

Compliance with the Americans with Disabilities Act and the ADA Amendments Act

Original Implementation: October 19, 1993

Last Revision: July 23, 2019

The Americans with Disabilities Act and ADA Amendments Act of 2008 acknowledge the findings of congress that millions of Americans have one or more physical or mental disabilities. The legislation provides a comprehensive national mandate for the elimination of discrimination against individuals with disabilities.

It is the intent of the Board of Regents of Stephen F. Austin State University to comply with both the letter and the spirit of the Americans with Disabilities Act (ADA) and the ADA Amendments Act of 2008 (ADAAA), as well as the Rehabilitation Act of 1973 and other laws protecting the rights of persons with disabilities. Compliance measures should address the necessity to provide opportunities to qualified persons with disabilities in employment and in access to education, where this will not pose an undue burden or fundamentally alter the programs of the institution. The board recognizes that compliance with the ADA and ADAAA requires increased awareness of all university employees and a commitment of institutional resources. Further, it is the intent of the board to continue this institution's strong commitment to meeting the special needs of individuals with disabilities, and that this commitment remain an integral part of the educational mission and service component of Stephen F. Austin State University.

It is the intent of this institution that ADA compliance measures shall include the following:

- Diligently pursue the identification and elimination of physical, communication and attitudinal barriers to activities, programs, or services operated or sponsored by the institution, including employment, academic criteria, student and public services, and facilities.
- Implement procedures for raising awareness of the requirements of the ADA throughout the institution;
- Provide coordinated and timely response to requests from individuals with disabilities;
- Create a task force to support the efforts of an ADA coordinator and ensure continued sensitivity to special needs of individuals with disabilities.

University policy prohibits unlawful discrimination on the basis of race, color, religion, sex, age, national origin, disability, genetic information, citizenship, and veteran status. Additionally, the university prohibits discrimination on the basis of sexual orientation, gender identity, and gender expression.

Definition:

Discrimination on the basis of disability includes:

- to limit, segregate, or classify a job applicant or employee in a way that may adversely affect opportunities or status because of the applicant's or employee's disability;
- to participate in a contract which could subject an applicant or employee with a disability to discrimination;
- to use any standards, criteria or method of administration which could have the effect of discriminating on the basis of disability;
- to deny equal jobs or benefits because of a disability;
- to fail to make reasonable accommodations for known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue hardship;
- to use selection criteria which exclude individuals with disabilities unless the criteria are job related and consistent with business necessity; and
- to fail to use employment tests in a manner that ensures that the test results accurately reflect the applicants or employee's skills or aptitude for a particular job.

Cross Reference: Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. §§ 12101- 12213 (2000); ADA Amendments Act of 2008, Pub. L. 110-325; Rehabilitation Act of 1973, Pub. L. No. 93-112, 87 Stat. 355

Responsible for Implementation: Vice President for University Affairs

Contact for Revision: ADA Coordinator

Forms: None

Board Committee Assignment: Academic and Student Affairs