

Texas Tech University System Regulation 07.11

Access for Individuals with Disabilities

Approved: June 1, 2021

Modified: August 1, 2022

Next Scheduled Review: December 2023

1. Purpose

- a. The Texas Tech University System (“System”) and its component universities (each a “University”) are committed to full inclusion of all qualified individuals. As part of this commitment, persons with disabilities will not be subject to discrimination or denied full and equal access to academic programs, employment, activities, benefits, and services offered by the University on the basis of their disability. This regulation governs the System and each University’s commitment to ensure full and equal access for individuals with disabilities in compliance with applicable federal and state laws.

2. General Provisions

- a. *Applicability.* This policy applies to all students, employees (faculty, staff, or student), volunteers, and visitors. Each University shall adopt this regulation through an Operating Policy and Procedure expressly referencing this regulation.
- b. *Right to Change Policy.* The System reserves the right to interpret, change, modify, amend, or rescind this regulation, in whole or in part, at any time, without prior notice or the consent of employees or applicants, students, visitors, affiliates, or other persons conducting business on campus (collectively the “University Community”).

3. Defined Terms

For purposes of this regulation, the definitions below apply.

- a. *Disability.* A physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.
- b. *Programs.* Includes all academic programs, employment, activities, benefits, or services offered by the University.
- c. *Qualified Individual.* An individual who, with or without reasonable accommodation, has the requisite skills, experience, and knowledge, and can meet all essential requirements of their program or perform all essential functions of their job/position.
- d. *Reasonable Accommodation.* A modification or adjustment that:
 - i. Will enable a qualified individual to participate in a program and does not make a fundamental alteration to program requirements; or
 - ii. Will enable an individual to participate in the application process or to perform essential job functions; or

- iii. Will allow equal access to University programs; and
- iv. Does not create an undue hardship for the University.

4. Rights and Responsibilities

- a. *Individual Rights and Responsibilities.* Individuals with disabilities have the right to an equal opportunity to participate in and benefit from all programs, including employment, offered by the University. Individuals who choose to exercise these rights:
 - i. Have a right to reasonable accommodations.
 - ii. Are responsible for initiating the accommodation process in a timely manner by identifying themselves as needing reasonable modifications to the environment, policy, or practice, and/or needing reasonable auxiliary aids or services.
 - iii. Are responsible for providing appropriate documentation that describes the current need for an accommodation, any history of past accommodations in a similar context, and the impact of their disability in the University environment in sufficient detail to provide a rationale for the requested accommodation.
 - iv. Are expected to actively participate in the identification and discussion of reasonable accommodations.
 - v. Have the same obligation as non-disabled individuals to meet and maintain the University's performance standards, technical standards, and codes of conduct.
 - vi. Will be evaluated based on their ability to meet the essential elements of their academic program or perform their essential job functions.
 - vii. Have the right to be informed of procedures for initiating further appeal of or complaint about a University decision.
- b. *University Rights and Responsibilities.* The University has a responsibility to identify and maintain standards that are fundamental to its programs while still ensuring access for qualified individuals with disabilities. In meeting these obligations, the University:
 - i. Will identify and establish the abilities, skills, and knowledge necessary for initial and ongoing participation in its programs, including employment, and evaluate individuals on that basis.
 - ii. Will inform individuals about the availability of accommodations.
 - iii. May request and review documentation in support of an accommodation request and may refuse a request that is unsupported by appropriate documentation.
 - iv. May select between equally effective methods of accommodating an individual with a disability.

- v. Will make reasonable modifications to the environment, policy, or practice, and/or provide reasonable auxiliary aids or services.
- vi. May refuse a requested accommodation that fundamentally alters an essential element or fundamental aspect of a program, including job responsibilities, or creates an undue hardship for the University.
- vii. Will inform the individual of the availability of any appeals or complaint processes.

5. Request for Accommodation

- a. *Members of the Public.* Members of the public, including visitors, volunteers, and patients where applicable, needing accommodations for a campus event or activity, may contact the following office or officer at the appropriate University:

UNIVERSITY / OFFICE(R)	CONTACT
<i>Angelo State University</i> ADA Campus Coordinator	325-942-2047 ada@angelo.edu
<i>Midwestern State University</i> ADA Campus Coordinator	940-397-4140 debra.higginbotham@msutexas.edu
<i>Texas Tech University (and System Administration)</i> ADA Campus Coordinator	806-742-2405 sds@ttu.edu
<i>Texas Tech University Health Sciences Center</i> Texas Tech Physicians Patient Services	806-743-2669 patientservices@ttuhsc.edu
<i>Texas Tech University Health Sciences Center El Paso</i> Office of Clinical Affairs	915-215-4470

- b. *Students.* Students needing academic accommodations, please refer to the appropriate University Operating Policy and Procedure or contact the appropriate University office, as follows:

UNIVERSITY / OFFICE	OPERATING POLICY	CONTACT
<i>Angelo State University</i> Student Disability Services	OP 10.24, Establishing Reasonable Accommodations for Students with Disabilities	325-942-2047 ada@angelo.edu
<i>Midwestern State University</i> Student Disability Services	OP 16.04 Access for Individuals with Disabilities	940-397-4140 debra.higginbotham@msutexas.edu
<i>Texas Tech University</i> Student Disability Services	OP 34.22, Establishing Reasonable Accommodation for Students with Disabilities	806-742-2405 sds@ttu.edu
<i>Texas Tech University Health Sciences Center</i> Student Disability Services	HSC OP 77.14, Establishing Reasonable Accommodations for Students with Disabilities	806-743-1926 disabilityservices@ttuhsc.edu
<i>Texas Tech University Health Sciences Center El Paso</i> Academic Success and Accessibility Office	HSC EP OP 77.14, Students with Disabilities	915-215-4370 disabilitysupport.elp@ttuhsc.edu

- c. *Employees and Applicants for Employment.* Employees (faculty, staff, or student) who need a disability-related accommodation should make the request to their immediate supervisor. Alternatively, any employee, and all applicants for employment, may make a request directly

to the applicable University’s human resources office, as follows (each hereinafter referred to as “Human Resources”):

UNIVERSITY / OFFICE(R)	CONTACT
Angelo State University Office of Human Resources	325-942-2168 hr@angelo.edu
Midwestern State University Office of Human Resources	940-397-4221 human_resources@msutexas.edu
Texas Tech University (and System Administration) Human Resources Talent Management	806-742-3650 hr.talent.management@ttu.edu Online Application: https://www.depts.ttu.edu/hr/ADA/
Texas Tech University Health Sciences Center Human Resources Office, ADA Administrator	806-743-2865
Texas Tech University Health Sciences Center El Paso Human Resources Office, ADA Administrator	915-215-4151

- i. *Handling of Request.* Upon receiving a request for accommodation from an applicant or employee, Human Resources will:
 1. Review and discuss the request with the applicant or employee;
 2. Discuss the request with the hiring manager or supervisor, if applicable;
 3. Verify the disability which may require documentation from a treating healthcare provider or medical certification as set forth below;
 4. Review the essential functions of the job;
 5. Facilitate discussion between the employee and the supervisor regarding possible accommodations; and
 6. Consult with the Office of the Provost (or equivalent), as warranted, regarding faculty accommodations.

- ii. *Medical Certification.* An employee seeking a disability-related accommodation must, upon request, submit appropriate medical certification to Human Resources from a treating healthcare provider to substantiate the employee's disability and/or the need for accommodation. Human Resources will provide this form to employees. The employee, not the University or the treating healthcare provider, is responsible for submitting the required medical certification to Human Resources within fifteen (15) days of the date the certification is requested. Failure to provide the requested medical certification within fifteen (15) days may result in a delay of the accommodation process. Notwithstanding the foregoing, medical documentation may not be required to substantiate the employee's disability and/or the need for accommodation if the employee’s disability is clear and obvious.

- iii. *Leave as a Reasonable Accommodation.* In certain circumstances, time off from work or a modified duty schedule may be a reasonable accommodation. The University has policies relating to both paid and unpaid leave. Human Resources can advise employees regarding applicable leave policies.

- iv. *Supervisors.* Supervisors who receive a disability-related request for accommodation should contact Human Resources immediately to review and discuss the requested accommodation. Any supervisor who, during the course of job performance counseling, is informed by an employee that a physical or mental condition may be affecting the

employee's work performance should refer the employee to Human Resources to determine whether there is a need for a disability-related accommodation.

6. Complaints

- a. Applicants, employees (faculty, staff, or student), or members of the public who have concerns about violations of this regulation or who wish to file a complaint of discrimination or harassment based on a disability should contact the [System Office of Equal Opportunity](#) or file a complaint pursuant to [System Regulation 07.10 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure](#).

OFFICE	CONTACT
<i>Texas Tech University System</i> Office of Equal Opportunity	806-742-3627 eco@ttu.edu

- b. Students who have a concern about violations of this regulation or who wish to file a complaint related to their academic program should contact their University's student disability office as follows:

UNIVERSITY / OFFICE	CONTACT
<i>Angelo State University</i> Student Disability Services	325-942-2047 ada@angelo.edu
<i>Midwestern State University</i> Student Disability Services	940-397-4140 debra.higginbotham@msutexas.edu
<i>Texas Tech University</i> Student Disability Services	806-742-2405 sds@ttu.edu
<i>Texas Tech University Health Sciences Center</i> Student Disability Services	806-743-1926 disabilityservices@ttuhsc.edu
<i>Texas Tech University Health Sciences Center El Paso</i> Academic Success and Accessibility Office	915-215-4370 disabilitysupport.elp@ttuhsc.edu

7. Confidentiality

The University will maintain the confidentiality of all medical records concerning employees and students. These records will be kept separate from personnel files and educational records and will be accessible only to authorized personnel.

8. Responsible Offices

Individuals with questions regarding this regulation or needing accommodations for a disability should contact the appropriate offices set forth above or those that may be more specifically set forth in the following University Operating Policies and Procedures:

UNIVERSITY	OPERATING POLICY AND PROCEDURE
<i>Angelo State University</i>	OP 16.04, Access for Individuals with Disabilities
<i>Midwestern State University</i>	OP 16.04 Access for Individuals with Disabilities
<i>Texas Tech University (and System Administration)</i>	OP 40.04, Access for Individuals with Disabilities
<i>Texas Tech University Health Sciences Center</i>	HSC OP 51.04, Access for Individuals with Disabilities
<i>Texas Tech University Health Sciences Center El Paso</i>	HSCEP OP 51.04, Access for Individuals with Disabilities

Contact Office: System Office of General Counsel
806-742-2155