

**Effective:** March 18, 2024

## **Human Resources Policy ADA REASONABLE ACCOMMODATION AND ACCESS**

**Approved:** March 18, 2024, **President's Cabinet**

### **Policy**

Millersville University prohibits discrimination based on disability status and will not exclude, deny benefits to, or otherwise discriminate against any qualified individual with a disability. Millersville University is committed to providing an inclusive and accessible educational and work environment for all members of the university community, including students, faculty, staff, and visitors. This policy outlines the university's commitment to compliance with the Americans with Disabilities Act (ADA) of 1990 and the ADA Amendment Act of 2008, as well as other applicable federal and state laws related to accessibility. All accommodation requests must be evaluated on an individual basis to identify appropriate accommodations and determine whether the provision of certain accommodations would create an undue hardship to the University.

### **Definitions**

"Person with Disability" is defined as any individual who has a physical or mental impairment that substantially limits one or more of such person's major life activities, who has record of such impairment, or who is regarded as having such impairment.

Millersville University reserves the right to require any applicant or employee claiming coverage or accommodations as a person with a disability to produce any necessary medical records or information documenting the condition, to permit a doctor selected by the University to discuss the person's condition with doctors, therapists, or others familiar with the individual's condition, or to be examined by medical personnel selected by Millersville University.

"Qualified Individual with a Disability" is defined as anyone who satisfies the requisite skill, experience, education, and other job-related requirements of an employment position that such individual holds or desires, and who, with or without reasonable accommodations, can perform the essential functions of a position.

"Essential Functions" of a job are defined as the fundamental job duties of the position the individual with a disability holds or desires. Most of the essential functions of a position are listed in each position's job description.

"Reasonable Accommodations" are defined as accommodations or modifications which will remove certain barriers for a qualified applicant or employee with a disability. The intent of all

reasonable accommodations is to offer individuals with a disability equal employment opportunity and to give equal access to all privileges of employment.

“Undue Hardship” means significant burden or expense upon the university or employer and is assessed in terms of the reasonableness or cost of any necessary workplace accommodation and the availability of alternative accommodations. Undue hardship must be determined on a case- by-case basis as part of Millersville University's reasonable accommodation request procedures

**Accessibility of Facilities:**

- a. Millersville University will assess its physical space on an on-going basis to achieve a reasonable barrier-free environment. All new construction will be built to current accessibility standards and codes. Any physical accessibility concerns should be directed to the Human Resources.
- b. New construction and renovations of university facilities will comply with ADA standards for accessibility.

**Accessible Technology:**

- a. All university websites will be designed and maintained to be accessible to individuals with disabilities in accordance with Web Content Accessibility Guidelines (WCAG).
- b. The university will provide assistive technology resources and support to individuals with disabilities as needed.

**Employment Accommodations:**

- a. Millersville University will provide reasonable accommodations to qualified employees with disabilities to enable them to perform essential job functions.
- b. The university will engage in the interactive process with employees to determine appropriate accommodations.

**Accessible Communications:**

- a. Millersville University will provide accessible communication options, such as sign language interpreters, Braille materials, and accessible electronic documents, to individuals with disabilities when requested.
- b. University communications, including public announcements and event notices, will be made available in accessible formats upon request.

**Training and Awareness:**

- a. Millersville University will provide training to employees, faculty, and students on disability awareness, ADA compliance, and the university's commitment to accessibility.
- b. The university will promote awareness and inclusivity within the campus community.

**Complaints and Grievances:**

- a. Millersville University will establish a procedure for addressing complaints and grievances related to ADA compliance and accessibility.
- b. Individuals who believe they have been subjected to discrimination or who have concerns about accessibility can file complaints with the Chief Diversity and Inclusion Officer.

**Employees**

The Office of Human Resources Services is the designated department that obtains and files disability-related and medical documentation, certifies eligibility for services, determines reasonable accommodations, and develops plans for provision of such accommodations for employees. The Office of Human Resources (717) 871-4950. The Employee Accommodation Request Form, with medical documentation, must be completed before an accommodation can be provided and can be found at [new-mu-employee-request-for-ada-accommodation.pdf \(millersville.edu\)](http://www.millersville.edu/new-mu-employee-request-for-ada-accommodation.pdf).

**Resources**

Questions regarding compliance with the requirements of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, and the ADA Amendments Act of 2008, should be referred to:

**University Resources**

Office of Human Resources: 717-871-4950

Office of Diversity and Inclusion: 717-871-4473

**External Resources**

State Employee Assistance Program (SEAP): 800-692-7459

Pennsylvania Human Relations Commission: 717-787-4410

Office of Civil Rights: 800-368-1019

**MU Web Page**

Other disability related practices and procedures for employees are available on the university web page at <http://www.millersville.edu/hr/ada/>

Other disability related practices and procedures for students are available on the university website at Learning Services | Millersville University

**Responsibility:**

The Chief Diversity and Inclusion Officer, in coordination with relevant university departments, will be responsible for implementing and monitoring compliance with this policy.