

Guide to Disability Related Requirements In Programs, Services and Activities

Approved by: Disability Advisory Committee

This guide reflects federal and state mandates that apply to services, programs, activities and space provided by Western Washington University.

Students with disabilities needing accommodations for classroom academics should contact DisAbility Resources for Students and refer to the “Providing Reasonable Accommodations To Students With Disabilities Policy” found on Western’s DisAbility Resources (Students) website or by calling 360.650.3083 (voice); 360.650.3725 (TTY). Direct questions or assistance related to this guide to the ADA Coordinator.

1. Authority

Federal: Americans with Disabilities Act of 1990 (42 USC 126; 28 CFR Part 35); 29 CFR 32; 34 CFR 104; Fair Housing Act (42 USC 45; 24 CFR 100)

State: Chapter 162-26 WAC; WAC 516-52-010; Chapter 51-40 WAC; Executive Order 96-04; OFM SAAM 50.50

WWU: Reasonable Accommodation Policy

2. Definitions

Accessible – usable or understandable by a person with a disability with reasonable effort and in reasonable safety.

Administrator - employees at a supervisor or higher level who have administrative level authority, e.g., deans, directors, managers, chairs, supervisors.

Barrier-Free – meets minimum accessibility requirements based on the Washington State Building Code (WAC 51-40) or federal Americans With Disabilities Access Guidelines.

This document is available in alternate format by contacting the ADA Coordinator at 360.650.3307

Facility – structures and sites owned, rented, or used by Western for the execution of a Western sponsored program, activity or service.

Medical information – document from a health care professional that verifies the presence of a disability or substantiates the need for an accommodation.

Person with a disability – a person who has a temporary or permanent sensory, physical or mental impairment that is

- Medically cognizable or diagnosable,
- Exists as a record or history, or
- Is perceived to exist whether it exists in fact.

Qualified person with a disability – a person with a disability who, with or without reasonable accommodations, meets the essential eligibility requirements for the receipt of services or the participation in the program, activity or service.

Readily accessible – removal of barriers that are easily accomplished without delay and able to be carried out without much difficulty or expense.

Reasonable accommodation – Modifications in policies, procedures or practices or the location, structure or manner in which a program, activity, or service is conducted to permit a person with a disability

- To participate in,
- Afford equal opportunity to obtain the same result,
- To gain the same benefit, or
- Reach the same level of achievement as that provided to others.

Service animal - an animal that is trained for the purpose of assisting or accommodating a sensory, mental, or physical disability of a person with a disability.

Undue hardship – a situation in which an accommodation would fundamentally alter the nature or operation of the program, service or activity or cause a financial or administrative hardship.

3. **Printed and Electronic Information Must Be Readily Accessible**

Western’s printed or electronic information for a Western program, activity, or service must be readily accessible.

All webpages created and maintained by Western programs should meet minimum accessibility standards and informational and registration materials shall be provided in alternate formats upon request.

Brochures, registration and application materials, and web pages should include, at a minimum

- A statement or appropriate abbreviation of Western’s equal opportunity and non-

- discrimination policy.
- Contact information for requesting an accommodation for a disability.

Recommended statements can be found at www.disabilityresources.wvu.edu under Program/Event Accessibility.

4. Sponsors of Programs, Services And Activities Must Ensure That They Are Readily Accessible

Administrators must ensure that their programs, services, and activities are readily accessible to qualified persons with disabilities.

Western shall only use, rent, or lease space for its programs and services that is barrier-free except when the specific audience is known and does not require a barrier-free facility.

In the event that the location of program, service, or activity is not accessible, the sponsor will make reasonable efforts to relocate temporarily to accommodate an individual with a disability.

Accessibility resources are available on the Human Resources Disability Services webpage at www.disabilityresources.wvu.edu

5. Sponsors of Programs, Services, And Activities Must Provide Reasonable Accommodations

Reasonable accommodation must be provided to qualified persons with disabilities in all aspects of programs, services, and activities. The accommodation shall be the most integrated and appropriate to the needs of the person with a disability. This does not include personal attendants, individually prescribed devices, readers for personal use or study, or other devices and services of a personal nature.

Administrators must ensure that reasonable accommodation requests are processed in a timely manner.

Sponsors may decide what accommodation will be provided after considering the preferences of the person with a disability. Sponsors are encouraged to consult with the ADA Coordinator or designee regarding this matter.

Sponsors responding to accommodation requests must not request medical information. They may ask about specific needs or limitations to assist in providing an accommodation. Only the ADA Coordinator, or designee, may request medical information necessary to make decisions about reasonable accommodations.

When the necessity or reasonableness of an accommodation request is questionable, the person responding to the request should consult with the ADA Coordinator or designee.

6. Different Parties Are Responsible For Cost of Accommodation

Western departments, programs, and organizations are responsible for accommodation costs incurred for their programs, services, or activities. Western cannot charge the person with a disability for the accommodations.

External entities that use Western's facilities or space are responsible for accommodation costs incurred for their programs, services, or activities.

7. Only The ADA Coordinator May Deny An Accommodation Request

Sponsors will contact the ADA Coordinator, or designee, when it is believed an accommodation request is not reasonable. The ADA Coordinator may deny the request if it

- Would pose an undue hardship,
- Risk the safety of the individual or others, or
- Significantly impact the operation of the program, activity, or service.

8. Western Permits Service Animals On Its Space

Service animals that assist persons with physical, mental and/or sensory disabilities are permitted on all Western space where participants and members of the public are normally allowed. Please refer to Western's Guide: When A Service Animal Is Present for more information at www.disabilityresources.wvu.edu.

9. Offices And Building Coordinators Must Maintain Accessible Pedestrian Routes

Persons responsible for areas in offices and buildings must maintain accessible pedestrian routes for persons with disabilities. This includes, for example, the appropriate placement of sandwich boards and displays.

When pedestrian routes, including elevators, are under repair, the person responsible for the repair must provide accessible signage indicating an alternate accessible route.

10. Western Must Meet Accessibility Standards When Building Or Altering Facilities

Each facility built by, on behalf of, or for the use of Western is to be designed and built so it is readily accessible to persons with disabilities.

Each facility or part of a facility altered by, on behalf of, or for the use of Western must be altered, to the extent feasible, to be readily accessible to persons with disabilities.

Building and alteration standards should conform to the most current Washington State Building Codes or Americans with Disabilities Act Access Guidelines which ever is more stringent regarding accessibility.

The ADA Coordinator must be involved in the review of all substantial University renovation and new facility plans.

11. Western Provides Complaint Venues

Individuals experiencing or observing others having difficulty in accessing Western's programs, services, and/or activities due to a disability encouraged to contact the ADA Coordinator or designee.

Western's Equal Opportunity Office provides information on the rights and responsibilities of persons with disabilities and reviews complaints of illegal discrimination.

Contact Information

Sue Guenter-Schlesinger, ADA Coordinator

Equal Opportunity Office

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