



## WHAT A DEAN NEEDS TO KNOW ABOUT... THE AMERICANS WITH DISABILITIES ACT (ADA)

*The ADA provides a clear and comprehensive national mandate to eliminate discrimination against individuals with disabilities.*

### THE LAW

The Montana Human Rights Act and the Americans with Disabilities Act Amendments Act (ADAAA) prohibit discrimination because of a physical or mental disability.

To be protected under the Montana Human Rights Act and the ADAAA, an individual with a disability must:

- Have a physical or mental impairment that substantially limits one or more major life activities; or
- Have a record of such an impairment; or
- Be regarded or perceived as having such an impairment; and
- Be able to perform the essential functions of the position with or without a reasonable accommodation.

### UNIVERSITY POLICIES

MSU has an institutional responsibility to provide appropriate and reasonable accommodations. This may include working with Disability Services and/or MSU ADA Coordinator. All faculty, staff and supervisors are expected to participate in the process. Please note an accommodation may be requested during application process or from any individual with a disability who would like to gain access to University's programs, services and events.

Employees and students must be able to perform the essential functions of their job and/or meet the essential requirements of their degree with or without reasonable accommodation.

Students, faculty or staff request accommodation by:

- Self-identification to the appropriate campus entity stating that they have a documented disability
- Providing documentation of that disability unless otherwise determined.

Additionally, the employer and faculty may recommend that the student or the employee connects with Disability Services and/or MSU ADA Coordinator in certain circumstances.

MSU **IS** required to:

- Consider all requests for accommodation or modification to any policy or requirement
- Engage in an interactive process with the individual with disability to determine what is reasonable
- Provide accommodation in a timely manner to eligible individual with disability

MSU **IS NOT** required to:

- Alter the essential functions of a job or program that would fundamentally alter the work or curriculum
- Implement accommodations retroactively
- Grant preferential treatment to the individual with disability

Office of Disability Services Information and Guidance for Faculty Working with Students

at <http://www.montana.edu/aycss/disability/faculty.html>

Discrimination, Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking and Retaliation

at <http://www.montana.edu/policy/discrimination/#200.10>

## WHAT DOES THIS MEAN FOR YOU?

A Dean may be asked to participate in the ADA interactive dialogue and accommodations process for a student or an employee.

ADA protects students, faculty and staff from discrimination in all university programs and events, and/or application process and benefits of employment.

- Disability Services is on campus to ensure equal educational access for students.
- ADA Coordinator for Faculty and Staff in HR is on campus to ensure equal employment opportunity (application process and employment) and workplace access for faculty and staff.

## WHO TO CONTACT SHOULD AN ISSUE ARISE:

### The MSU ADA Coordinator's Role

- ✓ Increase awareness, advocate for Diversity and Inclusion, provide knowledge base and "sensitivity" training if needed
- ✓ Determine if an individual is "covered" by the ADA
- ✓ Facilitate the ADA Interactive Dialogue and Reasonable Accommodation Process

### ADA Accommodation Requests for Faculty and Staff – Office of Human Resources

\*Kasia Maison, MSU ADA Coordinator for Faculty and Staff (ext. 2629, [katarzyna.maison@montana.edu](mailto:katarzyna.maison@montana.edu))  
[www.montana.edu/hr/disability\\_accommodation.html](http://www.montana.edu/hr/disability_accommodation.html)

### ADA Accommodation Requests for Students – Office of the Disability Services

\*Keith Hamburg, Associate Director (ext. 4607, [keith.hamburg@montana.edu](mailto:keith.hamburg@montana.edu))  
\*Nicole Redding, Program Manager (ext. 2879, [nicole.redding@montana.edu](mailto:nicole.redding@montana.edu))  
[www.montana.edu/aycss/disability/](http://www.montana.edu/aycss/disability/)

## OTHER USEFUL RESOURCES AND LINKS AT MSU WEBSITE:

***Americans with Disabilities Act - What Supervisors Need to Know***" course offered through MSU Safety and Risk Management/BLR resources - [Online Training](#)  
at <http://training.blr.com/Application/loginMain.aspx?status=unauthorized>

**Office of Civil Rights Document on SWD Transition from High School to College**  
at <https://www2.ed.gov/about/offices/list/ocr/transition.html>

### Sit/Stand Work Station; Chair Replacement and other Ergonomic related requests

\*Laurie Shute, Occupational Health Manager (ext. 7384, [laurie.shute@montana.edu](mailto:laurie.shute@montana.edu)),  
Safety & Risk Management, Ergonomic Evaluation at [www.montana.edu/srm/ergonomics/](http://www.montana.edu/srm/ergonomics/)

### Falls/Slips; Work Related Injuries (Worker's Compensation)

\*Brenda Lambert, Insurance and Worker's Compensation Manager (ext. 6888, [brenda.lambert@montana.edu](mailto:brenda.lambert@montana.edu)),  
Safety & Risk Management, Worker's Comp info at [www.montana.edu/srm/insurance/workerscomp.html](http://www.montana.edu/srm/insurance/workerscomp.html)