office for Civil Rights

Lyndon Baines Johnson Department of Education Bldg

400 Maryland Avenue, SW

Washington, DC 20202-1100

Telephone: 800-421-3481

FAX: 202-453-6012; TDD: 800-877-8339

Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Website: <http://www2.ed.gov/about/offices/list/ocr/index.html>

**University EIT Coordinator**

Marcia Gonzales

Chief Compliance Officer

Office of the Vice President and General Counsel University Hall 5030

3301 University Blvd.

Indianapolis, IN 46202

317-274-7460

[marcgonz@iu.edu](mailto:marcgonz@iu.edu)

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## History

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