

UNIVERSITY OF MAINE AT PRESQUE ISLE

181 Main Street
Presque Isle, Maine 04768

*Americans with Disabilities Act
Plan*

Re-Written February 2010

Purpose:

It is the policy of the University of Maine at Presque Isle to provide reasonable accommodation for qualified individuals with disabilities. Federal Law (the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990) and state law (the Maine Human Rights Act) establish the rights of individuals with disabilities. These laws provide that recipients of federal funds, employers, and places of public accommodation shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified person with a disability. Refusal to provide reasonable accommodation constitutes illegal disability discrimination and creates legal liability for the University. An accommodation is not reasonable, however, if it imposes an undue hardship.

The University of Maine at Presque Isle shall comply with all applicable federal and state laws and regulations regarding reasonable accommodations needed to provide equal opportunity to qualified individuals with disabilities. A qualified individual with a disability is a person who, with or without reasonable accommodation, can perform the essential functions of a job or meet essential program or course requirements. The University is required to make courses, programs, activities, and services that are offered at any on-campus or off-campus location accessible to qualified individuals with disabilities unless to do so would create an undue burden or cause a fundamental alteration of the program. The University is also required not to discriminate in employment on the basis of disability unless accommodation would impose an undue hardship on the University. Reasonable accommodation shall be provided in a timely, cost-effective manner. The essential functions of a job or essential requirements of an academic course or program need not be modified to accommodate an individual with a disability.

University faculty and staff bear a special responsibility for responding to the needs of individuals with disabilities. The attitude and responsiveness of faculty and staff with whom individuals with disabilities interact often determine, even more than physical barriers, the degree of access they feel they have to University programs, services, and employment. The actions of faculty, staff, and supervisors in responding to accommodation requests also raise legal implications for the University.

The following procedure should be used in responding to requests for accommodation of an individual with a disability.

Procedure

1. Our campus has designated individuals who are responsible for providing information and services and for monitoring campus compliance related to individuals with disabilities. The last page of this procedure lists these individuals. A supervisor, administrator, or faculty member should contact the appropriate campus staff person when a request is received to accommodate an individual with a disability if:
 - a. There are questions or concerns about services, means of accommodating someone with a disability, verification of a disability, or responsibility for responding to the needs of a person with a disability; and/or
 - b. Accommodation would or might alter the essential functions of a job or the essential requirements of an academic course or program.
2. Requests for accommodation may be initiated by an individual who needs an accommodation; a supervisor, faculty member, or other Equal Opportunity Officer, Student

Support Services, 504 or ADA Coordinator, or other staff person who has been assigned responsibility for providing services or monitoring compliance related to individuals with disabilities.

For an employee or job applicant, a request can be made during the search process or at any time after hiring. For a student or applicant for admission, a request can be made during the application process or at any time after admission.

Students and employees with disabilities are encouraged to speak directly to the faculty or their supervisor regarding accommodation needs within classes or the workplace. Faculty and supervisors are encouraged to consult with their department chair, director, or other appropriate administrator and with the appropriate campus resource person for help in exploring possible accommodations.

All requests should be documented and processed as expeditiously as possible.

Note: Accommodations are the responsibility of our campus if we have administrative responsibility for the location, center, or site.

3. Once a qualified individual with a disability has requested an accommodation, the University will take steps to determine an appropriate accommodation. The appropriate reasonable accommodation is best determined through a flexible, interactive, process that involves both the individual with a disability and the faculty member or supervisor to whom the request is directed, and may include the designated campus contact who can serve as a resource. **Early consultation with the designated campus contact is essential whenever questions of compliance or funding for an accommodation are involved.** The interactive process to determine a reasonable accommodation involves the following steps:

Step 1: Analyze the job, course, or program involved to determine its purpose and essential functions or requirements.

Step 2: Talk with the individual with a disability to identify the precise job-related or education-related limitations imposed by the person's disability and how these limitations could be overcome with a reasonable accommodation;

Step 3: Involve the individual with a disability in identifying a range of potential accommodations and assessing the effectiveness each would have in enabling the individual to perform the essential functions of the position or to meet essential program or course requirements; and

Step 4: Considering the preference of the individual, select and implement an effective accommodation that is most appropriate accommodation rests with the University.

Final responsibility for selection of the most appropriate accommodation rests with the University.

An individual with a disability will be expected to meet job performance standards or course or program standards whether or not an accommodation is needed. However, an individual

- with a disability who can meet these standards in a different way than is customary will be provided with a reasonable accommodation to enable the individual to do so.
4. Faculty and supervisors may approve requesting accommodations if cost of the accommodation to the University is minimal and will be paid from the departmental budget, and if there is no effect on departmental or University schedule of operations or the assignments of other employees or students.
 5. If a mutually acceptable accommodation cannot be found, if requested accommodations involve more than a minimal cost, or if they affect the schedule of operations or the assignments of other individuals, faculty and supervisors should consult with their supervisor and must contact the designated campus staff person responsible for providing services, managing the campus accommodations budget, and/or monitoring compliance (see list on last page). **The designated campus staff person should deny no request prior to review.**
 6. The designated campus staff person will determine whether the requested accommodation is reasonable based on relevant laws and regulations. It may be necessary to request a statement from the individual's health care provider identifying the specific condition, limitations or restrictions, and suggested accommodations. If additional information is required, the individual with a disability will be contacted for a release of medical information. The University reserves the right to require a second medical opinion if additional information is needed to evaluate the requested accommodation.
 7. The individual with a disability will be notified about the response to the request as promptly as possible. If the request is approved, the accommodation will be provided as promptly as possible. If the decision is that the request should be denied on the basis that accommodation would impose an undue financial hardship on the campus, the request will be forwarded to the ADA Coordinator in the System Office for review by the appropriate members of the System ADA Committee before the individual is notified.
 8. Departments that offer programs or events which are open to the public are strongly encouraged to invite participants with disabilities to request in advance any accommodations needed to allow them to participate. Public events and programs include, for example, non-credit courses, public lectures and cultural events, graduation, and athletic competitions. Brochures, registration forms, press releases, and posters announcing public programs and events should include a statement such as: "Any person with a disability who needs accommodations for this program should contact _____ to discuss their needs."
 9. Registration forms may state: "If you are a person with a disability and will need any accommodations for the program, please check this box and a representative of the sponsoring department will contact you to discuss your accommodation needs."
 10. Anytime that non-reappointment or other adverse action involving an employee is being considered a review should be conducted to determine whether the employee may have a disability that is affecting job performance. If the supervisor has reason to believe that a disability may be involved, the supervisor should ask the employee if an accommodation is needed. If no disability exists or if it is not affecting job performance, the University may proceed with the disciplinary or non-reappointment process. If an employee's disability is affecting the performance of marginal functions of the job, a reasonable accommodation

should be made to enable the employee to perform these functions, or the functions should be eliminated from the job. If a disability makes an employee unable to perform essential functions of the job even after all possible accommodations have been considered, the University must reassign the employee to a vacant position if the employee is qualified for the job and the job is available within a reasonable amount of time. If no job is available for which the employee is qualified, the University may proceed with the termination or non-reappointment process.

Definitions

Individual with a Disability – Any person who has a physical or mental impairment, has a record of such impairment, or is regarded as having an impairment, which limits one or more major life activities, such as self-care, performing manual tasks, seeing, hearing, speaking, breathing, and working on a temporary or permanent basis.

Physical or Mental Impairment –

1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological, musculoskeletal; special sense organs; respiratory, genitourinary; hemic and lymphatic; skin; and endocrine; or
2. Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

The term “physical or mental impairment” includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, and drug addiction and alcoholism.

Qualified Individual with a Disability – An individual with a disability whose experience, education and/or training enable the person, with or without reasonable accommodation, to perform the essential functions of the job or fulfill the essential requirements of an academic course or program.

Reasonable Accommodation – Any change in the work or educational environment or in the way things are customarily done that enables an individual with a disability to have equal employment or educational opportunities. This term may include:

1. Making existing facilities and programs used by employees or students readily accessible to and usable by individual with disabilities; and
2. For employees: for example, job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modification of training materials or policies, providing qualified readers or interpreters;
3. For students: for example, relocating classes, developing alternate testing procedures, providing educational auxiliary aids, readers, or interpreters.

Undue Burden, Undue Hardship (not identical but very similar terms) – An action that requires significant difficulty or expense or that would fundamentally alter the nature or operation of a job or program.

Determining whether an accommodation is “reasonable” or would impose an undue burden or undue hardship requires some subjective judgment. Factors to be considered include:

- The nature and cost of the accommodation needed;
- The overall financial resources of the campus in providing reasonable accommodation; the number of employees at the campus; the effect on expenses, resources, or other operations of the accommodation;
- The overall financial resources of the University System; the number of employees of the System; the number, type, and location of its facilities;
- The impact of the accommodation on campus operations, including the impact on the ability of other employees to perform their duties and the impact on the campus’s ability to conduct business.

Disability Accommodation Resources

Please contact the office listed below if you receive a request to accommodate an individual with a disability and if:

1. You have questions or concerns about services for a person with a disability, means of accommodating someone with a disability, verification of a disability, of your responsibility for responding to the needs of individuals with disabilities; and/or
2. You believe that accommodation would or might alter the essential functions of a job or the essential requirements of an academic course or program; and/or
3. Funding outside the department budget would be needed to pay for an accommodation; and/or
4. You believe the request should be denied.

Employee/Job Applicant
Needs (other than Physical
Facility Modifications)

Ms. Jennie Savage, Asso.Dir
Human Resources
Preble Hall
(207)-764-4991
Ext. 9551

Student/Applicant Needs
(other than Physical
Facility Modifications)

Mary Kate Barbosa, Director
Student Support Services
South Hall
(207)-764-3499
Ext. 9613

Physical Facility
Modifications

Charles Bonin
Vice President
of Admin. and
Finance
(207)-764-5544
Ext. 9550

ACCESSIBILITY: The University of Maine at Presque Isle's Commitment to People with Disabilities

The University of Maine at Presque Isle is committed to providing access to the University for people with disabilities. Our goal is to enable students, staff, applicants, and the public to participate in the academic, employment, cultural, and recreational life of the University. Under University policy and federal and state laws, people with disabilities are entitled to reasonable accommodations that will allow them access to University programs, jobs, services, and activities unless the accommodation would pose an undue hardship on the University. An accommodation is any change in the work or learning environment or in the way things are customarily done that enables a person with a disability to have equal employment or educational opportunities.

People with disabilities have a right to ask for an accommodation and are encouraged to talk directly with the responsible faculty member, supervisor, or other staff person. Faculty, supervisors, and administrators are responsible for responding to accommodation requests. The attitude and responsiveness of faculty and staff with whom people with disabilities interact often determine, even more than physical barriers, the degree of access they feel they have to the University. Some of the common types of accommodations requested include:

- A student with a hearing impairment who needs a note taker or qualified interpreter in class.
- A student with a learning disability who needs additional time to complete an exam.
- A visually impaired job applicant who needs assistance to complete a job application.
- A full-time employee returning from a medical leave who asks to work part-time for medical reasons relating to a disability.
- A person who will be attending graduation and who needs the graduation ceremony and other festivities to be held in wheelchair accessible facilities.

A faculty member or supervisor who receives an accommodation request should explore possible accommodations with the person who has a disability. University policy, the law, and common sense require that a flexible, interactive process, which involves the person with a disability, be used to select an effective reasonable accommodation. Asking about the disability itself is inappropriate and unnecessary. The discussion should focus on accommodations that would help the person meet the requirements of the job or program. A supervisor or faculty member must **not** deny an accommodation request without consulting with the Equal Opportunity Director and carefully following University procedure. All requests for an accommodation must be carefully documented.

The University's Procedure for Accommodating Individuals with Disabilities is available from the campus Equal Opportunity Director: Bonnie DeVaney, South Hall, Ext. 9750

On this Campus, contact the following people with your questions or concerns:

Employees:	Ms. Jennie Savage Personnel, Preble Hall Ext. 9551	Students:	Mary Kate Barbosa, Dir. Student Support Services South Hall, Ext. 9613
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Physical Facility Questions: Charles Bonin, Vice President of Administration
and Finance, Preble Hall, Ext. 9550

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- A student with a hearing impairment who needs a note taker or qualified interpreter in class.
- A student with a learning disability who needs additional time to complete an exam.
- Moving a class to an accessible location for a student with a mobility impairment.
- A person who will be attending graduation and who needs the graduation ceremony and other festivities to be held in a wheelchair accessible facility.

For assistance with accommodations or academic support services, contact:

Mary Kate Barbosa, Director
Student Support Services
First Floor South Hall, Ext. 9613

Concerns or complaints about perceived disability discrimination should be made to:

Bonnie DeVaney
Director of AA/Equal Employment Opportunity
South Hall, Ext. 9750

Facilities Issues

Since the ADA transition plan was created in 1992, the university has endeavored to remove barriers and provide reasonable accommodation to meet the needs of our students, faculty and staff.

ADA measure taken to this point in time includes the construction of elevators, rehabilitation of elevators, construction of ramps, instillation of automatic door systems, reconstruction and construction of bathrooms and upgrades to our electronic delivery systems.

Any new construction considers ADA rules developed through federal law and enforced by the State of Maine through the Fire Marshal Office. Designers of all university projects are obligated by contract to insure compliance and seek approval by the Fire Marshal.

Current UMPI Identified Issues

The following is a list by building of Accessibility enhancements and code adherence project and related cost:

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| 1. | Folsom Hall | |
| | <ul style="list-style-type: none"> • Elevators & Lifts • Plumbing fixtures | Total estimated cost to cure \$ 105,644 |
| 2. | Library | |
| | <ul style="list-style-type: none"> • Exterior Doors • Ramps • Partitions • Elevators & Lifts • Plumbing Fixtures • Communications & Security | Total estimated cost to cure \$ 240,146 |
| 3. | Normal Hall | |
| | <ul style="list-style-type: none"> • Exterior Doors • Partitions • Elevators & Lifts • Plumbing Fixtures | Total estimated cost to cure \$ 183,243 |
| 4. | Preble Hall | |
| | <ul style="list-style-type: none"> • Elevators & Lifts • Partitions • Plumbing Fixtures • Communications & Security | Total estimated cost to cure \$112,592 |
| 5. | Pullen Hall | |
| | <ul style="list-style-type: none"> • Exterior Doors • Elevators & lifts | Total estimated cost to cure \$ 148,395 |
| 6. | South Hall | |
| | <ul style="list-style-type: none"> • Exterior Doors | Total estimated cost to cure \$ 10,546 |

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| 7. | Wieden Hall | |
| | <ul style="list-style-type: none"> • Exterior Doors • Elevators & Lifts • Plumbing Fixtures | Total estimated cost to cure \$ 126,515 |
| 8. | Emerson Hall | |
| | <ul style="list-style-type: none"> • Exterior Doors • Elevators & Lifts • Plumbing Fixtures • | Total estimated cost to cure \$ 243,166 |
| 9. | Kelley Commons | |
| | <ul style="list-style-type: none"> • Exterior Doors • Ramps • Plumbing Fixtures • Communications & Security | Total estimated cost to cure \$ 19,804 |
| 10. | Merriman Hall | |
| | <ul style="list-style-type: none"> • Exterior Doors • Elevators & Lifts • Plumbing Fixtures • Communications & Security | Total estimated cost to cure \$ 294,180 |
| 11. | Park Hall | |
| | <ul style="list-style-type: none"> • Exterior Doors • Elevators & Lifts • Interior Doors • Fittings • Plumbing Fixtures • Communications & Security | Total estimated cost to cure \$ 333,021 |

Total estimated cost to cure for accessibility \$ 1,817,252