



POLICY STATEMENT 26 POLICY ON DISABILITY SERVICE, DUTIES, AND COMPLIANCE

POLICY DIGEST

Monitoring Unit: Office of Academic Affairs
Initially Issued: January 25, 1978
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I. PURPOSE

To state the policy of Louisiana State University to provide equal treatment and opportunity to all persons, without regard to disability, in the recruitment of, admission to, participation in, or employment in, the programs, activities, and events operated and sponsored by the university pursuant to the Rehabilitation Act and the Americans with Disabilities Act of 1990 (ADA), as amended and other related federal and state laws.

II. DEFINITIONS

The following definitions are consistent with the ADA:

Accessible: refers to a site, facility, work environment, service, or program that is easy to approach, enter, operate, participate in, and/or use safely and with dignity by a person with a disability.

Disability: with respect to an individual: a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

Reasonable accommodation: a modification or adjustment to a job, the work environment, or the way things usually are done that enables a qualified individual with a disability to enjoy an equal opportunity.

Undue hardship: an action that requires significant difficulty or expense in relation to the size of the employer, the resources available, and the nature of the operation. The concept of undue hardship includes any action that is unduly costly, extensive, substantial, disruptive, or would fundamentally alter the nature or operation of the business.

III. GENERAL POLICY

The university prohibits discrimination against persons with disabilities in all activities, programs, public services, transportation, public accommodations, information technology, and employment. 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, to provide enforceable standards to address discrimination against individuals with disabilities, and provide reasonable and appropriate accommodations or auxiliary aids or services.

IV. PROCEDURES

A. Employees and Applicants for Employment

The university does not discriminate against individuals with disabilities in hiring, advancement, discharge, compensation, training, and other terms and conditions of employment. The university will

provide reasonable accommodations to applicants or employees with a disability, upon request, unless the accommodation would present an undue hardship on the university. The determination of whether an accommodation is reasonable or an undue hardship is a decision made by the Office of Human Resource Management in consultation with the Executive Vice President for Finance & Administration/CFO and General Counsel as needed.

In all cases in which an employee or an applicant for employment requests an accommodation based upon disability, the university representative receiving the request is required to contact the Office of Human Resource Management for assistance in handling the request. The Office of Human Resource Management will review the request and discuss the need for such an accommodation with the employee or applicant for employment.

B. Academic Accommodations/Auxiliary Aids and Services for Students and Prospective Students

The university shall not discriminate on the basis of disability in any academic program, activity, or event associated with the university and will integrate students with disabilities into the university community to the fullest extent possible. A prospective student with a disability will not be denied admission or subjected to discrimination in admission or recruitment to the university based on their disability. Recruitment of students will be conducted without regard to whether or not a potential student has a disability. All admission criteria and testing will be selected and administered to be accessible to those with a disability.

Prospective students may voluntarily self-identify as an individual with a disability during the admissions process and will be routinely provided information about university services available to students with disabilities. A decision whether to self-identify will not result in adverse treatment of the prospective student.

A student or prospective student who seeks an academic accommodation/auxiliary aid must complete the necessary forms and schedule a meeting with the Office of Disability Services (ODS). Only students who schedule and meet with a representative of ODS will be considered for academic accommodations/auxiliary aids and services. The meeting may be in person, telephonic or electronic. In all cases in which a student or prospective student requests an academic accommodation or auxiliary aid based upon disability, the student may be required to provide current documentation of a disability from an appropriately licensed professional that clearly identifies the nature of the disability and how the disability affects a major life activity. The student is responsible for any costs necessary to provide the appropriate documentation from the professional.

With written student authorization, ODS may obtain, at the university's expense, an independent medical opinion concerning the disability for which the student seeks an academic accommodation/auxiliary aid, including additional suggestions or recommendations regarding reasonable academic accommodations/auxiliary aids and services. A student's failure to grant such authorization may result in a denial of the student's request.

A student with a disability requesting an auxiliary aid or service is obligated to provide notice of the nature of the disabling condition to ODS and to assist it in identifying appropriate and effective auxiliary aids or service to enable effective communication. ODS may request that the student provide supporting diagnostic test results and professional prescriptions for auxiliary aids and services. ODS may obtain its own professional determination of whether specific requested auxiliary aids and services are necessary based on the individual and the circumstances.

When an auxiliary aid is requested, primary consideration will be given to the student's preference; however, the university may provide an equally effective alternative means of communication

depending on the situation. The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual; the nature, length, and complexity of the communication involved; and the context in which the communication is taking place.

Academic accommodations and auxiliary aids and services will be provided as required by law and will be considered on a case-by-case basis. ODS will make a determination on a student's request for academic accommodation/auxiliary aid based on the information provided by the student and the independent medical opinion, if any. The university is not required to take any action that would result in a fundamental alteration in the nature of a service, program, or activity or which would result in an undue financial and administrative burden.

ODS will coordinate the determination of reasonable and appropriate academic accommodations or auxiliary aids and services and coordinate with the appropriate senior official to request facilitation.

A student or prospective student who believes that a request for an academic accommodation/auxiliary aid has been unreasonably denied by ODS may file a complaint with the university's ADA/Title II Coordinator within 14 days of the denial. Only agreed-upon academic accommodation(s)/auxiliary aid(s) will be provided while a final decision is pending. The university ADA/Title II Coordinator should provide a response to a complaint within 14 days of receipt.

C. University Public Services

As a large, multi-faceted institution of higher education, the university attempts to accommodate and provide a variety of activities, programs, and services available to the general public as well as to students and employees. 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.

University personnel responsible for activities, programs, and services will respond to requests for accommodations from 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. Any individual attending an LSU-sponsored event requesting an accommodation should contact the Office of Disability Services.

D. Accessible Information Technology Environment

The university supports an information technology environment that enables equal access to all constituencies. Accessible digital content augments usability for everyone, and the university strives to procure and provide digital applications and content that are accessible to people with disabilities, including those who use assistive technologies. To do so, the university is guided by applicable accessibility standards.

An information technology environment encompasses all software; web-based applications; website design; development, hosting, maintenance, and archiving services; cloud-based applications and storage services; and digital hardware interfaces. Additionally, this environment also includes university web material displayed on the World Wide Web or in a Web browser, including official university websites and electronic instructional material (text and multimedia) delivered within the university's learning management system.

For all public-facing university websites, university websites that require login credentials, and in-house applications, responsible units will incorporate applicable accessibility standards into the web content, and any accessibility issues identified through testing or end user feedback will be addressed

in a timely manner. Websites and applications must include a method of contact for users with disabilities who are having trouble accessing content or services.

Applications will be reviewed by the Office of Information Technology Services' Portfolio Management Office managed by the Information Technology (IT) Governance Council and evaluated on applicable accessibility standards prior to being purchased.

If a unit seeks an exemption to this policy, it must provide a written request to the IT Governance Council detailing why compliance is an undue hardship and/or not feasible without extraordinary measures and how the unit will make the item in question as accessible as possible. The IT Governance Council will provide its input regarding requested exemptions to the Executive Vice President and Provost and/or the Executive Vice President for Finance and Administration/CFO for final decision.

General questions concerning website design and accessibility issues should be directed to the Office of Strategic Communications; whereas, questions concerning all other aspects of the information technology environment should be directed to the Office of Information Technology Services.

In matters related to instructional/academic material, students, faculty, and staff should contact the Office of Disability Services, which will work in conjunction with the Office of Information Technology Services to provide advice and assistance.

E. Roles & Responsibilities

1. President: Has final authority for all decisions regarding the implementation of this policy.
2. ADA/Title II Coordinator: Coordinates the efforts of the university to comply with Title II of the American with Disabilities Act and investigates non-employment related complaints.
3. 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 with documented temporary or permanent disabilities, which includes implementation of reasonable accommodation procedures. HRM is also responsible for continuing development, implementation and monitoring of equal opportunity programs and serves as a campus resource for matters involving employees or candidates with disabilities.
4. Office of Disability Services (ODS): Determines, coordinates, and helps provide all disability-related reasonable and appropriate accommodations or auxiliary aids or services in collaboration with other university departments as necessary for enrolled students with documented temporary and/or permanent disabilities at the university. ODS serves as a campus resource for matters concerning persons with disabilities and provides information to potential students and their families on the services available to students with disabilities.
5. Office of Information Technology Services (ITS): Is responsible for ensuring the information technology environment is as accessible as possible and in conformance with applicable accessibility standards
6. Office of Facility & Property Oversight: Provides technical support on matters involving university facilities and premises, is responsible for monitoring the accessibility of university facilities and premises by persons who are disabled, and administers physical improvements for enhanced accessibility.
7. Office of Procurement: Makes best faith efforts to ensure all contractual agreements with Louisiana State University comply with current laws and regulation.
8. Office of Strategic Communication: Offers services to assist campus units in the development of websites in coordination with ITS and ensures campus adherence to the university's brand

identity and applicable accessibility standards. (Policy Statement 10: Internal and External Communications/Advertisements)

V. COMPLAINT PROCEDURE

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 an individual is not satisfied with a proposed accommodation or has a complaint, that individual may pursue the following procedures:

- A. Students or prospective students may file a complaint with the ADA/Title II coordinator.
- B. Applicants, employees, or students with employment-related matters may file a complaint with the Office of Human Resource Management.
- C. Any other complaint from the general public falls under the purview of the ADA/Title II coordinator.

VI. RETALIATION

The university prohibits retaliation 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 prohibits any act to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of rights under the ADA or for aiding or encouraging any other person in the exercise or enjoyment of rights under the ADA.

VII. 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 based on disability. All information regarding an individual's disability is kept confidential and separate from academic records and/or employment files.

VIII. SOURCES

[PS-10 Internal and External Communications/Advertisements](#)
[Americans with Disabilities Act of 1990](#)
[ADA Amendments Act of 2008](#)
[Rehabilitation Act of 1973,](#)
[Section 504 University](#)
[Procurement Codes](#)

IX. APPENDICES

[Web Content Accessibility Guidelines \(WCAG\) Version 2.0, AA conformance level guidelines](#) [Voluntary Product Accessibility Template \(VPAT\)](#)