



## **Access and Accommodations Policy**

### **Policy Statement and Purpose**

Santa Clara University is committed to providing equal access to its services, programs, teaching and learning spaces, and activities, including information, digital technologies, and resources, to qualified individuals with disabilities. This policy sets forth provisions for the University's compliance with applicable state and federal laws regarding accommodations of individuals with disabilities, including but not limited to the Americans with Disabilities Act of 1990 as amended ("ADA"), Section 504 of the Rehabilitation Act of 1973 ("Section 504"), and the California Fair Employment and Housing Act ("FEHA"). This policy also provides guidance to employees, students, prospective employees, prospective students, and other third parties who access the University's programs and services about their rights and responsibilities regarding accessibility and reasonable accommodations. The University will make timely, good faith efforts to engage in the interactive process to determine effective reasonable accommodations for qualified individuals with disabilities and will provide reasonable accommodations consistent with its obligations under the law. The University values the unique contributions to the diversity of the SCU community made by students, staff, faculty, and third parties with disabilities.

### **Scope and Application**

This policy applies to all faculty, staff, students, and third parties who access or seek to access the University's programs and services, including employment.

### **Definitions**

For the purpose of this policy, the following definitions apply:

- ***Accessible***  
Providing an individual with a disability equal opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as an individual without a disability in an equally effective and equally integrated manner, with substantially equivalent ease of use.
- ***Reasonable Accommodations***  
An action, modification, or adjustment necessary to provide an individual with a disability access to the University's services, programs and activities that does not permanently remove an essential job function, fundamentally alter a course, service, program, or activity, or impose

an undue hardship on the University. Reasonable accommodations are determined on an individualized basis. For employees, a reasonable accommodation may be a change or adjustment in the work environment or in the way a job is performed that enables an individual with a disability to perform the essential functions of their position or to enjoy equal employment opportunities. For students, reasonable accommodations are adjustments that remove barriers and create equal access to programs, activities, or the learning platforms without fundamentally altering the academic content or learning objectives.

- ***Disability***

A physical or mental impairment of an individual that limits one or more major life activities and/or major bodily functions; a record of such an impairment; or being regarded or perceived as having such an impairment.

- ***Documentation***

Current medical, psychological, educational, or other relevant documentation provided by a qualified treating health care professional (such as a physician, surgeon, psychiatrist, psychologist, therapist, or physical therapist) that establishes an individual has a disability and demonstrates how the disability affects the individual's ability to perform essential functions of their job or to participate in educational opportunities. In the documentation, the qualified professional may also make suggestions or recommendations regarding accommodations.

- ***Electronic and Information Technology (EIT)***

Technology, including websites, online learning environments, course management systems and assistive or adaptive technologies.

- ***Employee***

Any person with a direct employment relationship with the University, including those who work on a part-time, temporary, or term basis, including faculty, staff, or student employees. An individual can hold a status as both a student and employee. The provisions of this policy will be applied consistent with the role principally held by such individual in the relevant context. An individual who has accepted an offer of employment but has not yet commenced employment at the University is a "Third Party" under this Policy (see "Third Party" definition below).

- ***Employee Accommodation Plan***

Specific accommodation(s) provided in writing to a qualified employee with a disability.

- ***Essential Function***

A task, duty, or responsibility that is fundamental (not marginal) to the purpose of the job, the class, or the activity.

- ***Fundamental Alteration***

A change that significantly alters the essential nature of a service, program, activity, or educational experience.

- ***Impairment***  
A functional limitation related to one or more major life activities and/or major bodily functions.
- ***Interactive Process***  
A means by which the individual with a disability and the designated University department(s) or employee(s) responsible for disability accommodations work together in a timely fashion and in good faith to determine reasonable accommodations.
- ***Major Life Activity / Bodily Functions***  
Activities including, but not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, working and major bodily functions, which include functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.
- ***Qualified Individual with a Disability***  
For a student, an individual with a disability who satisfies the requisite skills, experiences, education, and requirements of an educational program. For an employee or job applicant, an individual with a disability who has the requisite skills, experience, education, and other job-related requirements of the employment position that such individual holds or desires, and who, either with or without a reasonable accommodation, can perform the essential functions of the position. Qualified individuals with disabilities are held to the same standards of conduct, job performance, and academic standards as other employees, students, prospective students, prospective employees, or other third parties.
- ***Student***  
All persons taking courses through the University, either full-time or part-time, on-line or in-person, single or dual enrolled, pursuing undergraduate, graduate or professional studies. For the purposes of this policy, “student” also includes persons who have been notified of their acceptance for admission and who have accepted such admission.
- ***Student Accommodation Memorandum***  
Specific academic or other accommodation(s) described in writing for a student who has registered with the Office of Accessible Education (OAE).
- ***Support Person***  
A person who has been requested to be present by the individual with a disability for the sole purpose of providing emotional support. Such support persons may include an attendant/aide, colleague, family member, friend or other identified person able to support the individual with a disability. The role of the support person will be to offer support directly to the employee or student seeking accommodations, rather than speak for or otherwise make decisions for or advocate for them. The support person does not represent nor speak for the individual seeking accommodations and should not be an active participant in meetings they attend. This support person is involved only in meetings relevant to accommodations.

- ***Third Party***

Any individual, including contractors, vendors, ticket holders, invited guests, alumni/ae or local residents, and those who access university Electronic and Information Technology (EIT), who is not a University student or employee. This includes but is not limited to individuals who have accepted an offer of employment but have not yet commenced employment at the University, other prospective employees, prospective students, visitors, guests to campus, and spectators at athletic events.

- ***Undue Hardship***

An action requiring significant difficulty or expense incurred by the University, when considered under the totality of the circumstances in light of various factors, including but not limited to the nature and cost of the accommodation in relation to the size, resources, nature, and structure of the University and its operations. Undue hardship is determined on a case-by-case basis in a manner consistent with applicable law.

## **ADA/504 Coordinator Contact Information**

The ADA/504 Coordinator is the University official designated to coordinate and oversee the development and implementation of the University's policies and procedures relating to access and reasonable accommodations for individuals with disabilities in accordance with federal and state laws. The ADA/504 Coordinator also is responsible for overseeing this policy and any revisions to this policy, in a manner consistent with the applicable governance processes at the University.

The ADA/504 Coordinator may delegate or assign responsibilities to a trained designee, including but not limited to one or more ADA Deputy Coordinators.

Questions relating to this policy should be directed to the ADA/504 Coordinator who is:

Mohammed A. Lotif, Assistant Vice President, Strategy and Planning  
Phone: (408) 554-5324  
Email: [adacoordinator@scu.edu](mailto:adacoordinator@scu.edu)  
Office: 500 El Camino Real  
Santa Clara, CA 95053

## **Policy Specifics**

### **1. Accessibility**

The University is committed to operating each service, program or activity such that, when viewed in its entirety, each is accessible to and usable by individuals with disabilities.

To facilitate prompt response to an identified accessibility request, students, employees, prospective students, prospective employees, and other third parties should complete the online

form available at <https://www.scu.edu/ada-504/> and/or directly contact the ADA/504 Coordinator or a Deputy ADA/504 Coordinator.

To support its commitment to providing equal access to its programs and activities, the University will implement appropriate accessibility standards for the procurement, development, and maintenance of University Electronic and Information Technology (“EIT”) and user support services for individuals with disabilities. All University EIT is expected to comply with the standards established by the University. For more information, see the University’s [EIT Accessibility website and policy](#).

## **2. Requesting and Determining Reasonable Accommodations**

Students, employees, prospective students, prospective employees, and other third parties with disabilities may request accommodations from the University and initiate the interactive process. As an example, individuals who have accepted an offer of employment but have not yet commenced employment with the University may initiate the interactive process prior to their employment start date.

It is the responsibility of the individual with a disability to request an accommodation from the University; to provide documentation of the existence of a disability, to the extent necessary, and how the disability affects the individual’s ability to perform essential functions of their job or to participate in educational opportunities; and to participate in the interactive process. Requests for accommodation should be made as early as possible to allow time to assess the request and provide reasonable accommodation(s). Students, employees, and third parties should direct their requests for reasonable accommodations to the appropriate Deputy ADA/504 Coordinator identified on the University’s website at <https://www.scu.edu/ada-504/>.

An individual who requests accommodation(s) for a disability and the designated University employee(s) are expected to engage in a timely and good faith interactive process with the goal of reaching an agreement regarding reasonable accommodations. The interactive process is meant to be a back-and-forth dialogue regarding potential accommodations. As part of the interactive process, the University’s designee will discuss possible accommodations, including ideas and suggestions of the individual requesting accommodations. Through the interactive process, the University and the individual requestor will:

- Discuss the needs and requested accommodations of the individual resulting from the disability;
- Review the context in which the accommodation is requested (e.g. work, any impacted tasks and/or functions, academic, or other programs or activities);
- Among the factors considered in determining reasonable accommodations for employees are: What accommodations may best enable the individual to perform the essential functions of their job? How will the requested accommodation enable the individual to perform their essential job functions effectively? Are there other accommodations that could enhance their ability to function optimally? How will a proposed accommodation meet the operational needs of the unit? What strategies can be employed to ensure an inclusive community?

- Among the factors considered in determining reasonable accommodations for students are: What accommodations may best enable the student to access instruction and learning and to participate fully in the University's program and activities? How will the requested accommodation support the student's access and participation? Are there other accommodations that could enhance their access and participation? What strategies can be employed to ensure an inclusive community?
- Consider the documentation submitted by the individual requestor from a qualified treating health care professional who is familiar with the individual requestor's disability or condition; has treated the individual requestor for the condition or disability noted; and can make informed recommendations regarding the type of reasonable accommodations that may be considered by the University; and,
- Identify and document authorization for reasonable accommodations. The University's decision will be made only after considering options that respect the abilities, preferences, and needs of the person with the disability to the greatest extent possible.

If necessary to assess reasonable accommodations or clarify information received, the University may ask the individual requesting an accommodation to provide an authorization for release of information by their treating health care professional.

The final determination of reasonable accommodations rests with the University based on its review of all available information and following its engagement in a meaningful interactive process. Funding for all approved reasonable accommodations for faculty and staff will be funded at the University level.

An individual seeking accommodation may invite another individual to be a support person for them during the interactive process or during any phase of this process. In cases in which the employee or student wishes to be accompanied by an advocate or attorney, they must, within 72 hours of a scheduled meeting, provide the University with written notice identifying the advocate or attorney.

- Employees who wish to have a support person accompany them during any phase of this process may do so by notifying the Deputy ADA/504 Coordinator in Human Resources. Employees may also request the presence of a representative from the University Ombuds Office.
- Students who wish to have a support person accompany them during any phase of this process should notify the Office for Accessible Education.

### **3. Confidentiality**

Information and documentation relating to an individual's disability record, requests for accommodations, and the interactive process will be handled with sensitivity to the issues involved. The confidentiality of information disclosed will be respected to the extent feasible and practical and in accordance with applicable federal and state laws. Information received during the accommodation request process will be shared by the University only with those individuals within the University community who need to know the information in order to evaluate or respond to the individual's accommodation request, to implement any approved accommodations, or otherwise to perform their relevant job responsibilities. The University

will avoid sharing medical diagnoses when it would suffice to discuss functional limitations, needs, or differences.

For employees, the reasonable accommodation shall be documented by placing a copy of the accommodation plan in the individual's ADA file in the Department of Human Resources. The employee can request a copy of all materials in an accessible format. Medical documentation shall be provided to and retained only by the Department of Human Resources and shall be kept confidential and separate from the employee's personnel file. Other offices on campus (e.g., parking office, facilities) will consult with Human Resources regarding requested accommodations. Requests by those offices for confirmation of any necessary supporting documentation shall be directed to Human Resources.

For students, the reasonable accommodation and associated documentation shall be maintained by the Office of Accessible Education. A request by a student to access the materials shall be handled in a manner consistent with FERPA.

#### **4. Grievances**

The University maintains procedures to provide students, employees, and third parties with an opportunity to resolve grievances about eligibility determinations, accommodations decisions, or issues related to the provision of approved accommodations. For more information, please see the University's Section 504/ADA grievance procedures available at <https://www.scu.edu/ada-504/>.

#### **5. Non-Discrimination, Non-Harassment, and Non-Retaliation**

The University prohibits discrimination, harassment, and retaliation against any student, employee, applicant, or third party because they have a disability or have requested a reasonable accommodation, initiated a grievance, participated in an investigation, or exercised any other rights under this policy. Students, employees, applicants, or third parties who believe they have been discriminated against, harassed, or retaliated against in violation of this policy should contact the [Office of Equal Opportunity and Title IX](#), which is the University office designated to oversee the response to and investigation of such claims.

#### **6. Exclusions**

Protection under this policy does not apply in the following circumstances:

- Temporary, non-chronic impairments, medical conditions, illnesses, and injuries will be evaluated on a case-by-case basis to determine whether they limit a major life activity and are sufficiently severe to constitute a disability. Even when a temporary, non-chronic impairment or injury is not a disability that is covered under this policy, the University will respond to requests from employees and students as follows:
  - For employees, the impairment or injury may be addressed through Human Resources and could result in interim, time limited work adjustments, work restrictions, or job modifications, depending on the source of the impairment or

injury. In such cases, the employee should contact the Deputy ADA/504 Coordinator in Human Resources for guidance and/or referral.

- For students, the OAE may be assigned to work with the student to determine interim or time-limited academic or other modifications (in class, access to campus, housing). In some cases, the Office of Student Life may work with student support services and/or academic services to provide guidance for the student, such as a medical leave of absence from the University for the term or other academic adjustments or time-limited modifications.
- Pregnancy alone is not considered a disability under this policy. However, complications arising during or as a result of pregnancy may constitute a disability that the University would accommodate under this or other applicable University policies and in a manner consistent with applicable law. For more information, please see the University's Pregnancy Disability policy.
- Individuals whose conduct poses a direct threat to the safety and health of themselves or others are not protected under this policy.
- The University is not required to provide accommodations under this policy to individuals who are not disabled, but who are regarded as having a disability; however, the University prohibits discrimination based on perceived disabilities.
- The current use of illegal drugs and the misuse of drugs or alcohol are not protected under this policy, and such activity will not be allowed as an accommodation. Individuals experiencing substance abuse or dependence or who wish to participate in rehabilitation are encouraged to contact Human Resources or the Office of Accessible Education to discuss reasonable accommodations to support their treatment and recovery.
- Other exclusions under applicable federal or state law.

Questions regarding the application of this policy should be directed to the ADA/504 Coordinator or to a Deputy ADA/504 Coordinator. Please refer to the University's ADA/504 website for contact information.

(Effective September 2, 2025)