

**Title/Topic:** Policy for Persons with Disabilities

**Number:** 26.04

**Functional Classification:** Institutional Governance & Administration

**Monitoring Unit:** Office of Academic Affairs

**Initially Issued:**

**Last Revised:** April 1, 2016

**Last Reviewed:** April 1, 2016

## **POLICY FOR PERSONS WITH DISABILITIES**

### **PURPOSE**

To state the policy of Louisiana State University providing equal opportunity for all qualified persons without regard to disability in the recruitment of, admission to, participation in, treatment in or employment in the programs and activities operated and sponsored by the University pursuant to the Americans with Disabilities Act of 1990 (ADA) and other related federal and state law.

### **POLICY**

The University prohibits discrimination against qualified persons with disabilities in employment, academic and other programs, public services, transportation, public accommodations and telecommunications. Additionally, the University is committed to promoting an atmosphere to prevent discrimination against individuals with disabilities, to bring persons with disabilities into the social and economic mainstream and to provide enforceable standards to address discrimination against individuals with disabilities. (Please also refer to the University Policy Statement on Equal Opportunity, PS-1.)

#### **1. Employees and Applicants for Employment**

The University is prohibited from discriminating against qualified individuals with disabilities because of the disability in hiring, advancement, discharge, compensation, training and other terms and conditions of employment (such as pre-employment testing and selection procedures). Employers are obligated to provide reasonable accommodations to applicants or employees with a disability, upon request, unless the accommodation would present an undue hardship. The determination of whether a reasonable accommodation is an undue hardship is a decision which grows out of the ADA Accommodation Assessment process and is made jointly by the Office of Human Resource Management, the Office of Facility Development, the Vice President for Finance & Administration and CFO, the affected department and/or the affected employee or applicant.

**In all cases in which a reasonable accommodation is requested, the University representative receiving the request is required to contact the**

**Office of Human Resource Management for assistance in handling the request.**

## 2. Students and Applicants for Student Status

The University shall not discriminate on the basis of disability in any academic program or activity associated with the University and will integrate students with disabilities into the University community to the fullest extent possible. Qualified applicants with a disability will not be denied admission or subjected to discrimination in admission or recruitment to the University on the basis of their disability. Recruitment of students will be conducted without regard for disability. All admission criteria and testing will be selected, administered, and evaluated in a manner that is accessible and accurately reflects the applicant's ability rather than an individual's impaired sensory, manual or speaking skills.

Applicants for admission may voluntarily self-identify as a person with a disability in the admissions process and will be routinely provided information on services available to students with disabilities at the University. A decision to not self-identify will not result in adverse treatment of the applicant.

**In all cases in which a student or applicant for student status requests an accommodation based upon disability, advice and assistance from the Office of Disability Services (ODS) should be sought by the University representative receiving the request.**

## 3. University Public Services

As a large, multi-faceted institution of higher education, the University accommodates and provides a variety of activities, programs and services available to the general public as well as to students and employees. These include athletic events, theatrical and music productions, museums and art galleries, and others. The University shall not discriminate on the basis of disability in any such activity, program or service but will make such activities, programs and services available to persons with disabilities to the fullest extent possible.

**It is the responsibility of University personnel and administrators responsible for activities, programs and services to respond to requests for accommodations by persons with disabilities seeking access to such activities, programs and services. Any University employee receiving a request for accommodation shall contact the Office of Disability Services or the Office of Human Resource Management for assistance in responding to the request.**

## 4. Telecommunications

The University provides access to the State of Louisiana's TTY relay service so that persons with disabilities who use non-voice terminal devices have opportunities for communications that are equivalent to those provided to individuals able to use voice telephone service.

**General questions about such services should be directed to the Office of Telecommunications. Requests for such services by students and employees should be directed to the Office of Disability Services and the Office of Human Resource Management respectively.**

## **ROLES AND RESPONSIBILITIES**

1. President: Has final authority for all decisions regarding the implementation of this policy.
2. Office of Human Resource Management (HRM): Is responsible for developing and administering procedures to provide for compliance with regard to employees and applicants for employment which includes implementation of reasonable accommodation procedures. HRM is also responsible for continuing development, implementation and monitoring of equal opportunity programs, including Title V of the Rehabilitation Act of 1973 as amended and the pertinent parts of the Americans with Disabilities Act of 1990. These Titles include Title I, which prohibits employment discrimination against individuals with a disability; Title II, which applies to public services and in particular to public transit; Title III, which applies to public accommodations; and Title V, which contains miscellaneous provisions, including requirements for technical assistance. HRM serves as a campus resource for matters involving persons with disabilities.
3. Office of Disability Services (ODS): Determines, coordinates, and provides all disability-related support services and academic accommodations in collaboration with other university departments, as necessary for enrolled students with documented temporary and permanent disabilities at the University. ODS also provides information on services for students with disabilities to potential students and their families and serves as a campus resource for matters concerning persons with disabilities.
4. Office of Facility Development: Provides technical support on matters involving University facilities and premises and is responsible for monitoring accessibility of University facilities and premises by persons who are disabled.

## **COMPLAINT PROCEDURE**

It is the policy of the University that issues concerning accommodation of persons with disabilities for employment and participation in academic and other programs, activities and services of the University should be expeditiously resolved between the person requesting the accommodation and the University employee representing the department within which the employment, academic program or other program, activity or service is located. If a member of the University community is not satisfied with the proposed accommodation, or has a complaint arising out of this policy, he/she may file a complaint in accordance with PS-1. Student grievances filed in accordance with PS-48 alleging disability discrimination and/or failure to accommodate will be referred to the Office of the Dean of Students for review pursuant to PS-1.

## **RETALIATION**

The University shall not discriminate against any individual for filing a charge of discrimination, opposing any practice or act made unlawful by the ADA or for participating in any proceeding under the ADA. In addition, the University shall not coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of his or her rights under the Act or because he or she aided or encouraged any other person in the exercise or enjoyment of rights under the ADA.

## **CONFIDENTIALITY**

The University will request only such information about an individual's disability as is necessary for those University representatives making an accommodation decision to determine the need for and the manner in which the disability may reasonably be accommodated. Such information may be disclosed only with the express written consent of the person requesting an accommodation on the basis of disability.

**Source:** Americans with Disabilities Act of 1990 and related federal and state law.