ADA ACCOMMODATION POLICY FOR FACULTY, STAFF, AND STUDENTS WITH DISABILITIES

SLT 9.5

Date of Last Update:
September 13, 2024

Approved By:

- Senior Leadership Team

Responsible Office:
Inclusion and Equity

POLICY STATEMENT

Grand Valley State University is committed to the fundamental academic principles of equity and accessibility by providing all faculty, staff, and students with access to the University's programs, services, events, and activities. The aim of this policy is to support an inclusive academic environment by incorporating design concepts that reduce or remove barriers.

University faculty, staff, and students who are persons with a disability are not required to disclose a disability or to request an accommodation. However, the University cannot accommodate an individual who does not inform the University about their disability and their need for an accommodation. A faculty, staff, or student seeking an accommodation must submit a request to the appropriate Accessibility Resources office (student vs. employee) and follow its procedures.

Note that the University conducts a survey of faculty and staff for statistical purposes, and this does not constitute a method of disclosure or self-identification consistent with this policy.

If a faculty or staff member requests an accommodation during conversation with a supervisor/unit administrator, the supervisor/unit administrator will refer the faculty or staff member to the Employee Accessibility Resources or its web site at this link. Disclosing a disability to a supervisor does not itself compel an obligation to accommodate.

Reasonable accommodations vary depending on the circumstances of each case. In evaluating alternatives for accommodation, the preferences of the individual are considered, but the ultimate decision regarding what type of accommodation, if any, will be provided is

made by the University. Nothing in this document shall be construed to waive the University's right to contest whether a faculty, staff, or student is disabled or is entitled to an accommodation.

Medical documentation, as well as other related materials, will be maintained by the appropriate Accessibility Resources office. Such documentation is kept confidential, except as necessary to administer the accommodation process or otherwise permitted by law. Such documentation may be shared only with those individuals involved in the accommodation process on an as needed basis.

Documentation guidelines and verification forms are available if you need assistance obtaining sufficient documentation www.gvsu.edu/accessibility.

PROCEDURES

Steps for Students Requesting Accommodation(s):

1. Disclose as a person with a disability by application to Student Accessibility Resources (SAR). Indicate the need for accommodation(s) in the application. SAR will contact the applicant to schedule their first appointment
2. Provide documentation of the disability from an appropriate professional. The medical professional must have first-hand knowledge of the condition and a familiarity with the physical, emotional, and cognitive demands of the disability.
3. Attend a first meeting with an SAR advisor to discuss appropriate accommodations. Afterward, the applicant will be provided with an accommodation memo from their SAR advisor that may take 5 to 7 days to complete.
4. Share the appropriate accommodation memorandum "memo" with other university personnel as appropriate. Accommodations are not retroactive; therefore, it is imperative to deliver new or updated memos in a timely manner.

Steps Faculty and Staff to Request Accommodation(s):

1. Disclose as a person with a disability by application to Employee Accessibility Resources (EAR). Indicate the need for accommodation(s) in the application. EAR will contact the applicant to schedule their first appointment.
2. Provide documentation of the disability from an appropriate professional. The medical professional must have first-hand knowledge of the condition and a familiarity with the physical, emotional, and cognitive demands of the disability.
3. Attend a meeting with an EAR advisor. If work accommodations are needed, the advisor will contact the supervisor/unit administrator and discuss whether an accommodation is warranted, explore possible accommodations, and assess the effectiveness each

accommodation would have in enabling the faculty or staff member to perform their job considering the following:

a. The essential job functions of the position. The essential functions are the fundamental job duties of the employment position at issue.

b. The faculty or staff member's qualification for the position, defined as ability to perform the essential functions of the job with or without reasonable accommodations; and,

c. Types of reasonable accommodations, if any, are needed.

During the accommodation request process, Accessibility Resources may:

1. Request additional documentation;
2. Consult with Human Resource office (for employees);
3. Evaluate whether the accommodation is needed, if needed, whether the accommodation would be effective, and if effective, whether providing the reasonable accommodation would impose an undue hardship.
4. Assess various accommodations;
5. Identify alternative accommodations or solutions;
6. Provide information from resources about the capabilities of persons with similar disabilities and the tools/techniques they use;
7. Determine a reasonable accommodation, if appropriate;
8. Provide a written determination to the department/unit and faculty or staff member;
9. Explain the department/unit's responsibility to fund an accepted accommodation or seek alternative funding, if needed.

Appeals

Appeal of the Determination

The Division of Inclusion and Equity will designate a trained University staff member to review the appeal. This staff member will be someone who was not involved at any point earlier in the interactive process.

Appeals are limited to the following grounds:

1. A procedural irregularity that would change the determination.
2. New information that would change the determination and that was not reasonably available at the time the determination was made.
3. The ADA advisor had a conflict of interest against the person requesting the accommodation that would change the determination.

Request for an Appeal

Submit a written request for appeal to the Division of Inclusion & Equity within three (3) business days of delivery of the determination by sending an email to fsaccessibility@gvsu.edu.

A trained staff member will meet with the person requesting the accommodation within ten (10) business days of delivery of the request for appeal to discuss the request.

Appeal Decision-making Process

Appeal decisions are to be deferential to the original determination, making changes only when there is a compelling justification to do so. The trained staff member responsible for the appeal decision may contact the faculty or staff member's supervisor/unit administrator, other uninvolved Accessibility Resources staff members, and/or legal counsel in preparation for the appeal decision, if needed and within the bounds of this policy.

Appeal Outcome

An appeal may be granted or denied. Appeals that are granted will result in a new accommodation determination that supplants the original determination. Appeals that are denied will result in the application of the original determination. Once an appeal is decided, the outcome is final.

Retaliation

Retaliation against a faculty or staff member who requests an accommodation is prohibited. Individuals who feel that they have experienced retaliation may The University's Non-Retaliation Policy for Faculty and Staff (SLT 3.3.1) is available online.

Refer Questions to:

Student Accessibility Resources

215 The Blue Connection

Allendale, MI 49401

(616) 331-2490

(616) 331-3270 (TDD)

(616) 331-3880 (FAX)

Website: gvsu.edu/accessibility

Employee Accessibility Resources, Office of Civil Rights and Title IX

4015 James H. Zumberge Hall Allendale, MI 49401

616/331-3296

616/355-3270 (TDD)

Website: https://www.gvsu.edu/titleix/employee-accessibility-resources-95.htm