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UNIVERSITY OF CALIFORNIA POLICY  
APPLYING TO NONDISCRIMINATION ON THE  
BASIS OF HANDICAP

I. STATEMENT OF POLICY

The University of California does not discriminate on the basis of handicap, against any qualified handicapped persons, by excluding them from participation in, denying them the benefits of, or otherwise subjecting them to discrimination under any University program or activity.

II. RESPONSIBILITIES OF THE SYSTEMWIDE ADMINISTRATION

Responsibility for the coordination of the University's efforts to comply with and carry out its responsibilities under Section 504 of the Federal Rehabilitation Act of 1973, the implementing Federal regulations, and the Interim University Guidelines Applying to Nondiscrimination on the Basis of Handicap is delegated to Archie Kleingartner, Vice President--Academic and Staff Personnel Relations. He shall coordinate Systemwide Administration activities in carrying out the following responsibilities:

1. Reviewing on a continuing basis all University policies and practices to ensure equitable treatment of the qualified handicapped persons.
2. Disseminating to the general University community notifications regarding the University's policy and its commitment to non-discrimination on the basis of handicap.
3. Reviewing Campus, Laboratory, Systemwide Administration, and Cooperative Extension self-evaluations, pursuant to Section V of the Interim University Guidelines Applying to Nondiscrimination on the basis of handicap.
4. Providing assistance and additional guidance, as necessary, to aid the Campuses, the Laboratories, the Systemwide Administration, and Cooperative Extension in complying with the Federal regulations and this policy.
5. Monitoring Campus, Laboratory, Systemwide Administration, and Cooperative Extension compliance with the Federal regulations and this policy.
6. Requesting data, reports, and analyses, as needed, from the Campuses, Laboratories, Systemwide Administration, and Cooperative Extension concerning compliance activities, in order to meet Federal, State, Regental, and Presidential review needs.

alcoholics may not be prohibited from attending the University solely on the basis of their addiction or alcoholism, if there is evidence that they can successfully participate in the education program of the University, if they comply with University policies and campus regulations, and if their behavior does not impede the performance of other students. With regard to employment, drug addicts and alcoholics may be held to the same standards of performance and behavior as other employees.)

- b. "Major life activities" means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
- c. "Has a record of such an impairment" means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities. Persons with mental or emotional illness, heart disease, or cancer, or persons who have been misclassified as mentally retarded fall within this category.
- d. "Is regarded as having an impairment" means has a physical or mental impairment that does not substantially limit major life activities, but is treated by the University as limiting such activities; has a physical or mental impairment that substantially limits major life activities as a result of the attitudes of others toward such impairment; or has none of the impairments listed in Section II.A.1.a., but is treated as having such an impairment, such as persons with a limp or persons with disfiguring scars.

B. Qualified Handicapped Person

- 1. With respect to employment, a qualified handicapped person is one who, with reasonable accommodation, can perform the essential functions of the position in question.
- 2. With respect to postsecondary education, a qualified handicapped person is one who meets the academic and technical standards requisite to admission or participation in the education programs of the University. The term "technical standards" refers to nonacademic admissions? criteria that are essential to participation in such programs.
- 3. With respect to other services, a qualified handicapped person is one who meets the essential eligibility requirements for the receipt of such services.

C. Facility

"Facility" means all or any portion of buildings, structures, equipment, roads, walks, parking lots, or other real or personal property or interest in such property.

III. DISCRIMINATORY ACTIONS PROHIBITED

- A. In providing any aid, benefit, or service, the University may not take any discriminatory action on the basis of handicap to:
1. Deny a qualified handicapped person the opportunity to participate in, or benefit from, the services which it provides.
  2. Afford any qualified handicapped person an opportunity to participate in or benefit from any aid, benefits, or services, that are not equal to those afforded to others.
  3. Provide a qualified handicapped person with any aid, benefits, or services, that are not as effective as those provided to others. To be "equally effective" an aid, benefit, or service need not produce an identical result or level of achievement for handicapped and nonhandicapped persons. However, the University must afford handicapped persons with an equal opportunity to obtain the same result or level of achievement in the most integrated setting appropriate to the person's needs.
  4. Provide any different or separate aid, benefits, or services to handicapped persons or to any class of handicapped persons unless such action is necessary to provide qualified handicapped persons with aid, benefits, or services that are as effective as those provided to others. Qualified handicapped persons shall not be denied the opportunity to participate in University programs or activities that are not separate or different, if they can qualify for such programs or activities.
  5. Aid or perpetuate discrimination against a qualified handicapped person by providing any significant assistance to any agency, organization, or person that discriminates on the basis of handicap against beneficiaries of the University's program.
  6. Deny a qualified handicapped person the opportunity to participate as a member of planning or advisory boards.
  7. Otherwise limit a qualified handicapped person in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others.

B. In determining the site or location of a facility, the University may not make selections that have the following effect:

1. Excluding qualified handicapped persons from, denying them the benefits of, or otherwise subjecting them to discrimination under any program or activity it operates.
2. Defeating or substantially impairing the accomplishment of the objectives of the University's programs or activities with respect to qualified handicapped persons.

C. Aid, benefit, or service provided under a program or activity receiving or benefiting from Federal financial assistance includes any aid, benefit, or service provided in or through a facility that has been constructed, expanded, altered, leased, or rented, or otherwise acquired, in whole or in part, with Federal financial assistance.

D. The exclusion of nonhandicapped persons from the benefits of a program limited by Federal statute or executive order to handicapped persons, or the exclusion of a specific class of handicapped persons from a program limited by Federal statute or executive order to a different class of handicapped persons, is not prohibited.

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I. INTRODUCTION

Section 504 of the Federal Rehabilitation Act of 1973 became effective on June 3, 1977. In general, the regulations provide that as a recipient of Federal financial assistance, the University of California may not discriminate on the basis of handicap against any qualified handicapped person in any of its programs or activities. The regulations further require that all programs and activities must be made accessible to qualified handicapped persons by August 2, 1977. If structural changes must be made to provide access, a transition plan must be developed by December 3, 1977 setting forth the steps necessary to complete the changes. Changes should be made as soon as reasonably possible, and in no event, later than June 3, 1980.

The Federal regulations also require that the Campuses, the Energy Research and Development Administration Laboratories, the Systemwide Administration, and Cooperative Extension prepare self-evaluations of their programs and activities, and maintain these evaluations for a period of three years.

II. DEFINITIONS

A. Handicapped Person

1. "Handicapped person" means any person who has a physical or mental impairment which substantially limits one or more major life activities, one who has a record of such and impairment, or one who is regarded as having such an impairment.

a. "Physical or mental impairment" means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculo-skeletal; special sense organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine.

The term also means any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness; and specific learning disabilities, such as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

The term includes diseases and conditions such as orthopedic, visual, speech, and hearing impairments; cerebral palsy; epilepsy; muscular dystrophy; multiple sclerosis; cancer; heart disease; diabetes; mental retardation; emotional illness; and drug addiction and alcoholism. (Drug addicts and