

SEATTLE UNIVERSITY

Section 504/ADA Policy and

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Seattle University

Section 504/ADA Policy and Appeal Procedure

Policy Statement

It is the policy of Seattle University that no qualified person shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or be subject to discrimination in any job, facility, program or activity provided by the University. Discrimination against a qualified person with a disability undermines the mission and values of the University and affects the careers, educational experience, and well-being of students, staff, administrators, and faculty. Each and every member of the University community has the responsibility to ensure that this policy becomes a functional part of the daily activities at the University.

SUMMARY OF APPLICABLE LAW AND REGULATIONS

1. Section 504: The Rehabilitation Act

Section 504 of the Rehabilitation Act provides: "No otherwise qualified individual with handicaps in the United States . . . shall, solely by reason of her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." 29 U.S.C. § 794.

The Section 504 compliance standards apply to the following categories of University programs or activities: (1) admissions and recruitment; (2) treatment of students; (3) academic adjustments; (4) housing; (5) financial and employment assistance to students; and (6) nonacademic services. 34 C.F.R §§ 104.41-104.47.

2. Section 503: The Rehabilitation Act

Section 503 of the Rehabilitation Act prohibits discrimination against qualified handicapped employees working on federal contracts. It also requires institutions holding federal contracts to take deliberate action to hire and promote known handicapped individuals.

3. The Americans with Disabilities Act ("ADA")

The ADA provides a comprehensive statutory and regulatory approach to eliminating discrimination against qualified persons with disabilities.

Title I of the ADA applies to employment. Any "qualified individual with a disability" is entitled to reasonable accommodation under the ADA, provided the individual, "with or

without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires," (42 U.S.C. § 12111(8)), and provided that the accommodation does not create an "undue hardship" for the employer. 42 U.S.C. § 12111(10)(A).

Title III of the ADA applies to public accommodations and services operated by private entities such as the University. The general rules of Title III provide: "No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation by any person who owns, leases, or operates a place of public accommodation." 42 U.S.C. § 12182(a).

4. Qualified Individual With a Disability

The regulations issued by the U.S. Department of Education and under the ADA broadly define a person with a disability as any person who: (1) has a physical or mental impairment that substantially limits one or more of the major life activities, including among others, walking, caring for oneself, performing manual tasks, seeing, hearing, speaking, breathing, and working; (2) has a record of a disability; or (3) is perceived to be disabled.

In the case of employment, to be "qualified" a person with a disability must meet the legitimate job requirements and be capable of performing the essential functions of the job in question, with or without reasonable accommodation. In the case of services, extracurricular activities, and academic programs, a qualified individual with a disability is one who meets the essential eligibility or technical requirements for the receipt of servi

B. Accommodations Relating to Student Extracurricular Programs and Activities

A student seeking an auxiliary aid, accommodation, or modification to nonacademic programs or activities, such as physical education and athletics; academic or vocational counseling; University sponsored clubs or social organizations; employment assistance; work8()m(b)-.[0(m(b)-.[n)-1am

D. Accommodation Relating to Facilities Access

If the accommodation request relates primarily to barrier removal, facilities or physical accessibility at the University, then the individual should first contact the Office of Residential Services or the Facilities Operations Department (for nonresidential campus facilities). These offices will coordinate with the respective Human Resources Manager, Disabilities Services (Learning Center), the 504/ADA Coordinator, and/or other appropriate University officials who will review the request and reach a decision. The person seeking the accommodation has the responsibility to provide the University with

Informal Appeal: An individual is encouraged to resolve concerns about accommodations or modifications by communicating with the concerned parties and suggesting an appropriate resolution. The individual may seek informal discussion, advice and assistance from the Disabilities Services Staff in Student Academic Services, the 504/ADA Coordinator,

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determination and recommendation for resolution of the complaint. If the student is not satisfied

the individual and other involved persons for further information gathering and will prepare a written determination and recommendation for resolution of the complaint. If the individual is not satisfied with the determination and recommendation, she may make a final written appeal to the Provost or to the Vice President of Human Resources and University Services. The decision of the Provost or the Vice President of Human Resources and University Services will be final.

Directory

Title	Office Address	Phone
504/ ADA Coordinator (Jerry Huffman, Vice President of Human Resources & University Services)	RINA 200 (Rianna Building)	296-5870
Associate Provost for Academic Achievement	HUNT 122	296-6953
Vice President of Human Resources & University Services/ Equal Opportunity Officer	RINA 200 (Rianna Building)	296-5870
Associate Dean for Student Affairs (School of Law)	SLLH 210H (Sullivan Hall)	398-4307
Associate Vice President for Student Development	STCN 204 (Student Center)	296-6060
Dean, Albers School of Business & Economics	PIGT 317 (Pigott Building)	296-5699
Dean, College of Arts and Sciences	CASY 102 (Casey Building)	296-5300
Dean, College of Matteo Ricci	CASY 117E (Casey Building)	296-5405
Dean, School of Education	LOYA 500B (Loyola Hall Building)	296-5758

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Dean, School of Law	SLLH 210J (Sullivan Hall)	398-4301
Dean, School of Nursing	GARR 200E (Garrand Building)	296-5676
Dean, School of Science and Engineering	EGRN 500A (Engineering Building)	296-5500
Dean, School of Theology & Ministry	Hunthausen Hall	296-5331
Director of Facilities Operations	CHRY (14th & Marion Building)	296-6999
Disabilities Services	LOYA 100 (Loyola Hall Building)	296-5744
Learning Assistance Programs	Lemieux Library, 2	

