

DISABILITY ACCOMMODATIONS AND NONDISCRIMINATION

RESPONSIBLE OFFICIAL: ADA COORDINATOR

EFFECTIVE DATE: XX/XX/2025 (revised)

NEXT REVIEW DATE: XX/XX/2029

APPROVAL BY PRESIDENT

I. POLICY STATEMENT

Northern Kentucky University is committed to ensuring that individuals with disabilities are supported and empowered to participate equally in the life of the institution. Accordingly, qualified individuals with disabilities have full and equal access to the University's educational opportunities, programs, and activities, as well as employment, in the manner required by the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and other applicable law.

The University also will ensure that individuals with disabilities are not subjected to discrimination or denied full and equal access to the institution's programs, services, activities, employment, and facilities on account of a disability. The University's facilities must be accessible to the campus community and visitors as required by law.

This policy applies to all University programs, activities, services, and facilities, including delivery of educational services, educational testing and examination, recruitment and application for admission and related activities, technology and electronic resources, and all employment practices and actions. This extends to programs, activities, and spaces both on the University's campus and off-campus when the University exercises substantial control. The protections and processes described in this policy apply in the manner required by law to all University students, employees, applicants for enrollment and employment, and visitors and other third parties.

This policy and the terms used herein will be interpreted to comply and be consistent with the requirements of applicable law. "Disability" refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual, a history of such an impairment, or being regarded as having such an impairment. "Qualified individual with a disability" refers to an individual with a disability who, with or without a reasonable accommodation, meets the eligibility requirements for program participation (is otherwise qualified) or is able to perform the essential functions of an employment position.

II. POLICY INFORMATION

ADA Coordinator & Office for Student Accessibility

The University's ADA Coordinator is:

Natalie Gabbard
Northern Kentucky University Human Resources; Administrative Center 708
Highland Heights, KY 41099
gabbardn5@nku.edu
859-572-7556

The Office for Student Accessibility (OSA) serves students who seek reasonable accommodations for disabilities and information regarding access to University activities for those with disabilities. OSA staff may be contacted as follows:

Cindy Knox
Director, Office for Student Accessibility
Student Union 307
Highland Heights, KY 41099
knoxc2@nku.edu
859-572-5100

Sara Tomelin
Assistant Director, Office for Student Accessibility
Student Union 306
Highland Heights, KY 41099
tomelins1@nku.edu
859-572-5100

Reasonable Accommodations

In meeting its commitment to equal access, the University will provide reasonable accommodations to students, faculty, staff, and others in the manner and under the circumstances required by law. A reasonable accommodation is an adjustment to a program, activity, position, service, or space, or the provision of an auxiliary aid or service, that enables an otherwise qualified individual with a disability to participate in the program or activity, perform the essential functions of a position, and/or enjoy the same opportunities and benefits available to individuals without disabilities.

Accommodations for Students. Students with disabilities may be entitled to reasonable accommodations to participate in courses, programs, and activities and to receive the benefit of other services and facilities, including campus residential housing.

Students and applicants for admission who seek reasonable accommodations first must register with the Office for Student Accessibility (OSA). Contact OSA at osa@nku.edu.

Students seeking accommodations must actively participate in the interactive process and follow OSA's required processes, including by providing appropriate documentation upon request that establishes and describes the impacts of the disability. Accommodation requests should be made in a timely fashion to ensure that they can be approved and implemented in time to address the underlying need.

At the conclusion of the interactive process, OSA will promptly communicate its decision in writing regarding a requested accommodation, including the reason(s) for a denial and possible alternative accommodations if applicable.

If a student believes that an approved accommodation has not been properly implemented, the student should contact OSA, which will review and resolve the matter promptly.

Accommodations for Employees. Employees with disabilities may be entitled to reasonable accommodations to perform essential functions of their position.

Employees and job applicants who seek reasonable accommodations first must contact the ADA Coordinator at gabbardn5@nku.edu.

Employees must actively participate in the interactive process and follow Human Resources' required processes, including by providing appropriate documentation upon request that establishes and describes the impacts of the disability. Accommodation requests should be made in a timely fashion to ensure that they can be approved and implemented in time to address the underlying need.

At the conclusion of the interactive process, the ADA Coordinator will promptly communicate its decision in writing regarding a requested accommodation, including the reason(s) for a denial and possible alternative accommodations if applicable.

If an employee believes that an approved accommodation has not been properly implemented, the employee should contact the ADA Coordinator, who will review and resolve the matter promptly.

Public Accommodations & Other Inquiries. Other individuals with disabilities who access University programs, activities, and/or spaces and wish to inquire regarding a reasonable accommodation may contact the ADA Coordinator at gabbardn5@nku.edu.

Accommodation Determinations. The University's determinations regarding reasonable accommodations will be made by OSA (for students) and by Human Resources (for employees and others), in consultation with the requesting individual and relevant faculty or supervisors. In evaluating requests for reasonable accommodations, the University will undertake an individualized assessment and engage in an interactive process.

Reasonable accommodations are not required where they constitute a fundamental alteration to a University program, service, or activity; impose an undue hardship; and/or pose a direct threat to the health and safety of the individual or others, all as provided by law. The University will follow an interactive process with the affected individual and unit(s) in making such determination.

A denial of a reasonable accommodation may be appealed as described below.

Cooperation by Employees

University employees must cooperate with OSA and Human Resources in implementing reasonable accommodations approved by those offices. Employees who have questions or concerns about a reasonable accommodation issue may contact OSA (for students) and Human Resources (employees and all others).

University employees who receive complaints of disability discrimination and/or accommodation requests **must** refer those requests to OSA or Human Resources.

Service Animals

Individuals with disabilities may use service animals, as defined by the Americans with Disabilities Act, in accordance with applicable law and the University's [Service Animals policy](#).

III. RESOLUTION OF COMPLAINTS AND ACCOMMODATION APPEALS

Process for Students and Admission Applicants

Reasonable Accommodation Appeals

Students and applicants for admission who believe they have been improperly denied a reasonable accommodation have the right to appeal that decision, according to the process described below:

- **Optional Informal Resolution:** A student may first seek to resolve the appeal informally via dialogue with the OSA Assistant Director, Sara Tomelin at tomelins1@nku.edu. Although this is an optional step, many accommodation appeals are resolved in this manner. If a student does not wish to seek informal resolution, or if informal resolution is not successful, then the student may initiate the formal appeal process described below.
- **Initial Appeal Decision – OSA Director:** To initiate a formal appeal, the student must submit the appeal in writing to the OSA Director at knoxc2@nku.edu or osa@nku.edu. The written appeal must include a detailed description of the issue, supporting documentation, and the resolution requested by the student. An individual who submits an appeal may be asked to provide additional information and should respond promptly to those requests. Appeals should be submitted as soon as possible after the denial, since delays in appealing may limit the University's ability to address the matter effectively.

The OSA Director will consider all relevant documents and information and may consult with other appropriate University employees. The OSA Director may or may not invite the appealing student to participate in a meeting to discuss the issues. The OSA Director must provide written notice of the appeal outcome within fifteen business days after the matter is referred for formal decision (not counting time spent on informal resolution). This time may be extended for a reasonable period by the OSA Director for good cause, upon written notice to the student.

- **Final Appeal Decision – ADA Coordinator:** If the student is not satisfied with the decision of the OSA Director, then the student may appeal that decision in writing to the ADA Coordinator at gabbardn5@nku.edu. The appeal must be filed within fifteen business days after receipt of the OSA Director's decision. The written appeal must include a detailed description of the issue, supporting documentation, the resolution requested by the student, and the written determination by the OSA Director. The individual must continue to respond promptly to requests for more information.

The ADA Coordinator will consider all relevant documents and information and may consult with other appropriate University employees. The ADA Coordinator may or may not invite the appealing student to participate in a meeting to discuss the issues. The ADA Coordinator must provide written notice of the outcome of the appeal within fifteen business days after the matter is appealed. This time may be extended for a reasonable period by the ADA Coordinator for good cause, upon written notice to the student.

The appeal decision by the ADA Coordinator constitutes the University's final determination and may not be further appealed.

Disability Discrimination Complaints

Students and admission applicants who believe they have been subjected to discrimination on the basis of disability have the right to file a complaint. To file a complaint, an individual must submit the complaint in writing to the ADA Coordinator at gabbardn5@nku.edu. The complaint must include a detailed written description of the issue and any supporting documentation. In addition, the individual may be asked to provide additional information and should respond promptly to those requests.

The ADA Coordinator will consider all relevant documents and information and may consult with other appropriate University employees. The ADA Coordinator must issue a written determination regarding the complaint within fifteen business days after it is submitted, with extensions for a reasonable period for good cause as determined by the ADA Coordinator, with written notice to the individual who submitted the complaint.

If the individual is not satisfied by the ADA Coordinator's determination, then the individual may appeal that decision to the Chief Human Resources Officer at hr@nku.edu. The appeal must be filed within fifteen business days after the ADA Coordinator's decision, and it must include a detailed written description of the issue, the ADA Coordinator's determination, and any supporting documentation. The Chief Human Resources Officer must issue a written appeal decision within fifteen business days after it is submitted. The Chief Human Resources Officer's appeal decision shall be the University's final determination and may not be further appealed.

In addition, the University's Community Standards and Student Rights prohibits disability discrimination, and discrimination complaints against students and student organizations may be submitted to the Office of Student Conduct. Those complaints will be forwarded to the ADA Coordinator for resolution as described above.

In addition, anonymous complaints may be submitted to the University via the [EthicsPoint web portal](#).

Federal and State Agencies

At any time, students and admission applicants may file a complaint regarding denial of a reasonable accommodation or any form of disability discrimination with the following agencies:

United States Department of Education
Office for Civil Rights
LBJ Department of Education Building
400 Maryland Avenue, SW
Washington, DC 20202-1100
800-421-3481
OCR's email address is ocr@ed.gov

Kentucky Council on Postsecondary Education
100 Airport Road, Second Floor
Frankfort, KY 40601
502-573-1555
[CPE online complaint webpage](#)

Process for Employees, Job Applicants, and Others

Reasonable Accommodation Appeals

Employees, job applicants, and others who believe they have been improperly denied a reasonable accommodation have the right to appeal that decision, and those who believe they have been subject to disability discrimination have the right to file a complaint, according to the process described below:

- **Initial Decision – ADA Coordinator:** To initiate the formal process, the individual must submit the appeal/complaint in writing to the ADA Coordinator at gabbardn5@nku.edu. The submission must include a detailed description of the issue, supporting documentation, and the resolution requested by the individual. The individual may be asked to provide additional information and should respond promptly to those requests. Submissions should be made as soon as possible after the denial, since delays in appealing may limit the University's ability to effectively address the matter.

The ADA Coordinator will consider all relevant documents and information and may consult with other appropriate University employees. The ADA Coordinator may or may not invite the employee to participate in a meeting to discuss the issues. The ADA Coordinator must provide written notice of the outcome within fifteen business days after the matter is referred for formal decision. This time may be extended for a reasonable period by the ADA Coordinator for good cause, upon written notice to the employee.

- **Final Appeal Decision – Chief Human Resources Officer:** If the individual is not satisfied by the decision of the ADA Coordinator, then the individual may appeal that decision in writing to the Chief Human Resources Officer at hr@nku.edu. The appeal must be filed within fifteen business days after receipt of the ADA Coordinator's decision. The submission must include a detailed description of the issue, supporting documentation, the resolution requested by the student, and the written determination by the ADA Coordinator. The individual must continue to respond promptly to requests for more information.

The Chief Human Resources Officer will consider all relevant documents and information and may consult with other appropriate University employees. The Chief Human Resources Officer may or may not invite the employee to participate in a meeting to discuss the issues. The Chief Human Resources Officer must provide written notice of the outcome within fifteen business days after the matter is appealed. This time may be extended for a reasonable period by the Chief Human Resources Officer for good cause, upon written notice to the employee.

The appeal decision by the Chief Human Resources Officer constitutes the University's final determination and may not be further appealed.

In addition, anonymous complaints may be submitted to the University via the [EthicsPoint web portal](#).

Federal and State Agencies

At any time, employees and job applicants may file a complaint regarding denial of a reasonable accommodation or any form of disability discrimination with the following agencies:

Equal Employment Opportunity Commission
Cincinnati Area Office
John W. Peck Federal Office Building
550 Main Street, Suite 10-191
Cincinnati, OH 45202
513-914-6011
[EEOC online complaint webpage](#)

Kentucky Commission on Human Rights
312 Whittington Parkway
Louisville, KY 40222
502-595-4024
kchr.mail@ky.gov
[Kentucky Commission on Human Rights online complaint webpage](#)

Confidentiality

The University respects the privacy and confidentiality of individuals with disabilities. All information and documentation provided by and on behalf of individuals requesting accommodations, appealing accommodation decisions, submitting disability discrimination complaints, and exercising other rights provided by law and this policy will be kept confidential and may be shared only as necessary to meet the University's legal obligations, perform other appropriate University functions, and/or in accordance with applicable law.

Non-Retaliation

The University will ensure that an individual will not be subjected to retaliation for requesting a reasonable accommodation, filing a complaint alleging disability discrimination, assisting an individual in submitting a complaint, or serving as a witness or otherwise participating in resolution of an appeal or complaint. University employees who retaliate against an individual in violation of this policy will be subject to disciplinary consequences in accordance with relevant employment processes.

IV. POLICY INTERPRETATIONS, ENFORCEMENT, AND TRAINING

This policy will be interpreted and enforced by the ADA Coordinator.

The ADA Coordinator, in collaboration with the OSA Director and others, will provide periodic training to University stakeholders regarding the institution's responsibilities in supporting individuals with disabilities and best practices within higher education.

The ADA Coordinator also may conduct periodic audits of University policies, programs, facilities, and services in order to maintain compliance with applicable laws. In doing so, the ADA Coordinator may collaborate with the OSA Director, Internal Audit and Legal Affairs staff, and others. University employees must cooperate with the ADA Coordinator in performing auditing activities.

V. REFERENCES AND RELATED MATERIALS

Related Policy

[Service Animals policy](#)

Job Accommodation Form

[Job Accommodation Form](#)

Revision History

REVISION TYPE	MONTH/YEAR APPROVED
Revised Policy	XX/XX, 2025
Policy Adopted by Board of Regents	9/11/2019