

**Individuals with Disabilities
Frequently Asked Questions (FAQs)**

1. Can I be discriminated against because I have a disability or request an accommodation?

No. Under the Americans with Disability Act OF 1990, as amended, and the Rehabilitation Act of 1973, Section 504, no qualified person will be denied access to, participation in, or the benefits of, any program or activity operated by Austin Peay State University (APSU) because of disability. APSU will not discriminate against qualified individuals with disabilities in employment practices and activities, including, but not limited to, application procedures, hiring, tenure, promotion, advancement, termination, training, compensation, and benefits.

2. When is a person considered a qualified individual with a disability?

- a. If they have a physical or mental condition that significantly limits or restricts a major life activity; or
- b. If they have or have had a history of a disability (such as cancer that is in remission); or
- c. If they are believed to have a physical or mental impairment that is not transitory (lasting or expected to last six months or less) and minor.

3. What are examples of major life activities?

- a. Hearing
- b. Seeing
- c. Speaking
- d. Breathing
- e. Performing Manual Tasks
- f. Walking
- g. Caring for oneself
- h. Learning
- i. Working

4. About the workplace, who is a qualified individual with a disability?

A qualified individual with a disability is a person who meets legitimate skill, experience, education, or other requirements of an employment position that they hold or seek, and who can perform the "essential functions" of the position with or without reasonable accommodation(s).

5. What are the “essential functions” of a position?

Essential job functions are fundamental duties of the employment position the individual with a disability holds or desires. The term "essential functions" does not include the marginal functions of the position.

6. **When is a job function considered to be essential?**
 - a. The reason the position exists is to perform that function;
 - b. The limited number of other employees who are available to perform the same job duties;
 - c. The expertise or skills required to perform the particular function.

7. **What is a reasonable accommodation?**

Any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunity.

8. **Is APSU required to provide reasonable accommodation(s) to qualified employees or applicants for employment?**

Yes, unless to do so would cause undue hardship for the university.

9. **What are the categories of reasonable accommodations?**
 - a. Modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position such qualified applicant desires; or
 - b. Modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position; or
 - c. Modifications or adjustments enable a qualified individual with a disability to enjoy equal benefits and privileges of employment as are enjoyed by other similarly situated employees without disabilities.

10. **If I am seeking a workplace accommodation, how do I begin?**

Click on the following link to complete the Reasonable Accommodations Inquiry Form:
<https://www.apsu.edu/equity-access/disabilities/index.php>.

11. **What happens after I complete the Reasonable Accommodations Inquiry Form?**

Someone from the Office of Institutional Culture will contact you as soon as possible to begin the interactive process.

12. **What is the interactive process?**

Employers and employees with disabilities who request an accommodation work together to come up with reasonable accommodation(s).

13. **How long does it take to determine if an accommodation will be granted?**

Because each request is specific to the individual employee and their circumstance(s), a specific time frame cannot be given. However, the Office of Institutional Culture will work through the interactive process as expeditiously as possible.

14. Will I have to provide medical documentation?

If the disability is not obvious, APSU will ask for medical documentation from a healthcare provider to confirm the need for an accommodation.

15. Will my medical documentation be kept confidential?

Yes. Title I of the Americans with Disabilities Act (ADA) of 1990, as amended requires that APSU treat the information regarding an employee's disability as confidential medical records and that they are kept separately from their personnel file. These records are kept in the Office of Institutional Culture.