

Fact Sheet

Equal Opportunity for People with Disabilities

FOR MORE INFORMATION ON AA- AND EO-RELATED ISSUES CONTACT:

USU Affirmative Action/Equal Opportunity Office

Military Science, Room 216 (Southeast Entrance)

9535 Old Main Hill
Logan, Utah 84322-9535

TEL: (435) 797-1266

FAX: (435) 797-0291

Equal Opportunity is an essential priority for Utah State University. We are deeply committed to equity in employment and education for all members of the university community. University executives, administrators, faculty, and supervisory staff will ensure that no employee or student is discriminated against/harassed because of race, color, religion, sex (including sexual harassment), national origin, age, disability or veteran's status. Equal employment opportunity is considered by Utah State University to include all aspects of employment: recruitment, selection, hiring, training, promotion, compensation, benefits, leave, social and recreational programs, transfer, and termination. Equal opportunity for students includes admissions, and access to programs and activities. In addition, discrimination and/or harassment on the basis of sexual orientation in all aspects of employment and for students in academic programs and activities is prohibited.

FEDERAL REGULATIONS RELATING TO EQUAL EMPLOYMENT OPPORTUNITIES FOR PEOPLE WITH DISABILITIES

The Americans with Disabilities Act (ADA) of 1990:

The ADA is a comprehensive civil rights law for people with disabilities. The ADA aims to eliminate discrimination against people with disabilities by ensuring equal opportunity in employment, state and local government services and programs, places of public accommodation, public and private transportation, and telecommunications. The ADA supplements earlier legislation which has been amended based on ADA wording and requirements.

Section 503 of the Rehabilitation Act of 1973: This section covers affirmative action obligations of federal contractors to employ and advance in employment qualified people with disabilities. The key word is "qualified." A person must be capable of performing a particular job with reasonable accommodation to the disability, if it is needed.

Section 504 of the Rehabilitation Act of 1973: This section mandates equal opportunity for qualified persons with disabilities in educational programs and activities.

Section 504 prohibits discrimination on the basis of disability, obligates colleges and universities to make certain adjustments and accommodations, and offers to persons with disabilities the opportunity to participate fully in all educational programs and activities.

Section 402 of the Vietnam Era Veterans

Readjustment Assistance Act of 1974: Every employer with a federal government contract of \$10,000 or more must take affirmative action to hire disabled veterans of all wars and all veterans of the Vietnam Era, serving between August 5, 1964 and May 7, 1975. A disabled veteran is a person who has 30% or more disability rating from the Veteran's Administration or who was discharged or released from active duty for a service-connected disability.

WHO IS PROTECTED?

A person with a disability is someone who: (1) has a physical or mental impairment that substantially limits one or more major life activities; (2) has a record of such an impairment; or (3) is regarded as having such an impairment.

Under the ADA and Section 504, USU is prohibited from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions and privileges of employment. USU is also committed to providing equal educational opportunities including admission, access to course offerings, financial assistance, housing, and extracurricular activities.

A qualified individual with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job or academic requirements in question. Reasonable accommodation may include, but is not limited to:

- Making existing facilities used by employees and students readily accessible to and usable by persons with disabilities;

- Job restructuring, modifying work schedules, reassignment to a vacant position;
- Acquiring or modifying equipment or devices; adjusting or modifying examinations, training materials, or policies; and providing qualified readers or interpreters.

USU is required to make an accommodation to the known disability of a qualified applicant, employee or student if it would not impose an "undue hardship" on the operation and/or mission of the institution. Undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as an institution's size, financial resources and the nature and structure of its operation.

The institution is not required to lower quality or production/academic standards to make an accommodation, nor is an employer obligated to provide personal use items such as glasses or hearing aids.

INDIVIDUAL RESPONSIBILITY

While USU and other institutions of higher education must, under the ADA and Section 504, make accommodations and adjustment for persons with disabilities, these persons with disabilities, in turn, have a clear obligation of "reasonable self-help." This principle is fundamental to Section 504. It affirms that persons with disabilities will reap the benefits of their good judgement and responsible actions. Conversely, this principle makes explicit that persons with disabilities are expected to take responsibility for their individual actions and/or personal working and learning experiences.

If a person wants the protection and opportunities of the laws, it is necessary to be identified as having a disability. However, providing this information is strictly voluntary, is kept confidential, and refusal to submit the information will not subject a person to adverse treatment. However, full access to available programs may be limited if full access to pertinent information is not provided.

WHERE CAN YOU GO IF YOU HAVE A COMPLAINT OR WANT TO KNOW MORE INFORMATION ABOUT YOUR RIGHTS UNDER ADA?

If you would like to declare a disability and seek reasonable accommodation(s), you must work through the Disability Resource Center (DRC), University Inn 102 (797-2444).

If you feel you have been discriminated against or harassed based on a disability, please feel free to call or visit the Affirmative Action/Equal Opportunity (AA/EO) Office (Military Science, Room 216 - Southeast entrance), Telephone: 435-797-1266. The AA/EO Office is responsible for receiving, investigating, and assisting in resolving complaints of various forms of discrimination, to include those based on disability. If you just want to talk about your options or obtain additional information, the AA/EO Office is also available to you.

It is important to note that the University (or any of its staff, faculty or students) is prohibited from retaliating against an individual who has made charges, testified, assisted or participated in any way in any proceeding, investigation or hearing in regard to the violations or alleged violations of laws or orders requiring equal educational and/or employment opportunity.

Additional information/services are available from the following organizations:

USU ADA Coordinator

Diane Baum, Director, Disability Resource Center, 797-2444 (Voice/TDD), University Inn 102

Academic Services

Disability Resource Center (DRC)

797-2444 (Voice/TDD), University Inn 102

Admissions Office

797-1079, Student Center 246

Classroom Relocation

Contact the DRC at 797-2444

Financial Aid Office

797-0177, Student Center 106

Housing

797-3266, Housing Office

Registration (Registrar)

797-1105, Student Center 246

Veterans Affairs Office

797-1102, Student Center 204

Employment Services

Office of Human Resources

797-0124, Military Science 115
Benefits Section, 797-0122
Employee Relations - 797-5475

Career Services

797-1777, University Inn 102

Other Services

Parking

797-3414, Parking Office

Reporting Architectural Barriers

Contact the DRC for assistance (797-2444)
Facilities, 797-1952, Facilities Building 06

Campus Planning and Engineering

797-3737, Campus Planning and Engineering Building