



OLD DOMINION UNIVERSITY

University Policy

Policy #5406

ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES

Responsible Oversight Executive: Assistant Vice President, Office of Institutional Equity and Diversity/University Counsel

Date of Current Revision or Creation: May 4, 2012

A. PURPOSE

The purpose of this policy is to prescribe adequate accommodations in accordance with Title I of the Americans with Disabilities Act (ADA).

B. AUTHORITY

[Title I of the Americans with Disabilities Act of 1990, as amended \(ADA\)](#)

[The Americans with Disabilities Act Amendments of 2008 \(ADAAA\)](#)

[Section 504 of the Rehabilitation Act of 1973](#)

[Virginia Code Section 23-9.2:3, as amended](#), grants authority to the Board of Visitors to establish rules and regulations for the institution. Section 6.01(a)(6) of the [Board of Visitors Bylaws](#) grants authority to the President to implement the policies and procedures of the Board relating to University operations.

C. DEFINITIONS

Disability – Under the ADA, a person has a disability if the individual has a physical or mental impairment that substantially limits one or more major life activities, has a record of a physical or mental impairment that substantially limited a major life activity, or is regarded as having a physical or mental impairment.

Essential Functions – The fundamental job duties of the employment position.

Major Life Activity (as defined by ADA) – Major life activities include, but are not limited to, the following: self-care, manual tasks, walking, seeing, hearing, breathing, standing, thinking, concentrating, reading, learning, sleeping, working, bending, communicating, reproducing, normal cell growth, immune system function, digestive function, bowel function, bladder function, neurological function, brain function, respiratory function, circulatory function, and endocrine function.

Qualified Candidate/Employee with a Disability - An individual who satisfies the skill, experience, education and other job-related requirements of the position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of that position.

Physical and Mental Impairment (as defined by ADA) - Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin and endocrine; or any mental or psychological disorder such as intellectual disability (formerly termed mental retardation), organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Reasonable Accommodation - Any change or adjustment to a job or work environment that does not cause an undue hardship on an employer's business operations and permits a qualified candidate or faculty member with a disability to participate in the job application process or to perform the essential functions of the job.

Undue Hardship - An accommodation would be considered an "undue hardship" if it is too difficult or too expensive to provide in light of the employer's size, financial resources, and the needs of the business.

D. SCOPE

This policy applies to all employees, prospective employees, volunteers and employees of affiliated organizations. Employees include all staff, administrators, faculty, full- or part-time, and classified or non-classified persons who are paid by the University. Affiliated organizations are separate entities that exist for the benefit of the University and include the Foundations, the Community Development Corporation, and the Alumni Association.

This policy does not apply to students or student employees, as they are covered under [Policy 4500, Accommodations for Students with Disabilities](#).

E. POLICY STATEMENT

It is the policy of Old Dominion University that no qualified individual be excluded or discriminated against in job application procedures, hiring, firing, advancement, compensation, fringe benefits, job training, and other terms, conditions and privileges of employment.

Old Dominion University will provide reasonable accommodation to a qualified individual with a disability in order to enable such individual to perform the essential functions of position for which he or she is applying or in which he or she is employed.

F. PROCEDURES

The University is required to make an accommodation to the known disability of a qualified candidate or employee if it would not impose an "undue hardship" on the operation of the University.

To request accommodations, individuals should contact the Office of Institutional Equity and Diversity. In order to support an accommodation request pursuant to the Americans with Disabilities Act and this policy, the individual will provide an official letter from the treating physician identifying the following:

- Nature of the condition
- Description regarding the condition’s impact on any major life-activities (such as walking and performing manual tasks)
- Diagnosis and prognosis of the condition
- Suggestions for adjusting the work environment so the employee will have the opportunity to perform essential tasks

Based on this information, reasonable accommodations may be recommended.

Documentation is kept in a confidential file in the Office of Institutional Equity and Diversity.

G. RESPONSIBLE OFFICER

Assistant Vice President, Office of Institutional Equity and Diversity.

H. RELATED INFORMATION

[Old Dominion University Board of Visitors Policy 1012 - Resolution Adopting Executive Order Number Two \(94\), “Equal Opportunity”](#)

[University Policy 4500 – Accommodations for Students With Disabilities](#)

[University Policy 6050 - Family Medical Leave Policy](#)

[University Policy 6310 – Discrimination Complaint Procedures](#)

