Policy

UNIVERSITY POLICY HR-04.02-06/25

TO: The University of West Florida Community

FROM: Dr. Martha D. Saunders, President

SUBJECT: Compliance with the Americans with Disabilities Act

RESPONSIBLE OFFICE: Human Resources and Office of the President

I. Purpose:

The University of West Florida (the "University") is committed to maintaining an inclusive and accessible environment across all programs. Ensuring that all qualified employees, applicants, students, and guests have access to University programs and activities is critical to our educational mission and is among our highest priorities. The University complies fully with the requirements of the Americans with Disabilities Act, as amended by the 2008 Americans with Disabilities Amendments Act (hereafter referred to collectively as the "ADA"); section 504 of the Rehabilitation Act of 1973; the Florida Civil Rights Act; and other federal and state laws and regulations prohibiting discrimination on the basis of Disability or handicap.

This policy pertains to Title I (employees and applicants for employment) and Title II (services, programs, and activities open to the public) of the ADA. For academic accommodations for students, please see UWF Policy SA-09.

II. Definitions:

Disability – with respect to an individual a) a physical or mental impairment that substantially limits one or more major life activities of such individual; b) a history or record of such an impairment; or c) regarded as having such an impairment. Under the law, the term "handicap" us interpreted the same as the term "disability".

Equal Opportunity – an opportunity to attain the same level of performance or to enjoy equal benefits and privileges as are available to a similarly situated member of the University Community without a Disability.

Interactive Process – a discussion about an applicant's, employee's, student's, or guest's Disability wherein the University, the individual, and potentially the individual's health care provider share information about the nature of the individual's Disability and the limitations that may affect individual's ability to perform the essential job duties of a position or participate in a service, program or activity provided by the University.

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Qualified Individual – an individual who, with or without Reasonable Accommodations, meets the essential requirements for the job, programs, services, and activities offered by the University.

Reasonable Accommodation – a modification or adjustment to a job, course, program, service, activity, or facility that enables a qualified university member with a Disability to have an Equal Opportunity. The University has an obligation to make Reasonable Accommodations in policies, practices, or procedures when accommodations are needed to prevent discrimination based on a Disability unless making the accommodations would fundamentally alter the nature of the service, program or activity, facility, or job so as to result in an Undue Hardship.

Undue Hardship – an action requiring significant difficulty or expense, when considered in light of certain factors outlined in this policy.

University Community – the employees, officers, students, guests, and agents of the University while they are on University property, engaged in University business, or while attending activities sponsored by the University, including student organizations as defined in SA-22, Student Organizations.

III. Accommodations for Employees and Applicants for Employment (Title I of the ADA)

The ADA requires an employer to make Reasonable Accommodations at the request of an otherwise qualified employee or applicant with a Disability who requires an accommodation to perform the essential functions of the job or to participate in the employment application process. The University is not required to provide an accommodation when doing so would create an Undue Hardship, compromise the health and safety of the members of the University Community, or fundamentally alter the nature of the University's mission.

When an employee or applicant for employment requests an accommodation, it is the University's responsibility to determine whether the individual has a Disability that requires an accommodation and whether the requested accommodation is a Reasonable Accommodation. The decision is made by the University on a case-by-case basis through the Interactive Process.

To verify the need for Reasonable Accommodations, the University may seek information from appropriate University personnel regarding essential job functions. Requests for Reasonable Accommodations and supporting medical documentation should be submitted in a timely manner to allow processing and to ensure the best service for the individual. It is the responsibility of the individual requesting the accommodation to provide sufficient information and supporting medical documentation to support the need for the accommodation requested. Retroactive requests will not be considered.

A. Initiating the Accommodation Process

1. Job Applicants

   At any point during the application process, applicants for employment may initiate a request for accommodation by contacting Human Resources.

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2. Employees

   Employees may initiate the accommodation process:

   a. By completing the Accommodations Request Form available on the Human Resources website or at https://uwf.edu/accomrequest; or

   b. By initiating the request with the employee's immediate supervisor, either verbally or in writing.

3. Supervisors

   Supervisors who receive a request for accommodation shall contact the ADA Coordinator so that official processing of the request can begin.

B. Equal Opportunities

All University administrators and supervisors are responsible for ensuring that each applicant and employee has Equal Opportunities. If questions arise regarding an individual's Disability and their ability to participate in the hiring process or perform the essential functions of their job, the supervisor should determine, through discussion with the applicant or employee and in consultation with the ADA Coordinator, whether a Reasonable Accommodation is needed.

C. Processing the Accommodation Request

1. Upon receipt of the request for accommodations, the ADA Coordinator will begin the Interactive Process. The process will involve discussions with the applicant or employee and may require supporting medical documentation from a healthcare provider. The ADA Coordinator will make the final decision regarding the accommodation request in consultation with the supervisor.

2. The ADA Coordinator will verify the Disability relating to the requested accommodation, review the essential functions of the position, and facilitate the discussion with the employee and supervisor regarding the accommodation needs. If an applicant is requesting an accommodation to participate in the hiring process, then the ADA Coordinator will review the request and engage in an Interactive Process with the applicant as necessary to determine whether and what accommodation is appropriate.

3. Employees or applicants who choose not to initiate the accommodation process, submit required documentation, or engage in the Interactive Process will not receive an accommodation.

Disabilities that are obvious may not require documentation.

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IV. Accommodations for the Public (Title II of the ADA)

Portions of state universities are public facilities, such as student unions, museums, athletic facilities, auditoriums, libraries, recreational facilities, and certain public websites. Such facilities and programs must be accessible to individuals with disabilities. Any person requiring accommodations to participate in University-sponsored services, programs, or activities is requested to advise the University by contacting the ADA Coordinator.

To ensure nondiscrimination against individuals with Disabilities in all areas of the University's services and programs, including University-sponsored events, the following statement regarding accommodations must be included on publications or marketing materials such as posters, flyers, brochures, and announcements:

> Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations is requested to advise UWF by contacting the ADA Coordinator in Human Resources at 850-474-2694 or 850-857-6158 (TTY) at least two business days prior to the event. For more information or to submit a request, visit the Public Event Accommodations page at www.uwf.edu/accommodations or email ada@uwf.edu.

V. Undue Hardship

In determining whether a Reasonable Accommodation would impose an Undue Hardship on the University, the following factors should be considered:

A. The nature and cost of the accommodation;

B. The overall financial resources of the facility or facilities involved in the provision of the Reasonable Accommodation; the number of persons employed at such facility; the effect on the expenses and resources; or the impact otherwise of such accommodation upon the operation of the facility;

C. The overall financial resources of the University; the overall size of the University with respect to its number of employees; the number, type, and location of the University's facilities; and

D. The type of operation or operations of the University, including the composition, structure, and functions of the workforce of the University; the geographic separateness, administrative, or fiscal relationship of the facility or facilities in question to the University.

Approved by: Signed by: Martha Saunders D64A387C376848D Dr. Martha D. Saunders **Date:** 06/10/2025

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Authority: 29 U.S.C. § 794
42 U.S.C. §§ 12101, *et seq*.
Florida Civil Rights Act, §§760.01, *et seq.*, Fla. Stat.
BOG Reg. 1.001

Cross Ref.: UWF Policy SA-09, Academic Accommodations for Students with Disabilities

History: Approved July 2010; revised July 2020 and June 2025

Last Review: June 2025