



UCCS CAMPUS POLICY

Policy Title: Disability Access and Accommodation

Policy Number: 300-021

Policy Functional Area: Administration/Organization

Effective:

July 30, 2021

Approved by:

Venkat Reddy, Chancellor

Responsible Vice Chancellor:

Administration and Finance (VCAF)

Office of Primary Responsibility:

Human Resources (AVCHRO)

Policy Primary Contact:

Human Resources, 719-255-3385

Supersedes:

October 21, 2014

Last Reviewed/Updated:

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Applies to:

Staff, Faculty, Students, and Third Parties

Reason for Policy: University of Colorado Colorado Springs (“UCCS” or “University”) supports the ongoing development of an accessible University where programs, services and activities offered by UCCS are provided in a manner appropriate to the needs of all participants, including persons with disabilities. This policy sets forth the manner in which the University addresses and meets those goals for disability access and reasonable accommodation and appropriate academic adjustment in compliance with applicable laws and regulations.

I. INTRODUCTION

UCCS is committed to providing equal *access*, and when appropriate, *reasonable accommodations* and academic adjustments to persons with *disabilities*.¹ UCCS does not discriminate on the basis of *disability* in admission, *access* to, and treatment in its employment, educational programs and activities. ([Regent Law, Article 8.A](#)).

This policy is intended to comply with related requirements, including but not limited to, the relevant state and federal laws listed in Section IV below.

¹ For purposes of this policy, “reasonable accommodations” will encompass “appropriate academic adjustments.”

II. POLICY STATEMENT

A. Workplace Accommodations:

1. Qualified job applicants and employees (including teaching and research faculty, classified and University staff, and student employees) with a disability can request *reasonable accommodations*. A *qualified individual* with a *disability* is an individual who satisfies the requisite skill, experience, and education requirements of the position and who, with or without *reasonable accommodation*, can perform the *essential functions* of the employment position that such individual holds or desires.
2. The ADA Coordinator in the Office of Human Resources is responsible to receive, review and make determinations on requests for workplace *accommodations* through an *interactive process*.

B. Academic Accommodations:

1. Qualified applicants with a disability will not be denied admission to UCCS or be subjected to discrimination in admissions or recruitment activities on the basis of a *disability*. All entrance examination scores will be treated equally, regardless of any accommodation that may have been provided during testing.
2. Qualified students with a disability can request *reasonable accommodations*, such as adjustments and auxiliary aids to ensure equal *access* to educational opportunities. UCCS retains the right, however, to establish educational criteria and requirements for its courses, academic majors, and degree programs. In providing *reasonable accommodations*, UCCS will not lower or modify essential requirements and/or technical standards for its academic programs and will not fundamentally alter the nature of its academic programs, services or activities, or create an undue hardship for the University.
3. Disability Services (See section II.F2) is responsible to receive, review and make determinations on requests for *reasonable accommodations* through an interactive process.

C. Event Accommodations:

1. UCCS is committed to providing *access* and *reasonable accommodations* to University sponsored events. Materials prepared by the event sponsor announcing public events should (1) state that the event is *accessible* and that *reasonable accommodations* may be made for people with disabilities, and (2) provide the event sponsor (see section II.F.4) name and contact information. The event sponsor (see section II.F.4) is responsible for receiving requests for and arranging *reasonable event accommodations*.
2. To request an event accommodation, please contact the event sponsor as soon as possible, but no later than 72 hours before the event, so that appropriate arrangements can be made. Assistance may also be requested from Event Services at 719-255-3664 or events@uccs.edu.

- ### D. Confidentiality:
- The University will make reasonable efforts to ensure information collected by the University in considering a request for a reasonable accommodation (including information that is disability related, medical documentation including diagnoses, psychological information, and case notes) is limited to the minimum amount necessary to fulfill or satisfy the intended purpose of a particular disclosure, request, or use related to the requested accommodation. The University reserves the right to request additional

documentation if it is incomplete or does not support accommodation requests. Information collected by the University in considering a request for a reasonable accommodation is confidential and may only be released with the person's permission, or if there is a perceived imminent risk of harm to themselves or others, and as required by law. ADA related files are kept separate and apart from personnel and educational files.

- E. **Complaint Procedure:** A person with a disability who believes their disability is not being accommodated or who believes they have experienced or witnessed discrimination or harassment because of a disability may address the matter within the University by contacting the Office of Institutional Equity (OIE) at equity@uccs.edu. See Section II.F.5 below. Please refer to UCCS Policy 300-017 and OIE procedures for further information. A person with a disability who wishes to address the matter outside of the University process may contact the U.S. Department of Education Office for Civil Rights, or the U.S. Equal Employment Opportunity Commission, depending on the nature of the complaint.

- F. **Accessibility Advisory Committee:** The Accessibility Advisory Committee ("AAC") provides advice to University leadership on *ADA* compliance and *accessibility* issues, assists with educational programs, identifies resources to support *ADA* compliance, and, at the request of the ADA Coordinator, reviews and provides advice on specific accommodation requests. The AAC will convene as needed but no less than every three months to discuss compliance, current accessibility issues, and any related metrics pertaining to university accessibility. Departments represented on this committee include Compliance, Disability Services, Diversity, Equity & Inclusion, Development, Event Services, a Faculty representative, Human Resources, Legal, Office of Information Technology, Office of Institutional Equity, Planning, Design and Construction, Staff Association, Resident Life, and a student representative.

III. KEY WORDS

- A. **Access / accessible** - The opportunity for persons with disabilities to participate in, utilize, benefit from, and enjoy the same facilities, programs, and services as non-disabled persons, with or without reasonable accommodation.
- B. **Americans with Disabilities Act (ADA)** - The ADA is a federal anti-discrimination law designed to remove barriers that prevent qualified persons with disabilities from enjoying the same educational and employment opportunities available to non-disabled persons.
- C. **Disability** - An individual with a disability is a person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment.
- D. **Essential Functions** The term "essential functions" means the fundamental job duties of the employment position the individual with a disability holds or desires. The term "essential functions" does not include the marginal functions of the position.
- E. **Interactive Process** -The interactive process is the informal confidential dialogue between the University and the individual with the disability to identify reasonable accommodation(s).

- F. **Major Life Activities**
 - i. In general, major life activities include functions such as walking, seeing, hearing, speaking, breathing, performing manual tasks, caring for oneself, sitting, standing, lifting, reaching, thinking, concentrating, reading, writing, learning, communicating and working.

- ii. A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.
- G. Person with a Disability** - One who has a physical or mental impairment that substantially limits them in one or more major life activities, one who has a record of such an impairment, or one who is regarded as having such an impairment.
 - H. Qualified Individual with a Disability** - In the educational context, refers to a student with a disability who meets the essential program requirements for their academic program and for each course of study, with or without *reasonable accommodation*. In the employment context, refers to an individual with a disability who satisfies the requisite skill, experience, education and other job-related requirements of the employment position and who can perform the *essential functions* of the position, with or without *reasonable accommodation*.
 - I. Reasonable Accommodation** - A modification or academic adjustment that will enable a qualified student, job applicant or employee with a disability to participate in the educational process or the application process or to perform *essential job functions or University events*. Reasonable accommodation also includes modifications or adjustments to assure that a qualified individual with a disability has the rights and privileges in employment and *access* to education equal to those of non-disabled employees or students. A reasonable accommodation must not create an undue hardship on the University.
 - J. Substantial Limitation** - The inability to perform a major life activity or a significant restriction as to the condition, manner, or duration under which a person can perform a particular major life activity as compared to the average person in the general population.
 - K. Undue Hardship** - An action requiring significant difficulty or expense, when considered in light of factors such as the University's size, financial resources, and the nature and structure of its operation. In determining whether an accommodation would impose an undue hardship on the University, factors to be considered include: the nature and cost of the accommodation requested; the overall financial resources involved in the provision of the *reasonable accommodation*; the overall financial resources of the University; the composition, structure and functions of the workforce of the University; and the impact of the accommodation upon the operation of the University, including the impact on the ability of other employees to perform their duties and the impact on the University's ability to conduct business.

IV. RELATED POLICIES, PROCEDURES, FORMS, GUIDELINES, AND OTHER RESOURCES

- A. Administrative Policy Statements (APS) and Other Policies:
 1. [American with Disabilities Act \("ADA"\)](#)
 2. [Colorado Anti-Discrimination Act \("CADA"\)](#)
 3. [Colorado State Building Code ANSI 117.1](#)
 4. [Fair Housing Amendments Act of 1988 \("FHA"\)](#)
 5. [The Pregnancy Discrimination Act of 1978 \("PDA"\)](#)
 6. [Section 504 of the Rehabilitation Act of 1973](#)
 7. [Section 508 of the Rehabilitation Act of 1973](#)
 8. CU Administrative Policy Statement (APS): [APS 6011 Digital Accessibility](#)

- B. Procedures

- C. Forms
- D. Guidelines
- E. Other Resources (i.e. training, secondary contact information)
- F. Frequently Asked Questions (FAQs)

V. HISTORY

Initial policy approval	Oct 21, 2014
Revised	May 7, 2021