Policy Name: Compliance with the Americans with Disabilities Act and the ADA Amendments Act

Policy Number: 2.5

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/26/2016

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): Outlines university intent to comply with federal laws protecting the rights of persons with disabilities and the measures taken to prohibit discrimination.

Reason for the addition, revision, or deletion (check all that apply):

☑ Scheduled Review  ☐ Change in law  ☐ Response to audit finding

☐ Internal Review  ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Minor wording changes. Addition of vice president for university affairs as responsible for policy implementation as the ADA coordinator reports to that vice president.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Tiffany Rivers, ADA Coordinator
Dr. Adam Peck, Interim Vice President for University Affairs
Dr. Steve Westbrook, Interim President
Damon Derrick, General Counsel
Compliance with the Americans with Disabilities Act and the ADA Amendments Act

**Original Implementation:** October 19, 1993  
**Last Revision:** July 26, 2016, 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 disabled persons 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.


Responsible for Implementation: President Vice President for University Affairs

Contact for Revision: ADA Coordinator

Forms: None

Board Committee Assignment: Academic and Student Affairs