



Department Chair Bag Lunch Session

**ACADEMIC DISABILITY ISSUES:  
A CHAIR'S GUIDE TO NAVIGATING  
SENSITIVE GROUND**

Office of the Vice Provost – Academic Affairs

January 24, 2019

# PRESENTERS

## **Academic Affairs**

Lisa Brodkey

Director, Faculty Relations and Development

## **Disability Management Services**

Fredna Karneges, Director

David Ritz, Vocational Rehabilitation Counselor

## **Campus Counsel**

Sheila O'Rourke

Senior Campus Counsel

# AGENDA

- Introductions
- Your goals
- Scenarios
  - Legal and Policy Considerations
  - Interactive Process
  - Reasonable Accommodation
  - Best Practices
- Resources



# INTRODUCTIONS



**WHAT GOT YOU HERE TODAY?**

## SCENARIO #1 – PROFESSOR SMITH

Professor Smith is a senior faculty member who asks to discuss a personal issue with you. When you meet, Professor Smith tells you that they have noticed a definite change in their hearing. This is causing a lot of frustration in class, since Professor Smith can't always hear what students say and ask. Professor Smith tells you that they have been seeing their doctor and that they are currently undergoing tests to try to understand what's going on. Professor Smith is noticeably uncomfortable discussing this.

# SCENARIO #1 – PROFESSOR SMITH PART TWO

Professor Smith is very productive and always gets consistently positive teaching evaluations. However, Professor Smith is not the most beloved member of the department. Other faculty members complain about Professor Smith's brusque and often demeaning style of communicating in meetings, and staff have used the word "bully" to describe Professor Smith. You, too, have generally found it very challenging to interact with Professor Smith – both as a colleague and now as department chair -- and you tend to limit your dealings with them as much as possible.

# SCENARIO #1 – PROFESSOR SMITH QUIZ

## TRUE OR FALSE?

1. Knowing the faculty member's medical diagnosis/condition is important in providing an effective accommodation.
2. Faculty have Essential Functions within their role.
3. If you have a question about the functional limitations and restrictions the faculty member has provided to you, you should call the healthcare provider for clarification.
4. Reasonable Accommodation applies only to reasonable department members.



## SCENARIO #2 – PROFESSOR HERRERA

Professor Herrera is a tenured member of the department. He is a respected campus citizen, is active within the department, mentors junior faculty well, has been an active teacher, regularly has several graduate students working with him, etc.

Lately, he's been missing department meetings, hasn't been showing up for office hours, and hasn't been as visible on campus. You have heard that he's been ill, but he hasn't requested any medical leave. Rumor has it, he's "very sick." This happens to be a non-teaching quarter for him.

# SCENARIO #2 – PROFESSOR HERRERA QUIZ

## TRUE OR FALSE?

1. Faculty receive paid medical leave based on their rank and title.
2. Once you have come to an agreement with the faculty about an accommodation, it's important that you document the agreement back to the faculty member.
3. Providing medical leave is required by federal and state law.
4. The Interactive Process should begin only after the faculty member approaches you.
5. The Interactive Process ends at the end of the academic year.

## SCENARIO #3 – PROFESSOR SCHMIDT

Professor Schmidt is an assistant professor who's in her first year here. She was a very popular hire and the department looks forward to great things from her.

Earlier this week, she came to meet with you to share that she has been diagnosed with Stage IV breast cancer. She is scared, but she tells you that she plans to fight this with everything she can. She doesn't want to adjust any of her teaching load or other service. She wants to do it all and is proposing a schedule that allows her to keep up with her duties between chemo treatments.

# SCENARIO #3 – PROFESSOR SCHMIDT QUIZ

## TRUE OR FALSE?

1. A Reasonable Accommodation must be effective for the department and the faculty member.
2. The role of the faculty member's healthcare provider is to provide suggestions for the required accommodation.
3. Disability Management Services (DMS) should arrange potential accommodations with the faculty member.
4. When a faculty member has temporary restrictions, essential functions can be temporarily excused.



# RESOURCES



**THANK YOU!**