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](http://www.montana.edu/aycss/disability/faculty.html)

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)
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)
*Nicole Redding, Program Manager (ext. 2879, nicole.redding@montana.edu)
www.montana.edu/aycss/disability/

OTHER USEFUL RESOURCES AND LINKS AT MSU WEBSITE:


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), Safety & Risk Management, Ergonomic Evaluation at 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), Safety & Risk Management, Worker’s Comp info at www.montana.edu/srm/insurance/workerscomp.html