

MICHIGAN STATE
UNIVERSITY
EXTENSION

RECEIVED MAR 03 1995

March 1, 1995

TO: County Extension Directors,
FROM: Gail L. Imig *Gail Imig*
Director of Extension

RE: Americans With Disabilities Act

The Americans With Disabilities Act (ADA) is a federal civil rights law prohibiting discrimination against persons with disabilities with respect to employment, public services, transportation, public accommodations, and telecommunications. MSU Extension has special compliance responsibilities under the Act, especially in the areas of equal employment opportunity and equal program accessibility. Because it is absolutely essential that all program staff be familiar with ADA, I am asking that you thoroughly review the attached Summary of Regulations and Guidelines with your county staff as soon as possible and maintain it for reference purposes in the county office Civil Rights File.

I have asked Gary Glazier, ANR Personnel Office, to serve as the primary resource for ADA related matters. Please feel free to contact him for assistance.

Ensuring accessibility on an organization-wide basis is no small task and will require the combined and collective effort of our total staff. I know you and your staff will join me in implementing accessibility requirements and supporting the spirit on which they are based.

/bc

Enc

c: Associate Director
Program Directors
Associate Program Director
Regional Directors
ANR Personnel Office
Diversity Advisory Committee
EEO Counselors

File: Civil Rights File



Office of the
Director

MSU Extension

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Michigan State University Extension
programs and materials are open to
all individuals regardless of race, color,
sex, age, handicap, age
or religion.

Michigan State University, U.S.
Department of Agriculture and
cooperating

MSU is an affirmative action
equal opportunity institution

AMERICANS WITH DISABILITIES ACT (ADA)

Summary of Regulations and Guidelines Michigan State University Extension

DEFINITION

- o ADA is a federal law which prohibits discrimination against qualified persons with disabilities in employment (Title I) and programs (Title II).
- o The Act provides a clear mandate to end discrimination against persons with disabilities, bring persons with disabilities into the social and economic mainstream, and provide enforceable standards addressing discrimination against persons with disabilities.
- o ADA reinforces and extends the provisions of the Rehabilitation Act of 1973, Sections 503 and 504.

QUALIFIED PERSON

- o Under ADA, a person is disabled if he/she 1) has a physical or mental impairment that substantially limits one or more of their major life activities; 2) has a record of such impairment; or 3) is regarded as having such an impairment.

EMPLOYMENT (Title I)

- o Employers may not discriminate against a "qualified person with a disability" because of the disability in hiring, advancement, discharge, compensation, training and other terms, conditions, and privileges of employment.
- o A "qualified person with a disability" is an individual who satisfies the requisite skill, experience, education, and other job-related requirements of the position that he/she desires or holds and who, with or without reasonable accommodation, can perform the essential functions of the position.
- o Essential functions are primary job duties that are intrinsic to the position, but excluding marginal or peripheral functions that are only incidental to the performance of the primary job functions.
- o Reasonable Accommodation. Employers are required to offer provisions or take steps to enable a qualified person with a disability to perform a job unless it would result in an "undue hardship" to the employer.

A reasonable accommodation is defined as readily achievable, easily accomplishable, or without much difficulty or expense.

Reasonable accommodations may include: making the work facility accessible; restructuring the job; modifying work schedules; and acquiring or modifying equipment.

Employees may request an accommodation through their immediate supervisor who routes it to the County Extension Director, Regional Director and ANR Personnel Office (Attn: Gary Glazier) for disposition.

Employment related accommodation costs are the responsibility of the county. In the event a county cannot bear such costs, a request for financial assistance may be made to MSU Extension Administration through the ANR Personnel Office (Attn: Gary Glazier).

- o All formal, written MSUE vacancy announcements are required to include the following statement in the qualifications section of the announcement: "Handicappers have the right to request and receive reasonable accommodations." Newspaper and other publication ads are excluded from this requirement.

PROGRAM ACCESSIBILITY (Title II)

- o Requires that programs and related activities be conducted in such a way that equal opportunity to receive and/or participate is provided to qualified persons with disabilities.
- o Review of Eligibility Policies. Policies which define who is eligible to participate in MSUE programs should be regularly reviewed. These policies must not unlawfully discriminate against qualified persons with disabilities by explicitly excluding them, or by establishing unnecessary criteria which have the effect of excluding them. However, persons with disabilities may be denied access to a program if their participation would directly endanger the health and safety of other participants or themselves.
- o Programs must be made accessible. Programs, events, and activities must be scheduled in accessible facilities when qualified persons with disabilities plan to attend or when such attendance cannot be predicted.
- o A program must be accessible when examined as a whole, or when viewed in its entirety. This means that even though all portions of the program may not be accessible, enough parts are accessible to ensure equal opportunity for persons with disabilities to participate.

- o Persons with disabilities have the right to an equal opportunity to be chosen to participate on boards, councils, and advisory committees.
- o Staff cannot provide "significant program service" to businesses, agencies, organizations, groups, or clubs which have membership practices that discriminate against persons with disabilities.
- o Reasonable Accommodation. MSUE is required to offer provisions or take steps to enable qualified persons with disabilities to participate in or receive a program benefit.

Reasonable accommodations may include: making facilities accessible; modifying programs; relocating program sites; providing qualified readers, interpreters or signers; providing auxiliary aids and services; and acquiring and utilizing special equipment for program delivery.

Persons with disabilities are responsible for requesting needed accommodations. MSUE is not responsible for anticipating unstated needs or offering assistance that is not requested. However, if an event is open to the public and no advanced registration is required, it should be presumed that accommodations are needed.

Primary consideration should always be given to the specific accommodation requested by an individual. However, it is appropriate to suggest an alternative aid or service which, while not the individual's first choice, still provides program accessibility.

Program related accommodation costs are the responsibility of the county. In the event a county cannot bear such costs, a request for financial assistance may be made to MSU Extension Administration through the ANR Personnel Office (Attn: Gary Glazier).

ADA prohibits imposing extra charges upon persons with disabilities to recover the cost of auxiliary aids and services, program modifications, or facility renovations.

- o Program Announcements. Persons with disabilities should be informed of the availability of accommodations and how to request them. Publicity (i.e. brochures, signs, media announcements, registration forms) for programs should include the following statement: "Handicapper accommodations may be requested by calling (person or office) at (telephone number) by (date) to ensure sufficient time to make arrangements. Requests received after this date will be met when possible."

ADA RESOURCE PERSON

- o Questions and requests for assistance concerning ADA matters should be directed to Gary M. Glazier, ANR Personnel Office, 113 Agriculture Hall, Michigan State University, East Lansing, MI 48824. (517) 353-6649

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MICHIGAN STATE
UNIVERSITY
EXTENSION

PLEASE DISTRIBUTE
TO ALL MSUE STAFF

July 30, 1999

TO: MSU Extension Staff

FROM: Arlen G. Leholm *Arlen Leholm*
Director of Extension

RE: Change in University Terminology Regarding Persons
with Disabilities

President Peter McPherson recently approved administrative changes in terminology, where appropriate, in University policies, programs and procedures with regard to moving from the use of "handicap" and "handicapper" to "disability" or "persons with disabilities." The change is effective July 1, 1999 and is consistent with federal legislation and recent state legislation regarding the appropriate terminology.

Changes in MSUE documents, etc. for which you are responsible should be made as soon as practical, without accruing unusual printing and other charges to make this transition.

I appreciate your cooperation in implementing this change.

Questions can be directed to ANR Human Resources.



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File: Civil Rights

6. Prominently display the non-discrimination poster "And Justice For All" in Extension offices in the county and as feasible at sites where Extension programs are conducted on a routine basis. (Posters are available from the ANR Personnel Office.)

Please review these actions with all members of the county staff for continuous implementation and file in your county office central civil rights file. Thank you for your immediate attention and cooperation regarding this matter.

/brm

c: Associate Director
Program Directors
Regional Directors
Support Team

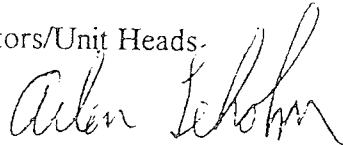
File: Civil Rights - Public Notification Plan

MICHIGAN STATE
UNIVERSITY
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May 17, 1999

TO: MSUE County Directors/Unit Heads

FROM: Arlen G. Leholm



SUBJECT: Civil Rights

MSUE was recently informed by USDA Secretary Glickman and CSREES Administrator Hefferan, that significant changes have occurred relative to our MSUE Civil Rights obligations. Relative to those changes, enclosed are the following materials for your attention.

- Civil Rights Policy for the Department of Agriculture (Departmental Regulation 4300-6, March 16, 1998).
- Equal Opportunity Public Notification Policy (Departmental Regulation 4300-3, February 25, 1998).

Also, the following two items are available on the MSUE Home Page @ Staff Resources.

- "Unlocking the Barriers--Keys to Communicating with Under-Served Customers," (March 1998).
- "Civil Rights at the United States Department of Agriculture--One Year of Change" (March 1998) summarizes the progress made toward implementing each of the 92 recommendations in the February 1997 Civil Rights Action Team Report.

I encourage you:

1. To review the enclosed materials and those in the Civil Rights file with current and future employees so that MSUE's and the individual's obligation/commitment to Civil Rights is thoroughly understood.
2. To have your unit's staff members read the "Unlocking the Barriers" and "One Year of Change" documents.
3. To be certain that MSUE's partners/clients are continually informed about MSUE's Civil Rights obligation/commitment.



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programs and materials are open
to all without regard to race, color,
national origin, sex, disability, age
or religion.*

*Michigan State University, U.S.
Department of Agriculture and
counties cooperating.*

MSU is an affirmative-action.

4. To include the full nondiscrimination statement on MSUE printed materials. The statement is:

Michigan State University Extension programs and materials are open to all without regard to race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, marital status, or family status.

5. To maintain the attached materials in your Civil Rights file.

MSUE is committed to equal access. We are obliged to treat all people with dignity and civility. As a goal, this has not changed nor will it change for MSUE. We will continue to manage MSUE to insure that all can participate in our programs and be members of our workforce.

c: Regional Directors
ANR Human Resources
MSUE Staff Members - Policy