

August 20, 2020

Re: Tuskegee University Reasonable Accommodation Policy

To the Members of the Tuskegee University Faculty:

As we begin the vital task of starting another academic year, more than ever, the faculty and staff responsible for the teaching, research, business, and administrative functions of this institution must be recognized as some of Tuskegee University's most important resources. In these unusual times, it is important to work together to accomplish the University's mission while safeguarding students, staff, faculty and invited guests. The purpose of this communication is to further clarify my communication of August 3, 2020, to once again underscore the need to exercise safety, and to reiterate the University's commitment to reasonable accommodation of otherwise-qualified disabled individuals, and to engage in the interactive process to determine whether a reasonable accommodation is available. The Reasonable Accommodation Policy for faculty, which may be found on page 73 of the Faculty Handbook, was most recently revised in the Spring of 2020.

The University is committed to providing equal opportunity and equal access to qualified individuals with disabilities across University functions, including employment, access to programs and educational opportunities, and reasonable accommodations for otherwise-qualified members of the University community.

We are aware that, for some, there is a general level of concern due to COVID-19. Currently, we are taking steps to implement enhanced safety measures for all employees. All employees will be expected to utilize protective face coverings, and faculty, staff and students will be required to engage in physical distancing as standard operating procedure. The use of face coverings will especially be required when interaction with others precludes six-foot physical distancing, such as when conferring with colleagues, advising students, and similar activities. Wearing a face covering will not be required when working alone in your personal offices and laboratories. In addition, faculty, staff, and students are required to be tested for COVID-19 prior to the start of the fall 2020 semester. Requirements for face coverings apply to all faculty, staff, students, contract workers, vendors and others who are on campus or enter University-owned buildings.

At the same time, fear of contracting COVID-19 due to being in a high-risk category or otherwise, by itself, is not a disability and does not require accommodation beyond the general protections described above. The determination of whether a qualified individual has a disability justifying a more particularized accommodation is an individualized assessment that must be made based on medical information and medical judgment about the particular employee's disability, using the most current medical knowledge and/or the best available objective evidence. To be protected under the American's with Disabilities Act ("ADA"), an individual must be disabled, have a record of a disability, or be regarded as being disabled. A substantial impairment under the ADA is one that significantly limits or restricts major life activity such as hearing, seeing, speaking breathing, and performing manual tasks, walking, writing, caring for oneself, learning or working.

*What to Do if you have a Disability that you believe Prevents you from Reporting to Campus for Work or, While at Work, Prevents you from Performing your Assigned Tasks in the Customary Manner?*

If you have a disability that you believe prevents you from reporting to campus for work, or which you believe otherwise prevents you from performing your assigned tasks in the customary manner, it is crucial that you notify the University as soon as possible. This notice must be provided to Human Resources and/or the Director of ADA Compliance. You will be asked to provide current medical documentation from your treatment provider to substantiate the nature of your disability. The treatment provider will also be asked to provide recommendations concerning accommodations. Once the University receives notification from an employee that a disability-based accommodation is being requested, the University will begin an evaluative and interactive process, in consultation with your department, to determine whether you are otherwise qualified and whether there are reasonable accommodations that would permit performance of the essential functions of the position, and eliminate or reduce any risk, so that it would be safe to be in the workplace while still permitting performance of essential functions.

Accommodations may include additional or enhanced protective gowns, masks, gloves, or other gear beyond the PPE the University may generally require of employees returning to the workplace. Accommodations also may include additional or enhanced protective measures, for example, erecting a barrier that provides separation between an employee with a disability and coworkers/the public or increasing the space between an employee with a disability and others. Another possible reasonable accommodation may be elimination or substitution of particular “marginal” functions (less critical or incidental job duties, as distinguished from the “essential” functions of a particular position). In addition, accommodations may include temporary modifications of work schedules (if that decreases contact with coworkers and/or the public when on duty or commuting), reconfiguring schedules or assignments to reduce the number of days the employee reports to campus, or moving the location where one performs work (for example, moving a person to a larger or differently-configured room that allows for more physical distancing). Teleworking is only one of a range of reasonable accommodations that may be offered, at the discretion of the University, following the evaluative process in consultation with your department, as described above, and based on the recommendation of the Office of Human Resources. The recommendation of the Office of Human Resources shall take effect immediately, subject to subsequent review (upon request) by the Office of General Counsel and possible modification by the President’s Cabinet when the Cabinet determines that the recommendation by the Office of Human Resources resulted from an erroneous application of the ADA and Section 504 of the Rehabilitation Act of 1973 (“Section 504”).

Accommodation requests and inquiries regarding compliance with the ADA or Section 504, including requests for reasonable accommodations, should be directed to one of the designated individuals listed below as soon as the otherwise-qualified employee becomes aware of the need for a reasonable accommodation. In addition, for questions or complaints related to disability, access, removal of barriers, or reasonable accommodations for otherwise-qualified individuals under the ADA or Section 504, contact the Director of ADA Compliance or the senior leader of Human Resources.

Their names and contact information follows:

Office of ADA Compliance  
Steve McCrary, Director  
334-727-8778 (Office)  
[smccrary@tuskegee.edu](mailto:smccrary@tuskegee.edu)

Office of Human Resources  
334-727-8510 (Office)  
[hr@tuskegee.edu](mailto:hr@tuskegee.edu)

Additional information regarding safety requirements and risk mitigation measures that the University has taken and is taking in the fall 2020 semester can be found at the “Coronavirus Resources” section of the University’s website. Everyone is encouraged to consult this resource and other communications from the University on this subject frequently for updates as they are made available. The University is grateful for your support, and I would also like to take the opportunity to express my appreciation to faculty, deans, academic units, every member of this community that helps to make Tuskegee University the ascendant institution that it is.