

UNIVERSITY OF CALIFORNIA
SANTA BARBARA



AMERICANS WITH DISABILITIES ACT
HANDBOOK

*If you need this document in an alternative format, please contact the ADA
Compliance Office at 805-893-7025*

PREFACE

The purpose of this Americans with Disabilities Act (ADA) Handbook is to provide faculty, staff, and students of the University of California, Santa Barbara with information for accommodating people with disabilities. It is part of an ongoing campus effort to educate our campus community on its responsibilities and to provide resources to assist departments.

We hope you will find the handbook useful to your department. If you have further questions or need assistance, please the ADA Compliance Office:

ADA Compliance Office
4129 Cheadle Hall
University of California
Santa Barbara, CA 93106

Following is a brief summary of steps taken by the campus to meet the federally mandated deadlines and to provide training to campus departments.

- In Spring 1992, Human Resources offered a series of workshops to all departments on campus regarding employment issues surrounding ADA.
- In July 1992, the campus filed a Transition Plan with the Office of the President. This report addresses planned remediation for our physical environment. This version was updated September 2007.
- In October 1992, each department was invited to a training session on the Americans with Disabilities Act. This training included information on how to survey departmental spaces, how to provide administrative remedies, and future planning efforts.
- In January 1993, the campus filed a Self-Evaluation Plan with the Office of the President. This report reviewed all the programmatic aspects of campus services, activities, and programs.

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Americans with Disabilities Act Public Law 101-336

The Americans with Disabilities Act, (ADA), is a federal anti-discrimination and equal opportunity law. This civil rights legislation prohibits discrimination against people with disabilities in employment, public services, public accommodations, and telecommunications. It provides that no qualified person with a disability may be denied participation in the University of California at Santa Barbara's services, programs, or activities.¹

A copy of the Americans with Disabilities Act may be found on the web at:

<http://www.usdoj.gov/crt/ada/adahom1.htm>

There are five sections in the Americans with Disabilities Act:

Title I:	Employment
Title II:	Public Services and Transportation
Title III:	Public Accommodations and Services
Title IV:	Telecommunications
Title V:	Miscellaneous Provisions

Pursuant to the ADA, University programs, services, and activities must be usable on a basis that is as equal as possible. This does not require that each of our existing facilities be accessible. However, programs, when viewed in their entirety, must be usable by people with disabilities. In addition, persons with disabilities are entitled to access in the most integrated setting that is appropriate. The nature of the University's programs would very rarely call for segregation of persons with disabilities. The University cannot require persons with disabilities to accept an accommodation nor can it charge persons for such services.

Program accessibility encompasses but is not limited to: admissions and examinations, library services, computing services, student health services, career planning, counseling and psychological services, campus stores, dining rooms and residence halls, laboratories, studios, athletic programs, field trips, social clubs and extra-curricular activities and events.

¹ The ADA is not an affirmative action law. Affirmative action responsibilities continue to be covered by Section 503 of the Rehabilitation Act of 1973.

Definition of Disabilities under ADA

Under the ADA, a disability is defined in one of the following three ways:

1. A physical or mental impairment that substantially limits one or more major life activities.

A physical impairment includes a physiological condition, cosmetic disfigurement, or anatomical loss or damage. Examples may include, but are not limited to, heart disease, HIV, cancer, diabetes, hearing, motor or vision impairments, paraplegia, or quadriplegia.

A mental impairment includes cognitive (e.g., learning disabilities) and psychological/psychiatric impairment.

Note that the length of incapacity, its severity, and its long-term impact may all be used as criteria to determine disability status. Temporary disabilities such as broken limbs are not necessarily covered under the ADA.

2. A record of such an impairment.

This section is designed to protect persons who had a recognized disability in the past, so employers may not act on unfounded fear of the disability. For example, an employee with a history of heart attacks may not be denied promotion simply because of a supervisor's fear of the employee's stress in a new position.

3. A perception by others as an individual having an impairment.

This category covers individuals who have no substantial disability, but are perceived by others to have one. For instance, a supervisor may not prevent an employee with a facial deformity from accepting a receptionist position because of concern for appearance. Another example would be if colleagues mistakenly believe an employee has HIV and begin to isolate himself or herself.

Persons with disabilities must decide for themselves whether they initially choose to self-identify and request accommodation under ADA. There may well be times when someone you think of as having a disability will not request accommodation. This is an individual decision.

All information regarding disabilities must be kept confidential and only shared with appropriate personnel as needed. Departments should maintain confidential records in accordance with campus policies and procedures.

If you have specific questions about handling confidential information, consult as follows:

For Students: Disabled Students Program at 893-2668

For Academics: Academic Personnel at 893-2010 or
Human Resources Disability Services Manager
at 893-8571

For Staff: Human Resources Disability Services Manager
at 893-8571

The language we use tells others how we perceive them. Our choice of words can hurt and exclude people or it can show understanding. People with disabilities expect the language used about and with them to be respectful. The Americans with Disabilities Act suggests using the word "disabled"; however, it is common courtesy to ask what terminology any individual prefers, and to remember that such terminology changes over time. Following is some advice:

Relax. Your sincerity and interest in a person are the most important criteria.

Put people first, rather than their disability, by saying "people who are blind" rather than focusing on the disability by saying "the blind." Avoid emotional terms such as "victim of", "invalid", or "unfortunate". However, don't be embarrassed if you use expressions that may seem to relate to a person's disability such as "I see what you mean." These are accepted everyday terms; by excluding or making an issue of them, everyone becomes self-conscious.

Understand that all of us perform tasks in various amounts of time. Don't make assumptions about a disability (real or perceived) nor lower your expectations. For example, don't help a person with a disability complete a task unless you are asked to help. Be considerate if it takes extra time for a person with a disability to get things done or said.

Know where accessible restrooms, drinking fountains, and telephones are located. If such facilities are not available, be ready to offer alternatives, such as an employee restroom, a glass of water, or your desk phone.

Use a normal tone of voice when extending a verbal welcome. Do not raise your voice unless requested.

When introduced to a person with a disability, it is appropriate to offer to shake hands. People with limited hand use or who wear an artificial limb can usually shake hands.

Be courteous and respectful. Always be mindful of the dignity of others.

When speaking to a person with a disability, look at and speak directly to that person rather than through a companion who may be accompanying them.

As you get to know people and begin building a trusting relationship, ask questions. But if you find yourself being either patronizing or reverential, you may want to look at your stereotypes. Common misconceptions we inadvertently communicate are: "you're invisible", "you're helpless", "you're incredible", "you're not trying hard enough".

Talking to employees about the etiquette of dealing with people with disabilities is as important as other issues such as respect of different races, lifestyle choices and beliefs. If you would like a facilitator to speak to your department about ADA issues, please contact the ADA Compliance Office.

The following guidelines are general suggestions for communicating with people with disabilities. This is not an exhaustive list, but rather a way for you to become more comfortable in the courtesies you extend. When communicating with people with disabilities, observe who they are and do not refer to them as their disability.

People Who Have Mobility Impairments:

A wheelchair is part of a person's personal space and shouldn't be leaned on or touched without consent. When talking with a person in a wheelchair for more than a few minutes, if possible, place yourself at the user's eye level. Allow a person using a wheelchair or crutches to keep them in reach. Remember that many wheelchair users can transfer to chairs, into automobiles, or into other seating arrangements. Ask wheelchair users if they want to be pushed before doing so. Consider the distance, weather conditions, and surfaces along paths of travel when giving directions.

People Who Have Visual Impairments:

Ask before giving help. When offering to assist someone with a visual impairment, allow the person to take your arm. It is helpful to give verbal instructions regarding stairs, changes in levels, and other barriers. To guide people with visual impairments to a chair, place one of their hands on the back or arm of the chair. When assisting people with visual impairments, do not push them ahead of you or wait to follow them through a door or opening. Let them follow you; otherwise, they are proceeding into the unknown. If you believe a person with a visual impairment needs help navigating (e.g., stairs), first, ask if you can be of any assistance. If the individual does ask for assistance, guide his/her hand to the railing of the staircase. Lead people with visual impairments to the side of an area or room so they can have a landmark from which to guide themselves. To hand a visually impaired person an object, don't thrust it out. Explain what you are doing, take his/her offered hand, and place the object in it.

When greeting someone with a visual impairment, identify yourself and others who are accompanying you. When you are leaving the space, let the person with a visual impairment know. Being blind does not affect a person's hearing, so use a normal tone of voice. In a group conversation, identify yourself and use the names of the people whom you are addressing.

Service dogs should not be petted or distracted in anyway unless permission is given. When walking, choose the side of the person away from the dog.

People Who Have Hearing Impairments:

Before addressing people with hearing impairments, you can gently wave your hand in their line of vision or lightly tap their shoulder. When establishing whether a person with a hearing impairment can read your lips, look directly at the person and speak clearly, keeping your hands away from your mouth. Don't over-exaggerate your speech and never yell; this makes lip reading more difficult. It isn't necessary to slow down your speech unless you're asked to do so. Allow a clear view of your face by placing yourself near a light source and by keeping food and gum from your mouth when speaking.

If a person doesn't understand you, rephrase the statement with different words that may be easier to understand when lip-reading. Use gestures and body movements to help clarify yourself. If there continues to be difficulty, try written communication, or, arrange for a sign language interpreter for future communications.

If an interpreter is present, speak directly to the person you are addressing, rather than to the interpreter.

People Who Have Communication or Speech Impairments:

Give your attention to the person who is speaking, even if an interpreter is present. Be patient; don't speak for the person. Let the person finish his/her own sentences. Be supportive and encouraging by maintaining eye contact and refraining from looking at your watch or tapping your foot. Ask questions that require short answers. If you aren't sure you understood, repeat what you did understand and wait for further explanation. Pretending to understand is not helpful.

People Who Are Developmentally Disabled:

Speak slowly and clearly. Use gestures and physical movements to assist in being understood. Keep a positive tone and positive facial gestures. Do not make movements that may be perceived as threatening. Ask before assuming that someone needs or wants assistance. Use specific and clear language. Delayed response may simply mean the person needs more time to formulate an answer.

Treat people as they are. If they are adults, treat them as such. Don't expect that people with developmental disabilities are like children. A helpful rule of thumb is to ask yourself: "Am I asking a developmentally disabled person to do something that I would ask anyone his/her age to do?"

Providing academic accommodations to students with disabilities is a shared responsibility among members of the campus community. The Disabled Students Program (DSP) assists UCSB in complying with Section 504 of the Rehabilitation Act of 1973, which states that “no qualified individual with disabilities shall, on the basis of their disability, be excluded from the participation in, be denied the benefits of or be subject to discrimination under any post-secondary program or activity receiving federal financial assistance.” Title II of the Americans with Disabilities Act of 1990 (ADA) additionally clarifies the role of public entities in assuring equal educational opportunity for post-secondary student with disabilities.

DSP coordinates all **academic** support services for students with disabilities. DSP also works to increase the retention and graduation rates of students with temporary and permanent disabilities, to assure equal access to all educational and academic programs, and to foster student independence. DSP can be reached by calling 893-2668.

Qualifying For Service

Before DSP can approve and provide accommodations, students are required to provide appropriate, current medical documentation verifying a need for an accommodation. DSP requires written verification from the individual’s treating clinician, (i.e. a medical doctor, psychologist, psychiatrist, and/or learning disabilities specialist, etc.) For more information, please review the Documentation Guidelines at: <http://dsp.sa.ucsb.edu/prospective-students/documentation>.

Once a student has been admitted to UCSB and they have returned their Statement of Intent to Register (SIR), they should mail or fax documentation to:

Disabled Students Program
University of California
Santa Barbara, CA 93106
Fax: (805) 893-7127

The documentation will be reviewed by a disabilities specialist, who will then contact the student to discuss academic accommodations.

Temporary Disabilities

Although temporary disabilities are not covered under ADA, DSP will make academic arrangements to assist when possible. Students with a temporary

disability (e.g. broken arm), can make an appointment with DSP. At this meeting, the student must provide verification from a doctor verifying the need for an accommodation. The student is then referred to the appropriate staff in order to determine what services the student will need.

Services

DSP is the campus liaison between students and academic departments/faculty regarding issues and regulations that are related to UCSB's disabled student population. DSP provides academic support services to all qualified disabled students. These services include:

- | | |
|---|---|
| <input type="checkbox"/> sign-language interpreters | <input type="checkbox"/> readers |
| <input type="checkbox"/> note-takers | <input type="checkbox"/> supplemental orientation |
| <input type="checkbox"/> registration assistance | <input type="checkbox"/> referrals |
| <input type="checkbox"/> facilitation of access to programs | <input type="checkbox"/> special adaptive equipment |
| <input type="checkbox"/> specialized educational materials | <input type="checkbox"/> test-taking accommodations |

DSP also advises and provides information to all program participants. This includes referrals to on- and off-campus agencies where students may receive disability-related services and support.

Equipment

DSP maintains a variety of equipment for student use, including tape recorders, assistive listening devices, and adaptive computing software.

Types of Accommodations

Each student with a disability who has qualified for services may receive accommodations to fit individual needs. Typical accommodations that work for many students with disabilities are:

- extra time for exams
- note-taking
- preferential seating in classrooms
- a sign-language interpreter for a hearing-impaired student
- a request for a faculty member to wear a wireless microphone
- accessible laboratory space
- books provided to DSP to be recorded on audio tapes

Each student is unique. To assist the student with a disability, staff from DSP will ask the student to discuss individual needs with the instructor. Instructors can contact DSP for advice and consultation on individual requests. Given confidentiality restrictions, DSP specialists may not be able to discuss a specific student's needs but can answer questions generally. In some

cases, students may agree to sign a “Consent to Consult” form which will allow DSP staff to discuss specific student situations with faculty.

Accommodations for Student Workers, Teaching Assistants and Research Assistants

Students who are working toward an academic degree receive academic services without charge from the Disabled Students Program. However, if a department uses a student worker, department responsibility for providing accommodations is the same as with any other employee.

Graduate students are eligible for accommodation assistance through DSP in their role as students. However, where graduate students make requests for accommodation in relation to their role as teaching or research assistants, these requests should be coordinated by the department in consultation with Academic Personnel and Human Resources.

Faculty are required to comply with the University's obligations under the ADA to provide students with disabilities access to all academic programs. DSP staff are available to consult individually with faculty who have students with disabilities in their classes. Faculty can also arrange for the DSP Student Information Panel to make a presentation to their classes/departments in order to share perspectives of what it is like to be a person with a disability at UCSB. This panel is comprised of currently enrolled UCSB students who have disabilities.

Following are typical accommodations that faculty may be asked to facilitate in the classroom or during test periods.

TIME - flexibility around deadlines for withdrawing from a course, submitting a paper, or taking an exam.

SPACE - providing alternative testing conditions such as a distraction-free room.

COMMUNICATIONS - alternative formats for materials or tests, tape-recording of lectures, note-taking assistance in the classroom (the latter services are provided by Disabled Students Program and you will be notified if they are being used in any class).

UNDERSTANDING - try not to penalize a student for inattentiveness and/or drowsiness in class due to the side effects of medication.

MAINTAINING CONFIDENTIALITY OF STUDENT DISABILITY INFORMATION

All information that the student and DSP share with the faculty member is to be used specifically for arranging reasonable accommodations for the course of study. All disability-related information including accommodation letter, correspondence, and consultations are considered confidential. Maintaining confidentiality serves to maintain an environment in which students with disabilities feel respected, safe, supported, and protected.

If a student voluntarily discloses the nature of their disability to a faculty member, even if the nature of the disability is obvious, the faculty member should refrain from disclosing it to others. If a student tries to provide the faculty member with their primary disability documentation, the faculty member should refuse to read

or accept it and refer the student to DSP. Disclosures of information are generally inadvertent. For this reason, a high level of vigilance to avoid unintentional but inappropriate disclosure must be maintained. Please contact the DSP or the ADA Compliance Office if there are any questions, issues, or concerns regarding maintaining confidential information.

STUDENTS WITH DISABILITIES IN THE CLASSROOM RECOMMENDED PRACTICES

Students With Visual Impairments

Read aloud any instructions or material written on the board or on overheads used in the lecture. It can be useful to provide advance notes of the lecture or enlarged copies of transparencies, slides, and other material. If the student is blind, DSP will work with an instructor to translate the graphic representations in a meaningful way.

Some students who are visually impaired or blind may want to make an audio recording of the lecture. The student must notify an instructor in advance of such requests. A student may only tape record with the instructor's express permission. Tape recorders for student use are available through the Disabled Student Program. Some students who are visually impaired or blind will have notetakers or Braille equipment with them in the classrooms. The instructor will be notified in advance if an interpreter will be provided.

Give directions to the restrooms, laboratory, or seminar room in a clear manner, stating the distance.

Students With Hearing Impairments

Be aware that the student may have a note taker and/or sign language interpreter in class for assistance. If an interpreter is assigned to a hearing-impaired student, the DSP will send specific recommendations regarding appropriate interaction techniques. The campus has installed assistive listening systems in some larger auditorium and classrooms. Training for these systems will be offered to instructors who request it. Additionally, students may bring a portable assistive listening device into a classroom.

Instructors should be careful not to talk with their back to the class or obstructing the mouth with hands, pencils, or pointers. Repeating a question asked by class participants prior to giving the answer will ensure everyone has heard the question. If verbal instructions are lengthy or involve processes the student will then be asked to perform, such as a computer exercise or laboratory experiment, it may be difficult for the student to watch the interpreter and accurately record the instructions.

Preparing written instructions prior to the class would be helpful in these cases. When ordering films, request copies that are captioned.

A simple way to get the attention of students, including hearing impaired, is to flash the room lights.

Students With Mobility Impairments

Instructors should be aware that some students with mobility impairments may have a note taker or wish to record the lecture. Request that students keep bags, books and other obstacles out of the aisles. If the classroom has structural features that make it inaccessible, instructors should immediately notify their department to make arrangements for another room assignment. The student may request reserve seating (e.g., near an entrance, in front of the class).

Students With Learning Disabilities and/or Attention Deficit Disorder

DSP will provide note takers, readers, proctors, and test transcribers when appropriate. Where approved, the instructor must allow for extended time on tests, oral tests or other special test-taking arrangements (e.g., provide a room for taking tests without distractions, etc). The instructor may want to use available office space or ask the department to locate a suitable location. (Note: The faculty member or the departmental proxy are required to provide a separate exam location for the student. Multiple DSP students that require an “alternate location” may share that separate location. However, a student that requires a “private exam location” may not share that location with other students.)

A student with a learning disability who requests any of the above accommodations must first present instructors with a letter from the DSP Learning Disability Specialist that verifies qualification for this kind of academic support.

Students with Psychological/Psychiatric Impairments

Because psychological/psychiatric accommodations can be quite complex, we advise instructors to consult, initially, with DSP if a student with a psychological/psychiatric impairment is enrolled in a class. Students requesting accommodations must be registered with DSP.

Instructors will not receive documentation that includes the specific diagnosis, but rather reference to a “hidden disability.” This protects the student’s right to privacy. Instructors may receive information about any limitations on a student, such as need to extend time for taking exams.

Even though not normally identified as psychological, some disabilities such as Multiple Sclerosis, Muscular Dystrophy, AIDS, Chronic Fatigue, Tourette's Syndrome, and head-injury may have depressive, anxiety, or fatigue aspects which affect performance and may need appropriate accommodation.

Accommodations may change depending upon the status of a disability (active, in remission, or stress-reactive); the medications currently being taken; and whether someone is in transition between medications.

Students with psychological impairments often have intense concern with the reception that they will receive from their instructors. Therefore, it is helpful to monitor beliefs and potential stereotypes about mental illness.

Be aware of the cyclic behavior changes that may accompany some illnesses or as side effects of the medications to treat them. Stress from school can definitely affect the balance students have achieved with their disability.

All students are required to maintain appropriate conduct as defined by the student code of conduct. The vast majority of students with psychological impairments do not act out inappropriately. However, if instructors have concerns about disruptive or inappropriate behavior involving any student, the Distressed Student Protocol should be consulted.

Pursuant to the ADA and the California Fair Employment & Housing Act, the University is prohibited as an employer from discriminating against persons with disabilities. The University has an affirmative duty to engage in an interactive process to consider faculty or staff (employee) requests for accommodation. In some cases, employees will qualify for accommodations under the Fair Employment & Housing Act, which has a lower threshold than is used by ADA. Departments should contact the campus Disability Services Manager, to discuss any requests from employees for accommodations.

Actions That Constitute Discrimination

The ADA specifies types of actions that may constitute discrimination, including:

- ❑ Limiting or classifying an employee because of a disability in a way that adversely affects employment opportunities.
- ❑ Participating in a contractual arrangement that subjects an employee with a disability to discrimination.
- ❑ Denying employment opportunities to a qualified individual based on a relationship with a person with a disability.
- ❑ Refusing to make reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee.
- ❑ Using qualification standards, employment tests, or selection criteria that screen out an individual with a disability, unless the qualifications are necessary for the job.
- ❑ Selecting employment tests that do not accurately measure the skills and aptitude of a disabled person.
- ❑ Retaliating against an individual because the person has raised questions about purported discriminatory practices of the employer.

Reasonable Accommodations

Reasonable accommodations are any adjustments to a job or work environment that permit a qualified applicant or employee with a disability to perform.

Accommodations must be made on a case-by-case basis because the nature and extent of a disabling condition and the job requirements will vary. It is the responsibility of the employee with a disability to inform the University of the need for an accommodation.

Accommodations are primarily funded by the employee's home department. To cover costs of accommodations that cannot be met by the departmental budget, departments may seek funds from their control unit and consult with the ADA Compliance Office for other potential sources of funding.

Employee Accommodation Requests

Upon receiving a request for an accommodation, departments should contact the Disability Services Manager in Human Resources. The Disability Services Manager should always be consulted prior to agreeing to a permanent accommodation. Additionally, any temporary accommodation that will exceed 60 calendar days should be brought to the Disability Services Manager's attention.

- a. Documentation. Requests for accommodation will generally require that an employee submit medical documentation supporting the request. The Disability Services Manager will coordinate communications with an employee's doctor. Any medical records or other documentation should stay with the Disability Services Manager.
- b. Reviewing Requested Accommodation: The Disability Services Manager will consult with the employee to determine the precise job limitations imposed by the disability. The Disability Services Manager will then assist the department in identifying a range of possible accommodations and assess their effectiveness. Reasonable accommodations may include:
 - acquiring or modifying equipment
 - job restructuring
 - modifying work schedules
 - adjusting testing criteria, training materials, or policies making the workplace accessible

The Disability Services Manager will assist in identify an accommodation(s) that is most appropriate for both an individual with a disability and the department. The principal test in selecting a particular accommodation is effectiveness (i.e., whether the accommodation will enable the person to perform the essential functions of the job). Although primary consideration should be given to the preference of the individual with a disability, as the employer, departments ultimately have the discretion to choose between effective accommodations.

- c. Denying Request for Accommodation. If a department believes it cannot provide the requested accommodations, the Disability Services Manager must be consulted before denying the request. Because interpretation of the law focuses heavily on the overall financial resources of the institution, departments should not deny an individual an accommodation on the basis of financial hardship without consultation outside the department.

Pursuant to the ADA and the California Fair Employment & Housing Act, the University is prohibited as an employer from discriminating against persons with disabilities as applicants for employment.

A qualified applicant without a disability cannot be given selection preference or be selected over an equally qualified individual with a disability merely because the disabled individual will require reasonable accommodation--unless it has been determined that the accommodation would pose undue hardship and no alternate acceptable accommodation is available. Please consult with the campus Disability Services Manager or ADA Compliance Officer before making that determination.

If a qualified individual with a disability refuses a reasonable accommodation, that individual can be evaluated for the position as though they did not need accommodation.

Essential Job Functions

The ADA does not require employers to hire less-qualified people. It does require a good fit between the job functions and an applicant's ability to actually perform the job. There are two steps to the process. First, does the individual satisfy the prerequisites of the job? Second, can the person perform the essential functions of the position, with or without reasonable accommodation?

Essential functions must be distinguished from non-essential functions in the job description. Essential functions are those basic job duties that define the position. Non-essential functions are assigned duties that are incidental or marginal to the performance of the job. Note that departments must also specify the physical demands of a job, the equipment that will be used, environmental climate, education, experience and intrinsic demands of the job. Approximate percentages of time for each function must be listed.

Questions regarding qualifications' standards may be directed to the Human Resources Office, Employment Unit.

Pre-Interview Issues

To receive accommodations under ADA during the recruitment process, an applicant must self-identify as disabled. However, no candidate is required to disclose a disability, and any information that the candidate provides needs to be treated as confidential.

If a candidate discloses a disability prior to an interview, it is appropriate to ask if any special arrangements are needed. For instance, if department is making travel arrangements for a candidate, the candidate can be consulted regarding special accommodations in transportation and lodging.

Make sure that the interview room is accessible or that an alternate site has been planned. If the candidate will be meeting with several people, delivering a colloquium, or having a reception or dinner engagement as part of the interview process, think about accessibility issues at each of the functions.

Appropriate Interview Questions

Questions related to gender, sexual orientation, age, marital status, color, race, religion, national origin, medical condition, pregnancy, or disabilities are inappropriate and against the law. An employer may not ask directly if an applicant has a disability. However, questions about one's ability to perform the essential functions of the job are appropriate.

Some examples of appropriate questions include the following:

- You may *not* question an applicant regarding the existence, nature, severity, origin, or prognosis of his or her disability, if any, but you *may* ask the applicant about his or her ability to perform all job-related duties. Example: If driving is an essential duty, you may *not* ask whether the applicant is vision-impaired, but you *may* ask whether he or she has a valid driver's license.
- You *may* describe or demonstrate a job-related duty and inquire whether the applicant can perform the duty with or without reasonable accommodation. Example: You may explain that the position requires moving heavy objects from place to place and ask the applicant if and *how* he or she will be able to perform that duty

Generally, employers may not ask whether an applicant will need an accommodation. The exception is if:

- The employer reasonably believes the applicant will need reasonable accommodation because of an obvious disability;
- An applicant has voluntarily disclosed to the employer that s/he needs reasonable accommodation to perform the job.
Example: An individual applying for a receptionist position voluntarily discloses that she will need periodic breaks to take medication. The employer may ask the applicant questions about the reasonable accommodation such as how often she will need breaks, and how long the breaks must be. The employer may not ask questions about the underlying physical condition.

Interview Questions NOT to Ask

Pre-employment inquiries cannot be made regarding the nature or extent of an applicant's disability. Examples include:

- Are you in good health?
- Have you ever had an injury or disease?
- Do not ask the applicant about any visible physical characteristics; i.e. scars, burns, missing limbs, braces, or prosthesis.
- If an applicant volunteers information regarding a medical condition, such as cancer, do not inquire about the nature or extent of the condition or whether it is in remission. Instead, explain the University's commitment to equal employment opportunities.
- Do not make notes during the interview regarding any physical or mental characteristic of the applicant.
- Do not ask if an applicant has ever had an emotional illness, an alcohol or drug dependence, or has consulted a psychotherapist or psychiatrist.

Testing and Pre-Placement Medical Examinations

Testing of an applicant's qualifications, including physical agility tests, may be conducted if all eligible applicants for the position are tested. The University must provide, upon request, alternative accessible tests to applicants whose sensory, manual or speaking skills are impaired, except when the test is intended to measure such skills. For example, if the ability to read is not an essential function for the job, it would not be appropriate to administer a timed written test to an applicant who discloses that she has difficulty reading due to dyslexia. In this instance, an alternative oral test or an extended time test would serve as a reasonable accommodation.

As a condition of employment, a medical examination may be required after the offer of employment, but before an individual actually starts working. In this case, all employees in the same job category need to be tested. For example, police and fire fighters are required to take a medical examination as a condition of employment.

An important component of the ADA is its focus on how institutions can accommodate members of the general public who are disabled and wish to use its programs. This focus is in keeping with the threefold mission of the University of California: teaching, research, and public service. This section is specifically geared toward members of the community, locally and nationally, who use our educational and/or cultural facilities. The following guidelines will assist departments in understanding how to meet the spirit of the law as it relates to the public.

DEPARTMENTAL RESPONSIBILITIES

The University's first goal is to make the general community aware of our events and our willingness to make accommodations. To accomplish this, all advance announcements, notifications, and advertisements of events sponsored by departments that are attended by the general public should include a statement offering accommodation assistance, for example:

"If you require an accommodation due to a disability, please contact our department at (insert dept contact number)."

If appropriate, indicate a lead time (e.g., one week in advance) to allow enough lead-time to make preparations. This process will help departmental planning. The timeliness of the request relates to the complexities of making the accommodation. For season tickets (such as for sporting programs or a cultural series), early information could be sent with subscription information. For an annual event without seating or reservations, concise information regarding accessibility and accommodation should be shown on the publication. Include in the publication any deadlines for a disabled patron to submit special requests.

Examples of accommodations include: an accessible room or facility, materials that will be distributed during the event produced in an alternative format, and assistive listening equipment or a sign language interpreter.

All printed materials and publications for public events should be in a sans serif font (such as Arial) and at least 12-point size.

Members of the public with disabilities appreciate being given the most accessible route to an event. Departments are encouraged to include or reference a campus map in publications and announcements of public events. Campus maps indicate parking lots with accessible parking spaces as well as the most accessible walkway(s) to a building. Campus maps and disabled parking

information is available on the Parking and Transportation web site:
<http://www.tps.ucsb.edu/default.aspx>

Although UCSB endeavors to accommodate all individuals, we may not be able to meet a few requests. For instance, the technology may not exist or the adaptive equipment may be so specialized that the campus cannot obtain it readily. Requests that are not made in a timely manner may not be reasonable. Departments are encouraged to tactfully explain the situation and try to negotiate an alternative. In these cases, it may be helpful to consult with the ADA Compliance Officer.

REQUESTS FOR MATERIALS IN ALTERNATIVE FORMATS

One of the most common requests that a department may receive is to produce information in an alternative format. Note that it is not necessary to put general materials into an alternate format until the request is made.

Department should communicate with the individual requester regarding individual needs. Individuals with disabilities typically are very knowledgeable about what they need. Alternative format solutions include:

Large print

Many computers can generate documents using very large print. Additionally, copy machines can often enlarge a document.

Computer Disk

Departmental memos, tests, and research materials are often most useful to the visually impaired on a computer disk. This material can then be scanned into Braille or into a speech reader by the user.

Audio tape

Departmental or campus information can be entered into a tape recorder. It need not be of a professional quality if the material is only to be used on a limited basis. A staff member or student worker can create an audio tape by speaking clearly and a little more slowly than usual into a portable recorder. Instructional Development, can provide assistance with professional recording.

Braille

Please contact DSP for assistance in translating a document into braille. Depending on the length of the document, there may be a fee for the service.

Personal Assistance

If a document is not lengthy, it may be useful to have a staff person read the document and be available for follow-up questions.

Videos- Open Captioning

Hearing-impaired individuals are often unable to benefit from videos, which rely heavily on auditory information. Instructional Consultation can assist with videotaping an event. Captioning videos makes this medium fully accessible to people who are hearing impaired. There are two types of captions: closed captions and open captions. The open caption format is displayed any time the video is played; no decoder is needed as for closed caption. In addition, if the viewing room is noisy then the captioning benefits all the viewers.

Departments are encouraged to request open caption format for video.

INTERPRETERS AT UNIVERSITY EVENTS

A department may receive a request from a member of the UCSB community or the general public for a sign language interpreter or CART reporter for an event. The DSP's deaf services coordinator processes all campus-wide and community requests. Because of Santa Barbara's geographic isolation, it is sometimes difficult to find a sign language interpreter or CART interpreter on short notice. Departments are encouraged to request services well in advance. If the University cannot obtain these services, departments should try to provide an alternative accommodation. Departments are responsible for paying for interpreters and DSP will recharge departments for the costs. If necessary departments may seek funds from their control unit and consult with the ADA Compliance Office for other potential sources of funding.

Information to Provide the Interpreter

Departments will need to provide answers to the following questions when hiring an interpreter for a public event:

- What is the date, time, duration and location of the event?
- Is the interpretation for one specific person or for a group of people?
- Does the individual requesting interpreting services prefer ASL, PSE or MCE as the language? Note: if a group of individuals are requesting services, the interpreter will sign PSE to meet the needs of all clients.
- What is the topic of the event? If it is a technical subject, a sign language interpreter who is proficient in those signs will need to be present.
- How long is the event? (If the event will exceed two hours, typically, two interpreters are needed to team interpret.)
- Where will the individual be seated? In a large room, seating in the front few rows is preferred.

- Where will the interpreter be positioned? In an auditorium, the interpreter should be positioned on the stage or a platform close to the speaker when possible. If there are several speakers in the event, the interpreter should be where the deaf or hard of hearing client can most clearly see.
- Is the lighting adequate? A spotlight on the interpreter is a good option if the lights will be dimmed for a performance or to review slides.
- Will the event be interactive in nature; e.g. will the interpreter be voicing for the deaf individual or only signing what is spoken by the performers?

Campus maps and disabled parking information is available on the Parking and Transportation web site: <http://www.tps.ucsb.edu/default.aspx>. General campus parking information for disabled access is as follows:

Permit Policy

All vehicles parked on campus must display a valid campus permit. This includes vehicles displaying DMV issued placards. Daily and short term permits can be obtained from the permit dispensers located in the parking lots throughout campus.

Parking Areas

Vehicles displaying a valid DMV placard, and a valid campus parking permit, may utilize any accessible disabled parking space on campus. These vehicles may also park in any lot or space designated for visitors, students, staff or faculty. The time zones on campus (30 minute spaces) may also be used without regard for the posted time limit. Parking in metered spaces without paying the meter is also allowed, provided that a valid placard and a valid campus permit are displayed.

Areas to Avoid

DMV placards are not valid in fire lanes, non-designated parking areas, reserved, or restricted areas. Parking is also not permitted at red curbs or in the blue crosshatched areas adjacent to the accessible spaces.

Space Designation

Parking Services makes every effort to establish convenient parking spaces to facilitate access by disabled individuals. Parking Services depends on the recommendations made by the ADA Compliance Officer and DSP to help identify these locations. Disabled spaces are installed in parking areas located close to building entrances. If a need for additional disabled parking spaces is identified by an individual or campus department, please contact the ADA Compliance Officer.

In general, University buildings and facilities must be readily accessible and usable by individuals with disabilities. The University must ensure that all new buildings or facilities are built in accordance with campus standards, California state building codes and ADA design standards. Where readily achievable, the University removes architectural and structural barriers in existing facilities. In addition, the University seeks to maintain an accessible “path of travel” between and around the public areas of campus.

Reporting A Barrier

The campus community or any visitor may contact the ADA Compliance Officer to report architectural or structural barriers on campus. The ADA Compliance Officer coordinates review and remediation, where achievable, with Campus Design & Facilities.

The ADA requires that communications with individuals with disabilities are as effective as communications with others. This section covers pay telephones, emergency telephones, voice mail systems, departmental telephones, residential telephones, Telecommunication Devices for the Deaf, and the California Relay Service.

Telephones

All telephones that have been purchased from Communications Services since 1985 are hearing aid compatible. Please be aware that some individuals who wear hearing aids may still need an additional phone amplification device.

Unfortunately, it is difficult to determine if an installed telephone is hearing aid compatible, other than by using it with a hearing aid. You do not need to be concerned about your installed telephones being compatible unless staff or visitors indicates that they cannot use the telephone with a hearing aid. In this situation, you should be prepared to replace the telephone with one that you know is compatible.

Voice Mail Trees

One common barrier for disabled people using telephones involves automated telephone services. Most automated systems require the caller to respond to menu choices to retrieve messages, access information, manipulate data, or place orders. The automated system presents the caller with a number of options, and the caller responds either by voice or by depressing buttons on the telephone (producing touch tones), thereby routing the call, opening a mailbox, or selecting options.

When a Telecommunication Device for the Deaf (TDD) caller tries to operate one of these automated systems via a relay service, the relay assistant can rarely relay information and responses between the caller and the machine fast enough to prevent the machine from "timing out" (dropping the call due to lack of a response within the predefined time parameters). This results in the TDD caller having to make repeated calls to retrieve the same information that a hearing caller retrieves directly with one call. This can lead TDD users to believe that they have been denied the three major benefits of automated telephone services: convenience, efficiency, and privacy. Please contact Communication Services to discuss alternatives that can be included in voice mail systems to allow access by persons with hearing disabilities.

Telecommunications Device for the Deaf

One method of providing communication is the use of an auxiliary aid known as a Telecommunications Device for the Deaf (TDD). This aid is also referred to interchangeably as a teletypewriter (TTY), or Text Telephone (TT).

A Telecommunications Device for the Deaf allows people with hearing or speech disabilities to communicate over a telephone network. A TDD is essentially a computer terminal with a built-in acoustic modem and some special-purpose keys. A TDD can automatically detect that an answered telephone call is from another TDD and enable two people using the TDDs to converse using their keyboards and display screens. A person using a TDD can also call the California Relay Service (see subsequent section) and use the services of a relay assistant to communicate with another person using a standard telephone.

For assistance selecting features for departmental TDDs, please contact Communication Services.

The California Relay Service

The California Relay Service (CRS) allows a person using a TDD to communicate with any other phone user. Relay communications service provides full telephone accessibility to people who are deaf, hard of hearing, or speech-disabled. Specially trained California relay service agents complete all calls and stay on-line to relay messages either electronically, using a Telecommunications Device for the Deaf (TDD), or verbally to hearing parties.

This service, provided under the regulations of the California Public Utilities Commission, is available 24 hours a day, 365 days a year, with no restrictions on the length or numbers of calls placed. It provides all individuals who are deaf, hard of hearing, or speech-disabled the opportunity to make personal and business calls within the United States just like any other telephone user.

No one should refuse to accept an incoming telephone call from a person using a TDD and the California Relay Service. Refusing to accept a call from someone using a TDD and the California Relay Service can be considered a denial of the caller's rights to equally effective communications and a violation of the ADA. Both TDD and voice users may initiate calls through California Relay Services. The toll-free access numbers are:

1-800-735-2929 (for TDD calls)
1-800-735-2922 (for voice calls)
711 (for both voice and TDD calls)

Note that UCSB campus operators are not trained as qualified Relay Service agents, and cannot relay calls between voice telephone and TDD users.

Promoting an Accessible Electronic Environment

Navigating electronic resources can be difficult —sometimes impossible — for people with disabilities. The University of California is committed to providing an electronic environment that is accessible to everyone, including individuals with disabilities. The systemwide [UC Information Technology Accessibility Policy](#) was approved August 27, 2013 to address the issue of electronic accessibility at the University of California. The policy promotes an accessible IT environment at the University of California to help ensure that as broad a population as possible may access, benefit from, and contribute to the University's electronic programs and services.

An accessible electronic resource means that people with disabilities are able to obtain the same information in an adaptable format that is available to persons who do not have a disability and who are not using adaptive technology.

Designing Accessible IT Resources

Anyone who codes static electronic resources or dynamic web applications should work to ensure that the content is accessible to individuals with disabilities, including visually and hearing impaired people. The University of California and the Santa Barbara campus have developed guidelines which represent the basic steps for improving the accessibility of electronic resources and reflect good development standards. Those guidelines are available at:

- <http://www.ucsb.edu/webguide/accessibility.shtml>
- <http://www.ucop.edu/electronic-accessibility/web-developers/index.html>

Electronic accessibility is not a one-time effort but must be incorporated into every IT activity on an ongoing basis. Campus departments need to prioritize electronic accessibility efforts and continually work toward achieving a more accessible IT environment. If you have any questions regarding your responsibility for designing or maintaining an accessible electronic or if you feel that you are unable to access an electronic resource on campus because it lacks the required accessible features, please contact the ADA Compliance Office.

Adaptive Technology Center

(Library Rooms 1589 and 1591)

The Adaptive Technology Center houses adaptive computers and software such as personal computers with voice recognition, screen magnifiers, and screen readers. Also available is a Reading Edge Personal Reader for scanning written text and a Juliette Braille. Available for students, staff, faculty, and the general public.

Training by DSP staff is required to obtain access to the ATC. Contact DSP for more information.

Assistive Listening Systems (ALS) are designed to enhance speech understanding. Some devices are helpful to those whose hearing loss is mild and who have not yet been fitted with a hearing aid. Other ALS reinforce listening potential for those with hearing aids. ALS increase the loudness of only specific sounds. In effect, ALS separate sounds the users want to hear from sounds that are merely background noise.

Fixed Assistive Listening Devices

The campus has installed ALDs in larger lecture halls and concert areas built before passage of the ADA. All new construction of classrooms with 50 or more seats must be equipped with installed listening devices. The following lecture halls are currently equipped with Assistive Listening Systems:

Location	Frequency
Harold Frank Hall 1104	A
Campbell Hall	Induction loop
Broida 1610	J
Buchanon Hall 1910	E
Buchanon Hall 1920	J
Buchanon Hall 1930	H
Buchanon Hall 1940	K
Girvetz 1004	A
Isla Vista Theater 1	A
Isla Vista Theater 2	E
HSSB 1173	A
HSSB 1174	E
Lotte Lehman Concert Hall	E
Bren 1414	K
MSI Auditorium	E
Life Science Bldg 1001	H
Embarcadero Hall	J
Theater & Dance 1701	E

Campbell Hall is unique in that it has an installed “loop” system that allows patrons that have T-Coil hearing devices to use their units without additional hardware. Headsets and belt packs are available for those who do not have their own device but wish enhancement.

Portable Assistive Listening Devices

Currently, the campus has several portable Assistive Listening Devices that may be used to assist people with hearing loss. This equipment provides the listener

with a small receiver while the person who is speaking has a small transmitter and microphone. DSP has equipment available to students in classroom settings, and Instructional Development can provide Assistive Listening Devices for public events. Please schedule Assistive Listening Devices well in advance of public events.

Campus Departmental Emergency Plans

Departmental emergency evacuation plans should provide for prompt and effective assistance to individuals whose medical conditions necessitate it. Departments may ask all employees to voluntarily self-identify if they will need assistance in the event of an evacuation because of a disability or medical condition. Some conditions may be obvious, but not need assistance; others will not be visibly apparent. People with disabilities are generally in the best position to assess their particular needs. For information on emergency planning and CERT training, please visit: <http://emergency.ucsb.edu/cert.html>.

Campus Emergency Evacuation Procedures for People with Disabilities

In the event of an emergency, evacuations of buildings may be necessary. It is important for department heads and instructors to know of any individuals within their area that may need attention during an evacuation. Department heads and instructors, in conjunction with the department's Safety Representative, should utilize the following guidelines in developing an evacuation plan.

Emergency procedures and state law require that everyone exit a building when the fire alarm is activated. If individuals with mobility disabilities are situated on the ground floor of a building, evacuation procedures should be followed according to departmental plans. However, since safety regulations require that elevators not be used for fire and earthquake evacuations, the following procedures have been developed to handle situations in multi-story buildings for those people who are unable to use the stairs:

When the fire alarm is activated, designated personnel should assist/escort an individual with a mobility disability to a safe location such as an enclosed stairwell landing that leads to an exterior exit at the ground level. Someone should remain with the individual while another person notifies arriving emergency personnel of the location of the person who needs assistance. The instructions of the safety personnel should be followed, and no attempt should be made to move the individual to another building level by lay people unless there is imminent danger, such as heavy smoke, in the safe refuge.

Individuals who are unable to utilize the stairs and are working alone should call 9-911 and report the location of their planned refuge (i.e. stairwell landing). Anyone unable to reach a stairwell should close all doors into his/her area, call 9-911, identify their location, and wait for emergency personnel to arrive.

Guidelines for Assisting People with Disabilities During an Emergency with Imminent Danger

The following guidelines should be considered when there is imminent danger to a disabled person in a safe refuge area during an evacuation. Departmental Safety Representatives and volunteers should familiarize themselves with these procedures.

People Using Wheelchairs: Ask the person in the wheelchair what method of assistance he/she prefers. Keep in mind that some people have minimal abilities to move, so lifting them may be dangerous. And, some people have respiratory complications and should be escorted, immediately, out of buildings that contain irritating smoke or fumes. If the person in need of assistance wants to be moved in the wheelchair, keep the following considerations in mind:

- Ask if the chair should be moved forward or backward down stairs.
- Remember that wheelchairs have many movable or weak parts.
- Some people have little or no upper trunk or neck strength. Ask the person how to best assist them.
- If a seat belt is available on the chair, use it.
- Power wheelchairs have very heavy batteries. An evacuation chair may be needed and the power chair retrieved later.
 - If a person asks to be removed from his/her wheelchair for evacuation, ask what his/her preference is on the following:
 - Which is the best way of being removed from the wheelchair?
 - Which extremities can and cannot be moved?
 - Should a seat cushion or pad should be used?
 - What is necessary for after-care?

Mobility aids should be retrieved as soon as possible and given high priority. Contact the Departmental Safety Representative with the location of the wheelchairs.

People with Visual Impairments: Describe the nature of the emergency and offer to guide the person to the nearest emergency exit. Have the person take your elbow and escort him/her to safety while advising of any obstacles such as stairs, narrow passageways, or overhanging objects. When you have reached safety, orient the person to the location and ask if further assistance is needed.

People with Hearing Impairments: Many buildings are not equipped with flashing light alarms, so a person with impaired hearing may not perceive that an emergency exists. Communicate by writing a note or through simple hand gestures.

The campus strongly encourages informal resolution as a first step prior to filing a formal complaint. People with disabilities who feel their needs related to access and/or accommodations are not being addressed are encouraged to contact a department head, Dean and/or one of the following offices for assistance in resolving their concerns:

ADA Compliance Office

4129 Cheadle Hall
Santa Barbara, CA 93106
(805) 893-3132

Office of Equal Opportunity

1503 South Hall
Santa Barbara, CA 93106
(805) 893-2701

Office of the Ombuds

Campus Ombuds
1205-K Girvetz Hall
Santa Barbara, CA 93106-7210
Phone: (805) 893-3285

Students are encouraged to initiate informal resolution with a department head, Dean, Disabled Students Program, Graduate Division (graduate students), ADA Compliance Officer, Office of Equal Opportunity or Office of the Ombuds.

Faculty are encouraged to initiate informal resolution with a department head, Dean, Academic Personnel, ADA Compliance Officer, Office of Equal Opportunity, or Office of the Ombuds.

Staff are encouraged to initiate informal resolution with a department head, Dean, Human Resources, ADA Compliance Officer, Office of Equal Opportunity, or Office of the Ombuds.

Formal complaints must be filed with the appropriate offices, listed below:

Students

A formal written grievance must be filed within a ninety (90) day period of the alleged violation with:

Office of the Vice Chancellor, Student Affairs
5203 Cheadle Hall
University of California
Santa Barbara, California 93106-2036
(805) 893-3651

Faculty

Formal written complaints must be filed within thirty (30) calendar days of the alleged violation with:

Office of the Associate Vice Chancellor, Academic Personnel
5109 Cheadle Hall
University of California
Santa Barbara, California 93106-2036
(805) 893-3445

Staff (including Non-Senate Instructors and Librarians)

Represented employees may file a grievance pursuant to the procedures detailed in the applicable collective bargaining agreement. Non-represented employees may file a complaint pursuant to Personnel Policies for Staff Members (PPSM). The written grievance or complaint must be filed within thirty (30) calendar days of the alleged incident with:

Employee & Labor Relations
SAASB, Third Floor
University of California
Santa Barbara, California 93106-3160
(805) 893-4119

General Public

Formal written grievances may be filed within a thirty (30) day period of the alleged violation with:

ADA Compliance Officer
Administrative Services
4129 Cheadle Hall
Santa Barbara, California 93106-2033
(805) 893-7025

Other Mechanisms Available for Complaints

Wherever appropriate, the law emphasizes the use of alternative means of dispute resolution including settlement negotiations, conciliation, mediation, fact-finding or arbitration.

Individuals who believe they have been discriminated against may also file a written complaint within 180 days from the date of the alleged discrimination with any federal agency that has jurisdiction over the University. Complaints may be filed with the funding agency, the Office of Civil Rights, or the Department of Justice. Alternatively, a civil lawsuit may be filed in federal court.

The Advisory Committee on Campus Access (ACCA) advises the administration on all matters related to access by persons with disabilities to campus programs, services and activities.

ACCA is comprised of twelve (12) voting members, ex-officio members and advisors. Voting membership is as follows:

- 4 Faculty (Nominated by Academic Senate)
- 4 Students
 - 2 Undergraduate Students (Nominated by AS)
 - 2 Graduate Students (Nominated by GSA)
- 4 Staff (Nominated by CSAC)

ACCA convenes quarterly but schedules additional meetings as needed. The meetings are open to the general public.