University of North Carolina Wilmington

Division of Student Affairs

Brian Victor – Associate Vice Chancellor for Student Affairs
ADA Compliance Officer / 504 Coordinator
Executive Summary

As a public higher education institution accepting federal financial assistance, UNCW is subject to federal and state agency regulations regarding disability accommodation and disability discrimination. Compliance with these regulations requires that each institution designate and clearly publish the identity of an ADA/Section 504 Coordinator and provide aids, benefits, services, and grievance appeals to all constituents in a nondiscriminatory manner.

Best practice standards suggest that the role of the 504 Coordinator is to help the institution translate the law into policy and have authority to interpret the application of those policies on campus.

The Chancellor directed the Vice Chancellor for Student Affairs to lead this effort, and she named Dr. Brian Victor, the Associate Vice Chancellor for Student Affairs, as the ADA/Section 504 Compliance Coordinator effective January 2018.

An ADA/504 Compliance Committee was formed with 19 members representing key constituents in each of the university’s major divisions. The group meets on a regular basis to train on ADA/504 issues and coordinate compliance in their respective division and departments.

UNCW policies and grievance procedures for students, employees, and visitors will be reviewed and tracked.
Core Requirements

As a public higher education institution accepting federal financial assistance, UNCW is subject to federal and state agency regulations regarding disability and disability discrimination. The primary regulations are: Section 504 of the Rehabilitation Act of 1973 (as amended) and The Americans with Disabilities Act of 1990 (amended 2008).

Under these regulations UNCW is required to provide aids, benefits, or services to all constituents in a nondiscriminatory manner. Failure to comply could result in withdrawal of Federal funding as well as civil penalties.

Compliance with Section 504 and ADA requires that each institution designate and clearly publish the identity of an ADA/Section 504 Coordinator. The coordinator serves as a leader for all issues related to ADA on campus, whether they are related to facilities, employment, classrooms (face-to-face or online), student clinical experiences, student-related events, or for visitors to campus. The goal is to ensure maximal compliance and seek a more unified approach to educating campus constituents, reviewing ADA/504 issues, delivering accommodations, and managing grievance appeals on campus.

Designation of Compliance Officer

The Chancellor requested that the Vice Chancellor for Student Affairs lead this effort. To that end, the Associate Vice Chancellor for Student Affairs was appointed to serve as the ADA/Section 504 Compliance Coordinator effective January 2018.

Formation of Compliance Committee

Based on recommendations of each Vice Chancellor, 19 designated representatives were named to an ADA/504 Compliance Committee (see attached organizational chart). As Chair, Brian Victor is advised by Jim Koebel, Assistant General Counsel for Compliance. The group meets on a regular basis to train on ADA/504 issues, assess for and implement accessibility solutions, coordinate compliance in their respective division and departments, as well as to establish and update the following:

- an ADA/504 education and outreach plan
- clear and uniform access and accommodation policies
- Electronic Information Technology accessibility for eLearning and distance education
- clear processes for visitor accommodation in athletic and other campus events
- centralized and easy web page access for information about ADA on campus
- ADA incorporation into master planning and facilities
- ADA/Section 504 incorporation into vendor agreements and other externally-managed initiatives
Compliance

Who is covered?

All qualified applicants, students, employees, visitors, and contractors are covered under the law.

What sectors of the university are covered?

Federal guidance specifies that the university is responsible for providing access and non-discrimination in all locations that it owns and operates, including cooperative locations. As such, all programs and facilities at the main campus, remote campuses, on-line and distance education, Lab School, and all clinical and internship placement sites must be compliant with the regulations. Contractors providing services for the university are also subject to the regulations.

Planned Reviews

The Committee will assess and implement strategies toward mitigating campus risk through an annual audit and reporting process. The committee will compile a list of campus compliance and accessibility risk concerns and prioritize the list in order of items most in need of prompt attention. They will provide the list to the Chancellor and Cabinet for consideration in ongoing operating and capital budget decision processes. Once the Cabinet establishes the priorities, the Vice Chancellors will implement tasks with responsible committee member oversight. Chair will generate annual report of identified risks, mitigation plans, and outcome for the Chancellor and Board of Trustees.

Web Site Review

Section 508 of the Rehabilitation Act requires that all web pages and electronic materials are accessible. Nationally, there are over 2,000 web accessibility complaints currently being reviewed by the Department of Education’s Office of Civil Rights. Establishing a web page to centralize ADA/504 requests for accommodation and pathways for grievances will be an important first step, as will a systematic review of our web sites for accessibility.

Policy

The ADA/504 Coordinator will work closely with the Assistant General Counsel to review and update (or establish) policies and grievance procedures. The coordinator will also consult, as appropriate, with HR regarding existing policies and practices for employees upon the review of grievances and workforce data.
Accommodations

The Disability Resource Center (DRC) will manage student accommodations. Campus visitor accommodations will be managed by DRC in consultation with the appropriate department. Employee workplace accommodations will be managed by Human Resources in consultation with Environmental Health & Safety and DRC (when appropriate).

Grievance Procedures

Section 504 requires:

1) at least one person to coordinate its efforts to comply with regulation, and

2) adoption of grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by the Rehabilitation Act

At UNCW student and visitor grievance appeals are managed differently from faculty and staff grievance appeals, as the latter are covered under faulty policies and the Office of State Human Resources (OSHR).

The ADA/504 Coordinator will directly administer all student and visitor grievances/appeals. The Coordinator will work closely with HR to review employee grievances as established by OSHR and to review institutional workforce data required by the Department of Labor (OFCCP).

Case logs of all complaints and grievance appeals will be maintained.

Education

Internal training will be provided to the committee during regular meetings. The committee will determine training needs for themselves, their staff, and their division, and they will assist in arranging campus-wide education as needed.

Other

The ADA/504 Coordinator attended a 17-hour ADA legal training institute in February.