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# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>MESSAGE FROM THE PRESIDENT</td>
<td>3</td>
</tr>
<tr>
<td>EQUAL OPPORTUNITY PROGRAMS</td>
<td>4</td>
</tr>
<tr>
<td>1. DISABILITY LAW</td>
<td>5-6</td>
</tr>
<tr>
<td>- Disability Discrimination</td>
<td>6</td>
</tr>
<tr>
<td>- Harassment</td>
<td>6</td>
</tr>
<tr>
<td>2. EMPLOYEES</td>
<td>7-8</td>
</tr>
<tr>
<td>3. VETERANS &amp; OTHER MILITARY EMPLOYEES</td>
<td>9-10</td>
</tr>
<tr>
<td>4. STUDENTS</td>
<td>11-12</td>
</tr>
<tr>
<td>- The Office for Students with Disabilities</td>
<td>11</td>
</tr>
<tr>
<td>- Academic Accommodations</td>
<td>11</td>
</tr>
<tr>
<td>- Students’ Responsibilities</td>
<td>11</td>
</tr>
<tr>
<td>- Registering with the OSD</td>
<td>11</td>
</tr>
<tr>
<td>- Confidentiality of Records</td>
<td>11</td>
</tr>
<tr>
<td>- Faculty Responsibilities</td>
<td>12</td>
</tr>
<tr>
<td>5. PUBLIC ACCOMMODATION</td>
<td>13</td>
</tr>
<tr>
<td>6. EFFECTIVE COMMUNICATION</td>
<td>14-15</td>
</tr>
<tr>
<td>- Policy</td>
<td>14</td>
</tr>
<tr>
<td>- Responsibilities</td>
<td>14</td>
</tr>
<tr>
<td>- Procedures</td>
<td>14</td>
</tr>
<tr>
<td>7. OTHER RESOURCES</td>
<td>16-20</td>
</tr>
<tr>
<td>- The Center for Study of Neurological Disabilities</td>
<td>16</td>
</tr>
<tr>
<td>- FAU Communication Disorders Clinic</td>
<td>17</td>
</tr>
<tr>
<td>- Louis Anne Greene Memory &amp; Wellness Center</td>
<td>18</td>
</tr>
<tr>
<td>- Additional Resources</td>
<td>18-20</td>
</tr>
<tr>
<td>8. THE ADA ACCESSIBILITY COMMITTEE</td>
<td>21</td>
</tr>
<tr>
<td>9. LAWS GOVERNING SERVICE ANIMALS</td>
<td>22-23</td>
</tr>
<tr>
<td>10. MOBILITY DEVICES</td>
<td>24</td>
</tr>
<tr>
<td>11. COMPLAINT PROCEDURES</td>
<td>25-27</td>
</tr>
<tr>
<td>12. ACCOMMODATION INTAKE QUESTIONNAIRE</td>
<td>28-31</td>
</tr>
</tbody>
</table>
Greetings:

Florida Atlantic University’s commitment to providing access to all students, faculty staff and visitors goes beyond legal requirements to the core belief that is the right thing to do. We are proactively to dismantle barriers, both physical and procedural. That is why we have created University policies that exceed federal standards. Our goal is to provide user-friendly options at all of FAU’s campuses, affording access to people of all abilities.

As an educator, I understand the critical importance of addressing the needs of individuals with disabilities who want to take advantage of the opportunities offered by higher education. As President of FAU, I encourage the entire University community to be aware of the many different types of special needs that exist across the human spectrum, and to work to ensure everyone is afforded equal opportunity. FAU’s focus is on recognizing and celebrating the abilities of all people in an environment that fosters inclusiveness.

We hope you will find this Accessibility Resource Guide helpful in navigating various accommodating processes, accessing opportunities, and reaching your personal goals. I wish you all the best.

Sincerely,

Mary Jane Saunders, Ph.D.
President
Florida Atlantic University Office of Equal Opportunity Programs

The Office of Equal Opportunity Programs continues its ongoing efforts to support inclusion and diversity at FAU. We remain committed to:

- Working with the University community to remove physical barriers,
- Investigating complaints of discrimination on the basis of disability,
- Working in partnership with members of the University community to provide reasonable accommodations, and
- Conducting training on a variety of issues covered under the Americans with Disabilities Act (ADA).

The goal of this publication is to increase awareness about the rights and responsibilities of the disabled community and to serve as a valuable resource regarding programs and services provided by the University and local communities. Ensuring the University’s compliance with disability laws is a critical component of the Office of Equal Opportunity Programs. This guide is designed to assist the entire University community in enhancing the FAU experience for everyone.

Paula Behul
Director
Office of Equal Opportunity Programs

This publication is also accessible in an alternative view on the Equal Opportunity Programs Web site at: www.fau.edu/eop
Florida Atlantic University complies with all federal, state and local laws, regulations, and guidelines that protect disabled individuals from unlawful discrimination. In addition to the ADA, applicable disability laws include, but are not limited to:

- **The Americans with Disabilities Act as amended**, prohibits discrimination against individuals with disabilities;
- **Section 504 of the Rehabilitation Act of 1973**, prohibits discrimination on the basis of disability in programs receiving Federal funds;
- **The Fair Housing Act**, prohibits discrimination in housing on the basis of a disability;
- **The Architectural Barriers Act** requires that buildings and facilities that are designed, constructed or altered with Federal funds comply with federal standards for physical accessibility;
- **Genetic Information Nondiscrimination Act (GINA)** prohibits discrimination on the basis of genetic information, such as family medical history; and
- **Florida Statute**.
DISABILITY LAW

DISABILITY DISCRIMINATION

Disability discrimination occurs when an employer or other entity covered by the Americans with Disabilities Act, as amended, or the Rehabilitation Act, as amended, treats a qualified individual with a disability who is an employee or applicant unfavorably because he or she has a disability.

Disability discrimination also occurs when a covered employer or other entity treats an applicant or employee less favorably because he or she has a history of a disability or is believed to have a physical or mental impairment that is not transitory (lasting or expected to last six months or less) even if there is no such impairment.

In addition, the law forbids discrimination when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits and any other term or condition of employment.

The law also protects people from discrimination based on their relationship with persons with a disability (even when they do not have a disability themselves). For example, it is illegal to discriminate against an employee because her husband has a disability.

HARASSMENT

It is illegal to harass an applicant or employee because he/she has a disability, had a disability in the past or is believed to have a physical or mental impairment even if he/she does not have such an impairment.

Harassment can include, for example, offensive remarks about a person’s disability. Although the law doesn’t prohibit simple teasing, offhand comments or isolated incidents that aren’t very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted).

The harasser can be the victim’s supervisor, a supervisor in another area, a co-worker or someone who is not an employee of the employer, such as a client or customer.
Florida Atlantic University’s personnel policies are in compliance with both the substance and intent of the employment provisions of Title I of the Americans with Disabilities Act (ADA) and the Rehabilitation Act of 1973, and other federal and state laws.

FAU’s mission is to ensure that qualified applicants and employees with disabilities are afforded the same rights and privileges in employment as those without disabilities. Accordingly, the University’s intent is to establish and sustain employment practices that do not discriminate against, or have disparate treatment or disparate impact on individuals with disabilities.

**WHO IS PROTECTED?**

Not everyone with a medical condition is protected by the law. An individual is covered under the ADA if they have a physical or mental impairment that substantially limits one or more major life activities, have a record of such impairment or is regarded as having such impairment.

An individual with a disability must also be qualified to perform the essential functions of the job with or without reasonable accommodation. Essential functions are the fundamental duties, those duties that are the reason the job exists. This is different from marginal job functions, which are those functions incidental to the reason for the job’s existence.

**WHAT IS A REASONABLE ACCOMMODATION?**

The law requires an employer to provide reasonable accommodation to an employee or job applicant with a disability, unless doing so would cause undue hardship (significant difficulty or expense) for the employer. To put it simply, a reasonable accommodation is any change in the work environment or in the way things are customarily done that provides the disabled applicant or employee the chance to enjoy equal employment opportunities.
HOW DO I REQUEST A REASONABLE ACCOMMODATION?

Applicants are not required to note the presence of a disability when applying for a position at the University. However, if you are a job applicant and require an accommodation in order to have access to and/or complete the application, interview or selection process, please make your request at least five (5) working days prior to the time the accommodation is needed.

**Applicants for Staff Positions** — Applicants for administrative, managerial and professional (AMP), support personnel (SP) or temporary positions, must submit your request to the Department of Human Resources at AskHR@fau.edu or 561.297.3057.

**Applicants for Faculty Positions** — Applicants for faculty positions must submit requests for accommodations to the faculty unit with the open position or to the Office of Equal Opportunity Programs (EOP).

**Existing Employees** — Employees should complete a copy of the ADA Accommodation Intake Questionnaire located on the EOP web page or found at the end of this document, then make an appointment with the Office of Equal Opportunity Programs. EOP will then provide you with appropriate documentation to take, along with a copy of your job description, to your health care practitioner. Make sure the form is completed and submit the form with any documentation of the diagnosis of a disability from your health care practitioner to the Equal Opportunity Programs Office.

**THE OFFICE OF EQUAL OPPORTUNITY PROGRAM CAN BE REACHED AT:**

777 Glades Road, ADM 265
Boca Raton, FL 33431
Phone: 561.297.3004
Fax: 561.297.2402
www.fau.edu/eop
USERRA is intended to minimize the disadvantages to an individual that occur when that person needs to be absent from his or her civilian employment to serve in this country’s uniformed services. It protects service member rights and benefits by clarifying the law and improving enforcement mechanisms.

USERRA covers virtually every individual in the country who serves in or has served in the uniformed services and applies to all employers in the public and private sectors. The law seeks to ensure that those who serve their country can retain their civilian employment and benefits, and can seek employment free from discrimination because of their service. USERRA provides protection for disable veterans, requiring employers to make reasonable efforts to accommodate the disability.

Under USERRA, the following three-part reemployment process is required for persons with a disability incurred during service:

1. The employer must make a reasonable effort to accommodate the person’s disability so that the person can perform the position that the person would have held if the person had remained continuously employed.

2. If despite reasonable accommodation efforts, the person is not qualified for the position in (1) above due to his or her disability, the person must be reemployed in a position of equivalent seniority, status and pay, so long as the employee is qualified to perform the duties of the position, or could become qualified to perform them with reasonable efforts by the employer.

3. If the person does not become qualified for the position in either (1) or (2) above, the person must be employed in a position that, consistent with the circumstances of that person’s case, most nearly approximates the position in (2) in terms of seniority, status and pay.

These requirements apply to all employers, regardless of size. If no disability was incurred during uniformed service that would prevent performing the duties of the
position, then the disability provisions of USERRA will not apply. If this is the case, treat this situation as one involving no disability for position purposes. This does not necessarily affect other parts of USERRA where disability is a factor.

The discrimination provisions of USERRA, address problems regarding initial employment, reemployment, retention in employment, promotion or any other benefit of employment. USERRA is administered by the U.S. Department of Labor, through the Veterans’ Employment and Training Service (VETS).

VETS provide assistance to those persons experiencing service connected problems with their civilian employment and provides information about the Act to employers. VETS also assist veterans who have questions regarding Veterans’ Preference.

For more information, contact:

U.S. DEPARTMENT OF LABOR
200 Constitution Ave., NW
Washington, DC 20210
Phone: 1.866.4.USA-DOL
www.dol.gov
THE OFFICE FOR STUDENTS WITH DISABILITIES

The mission of the Office for Students with Disabilities (OSD) at FAU is to support students with disabilities in their pursuit of equity and excellence in education. The OSD works with FAU faculty and staff to ensure that reasonable accommodations are provided to allow this population of students an equal opportunity to learn in the classroom setting and have access to all areas of FAU campuses. The OSD fosters student self-advocacy and the development of compensatory skills that support independent learning.

ACADEMIC ACCOMMODATIONS

The University provides accommodations to programs of study that do not compromise essential requirements, lower academic standards, fundamentally alter the nature of the program or result in undue burden.

STUDENTS’ RESPONSIBILITIES

Self-identification and registration with the OSD is the student’s option and is not mandatory. However, if a student is requesting that FAU provide academic accommodations and wants to ensure that he/she is assigned to accessible facilities a student must self-identify as having a disability by registering with the OSD. Accommodations must be requested in advance per OSD guidelines to allow sufficient time to arrange for their provision. It is the student’s responsibility to utilize the services of, and keep in close contact with, the OSD. Accommodations must be requested each semester.

REGISTERING WITH THE OSD

If a student chooses to self-identify a disability in order to guarantee appropriate academic accommodations, he/she must register with the OSD. Students with disabilities are encouraged to register with the OSD immediately upon enrollment at FAU.
CONFIDENTIALITY OF RECORDS
Confidentiality of records is required by law. All disability related records are kept confidential and not released without the student’s written permission except in the event of academic irregularities, or unless otherwise required by law. The OSD only discloses a student’s disability to University faculty or staff on an academic need to know basis.

FACULTY RESPONSIBILITIES
The faculty member has the responsibility to respond to a student’s request for an accommodation due to a disability. When a student’s request for an accommodation is received, the faculty member should require the student to present an OSD “Letter of Notification” as verification of the disability and approved accommodations. Students not already registered with the OSD should be referred to the OSD to complete the registration process. The accommodations may be handled by the faculty member or through the OSD. However, the accommodations must not compromise course content or the requirements for satisfactory course completion.

Office Location:

OFFICE FOR STUDENTS WITH DISABILITIES
Student Support Services (SU) Bldg., Room 133
777 Glades Road,
Boca Raton, FL 33431
Phone: 561.297.3880 or TTY: 561.297.0358
www.osd.fau.edu
Every department, college or agency using University facilities and sponsoring an event, is responsible for providing a reasonable accommodation when requested. Any additional cost that may be encumbered will be paid for by the event sponsor. The sponsoring entity will also work with the appropriate University individual or entity to provide the most appropriate reasonable accommodations when requested.

Sponsors of programs and events — such as campus cinemas, lectures and picnics — and speakers must advise potential attendees who may require reasonable accommodations to participate, that such accommodations should be requested of the program sponsor at least five (5) working days prior to the event. FAU will attempt to provide the individual’s first choice of accommodation, if the accommodation is reasonable and will not fundamentally alter the activity.

FOR ASSISTANCE IN DETERMINING APPROPRIATE ACCOMMODATIONS AND/OR REFERRALS FOR SERVICE PROVIDERS, DEPARTMENTS MAY CONTACT

Office of Equal Opportunity Programs
777 Glades Road, ADM 265
Boca Raton, FL 33431
Phone: 561.297.3004
Fax: 561.297.2402
www.fau.edu/eop
POLICY
Alternate formats of all communications including, but not limited to, printed documents, electronic media, meetings and activities offered by the University shall be made available to people with disabilities. All website information shall be made accessible to people with disabilities. However, no action is required where the University can demonstrate it would result in a fundamental alteration in the nature of a service, program or activity, or undue financial or administrative burdens.

RESPONSIBILITIES
Each college or department within the University is required to take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others.

How and what type of effective communication is provided will depend on the nature of the communication and the situation. More importantly, primary consideration should be given to the requests of the individual with the disability. The request of the individual should be honored unless another reasonably effective method exists or unless the desired aid would be an undue burden.

1. Responsibility for providing alternate formats of printed documents or auxiliary aids and services remains with each department, college, etc.

2. The Office for Students with Disabilities (OSD) provides this service to students who are registered with OSD for specific courses in which they are enrolled. However, nothing in this policy shall be construed to require a student with a disability to register with OSD.

3. No surcharge may be imposed for providing auxiliary aids or services.

4. Individuals with disabilities must make requests for auxiliary aids or services with the appropriate department or college within five working days of the date the accommodation is required.
PROCEDURES

There are situations where alternate formats, auxiliary aids and services may be required to ensure appropriate and effective communication for individuals with disabilities. It is each department’s fiscal responsibility to ensure these services are provided and implemented.

Publications from departments should contain the phrase “available in alternate formats upon request.”

Effective communication is provided using alternate format and auxiliary aids and services. Such alternate format, auxiliary aids and services may include, but are not limited to, large print (18 pt. font), computer storage media, screen reader, audio recorded text, Braille, someone to write from dictation or qualified sign language interpreters.

The department is not required to take any action that would present an undue burden or fundamentally alter the service, program or activity.

The decision not to provide a particular alternate format, auxiliary aid or service does not necessarily mean the department is in violation of the ADA.

The decision to deny a request for a specific accommodation as an undue burden rests with the chair of the department or dean of the college and must be made after considering all resources available for use in the operation of the service, program, or activity. This decision must be accompanied by a written statement of the reasons for reaching the conclusion and forwarded to the Equal Opportunity Program for review.

If the action is considered an undue burden for the University EOP will investigate other actions that would ensure that, to the maximum extent possible, the individual with a disability is effectively communicated with, using the most appropriate method.

FOR MORE INFORMATION ON THIS POLICY, CONTACT THE APPLICABLE COLLEGE OR DEPARTMENT.
In 2006, Stand Among Friends opened the Center for the Study of Neurological Disabilities on FAU’s Boca Raton campus within the Christine E. Lynn College of Nursing. Stand Among Friends is a 501(c)(3) nonprofit organization that promotes opportunities for people with disabilities to live a life without limits and experience the highest degree of independence and success in their communities.

The core mission of the Center for the Study of Neurological Disabilities is threefold:

• To develop and coordinate a ground-breaking academic initiative that integrates the various disciplines at Florida Atlantic University into a cohesive curriculum focused on all aspects of living with a neurological disability;
• To house both a real and virtual resource center that provides concerned individuals, students and scholars with access to the latest information on topics affecting the neurologically disabled community; and
• To develop private partnership initiatives that create a variety of opportunities for FAU, Stand Among Friends and private industry.

Stand Among Friends provides services and support through practical research, education and advocacy for people with disabilities, their families, health care professionals and the community. The disabilities served include: Alzheimer’s disease, Spinal Cord Injury, Amyotrophic Lateral Sclerosis (ALS), Stroke, Epilepsy/Seizure Disorder, Traumatic Brain Injury and Multiple Sclerosis.

The Center conducts practical research to develop new products and services for persons with disabilities so that those affected may lead stronger and more productive lives; it is a designated center of excellence in the State of Florida university system.

The Center serves as a resource to persons with neurological disabilities through education programs, services and advocacy, and supports faculty research focusing on improving the lives of persons with disabilities.

THE CENTER FOR THE STUDY OF NEUROLOGICAL DISABILITIES CAN BE REACHED AT:

Christine E. Lynn College of Nursing Building, Room 120
NU 120 Boca Raton Campus
Phone: 561.297.4400 • Fax: 561.297.4405
www.standamongfriends.org
FAU COMMUNICATION DISORDERS CLINIC

The FAU Communication Disorders Clinic is the primary training facility for graduate students in the College of Education’s Department of Communication Sciences and Disorders. Clinical services are provided by graduate student clinicians under the direct supervision of master’s and doctorate level speech language pathologists and audiologists holding Florida licenses and Certificates of Clinical Competence from the American Speech Language Hearing Association. The clinic evaluates and treats:

- Articulation/Phonology
- Motor Speech/Apraxia
- Developmental Language
- Language Learning Disabilities
- Voice
- Fluency
- Aphasia/TBI/Adult Cognitive Disorders
- Hearing

Other services provided by the clinic include:

- Argumentative/Alternative Communication Training
- Accent Reduction (for speakers of English as a Second)
- Comprehensive Hearing Evaluations
- Hearing Aids Consults
- Tinnitus Study
- Aural Rehabilitation Consults
- Central Auditory Processing Disorders/Evaluation

Services at the clinic are available to all on a space available basis without regard to age, gender, race, ethnicity, religion and/or sexual orientation. Services are provided to all FAU students free of charge and to their immediate family members at half price. Staff and faculty (and their immediate families) also receive services at half price.

The clinic is open for diagnostic and treatment services Monday through Friday. Hours of operation vary each semester and are dependent upon supervisor and student availability. Speech, language and hearing screenings are offered free of charge during specified days and times (by appointment).

CONTACT THE FAU COMMUNICATION DISORDERS CLINIC AT:

Department of Communication Sciences and Disorders
College of Education
Florida Atlantic University
777 Glades Road, Boca Raton, FL 33431
Phone: 561.297.2258 • Fax: 561.297.2268
THE LOUIS AND ANNE GREEN MEMORY & WELLNESS CENTER

The Louis and Anne Green Memory and Wellness Center is a unique center of the Christine E. Lynn College of Nursing and is grounded in the college’s concept of caring.

In 2005 the Memory and Wellness Center became a State-designated Memory Disorder Clinic under the State of Florida’s Alzheimer’s Disease Initiative. As such, the center participates actively in the state network of 15 memory disorder clinics.

The center conducts clinical research on Alzheimer’s disease and related disorders and provides practicum experiences for students of nursing, medicine, social work, exercise science, health administration and others.

Comprehensive diagnostic evaluations are provided by an interdisciplinary team that includes gerontological nurse practitioners operating under physician protocol, a geriatric neuropsychologist, a clinical social worker and a clinical psychologist. The center also offers a broad array of programs for caregivers, older driver evaluations and transportation counseling. A full-service day care center for individuals with mild and moderate memory loss is available Monday through Friday.

CONTACT THE CENTER AT:
Louis and Anne Green Memory and Wellness Center
Christine E. Lynn College of Nursing
777 Glades Road, Bldg. AZ-79
Phone: 561.297.0870 • Fax: 561.297.0505
www.fau.edu/memorywellnesscenter
OTHER RESOURCES

FLORIDA ATLANTIC UNIVERSITY POLICE DEPARTMENT www.fau.edu/police

Boca Raton Campus
561.297.3500
TDD: 561.297.2390

Fort Lauderdale Campus
BC04/613B
954.762.5120

Davie Campus
BC54/109
954.236.1140

Jupiter Campus
SR-150
561.799.8700

Dania Beach Campus
(SeaTech)
Lobby
954.924.7000

Treasure Coast Campus
JU-110
772.873.3400

DIVISION OF THE BLIND SERVICES
954.497.3360 (Broward County) • 561.681.2548 (Palm Beach County)
Fax: 561.681.2554

RECORDING FOR THE BLIND & DYSLEXIC (RFB&D)
800.221.4792 (Princeton, NJ) • 561.297.4443 (FAU Campus)
786.417.9536 (Southeast Regional Director)

FLORIDA REAL-TIME CAPTIONING
110 E. Broward Blvd., Suite 1850, Fort Lauderdale, FL 33301
954.767.0450
www.floridarealtime.com
Real-time captioning of speeches/speakers

ADVOCACY CENTER FOR PERSONS WITH DISABILITIES
1.800.342.0823 (voice: English, Spanish, Creole; TTY)
954.967.1496 (Fax)
www.advocacycenter.org

FLORIDA ATLANTIC UNIVERSITY CENTER FOR AUTISM AND RELATED DISABILITIES (CARD)
Treasure Coast Campus
MP Building, Room 116
772.873.3367 • 888.632.6395 • 800.9.AUTISM (in-state, toll-free)
card@fau.edu
www.coe.fau.edu/card

continue on next page
OFFICES FOR STUDENTS WITH DISABILITIES

Treasure Coast Campus
Office of Diversity Student Services
500 NW California Boulevard
Classroom and Office (CO 117)
Port St. Lucie, FL 34986
561.799.8585

Jupiter Campus
Office of Diversity Student Services
5353 Parkside Drive
Student Resources Bldg. (SR 117)
Jupiter, FL 33458
561.799.8585

Counseling and Psychological Services
SR 106
561.799.8678

Broward Campuses
Office for Students with Disabilities
3200 College Avenue
Liberal Arts Bldg. (LA 240)
Davie, FL 33314
954.236.1222

Transportation Services
Palm Tran Connection (Palm Beach County)
877.870.9849 • 561.649.9838
www.co.palm-beach.fl.us/palmtran/paratransit.htm

Broward County Para Transit (Broward County)
Registration and information
954.357.8677
The ADA Accessibility Committee was established by the Office of Equal Opportunity Programs. The primary mission of this committee is to prevent physical facility accessibility issues or address them as they arise or are identified. This includes, but is not limited to, barrier removal in existing facilities and development of policies to ensure compliance with codes and standards in facilities for future design.

The philosophy of this committee is to positively influence the University by setting the standard on addressing the needs of people with disabilities, not just meeting the minimum accessibility standards required by law. The University is committed to making all reasonable efforts to ensure all FAU campuses are truly accessible to the entire University community.

The ADA Accessibility Committee is chaired by the ADA Coordinator and as a general rule meets monthly. In addition to addressing accessibility issues which require an immediate response, the Committee also:

- Makes policy recommendations which corresponds with the University’s goal of meeting the needs of people with disabilities,
- Identifies maintenance issues that affect campus accessibility, and
- Updates the University’s transition plan.
Florida Atlantic University permits the use of service animals as defined by the Americans with Disabilities Act and Florida Statute. The animal must be trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual’s disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. Animals that are pets or that are providing only emotional support, comfort or well-being are not considered service animals.

As a public entity we may not ask about the nature or extent of a person’s disability but may make two inquiries to determine whether an animal qualifies as a service animal:

1. If the animal is required because of a disability, and
2. What work or task the animal has been trained to perform.

We may not require documentation, such as proof of certification, training or licensed as a service animal. And we may not make inquiries about a service animal when it is readily apparent the animal is trained to do work or perform tasks for an individual with a disability.

FAU reserves the right to exclude or remove any animal from the premises, including a service animal, if the animal’s behavior poses a direct threat to the health and safety of others. Allergies and fear of animals are not valid reasons for denying access or refusing service to an individual with a service animal.

If an animal is properly excluded we must give the individual with a disability the opportunity or participate in the service, program, or activity without having the service animal on the premises.
SERVICE ANIMALS IN UNIVERSITY HOUSING

It is unlawful for any person to refuse to make reasonable accommodation in rules, policies, practices, or services, when such accommodations may be necessary to afford a disabled person equal opportunity to use and enjoy a dwelling unit, including public and common use areas.

Under the Fair Housing Act and Section 504 of the Rehabilitation Act a student with a disability may request a reasonable accommodation for assistance animals including emotional support animals when it is necessary to afford the individual equal opportunity to use and enjoy the dwelling or to participate in the housing service or program, unless the animal poses a direct threat. Further, there must be a relationship, or nexus, between the individual’s disability and the assistance the animal provides. If these requirements are met, FAU will permit the assistance animal as an accommodation, unless it can demonstrate that allowing the assistance animal would impose an undue financial or administrative burden or would fundamentally alter the nature of the housing program or services.
Under the ADA there are two tiers of mobility devices. A public entity shall permit individuals with mobility disabilities to use wheelchairs and manually powered mobility aids, such as walkers, crutches, canes, braces or other similar devices designed for use by individuals with mobility disabilities in any areas open to pedestrian use.

“Other” power-driven mobility devices are those not necessarily designed for use by people with disabilities, but used by persons with disabilities for the purpose of locomotion. The ADA requires a public entity make reasonable modifications in its policies, practices or procedures to permit the use of “other” power-driven mobility devices by individuals with mobility disabilities, unless the public entity can demonstrate that the class of “other” power-driven mobility devices cannot be operated in accordance with legitimate safety requirements that the public entity has adopted.

A public entity shall not ask an individual using a wheelchair or other power-driven mobility device questions about the nature and extent of the individual’s disability. A public entity may ask a person using an “other” power-driven mobility device to provide a credible assurance that the mobility device is required because of the person’s disability.

A public entity that permits the use of an “other” power-driven mobility device by an individual with a mobility disability shall accept the presentation of a valid, state-issued, disability parking placard or card, or other state-issued proof of disability as a credible assurance that the use of the other power-driven mobility device is for the individual’s mobility disability. Under certain circumstances, a public entity shall accept as a credible assurance verbal representation, the other power-driven mobility device is being used for a mobility disability.
Complaints of discrimination based on disability should be filed with the Office of Equal Opportunity Programs and are handled in the same manner as complaints of other types of discrimination. A detailed description of the procedures used follows.

I. Role of the Office of Equal Opportunity Programs
   A. The Equal Opportunity Programs (EOP) Officer acts on behalf of the educational institution, analyzing facts gathered to make recommendations for the institution.
   B. The EOP Officer reports findings to the Vice President or Associate Provost (Boca Raton) overseeing the affected unit.

II. Confidentiality
    Allegations of discrimination are extremely serious. Therefore, all persons contacted by EOP will be advised of the need to maintain confidentiality in order to protect the integrity of the process and all participants.

III. Intake
    A. An EOP representative is readily available to a complainant to ensure appropriate response to the allegations.
    B. An EOP officer will assist a complainant who may be reluctant to put their allegations in writing so the institution can take prompt action.
    C. A complainant should include relevant information regarding who, what, when, where, the nature of the alleged incident, witnesses and what action will resolve the alleged complaint.
    D. If the complainant does not provide a written complaint, and if the complaint is severe, the EOP officer may still proceed as if the complaint had been provided in writing.

IV. Deadline for Filing a Complaint
    A complaint must be communicated to an EOP officer within 180 days after the last incident of the alleged discrimination.

V. File
    A. All relevant and material documentation obtained will be included in the file. This will include interview notes from the complainant, the alleged offender and witnesses, and all relevant documentation.
    B. The file will include a copy of any relevant policy and procedures in effect during the course of the review.
VI. Complainant Interview

A. The EOP officer will advise the complainant of the institution’s commitment to resolve the complaint and of its non-retaliation policy.
B. The complainant will be advised of the need to provide his/her name.
C. The complainant will be informed of the response of the alleged offender to the allegations.
D. The complainant will be informed of how long the process is likely to take.
E. Complainants wishing to remain anonymous will be advised that due process requires that the alleged offender have knowledge of the identity of the charging party, and that they be given an opportunity to respond and defend his or herself from any allegation.

VII. Meeting with the Alleged Offender

A. The EOP officer will contact the alleged offender within ten (10) days to inform him/her that a complaint has been made.
B. During the interview, the EOP officer will provide the alleged offender with the allegations, and allow him/her to respond.
C. The EOP officer will advise the alleged offender that the institution takes complaints seriously and is committed to gathering all relevant information. The alleged offender will be informed of how long the process is likely to take.
D. The alleged offender may also provide a written response to the allegations as well as relevant documentation and a list of witnesses.

VIII. Witnesses

A. Witnesses will be contacted and interviewed as soon as possible.
B. The EOP officer will advise witnesses of their protection under the institution’s non-retaliation policy and that any alleged retaliation should be reported immediately to the EOP office.

IX. Conclusion

A. Relevant employment and student records of the complainant and alleged offender will be reviewed.
B. Legal issues will be discussed with the University Attorney.
C. Parties will be informed of the progress of the case.
D. The report will be submitted to the appropriate Vice President or Associate Provost (Boca Raton campus) or in the case of a student, the Dean of Students. The Dean of Students will handle the matter in accordance with Student Disciplinary Procedures set forth in section 65-4.008 of the Florida Administrative Code.

E. The Director of Equal Opportunity Programs and the Vice President or Associate Provost (Boca Raton campus) will meet to discuss the report.

F. For employees, the Vice President or Associate Provost will determine whether disciplinary action is warranted, and if so, what discipline should be imposed.

G. To maintain consistency throughout the university departments and campuses, the Vice President or Associate Provost will consult with Personnel Services or Academic Affairs or other appropriate administrators.

EXTERNAL ENFORCEMENT AGENCIES:

Equal Employment Opportunity Commission
Miami District Office
One Biscayne Tower, 2 South Biscayne Blvd. Suite 2700
Miami, FL 33131
Phone: 800.669.4000
Fax: 305.808.1855
TTY: 800.669.6820
www.eeoc.gov/miami

Florida Commission on Human Relations
2009 Apalachee Parkway, Suite 200
Tallahassee, FL 32301
Phone: 850.488.7082
Fax: 850.488.5291
TTY: 800.955.1339
fchrinfo@fchr.myflorida.com
http://fchr.state.fl.us

EXTERNAL ENFORCEMENT AGENCY FOR STUDENTS:

Office for Civil Rights
U.S. Department of Education, 61 Forsyth St. S.W., Suite 19T70
Atlanta, GA 30303-3104
Phone: 404.562.6455
TTY: 877.521.2172
www.ed.gov
Please complete the following questions, telling us briefly why you have requested a meeting to discuss your possible need for job accommodations.

Date: ______________________________________

Name: ________________________________________
      (First)                                 (Middle Initial)                                       (Last Name)

Telephone Numbers: Work#_________________ Home/Cell#_________________

Dept/sion: ___________________________________________________________

Job Title_______________________________ Supervisor: _______________________

Supervisor’s Title & Phone Number: _______________________________________

1. What is your impairment?
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________

2. Check those activities substantially affected by your conditions, if the activity is not listed please state what it is  ____________________________________________

   - walking
   - standing
   - sitting
   - speaking
   - breathing
   - seeing
   - hearing
   - learning
   - manual tasks
   - working
   - lifting
   - caring for oneself
   - other
3. Explain how your condition affects the activities you indicated on the previous page:

_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________

4. a. Does your treatment necessitate taking time off from work?  
   Yes ❑  No ❑

   b. If yes, how much time?_____________________________________________

   c. Are you currently on a reduced schedule or leave?  
   Yes ❑  No ❑

   d. If yes, what is your current work schedule and what type of leave are you using?

_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________

continue on next page
5. List the specific job duties affected by your condition:

_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________

6. Explain how your condition affects these duties:

_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________

7. What modifications to your job duties or work environment would allow you to perform the above listed duties? Is there any type of device or technology that you believe would enable you to perform those duties affected by your condition? Explain in detail:

_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
8. Have you discussed these with your supervisor before now?   Yes ❑   No ❑
If yes, what was the response?
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________

9. Have any modifications to your job; job duties or work environment already been provided?
Yes ❑   No ❑   If yes, what are they?
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________

Completed by: ___________________________________________________________

Signature: ___________________________________________ Date: ______________

This document is available in alternative formats upon request by contacting the Office of Equal Opportunity Programs at 561.297.3004.