



BOISE STATE UNIVERSITY

University Policy 1075

Non-discrimination on the Basis of Disability

Effective Date

February 2017

Last Revision Date

September 19, 2022

Responsible Party

Office of Institutional Compliance and Ethics, (208) 426-1258

Scope and Audience

This policy applies to all University faculty, staff, students, and members of the public including prospective students, campus visitors, and users of University-owned or -managed online content.

Additional Authority

- Americans with Disabilities Act, as amended
 - Section 504 of the Rehabilitation Act of 1973
 - Fair Housing Act
 - University Policy 1060 (Non-Discrimination and Anti-Harassment)
 - University Policy 2080 (Equal Access to Students with Disabilities)
 - University Policy 7570 (Accommodating Disabilities in the Work Environment)
 - University Policy 8140 (Information Technology Accessibility)
 - University Policy 9070 (Facilities Operations and Maintenance Work Order Requests)
 - University Policy 9280 (Capital Projects and Space Management)
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1. Policy Purpose

To outline the roles and responsibilities related to the university's obligation to provide an environment free from discrimination on the basis of disability and the procedures by which an individual with a disability may request an accommodation or report accessibility concerns regarding University-owned or -managed facilities, programs, and online content.

2. Policy Statement

The university, and all members of the faculty and staff, will operate its programs, activities, and services to ensure that no Individuals With Disabilities are excluded from participation in; denied the benefits of; or are subjected to discrimination in any program, activity, or service solely because of their disability.

3. Definitions

3.1 The Acts

The Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), and the ADA Amendments Act of 2008.

3.2 Individuals With Disabilities

Individuals With Disabilities include those who: 1) have a physical or mental impairment that substantially limits one or more major life activities (functions such as performing manual tasks, walking, seeing, hearing, speaking, breathing, or learning); 2) have a record of such impairment, even if they do not currently have a disability; or 3) are regarded as having a disability, even though the impairment is insubstantial, a reflection of the attitudes of others, or nonexistent.

4. Responsibilities

The Office of Institutional Compliance and Ethics has overall responsibility for the university's compliance with The Acts and this policy.

4.1 Director of the Educational Access Center

The Director of the Educational Access Center will report on its compliance activities conducted in compliance with The Acts, this policy, and University Policy 2080 (Equal Access to Students with Disabilities) to the Director of Institutional Compliance. These activities may include the following:

- Provision of reasonable accommodations to qualified students with disabilities.
- Preparation of complaint reports as requested and
- The coordination of activities among divisions and departments necessary to provide reasonable accommodations for students and prospective students who have a need for accommodation relating to the admission and/or enrollment process.

4.2 Associate Vice President for Human Resources

The Associate Vice President for Human Resources will report on its compliance activities conducted in compliance with The Acts, this policy, and University Policy 7570 (Accommodating Disabilities in the Work Environment), as requested, to the Director of Institutional Compliance and Ethics. These activities may include:

- a. Determination and coordination of reasonable accommodations for employees and applicants. The employing or hiring department/unit is responsible for implementing the identified reasonable accommodation(s) for the disabled applicant or employee.

4.3 Chief Financial and Operating Officer and Vice President for Finance and Operations

The Chief Financial and Operating Officer and Vice President for Finance and Operations, in conjunction with the Director of Architectural and Engineering Services, the Executive Director of Facilities Operations and Maintenance, and the Executive Director of Capital Planning and Space Management, is responsible for:

- a. Identification of and implementation of accessibility in new construction and in projects that require alterations or modification to facilities and grounds.
- b. Proactive maintenance of accessible grounds and facility features and equipment in accordance with University Policy 9280 (Capital Projects and Space Management) and University Policy 9070 (Facilities Operations and Maintenance Work Order Requests) and related maintenance procedures.
- c. Snow removal prioritizing accessible paths and building entrances.

4.4 Faculty Members

Faculty members are responsible for ensuring that the selection and/or development of their course tools and materials are fully accessible for Individuals With Disabilities. Faculty may seek assistance in accessible course design through the Educational Access Center, Center for Teaching and Learning, and the IDEA Shop.

4.5 Associate Vice President and Chief Information Officer

The Associate Vice President and Chief Information Officer will report on its compliance activities in compliance with The Acts, this policy, and University Policy 8140 (Information Technology Accessibility), as requested, to the Director of Institutional Compliance and Ethics. These activities may include coordination of efforts to ensure site administrators and department staff create and maintain accessible web content and communications.

5. Assistance for Individuals with Disabilities

- a. Students seeking an accommodation) to participate in or benefit from educational opportunities should contact the Educational Access Center (see University Policy 2080 - Equal Access to Students with Disabilities).
- b. Applicants for employment, or employees with disabilities seeking an accommodation or auxiliary aid to apply for or engage in employment, should contact Human Resources to request a reasonable accommodation (see University Policy 7570 - Accommodating Disabilities in the Work Environment).
- c. Individuals with a concern regarding accessibility of University-owned or -managed online content or communications may [submit feedback about Accessibility](#).
- d. Members of the public and other visitors needing accommodations to participate in or benefit from any of Boise State's facilities and opportunities may contact the University's ADA/504 Coordinator, located in the Office of Institutional Compliance at (208) 426-1258 or complianceandethics@boisestate.edu. The ADA/504 Coordinator will work with the requesting individual and the appropriate University programs and authorities to determine and implement reasonable accommodations.

6. Consideration of Specific Requests for Accommodation

- a. The University will use resources available, including public agency and private donations, to fund reasonable accommodations for Individuals with Disabilities.

- b. While the University will strongly consider requests from students for a specific type of access technology or academic support, the University maintains the right to make a final decision about its choice of such educational aid.
- c. The University will not assume any responsibility for the provision of attendants, individually prescribed devices, readers for personal use or study, or any device or service of a personal nature. The arrangements for these types of services are entirely the responsibility of the Individual with a Disability.

7. Complaints of Discrimination on the Basis of Disability

- a. An individual who believes they have been harassed, excluded from participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of disability should [file a complaint](#) with the Office of Title IX and Institutional Equity at pursuant to the process outlined in University Policy 1060 (Non-discrimination and Anti-harassment), which includes options for reporting to outside agencies such as the Idaho Human Rights Commission and the US Department of Education Office on Civil Rights.
- b. For questions about this policy, contact the University ADA/504 Coordinator in the Office of Institutional Compliance and Ethics at (208) 426-1258 or complianceandethics@boisestate.edu.

8. Forms

Accessibility Feedback Form

<https://www.boisestate.edu/accessibility-landing/>

Discrimination and Harassment Complaint Form

<https://www.boisestate.edu/compliance/complaint-form/>

Revision History

September 19, 2022