

**The Americans with Disabilities Act**  
**At**  
**The University of Texas at Dallas**  
**Equal Access in the Workplace: A balance of rights and responsibilities.**

It is the policy of The University of Texas at Dallas “to provide an educational and working environment that provides equal opportunity to all members of the University community. In accordance with federal and state law, the University prohibits unlawful discrimination, including harassment, on the basis of race, color, religion, national origin, age, disability, citizenship, and veteran status.” (Excerpt from Policy D11-195, Nondiscrimination.)

The following items are meant to serve as a starting point for translating the University's policy into a common understanding of access for individuals with disabilities and to enable employees and supervisors to engage in clear communication with a common purpose. While these lists do not carry the weight of policy, they are intended to outline the best practices associated with providing equal opportunity to all persons. For more information, or to comment on these practices, contact Nancy Bowles at [nmb052000@utdallas.edu](mailto:nmb052000@utdallas.edu) or extension 2221.

**Rights and Responsibilities of Individuals with Disabilities**

An individual with a disability has a right to an equal opportunity to participate in and benefit from employment, employee benefits, and employee privileges offered by The University of Texas at Dallas. To ensure this right, individuals with disabilities at UT Dallas:

1. have the same obligation as any other employee to meet and maintain the institution's employment, technical, and performance standards;
2. have the right to an equal opportunity to work. They have a right to reasonable modifications in aspects of their employment such as location, equipment or procedures that limit access, participation or ability to benefit.
3. have the right to an equal opportunity to participate in and benefit from the UT Dallas community. This includes access to services and benefits, when viewed in their entirety, that are comparable to those provided to any employee;
4. have the responsibility to advocate for their own individual needs and to seek information, counsel, and assistance as necessary to be effective self-advocates;

**Rights and Responsibilities of the University**

The University of Texas at Dallas recognizes that its basic responsibility is to identify and maintain the technical standards and essential functions that are fundamental to providing quality academic programs and services while ensuring the rights of individuals with disabilities. To meet this obligation, UT Dallas:

1. has the right to identify and establish the abilities, skills, and knowledge necessary for successful performance and to evaluate applicants and employees on this basis;
2. has the responsibility to ensure that its recruitment, application, and training information and activities are available in accessible formats and facilities;
3. has the responsibility to select and administer the methods used to evaluate applicants and employees so as to best ensure that the results accurately reflect skills, aptitude, performance or competencies and do not discriminate against an individual with a disability. Methods designed to measure specific skills related to fundamental standards/essential job functions are allowable even when those skills are impacted by the disability;
4. has the responsibility to ensure that all of

5. have the right to confidentiality of all information and have the right to choose to whom information about their disabilities will be disclosed;
6. have the responsibility to demonstrate or document how their disabilities limit their ability to perform a particular job function when they make a request for a modification. If the disability is not obvious, the individual must provide adequate documentation from an appropriate professional;
7. have the right to information regarding the availability of auxiliary aids and possible modifications as well as procedures for making requests for either;
8. have the responsibility to follow published procedures for making such requests and to do so in a timely fashion;
9. have the right to be informed of procedures for initiating an appeal of a decision by the institution regarding auxiliary aids or modifications;
10. have the responsibility to follow published procedures for filing an appeal;
11. have the right to be informed of procedures for initiating further appeal of an institutional decision through external channels. This typically would be done through filing a complaint with the Equal Employment Opportunity Commission.

- its programs, viewed in their entirety, including but not limited to, employee privileges and benefits are accessible and usable;
5. has the responsibility to adjust, substitute or waive any duties or requirements that unfairly discriminate against an employee with a disability and that are not essential functions of the employee's position;
  6. has the responsibility to make reasonable modifications for an employee with a disability in the setting, equipment, and procedures associated with the position;
  7. has the right to request and receive adequate documentation that supports requests for modifications. The University has a right to deny a request if the documentation demonstrates that no modification is necessary or if the individual fails to provide adequate documentation;
  8. has the right to select among equally effective modifications;
  9. has the right to refuse an unreasonable modification or one that imposes an undue hardship on the University
  10. has the responsibility to inform its applicants and employees about the availability of auxiliary aids and the range of possible modifications as well as the procedures for requesting them. If a request for a modification is denied, UT Dallas has the responsibility to inform the individual of his or her right to appeal the decision and the procedures for initiating an appeal.