



ADA ACCOMMODATION PROCESS

*...the University Community A
Welcoming Environment*



ADA Responsibility

- ADA responsibilities are distributed across the University to support and facilitate ADA accommodations
 - ADA Compliance Committee
 - Cross divisional representation
 - Students – Disability Resources and Services:
886-5835
 - Faculty and Staff – Vice President for Business & Administration:
468-8163



ADA Requirements

- Texas A&M University – Commerce provides a welcoming environment to individuals with disabilities.
- Title 1 of the ADA requires the University to provide a reasonable accommodation to qualified individuals with ADA disabilities who are employees or applicants for employment
- Title II requires the University to provide accommodations for individuals with ADA disabilities who attend an event sponsored by the University.



ADA Definitions

- Reasonable accommodation
 - Not specifically defined in statute
 - In general – modifications or adjustments to facilitate:
 - Job application process
 - Work environment, or circumstances under which a position is normally performed
 - Required only for ADA disabilities

- Qualified individuals
 - Individuals who, with or without accommodation, can perform the essential functions of the position
 - Individuals with disabilities defined by statute as ADA covered disabilities



ADA Definitions (continued)

- ADA disability
 - A physical or mental impairment that substantially limits one or more major life activities, for example:
 - Walking
 - Seeing
 - Hearing
 - Speaking
 - Breathing
 - Learning
 - Performing manual task
 - Caring for oneself
 - Working, etc.



Accommodation Request

- ❑ Unless the disability is obvious, an individual is responsible for informing the employer that an accommodation is needed
- ❑ Requests for accommodation do not have to be made in writing
- ❑ Requests are usually initiated with an individual's supervisor



Interactive Process

- Upon notification of a disability, an interactive process is promptly initiated
 - Determine if there is an ADA disability (Documentation about the disability may be required from physician or licensed professional)
 - An effective accommodation is selected based on an individual's needs to perform the job (not necessarily an individual's wants)
 - Determine accommodation on a case-by-case basis
 - Similar responsibilities may be accommodated differently due to job requirements, the individual's specific limitations, other circumstances
 - If agreement on a reasonable accommodation is not reached, the matter can be escalated



What is Reasonable

- A Modification or adjustment that:
 - Effectively meets the needs of the individual
 - Seems reasonable on its face, i.e. ordinary
 - Appears feasible or plausible
 - In context of job performance
 - Enables individual to perform essential functions of a position
 - Enables employee to enjoy benefits and privileges of employment that employees without disabilities enjoy
 - Does not create undue hardship on employer



Reasonable Accommodation Examples

- ❑ Making existing facilities accessible
- ❑ Job restructuring
- ❑ Part-time or modified work schedules
- ❑ Acquiring or modifying equipment
- ❑ Changing tests, training materials, procedures
- ❑ Providing qualified readers or sign language interpreters
- ❑ Reassignment to a vacant position
- ❑ Use of leave



Leave as an Accommodation

- ❑ Accrued leave (sick leave, vacation leave) is taken first, then sick leave pool may be available
- ❑ FMLA leave may be used if appropriate and may run concurrently with vacation and/or sick leave
- ❑ Leave of absence without pay may be allowed if the leave is necessitated by the employee's disability
- ❑ *If an individual cannot return to work in the same job capacity, reassignment may be made to a different position*
- ❑ *If an individual is unable to return to the work environment after a reasonable time, they may no longer qualify under the ADA*
 - ❑ *Employer does not have to grant indefinite leave*



Examples of Accommodations

- Accommodations for faculty and staff
 - Hiring of new faculty and staff with disability
 - Relocation of office space to another building
 - Relocation to quieter work area (not private office)
 - Para transit services
 - Disabling blinds in classroom
 - Airline travel

- Accommodations for others that impact faculty
 - Accessible seating classrooms for students with disabilities
 - Rescheduling of classes (more accessible room)
 - Moving a class to another room or building
 - Braille signage
 - Continuing education – sign language interpreter



Formal Guidance

- System Regulation 33.02.02: Compliance with the Employment Provisions of the ADA

- TAMU – Commerce Rule 33.02.02.R0.01: American with Disabilities Act (ADA) Compliance Rules

- TAMU – Commerce Rule 13.01.99.R0.01: Students with Disabilities

- See the University Rules website

<http://www.tamu-commerce.edu/administration/Rules%26Procedures/>



ADA Website

Americans with Disabilities Act

Menu

[Guidelines and Procedures](#)

[Application for Disability Services](#)

[ADA Quick Reference](#)

Visit the ADA Website at <http://www.ada.gov/>



ADA Accommodations

□ For questions, please contact:

Employees:

- Bob Brown – 468-8163
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Students:

- Leigh-Ann Powell - 886-5835
Leigh_Powell@tamu-commerce.edu