



## UTAH VALLEY UNIVERSITY Policies and Procedures

<b>Proposed Policy Number and Title:</b> 152 Accommodations for Individuals with Disabilities		
Existing Policy Number and Title:		152 Accommodations for Individuals with Disabilities (Students)
<b>Approval Process*</b>		
<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Temporary Emergency	<input type="checkbox"/> Expedited
<input type="checkbox"/> New	<input type="checkbox"/> New	<input type="checkbox"/> New
<input checked="" type="checkbox"/> Revision	<input type="checkbox"/> Revision	<input type="checkbox"/> Revision
<input type="checkbox"/> Deletion	<input type="checkbox"/> Suspension	
	Anticipated Expiration Date:	
*See UVU Policy #101 <i>Policy Governing Policies</i> for process details.		

<b>Draft Number and Date:</b> <u>Stage 3 Draft, November 21, 2019, Regular</u>
<b>President's Council Sponsor:</b> <u>Kyle Reyes, Linda Makin</u> Ext. _____
<b>Policy Steward:</b> <u>Alexis Palmer, Irene Whittier</u> Ext. _____

POLICY APPROVAL PROCESS DATES	
<p><b>Policy Drafting and Revision</b> Entrance Date: <u>6/25/2015</u></p> <p><b>University Entities Review</b> Entrance Date: <u>4/11/2019</u> Close Feedback: <u>10/11/2019</u></p> <p><b>University Community Review</b> Entrance Date: <u>11/212/2019</u> Open Feedback: <u>11/212/2019</u> Close Feedback: <u>1/6/2019</u></p> <p><b>Board of Trustees Review</b> Entrance Date: _____ Approval Date: _____</p>	<p style="text-align: center;"><b>POST APPROVAL PROCESS</b></p> <p>Verify:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Policy Number</li> <li><input type="checkbox"/> Section</li> <li><input type="checkbox"/> Title</li> <li><input type="checkbox"/> BOT approval</li> <li><input type="checkbox"/> Approval date</li> <li><input type="checkbox"/> Effective date</li> <li><input type="checkbox"/> Proper format of Policy Manual posting</li> <li><input type="checkbox"/> TOPS Pipeline and Archives update</li> </ul> <p><b>Policy Office personnel who verified and posted this policy to the University Policy Manual</b> Name: _____ Date posted and verified: _____</p>



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<b>POLICY TITLE</b>	Accommodations for Individuals with Disabilities	<b>Policy Number</b>	152
<b>Section</b>	Governance, Organization, and General Information	<b>Approval Date</b>	
<b>Subsection</b>	Individual Rights	<b>Effective Date</b>	
<b>Responsible Office</b>	Office of the Vice President of Student Affairs		

### 1.0 PURPOSE

1 **1.1** To ensure that all persons can access Utah Valley University’s services, the University is  
 2 committed to providing reasonable accommodations to students, employees, and guests with  
 3 disabilities in compliance with federal law. The Office of Accessibility Services (OAS) and  
 4 Human Resources work to assist individuals with disabilities seeking equal access to all  
 5 university programs, services, and activities, and to support faculty in the delivery of  
 6 accommodations and materials needed for classroom and field experiences.

### 2.0 REFERENCES

- 7 **2.1** *Americans with Disabilities Act of 1990*, 42 U.S.C. § 12101 (1990) (as amended by Pub. L.  
 8 No. 101-336, 104 stat. 327)
- 9 **2.2** *Family Educational Rights and Privacy Act (FERPA)*, 20 U.S.C. § 1232g (1974)
- 10 **2.3** Section 504 of the *Rehabilitation Act of 1973*, 29 U.S.C. § 794 (1973)
- 11 **2.4** *Nondiscrimination on the Basis of Disability in State and Local Government Services*, 28  
 12 C.F.R. § 35 (1991)
- 13 **2.5** *Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal*  
 14 *Financial Assistance*, 34 C.F.R. § 104 (1980)
- 15 **2.6** *Rights and Privileges of a Person with a Disability*, Utah Code Ann. § 62A-5b-101 (2007)
- 16 **2.7** UVU Policy 160 *Animals on Campus*
- 17 **2.8** UVU Policy 165 *Discrimination, Harassment, and Affirmative Action*
- 18 **2.9** UVU Policy 371 *Corrective Actions and Termination for Staff Employees*
- 19 **2.10** UVU Policy 541 *Student Code of Conduct*



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### 20 2.11 UVU Policy 648 *Faculty Personnel Reduction*

#### 3.0 DEFINITIONS

21 **3.1 ADA Coordinators:** University personnel responsible for supporting accommodation  
22 requests include the Director of the Office of Accessibility Services (student and visitor  
23 requests), the Employee Accommodations Coordinator in Human Resources (employee  
24 requests), and the Associate Vice President of Facilities (UVU facilities compliance with ADA  
25 regulations).

26 **3.2 Direct threat:** A significant risk to the health or safety of others as determined by an  
27 individualized assessment of the best available, objective evidence, including observation. The  
28 individualized assessment may include the nature, duration, and severity of the risk; the  
29 probability of harm or injury; and the availability of reasonable accommodations to minimize or  
30 eliminate the risk.

31 **3.3 Disability:** A physical or mental impairment that substantially limits one or more major life  
32 activities, or a record of such an impairment, or being regarded as having such an impairment.

33 **3.4 Essential requirements:** The learning outcomes or objectives, professional standards,  
34 conduct standards, performance expectations, and assignments, activities, or assessments that are  
35 essential to a degree, program, or course. For purposes of employment, essential requirements  
36 are the essential functions of a position with or without reasonable accommodation.

37 **3.5 Fundamental alteration:** Occurs when a proposed or recommended accommodation  
38 invalidates, negates, or impedes an essential requirement.

39 **3.6 Interactive process:** An informal back-and-forth dialogue through which a qualified  
40 individual with a disability and the University better understand the precise limitations created  
41 by the disability and which reasonable accommodations may enable a student or employee to  
42 perform essential requirements and otherwise access the programs, activities, and facilities  
43 available to other qualified students and employees.

44 **3.7 Reasonable accommodation:** Adjustments and/or auxiliary aids, which facilitate access to  
45 student- and employment-related activities and programs, including the provision of accessible  
46 and usable facilities for persons with disabilities; acquisition or modification of equipment or  
47 devices; appropriate adjustment of examinations or course materials; or provision of qualified  
48 readers or interpreters for persons with disabilities. A reasonable accommodation may include  
49 but is not limited to: (1) making existing facilities used by employees, students, and visitors  
50 readily accessible to and usable by individuals with disabilities; (2) job restructuring, part-time or  
51 modified work schedules, or reassignment to a vacant position; (3) acquisition or modification of  
52 equipment or devices; (4) appropriate adjustment or modifications of examinations, training



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53 materials, or policies; (5) the provision of qualified readers or interpreters; and/or other similar  
54 accommodations for individuals with disabilities.

55 **3.8 Retaliation:** For the purposes of this policy, intimidation, threats of reprisal, harassment, or  
56 other materially adverse actions, or threats of such materially adverse actions, made by or against  
57 persons employed by, attending, or affiliated with the University in any way or participating in  
58 any university program or activity, against anyone who in good faith requests reasonable  
59 accommodation or otherwise asserts rights protected by Section 504, the ADA, or other  
60 applicable law. Any action designed to prevent or discourage someone from asserting such rights  
61 may also be retaliation.

### 4.0 POLICY

#### 62 4.1 Scope of Policy

63 **4.1.1** This policy applies to disability accommodations for all persons (including trustees,  
64 administrators, faculty, staff, students, independent contractors, volunteers, and guests or visitors  
65 to a university campus or any property owned or leased by the University) who wish to access or  
66 participate in any university service, program, activity, facility, or communication.

#### 67 4.2 Policy Statement

68 **4.2.1** Utah Valley University is committed to complying with the *Americans with Disabilities*  
69 *Act of 1990, Amended Americans with Disabilities Act of 2008 (ADA)*, Section 504 of the  
70 *Rehabilitation Act of 1973 (Section 504)*, Utah's *Rights and Privileges of a Person with A*  
71 *Disability Act (Rights and Privileges Act)*, and other applicable federal and state laws protecting  
72 qualified individuals with known disabilities. With the goal of providing equal access to  
73 educational and employment opportunities, Utah Valley University will reasonably  
74 accommodate qualified individuals with known disabilities unless doing so would fundamentally  
75 alter an essential requirement, create a direct threat, or impose an undue hardship on the  
76 University.

77 **4.2.2** To be eligible for an accommodation, a student, employee, or visitor must have a  
78 qualifying disability as defined by the *ADA* or Section 504, voluntarily disclose their disability to  
79 the ADA Coordinator, seek an accommodation, and otherwise comply with the procedures set  
80 forth in this policy. Through its designated ADA Coordinator, the University will engage in an  
81 interactive process with the individual requesting the accommodation to respond to the request.

82 **4.2.3** Instructors and employee supervisors shall maintain confidentiality and shall not discuss  
83 any accommodation- or disability-related information with anyone other than [their supervisors](#),  
84 [the Office of Accessibility Services \(OAS\)](#), [and the Accommodations Coordinator in Human](#)  
85 [Resources](#), and the [requesting](#) student or [the employee](#), ~~and the Employee Accommodations~~



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86 ~~Coordinator in Human Resources.~~ Communications with a student or employees regarding their  
87 disability shall be handled discreetly and privately.

88 **4.2.4** Utah Valley University prohibits retaliation against any student, employee, or visitor who  
89 makes a good faith effort to exercise their right to reasonable accommodations or other rights  
90 under the *ADA* or Section 504.

91 **4.2.5** Staff, students, and faculty who violate this policy are subject to corrective or disciplinary  
92 action pursuant to UVU Policy 165 *Discrimination, Harassment, and Affirmative Action*, UVU  
93 Policy 371 *Corrective Actions and Termination for Staff Employees*, UVU Policy 541 *Student*  
94 *Code of Conduct*, or UVU Policy 648 *Faculty Personnel Reduction*, as appropriate.

95  
96

### 5.0 PROCEDURES

#### 97 **5.1 Accommodation Requests**

98 **5.1.1** Students who wish to request an accommodation related to educational activities and  
99 services must voluntarily disclose their disability to the UVU Office of Accessibility Services  
100 (OAS) and provide adequate documentation as described in section 5.1.5.

101 **5.1.2** Employees who wish to request an accommodation that will assist them in performing the  
102 essential functions of their jobs, and job applicants who wish to request accommodations that  
103 will assist them in completing applications must contact the Employee Accommodations  
104 Coordinator in Human Resources (HR). Employees and job applicants must voluntarily disclose  
105 their disability and provide adequate documentation as described in section 5.1.5.

106 **5.1.3** Employee supervisors, administrators, or faculty who receive disability accommodation  
107 requests from university employees must promptly report such requests to the Employee  
108 Accommodations Coordinator in HR. Given the need to address the request lawfully and to keep  
109 medical documentation confidential, supervisors shall not review or inquire into an employee's  
110 disability documentation and must not grant or deny requests for accommodation. Instead,  
111 supervisors shall submit the request to HR and allow the Employee Accommodations  
112 Coordinator to respond to the request.

113 **5.1.4** Visitors who wish to request an accommodation related to accessing UVU services,  
114 programs, activities, facilities, or communications shall contact OAS.

115 **5.1.5** All accommodation requests must include, at minimum, documentation of the following  
116 items by a qualified, licensed professional acting within the scope of their professional specialty:



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117 **5.1.5.1** Specific physical diagnosis as defined by the most current edition of the *International*  
118 *Classification of Diseases (ICD)* or psychological diagnosis as defined by the most current  
119 edition of the *Diagnostic and Statistical Manual of Mental Disorders (DSM)*,

120 **5.1.5.2** History of symptoms,

121 **5.1.5.3** Comprehensive documentation to support the diagnosis, including psycho-educational  
122 assessment if applicable,

123 **5.1.5.4** Functional limitations the diagnosed condition creates relevant to the educational and/or  
124 employment setting,

125 **5.1.5.5** Currently prescribed medications and the side effects or impact in the educational and/or  
126 employment setting, and

127 **5.1.5.6** How the functional limitation relates to the request for accommodation.

128 **5.1.6** Documentation must be current according to the standard expiration timeframes of the  
129 specific disability. Individuals requesting an accommodation who submit outdated  
130 documentation may be required to provide updated documentation. The following are the  
131 standard expiration timeframes for disability documentation:

Type of Disability	Documentation Expiration Timeframe
Visible, permanent disabilities	Documentation not required
Psychiatric and psychological disabilities	3 years
Learning disabilities	5 years
All other disabilities	3 years

132 **5.1.7** Those seeking accommodations should submit their requests no later than eight weeks  
133 before the semester for students or within two weeks of employment, or return to employment  
134 following a leave, for employees, or within two weeks of their visit to campus for visitors.  
135 Requests submitted later than these timeframes will be evaluated as quickly as possible. The  
136 University is not responsible for delayed services due to late requests.

137 **5.1.8** Individuals requesting an accommodation may sign a *Release of Information* authorizing  
138 the ADA Coordinator to inquire about the diagnosed disability and any elements of  
139 documentation that are unclear. Failing to sign and provide a *Release of Information* may delay  
140 accommodations and/or result in denial of accommodations.

141



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### 142 **5.2 Review of Requests and Authorization**

143 **5.2.1** OAS reviews student and visitor accommodation requests. The Employee  
144 Accommodations Coordinator reviews employee accommodation requests. The University,  
145 through these designated ADA Coordinators, engages in an interactive process with the  
146 individual requesting the accommodation to address the request as needed. All requests are  
147 considered on a case-by-case basis. Accommodative needs may change over time or require  
148 adaptation due to changes in technology or the employment or learning environments. Prior  
149 history of accommodation, therefore, does not automatically warrant continuation of the same or  
150 similar accommodation.

151 **5.2.2** As part of the review and interactive process, the ADA Coordinator will review the  
152 submitted documentation and determine whether additional documentation or information is  
153 needed from the individual requesting the accommodation. As needed, the ADA Coordinator  
154 will provide the individual requesting the accommodation the opportunity to modify the request  
155 or submit additional documentation.

156 **5.2.3** The review considers the individual needs of the requestor, the reasonableness of the  
157 accommodation, and recommendations from a qualified health care provider (included in the  
158 submitted documentation). The recommendations must be supported by evidence that clearly  
159 demonstrates a substantial limitation in the requestor's ability to access or perform in the relevant  
160 service, program, activity, facility, or communication.

161 **5.2.3.1** As part of the review process for employees, the Employee Accommodations  
162 Coordinator will consult with the appropriate supervisor(s) as needed for operational input on  
163 potential accommodations.

164 **5.2.3.2** As part of the review process for visitors, OAS shall determine what university units  
165 should be consulted.

166 **5.2.3.3** As part of the review process for students, OAS will consult with appropriate faculty as  
167 needed on potential academic adjustments.

168 **5.2.4** The ADA Coordinator may deny or modify requested accommodations if

169 **5.2.4.1** The documentation is deficient, outdated, or otherwise does not reasonably show a need  
170 for the requested accommodation;

171 **5.2.4.2** The accommodation would pose a direct threat to the health or safety others;

172 **5.2.4.3** The accommodation would create an undue financial or administrative hardship on the  
173 University;



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174 **5.2.4.4** The accommodation would cause a fundamental alteration to the relevant university  
175 service, credential, program, course, or activity (in the case of students); or would eliminate or  
176 alter an essential function of the job (in the case of employees); and/or

177 **5.2.4.5** The accommodation would disrupt UVU's educational programs or activities, including  
178 classroom instruction, or unduly disrupt other employees' ability to work.

179 **5.2.5** In consultation with the relevant faculty or employee supervisor(s) and any others as  
180 needed to ensure a knowledgeable analysis, the ADA Coordinator will determine through  
181 reasoned deliberation whether the requested accommodation would cause a fundamental  
182 alteration of an essential requirement. This deliberation will include (1) identifying specific  
183 essential requirements; (2) identifying the unique qualities of the relevant course, program, or job  
184 in relation to its overall objectives; and (3) considering any reasonable alternatives to the  
185 essential requirements.

186 **5.2.6** The Employee Accommodations Coordinator will consult with the University's Office of  
187 General Counsel as needed to ensure compliance with this policy and shall always consult with  
188 the Office of General Counsel and the Utah Division of Risk Management before denying an  
189 accommodation request.

190 **5.2.7** The ADA Coordinator will notify the student, employee, or visitor of the outcome of the  
191 accommodation request through a written decision explaining the reasons for the ADA  
192 Coordinator's decision.

### 193 **5.3 Implementing Accommodations**

194 **5.3.1** Once a student's accommodation request is approved, the student is responsible for (1)  
195 delivering the notice of accommodation to their instructors in a timely manner, and (2) meeting  
196 with an Accessibility Services counselor each semester to review accommodations and the  
197 appropriateness of their use in future courses.

198 **5.3.2** Once an employee's accommodation request is approved, the Employee Accommodation  
199 Coordinator will contact the employee's supervisor(s) to inform them of the accommodation(s)  
200 that must be provided. Employees are responsible for meeting with the Employee  
201 Accommodation Coordinator at least annually to review accommodations and the  
202 appropriateness of their use in the future.

203 **5.3.3** Supervisors and instructors shall implement the accommodation(s) as approved by the  
204 ADA Coordinator fully, ~~and~~ without retaliation, and immediately upon notification. Supervisors  
205 and instructors shall contact the relevant ADA Coordinator with any questions or concerns.

206





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### 207 5.4 Syllabi

208 ~~5.4.1 All instructors must include standard language in their course syllabi that identifies how~~  
209 ~~students can access accommodations because of a disability. The standard language is provided~~  
210 ~~from the Office of the Provost and is published on the Office of Accessibility Services website.~~  
211 ~~The standard language may be accessed by contacting the Office of Accessibility Services. :-~~  
212 ~~“Students who need accommodations because of a disability may contact the UVU Office of~~  
213 ~~Accessibility Services (OAS), located on the Orem Campus in LC312. To schedule an~~  
214 ~~appointment or to speak with a counselor, call the OAS office at 801-863-8747. Deaf/Hard-of~~  
215 ~~Hearing individuals may email [accessibilityservices@uvu.edu](mailto:accessibilityservices@uvu.edu) or text 385-208-2677.”~~

### 216 5.5 Grievances

217 **5.5.1** Reasonable effort should be made to resolve disputes before entering into the grievance  
218 process. Within 30 days of receiving notice of a denied request, the requesting student,  
219 employee, or visitor may request further review by the Accommodation Review Committee  
220 (Committee), which shall be comprised of the Director of Accessibility Services, the Employee  
221 Accommodations Coordinator, and the Director of Employee Relations (or their designees).

222 **5.5.2** In consultation with the Office of General Counsel, the Committee shall review the ADA  
223 Coordinator’s written decision and all documentation provided to, or relied upon by, the ADA  
224 Coordinator in making that decision. At this time, the student, employee, or visitor may submit  
225 any new documentation and/or written explanation regarding information that became available  
226 only after the ADA Coordinator’s written decision.

227 **5.5.3** Within 30 days of receiving the request for review, the Committee shall provide its  
228 decision in writing to the student, employee, or visitor, and the relevant ADA Coordinator. This  
229 decision shall be final, with no additional internal grievances or appeals available under this or  
230 any other UVU policy.

231 **5.5.4** Instructors and employee supervisors may submit grievances to the Accommodation  
232 Review Committee, according to the same timeframes outlined in 5.5.3.1 above, to resolve any  
233 concerns or problems with the implementation of approved accommodations.

### 234 5.6 Disability Discrimination and Relation to Policy 165

235 **5.6.1** Grievances and processes related specifically to disability accommodations are subject to  
236 this policy. Employees, students, and visitors who believe they have otherwise been  
237 discriminated against based on their disability should contact the University’s Office of Equal  
238 Opportunity/Affirmative Action, pursuant to UVU Policy 165 *Discrimination, Harassment, and*  
239 *Affirmative Action.*

POLICY HISTORY		
March 14, 1994	Policy approved.	UVU Board of Trustees



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June 18, 2019	Temporary Emergency policy approved.	UVU Board of Trustees
	Regular policy approved.	UVU Board of Trustees



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1

<b>POLICY TITLE</b>	Accommodations for Individuals with Disabilities	<b>Policy Number</b>	152
<b>Section</b>	Governance, Organization, and General Information	<b>Approval Date</b>	March 14, 1994
<b>Subsection</b>	Individual Rights	<b>Effective Date</b>	March 14, 1994
<b>Responsible Office</b>	Office of the Vice President of Student Affairs		

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### 1.0 PURPOSE

### 2.0 REFERENCES

10 *2.1 Americans with Disabilities Act of 1990 (ADA)*

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### 3.0 DEFINITIONS

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### 4.0 POLICY

18 ~~4.1 The University is committed to the goals and ideals of the *Americans with Disabilities Act of 1990 (ADA)*. The University will take all steps necessary to ensure full implementation of these goals and ideals. It is the intent of the following to ensure compliance with this commitment.~~

21

#### 22 ~~4.1.1 Announcement of Accommodations~~

23

24 ~~4.1.1.1 All university sponsored activities, conferences, events, meetings, dinners, and staff parties or activities will include as part of their announcements, news releases, radio broadcasts, bulletins, or invitations, the following statement regarding accommodations available for people with disabilities:~~

25 ~~"Accommodations are available upon request for persons with disabilities. Please contact~~  
26 ~~Accessibility Services at least three working days in advance of the activity to make~~  
27 ~~arrangements at (801) 863-8747. TTY users may call (801) 863-0908."~~

30

#### 32 ~~4.1.2 Dietary Adjustments~~

33

34 ~~4.1.2.1 If food is being provided at the activity, the statement should read as follows:~~

35 ~~"Accommodations and dietary alternatives are available upon request for persons with~~



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36 disabilities. Please contact the Accessibility Services t at least three (3) working days in advance  
37 of the activity to make arrangements at (801) 863-8747. TTY users may call (801) 863-0908."

38  
39 ~~4.1.2.2 If the cost of the accommodation is less than \$50, it will be the responsibility of the~~  
40 ~~sponsoring department to pay for the accommodation. The sponsoring department should arrange~~  
41 ~~and pay for all dietary adjustments necessary. Each department should arrange any reasonable~~  
42 ~~accommodation request. Accessibility Services has been established to provide resources for~~  
43 ~~providing accommodative services. Accommodations costs above \$50 will be the responsibility~~  
44 ~~of the Accessibility Services.~~

45  
46 **4.1.3 Conclusion**

47  
48 ~~4.1.3.1 Accommodative services should be individualized and the ADA Coordinator should be~~  
49 ~~consulted if any questions or concerns arise from accommodation requests.~~

50  
51 ~~4.1.3.2 Special accommodations may also be arranged upon request and in consultation with the~~  
52 ~~ADA Coordinator. Accommodations may not be denied to any person with a disability without~~  
53 ~~written approval of the ADA Coordinator.~~

54  
55 **5.0 PROCEDURES**

POLICY HISTORY		
Date of Last Action	Action Taken	Authorizing Entity

59



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## ADA Policy Bundle Executive Summary

### Policy 152 *Accommodations for Individuals with Disabilities*

### Policy 153: *Americans with Disabilities Act (ADA) Grievance Process*

**Sponsors:** Michelle Taylor and Linda Makin

**Stewards:** Alexis Palmer and Mark Wiesenberg

#### **Issues/Concerns (including fiscal impact):**

Policy 152 *Accommodations for Individuals with Disabilities* and Policy 153 *Americans with Disabilities Act (ADA) Grievance Process* were last approved in 1994 and need to be updated.

Issues that need to be addressed include, but are not limited to:

- Policy 152 is missing information in the following areas: Purpose, Definitions and Procedures
- Section 4.0 of Policy 152 incorrectly references procedures that are no longer relevant.
- Policy 153 is missing Purpose and Definitions.
- In 2010 the *American with Disabilities Act (ADA)* was amended to the *American with Disabilities Act Amendment Act (ADAAA)*. Policies 152 and 153 need to be updated to reflect changes to the law.
- New regulations for Section 503 of the *Rehabilitation Act* were passed in September of 2013 for employers who have Federal contracts.
- The EEOC has been very active the last several years in regards to litigation for disability claims. To lessen liability we need to ensure our policies and procedures are current.

Thorough, updated policies are recommended so as to remain in compliance with Office of Civil Rights regulations in the area of ADA, ADAAA and the *Rehabilitation Act of 1973*. Therefore, it is proposed that we bundle Policies 152 and 153 and move these policies into Stage 1.

#### **Requested Action**

Approval to enter Stage 1 for Policies 152 and 153.



**POLICY APPROVAL PROCESS - STAGE 2  
SUMMARY OF COMMENTS**

<b>Policy Title:</b> Accommodations for Individuals with Disabilities	<b>Policy Number:</b> 152
<b>Sponsor:</b> Kyle Reyes/Linda Makin	<b>Steward:</b> Alexis Palmer/Irene Whittier
<b>Presentation to:</b> Academic Affairs Council	<b>Date Presented:</b> 7/31/19

CAMPUS ENTITY	POLICY SECTION	CONCERN	SPONSOR/STEWARD RESPONSE
AAC			No comments

**SUMMARY OF COMMENTS**

<b>Policy Title:</b> Accommodations for Individuals with Disabilities	<b>Policy Number:</b> 152
<b>Sponsor:</b> Kyle Reyes/Linda Makin	<b>Steward:</b> Alexis Palmer/Irene Whittier
<b>Presentation to:</b> PACE	<b>Date Presented:</b>

CAMPUS ENTITY	POLICY SECTION	CONCERN	SPONSOR/STEWARD RESPONSE
PACE			No comments

<b>Policy Title:</b> Accommodations for Individuals with Disabilities	<b>Policy Number:</b> 152
<b>Sponsor:</b> Kyle Reyes/Linda Makin	<b>Steward:</b> Alexis Palmer/Irene Whittier



Presentation to: UVUSA	Date Presented:
------------------------	-----------------

CAMPUS ENTITY	POLICY SECTION	CONCERN	SPONSOR/STEWARD RESPONSE
UVUSA			No comments

Policy Title: Accommodations for Individuals with Disabilities	Policy Number: 152
Sponsor: Kyle Reyes, Linda Makin	Steward: Alexis Palmer, Irene Whittier
Presentation to: Alexis Palmer	Date Presented: 10/03/2019

NOTE: Indicate with X whether the comment is editorial (grammar, punctuation, sentence structure, etc.) or is a substance comment (content, procedure, etc.).

CAMPUS ENTITY	POLICY SECTION	Editorial Comment?	Substance Comment?	CONCERN	SPONSOR/STEWARD RESPONSE
Faculty Senate	Overall		X	The faculty senate supports the implementation of this policy if our comments are addressed.  Vote Results: Support – 34 Do Not Support - 0 Abstain - 5	Please review comments below.
Faculty Senate	Overall See Comment 4		X	The policy does not include a timeline for appropriate implementation of approved accommodations especially ones that are approved before the semester begins. Such a timeline should be present in the policy.	Added the following language 5.3.3 Supervisors and instructors shall implement the accommodation(s) as approved by the ADA Coordinator fully, <u>without retaliation, and immediately upon notification.</u> Supervisors and instructors shall contact the relevant ADA Coordinator with any questions or concerns.



Faculty Senate	4.2.3 / 5.5.4 See Comment 1		X	Instructors should be able to consult with their supervisor about accessibility implementation, concerns, or disagreements, but the confidentiality rules in the policy prohibit this. The policy should allow an instructor to discuss these issues with their supervisor without violating confidentiality.	Refer to change in 4.2.3.
Faculty Senate	5.4.1 See Comment 2		X	Syllabi language may change more frequently than policy is revised. The policy should indicate the purpose of the syllabus language and indicate where the language can be found, but the actual syllabus statement should not be housed in policy especially if it includes locations and phone numbers.	We adjusted 5.4 to state the purpose of and where to find the language; however, we did not specify the language.
Faculty Senate	5.5.4 See Comment 3	X		Refers to timelines in line 5.3.1, but there is no timeline in that section. There are timelines in line 5.5.1, should this direct there? Please clarify.	Correct to refer to 5.5.1.

**Appendix: Unedited Faculty Senator Comments Summarized Above**

#	Name	Policy Section	Editorial Comment?	Substance Comment?	Concern	Suggestion
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1	Alan Parry	4.2.3 / 5.5.4	N	Y	<p>Line 4.2.3 would prohibit an instructor from discussing with their supervisor an issue with an accommodation. Is this intentional? It would seem to me that an instructor should be able to discuss an accommodation with their chair in at least the case where there is a potential disagreement with either the student or Accessibility services.</p> <p>Line 5.5.4 requires that faculty argue their side of a disagreement without any support, while the entire Office of Accessibility Services is on the other side.</p>	<p>I think the list of people that you can discuss an accommodation with should include your immediate supervisor. The wording can be modified, if necessary, to include this possibility only when there is some problem that the instructor cannot remedy on their own. This should still give the required confidentiality, but allows the instructor to seek advice and counsel about how to implement accommodations or to resolve potential conflicts.</p>
2	Alan Parry	5.4.1	N	Y	<p>It is not a good idea to put the actual language that goes on the syllabus in the policy itself. At least, not in this form. This includes both location information and telephone number, which are subject to occasional change. Each time these items update, we would need to send a line item revision through the policy pipeline.</p>	<p>Instead describe what the language in the syllabus is about and require that syllabi include OAS language that is written at a specific webpage or published somewhere else where incidental minor updates can be made as needed.</p>
3	Alan Parry	5.5.4	Y	N	<p>This refers to timelines referred to in line 5.3.1, but there is no timeline listed in that line that makes sense with the point of 5.5.4. Could it be referring to 5.5.1?</p>	<p>Either clarify the timeline directly, or update the line number reference to the appropriate line number, if the line number was wrong.</p>
4	Suzy Cox (for Cami Burton,	Entire policy	N	Y	<p>Nowhere in the policy does it talk about the University's responsibility/timeline in providing accommodations for students.</p>	<p>Add timeline requirements to the policy.</p>



	Special Education department)			<p>There are timelines laid out for resolving disputes but that is the only timeline I see. I think there needs to be a timeline for how long the UVU Office of Accessibility has to provide an accommodation once a student has submitted their course information, textbooks etc. for a new semester.</p> <p>Here's an example. I have student who is visually impaired and needs to textbooks scanned into a particular screen-reader program from the OAS (which has been approved as an accommodation for her from the University). The concern is the OAS office is severely understaffed and often not able to complete the request in a reasonable time frame. This student submitted her textbooks and information ~3 weeks before classes started and two weeks into the semester, she still did not have access to her textbooks in an accommodated form from the OAS.</p> <p>This is just one example but I see this happen often. Students are falling behind and their frustration level is understandably at a max since they cannot access the curriculum for their courses until weeks into the semester.</p>	
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					Because of this I think the OAS needs to hire more staff and include in the policy a timeframe that we as a university will follow as well in providing accommodations.	
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