



**Policy on Access for Individuals with Disabilities  
(Senate Document #24-25-09)**

**TO Darryll J. Pines | President**

**FROM Sarah Dammeyer | Chair, University Senate**

I am pleased to forward the accompanying legislation for your consideration and approval. Yasmeen Faroqi Shah, Chair of the Equity, Diversity, and Inclusion Committee presented the Policy on Access for Individuals with Disabilities (Senate Document #24-25-09), which the University Senate Executive Committee approved on behalf of the University Senate at its meeting on May 15, 2025. Please inform the Senate of your decision and any administrative action related to your conclusion.

**Approved:**

**Darryll J. Pines  
President**

**Date:**

**May 22, 2025**

Copies of this approval and the accompanying legislation will be forwarded to:

**Jennifer King Rice**, Senior Vice President and Provost  
**Veronica Marin**, Executive Secretary and Director, University Senate  
**Jay Rosselló**, Vice President for Legal Affairs and General Counsel  
**Dylan Baker**, Associate Vice President for Finance and Personnel  
**John Bertot**, Associate Provost for Faculty Affairs  
**Elizabeth Beise**, Associate Provost for Academic Planning & Programs  
**Rhonda Smith**, Director, Division of Academic Affairs  
**Michele Eastman**, Assistant President and Chief of Staff  
**Wendy Stickle**, Chair-Elect, University Senate  
**Jordan Sly**, Past Chair, University Senate  
**Georgina Dodge**, Vice President for Diversity and Inclusion  
**Patricia Perrilo**, Vice President of Student Affairs  
**Rythee Lambert-Jones**, Assistant Vice President and Chief Human Resources Officer  
**Yasmeen Faroqi Shah**, Chair, Equity, Diversity, and Inclusion Committee



## **Policy on Access for Individuals with Disabilities (VI-1.00(D))**

**PRESENTED BY** Yasmeen Farooqi Shah, Chair

**REVIEW DATES** SEC – May 15, 2025

**VOTING METHOD** In a single vote

**RELEVANT  
POLICY/DOCUMENT** [VI-1.00\(D\)-University of Maryland Disability & Accessibility Policy and Procedures](#)

**NECESSARY  
APPROVALS** University Senate, President

### **ISSUE**

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In August 2024, Emily Lucio, ADA/504 Coordinator for the Office of Diversity & Inclusion submitted a proposal, in collaboration with various campus departments, to the Senate Executive Committee (SEC) requesting that the policy [VI-1.00 (D)] University of Maryland Disability & Accessibility Policy and Procedures be reviewed for amended policy changes. The changes to the policy allow the policy to be consistent with current federal regulations and align the policy with current practices.

The University of Maryland (the University) Disability & Accessibility VI-1.00 (D) outlines the University's approach to addressing reasonable accommodations to qualified individuals. The Policy outlines that the policy applies to all members of the University community, including students, faculty, staff, and third-party individuals. The Procedures provide further guidance on the proper campus entities to contact for requesting accommodations. The proposer highlighted that the current policy was outdated and no longer included the proper guidelines for accommodations. This caused requirements that were no longer feasible to be considered current policy. Additionally, it was highlighted by the proposer that the proposed amended policy language would not affect the underlying commitment of the University to provide disability accommodations.

At its meeting on September 11, 2024 the Senate Executive Committee (SEC) voted to charge the "Policy on Access for Individuals with Disabilities" proposal (Senate Document #24-25-09) to the Equity, Diversity, and Inclusion (EDI) Committee and asked the committee to consider if the updates were needed or were redundant with existing Americans with Disabilities (ADA) regulations (Appendix 1). The EDI Committee's deadline for this review was May 2025.

### **RECOMMENDATIONS**

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The Equity, Diversity, and Inclusion Committee recommends that the proposed revisions to the University of Maryland Disability & Accessibility Policy and Procedures [VI-1.00 (D)], as shown immediately following this report, be approved.

## COMMITTEE WORK

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The EDI Committee began review of the proposal at the October 2024 committee meeting. During these initial meetings, the committee first examined the policy's various charge elements and collected data from Big Ten and peer institutions. During this review, the committee noted several trends, including centralized accommodation websites and dedicated disability funds at other institutions to support costly accommodations.

Between November 2024 and Spring 2025, the committee conducted extensive consultations with key stakeholders including the proposer, Accessibility and Disability Services (ADS) Office, University Human Resources (UHR), Faculty Affairs, the Office of Civil Rights & Sexual Misconduct (OCRSM), Senate committees, and the Office of General Counsel. The proposer explained that the amendments represent a shift from a primarily student-focused approach to one encompassing all university community members, emphasizing that compliance is a shared responsibility with clearly delineated roles for different university entities. The policy updates also remove specific timeline requirements for documentation, focusing on current functioning rather than disability verification. Representatives from UHR and ADS confirmed that the proposed changes wouldn't alter the current accommodation processes but would add clarity by better defining terms like "physical and mental impairments" and "substantially limited function." The Office of Faculty Affairs and OCRSM expressed full support, noting the revisions improve alignment with federal and state laws while providing flexibility in implementation.

The committee addressed specific concerns about confidentiality provisions, particularly regarding who constitutes "designated staff" for sharing disability information, and the challenges graduate students face in navigating their dual roles as students and employees. After thorough deliberation, the committee incorporated additional wording changes.

After due consideration, the EDI committee voted on the final policy revisions and recommendations at its March 2025 meeting. The revised policy was shared with the Office of General Counsel (OGC) for a legal review of the committee's proposed revisions.

## ALTERNATIVES

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The Senate could decide not to approve the recommendation.

## RISKS

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There are no risks to the University in adopting the recommendations.

## FINANCIAL IMPLICATIONS

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There are no financial implications in approving these recommendations.

**Policy on Access for Individuals with Disabilities (VI-1.00(D))****2024-2025 Committee**

**Yasmeen Farooqi Shah** (Chair)  
**Felicia Bidgell** (Exempt Staff)  
**Lacey Curry** (Faculty)  
**Anna Emenheiser** (Graduate Student)  
**Jack Garrard** (Exempt Staff)  
**Dannielle Glaros** (Ex-Officio VP & Chief  
Administrative Officer Rep)  
**Dalton Greene** (Graduate Student)  
**Caroline Griffith** (Undergraduate  
Student)  
**Joanne Klossner** (Faculty)  
**Yvette Lerma Jones** (Ex-Officio VP Student Affairs  
Rep)  
**b.a Medina** (Ex-Officio VP Diversity & Inclusion  
Rep)

**Lauren Miles** (Non-Exempt Staff)  
**Ashely Monrone** (Non-Exempt Staff)  
**Angela Nastase** (Ex-Officio OCRSM Rep)  
**Thu Nguyen** (Faculty)  
**Chinaza Ofor** (Undergraduate Student)  
**Laura Rosenthal** (Ex-Officio Provost's Rep)  
**Delida Sanchez** (Faculty)  
**Shane Walsh** (Faculty)

**Date of Submission****May 2025****BACKGROUND**

In August 2024, Emily Lucio, ADA/504 Coordinator for the Office of Diversity & Inclusion submitted a proposal, in collaboration with various campus departments, to the Senate Executive Committee (SEC) requesting that the policy [VI-1.00 (D)] University of Maryland Disability & Accessibility Policy and Procedures be reviewed for amended policy changes. The changes to the policy allow the policy to be consistent with current federal regulations and align the policy with current practices.

The University of Maryland (the University) Disability & Accessibility VI-1.00 (D) outlines the University's approach to addressing reasonable accommodations to qualified individuals. The Policy outlines that the policy applies to all members of the University community, including students, faculty, staff, and third-party individuals. The Procedures provide further guidance on the proper campus entities to contact for requesting accommodations. The proposer highlighted that the current policy was outdated and no longer included the proper guidelines for accommodations. This caused requirements that were no longer feasible to be considered current policy. Additionally, it was highlighted by the proposer that the proposed amended policy language would not affect the underlying commitment of the University to provide disability accommodation.

At its meeting on September 11, 2024 the Senate Executive Committee (SEC) voted to charge the "Policy on Access for Individuals with Disabilities" proposal (Senate Document #24-25-09) to the Equity, Diversity, and Inclusion (EDI) Committee and asked the committee to consider if the updates were needed or were redundant with existing Americans with Disabilities (ADA) regulations (Appendix 1). The EDI Committee's deadline for this review was May 2025.

## COMMITTEE WORK

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The EDI Committee began review of the proposal at the October 8, 2024 meeting. During this initial meeting, the committee began by reviewing the various review, consult, consider, and recommend charge elements. Members discussed seeking data regarding similar policies that exist among Big Ten and peer institutions (Appendix 2). Additionally, members began reviewing the current UMD disability & accessibility policy as well as the proposed amended language.

In reviewing data from peer institutions, members noticed that many institutions have central “catch-all” websites for all accommodations and inquired if UMD could develop a similar design. Another trend was that a few institutions established a central disability accommodation fund to aid in supporting potentially costly accommodations. The fund would aid in assisting individuals to gain access to technology or other tools to aid in accommodations. While discussing the policies at peer institutions, committee members noted that other institutions have different processes that uniquely cater to the needs of the campus, and the UMD may have different needs, which were being reflected in the proposed amended language. Members expressed interest in learning more about the development of the proposed amended language and needed to understand why certain requirements in the current policy were deemed “not feasible” in the proposal.

Consultations were conducted with the representative of the following key stakeholders:

- Proposer
- Accessibility and Disability Services Office (ADS)
- University Human Resource (UHR) ADA Consultant
- Office of Faculty Affairs
- Office of Civil Rights & Sexual Misconduct (OCRSM)
- University Senate Faculty Affairs Committee
- University Senate Staff Affairs Committee
- University Senate Student Affairs Committee
- Office of General Counsel (OGC)

The committee began meeting with stakeholders in late November and engaged in ongoing discussions regarding the consultations and policy changes throughout the standing committee meetings. Consultations with the proposer identified the need for the amended changes, explaining that the last policy review occurred in 2016 and that the legal landscape of disability-related work and its interpretation in higher education had significantly evolved since that time. The proposer emphasized that the proposed policy and its revisions represent a significant shift in the policy, moving from a primarily student-focused approach to one that encompasses all members of the University community. The policy revisions explicitly extend beyond student services, encompassing faculty, staff, and the broader university community, and it was explained that a key aspect of the change is the emphasis on compliance as a shared responsibility across all departments and units, with clear delineation of roles and responsibilities for different university entities. The proposer shared that the policy updates remove specific timeline requirements for documentation, focusing instead on current functioning rather than verification of disability. The primary purpose of the documentation is to determine reasonable accommodation rather than to prove the existence of a disability. Members inquired during the consultation how the policy revisions would apply to graduate students who require accommodations for a Graduate Assistantship. The proposer explained that the ADS office serves as the primary office for academic accommodations and works with students needing specific considerations due to their employment responsibilities. Throughout the consultation, it was stressed that the policy applied to all of the University campus and that the proposed language did not change or alter the University's commitment to providing proper accommodations.

The remaining consultations held by the committee occurred in the Spring 2025 semester. Consultations with representatives of UHR and ADS indicated that the proposed changes being reviewed by the committee did not change the process of accommodations currently being offered by each office and only added to the clarity of the process. Both UHR and ADS were consulted by the proposer in the creation of the proposed language prior to it being submitted for review by the committee. Additionally, both representatives shared that the proposed updates provide additional clarity in defining specific requirements or conditions, such as defining physical and mental impairments, substantially limited function, and undue hardship. They both spoke to how the various proposed changes represent the current accommodation needs of the campus and gave room for the ever-changing nature of disability work. The less specific approach in detailing all aspects of the accommodation process was highlighted as a positive aspect in the proposed changes due to the approach enabling more flexibility in addressing requests on a case-by-case basis. The representative from ADS additionally highlighted the need for the updates for the committee by sharing that the current policy stipulates that the accommodation process for students needs to be conducted via paper; however, throughout the years, the internal process has changed to accommodate technological advances.

Additional consultations were held with representatives from the Office of Faculty Affairs and OCRSM. The Office of Faculty Affairs and OCRSM were also consulted regarding the proposed wording by the proposer due to their roles in the accommodation process. The representative from the Office of Faculty Affairs shared the office's full support of the proposed changes and that the revisions would be an improvement to the current policy in place. It was explained that the main updates included revised language to ensure compliance with federal law and the removal of specific procedural details, which provide respective offices with more flexibility in process implementation. The representative from OCRSM additionally shared support of the policy updates, mentioning that the changes ensure consistency with federal and state laws, particularly given frequent changes in government and executive orders. The importance of having clarity and consistency in the accommodation process was also emphasized. Both shared that they did not foresee issues with the implementation of the amended policy language. It was reported that OCRSM had seen an increase in disability accommodation complaints, particularly from graduate students, estimating that approximately 10 formal complaints were made in the past year.

The committee consulted with the University Senate, Faculty, Staff, and Student Affairs committees via a Google Form to gain feedback from the various committee members about the clarity of the new proposed language. Each committee member was asked to answer specific questions based on whether they were a student, staff member, or faculty member. Committee members were given a week to answer the Google Form questions. The feedback from the survey was that the proposed changes were clear to the respective constituency groups.

Committee members considered the information gained from the numerous consultations. While the majority of the individuals that the committee spoke with advocated that the proposed language provided added value and clarity to the overall accommodation process, there were areas of concern for the committee.

A major concern raised was regarding the confidentiality provisions in the policy, particularly regarding who constitutes "designated staff" for sharing disability information. Members suggested more specific language might be helpful to determine who is "designated staff", while others noted that maintaining flexibility was important to allow for various accommodation scenarios. A member suggested including "designated staff" as a word in the definition section. Through consultation with UHR and OGC, it was agreed to add additional wording to the section of the policy in question, guiding readers to refer to the confidentiality section.

Members additionally discussed the challenges graduate students face in navigating between their

dual roles as students and employees. A member shared the experience of some graduate students being confused about how to access accommodations because of the dual roles as employees and students that apply to graduate students. It was discussed that the term Graduate Assistant was used as an umbrella term for all graduate student positions. Through consultation with the proposer and OCRSM, the committee felt that graduate students who held Graduate Assistant positions were represented in the updated policy language.

The committee deliberated at length about the proposed language revisions and their impact on the campus community. After deliberations with representatives across the campus, the committee voted on the final policy recommendation at the March 2025 committee meeting. OGC was additionally consulted on the proposed policy revisions with the additional wording changes proposed by the committee.

## **RECOMMENDATIONS**

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The Equity, Diversity, and Inclusion Committee recommends that the proposed revisions to the University of Maryland Disability & Accessibility Policy and Procedures [VI-1.00 (D)], as shown immediately following this report, be approved.

## **APPENDICES**

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- Appendix 1 – Charge from the Senate Executive Committee
- Appendix 2 – Research from Big Ten Peer Institutions
- Appendix 3 – Proposal Including Proposed Changes to the Policy
- Appendix 4 – Red-lined Version of Changes to the Policy





## UNIVERSITY SENATE

## CHARGE

Charged: September 11, 2024 | Deadline: May 2, 2025

### **Review of Policy on Access for Individuals with Disabilities (Senate Document #24-25-09) Equity, Diversity, & Inclusion Committee | Chair: Yasmeen Farooqi Shah**

The Senate Executive Committee (SEC) and Senate Chair Sly request that the Equity, Diversity, and Inclusion Committee review the University of Maryland Policy on Access for Individuals with Disabilities [VI-1.00(D)].

Specifically, the Equity, Diversity, and Inclusion Committee should:

1. Review:

- a. The proposal entitled Policy on Access for Individuals with Disabilities
- b. The policy entitled University of Maryland Disability and Accessibility Policy and Procedures ([VI-1.00\(D\)](#))
- c. The proposed policy update as provided in the proposal
- d. Similar policies and procedures on accessibility for individuals with disabilities at Big 10 and other peer institutions

2. Consult:

- a. A representative of the Accessibility and Disability Services Office
- b. University Human Resources ADA Consultant
- c. Office of Faculty Affairs
- d. Office of Civil Rights and Sexual Misconduct
- e. Faculty Affairs Committee
- f. Staff Affairs Committee
- g. Student Affairs Committee
- h. Office of General Counsel

3. Consider:

- a. The proposed changes in the proposal
- b. Whether the proposed policy updates are necessary or if they may be redundant with existing ADA regulations.

4. Consult with a representative from the Office of General Counsel on any proposed changes to the University's policy.

5. If appropriate, recommend whether the policy should be revised and if so, provide suggested revisions.

We ask that you submit a report to the University Senate Office no later than **May 2, 2025**. If you have questions or need assistance, please contact the University Senate Office, [senate-admin@umd.edu](mailto:senate-admin@umd.edu).



## Appendix 2 - Research from Big Ten Peer Institutions

School	Overview of Policy	Student Accommodation Process	Staff Accommodation Process	Faculty Accommodation Process	Last Revised	Notes	Committee Member Reviewing	
U of MD	The University of Maryland is committed to creating and maintaining a welcoming and inclusive educational, working, and living environment for people of abilities. The University of Maryland is committed to the principle that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the University's programs, services, and activities.	<a href="https://accessibility.umd.edu/accommodations">https://accessibility.umd.edu/accommodations</a> , managed through ADE office. <a href="https://www.accessibility.umd.edu/accommodations">https://www.accessibility.umd.edu/accommodations</a>	determined by UHR. <a href="https://uhr.umd.edu/employee-resources/leave-management/disability">https://uhr.umd.edu/employee-resources/leave-management/disability</a>	determined by UHR. <a href="https://uhr.umd.edu/employee-resources/leave-management/disability">https://uhr.umd.edu/employee-resources/leave-management/disability</a>	April 15, 2024	SSG Proposal for an accommodation fund	Yasmeen	
U of Illinois	The mission of Disability Resources and Educational Services (DRES) is to ensure that qualified individuals with disabilities are afforded an equal opportunity to participate in and benefit from the programs, services and activities of the University of Illinois at Urbana-Champaign through the identification and enactment of reasonable modifications to institutional policies and procedures, the provision of effective auxiliary aids and services, the establishment of innovative educational services, and the pursuit of interdisciplinary disability research.	<a href="https://dres.illinois.edu/accommodations/">https://dres.illinois.edu/accommodations/</a>	<a href="https://dres.illinois.edu/employees-accessibility-and-accommodations/">https://dres.illinois.edu/employees-accessibility-and-accommodations/</a>	<a href="https://dres.illinois.edu/employees-accessibility-and-accommodations/">https://dres.illinois.edu/employees-accessibility-and-accommodations/</a>		Students can file an application online via their portal. Students are not required to meet with a DRES staff member. Faculty can request workplace accommodations through the ADA D. Deida		
Indiana University	Indiana University is committed to maintaining an inclusive and accessible environment across all of its campuses. Ensuring that all members of the university community have access to facilities, information, and information technology associated with administration and services, coursework and instruction, programs, and university-sponsored activities is critical to the university's educational mission and is among its highest priorities. The Americans with Disabilities Act (ADA), the Indiana Civil Rights Act, and Indiana University policy prohibit discrimination against qualified individuals with disabilities in employment and educational programs. University websites must be accessible so that students, prospective students, employees, guests and visitors with disabilities have equivalent access to the information and functionality provided to individuals without disabilities.	<a href="https://iustudent.accommodations.edu/accommodations">https://iustudent.accommodations.edu/accommodations</a>	<a href="https://accessibility.iu.edu/submitting-request-for-accommodations">https://accessibility.iu.edu/submitting-request-for-accommodations</a>	<a href="https://accessibility.iu.edu/submitting-request-for-accommodations">https://accessibility.iu.edu/submitting-request-for-accommodations</a>	December 6, 2018	Procedures for employees and students to request accommodations can be found at: <a href="https://policies.iu.edu/policies/ua-02-americans-disability-act/index.html">https://policies.iu.edu/policies/ua-02-americans-disability-act/index.html</a>	Office determines if employee is eligible for accommodations under ADA and then facilitates a reasonable accommodation plan as if	Joanne Klossner
U of Iowa	At the University of Iowa, disability accommodations are managed primarily through Student Disability Services (SDS) for students and the Office of Institutional Equity (OIE) and Faculty & Staff Disability Services for faculty and staff.	<a href="https://sds.uiowa.edu/academic-accommodations">https://sds.uiowa.edu/academic-accommodations</a>	<a href="https://sds.uiowa.edu/academic-accommodations">https://sds.uiowa.edu/academic-accommodations</a>	<a href="https://sds.uiowa.edu/academic-accommodations">https://sds.uiowa.edu/academic-accommodations</a>	October 10, 2022			
U of Michigan		<a href="https://sds.umich.edu/">https://sds.umich.edu/</a> <a href="https://sds.umich.edu/academic-accommodations">https://sds.umich.edu/academic-accommodations</a>	<a href="https://sds.umich.edu/academic-accommodations">https://sds.umich.edu/academic-accommodations</a>	<a href="https://sds.umich.edu/academic-accommodations">https://sds.umich.edu/academic-accommodations</a>		Has an accessibility fund	Anna Emerheiser	
Michigan State	For Students, Faculty and Staff at MSU with disabilities, can register with the RCPD and can be eligible for accommodations. Registration with the RCPD prior to situations requiring accommodations is essential. Step 1: Identify (GSDPA MyProfile) Step 2: Documentation. Step 3: Assessment Meeting.	<a href="https://www.rcpd.msu.edu/get-started/student-accommodations">https://www.rcpd.msu.edu/get-started/student-accommodations</a>	<a href="https://www.rcpd.msu.edu/get-started/faculty-departmental-resources">https://www.rcpd.msu.edu/get-started/faculty-departmental-resources</a>	<a href="https://www.rcpd.msu.edu/get-started/faculty-departmental-resources">https://www.rcpd.msu.edu/get-started/faculty-departmental-resources</a>		<a href="https://www.rcpd.msu.edu/types/ability-blog">https://www.rcpd.msu.edu/types/ability-blog</a>	b.a. medina	
U of Minnesota	The DRC works with students, faculty/instructors, staff, and guests with documented disabilities to facilitate access on an individualized, case-by-case basis. This interactive process takes time and requires collaboration and engagement among students and their instructors, faculty/staff and their supervisors, and guests and their hosts.	<a href="https://disability.umn.edu/student-access">https://disability.umn.edu/student-access</a>	<a href="https://disability.umn.edu/submitting-request-for-accommodations">https://disability.umn.edu/submitting-request-for-accommodations</a>	<a href="https://disability.umn.edu/submitting-request-for-accommodations">https://disability.umn.edu/submitting-request-for-accommodations</a>		Univ of Minnesota have developed a course on disability accommodations: <a href="https://diversitycourse.umn.edu/">https://diversitycourse.umn.edu/</a>	Lanna Duarte	
U of Nebraska	Welcome to Services for Students with Disabilities (SSD), an office within the Division of Student Life. We value diverse identities and experiences, and we believe disability is an important aspect of diversity at the University of Nebraska-Lincoln. SSD partners with students, faculty, administrators, and staff to create accessible and inclusive educational and campus experiences for students with disabilities.	<a href="https://sds.unl.edu/accommodation-resource-centers.asp">https://sds.unl.edu/accommodation-resource-centers.asp</a>		<a href="https://sds.unl.edu/faculty-staff-disability-services/ada504-procedures-identifying-requesting-reasonable-accommodations">https://sds.unl.edu/faculty-staff-disability-services/ada504-procedures-identifying-requesting-reasonable-accommodations</a>		<a href="https://sds.unl.edu/faculty-staff-disability-services/ada504-accommodations.asp">https://sds.unl.edu/faculty-staff-disability-services/ada504-accommodations.asp</a>		
Northwestern	The Northwestern University Accessibility (ANU) unit is responsible for the academic accommodation determination and coordination process for students with disabilities. ANU aims to identify educational barriers, problem solve to create equitable learning environments, communicate referral options for disability evaluation and academic assistance, and establish best practices for disability inclusion. Northwestern University honors disability as one of the many forms of diversity on our campus and as such, we actively collaborate with faculty, staff, and students to achieve access goals.	<a href="https://www.northwestern.edu/accessibility/student/">https://www.northwestern.edu/accessibility/student/</a>	<a href="https://www.northwestern.edu/accessibility/faculty/">https://www.northwestern.edu/accessibility/faculty/</a>	<a href="https://www.northwestern.edu/accessibility/faculty/">https://www.northwestern.edu/accessibility/faculty/</a>		<a href="https://www.northwestern.edu/accessibility/about-us/what-we-do.html">https://www.northwestern.edu/accessibility/about-us/what-we-do.html</a> Has an accessibility fund	Yasmeen	
Ohio State	Ohio State is committed to providing equal access and opportunities to all members of its community, ensuring compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act.	<a href="https://ada.osu.edu/">https://ada.osu.edu/</a> <a href="https://ada.osu.edu/ada504/">https://ada.osu.edu/ada504/</a>	<a href="https://ada.osu.edu/employees">https://ada.osu.edu/employees</a>	<a href="https://ada.osu.edu/employees">https://ada.osu.edu/employees</a>				
U of Oregon	The University of Oregon is committed to providing equal access and opportunities to all members of its community, ensuring compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act.	<a href="https://aac.uoregon.edu/">https://aac.uoregon.edu/</a>	<a href="https://u.uoregon.edu/disability-accommodation-process-guide">https://u.uoregon.edu/disability-accommodation-process-guide</a>	<a href="https://u.uoregon.edu/disability-accommodation-process-guide">https://u.uoregon.edu/disability-accommodation-process-guide</a>		General overview: <a href="https://aac.uoregon.edu/aei-philosophy">https://aac.uoregon.edu/aei-philosophy</a>		
Penn State	At Penn State, we are committed to providing a welcoming, encouraging, and empowering environment for students with disabilities to ensure equal access, full participation, and reasonable accommodations for their academic pursuits. Student Disability Resources (SDR) is responsible for coordinating support services, reasonable academic accommodations, and promoting disability awareness in the university community.	<a href="https://sds.psu.edu/offices/student-disability-resources">https://sds.psu.edu/offices/student-disability-resources</a>	<a href="https://sds.psu.edu/aafice2/welcome/access-disability">https://sds.psu.edu/aafice2/welcome/access-disability</a>	<a href="https://sds.psu.edu/aafice2/welcome/access-disability">https://sds.psu.edu/aafice2/welcome/access-disability</a>		Upcoming Events: <a href="https://sds.psu.edu/aafice2/welcome/access-disability-resources/events">https://sds.psu.edu/aafice2/welcome/access-disability-resources/events</a>	Dakon	
Purdue	Purdue University is committed to making education, employment, services, programs and activities accessible. Purdue University offers numerous resources to employees, students and visitors who may need additional assistance while attending, visiting and/or working for the University. The Purdue Community works together to remove any barriers that prevent equal opportunities to individuals who have disabilities.	<a href="https://www.purdue.edu/">https://www.purdue.edu/</a>	<a href="https://www.purdue.edu/hr/workplace/diversity/inclusion/index.cfm">https://www.purdue.edu/hr/workplace/diversity/inclusion/index.cfm</a>	<a href="https://www.purdue.edu/hr/workplace/diversity/inclusion/index.cfm">https://www.purdue.edu/hr/workplace/diversity/inclusion/index.cfm</a>		<a href="https://www.purdue.edu/accessibility/resources/">https://www.purdue.edu/accessibility/resources/</a>		
Rutgers	This Policy discusses the University's prohibitions against discrimination, harassment, and retaliation based upon an individual's disability, the responsibility of the University to ensure equal participation, access, and employment opportunities to otherwise qualified individuals with disabilities to the University's programs, services, and facilities; the right of individuals with disabilities to request reasonable accommodations; and the responsibility of the University to provide reasonable accommodations in a timely manner. The scope of the policy is set forth herein, as well as relevant definitions. The Policy also references the processes for reporting violations of this Policy.	<a href="https://ada.rutgers.edu/">https://ada.rutgers.edu/</a>	<a href="https://hr.rutgers.edu/employees/accommodations">https://hr.rutgers.edu/employees/accommodations</a>	<a href="https://hr.rutgers.edu/employees/accommodations">https://hr.rutgers.edu/employees/accommodations</a>	06/14/2024	<a href="https://www.rutgers.edu/office-of-disability-services/">https://www.rutgers.edu/office-of-disability-services/</a>	Yvette	
UCLA	Reasonable accommodations are determined through an interactive process between the CAE, the student, and instructional staff. It is axiomatic that reasonable accommodations must be disability-based. The academic adjustments and/or auxiliary aids, and/or modification or adjustment to practices, procedures, or policies are so that a qualified student with a disability receives equal access to a course, program, service, or activity.	<a href="https://cae.ucla.edu/accommodations">https://cae.ucla.edu/accommodations</a> <a href="https://cae.ucla.edu/faculty">https://cae.ucla.edu/faculty</a>	<a href="https://hr.ucla.edu/disability-management-services">https://hr.ucla.edu/disability-management-services</a>	<a href="https://hr.ucla.edu/disability-management-services">https://hr.ucla.edu/disability-management-services</a>		<a href="https://hr.ucla.edu/staff-diversity/disabilities-reasonable-accommodation">https://hr.ucla.edu/staff-diversity/disabilities-reasonable-accommodation</a>	Felicia	
USC	The university is committed to the full accessibility of our campus, programs, and activities to individuals with disabilities. USC will make a good faith effort to provide reasonable accommodation for qualified visitors, prospective students, enrolled students, employment applicants, and employees with a disability unless the accommodation requested would cause an undue hardship as defined by the ADA. In compliance with Section 504 of the Rehabilitation Act, the university provides academic adjustments and auxiliary aids for students with disabilities.	<a href="https://oags.usc.edu/">https://oags.usc.edu/</a> <a href="https://policy.usc.edu/disability-accommodation/">https://policy.usc.edu/disability-accommodation/</a>	<a href="https://accessibility.usc.edu/accommodations-and-services/interactive-process-overview-of-accommodations-interactive-process">https://accessibility.usc.edu/accommodations-and-services/interactive-process-overview-of-accommodations-interactive-process</a>	<a href="https://accessibility.usc.edu/accommodations-and-services/interactive-process-overview-of-accommodations-interactive-process">https://accessibility.usc.edu/accommodations-and-services/interactive-process-overview-of-accommodations-interactive-process</a>	December 15, 2023	<a href="https://accessibility.usc.edu/report-a-barrier-to-accessibility-at-usc/">https://accessibility.usc.edu/report-a-barrier-to-accessibility-at-usc/</a>	b.a. medina	
U of Washington	Overall, UW's Disability accommodation process is intended to be interactive and collaborative, relying on open communication and active participation between you and the University. The University Policy states "The University to provide reasonable accommodations to qualified students with disabilities and to afford them an equal opportunity to participate in and enjoy the benefits of University courses, programs, services, and activities." Each campus has their own Disability Resources for Students (DRS) office. DRS engages in an interactive process to determine reasonable accommodations. There are seven universities policies listed as connected to access and accommodations.	<a href="https://depts.washington.edu/uwdr/">https://depts.washington.edu/uwdr/</a> <a href="https://www.washington.edu/academic-accessibility/academic-accessibility">https://www.washington.edu/academic-accessibility/academic-accessibility</a>	<a href="https://hr.washington.edu/employees/disabilities">https://hr.washington.edu/employees/disabilities</a>	<a href="https://hr.washington.edu/employees/disabilities">https://hr.washington.edu/employees/disabilities</a>	26 June 2023		Yvette	
U of Wisconsin	The University of Wisconsin-Madison is committed to providing students, faculty, staff and visitors with access to its programs, services and facilities. This includes providing reasonable accommodations that ensure qualified applicants and employees with disabilities have equal employment opportunities.	<a href="https://indiversity.wisc.edu/apply-for-accommodations">https://indiversity.wisc.edu/apply-for-accommodations</a>	<a href="https://employeesdisabilities.wisc.edu/">https://employeesdisabilities.wisc.edu/</a>	<a href="https://employeesdisabilities.wisc.edu/">https://employeesdisabilities.wisc.edu/</a>		Has an accessibility fund Upcoming Events: <a href="https://indiversity.wisc.edu/">https://indiversity.wisc.edu/</a>	Anna Emerheiser	



**UNIVERSITY SENATE**

**PROPOSAL**

**Submitted on:**

**NAME/TITLE**

**EMAIL**

**UNIT**

**PHONE**

**CONSTITUENCY**

**DESCRIPTION OF ISSUE**

**DESCRIPTION OF CHANGE YOU WOULD LIKE TO SEE**

**SUGGESTION FOR HOW YOUR PROPOSAL WOULD BE PUT INTO PRACTICE**

**ADDITIONAL INFORMATION**

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## **VI-1.00(D) UNIVERSITY OF MARYLAND POLICY ON ACCESS FOR INDIVIDUALS WITH DISABILITIES**

### **I. PURPOSE**

The University of Maryland is committed to the principle that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in, or be denied the benefits of the services, programs, or activities of the University, or be subjected to discrimination. As part of this commitment, the University aims to provide reasonable accommodations to qualified individuals as set forth in this Policy.

The University of Maryland Policy on Access for Individuals with Disabilities ("this Policy") strictly prohibits discrimination against individuals on the grounds of disability and retaliation against individuals arising in connection with the assertion of rights afforded to them under this Policy. This Policy applies to all members of the campus community, including students, employees and visitors.

### **II. DEFINITIONS**

- A. **Accommodation** means an adjustment or modification in the environment that enables an individual to enjoy equal access to the University's programs, services or activities.
  - 1. A reasonable accommodation in the student setting is a modification or adjustment to a course, program, or activity or facility that allows the student with a disability to participate as fully as possible in the programs and activities offered by the University. Accommodation may be necessary where the student has, or has a record of having, a disability. An accommodation is not considered reasonable if it would result in a fundamental alteration of a University program or impose an undue burden on the University.
  - 2. A reasonable accommodation in the work environment is any change to the application or hiring process, to the job, to the way the job is done, or the work environment that allows a person with a disability who is qualified for the job to perform the essential functions of that job and enjoy equal employment opportunities. Accommodations are not considered reasonable if they impose an undue hardship on the University or a direct threat.
- B. **Auxiliary Aids and Services** may include:
  - 1. **For individuals with communication related disabilities:** Qualified interpreters on-site or through video remote interpreting (VRI) services; notetakers; real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers;

assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including real-time captioning; voice, text, and video-based telecommunications products and systems, videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology; or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing.

2. **For individuals with vision related disabilities:** Qualified readers; recorded texts; audio recordings; Braille materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible electronic and information technology; or other effective methods of making visually delivered materials available to individuals who are blind or have low vision; acquisition or modification of equipment or devices; and other similar services and actions.

C. **Direct Threat to Health or Safety** means a significant risk of substantial harm to health or safety that cannot be eliminated by reasonable accommodations, modification of policies, practices, or procedures, or by the provision of auxiliary aids or services. In determining whether an individual poses a direct threat to health or safety, the University must make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or the best available independent and objective evidence, to ascertain:

1. The nature, duration, and severity of the risk;
2. The probability that the potential injury actually will occur; and
3. Whether reasonable accommodations and/or modification of policies, practices, or procedures will mitigate the risk.

D. **Essential Element or Function.**

1. In the academic context, an accommodation is not reasonable if it means making a substantial change in an essential element of a course or a given student's curriculum. It is the institution's responsibility to demonstrate both that the change requested is substantial and that the element targeted for change is essential to the conduct of the course or curriculum.
2. Essential functions in the workplace are job duties that are fundamental to the position, they are the reason the job exists. In order to be qualified for a position, an applicant or employee must be able to perform essential job functions, with or without accommodations.

E. **Fundamental Alteration.** Under the Americans with Disabilities Amendments Act of 2008, "A public entity must reasonably modify its policies, practices, or procedures to avoid discrimination. If the public entity can demonstrate, however, that the modifications would fundamentally alter the nature of its service, program, or activity, it is not required to make the modification." A "fundamental alteration" is a change that is so significant it alters the essential

nature of a course or a program of instruction (a major change in the nature of the program, lowering an academic or performance standard, removing or waiving acquisition of a skill that is essential, removing or waiving acquisition of a skill that is directly related to the health and safety of others, removing or waiving requirements that are directly related to qualifying for that license).

- F. **Impairment - Physical or Mental** means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin and endocrine. This includes any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.

Temporary impairments that take significantly longer (more than 6 months) to heal, long-term impairments, or potentially long-term impairments of indefinite duration may be disabilities if they are severe.

Specific learning disability is a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimum brain dysfunction, dyslexia, and developmental aphasia. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural or economic disadvantage (34 CFR 300.8).

- G. **Individual with a Disability** is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.
- H. **Major Life Activities** include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. 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.
- I. **Qualified** means one who meets the academic, technical, and/or job standards requisite to admission, employment or participation in any university program, service or activity with or without accommodations.

- J. **Substantially Limits** means a material restriction of the duration, manner or condition under which an individual can perform a major life activity when compared to the average person's ability to perform that same major life activity. The determination of whether impairment substantially limits a major life activity shall be made without regard to effects of mitigating measures such as medication, medical supplies, hearing aids, use of assistive technology, reasonable accommodations or auxiliary aides or services or learned behavioral or adaptive neurological modifications.
- K. **Undue Burden / Hardship.** The University need not provide reasonable accommodations and/or make modifications or provide auxiliary aids or services if it constitutes an undue burden/hardship. In determining whether or not an undue burden/hardship exists, the factors to be considered include, but are not limited to, the nature, duration, and significant cost of the action needed.

### III. SCOPE

This Policy applies to:

- A. All educational delivery and practices. This includes but is not limited to recruitment, application, examination and testing, and educational status, and applies to students including those engaged in distance learning through the university.
- B. All employment practices and actions through the entire employee life cycle. This includes, but is not limited to, contingent employees, recruitment, application, hiring, training, disciplinary actions, advancement, transfer, reassignment, and employment status.
- C. All health care services and the facilities where such services are provided.
- D. All programs over which the University exercises substantial control, which may occur outside of the classroom, campus, or office environment but are a vital part of the university experience (e.g., education abroad, sponsored events, extension programs).
- E. All public access to University programs and other offerings. This includes, but is not limited to, athletic events, parking, conferences, and any other event or service open to the public.
- F. All facilities and property owned, operated by, or rented by the University.
- G. Digital information and services. Please refer to the [University of Maryland Web Accessibility Policy](#), [University of Maryland IT Accessibility Addendum](#), [Accessible Media Content Guidelines](#) and the [Video Captioning Standard](#).

The University's ADA Coordinator listed below is responsible for campus-wide compliance with the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), and other applicable federal and state laws and regulations.



ADA/504 Coordinator  
Office of Diversity and Inclusion  
0112 Lee Building  
7809 Regents Drive  
College Park MD 20742  
tel:301 405-2841 | fax:301 314-9992  
[adacoordinator@umd.edu](mailto:adacoordinator@umd.edu)  
[accessibility.umd.edu](http://accessibility.umd.edu)

#### **IV. CONFIDENTIALITY**

- A. The University recognizes that disability records contain confidential information and are to be treated as such pursuant to State and Federal law. For faculty and staff, all supporting disability documentation will be kept confidential and separate from personnel records, with the exception that the Accommodation Plan would remain with personnel records. For students, all supporting disability documentation and information will be kept confidential and separate from education records, with the exception of an Accommodation Letter that students personally share directly with third parties (i.e. faculty member, academic adviser etc.). Information related to a disability may be disclosed if necessary (as indicated below in IV(B) and (C), as well as when permitted by the [University's Privacy Policy](#), and Federal and State law.
- B. An individual's right to privacy must still be balanced against the University's need to know the information in order to provide requested and recommended services and accommodations. Therefore, in the interest of serving the needs of the individual, the provision of services may involve designated staff disclosing disability information provided by the individual to appropriate University personnel necessary to the accommodation process.
- C. Information may be disclosed to appropriate parties in a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the individual or other individuals. This is limited to a specific situation that presents imminent danger to members of the school or community. Any release must be narrowly tailored considering the immediacy, magnitude, and specificity of information concerning the emergency. The amount of information that may be released is determined on a case-by-case basis.

#### **V. ACCOMMODATION REQUEST PROCESS**

- A. It is the responsibility of all Individuals with a Disability to identify themselves as an Individual with a Disability when requesting an accommodation or modification to a program, service, or job. It is also the responsibility of the Individual with the Disability to provide supporting documentation of their disability from a relevant credentialed professional that demonstrates how the disability affects their ability to perform the essential functions of their job or to

participate in and benefit from educational programs, services, and/or activities of the University.

- B. The University will work to ensure that persons with disabilities are provided with reasonable accommodations. This is an expectation of our University's shared values, consistent with an intellectual community that celebrates individual differences and diversity, and consistent with applicable state and federal laws.
- C. Qualified students and employees with disabilities have the same obligation as all members of the community to meet and maintain the institution's job performance, academic and technical standards, and codes of conduct.
- D. The following offices have the authority to determine eligibility and facilitate accommodations for individuals with disabilities:
  - 1. The [Accessibility and Disability Service \("ADS"\)](#) office establishes the processes and procedures, determines eligibility, facilitates the interactive process and provides appropriate disability accommodations to UMD students. This includes accommodations for graduate students who are performing assistantships as Graduate Assistants. ADS may coordinate with other offices in connection with the accommodation process as necessary.
  - 2. The [Office of Faculty Affairs \("OFA"\)](#), in collaboration with University Human Resources, establishes the processes and procedures, determines eligibility, and facilitates the interactive process for UMD faculty accommodations.
  - 3. The [Office of University Human Resources \("UHR"\)](#) establishes the processes and procedures, determines eligibility, and facilitates the interactive process for UMD staff accommodations.
  - 4. Visitors to campus can refer to the [accessibility](#) website.

## **VI. DENIAL OF ACCOMMODATIONS**

- A. The University reserves the right to deny services or accommodations if sufficient supporting documentation and information is not provided by the individual to support the need for an accommodation.
- B. If the documentation provided by the individual does not support the existence of a disability or the need for an accommodation, the individual will be advised. Individuals will be given the opportunity to supplement the initial documentation with further information within a reasonable time frame. In such instances written evaluations from physicians or other qualified specialists are particularly helpful in evaluating accommodation requests.
- C. The University is not required to provide any aid or service or make any modification that would result in a fundamental alteration in the nature of the program. For example, where a course or job requirement is essential to the program, the University is not required to waive the requirement. In evaluating whether the requested program modifications would require

substantial program alteration or would fundamentally alter standards or programs, the program administrator should consider the underlying reasons for the program components and how the challenged components are consistent with the program standards, and how the requested accommodations would be inconsistent with the goals and standards of the program.

- D. Additionally, an accommodation that makes a substantial change in an essential element of a course or essential function of job requirements may not be reasonable and therefore not required. It is the institution's responsibility to determine whether the change requested is substantial and that the element targeted for change is essential to the conduct of the course, curriculum or job responsibilities.
- E. The University also does not need to provide accommodations and/or make modifications or provide auxiliary aids or services if it constitutes an undue burden/hardship on the University. In determining whether or not an undue burden exists, the factors to be considered are the nature, duration, and cost of the action needed in the context of the overall financial resources of the University.
- F. Accommodations may not need to be made if making the accommodation or allowing participation poses a direct threat to the health or safety of others; if making the accommodation means a substantial change in an essential element, job function, or a substantial alteration in the manner in which services are provided; and/or if it poses an undue financial or administrative burden.

## **VII. COMPLAINT PROCESS**

As set forth in the University of Maryland Non Discrimination Policy and Procedures (Policy No. VI-1.00(B)), the University prohibits discrimination and retaliation. Individuals who believe they have not received appropriate accommodations, have otherwise been discriminated against because of their disability, or have suffered retaliation, have the following options to seek redress and/or file a complaint.

- A. Informal Complaint Process (Students): For matters involving accommodations, students must first follow the [ADS Appeals Process](#) before filing a formal complaint with the University. Every reasonable effort should be made to resolve such accommodation issues at this level.
- B. Informal Complaint Process (Faculty and Staff): For matters involving accommodations, individuals should first attempt to resolve any concerns through the accommodation process facilitated by UHR and/or OFA before filing a formal complaint with the University. UHR and/or OFA will meet with the employee as soon as possible and attempt to resolve the concern through informal resolution. Every reasonable effort should be made to resolve issues at these levels before filing a formal complaint.
- C. Formal Complaint Process: Individuals who believe they have been denied

reasonable accommodations, otherwise discriminated against on the basis of disability, or retaliated against, may file a complaint under the [UMD Non-Discrimination Policy](#) with the [Office of Civil Rights and Sexual Misconduct \(OCRSM\)](#) using the [Discrimination Complaint Form](#).

The Office of Civil Rights and Sexual Misconduct (OCRSM)  
Telephone: 301-405-1142  
Email: [titleixcoordinator@umd.edu](mailto:titleixcoordinator@umd.edu)  
Website: <https://ocrsm.umd.edu/>

D. Additional Complaint Options:

Students have the right at any time to file a complaint with the Office of Civil Rights of the U.S. Department of Education. The Office of Civil Rights investigates timely complaints for which they have jurisdiction.

Office for Civil Rights U.S. Department of Education  
Philadelphia Office (Regional Office for Maryland)  
The Wanamaker Building  
100 Penn Square East, Suite 515  
Philadelphia, PA 19107-3323  
Phone: 215-656-8541  
FAX: 215-656-8605  
TTY: 800-877-8339  
Email: [OCR.Philadelphia@ed.gov](mailto:OCR.Philadelphia@ed.gov)  
Website: <http://www2.ed.gov/about/offices/list/ocr/index.html>

Employees have the right at any time to file a complaint with the Equal Employment Opportunity Commission or the Maryland Commission on Civil Rights.

Equal Employment Opportunity Commission (EEOC)  
Phone: 800-669-4000  
Website: <https://egov.eeoc.gov/eas/>

Maryland Commission on Civil Rights  
Phone: 410-767-8600  
Website: <http://mccr.maryland.gov/>

Students and Employees can also file an Americans with Disabilities Act complaint through the US Department of Justice alleging disability discrimination.

US Department of Justice  
950 Pennsylvania Avenue, NW  
Civil Rights Division  
Disability Rights Section 1425 NYAV  
Washington, D.C. 20530  
Phone: (800) 514-0301

Fax: (202) 307-1197

TTY: (800) 514-0383

Website: [www.ada.gov/complaint/](http://www.ada.gov/complaint/)

Proposed Revisions from the EDI Committee  
New Text in Blue/Bold (**example**), Removed Text in Red/Strikeout(~~example~~)



## VI-1.00(D) UNIVERSITY OF MARYLAND DISABILITY & ACCESSIBILITY POLICY AND PROCEDURES

(Approved on an Interim Basis October 1, 2015; Amended March 23, 2016; Amended and approved by the President May 6, 2016; Technical amendments June 1, 2020; Technical amendments September 21, 2021, **Amended XX, xx 2025**)

### **I. POLICY**

The University of Maryland is committed ~~to creating and maintaining a welcoming and inclusive educational, working, and living environment for people of all abilities. The University of Maryland is committed~~ to the principle that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the University, or be subjected to discrimination. **As part of this commitment, the University** ~~The University of Maryland~~ provides reasonable accommodations to qualified individuals **as set forth in this Policy.**

**The University of Maryland Policy on Access for Individuals with Disabilities (“this Policy”)** strictly prohibits ~~Reasonable accommodations shall be made in a timely manner and on an individualized and flexible basis. Discrimination against individuals on the grounds of disability and retaliation against individuals arising in connection with the assertion of rights afforded to them under this Policy. is prohibited. The University also strictly prohibits retaliation against persons arising in connection with the assertion of rights under this Policy.~~ **This Policy applies to all members of the campus community, including students, employees and visitors.**

#### **A. Applicability**

~~This Policy applies to all members of the University community, including students, faculty, staff, and third party individuals. It is the responsibility of individual students and employees to identify themselves as persons with a disability when requesting an accommodation. It is also the responsibility of the individual with the disability to provide current supporting documentation of their disability from a relevant credentialed professional that demonstrates how the disability affects their ability to perform the essential functions of their job or to participate in and benefit from educational programs, services, and/or activities of the University. All supporting disability documentation will be kept confidential and separate from personnel records.~~

~~Students and employees with disabilities have the same obligation as all members of the community to meet and maintain the institution’s job performance, academic and technical standards, and codes of conduct.~~

~~The University’s ADA Coordinator is responsible for campus-wide compliance with the Americans with Disabilities Act (ADA) as amended and Section 504 of the~~

~~Rehabilitation Act. The ADA Coordinator can be contacted at:~~

~~ADA/504 Coordinator~~

~~Office of Diversity & Inclusion~~

~~Phone: 301-405-2841 | Fax: 301-314-9992~~



## II. DEFINITIONS

- A. “Accommodation” means an adjustment or modification in the environment that enables an individual to enjoy equal access to the University's programs, services or activities.
1. A reasonable accommodation in the student setting is a modification or adjustment to a course, program, or activity or facility that allows the student with a disability to participate as fully as possible in the programs and activities offered by the University. Accommodation may be necessary where the student has, or has a record of having, a disability. An accommodation is not considered reasonable if it would result in a fundamental alteration of a University program or impose an undue burden on the University.
  2. A reasonable accommodation in the work environment is any change to the application or hiring process, to the job, to the way the job is done, or the work environment that allows a person with a disability who is qualified for the job to perform the essential functions of that job and enjoy equal employment opportunities. Accommodations are not considered reasonable if they impose an undue hardship on the considered reasonable if they impose an undue hardship on the University or a direct threat.
- B. “Auxiliary Aids and Services” may include:
1. For individuals with communication-related disabilities: Qualified interpreters on-site or through video remote interpreting (VRI) services; notetakers; real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including real-time captioning; voice, text, and video-based telecommunications products and systems, videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology; or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing.
  2. For individuals with vision-related disabilities: Qualified readers; recorded texts; audio recordings; Braille materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible electronic and information technology; or other effective methods of making visually delivered materials available to individuals who are blind or have low vision; acquisition or modification of equipment or devices; and other similar services and actions.
- C. “Direct Threat to Health or Safety” means a significant risk of substantial harm to health or safety that cannot be eliminated by reasonable accommodations, modification of policies, practices, or procedures, or by the provision of auxiliary aids or services. In determining whether an individual poses a direct threat to health or safety, the University must make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or the best available independent and objective

evidence, to ascertain:

1. The nature, duration, and severity of the risk;
2. The probability that the potential injury actually will occur; and
3. Whether reasonable accommodations and/or modification of policies, practices, or procedures will mitigate the risk.

D. “Essential Element or Function”

1. In the academic context, an accommodation is not reasonable if it means making a substantial change in an essential element of a course or a given student's curriculum. It is the institution's responsibility to demonstrate both that the change requested is substantial and that the element targeted for change is essential to the conduct of the course or curriculum.
2. Essential functions in the workplace are job duties that are fundamental to the position, they are the reason the job exists. In order to be qualified for a position, an applicant or employee must be able to perform essential job functions, with or without accommodations. In determining whether accommodations are reasonable and/or will allow the employee to perform the essential functions of the position, it may be necessary to disclose disability information in accordance with Confidentiality Section IV (B) and (C), below.

E. “Fundamental Alteration” Under the Americans with Disabilities Amendments Act of 2008, “A public entity must reasonably modify its policies, practices, or procedures to avoid discrimination. If the public entity can demonstrate, however, that the modifications would fundamentally alter the nature of its service, program, or activity, it is not required to make the modification.” A "fundamental alteration" is a change that is so significant it alters the essential nature of a course or a program of instruction (a major change in the nature of the program, lowering an academic or performance standard, removing or waiving acquisition of a skill that is essential, removing or waiving acquisition of a skill that is directly related to the health and safety of others, removing or waiving requirements that are directly related to qualifying for that license).

F. “Impairment - Physical or Mental” means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin and endocrine. This includes any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.

Temporary impairments that take significantly longer (more than 6 months) to heal, long-term impairments, or potentially long-term impairments of indefinite duration may be disabilities if they are severe.

Specific learning disability is a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations, including conditions such as perceptual disabilities,

brain injury, minimum brain dysfunction, dyslexia, and developmental aphasia. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural or economic disadvantage (34 CFR 300.8).

- G. “Individual with a Disability” ~~(with respect to an individual) is defined by the ADA as a person who has~~ a physical or mental impairment that substantially limits one or more ~~of the person’s major life activities, taking into consideration any mitigating measures; who has~~ a history or record of ~~having~~ such an impairment; or a person who is perceived by others as having such impairment. ~~being regarded as having such an impairment.~~
- H. “Major Life Activities” include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. 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.
- I. “Qualified” means one who meets the academic, technical, and/or job standards requisite to admission, employment or participation in any university program, service or activity with or without accommodations.
- J. “Substantially Limits” means a material restriction of the duration, manner or condition under which an individual can perform a major life activity when compared to the average person's ability to perform that same major life activity. The determination of whether impairment substantially limits a major life activity shall be made without regard to effects of mitigating measures such as medication, medical supplies, hearing aids, use of assistive technology, reasonable accommodations or auxiliary aides or services or learned behavioral or adaptive neurological modifications.
- K. “Undue Burden / Hardship” The University need not provide reasonable accommodations and/or make modifications or provide auxiliary aids or services if it constitutes an undue burden/hardship. In determining whether or not an undue burden/hardship exists, the factors to be considered include, but are not limited to, the nature, duration, and significant cost of the action needed.

~~“Disability Supporting Documentation” is a current medical, psychological, educational or other relevant documentation provided by a credentialed third party that establishes a person has a Disability as defined above and demonstrates how the Disability affects the person’s ability to perform the essential functions of their job or to participate in educational programs, services, or activities of the University.~~

~~“Discrimination” is unequal treatment based on a Disability that interferes with an individual’s ability to participate in the University’s educational programs, services, or activities, or with an~~

individual's ability to perform their job responsibilities.

~~“Essential Job Functions” is the fundamental, basic job duties performed in a position. A function may be essential because: the position exists to perform that function; there are a limited number of employees available who could perform that function; and/or the function is highly specialized, and the incumbent is hired for special expertise or ability to perform it.~~

~~“Interactive Process” is ongoing communication between the employee and employer, or the student and instructor or other University personnel, for the express purpose of providing a reasonable accommodation.~~

~~“Qualified Employee” is an employee with a Disability who meets the legitimate skills, experience, education, or other requirements of a job and who can perform the Essential Job Functions of the position with or without reasonable accommodation.~~

~~“Qualified Student” is a student with a Disability who meets the academic and technical standards requisite for admission to or participation in the programs, services, or activities of the University with or without reasonable accommodation.~~

~~“Reasonable Accommodations for Students” are adjustments including academic assistance, modifications to rules, policies, or practices; environmental adjustments, such as the removal of architectural, communication, or transportation barriers; or auxiliary aids and services necessary for a student to participate in University programs, services, or activities. Adjustments must address the particular Disability and shall not fundamentally alter the academic objectives of an individual course, curriculum, program, or degree. Examples of accommodations include: extended time for timed exams, reduced distraction environments for exams, sign language interpreters, transcribers, alternate texts and reading materials, recorded lectures, and assistive technologies. This is not an exhaustive list.~~

~~“Reasonable Accommodations for Staff and Faculty and Student Employees” are any changes to a job, the work environment, or the way things are usually done that allow an individual with a Disability to apply for a job, perform job functions, or enjoy equal access to benefits available to other individuals in the workplace. Modifications must address the particular Disability and should not fundamentally alter the employee’s Essential Job Functions.~~

~~“Retaliation” is action taken against an individual solely because of seeking an accommodation related to Disability, filing a complaint of Discrimination based on Disability, or participating in an investigation or proceeding concerning allegations of Discrimination based on Disability.~~

### III. SCOPE

This Policy applies to:

- A. All educational delivery and practices. This includes but is not limited to recruitment, application, examination and testing, and educational status, and applies to students including those engaged in distance learning through the university.
- B. All employment practices and actions through the entire employee life cycle. This includes, but is not limited to, contingent employees, recruitment, application, hiring, training, disciplinary actions, advancement, transfer, reassignment, and employment status.
- C. All health care services and the facilities where such services are provided. D. All programs over which the University exercises substantial control, which may occur outside of the classroom, campus, or office environment but are a vital part of the university experience (e.g., education abroad, sponsored events, extension programs).
- D. All public access to University programs and other offerings. This includes, but is not limited to, athletic events, parking, conferences, and any other event or service open to the public.
- E. All facilities and property owned, operated by, or rented by the University. G. Digital information and services. Please refer to the [University of Maryland Web Accessibility Policy](#), [University of Maryland IT Accessibility Addendum](#), [Accessible Media Content Guidelines](#), and the [Video Captioning Standard](#).

The University’s ADA Coordinator listed below is responsible for campus-wide compliance with the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), and other applicable federal and state laws and regulations.

ADA/504 Coordinator  
Office of Diversity and Inclusion  
0112 Lee Building  
7809 Regents Drive  
College Park MD 20742  
tel:301 405-2841 | fax:301 314-9992  
[adacoordinator@umd.edu](mailto:adacoordinator@umd.edu)  
[accessibility.umd.edu](http://accessibility.umd.edu)

#### IV. CONFIDENTIALITY

- A. The University recognizes that disability records contain confidential information and are to be treated as such pursuant to State and Federal law. For faculty and staff, all supporting disability documentation will be kept confidential and separate from personnel records, with the exception that the Accommodation Plan would remain with personnel records. For students, all supporting disability documentation and information will be kept confidential and separate from education records, with the exception of an Accommodation Letter that students personally share directly with third parties (i.e. faculty member, academic adviser etc.). Information related to a disability may be disclosed if necessary (as indicated below in IV(B) and (C), as well as when permitted by the University's Privacy Policy, and Federal and State law.
- B. An individual's right to privacy must still be balanced against the University's need to know the information in order to provide requested and recommended services and accommodations. Therefore, in the interest of serving the needs of the individual, the provision of services may involve designated staff disclosing disability information provided by the individual to appropriate University personnel necessary to the accommodation process.
- C. Information may be disclosed to appropriate parties in a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the individual or other individuals. This is limited to a specific situation that presents imminent danger to members of the school or community. Any release must be narrowly tailored considering the immediacy, magnitude, and specificity of information concerning the emergency. The amount of information that may be released is determined on a case-by-case basis.

#### ~~V. III.~~ ACCOMMODATION REQUEST ~~PROCEDURES~~ PROCESS

- A. It is the responsibility of all Individuals with a Disability to identify themselves as an Individual with a Disability when requesting an accommodation or modification to a program, service, or job. It is also the responsibility of the Individual with the Disability to provide supporting documentation of their disability from a relevant credentialed professional that demonstrates how the disability affects their ability to perform the essential functions of their job or to participate in and benefit from educational programs, services, and/or activities of the University.
- B. The University will work to ensure that persons with disabilities are provided with reasonable accommodations. This is an expectation of our University's shared values, consistent with an intellectual community that celebrates individual differences and diversity, and consistent with applicable state and federal laws.
- C. Qualified students and employees with disabilities have the same obligation as all members of the community to meet and maintain the institution's job performance, academic and technical standards, and codes of conduct.
- D. The following offices have the authority to determine eligibility and facilitate

accommodations for individuals with disabilities:

1. The Accessibility and Disability Service (“ADS”) office establishes the processes and procedures, determines eligibility, facilitates the interactive process and provides appropriate disability accommodations to UMD students. This includes accommodations for graduate students who are performing assistantships as Graduate Assistants. ADS may coordinate with other offices in connection with the accommodation process as necessary.
2. The Office of Faculty Affairs (“OFA”), in collaboration with University Human Resources, establishes the processes and procedures, determines eligibility, and facilitates the interactive process for UMD faculty accommodations.
3. The Office of University Human Resources (“UHR”) establishes the processes and procedures, determines eligibility, and facilitates the interactive process for UMD staff accommodations.
4. Visitors to campus can refer to the accessibility website.

#### ~~A. Student Accommodation Request Procedures~~

~~This Policy requires the University and its agents to engage in an interactive dialogue with the student in order to implement reasonable accommodations. The provision and coordination of accommodations for students registered with the Accessibility & Disability Service (ADS) shall not require the University to fundamentally alter the academic objectives of an individual course, curriculum, program, or degree.~~

#### ~~5. Accommodation Request~~

~~It is the responsibility of the ADS to determine Reasonable Accommodations for Students. To receive an accommodation, students must register with the ADS. Students must provide supporting documentation that demonstrates how their Disability limits participation in courses, programs, services, jobs, activities, and/or access to facilities of the University. Documentation of the Disability should be current and from appropriate professionals who are credentialed to diagnose the student's particular Disability. The type of required documentation will vary depending on the nature of the Disability and accommodations requested. See the ADS website (<https://www.counseling.umd.edu/ads/prospective/>) for documentation requirements. All documentation related to a student's Disability shall be kept confidential and retained by the ADS. The ADS file shall be maintained separately from other student records maintained by the University.~~

##### ~~a. Timeliness~~

~~Requests for accommodations should be made far enough in advance to allow the ADS adequate time to review registration documentation, establish~~



~~whether the student is qualified, and determine a reasonable accommodation through an Interactive Process with the student. Generally, it is best to request accommodations several weeks before a semester begins or as soon as a Disability becomes known.~~

#### ~~6. Eligibility Determination~~

~~Students are responsible for scheduling an in-person meeting with the ADS and submitting all necessary supporting documents prior to that meeting. The purpose of the meeting is for the ADS to engage the student in an Interactive Process to determine whether the student is: 1) a qualified individual, and 2) eligible for the specific requested accommodation(s). Once the student contacts the ADS to schedule an appointment, and submits all necessary supporting Disability documentation, the ADS will work in good faith to determine and meet a Qualified Student's reasonable accommodation needs within ten (10) business days.~~

## ~~7.—Implementation~~

~~After eligibility has been established, the ADS will determine reasonable accommodations required by the student. An *Accommodations Letter* will be developed for the student with directions for sharing the letter with instructors. After receiving the *Accommodations Letter* via email, students are expected to meet with each course instructor, in person, to provide them with a copy of the *Accommodations Letter* and to obtain their signature on the *Acknowledgment of Student Request* form. Students and instructors will discuss a plan for how the accommodations will be implemented throughout the semester for the course. Specific details regarding implementation of the ADS approved accommodations agreed upon between the student and the individual course instructor must be documented and added to the *Acknowledgment of Student Request* form, and signed by the instructor. The student is responsible for submitting the signed original form to the ADS, and retaining a copy of the signed *Acknowledgment of Student Request* form for their individual records.~~

~~It is the responsibility of the ADS to work with the student and the instructor (and Department Chair or Dean as appropriate) to facilitate effective and timely implementation of reasonable accommodation(s). If a student believes they are being denied reasonable accommodations or that reasonable accommodations are not being implemented in an effective and timely manner, the student should contact the ADS immediately. All parties will prioritize accommodation implementation meetings requested by the ADS. The University will use good faith efforts to resolve any outstanding issues within five (5) business days. If the student is not satisfied with the results of good faith efforts to resolve this issue, they may file a complaint with the University's Office of Civil Rights & Sexual Misconduct (OCRSM) (See Part IV Complaint Procedures for contact information).~~

### ~~a.—Academic Objections~~

~~If the instructor, Department Chair, or Dean believes the accommodation fundamentally alters the academic objectives of the course, curriculum, program, or degree, they are obligated to notify the ADS immediately, in~~

~~writing, and provide an explanation of the reasoning. Within ten (10) business days, the ADS in consultation with the student and instructor, Department Chair, or Dean will work to identify an alternative solution to ensure the student's accommodation needs are met whenever possible. When necessary, the ADS will seek further review at a higher administrative level. If the student is an undergraduate, the ADS shall request review and resolution by the Associate Provost and Dean for Undergraduate Studies or designee.~~

~~If the student is a graduate student, including graduate assistants, the ADS shall request review and resolution by the Associate Provost and Dean of the Graduate School or designee. The Office of the Provost will make good faith efforts to review and respond to concerns within ten (10) business days of notification.~~

## ~~B. Staff Accommodation Request Procedures~~

~~This Policy requires the University and its agents to engage in an interactive dialogue with the employee in order to implement reasonable accommodations.~~

~~It is the responsibility of the Office of Staff Relations in University Human Resources (Staff Relations) to determine reasonable accommodations for staff. As necessary, Staff Relations shall consult with the ADA Coordinator regarding the determination of eligibility and the accommodation request(s). Staff Relations is responsible for documenting approved accommodations in an *Accommodation Plan*. A record of the *Accommodation Plan* shall be retained in the employee's departmental/unit personnel file and in Staff Relations. All supporting Disability documentation shall be kept confidential and maintained by Staff Relations separately from the employee's other personnel records.~~

### ~~8. Accommodation Request~~

~~To receive an accommodation, an employee must obtain and complete a *Staff Accommodation Request* form from Staff Relations. The employee must document on the form the specific accommodation request and return it to Staff Relations. Additional supporting Disability documentation may be requested when necessary.~~

### ~~9. Eligibility Determination~~

~~Staff Relations will review the completed *Staff Accommodation Request* form and supporting documentation, and meet with the employee to determine if the employee is a qualified individual with a Disability and therefore eligible for accommodations. Staff Relations will consult with the ADA Coordinator, as appropriate, in making this determination.~~

### ~~10. Accommodation Determination~~

~~Staff Relations, in consultation with the ADA Coordinator and relevant supervisor/unit head, will review the employee's accommodation request in relation to their position, and facilitate an interactive dialogue with the employee, supervisor, and/or unit head, to determine and implement a reasonable accommodation.~~

#### ~~11. Implementation~~

~~Once eligibility and the reasonable accommodation are approved, Staff Relations will develop an *Accommodation Plan*, which will be shared with the employee and supervisor. It is the responsibility of the supervisor (or unit head) to work in coordination with the employee to ensure appropriate implementation of reasonable accommodations. The University will use good faith efforts to implement reasonable accommodations within thirty (30) business days of receipt of the required documentation for the requested accommodations.~~

~~It is the responsibility of Staff Relations to work with the employee, supervisor and/or unit head, in consultation with the ADA Coordinator, as necessary, to facilitate a resolution that ensures effective and timely implementation of the accommodation. If an employee believes they have been denied reasonable accommodations or that reasonable accommodations are not being implemented in an effective and timely manner, the employee should contact Staff Relations immediately.~~

~~If Staff Relations' efforts to resolve implementation concerns are unsuccessful, the ADA Coordinator shall seek review and resolution by the Assistant Vice President for Human Resources. If the employee is not satisfied with the results of good faith efforts to resolve the issue, they may file a complaint with the University's OCRSM (See Part IV—Complaint Procedures for contact information).~~

#### ~~C. Faculty Accommodation Request Procedures~~

~~This Policy requires the University and its agents to engage in an interactive dialogue with faculty in order to implement reasonable accommodations.~~

~~It is the responsibility of the Office of Faculty Affairs (Faculty Affairs) to determine reasonable accommodations for faculty. As necessary, Faculty Affairs shall consult with the ADA Coordinator regarding the determination of eligibility and the accommodation request(s). Faculty Affairs is responsible for documenting granted accommodations, in an *Accommodation Plan*. A record of the *Accommodation Plan* shall be retained in the faculty member's departmental file and in Faculty Affairs. All supporting Disability documentation shall be kept confidential and maintained by Faculty Affairs separately from the faculty member's other personnel records.~~

## ~~12. Accommodation Request~~

~~To receive an accommodation, a faculty member must obtain and complete a *Faculty Accommodation Request* form from Faculty Affairs. The faculty member must document on the form the specific accommodation request and return it to Faculty Affairs. Additional supporting Disability documentation may be requested when necessary.~~

## ~~13. Eligibility Determination~~

~~Faculty Affairs will review the completed *Faculty Accommodation Request* form and supporting documentation, and meet with the faculty member to determine if the faculty member is a qualified individual with a Disability and therefore eligible for accommodations. Faculty Affairs will consult with the ADA Coordinator, as appropriate, in making this determination.~~

## ~~14. Accommodation Determination~~

~~Faculty Affairs, in consultation with the ADA Coordinator and relevant Dean or Department Chair, will review the faculty member's accommodation request in relation to the Essential Job Functions of the position, and facilitate an interactive dialogue with the faculty member and Department Chair/Dean, to determine and implement a reasonable accommodation.~~

## ~~15. Implementation~~

~~Once eligibility and the reasonable accommodation are approved, Faculty Affairs will develop an *Accommodation Plan* which will be shared with the faculty member and Dean/Department Chair. It is the responsibility of the next level administrator (Dean, Department Chair, etc.) to work in coordination with the faculty member to ensure appropriate implementation of reasonable accommodations. The University will use good faith efforts to implement reasonable accommodations within thirty (30) business days of receipt of the required documentation for the requested accommodations.~~

~~It is the responsibility of Faculty Affairs to work with the faculty member and Dean/Department Chair in consultation with the ADA Coordinator, as necessary, to facilitate a resolution that ensures effective and timely implementation of the accommodation. If a faculty member believes they have been denied reasonable accommodations or that reasonable accommodations are not being implemented in an effective and timely manner, the faculty member should contact Faculty Affairs immediately.~~

~~If Faculty Affairs' efforts to resolve implementation concerns are unsuccessful, the ADA Coordinator shall seek review and resolution by the Senior Vice President and Provost. If the faculty member is not satisfied with the results of~~

~~good faith efforts to resolve the issue, they may file a complaint with the University's OCRSM (See Part IV—Complaint Procedures for contact information).~~

#### ~~D. Accommodation Request Procedures for Third Parties~~

##### ~~16. Accommodation Request~~

~~Third party individuals (visitors, volunteers, applicants for admission or employment, vendors, and contractors) with a Disability, who are visiting the University, and seek an accommodation to facilitate their visit or access to University programs, must contact the ADS.~~

###### ~~a. Timeliness~~

~~Third parties are expected to provide reasonable notice in order for the University to facilitate the provision of a requested accommodation in a timely manner.~~

###### ~~b. Documentation~~

~~Depending on the nature of the Disability and accommodation request, third parties may be subject to the same supporting documentation requirements as students, faculty, and staff.~~

##### ~~17. Accommodation Implementation~~

~~It is the responsibility of the host department or unit on campus to implement reasonable accommodations, as communicated by the ADS, to third parties.~~

## **VI. DENIAL OF ACCOMMODATIONS**

- A. The University reserves the right to deny services or accommodations if sufficient supporting documentation and information is not provided by the individual to support the need for an accommodation.
- B. If the documentation provided by the individual does not support the existence of a disability or the need for an accommodation, the individual will be advised. Individuals will be given the opportunity to supplement the initial documentation with further information within a reasonable time frame. In such instances written evaluations from physicians or other qualified specialists are particularly helpful in evaluating accommodation requests.
- C. The University is not required to provide any aid or service or make any modification that would result in a fundamental alteration in the nature of the program. For example, where a course or job requirement is essential to the program, the University is not required to waive the requirement. In evaluating whether the requested program modifications would require substantial program alteration or would fundamentally alter standards or programs, the program administrator should consider the underlying reasons for the program components and how the challenged components are consistent with the program standards, and how the requested accommodations would

- be inconsistent with the goals and standards of the program.
- D. Additionally, an accommodation that makes a substantial change in an essential element of a course or essential function of job requirements may not be reasonable and therefore not required. It is the institution's responsibility to determine whether the change requested is substantial and that the element targeted for change is essential to the conduct of the course, curriculum or job responsibilities.
  - E. The University also does not need to provide accommodations and/or make modifications or provide auxiliary aids or services if it constitutes an undue burden/hardship on the University. In determining whether or not an undue burden exists, the factors to be considered are the nature, duration, and cost of the action needed in the context of the overall financial resources of the University.
  - F. Accommodations may not need to be made if making the accommodation or allowing participation poses a direct threat to the health or safety of others; if making the accommodation means a substantial change in an essential element, job function, or a substantial alteration in the manner in which services are provided; and/or if it poses an undue financial or administrative burden.

## **VII. ~~IV.~~ COMPLAINT ~~PROCEDURES~~ PROCESS**

~~Individual students, staff, faculty members, or visiting third parties who believe that they have been denied reasonable accommodations or otherwise discriminated against on the basis of Disability or retaliated against in violation of this Policy may file a complaint with the OCRSM. All such complaints will be reviewed in accordance with~~ As set for in [VI-1.00\(B\)](#) University of Maryland Non-Discrimination Policy and Procedures, the University prohibits discrimination and retaliation. Individuals who believe they have not received appropriate accommodations, have otherwise been discriminated against because of their disability, or have suffered retaliation, have the following options to seek redress and/or file a complaint.

- A. Informal Complaint Process (Students): For matters involving accommodations, students must first follow the [ADS Appeals Process](#) before filing a formal complaint with the University. Every reasonable effort should be made to resolve such accommodation issues at this level.
- B. Informal Complaint Process (Faculty and Staff): For matters involving accommodations, individuals should first attempt to resolve any concerns through the accommodation process facilitated by UHR and/or OFA before filing a formal complaint with the University. UHR and/or OFA will meet with the employee as soon as possible and attempt to resolve the concern through informal resolution. Every reasonable effort should be made to resolve issues at these levels before filing a formal complaint.
- C. Formal Complaint Process: Individuals who believe they have been denied reasonable accommodations, otherwise discriminated against on the basis of disability, or retaliated against, may file a complaint under the [UMD Non-Discrimination Policy](#) with the [Office of Civil Rights and Sexual Misconduct \(OCRSM\)](#) using the [Discrimination Complaint Form](#).

**Office of Civil Rights & Sexual Misconduct (OCRSM)**



~~3101 Susquehanna Hall  
4200 Lehigh Road-  
College Park, MD 20742~~  
Phone: 301.405.1142  
~~Fax: 301.405.2837~~  
Email: [civilrights@umd.edu](mailto:civilrights@umd.edu)  
Website: <https://www.oocrsm.umd.edu/>

~~You may report online at <https://www.oocrsm.umd.edu/file-report>.~~

~~A. Time Limits~~

~~Complaints of Discrimination or Retaliation in violation of this Policy must be made within ninety (90) calendar days following an incident of Discrimination or Retaliation. The OCRSM may waive the time limit upon a showing of good cause.~~

D. Additional Complaint Options:

Students have the right at any time to file a complaint with the Office of Civil Rights of the U.S. Department of Education. The Office of Civil Rights investigates timely complaints for which they have jurisdiction.

**Office for Civil Rights U.S. Department of Education  
Philadelphia Office (Regional Office for Maryland)**  
The Wanamaker Building  
100 Penn Square East, Suite 515  
Philadelphia, PA 19107-3323  
Phone: 215-656-8541  
FAX: 215-656-8605  
TTY: 800-877-8339  
Email: [OCR.Philadelphia@ed.gov](mailto:OCR.Philadelphia@ed.gov)  
Website: <http://www2.ed.gov/about/offices/list/ocr/index.html>

Employees have the right at any time to file a complaint with the Equal Employment Opportunity Commission or the Maryland Commission on Civil Rights.

**Equal Employment Opportunity Commission (EEOC)**  
Phone: 800-669-4000  
Website: <https://egov.eeoc.gov/eas/>

**Maryland Commission on Civil Rights**  
Phone: 410-767-8600  
Website: <http://mccr.maryland.gov/>

Students and Employees can also file an Americans with Disabilities Act complaint through the US Department of Justice alleging disability discrimination.

US Department of Justice  
950 Pennsylvania Avenue, NW