



Americans with Disabilities Act Reasonable Accommodations Policy

Purpose

Hampshire College recognizes and supports the standards set forth in Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) and similar state laws, which are designed to eliminate discrimination against qualified individuals with disabilities.

Policy Statement

In compliance with the Americans with Disabilities Act (“ADA”), Hampshire College does not discriminate against qualified individuals with disabilities in any aspect of the employment relationship, and strives to provide reasonable accommodation as required by law to otherwise qualified employees or applicants with disabilities. Employment opportunities or privileges will not be denied to an otherwise qualified employee or applicant because of the need for reasonable accommodation of the individual’s disability. Discrimination based on an employee’s or applicant’s association with an individual who is disabled is also forbidden.

Definition of Terms

Disability	For purposes of this policy, an individual has a disability if he/she/they: a) has/have a physical or mental impairment which substantially limits a “major life activity”, b) has/have a record of having a substantially limiting impairment, or c) is/are regarded as having a substantially limiting impairment.
Impairments	Examples include physiological disorders or conditions, mobility impairments, sensory impairments, cosmetic disfigurements, anatomical loss, mental or psychological disorders, mental retardation, emotional illness, and learning disabilities.
Major Life Activities	Major life activities include, but are not limited to, caring for oneself, performing manual tasks, walking, sitting, seeing, hearing, speaking, breathing, learning, and working.

An Otherwise Qualified Employee or Applicant An otherwise qualified employee or applicant under this policy is an employee or applicant who meets the skill, experience, education, and other job-related requirements of the position he/she/they holds or seeks, and who is/are able to perform the essential functions of the position with or without reasonable accommodation. Nothing in this policy obligates Hampshire College to hire or promote an individual with disabilities who, with or without reasonable accommodation is not the best qualified for the position in question.

Reasonable Accommodations

Description The College is prepared to modify or adjust the job application process, the position or work environment to make reasonable accommodation to the known disabilities of an otherwise qualified applicant or employee to enable him/her/them to be considered for the position sought, to perform the essential functions of the job, or to enjoy the benefits and privileges of employment substantially equal to those enjoyed by others without disabilities, unless:

- a) Even with reasonable accommodation, the individual would still pose a direct threat of substantial harm to the health or safety of himself/herself/themself or others, or
- b) The accommodations would impose an undue hardship on the business operations.

An accommodation that would be unduly costly, extensive, substantial, or disruptive or that would fundamentally alter the nature or operation of the business would impose an undue hardship.

Examples Examples of reasonable accommodations include: restructuring jobs by reallocating or redistributing non-essential functions; altering when or how an essential job function is performed; modifying schedules; permitting exceptional use of accrued leave or leave without pay; acquiring or modifying equipment or devices; allowing the use of special equipment or devices provided by the individual; making facilities accessible; or reassigning employees (but not applicants) with disabilities to vacant positions for which they qualify.

<p>Interactive Process</p>	<p>Requesting a Reasonable Accommodation (RA) is an interactive process between the employee, the employee’s supervisor, and Human Resources (HR) that begins as soon as HR is made aware that an employee is requesting an RA.</p> <p>The basic flow of how the interactive process works is as follows:</p> <ul style="list-style-type: none"> • HR sends the employee two forms to be completed and submitted, <i>Reasonable Accommodations Request Form</i> and <i>Medical Information Request for Reasonable Accommodations</i> (*to be completed by employee’s treating professional) • Employee submits completed forms to HR • HR meets with supervisor to the employee’s job to identify the essential functions of the job • HR meets with supervisor and employee to brainstorm possible accommodation options • HR meets with supervisor select a feasible RA • HR meets with supervisor and employee to discuss the selected RA & the implementation steps of the selected RA • HR follows up with both employee and supervisor periodically to discuss how the RA is working for the employee
<p>Verification of Need</p>	<p>An otherwise qualified individual who requests reasonable accommodation may be required to provide documentation, including medical records, sufficient to establish the existence of the claimed disability and the need for accommodation.</p> <p>Hampshire College may also request information from employees (but not applicants) about disabilities and/or potential accommodations, which is job-related and justified by business necessity.</p> <p>The College may require an employee to undergo an evaluation by medical personnel retained and paid by the College to verify the existence or nature of a disability and to provide a basis upon which a reasonable accommodation can be assessed.</p> <p>All information obtained about the medical condition or history of the employee will be treated as confidential.</p>

<p>Determination</p>	<p>Human Resources, in consultation with medical or other authorized personnel, will determine whether the College considers the individual to be disabled.</p> <p>If the College determines that the individual is not disabled, he/she/they will be notified that reasonable accommodation will not be provided.</p>
<p>Assessment of Accommodation</p>	<p>When an individual is determined to be disabled, an assessment of the availability of reasonable accommodation will be made by Human Resources, individually, or in consultation with the appropriate supervisor or medical or other authorized personnel retained by the College.</p> <p>Each situation will be assessed on its own unique factors, such as: the purpose and essential functions of the job; the precise job-related abilities and functional limitations of the individual and how those limitations could be overcome with reasonable accommodation(s); the nature and cost of the accommodation needed in relation to the College’s financial resources; and other federal and state regulatory requirements.</p> <p>In deciding what, if any, accommodations will be offered, the College will consider, but not be bound by, the input and preference of the individual involved.</p>
<p>Notification</p>	<p>The individual will be notified of the College’s decision regarding providing reasonable accommodation. Reasonable accommodation does not negate requirements for good job performance or adherence to generally applicable standards of production or conduct.</p>