Accommodations Policy

Office of Equal Opportunity

**Purpose:** To establish uniform guidelines in order to promote a work and educational environment at Tufts University that is free of discrimination and harassment for people with disabilities and to ensure university compliance with federal and state laws pertaining to qualified individuals with disabilities.

**Revised:** June 2019

**Applicability:** This policy applies to faculty, staff, students, applicants for employment and admissions, patients, visitors to campus and community members.
I. **POLICY STATEMENT**

Tufts University is committed to providing reasonable accommodations for qualified individuals with disabilities in a fair and equitable manner and in accordance with applicable federal and state law. We seek to promote a diverse and inclusive University community. The Tufts Office of Equal Opportunity (OEO) urges everyone in the Tufts community to join us in this commitment.

II. **DEFINING DISABILITIES**

A. **ADA:** Americans with Disabilities Act

B. **ADA/504 Officer:** The ADA/504 Officer is responsible for the interactive process (as defined below) for University staff and is a designee for student issues involving accessibility and other ADA process issues for the University. The University ADA/504 Officer at Tufts also works closely with managers, supervisors, the faculty offices and Human Resource personnel to arrive at reasonable accommodations for qualified people with disabilities in our community. The ADA/504 Officer for Tufts University is Jill Zellmer at OEO. She can be reached at jill.zellmer@tufts.edu or at 617.627.3298.

C. **Disability:** According to the Americans with Disabilities Act (ADA), a disability is defined as a physical or mental impairment that substantially limits one or more of a disabled person’s major life activities (for example, walking, standing, or breathing).

D. **Qualified Persons with Disabilities:** An employee or applicant with a disability who satisfies the skill, experience, education, and other job-related requirements for the position and who can perform the essential functions of the job in question with or without reasonable accommodations. This includes part-time, full-time, probationary, non-career status and temporary employees. Similarly for students, a qualified person with a disability is a student who satisfies all the skill, experience, and educational requirements for their chosen educational program with or without reasonable accommodations.

E. **Essential Functions:** Job duties typically, but not exclusively, found on a job description, considered so fundamental that the individual cannot do the job without performing them. Similarly, for students, essential functions are defined as basic activities and responsibilities that a student must be able to perform to complete their academic program and/or be considered for program admission, retention, and graduation. Essential functions for both students and staff must be met either without an accommodation or with appropriate accommodation(s) after meeting the qualifications for a disability.

F. **Interactive Process:** The interactive process is the procedure through which an employer and an individual with a documented disability work together to identify what barriers exist to the individual’s performance and/or essential functions of a particular job with the intention of finding a reasonable accommodation. The interactive process often includes a review of the individual’s abilities and limitations and an analysis of which factors or job tasks may pose a difficulty and how the person may be accommodated. Similarly with students, the interactive process is when OEO or a school administrator (usually the school dean, but it may also be staff of the Student Accessibility Services) works with the
student to identify existing barriers exist to the equal access of a student’s basic activities and responsibilities in his/her academic program with the intention of finding an accommodation that is reasonable. The Accommodations Specialist in charge of the interactive process is Johny Lainé, in OEO. He can be reached at Johny.Laine@tufts.edu or at 617.627.3298. For a visual flowchart of the Accommodation processes, please see below.

G. Reasonable Accommodation: The Americans with Disabilities Act (ADA), and Section 504 of the Rehabilitation Act, require Tufts University to provide appropriate and reasonable academic and employment accommodations to employees and students with disabilities unless doing so would create an undue hardship, compromise the health and safety of members of the University community, or fundamentally alter the nature of the University’s employment or academic mission. As described more fully herein, the University engages in an interactive process with the student or employee to determine disability status and accommodation needs.

H. Undue Hardship: An action requiring significant difficulty, expense, and disruption (financial and administrative burden) or an action that would fundamentally alter policy and procedures, the nature of the job function, and/or the fundamental nature of the academic program at Tufts University.

III. PROCESSES AND PROCEDURES

A. Academic Accommodations

1. Medford Campus
If you are an undergraduate or graduate student enrolled in the School of Arts, Sciences & Engineering, The Fletcher School, or the Boston School of Occupational Therapy and you need an academic accommodation, please visit the Student Accessibility Services website at: http://students.tufts.edu/student-accessibility-services or contact Kirsten Behling, Director of Student Accessibility Services (ADA Administrator for academic accommodations) at 617.627.4539 or accessibility@tufts.edu

Note: If you are a faculty member who has received an accommodation request from a student, you are obligated to refer the student to the Program Director for Student Accessibility Services (SAS) at the contact number listed above and to contact SAS to notify them of the student referral.

2. Boston & Grafton Campuses
If you are a graduate or professional student of any Tufts school located on the Boston or Grafton campuses and you need an academic accommodation, contact the appropriate school administrator listed on the following page.

Note: If you are a faculty member who has received an accommodation request from a student, you are obligated to:

- Refer the student to the appropriate school administrator or to the Office of Equal Opportunity’s (OEO) Accommodations Specialist listed in the following contacts table
- Contact the school administrator or OEO’s Accommodation Specialist about the student referral
B. Non-Academic Student Accommodations

1. Medford Campus

Housing – For all requests related to accessible housing, please contact the Office of Residential Life at 617.627.3248 or visit: http://ase.tufts.edu/reslife/policies/medical.asp.

Transportation – For information regarding accessible parking and/or Tufts accessible shuttle service on the Medford Campus, please contact the Department of Public Safety Parking and Administrative Services at 617.627.3692 or visit: http://publicsafety.tufts.edu/adminsvc/.

Student Food Allergies – For all requests regarding food allergies, please contact Dining Services at 617.627.3566 or visit: http://dining.tufts.edu/.

Student Health Accommodations (including medical leaves) – For information regarding general medical accommodations, please contact the Office of Student Affairs at 617.627.3158 or visit: http://uss.tufts.edu/studentaffairs/healthandsafety/healthaccommodations.asp.

2. Boston & Grafton Campus

For all academic and non-academic accommodations on the Boston and Grafton campuses, please contact the appropriate school administrator in the table listed below or the Accommodations Specialist, Johny Lainé at 617.627.3298.

<table>
<thead>
<tr>
<th>SCHOOL</th>
<th>CONTACT</th>
<th>TITLE</th>
<th>CONTACT INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cummings School of Veterinary Medicine</td>
<td>Barbara Berman</td>
<td>Assistant Dean of Student Affairs</td>
<td>508. 839. 8733</td>
</tr>
<tr>
<td>Friedman School of Nutrition Science and Policy</td>
<td>Matthew Hast</td>
<td>Assistant Dean of Student Affairs</td>
<td>617.636.6719</td>
</tr>
<tr>
<td>Sackler School</td>
<td>Daniel Volchok</td>
<td>Associate Dean</td>
<td>617. 636.2975</td>
</tr>
<tr>
<td>School of Medicine – Public Health and Professional Degree Program</td>
<td>Janice Gilkes</td>
<td>Assistant Dean of Student Affairs</td>
<td>617.636.2497</td>
</tr>
<tr>
<td>Tufts University School of Dental Medicine</td>
<td>Robert H. Kasberg, Jr.</td>
<td>Associate Dean of Admissions &amp; Student Affairs</td>
<td>617.636.6539</td>
</tr>
<tr>
<td>Tufts University School of Medicine</td>
<td>Janet Kerle</td>
<td>Associate Dean of Students</td>
<td>617.636.6576</td>
</tr>
<tr>
<td>University-wide</td>
<td>Johny Lainé</td>
<td>Accommodations Specialist</td>
<td>617.627.3298</td>
</tr>
</tbody>
</table>
C. Accommodations for Employees (Faculty and Staff)

When seeking a reasonable accommodation, employees are encouraged to inform their manager/department chair of the need for an accommodation. Upon receiving an accommodation request, managers/department chairs should refer the request to OEO. OEO will engage the employee in an interactive dialogue to clarify the type of accommodation(s) and the reasonableness of the accommodation(s) being sought.

Before any accommodation(s) are made, managers/department chairs should contact OEO for assistance in determining:

- whether the employee qualifies as an individual with a disability;
- what the essential functions of the employee’s job are (OEO may request the job description to assess essential job functions);
- the reasonableness of the accommodation being sought in conjunction with a manager or department chair and/or alternative accommodation(s).

As part of the interactive process, OEO may ask the employee to provide timely medical and/or other documentation from the appropriate provider to support his/her request for the reasonable accommodation. All medical documents will be handled confidentially in OEO/HR.

After timely submission of all required documentation, OEO will confer with the employee and the employee’s manager/department chair and may also confer with Human Resources Business Partners (HRBP) to discuss the requested accommodation(s) and, if necessary, possible alternatives. After making a final determination on the accommodation matter based on facts gathered and received, OEO will communicate its decision to the employee, the employee’s manager/department chair and appropriate HR personnel.

Sometimes employees need to take a medical leave. For additional information about medical leaves, please submit an HR request through TTS at 617.627.7000 or email leaves@tufts.edu. If you believe you may require an accommodation upon your return to work, please contact Johny Lainé at least three weeks before your expected return to work so there is time for the interactive process.

D. Accommodations for Job Applicants

Applicants for employment at Tufts should inform the hiring manager or the department of the need for any reasonable accommodation(s). Upon receiving an accommodation request, hiring managers and/or Human Resources designees should do one of the following:

- engage the job applicant in an interactive process to determine whether the individual qualifies as an individual with a disability and, if so, determine what reasonable accommodation(s) can be offered;
• engage the job applicant in an interactive process to determine if the individual qualifies as an individual with a disability who can perform the essential functions of the job with or without a reasonable accommodation(s); or

• contact the Accommodations Specialist, Johny Lainé at OEO for assistance at 617.627.3298 or Johny.Laine@tufts.edu.

As part of the interactive process, OEO or the involved HR representative may ask the applicant to provide medical and other forms of documentation to support his/her request. All medical documents will be handled confidentially at OEO/HR.

Once the required documentation has been submitted, OEO and/or HR will discuss the requested accommodation(s) with the applicant, and, if necessary, suggest possible alternatives.

After making a final determination on the matter, OEO and/or HR will communicate the decision to the applicant. The Human Resources department is responsible for implementing all approved accommodations during the interview process. Similarly, each School’s Admissions Offices are responsible for implementing all approved accommodations during the admissions’ processes.

**E. Appeals Process**

Students, employees and applicants who are in disagreement with the outcome of their request for an accommodation(s) may address their concerns with Jill Zellmer, Executive Director of OEO and ADA/504 Officer at 617.627.3298 or Jill.Zellmer@tufts.edu.

**IV. RIGHTS AND RESPONSIBILITIES OF TUFTS EMPLOYEES**

**A. Duty to Cooperate**

Managers, supervisors, faculty and other agents of the University have a duty to refer accommodation requests from students, employees, applicants, and community members to the appropriate ADA administrator for the initiation of the interactive process. If you have any questions regarding where or how to refer a reasonable accommodation request, please contact the University ADA/504 Officer, Jill Zellmer at 617.627.3298 or Jill.Zellmer@tufts.edu. Any agent of the University who fails to refer an accommodation request may be subject to disciplinary action.

**B. Freedom from Retaliation**

Any University community member who believes that they are a person with a disability has the right to request a reasonable accommodation(s) without fear of retaliation. It is a violation of University policy to retaliate against an individual for requesting an ADA accommodation. Any person who retaliates against an individual who self-identifies as a person with a disability at Tufts University is subject to disciplinary action.

**C. Confidentiality**

In accordance with the ADA, Tufts will protect and maintain the privacy and confidentiality of any medical information of its applicants, employees, students, and community members obtained in connection with the reasonable accommodation process. All medical information
will be kept as confidential as possible, maintained securely and separate from personnel files in OEO/HR.

V. REPORTING RESOURCES

A. Helpful Resources for Tufts Community Members and Visitors

1. Reporting Access Issues:
To report an issue concerning access to Tufts’ buildings and grounds, including access issues involving snow removal, curb cuts, and non-operable automatic door openers on the Medford, Boston, or Grafton campuses, please contact the Facilities Department:

Medford Campus: 617.627.3692
Boston Campus: 617.636.0392
Grafton Campus: 508.887.4392

2. Accessible Parking:
For information regarding accessible parking on the Medford, Boston, and Grafton campuses, please contact the Department of Public Safety:

Medford Campus: 617.627.3030
Boston Campus: 617.636.6610
Grafton Campus: 508.839.5303

3. Campus Accessibility Maps:

Medford Campus – page 8
Boston Campus – page 9
Grafton Campus – page 10

4. Commencement Resources:  http://commencement.tufts.edu/

5. AS&E Conference Bureau:  http://ase.tufts.edu/conferences/
Medford Campus Accessibility Map

Campus accessibility maps for all three Tufts University campuses can be found at: http://www.tufts.edu/ooe/univmaps.html

Standard maps can be found at: http://campusmaps.tufts.edu/medford
7. Boston Accessibility Map
8. Grafton Accessibility Map

Grafton Campus Accessibility Map

Campus accessibility maps for all three Tufts University campuses can be found at http://www.tufts.edu/oee/univmaps.html

Standard maps can be found at: http://campusmaps.tufts.edu/grafton
VI. FREQUENTLY ASKED QUESTIONS

A. Who is the University’s ADA/Section 504 Officer and what role does s/he play at Tufts?
Section 504 protects all qualified individuals with impairments who are involved in programs and activities that receive federal funding assistance from the US Department of Education. The Accommodations Specialist, Johny Lainé is in charge of the Accommodations processes at Tufts. You may contact the Accommodations Specialist at Johny.Laine@tufts.edu or 617.627.3298. The ADA/504 Officer is responsible for ensuring University compliance with ADA, Section 504 and its regulations. You may contact the University’s ADA/504 Officer, Jill Zellmer, at 617.627.3298 or Jill.Zellmer@tufts.edu.

B. How is the interactive process facilitated at Tufts?
The interactive process is initiated when an employee, student, and/or Tufts community member requests a reasonable accommodation (see guidelines below for specific details regarding how requests should be submitted). The individual with a documented disability will work together with OEO, HR, or their academic leader to identify what accommodations may be reasonably implemented to eliminate barriers to equal access of employment for applicants and staff or to educational programs for students and community members. The interactive process analysis often includes a review of the individual's abilities and limitations and which academic requirements or job tasks pose difficulty for the person with the disability. Fundamental to the process is ensuring that the individual provides timely and sufficient medical documentation to enable the University to determine if the disability substantially limits a major life activity, and if so, what accommodation(s) may be reasonable and still permit the individual to meet the essential functions of the position or academic program. Please see the interactive process flowchart in this document for a visual interpretation of this process.

C. How are reasonable accommodations made?
Accommodations are provided through an interactive process among the applicant/employee/student/community member and Tufts representatives. The individual requesting the accommodation may be asked to obtain documentation from his/her appropriate health care provider. Supporting documentation from an appropriate treatment provider may include:

- a diagnosis of the impairment and any accompanying test results;
- a connection between the nature of the disability and the requested accommodation;
- a detailed description of the specific impairment, functional limitations (with and without the use of mitigating measures such as treatment, aids, and medication), functional need, and the medical justification for such need; and
- a recommendation for the type and duration of the accommodation needed, as well as the rationale underlying the request “reasonableness.”
Upon receiving and reviewing the appropriate documentation, a determination will be made by OEO (in the case of an employment request) or by the school (in the case of a classroom accommodation) regarding the individual’s disability. In addition, a determination will be made by appropriate administrators about the disabled person’s essential job functions and/or academic program requirements as they relate to the accommodation being requested. If you have any questions or concerns about this process, please contact the Accommodations Specialist Johny Lainé at Johny.Laine@tufts.edu or 617.627.3298.

D. What should I do if I feel I have been discriminated against or harassed because of my identified disability?
Students, staff, faculty and community members may report any alleged acts of discrimination or harassment based on disability by contacting Jill Zellmer, Executive Director of OEO at 617.627.3298 or Jill.Zellmer@tufts.edu. For further information on reporting incidents or filing an OEO complaint, visit www.oeo.tufts.edu.

E. Where do I go if I have questions about this policy?
Tufts University OEO and the University’s ADA/504 Officer, Jill Zellmer, are responsible for enforcing the University’s ADA policy. Please contact Jill Zellmer at OEO at 617.627.3298 or Jill.Zellmer@tufts.edu if you have questions about this policy.
When an **employee** discloses a disability, a sincerely held religious belief or a pregnancy- or lactation-related request for an accommodation.

1. **The Accommodation Specialist engages employee**
   - Employee may make a request or disclosure to a supervisor, HR or OEO

2. **Employee asks for an accommodation***
   - Discuss process and accommodation requested (Disability-, Religion- or Pregnancy-related)

3. **Accommodation Specialist engages supervisor**
   - Inquiry into employee's job description and essential job functions with HRBP, supervisor and employee

4. **Accommodation Analysis**
   - Is the employee able to perform the essential functions of the job with or without an accommodation?
     - **NO**
     - Discuss with employee the implications of being unable to perform essential functions. Consider re-assignment with an accommodation or end the process and refer to HR if necessary.
     - **YES**

5. **Is the accommodation reasonable?***
   - Accommodation Specialist conducts analysis of all information received and may require additional information
     - **NO**
     - Discuss alternatives in an interactive dialogue - including partial approval or alternate effective accommodation(s) if there is undue hardship and administrative burden.
     - **YES**
     - Accommodation is approved and monitored by all parties for success.

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*Note: Tufts University is required by law to engage relevant parties in the interactive process during the course of an accommodation assessment.*
**Definitions**

**Accommodation Requests** can be made for religious, disability and / or pregnancy and lactation reasons.

**Religion-related requests:** A reasonable religious accommodation may include but is not limited to time for prayer during a work day, the ability to attend religious events or observe a religious holiday, or any necessary modification to University policy, procedure or other requirement for an employee's (or prospective employee's) religious beliefs, observance or practice provided that such an accommodation is reasonable and does not cause undue hardship.

**Lactation-related requests:** Tufts University is committed to supporting and meeting the needs of nursing parents returning to works, school, or visiting the campus. Any nursing parent who is a member of the Tufts community (faculty, staff, student, patient, visitor, third party or community member) can use Tufts lactation rooms. Faculty and staff are entitled to reasonable breaks to express breast milk as well as the sufficient time to get to the lactation room.

**Disability-related requests:** Employees, patients, visitors, applicants, third parties or community members with disabilities may request disability-related accommodations if they have a physical or mental impairment. Types of requests may include: a different desk or chair, flexibility or more frequent breaks.

**The Americans with Disabilities Act (ADA)** is a law which protects individuals with disabilities against discrimination in all areas of public life. According to the ADA, a person who has a disability is "... [A] person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment."

**Clarifications (from flow-chart)**

* Accommodations related to a leave will be referred to the HR Leave Administrator. To be considered: What is the medical condition for which the employee seeks an accommodation? Is the employee's medical condition a disability? How will the accommodation requested allow the employee to perform their duties? *Medical documentation is usually requested at this time and must come from treating medical provider.*

** Engagement with supervisor will take the form of an interactive dialogue as to whether accommodation requested is feasible/reasonable and/or if there is an undue hardship and administrative burden.

***Additional information may be requested from a relevant employee, supervisor and/or medical provider based on the interactive process, with permission from the requestor.

Contact **Johny Lainé**,
Accommodations Specialist
with any questions:
Johny.Laine@tufts.edu

Office of Equal Opportunity
617.627.3298
ooe.tufts.edu
tufts-ooe.ethicspoint.com
196 Boston Ave Medford, MA 02115
What to expect

When a **student** requests an accommodation or discloses a disability (Boston/Grafton)* or requests religious or pregnancy-related accommodation (**all campuses**)  

1. Student requests an accommodation**
   
   Student provides School or Accommodations Specialist with documentation supportive of disability status and requested accommodation.

   Student is asked to provide information to help answer the questions above (additional documentation or information from medical provider requested).

   Request is not approved by Accommodations Specialist.

   Student may file an appeal with Executive Director/504 Coordinator Jill Zellmer, MSW

2. School and/or Accommodations Specialist assesses request***

   Does documentation meet all of the criteria?

   YES

   3. Is the accommodation reasonable?

   Does the requested accommodation alter the fundamental nature of the program? Does it present an undue hardship?

   YES

   Discussion with student proceeds to determine how to appropriately meet/address student's request.

   Accommodation approved or alternative accommodation is approved.

   NO

   Request is not approved by Accommodations Specialist.

   Student may file an appeal with Executive Director/504 Coordinator Jill Zellmer, MSW

   NO

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*On the Medford / Somerville / SMFA campuses, academic accommodations are handled by Student Accessibility Services: accessibility@tufts.edu

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Note: Tufts University is required by law to engage relevant parties in the interactive process during the course of an accommodation assessment.
**Student Accommodation Requests**

Accommodations may be requested for religious-, disability- and/or pregnancy and lactation-reasons.

- Religion-related requests: A student may request an accommodation based on a sincerely held religious belief. Such accommodations may include: requests to pray during school hours, approved time off for religious holiday observances, etc.

- Pregnancy- or lactation-related accommodation requests may include a student requesting to pump during school hours.

- Students may request disability-related accommodations if they have a physical or mental impairment that substantially limits one or more major life activities. There must be a nexus between this disability and the request. Types of requests may include: a different desk or chair in a lab, rotation flexibility or more frequent breaks. Accommodations are assessed for reasonability and must not alter the standards of the academic program or be an undue hardship or administrative burden. All requestors must engage in the interactive dialogue during the assessment.

**Clarifications (from flow-chart)**

**If a faculty or staff member becomes aware that a student may have the need for an accommodation, that individual should contact OEO or Student Accessibility Services to ensure that the School / Accommodations Specialist can reach out to the student in a timely fashion to let them know about the accommodations process.**

***Given the nature of the presenting condition, is documentation sufficient and current? Is there a nexus between the disability and the accommodation requested? Does the documentation support the accommodation requested? Is the accommodation necessary to afford the student an equal opportunity to program participation? These are questions the Accommodations Specialist must answer through an interactive process.***

Contact Johny Lainé, Accommodations Specialist, with any questions:

Johny.Laine@tufts.edu

Office of Equal Opportunity
617.627.3298
oee.tufts.edu
tufts-oee.ethicspoint.com
196 Boston Ave Medford, MA 02115