

## ***Interim POLICY ON ACCESSIBILITY***

### **ACCESSIBILITY AND NONDISCRIMINATION POLICY ADDRESSING THE ADA, ADAAA, SECTIONS 504 & 508 OF THE REHABILITATION ACT & TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS**

Fresno State is committed to providing campus community members equal opportunity in educational programs, employment, and access to institutional programs and activities in accordance with the Americans with Disabilities Act of 1990, the ADA Amendments Act of 2008, Sections 504 and 508 of the Rehabilitation Act of 1973, and Title 24 of the California Code of Regulations.

Fresno State and its representatives provide access to services, classes, and programs in an equitable manner, and do not discriminate on the basis of race, ethnicity, color, national origin, gender, gender identity, gender expression, age, marital status, religion, genetic information, sex, sexual orientation, pregnancy, mental or physical disability, medical condition, special disabled veteran status, Vietnam-era veteran status or other covered veteran status, because an individual is perceived to have one or more of the foregoing characteristics, or based on their association with a person or group with one or more of these actual or perceived characteristics.

In accordance with federal and state law, as well as the California State University systemwide policies promulgated by the Board of Trustees, Fresno State establishes administrative procedures that ensure all members of the campus community can present complaints regarding alleged violations of this policy and other related University policies prohibiting discrimination, harassment and retaliation, including their right to have their complaints heard in accordance with Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

Furthermore, Fresno State prohibits the designation of financial resources by any of its employees or other representatives for participation in or contribution on behalf of the University or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of race, ethnicity, color, national origin, gender, gender identity, gender expression, age, marital status, religion, genetic information, sex, sexual orientation, pregnancy, mental or physical disability, medical condition, or special disabled veteran status, Vietnam-era veteran status or other covered veteran status.

Information regarding who to contact to file a complaint of discrimination is contained in three controlling University policies. G-25 is the University policy which contains the procedures for addressing potential instances discrimination, harassment, or retaliation experienced by University faculty, staff members, or student assistants. The California State University's Executive Order 1074 comprises the systemwide student policy and procedure for addressing potential instances of discrimination, harassment or retaliation outside the scope of a student's employment with the University. Complaints made by a student regarding their academic adjustment or accommodation within a University educational program as it relates to a disability are governed by the campus' Services for Students with Disabilities complaint procedure. Students wishing to submit such a complaint should use the form located at [https://cm.maxient.com/reportingform.php?FresnoState&layout\\_id=30](https://cm.maxient.com/reportingform.php?FresnoState&layout_id=30)

#### **ACCESS TO PROGRAMS AND FACILITIES**

It is the policy of Fresno State to provide access to University programs and facilities to individuals with disabilities to the fullest extent which is reasonably possible. Access to persons with disabilities is guaranteed by Sections 504 and 508 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the ADA Amendments Act of 2008, and by Title 24, California Code of Regulations.

In order for the University to meet its responsibility, the following policies set forth minimum standards for accessibility.

I. Policy Statement - Access to Facilities Under the American Disabilities Act of 1990 and Title 24 of the California Code of Regulations

Most of Fresno State's facilities were constructed prior to the Americans with Disabilities Act and are therefore not compliant with current requirements for access. In order to upgrade these facilities, the University refers to the ADA Coordinator and to the President's Committee on Disabilities (PCD), in consultation with Facilities and Planning, the responsibility to formulate appropriate strategies to redress problem areas as identified in Fresno State's "Prioritization for Elimination of Architectural Barriers" policy as well as additional barriers brought to the attention of the PCD or ADA Coordinator by other means. The University annually devotes twenty percent of its Minor Capital Outlay funding (currently for projects under costs of \$610,000) for upgrades or renovations to further the campus' goal of fully meeting ADA facility construction standards. Additionally, all new construction or renovation projects financed by Major Capital Outlay state and non-state funds (currently for those projects over \$610,000) are approved through the accessibility compliance review process established by the California Department of General Services' Division of the State Architect (DSA). Audit and analysis of facilities by the University in order to determine whether a remediation plan is necessary to achieve legal requirements for access is ongoing.

All new University buildings and all remodeling projects will be constructed to meet current access guidelines as promulgated by Title 24, California Code of Regulations and will incorporate the concept of universal design wherever soundly achievable. Universal design is "the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaption or specialized design." University furnishings shall be selected and purchased using the concept of universal design. The intent of universal design is to simplify life for everyone by making products, communications, and the built environment more usable by as many people as possible at little or no extra cost. Universal design benefits people of all ages and abilities.

If a program is operated in a location defined as "existing" under Section 504 or Title II, the University will make the program readily accessible to people with disabilities by such means as redesign of equipment, reassignment of classes or other services to accessible buildings, alteration of existing facilities or construction of new facilities in conformance with the requirement of Section 504 and Title II.

II. Policy Statement- Access to Programs and Courses

Fresno State takes all reasonably necessary steps to ensure that no qualified student, on the basis of a disability, who may be reasonably accommodated, be excluded from participation in, denied the benefits of, or otherwise be subjected to any discrimination under any academic, research, occupational training, housing, counseling, athletics, recreation, other extracurricular activity, or program provided by the University.

In addition, no campus community member or member of the public shall be denied access to any special event as a result of a disability. The campus organization responsible for hosting any such event shall bear the responsibility for any costs associated with providing all necessary reasonable accommodation for event patrons, and shall budget for the potential need for accommodation at any given event accordingly.

All University publications, brochures, handbooks, syllabi, phone directories, etc., intended to convey information regarding courses, programs, or general information to students or members of the public shall be made available in alternate formats such as Braille, large print, or recorded, hearing-accessible media. In most cases, a request for alternate format of printed material, whether for brochures, pamphlets, or event announcements, requires that a text-only electronic version of the publication or announcement be made

available. Individuals can then access the information through screen reading software, or by modifying the font size, color, etc., of the printed text.

All such printed materials shall include an appropriate notice of Fresno State's policy of nondiscrimination. All such printed materials shall include one of the following statements, determined as appropriate:

**Full Accommodation Statement** (This statement should be printed in any publication that describes a specific program or special event, e.g., seminar, film, speaker, performing arts series, employment programming, etc.)

*Fresno State does not discriminate in the educational programs or activities it conducts on the basis of race, ethnicity, color, nationality, gender, gender identity, gender expression, age, marital status, religion, mental or physical disability, genetic information, sex, sexual orientation, pregnancy, medical condition, or special disabled veteran status, Vietnam-era veteran status or other covered veteran status. The University encourages persons with disabilities to participate in its programs and activities. If you anticipate needing any type of accommodation or have questions about the physical access provided, please call (telephone number of the sponsor) in advance of your participation or visit.*

**Abbreviated Accommodation Statement** (For very limited use only in fliers or other announcements where space constraints are severe.)

*Persons with disabilities who anticipate needing accommodations or who have questions about physical access may call (telephone number of the sponsor) in advance of the program (or film, event, etc.).*

It is strongly encouraged that a statement informing individuals with disabilities that the information is available in alternate formats be included on your campus publication, flyer or event announcement.

### **Sample Alternate Format Statement**

***This publication is available in alternate formats on request. Please call (insert telephone number of sponsor).***

The statement should be printed in an easy-to-read type size and placed in a location that is easy to notice.

In addition, each University phone line is fully adaptable for TTY use. TTY technology is available to all Fresno State community members and visitors at the University's office for Services for Students with Disabilities located on the first floor in Henry Madden Library, Room 1202. Video relay technology is likewise available at this location.

### III. Policy Statement- Access to Electronic Information Technology ("E&IT")

In accordance with Section 508 of the Rehabilitation Act of 1973 and other related federal and state laws, it is the policy of this University that when the institution develops, procures, maintains, or uses electronic and information technology products or services, campus community members with disabilities, including members of the public, will have access to and use of the information gained through the use of E&IT products or service that is comparable to that provides to individuals who do not have a disability, unless an exemption applies.

Meaningful review of all electronic and informational technology products and services being considered for potential purchase by the University technology procurement is conducted in order for the campus to meet its obligation to comply with relevant legislation and regulations regarding assistive technology in the educational environment. To the extent that an E&IT product or service is not exempt from meeting Section

508 technical standards, the University will ensure that equally effective access to the same information provided by the product or service is made readily available to accommodate a disabled user wherever necessary.

This policy statement applies to the following categories of new products or services under consideration for purchase by Fresno State:

- Software applications & Operating Systems;
- Web-based intranet and internet Information & Applications;
- Video and multimedia products, including television displays and computer equipment with display circuitry that receives, decodes and displays broadcasts, cable, videotape and DVD signals;
- Telecommunications products;
- Self-contained, closed products that have embedded software and include, but are not limited to, informational kiosks, Information Transactional Machines, copiers, printers, calculators and fax machines;
- Desktop and portable computers.

Each of Fresno State's eleven (11) existing campus computer labs, including the public lab located in the University's Henry Madden Library, is equipped with at least one accessible computer workstation and related accessible software available for disabled users.

Additionally, Fresno State's home web page and all other pages associated with locations, programs, admissions, schedules, news, and departments shall meet Priority Levels I and II as set forth in Section 508 of the Rehabilitation Act of 1973, and its implementing regulations set forth at Title 36 CFR Part 1194. Every individual web page hosted by the University's web page shall meet, at a minimum, Priority I accessibility standards.

Finally, closed captioning of all television broadcasts and videotaped instructional materials shall be provided to individuals with hearing disabilities upon request. Closed captioning services for instructional materials are provided through Fresno State's Center for Technology Innovations for Learning and Teaching (TILT).

Revised  
Revised by the Academic Senate  
Approved by the President

March 2024  
October 11, 2023  
October 12, 2023