




Equity & Excellence
 Access in Higher Education

Cleveland, Ohio
July 18-22, 2022

The Equity Office as Partner: How to increase student access and effectuate disability compliance



1



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Conference Civility Statement


We ask you to join us in creating a culture that reflects...

Access and Inclusion
and
Civility and Respect

...this week and in all aspects of our organization.



2




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Meet the Presenters

- **Emily Babb** (she/her), Associate Vice Chancellor for Equal Opportunity & Title IX/Title IX Coordinator, University of Denver
- **Bisi Ladeji Okubadejo** (she/her), Associate Vice President for Equal Opportunity, Affirmative Action, and Compliance, Georgetown University
- **Catherine Spear** (she/her), Vice President, Office of Equity, Equal Opportunity, and Title IX, University of Southern California



3




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Land Acknowledgment

In recognizing the land we occupy today, we express our gratitude and appreciation to those who lived and worked here before us; those whose stewardship and resilient spirit makes our presence possible on this traditional homeland of the Lenape (Delaware), Shawnee, Wyandot Miami, Ottawa, Potawatomi, and other Great Lakes tribes (Chippewa, Kickapoo, Wea, Pinakahsw, and Kaskaskia). We also acknowledge the thousands of Native Americans who now call Northeast Ohio home. This site and the greater Cleveland area occupy land officially ceded by 1100 chiefs and warriors signing the Treaty of Greenville in 1795.



4



When poll is active, respond at polllev.com/eoix764
 Text **EOIX764** to **37607** once to join

Who is in the Audience?

ADA Coordinator

Disability Services Office Coordinator/Staff


Student Affairs

General Counsel

Equal Opportunity or Equity office

Human Resources

Other

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5



What are the key barriers to full access to individuals with disabilities at your campus or organization?

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6



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Applicable Law and Policy

- Section 504 (1972): getting a refresh!
- The Americans with Disabilities Amendments Act (2008)
- State and local disability laws and ordinances
 - But then there are...other federal and state civil rights laws regarding race, national origin, sex, etc.
 - And there are your institution's values, often rooted in DEI, belonging, and/or justice principles!




7


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Who responds to disability-related complaints at your institution?

University's Equity, Equal Opportunity or Civil Rights Office
 Disability Services Office
 Student Affairs
 ADA Coordinator
 Human Resources
 Other
 I don't know

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8



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Partnerships and Processes

- Does your community know how to access services?
 - Student and applicant accommodations?
 - Employee and applicant accommodations ?
 - Visitor accommodations?
 - Campus physical and web accessibility concerns?
 - Mixed jurisdictional issues (e.g., student accommodation and student conduct/Title IX; student individual accommodation and physical accessibility/campus issue)?



9




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Partnerships and Processes (Sample Office Structures)

- **Decentralized Approaches:**
 - Separate accessibility/disability offices for students and employees
 - Accessibility issues handled by multiple offices
- **Standalone Accessibility/Disability Services Office**
- **Equity Office**
- **Equity and Access Office**



10



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Partnerships and Processes (Sample Dispute Resolution Models)

- **Informal or alternative resolution offered prior to filing complaint**
 - Through Accessibility/Disability Services Office
 - Through Equity Office
- **Formal grievance process through Accessibility Office**
- **Formal grievance process through Equity Office**
- **Formal grievance process through Administrator**



11




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Accommodation Denials

- **Response and partnership when disagreements occur:**
 - Provide notice of option to file formal complaint
 - Publish clear, accessible pathways for resolution
 - Collaborate to develop notices and resources
 - Ensure consistent messaging across offices re process
 - Encourage early use of alternative resolution options to minimize disruptions to access



12




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Accommodation Denials

- **Response and partnership when disagreements occur:**
 - Learn the resources and processes of your equity office
 - Request customized educational workshops
 - Offer customized educational workshops
 - Communicate regularly across offices
 - Identify best practices, address pain points
 - Utilize educational resources to increase faculty awareness



13




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Training/Education Faculty and Staff

- Baseline: required training for all employees
- In-person offerings: leveraging partnerships to maximize offerings (Disability Services Offices, Centers for Excellence in Teaching, JEDI Offices, Equal Opportunity Offices, etc.)
- Customized trainings: accommodation process, hiring processes, etc.



14



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Policy by Committee: Where to Start

- Identify who needs to be at the drafting table
- Identify who will need to approve/policy governance process
- Create a common goal/vision around why the new policy is needed or an existing policy needs to be updated
- Identify other related/adjacent policies
- Set goals and a timeline
- Establish a lead/co-lead



15



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**Policy by Committee:
How to Finish**

- Have a project plan and stick to it
- Define what success looks like
- Identify potential barriers to success early on
- Develop a marketing plan/launch for the policy
- Who will "own" the policy
- Periodically update for effectiveness



16




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A Student Scenario

- Sam is a second-year graduate student at ABC University.
- Sam is also a graduate assistant working in the University's LGBTQ Center and active in a number of student groups on campus.
- Sam was initially diagnosed with ADHD in high school but has never sought accommodations through ABC University's disability services office.
- This semester they had a difficult time focusing and aren't sure what to do.
- Sam talks to Paul, the Director of the LGBTQ Center, and shares that they are having difficulty focusing in class and have not been retaining what they're being taught very well. Sam notes they were diagnosed with ADHD years ago.
- Paul tells Sam to take it easy, maybe drop a class or cut back their hours at the LGBTQ Center, and it'll get better. Sam passes their classes but is discouraged by their low grades.



17




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A Student Scenario – Continued

- The next semester Sam has a for-credit internship at a local non-profit that regularly hosts interns from ABC University.
- Before the start of the internship, Sam contacts the disability services office and inquires about the process for accommodations. They do not follow through and never apply for accommodations.
- During the internship, their supervisor, Ellen, repeatedly disciplines Sam for her inattention, commenting to the Program Director that Sam is never on time and does not appear to be listening to the instructions they are given because they do not follow through on tasks.
- Sam contacts the disability services office again and starts the accommodation process. They also contacts the equity office and state that they believes they have been discriminated against because of their disability.



18




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A Student Scenario – Discussion

1. Which offices at your institution might be engaged in this scenario?
2. How might the disability services or equity office engage with Susan?
3. What are some areas of opportunity in this scenario?



19




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Employment Law

- Key Federal Laws
 - Section 504 of the Rehabilitation Act
 - ADAA
- Federal Guidance
 - EEOC Guidance
 - DOJ/OFCCP/OCR
- Other Federal and State Laws
 - FMLA
 - Worker's Compensation



20



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Employee Accommodations (Sample office & process structures)

- Employee Accommodations through ADA Coordinator
- Employee Accommodations through Equity Office
- Employee Accommodations through HR Partner
- Faculty Employee Accommodations through Faculty Affairs Office



21




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Collaboration with Human Resources

- Communicating options and processes
- Understanding offices that should or could be involved
- Different processes for staff v. faculty
- Value of developing protocols



22




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Compliance – What is Required and What is Important?

- Who is a qualified individual with a disability?
- What are essential functions of the position?
- What is a reasonable accommodation?
- What does the interactive process look like?
- How is the accommodation implemented?
- What if the accommodation is not effective?



23




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An Employee Scenario

- George is a new faculty member at ABC College, a residential college serving undergraduate and graduate students.
- George anticipates teaching a full course load each semester.
- After he is hired, Georges reaches out to Allison, the Department Chair, and shares that he has a disability and wants to understand who to contact about employee accommodations.
- Allison explains that their department handles these requests informally and asks what he needs.
- George explains that at his last institution he had a standing desk, extended breaks between classes, and written feedback and instructions.
- Allison says, "No problem! Done! No need to go further, I can give you all of that."



24




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An Employee Scenario - Continued

- The next academic year Allison's term as Chair is up and Phil become Chair of the Department.
- Phil schedules George's classes back-to-back without breaks two days per week and tells all of the faculty members in the department that he prefers in-person meetings or telephone calls to email and they should communicate verbally, and not in writing.
- George writes to Phil and explains that he has accommodations for his disability and Phil replies he is not aware of that and he must be mistaken.
- George does not know what to do and is worried that complaining to the new chair may impact future tenure decisions.
- George contacts HR about his concerns.



25




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An Employee Scenario – Discussion

1. Which offices at your institution might be engaged in this scenario?
2. How might human resources or the equity office engage with Phil, Allison, and George?
3. What are some areas of opportunity in this scenario?



26




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Takeaways/Practical Tips

- Build relationships with campus partners, especially your equity partners! (and don't forget students!)
- Develop processes that work for *your* institution
- Know and understand your institution's policies, practices, and procedures
- Be flexible and open to change
- Cultivate allies and inspire innovation



27



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28



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Session Evaluation

Please point your phone at this QR code, or go to:
tinyurl.com/AHEADeval

Your feedback helps shape future programming.
 Thank you for attending!




29