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Guide to the

Section 504 Self-Evaluation

for Colleges and Universities

Section 504 of the Rehabilitation Act of 1973, as Amended: No otherwise qualified handicapped individual in the United States . . . shall, solely by reason of handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

This document has been reviewed and approved for use by the Office for Civil Rights of the Department of Health, Education, and Welfare. (See page V for a letter of endorsement from OCR Director David S. Tatel.) This project has been funded at least in part with federal funds from the Department of Health, Education, and Welfare under contract number 300-77-0325. Mention of trade names, commercial products, or organizations does not imply endorsement by the U.S. Government.

This *Guide to the Section 504 Self-Evaluation* was prepared by NACUBO under a subcontract with the American Council on Education (ACE). ACE's contract with HEW's Bureau of Education for the Handicapped was of wider scope than the self-evaluation, and covered other aspects of section 504 as well. The title of the contract was "Development of Training Materials, Training Workshops, and Information Services to Assist Colleges and Universities in Providing Access for Handicapped Students and Employees." Thus, this document is only one part of a multi-faceted program of technical assistance provided by the HEATH project (Higher Education and the Handicapped) sponsored by ACE. Other HEATH subcontractors include the American Association of Collegiate Registrars and Admissions Officers, the Association of Physical Plant Administrators of Universities and Colleges, the College and University Personnel Association, and NEXUS, a resource center of the American Association for Higher Education.

NACUBO recommends that this document be used in conjunction with final regulations issued pursuant to section 504 and the advice of informed legal counsel, as appropriate. This *Guide* is not intended as a substitute for such counsel or individual judgment. Readers are cautioned that certain actions suggested in this *Guide* may not be appropriate for their institution, while others that do not appear in this *Guide* may be necessary for compliance with section 504. Institutional actions under section 504 are the sole legal responsibility of the college or university, and nothing contained in this *Guide* should be interpreted in a manner that relieves an institution of its obligations to eliminate discrimination on the basis of handicap in its education programs and activities.

Guide to the

Section 504 Self-Evaluation

for Colleges and Universities

G. Richard Biehl

National Association of College and University Business Officers
Washington, D. C.

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Copies of this *Guide* are available from NACUBO in limited supply on tape cassettes at 15/16ths IPS, two-track format. There is no charge for these taped copies.

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20201

Dear Friend:

This document was developed by the Bureau of Education for the Handicapped, the Office for Civil Rights, in conjunction with the National Association of College and Business Officers, and the American Council of Education. This document represents an integral part of the Department of Health, Education, and Welfare's effort to bring the best available technical assistance to recipients for promoting voluntary compliance with Section 504 of the Rehabilitation Act of 1973.

This is not a book of rules. The material here suggests how a recipient may come into compliance. These are only suggestions and may not fit your specific requirements. We want to encourage you to modify our suggestions so they may be of maximum benefit to your organization.

I sincerely hope that you focus your activities on creative methods to accommodate the needs of handicapped individuals. As you plan for change, please make use of an invaluable resource already waiting for you, the handicapped individuals themselves. Our major goal, as will be yours, is to open programs for the largest possible number of handicapped persons.

Please contact my office for any further assistance you may need.

Sincerely,

for Wilbert H. Tatum

David S. Tatel
Director
Office for Civil Rights

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NACUBO is indebted to many persons for their participation in the project resulting in this document. Among these are members of the project steering committee, who not only provided initial direction but also served as the primary review body. The role of this committee was greater than that ordinarily assumed by a steering committee, and the author gratefully acknowledges each member:

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Peggy Pinder
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President
Temple University

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made significant contributions to this document. Materials developed at the University of Minnesota assisted in the development of the format adopted for use in this *Guide*.

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Members of the staff of the American Association of Collegiate Registrars and Admissions Officers (AACRAO) made important contributions to the section on "Admissions and Recruitment." AACRAO is in the process of publishing, under HEW contract, a "Guide for Recruitment and Admissions" under section 504. Some information from this guide has been used by the author.

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NACUBO undertook the project resulting in this document at the request of the American Council on Education. As the "chosen instrument" to publish materials on the self-evaluation process, NACUBO received support and encouragement from all members of the Washington Higher Education Secretariat. This *Guide* is an example of interassociation efforts to work jointly on projects of mutual concern, and to maximize association resources and eliminate duplication of effort. John D. Phillips, President of the National Association of Independent Colleges and Universities, provided important leadership for the HEATH program in its initial stages. Stephen K. Bailey, Vice President of the American Council on Education, was instrumental in program planning and funding efforts for the HEATH project.

January 1978

G. Richard Biehl
Director of Information and Publications
NACUBO

Introduction

Section 504 of the Rehabilitation Act of 1973 [P. L. 93-112], as amended [P. L. 93-516], mandates equal opportunity for qualified handicapped persons in education programs and activities of all recipients of federal financial assistance. Section 504 is a civil rights statute that prohibits discrimination on the basis of handicap, obligates colleges and universities to make certain adjustments and accommodations, and offers to handicapped persons the opportunity to participate fully in all education programs and activities.

The Self-Evaluation under section 504 is the principal process through which compliance with the statute is to be assessed and full participation in programs and activities is to be ensured. Through the Self-Evaluation, which must be completed by **June 3, 1978,** all policies and practices of a college or university are to be evaluated to determine their effect, or potential effect, on handicapped persons. As required, policies and practices shall be modified to meet standards of nondiscrimination on the basis of handicap.

The regulations for implementing section 504 were written by HEW's Office for Civil Rights (OCR) and published in final form in the *Federal Register* of May 4, 1977. Pertinent parts of these final regulations appear throughout pages of this *Guide* that follow.

The concept of providing handicapped persons with opportunities that are equal to those enjoyed by nonhandicapped persons has taken a long time to reach its present level of national priority. Colleges and universities, and other societal institutions, should now be ready to act. That many colleges and universities, or some of their programs and activities, have not provided handicapped persons with opportunities for full participation cannot be challenged. That colleges and universities are vital institutions whose programs and activities must be open to handicapped persons before they may enjoy equal lifelong opportunities cannot be disputed.

Creating the Proper Atmosphere

An important first step in the evaluation and modification of an institution's programs and activities is creating an atmosphere in which those who are responsible and concerned may interact positively. If institutional objectives are to be attained, individuals with a variety of perspectives, experiences, interests and responsibilities must work together in an effective and organized manner. Understanding and agreeing at the outset upon some of the basic principles that underlie section 504 are therefore essential.

Under the HEW regulations, colleges and universities must make certain that education programs and activities are available to handicapped persons "in the most integrated setting appropriate." This means that handicapped students and employees should not be unduly segregated, separated, or treated differently. Handicapped persons must be included in an institution's existing programs and activities to the maximum extent possible, and not isolated from nonhandicapped program participants. It will be necessary to make adjustments and accommodations to ensure that handicapped persons are provided with *opportunities* for full participation. That is, section 504 places obligations on the institution, and not the handicapped student or employee. A college or university

may not require handicapped students or employees to take advantage of any adjustments, accommodations, or special services. The "most integrated setting appropriate" for many handicapped persons will be the same setting in which nonhandicapped students and employees are functioning.

Section 504 does not require, and in fact discourages, the creation of separate programs and activities for handicapped persons. The self-evaluation process will involve an analysis of all *existing* programs and activities of the institution. Modifications in these programs and activities shall be made to ensure opportunities for full participation and an integration of handicapped persons in existing programs and activities to the maximum extent possible. The regulations prohibit separate programs for handicapped persons unless they are necessary to afford equal opportunity. If problems are identified in the Self-Evaluation, existing programs and activities shall be modified whenever possible, rather than new programs created with the potential for new barriers to one's ability to function in the "most integrated setting appropriate." While it may be tempting to create new programs and take initiatives to "do something for the handicapped," the basic objective of section 504 is ensuring full participation, a matter that may frequently require little more than an open mind. "Doing more for handicapped persons" may in some instances result in doing less for handicapped persons in their desire to function in an atmosphere free from barriers to equal opportunity. Overreacting to the section 504 requirements will not work to the benefit of the institution or its handicapped students and employees.

By using the vehicle of the Self-Evaluation wisely, each institution will discover the characteristics unique to its particular campus that inhibit full integration of handicapped persons in the community. Colleges and universities should not presume, however, that massive support efforts for every handicapped person are mandated by the goal of full participation. There may be some support equipment, facilities, services or personnel that, if required, would result in the expenditure of time and money. However, many such requirements may be handled by handicapped persons on their own, or with the aid of already existing resources at no cost to the institution. For example, blind students, who are eligible for federal rehabilitation and library assistance, may need little more from an institution than nondiscriminatory admissions practices and reasonable cooperation from faculty and staff in individual situations, such as course examinations and access to library materials. Section 504 does not mandate action by the institution on behalf of every handicapped person; it mandates that there be no discrimination, that opportunities for full participation be available, and that the institution be flexible and exercise common sense in eliminating program barriers that exist in individual instances. In many cases, institutional inaction, rather than action, will serve a handicapped person's right to function in the "most integrated setting appropriate."

There are a large number and variety of "handicaps." The HEW regulations, at paragraph 84.3(j)(2)(i), include a definition of "physical or mental impairment" that lists some handicaps, and more elaboration is included in Appendix A to the final regulations. HEW, for good reason, does not mention in the regulations or elsewhere any specific actions that must be taken to ensure equal opportunity for persons with a specific handicap. Barriers to equal opportunity cannot be categorized by handicap. Individuals with similar handicaps may have altogether different requirements for full participation in a program or activity. Depending on the individual, requirements to ensure full participation may translate into total dependence on the institution, complete independence from the institution, or something in between the two. Institutions must exercise common sense in ascertaining what individuals may require, if anything, to make certain that their opportunities are equal.

The only thing that is clearly uniform regarding handicapped persons is their right to equal opportunity under the law, and to any action (including inaction) that may be required in order to achieve their full participation in programs and activities. Therefore,

one should avoid the temptation to view terms such as "handicapped persons" as being representative of any homogeneous group with uniform interests or concerns.

Since it is not possible to determine accommodations or adjustments that may be required based on categories of handicap, program objectives must be based on responsiveness to individual handicapped persons. Consequently, under the regulations interested handicapped persons must be involved in an institution's Self-Evaluation planning. Handicapped students *and* employees should assist in the evaluation process and play an active role in the identification and removal of barriers to equal opportunity. Handicapped persons should work closely with persons who are responsible for coordinating an institution's efforts under section 504, and must serve on task forces established to evaluate and modify institutional programs and activities. Since an institution is obligated to remove those program barriers that exist for its students and employees, it must ascertain what those barriers are on an individual-by-individual basis.

It is recommended that an initial, one-time contact with handicapped persons be made to ascertain what actions, if any, must be taken to ensure equal opportunity. Also, colleges and universities must make certain that information regarding programs, activities and services is regularly and adequately communicated to all members of the campus community. (Such communications must obviously be made in forms that are appropriate for individuals with different handicaps.) Institutions must create the opportunity for full participation for handicapped persons, but full participation will not be achieved unless this opportunity is well communicated. Blind students may or may not wish to take advantage of readers in the library, but they must know that such a service exists (or would exist); deaf students may or may not wish to take advantage of interpreters made available by the institution, but they must know that such a service exists (or would exist); students with mobility impairments may or may not wish to take advantage of special parking arrangements on campus, but they must know that such arrangements exist (or would exist).

Toward this end, the institution must make certain that its communications and printed materials for students and employees (and prospective students and employees) reflect the full range of opportunities that are available for handicapped persons. Also, those who serve the institution in a recruitment capacity, for students and employees, must be aware of the modifications that have already been made in programs and activities and those additional changes that would be made for any handicapped persons interested in taking advantage of such opportunities.

Grievance procedures, and informal communications mechanisms, must exist for handicapped persons to express themselves to college and university administrators and faculty. (Grievance procedures for section 504 were to have been established by the institution by June 3, 1977.) Section 504 requires an initial evaluation and modification of programs and activities, but the statute and its standards will not go away after 1978. It mandates an ongoing process of responding to handicapped individuals and making accommodations and adjustments that will remove barriers to full participation, present and future. Permanent mechanisms for redressing grievances and sharing information must be established and well publicized throughout the campus community. In 1988 a college or university will have students and employees that it does not have in 1978, and handicapped students and employees will have as much right to equal opportunity and full participation a decade from now.

Organizing the Campus

Colleges and universities will approach section 504 from different perspectives based on varying experiences. They will consequently order their priorities for section 504 differently. Regardless of the differing perspectives, experiences, or priorities, however, the tone and spirit for section 504 should be set by the President or Chancellor of the institution. He or she should take steps to assure a Self-Evaluation, program modifications,

remedial steps, and an ongoing process of inquiry and communication that recognize the rights and abilities of handicapped persons. The President or Chancellor is ultimately responsible for ensuring that the institution is committed to an effective path of action under section 504.

An institution's statement of commitment to the purposes of section 504 should have already been drafted. (This commitment was to have been communicated to all members of the campus community by September 1, 1977.) This statement should be enunciated loudly and clearly wherever and whenever such statements are made and should appear in catalogs, recruitment materials, application forms, and other literature of the institution.

Section 84.7 of the regulations requires that at least one person be designated to coordinate an institution's efforts under section 504. (These designations were to have been made by June 3, 1977.)

Although centralized *planning* is recommended, institutions should avoid the temptation to over-centralize *authority* over all programs and activities, since centralized authority may lead to separate programs and activities for handicapped persons that are not required and may not be necessary. To ensure full participation by handicapped students and employees "in the most integrated setting appropriate," it is recommended that authority be decentralized and that all persons responsible for programs and activities of the institution be involved in phases of the Self-Evaluation that pertain to their operations. Institutions that already have "coordinators" with broad authority should ask whether or not separate programs or activities are necessary to eliminate barriers to full participation.

The regulations do not specify a structure or organization for the Self-Evaluation. However, colleges and universities are urged to establish one or more task force(s) to identify barriers to full participation and plan modifications and remedial actions. The task force(s) should develop specific criteria for evaluating the institution's programs and activities and for monitoring progress toward the removal of program barriers.

Membership on the task force(s) should include those employees with knowledge and experience in areas to be examined during the self-evaluation process and handicapped students and employees or their representatives. Due to the varying organizational structures of higher education institutions, and varying job descriptions and authority of individuals with similar titles at different institutions, it is not possible to make specific suggestions regarding the composition of the task force(s). The following list, however, includes institutional officials who should probably have some involvement in the section 504 effort:

Academic Affairs Officer
Admissions Officer
Affirmative Action Officer
Business Officer
Deans
Department Chairpersons
Director of Athletics
Director of Counseling Services
Director of Financial Aid
Director of Health Center
Director of Housing
Director of Institutional Research
Director of Library Services
Director of Non-Academic Student Services
Director of Placement Services
Director of Planning
Director of Residence Life

Director of Transportation
Institutional Development Officer
Legal Counsel
Personnel Director
Physical Plant Director
President or Chancellor
Registrar
Student Affairs Officer
Veterans Affairs Officer

This list should be supplemented by those persons who direct programs that are specifically for the handicapped, *if* such individuals are employed by the institution.

There are complex questions that cannot be answered except in the narrow context of the conditions and resources that exist and attitudes that prevail on a particular campus. "Become familiar with the requirements and pertinent literature," "use common sense and discretion," and "involve all concerned and responsible parties in your decision" are reasonable "answers" to any question related to section 504. (The need to involve handicapped persons in such decisions cannot be overstated.)

Past experience in providing opportunities to handicapped persons, and the availability of local expertise, will determine the extent to which an institution must rely on "outside" assistance. The Appendix in this *Guide,* beginning on page 85, includes "Sources of Additional Information and Technical Assistance." This Appendix should be reviewed carefully and used liberally as questions or problems arise during the self-evaluation process. Included are a listing of organizations with experience in designing or implementing programs and activities that include handicapped persons (and organizations of the handicapped themselves); the addresses of State Vocational Rehabilitation agencies; and a bibliography of additional literature in the field.

Section 504 may create complex questions, but complexities will not be compounded if one exercises common sense and discretion, fully utilizes skills that are available locally, and takes advantage of opportunities to obtain outside assistance. Also, it should be pointed out that equal opportunity specialists in HEW's Office for Civil Rights are available to serve institutions in an information and technical assistance capacity. (Contact: James Bennett, Director of Section 504 Technical Assistance, Office for Civil Rights, HEW, 330 Independence Avenue, S.W., Washington, D.C. 20201.)

Coverage

Section 504 applies to all "recipients" of "federal financial assistance." A "recipient," as defined in paragraph 84.3(f), is "any state or its political subdivision, any instrumentality of a state or its political subdivision, any public or private agency, institution, organization, or other entity, or any person to which [f]ederal financial assistance is extended directly or through another recipient, including any successor, assignee, or transferee of a recipient, but excluding the ultimate beneficiary of the assistance."

"Federal financial assistance," as defined in paragraph 84.3(h), is "any grant, loan, contract (other than a procurement contract or a contract of insurance or guaranty), or any other arrangement by which the Department [HEW] provides or otherwise makes available assistance in the form of: (1) Funds; (2) Services of [f]ederal personnel; or (3) Real and personal property or any interest in or use of such property. . . ."

HEW interprets this definition of "federal financial assistance" to include student aid and veterans assistance programs. Thus, virtually every college and university in the United States is covered by section 504.

This *Guide* is written for colleges and universities that *are* covered by section 504, or those that may not be covered but wish to eliminate barriers to full participation from

their programs and activities. It does not address complicated legal issues related to coverage, which are the ultimate responsibility of the institution and its legal counsel.

Enforcement

Section 504 is enforced in institutions of higher education by HEW's Office for Civil Rights (OCR). Until such time as OCR has developed a consolidated enforcement procedure, procedures to be used for enforcing section 504 will be those that OCR has been employing for Title VI of the Civil Rights Act of 1964. These Title VI procedures are incorporated by reference (section 84.61) in the final regulations issued under section 504, and have been reprinted along with section 504 regulations in materials distributed by HEW. They are available from the national or regional offices of HEW's Office for Civil Rights.

Executive Order 11914, signed on April 28, 1976, empowered the Secretary of HEW to coordinate the implementation and enforcement of section 504 by other federal agencies. All federal agencies that provide federal financial assistance will be issuing rules and directives consistent with the standards and procedures established by HEW.

Section 3(b) of Executive Order 11914 provides that

> (b) If voluntary compliance cannot be secured by informal means, compliance with section 504 may be effected by the suspension or termination of, or refusal to award or continue, [f]ederal financial assistance or by other appropriate means authorized by law, in accordance with standards and procedures established pursuant to this order.

OCR will be issuing in the *Federal Register* a series of rulings on section 504. These rulings should provide policy guidance on previously unaddressed issues related to section 504. Institutions are urged to monitor the *Federal Register* for such rulings, or any changes in the section 504 regulations, that would alter material in this *Guide*.

Relation to Other Nondiscrimination Laws

Section *503* of the Rehabilitation Act of 1973, as amended, deals with affirmative action obligations of federal (sub)contractors to employ and advance in employment qualified handicapped persons. This companion to section 504 in the 1973 legislation, administered by the Labor Department's Office of Federal Contract Compliance Programs (OFCCP), involves only employment matters and is applicable only to federal (sub)contractors with one or more (sub)contract(s) of $2,500 or more; *section 504 requirements apply to all recipients of federal financial assistance, in any form, and involve all education programs and activities, including employment.*

There are some similarities between the provisions for nondiscrimination in employment in sections 503 and 504. In fact, institutions that are already in compliance with section 503 may be satisfying some of the section 504 prohibitions against discrimination in employment. It should be remembered, however, that section 503 requires affirmative steps, beyond nondiscrimination, to employ and advance in employment qualified handicapped persons.

Section *502* of the Rehabilitation Act of 1973, as amended, established the Architectural and Transportation Barriers Compliance Board and that board's authority to insure compliance with the Architectural Barriers Act of 1968, as amended. This statute has significant implications for facilities built with federal construction funds since September 2, 1969. Such buildings and facilities, referred to as "502 buildings," are to be constructed (and since September 2, 1969 were to have been constructed) in strict conformance to ANSI standards that ensure an absence of physical barriers for handicapped persons. (See "Program Accessibility," page 24.)

Much of the wording that appears in the section 504 regulations is parallel to (or

the same as) that of rules implementing Title IX of the Education Amendments of 1972, as amended, prohibiting sex discrimination in education programs and activities. There are also many similarities to the language of the rules implementing Title VI of the Civil Rights Act of 1964, prohibiting discrimination based on race, color, or national origin in education programs and activities. As indicated above, enforcement procedures for Title VI have been adopted for temporary use in section 504.

Due to these similarities in language and emphasis, many colleges and universities have sought to combine certain procedures or programs related to these nondiscrimination statutes. Certainly, the institution's statement of commitment to nondiscrimination, and statements that appear in advertisements, catalogs and other printed materials and communications of the institution, may contain joint references to nondiscrimination prohibitions. Grievance procedures are another area in which combining two or more programs may be effective for a particular college or university. Other areas related to the institution's nondiscrimination programs should be explored to ascertain whether savings can be made and duplication of effort avoided.

It should be pointed out that section 504 is not an "affirmative action" statute and requires no goals or timetables. There is no requirement that a college or university employ more (or attempt to employ more) qualified handicapped persons, or admit more (or attempt to admit more) qualified handicapped students. Section 504 is a "nondiscrimination" statute that prohibits discrimination against existing employees, students, and applicants for employment or admission. However, in practice section 504 requires something between what is ordinarily defined as "affirmative action" and "nondiscrimination," since, in the process of ensuring nondiscrimination, it requires certain actions beyond mere neutrality to be taken regardless of the presence of handicapped persons who might benefit. This principle of advance preparation to ensure nondiscrimination appears to go beyond the traditional concept of *laissez faire* nondiscrimination.

As stated in section 84.10 of the regulations, no state or local law or other requirement obviates or alleviates an institution's obligation to comply with requirements under section 504.

The Self-Evaluation and Its Relation to Other Section 504 Requirements

The Self-Evaluation, once completed, should become an institution's Master Plan for compliance with section 504; it should combine or supersede all other institutional planning regarding modifications in programs and activities to eliminate barriers to full participation.

The self-evaluation process must result in a document or set of materials to be maintained by the institution for public inspection or provision to HEW on request. There is no requirement that the Self-Evaluation, or any other materials other than the HEW Assurance (see below), be submitted to HEW. All records pertinent to the process of Self-Evaluation must be maintained for a period of three years (until June 3, 1981).

Through the format of the Self-Evaluation, a college or university must **by June 3, 1978** evaluate all of its policies and practices (and their effects on handicapped persons) to determine the nature and extent of discrimination that may be present and to modify such policies or practices as necessary to remove discrimination and achieve equal access and opportunity.

This evaluation of policies and practices must include all programs and activities of the institution (and those operated by others on behalf of the institution) so that opportunities are not limited for any handicapped person in his or her pursuit of any aid, benefit, or service offered by the college or university.

As the Master Plan for section 504 program planning and action, the document or materials developed as a result of the Self-Evaluation should include all institutional documents or materials pertinent to section 504. The Transition Plan and HEW Assurance (see below) and all institutional policies or procedures (including grievance procedures)

developed prior to the completion of the Self-Evaluation should either be incorporated into written Self-Evaluation materials or referenced and appended to the Master Plan. This consolidation of section 504 documents and materials will assist in the important task of making certain that all institutional policies, procedures, statements, and plans of action are consistent and well integrated. (See discussion of "Integration of Transition Plan and Self-Evaluation," page 25.)

The section 504 regulations include numerous requirements and deadlines for action prior to the June 3, 1978 deadline for completion of the Self-Evaluation. The following listing is included in order to place the Self-Evaluation in the context of the full range of section 504 requirements. Those requirements listed below are not covered extensively in this *Guide* since they do not pertain to the process of self-evaluation and for the most part must have already been completed.

Requirement	***Deadline***
(1) Complying with specific requirements in the final regulations, *including but not limited to:* (a) appointing responsible person(s) to coordinate efforts (b) adopting grievance procedures (c) ensuring that new construction conforms to ANSI standards (d) ensuring that auxiliary aids are available in the classroom	June 3, 1977
(2) Submitting to HEW an Assurance pledging compliance with the requirements (84.5)	July 5, 1977
(3) Making programs and activities accessible, with the exception of structural modifications that may be required [84.22(d)]	August 2, 1977
(4) Making initial notifications regarding the institution's commitment to nondiscrimination (84.8)	September 2, 1977
(5) Completing a Transition Plan for changes in facilities needed to achieve accessibility [84.22(e)]	December 2, 1977

With the completion of the institutional Self-Evaluation on June 3, 1978, one final deadline will remain under section 504: on June 3, 1980, modifications in facilities shall have been completed in order to achieve physical accessibility, as outlined in the Transition Plan.

It should be pointed out that this *Guide* does not address, or include any coverage of, Subpart D of the regulations, "Preschool, Elementary, and Secondary Education," or Subpart F, "Health, Welfare, and Social Services." Although some colleges and universities may operate day-care centers or other activities that may fall under Subpart D, or services that may be covered by Subpart F, this *Guide* focuses on the central issues related to academic programs, student services, and employment that are common to all institutions of higher education.

The *Guide:* Purpose and Structure

This *Guide,* as its title indicates, is designed to assist college and university officials in the completion of their section 504 institutional Self-Evaluations. The purpose is to provide a *process* that will enable individuals to organize effectively and identify easily those areas in their institutions that require evaluation. The materials that follow may

offer institutions a useful format for the Self-Evaluation and assist in the tasks of planning actions, collecting data, scheduling the completion of required action, maintaining records, and monitoring compliance.

There are five chapters in this *Guide:*

(1) General Provisions, Key Terms, and General Actions
(2) Program Accessibility
(3) Student Programs, Activities, and Services
(4) Employment
(5) Implementing the Plan

Chapter One covers "General Provisions," "Key Terms," and "General Actions" contained in Subpart A of the regulations, as well as the **HEW Regulations** pertinent to these general provisions.

Chapters Two, Three, and Four, "Program Accessibility," "Student Programs, Activities, and Services," and "Employment" include a **Discussion and Analysis** section that summarizes the requirements and discusses key factors in the Self-Evaluation, a section on **HEW Regulations** where pertinent parts of the regulations appear, and a section on **The Self-Evaluation** that contains questions or discussion points for analysis.

Chapter Five, "Implementing the Plan," includes a format for organizing the tasks of planning actions, collecting and evaluating data, implementing actions, maintaining necessary records, and monitoring the evaluation and compliance efforts. A sample form is included that may be used to keep a record of actions required under section 504 and progress toward completion. Through the use of this form, an institution may also be able to measure the projected and actual impact of section 504 in areas such as "policy changes," "staffing considerations," "space or facility needs," "communications needs," "equipment, supply, or vehicle needs," and "cost factors."

An Appendix, "Sources of Additional Information and Technical Assistance," may be useful to institutions that require "outside" assistance with their section 504 efforts. This Appendix includes a listing of organizations that represent handicapped persons, or have experience in equal opportunity programs for handicapped persons; a listing of State Vocational Rehabilitation agencies, where institutions may obtain valuable services for their students and employees at no cost; and a bibliography of pertinent literature.

This *Guide* has been printed in a manner that will allow its use as a workbook. With the perforated pages and three-hole punching, pages may be inserted in a ring binder and supplemented with blank sheets for recording institutional responses. Blank sheets may be added following each section on **The Self-Evaluation** or at the back of the *Guide* with codings to the 130 consecutive numbers running through all sections on **The Self-Evaluation.**

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General Provisions, Key Terms, General Actions

Section 504 includes specific prohibitions against discrimination based on handicap in areas related to employment, program accessibility, and student programs, activities, and services. These specific prohibitions are covered in detail in separate chapters in this *Guide* to follow. General prohibitions against discrimination based on handicap are contained in section 84.4 of the regulations. These are discussed in this chapter.

Also covered in this chapter are key terms that are defined in section 84.3 of the regulations, and general actions, as described in section 84.6 of the regulations, that fall under the headings of "remedial" or "voluntary" action.

General Provisions (84.4)

As stated in paragraph 84.4(a), no qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance.

According to subparagraph 84.4(b)(1), colleges and universities, in providing any aid, benefit, or service, either directly or through any contractual, licensing or other arrangement, *shall not:*

(1) Deny a qualified handicapped person the opportunity to participate in or benefit from the aid, benefit, or service;

(2) Afford a qualified handicapped person an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;

(3) Provide a qualified handicapped person with an aid, benefit, or service that is not as effective as that provided to others;

(4) Provide 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;

(5) Aid or perpetuate discrimination against a qualified handicapped person by providing significant assistance to an agency, organization, or person that discriminates on the basis of handicap in providing any aid, benefit, or service to beneficiaries of the institution's program;

(6) Deny a qualified handicapped person the opportunity to participate as a member of planning or advisory boards; or

(7) Otherwise limit a qualified handicapped person in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving an aid, benefit, or service.

Four additional requirements or points of clarification are necessary with regard to the above prohibitions. First, in order to be "equally effective," as this term applies to (3) and (4) above, an aid, benefit, or service need not produce the identical result or level of achievement for handicapped and nonhandicapped persons. The term "equally

effective" is intended to encompass the concept of "equivalent," as opposed to "identical." In order to meet the requirements of any handicapped person in his or her pursuit of full participation, adjustments to regular programs or the provision of different programs may be necessary. To be "equally effective," however, an aid, benefit, or service need not produce equal results; it merely must afford an equal opportunity to achieve equal results, or to gain equivalent benefits and reach the same level of achievement as nonhandicapped persons. In making decisions regarding the provision of "equally effective" aid, benefits, and services, priority must always be given to those options that allow handicapped persons to function "in the most integrated setting appropriate" [84.4(b)(2)].

Second, as used above, the "aid, benefit, or service" provided under a program or activity 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 [84.4(b)(6)].

Third, even if "separate" or "different" programs or activities are offered, as these terms are used in (4) above, colleges and universities may not deny a qualified handicapped person the opportunity to participate in programs or activities that are not separate or different from those of nonhandicapped persons. The option for handicapped persons to participate in programs or activities that are not separate or different must always be preserved. Handicapped persons must be allowed to participate "in the most integrated setting appropriate," and *the provision of separate or different programs and services that are not necessary is discrimination on the basis of handicap* [84.4(b)(3)].

Fourth, in determining the "significance" of an institution's assistance to such organizations or persons referred to in (5) above, the institution must analyze the substantiality of its relationship to each such group or individual. Criteria to be considered *include* financial support by the institution and whether the activities of the group in question are so closely related to those of the institution that they fairly should be considered activities of the college or university itself. Also, it is relevant to ask whether an "outside" organization could continue to exist without the institutional support. This prohibition against supporting "outside" organizations or persons must initiate an analysis by the institution of all external relationships that it has (and plans to continue). The institution must make certain that "outside" organizations or persons to which it provides significant assistance—*including* labor unions or other organizations serving or representing employees, providers of insurance or other employee benefits, and social, recreational or other organizations that provide programs or activities to students or employees, including fraternities, sororities and other student groups—do not discriminate on the basis of handicap. In making certain that discrimination does not exist in such programs or activities, the institution must make its policies and practices regarding nondiscrimination clear to such organizations and persons; should receive written assurances from such organizations and persons that they do not discriminate on the basis of handicap; and, through whatever other procedures may be necessary, must make certain that the programs and activities of such organizations and persons do not, in fact, discriminate against qualified handicapped persons.

This principle of "significant assistance" is the same as that applied to similar circumstances in regulations implementing Title IX of the Education Amendments of 1972, as amended.

In addition to the general prohibition against providing significant assistance to outside groups that discriminate, there is another requirement that may affect an institution's relationship to an outside group or person. When an organization or person is involved in an institution's provision of student services, the program must be, "as a whole," nondiscriminatory. This means that the service, program or activity, when viewed in its entirety, must provide opportunities for handicapped persons that are equal to those enjoyed by nonhandicapped persons. It does not require that all components of

a program or activity be free from discrimination, so long as opportunities for handicapped persons are not limited. This "as a whole" principle applies to "outside" programs and activities that are *assisted* by the institution, *including* organizations or persons that provide off-campus housing to an institution's students [84.45(b)], financial assistance to students [84.46(a)(2)], opportunities for practical training that are a part of an institution's academic programs (e.g., student teaching) [84.43(b)] and opportunities for employment (e.g., companies that use the institution's facilities to recruit students for employment) [84.46(b)]. In making certain that equal opportunities exist, an institution should follow procedures similar to those described above regarding written assurances from "outside" organizations or persons and such additional procedures that may be necessary.

As stated in subparagraph 84.4(b)(4), a college or university may not, directly or through contractual or other arrangements, utilize criteria or methods of *administration* that:

(1) have the effect of subjecting qualified handicapped persons to discrimination on the basis of handicap;

(2) have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of a program or activity by handicapped persons; or

(3) perpetuate the discrimination of another organization receiving federal financial support, if the college or university and the other recipient organization are subject to common administrative control or are agencies of the same state.

In determining the site or location of a facility, subparagraph 84.4(b)(5) mandates that colleges and universities not make selections that:

(1) have the effect of excluding handicapped persons from, denying them the benefits of, or otherwise subjecting them to discrimination under any program or activity; or

(2) have the purpose or effect of defeating or substantially impairing the accomplishment of a program's objectives by handicapped persons. (This requirement related to sites or locations is not intended to prohibit a college or university that is located on hilly terrain from erecting any new buildings or facilities at its present site.)

As stated in paragraph 84.4(c), nothing in section 504 prohibits the exclusion of nonhandicapped persons from the benefits of a program limited by federal statute or executive order to handicapped persons; similarly, nothing prohibits the exclusion of a specific class of handicapped persons from a program limited to a different class of handicapped persons.

Key Terms (84.3)

A knowledge and understanding of key terms in the section 504 regulations are essential. Section 84.3 includes "Definitions," and the discussion that follows highlights or clarifies key terms that appear in this section. These key terms and their definitions should be kept in mind and applied to all subsequent chapters and discussions in this *Guide*.

A "**facility**," as defined at paragraph 84.3(i), means all or any portion of buildings, structures, equipment, roads, walks, parking lots, or other real or personal property or interest in such property.

A "**handicapped person**," as defined at paragraph 84.3(j), means any person who:

(1) has a physical or mental impairment which substantially limits one or more major life activities (functions *such as* caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working);

(2) has a record of such an impairment (has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities); or

(3) is regarded as having such an impairment. A person may be included in this definition if he or she:

(a) has a physical or mental impairment that does not substantially limit major life activities but is treated by the institution as though such a limitation exists.

(b) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such an impairment; or

(c) has none of the impairments defined below under "physical or mental impairment," but is treated by the institution as having such an impairment.

Under (1) above, only physical and mental handicaps are included. Thus, environmental, cultural, and economic disadvantages are not in themselves covered; nor are prison records, age, or homosexuality. Of course, if a person has any of these characteristics and also has a physical or mental handicap, he or she is included within the definition of "handicapped person."

Under (2) above, persons who have a history of a handicapping condition (e.g., mental or emotional illness, heart disease, cancer) but no longer have the condition, and persons who have been incorrectly classified as having such a condition (e.g., mentally retarded), are protected from discrimination under section 504.

Under (3) above, persons are protected by section 504 who are ordinarily considered to be handicapped but do not fall within the first two parts of the statutory definition, such as persons with a limp. This part of the definition also includes some persons who might not ordinarily be considered handicapped, such as persons with disfiguring scars or persons who have no impairment but are treated as if they are handicapped.

"**Physical or mental impairment**," as defined at paragraph 84.3(j)(2)(i), means:

(1) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or

(2) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

It should be emphasized that a physical or mental impairment does not constitute a handicap for purposes of section 504 unless its severity is such that it results in a substantial limitation of one or more major life activities. The term "physical or mental impairment" is not defined by virtue of a listing of specific diseases and conditions due to the difficulty in ensuring the comprehensiveness of such a list. However, this term is intended to encompass such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, and, as discussed below, drug addiction and alcoholism. "Specific learning disabilities" are included in the definition of "mental impairment," and the term is intended to describe such conditions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

A "**qualified handicapped person**," as defined at paragraph 84.3(k), means:

(1) with respect to employment, a handicapped person who, with reasonable accommodation, can perform the essential functions of the job in question; and

(2) with respect to postsecondary and vocational education, a handicapped person who meets the academic and technical standards requisite to admission or participation in the institution's programs and activities.

The term "reasonable accommodation" is discussed in Chapter Four, "Employment." The term "essential functions of the job" is included to emphasize that handicapped persons should not be disqualified simply because they may have difficulty in

performing tasks that bear only a marginal relationship to a particular job. The term "technical standards" refers to all nonacademic admissions criteria that are essential to participation in a specific program or activity.

Drug addiction and alcoholism are "physical and mental impairments" within the meaning of the Rehabilitation Act of 1973, as amended, and drug addicts and alcoholics are consequently handicapped for purposes of section 504. It must be emphasized that section 504 applies only to discrimination against *qualified* handicapped persons—persons who, despite their handicaps, are able to perform the essential functions of a job or meet the requisite academic or technical standards. Also, in determining whether or not a person is qualified for services or employment opportunities, any handicapped person (including drug addicts and alcoholics) may be held to the same standard of performance and/or behavior as nonhandicapped persons, even if any unsatisfactory performance or behavior is related to a person's handicap (e.g., drug addiction or alcoholism). The behavioral manifestations of conditions such as alcoholism and drug addiction may be taken into account in determining whether or not someone is "qualified."

With respect to the employment of a drug addict or alcoholic, if it can be shown that the condition prevents successful performance on the job, the person need not be provided the employment opportunity in question. For example, in making employment decisions, a college or university may judge addicts and alcoholics on the same basis that it judges all other applicants and employees. So long as they are considered for all applicants and employees, factors such as past personnel records, absenteeism, disruptive, abusive, or dangerous behavior, violations of rules, and unsatisfactory work performance may be considered.

No rules or regulations of the institution pertaining to the possession or use of drugs or alcohol need be compromised or altered on account of section 504. So long as all employees or students are subjected to the same rules or regulations, drug addicts and alcoholics participating in an institution's programs or activities may be required to meet the institution's disciplinary requirements. Neither such rules nor their application to drug addicts and alcoholics is prohibited by section 504.

The implications of coverage of drug addicts and alcoholics are twofold: (1) No person may be discriminated against solely by reason of the presence or history of these conditions; and (2) To the extent that the manifestations of the condition prevent the person from meeting the basic eligibility requirements of the program or cause substantial interference with the operation of the program, the condition may be taken into consideration. Thus, a college or university may not exclude an addict or alcoholic as a student on the basis of the condition alone, if the person can successfully participate in the education program, comply with the rules of the institution, and manifest behavior that does not impede the performance of others.

In summary, it should be pointed out that "handicapped persons" are individuals who not only *have* physical or mental impairments, but either have a record of such an impairment or are regarded as having such an impairment. Under these two latter clauses in the definition of "handicapped persons," someone who *was* a drug addict or alcoholic but is not any longer, or someone who is not a drug addict or alcoholic but is treated as though he or she is, would be protected under section 504. It seems reasonably clear that if someone has a condition of drug addiction or alcoholism that is so severe that one or more major life activities is (are) substantially limited (and this would have to be the case for the person to be "handicapped"), he or she may not be "qualified" for employment or academic programs and services.

"**Handicap**," as defined at paragraph 84.3(l), means any condition or characteristic that renders a person a handicapped person, as defined above.

"**Recipient**" and "**federal financial assistance**" are defined in the "Introduction" to this *Guide* under the discussion of "Coverage" (see page 5).

General Actions (84.6)

Section 84.6 of the regulations covers the self-evaluation process *and* the concepts of "remedial" or "voluntary" actions. An understanding of these forms of action is necessary before one embarks upon the specific tasks of the Self-Evaluation.

Remedial action may be required of the college or university in cases where the Director of OCR finds that there has been discrimination on the basis of handicap in violation of section 504. Such actions may be required in order to overcome the past effects of discrimination, and they may pertain to handicapped persons who: (1) are no longer participants in the institution's programs and activities but were when the discrimination occurred; or (2) would have been participants in the program had the discrimination not occurred.

An institution would not take remedial action except at the request of the Director of OCR.

Voluntary action may be taken by a college or university on its own in order to overcome the effects of conditions that resulted in limited participation in programs or activities by qualified handicapped persons. Such voluntary action is not required by section 504. Institutions should not be reluctant to take voluntary action for fear of reprisals. Voluntary action need not involve an admission of past discriminatory practices, but may be viewed as a good faith effort to remove previous limitations on opportunities.

The terms "remedial action" and "voluntary action" will appear in later chapters of this *Guide* during discussion of recruitment for students or employees. Special provisions exist for colleges and universities that are taking remedial or voluntary action under section 504.

Requirements regarding the Self-Evaluation, also contained in section 84.6, are covered on page 7 in the "Introduction" to this *Guide*.

HEW Regulations (Subpart A)

Subpart A—General Provisions

§ 84.1 Purpose.

The purpose of this part is to effectuate section 504 of the Rehabilitation Act of 1973, which is designed to eliminate discrimination on the basis of handicap in any program or activity receiving Federal financial assistance.

§ 84.2 Application.

This part applies to each recipient of Federal financial assistance from the Department of Health, Education, and Welfare and to each program or activity that receives or benefits from such assistance.

§ 84.3 Definitions.

As used in this part, the term:

(a) "The Act" means the Rehabilitation Act of 1973, Pub. L. 93–112, as amended by the Rehabilitation Act Amendments of 1974, Public Law 93–516, 29 U.S.C. 794.

(b) "Section 504" means section 504 of the Act.

(c) "Education of the Handicapped Act" means that statute as amended by the Education for all Handicapped Children Act of 1975, Pub. L. 94–142, 20 U.S.C. 1401 et seq.

(d) "Department" means the Department of Health, Education, and Welfare.

(e) "Director" means the Director of the Office for Civil Rights of the Department.

(f) "Recipient" means any state or its political subdivision, any instrumentality of a state or its political subdivision, any public or private agency, institution, organization, or other entity, or any person to which Federal financial assistance is extended directly or through another recipient, including any successor, assignee, or transferee of a recipient, but excluding the ultimate beneficiary of the assistance.

(g) "Applicant for assistance" means one who submits an application, request, or plan required to be approved by a Department official or by a recipient as a condition to becoming a recipient.

(h) "Federal financial assistance" means any grant, loan, contract (other than a procurement contract or a contract of insurance or guaranty), or any other arrangement by which the Department provides or otherwise makes available assistance in the form of:

(1) Funds;

(2) Services of Federal personnel; or

(3) Real and personal property or any interest in or use of such property, including:

(i) Transfers or leases of such property for less than fair market value or for reduced consideration; and

(ii) Proceeds from a subsequent transfer or lease of such property if the Federal share of its fair market value is not returned to the Federal Government.

(i) "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.

(j) "Handicapped person." (1) "Handicapped persons" means any person who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment.

(2) As used in paragraph (j)(1) of this section, the phrase:

(i) "Physical or mental impairment" means (A) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or (B) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

(ii) "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(iii) "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.

(iv) "Is regarded as having an impairment" means (A) has a physical or mental impairment that does not substantially limit major life activities but that is treated by a recipient as constituting such a limitation; (B) has a physical or mental impairment that substantially limits major life acitivities only as a result of the attitudes of others toward such impairment; or (C) has none of the impairments defined in paragraph (j)(2)(i) of this section but is treated by a recipient as having such an impairment.

(k) "Qualified handicapped person" means:

(1) With respect to employment, a handicapped person who, with reasonable accommodation, can perform the essential functions of the job in question;

(2) With respect to public preschool elementary, secondary, or adult educational services, a handicapped person (i) of an age during which nonhandicapped persons are provided such services, (ii) of any age during which it is mandatory under state law to provide such services to handicapped persons, or (iii) to whom a state is required to provide a free appropriate public education under § 612 of the Education of the Handicapped Act; and

(3) With respect to postsecondary and vocational education services, a handicapped person who meets the academic and technical standards requisite to admission or participation in the recipient's education program or activity;

(4) With respect to other services, a handicapped person who meets the essential eligibility requirements for the receipt of such services.

(l) "Handicap" means any condition or characteristic that renders a person a handicapped person as defined in paragraph (j) of this section.

§ 84.4 Discrimination prohibited.

(a) *General.* No qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance.

(b) *Discriminatory actions prohibited.* (1) A recipient, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of handicap:

(i) Deny a qualified handicapped person the opportunity to participate in or benefit from the aid, benefit, or service;

(ii) Afford a qualified handicapped person an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;

(iii) Provide a qualified handicapped person with an aid, benefit, or service that is not as effective as that provided to others;

(iv) Provide 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;

(v) Aid or perpetuate discrimination against a qualified handicapped person by providing significant assistance to an agency, organization, or person that discriminates on the basis of handicap in providing any aid, benefit, or service to beneficiaries of the recipients program;

(vi) Deny a qualified handicapped person the opportunity to participate as a member of planning or advisory boards; or

(vii) Otherwise limit a qualified handicapped person in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving an aid, benefit, or service.

(2) For purposes of this part, aids, benefits, and services, to be equally effective, are not required to produce the identical result or level of achievement for handicapped and nonhandicapped persons, but must afford handicapped persons equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting appropriate to the person's needs.

(3) Despite the existence of separate or different programs or activities provided in accordance with this part, a recipient may not deny a qualified handicapped person the opportunity to participate in such programs or activities that are not separate or different.

(4) A recipient may not, directly or through contractual or other arrange-

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Program Accessibility

Discussion and Comment

"Program accessibility" is perhaps *the* key term in section 504. Programs and activities must be accessible if discrimination is to be eliminated and handicapped persons are to be afforded equal opportunities for full participation.

With regard to program accessibility, it is important to highlight six major principles contained in section 504:

(1) Handicapped persons or their representatives must be involved in the planning processes for achieving program accessibility. There is no better resource in the identification of inaccessible programs or obstacles to full participation than those persons who may be confronting such barriers. Contributions of handicapped persons should be valuable not only in the identification of physical and program barriers, but in ordering institutional priorities for their modification or elimination.

(2) Regular and open communications (and formal grievance procedures) must be established so that information on program accessibility will be shared on an ongoing basis.

(3) Providing *separate* or *different* programs, activities, or services is prohibited under section 504 unless they are necessary to achieve equal opportunity. When there is more than one option in the decision-making process, the option selected for implementation shall be the one that will result in the "most integrated setting appropriate" for handicapped persons. Section 504 places obligations on the institution and not the handicapped person. Where separate programs or activities must exist, handicapped persons must always have the option to participate in those programs or activities that are *not* separate or different.

(4) Making programs and activities accessible to the handicapped students and employees on a particular campus will make it necessary to become familiar with general accessibility standards *and* to ascertain what, if anything, each individual requires in order to modify or eliminate barriers to full participation.

(5) It is important to distinguish between the concept of *program accessibility* and that of a *barrier-free environment.* Section 504 requires program accessibility: that is, all programs and activities of an institution, when viewed in their entirety, must be accessible to handicapped persons. Achieving program accessibility will no doubt require some, if not extensive, modifications to an institution's existing facilities. However, *structural changes are required only where there is no other feasible way to make a program or activity accessible.*

A barrier-free environment, on the other hand, has *no* physical barriers to access by handicapped persons. *Section 504 does not require a barrier-free environment;* it requires that programs and activities, *when viewed in their entirety,* be accessible. All existing facilities need not be made accessible, so long as an institution's programs and activities, as a whole, are accessible. This flexible approach allows institutions to achieve full partici-

pation for handicapped persons without renovating every existing classroom building, dormitory, and so forth.

(6) Discretion and common sense should prevail, and flexible approaches and processes should be adopted.

It will be important in achieving program accessibility to consider the range and variety of handicaps. In certain cases, achieving accessibility may require making program changes or physical modifications that serve not only the current students and employees of an institution, but prospective students and employees. For example, an institution's admissions facilities must be accessible to persons with mobility impairments so that such applicants will have equal admissions opportunities.

The following is a general listing of handicaps that is *not* intended to be comprehensive, but may highlight the range of conditions that should be considered in planning for program accessibility:

Non-ambulatory Disabilities—Physical impairments that, regardless of cause, confine persons to a wheelchair. In this category are individuals ranging in severity of disabilities: the paraplegic with permanent paralysis to lower limbs; the quadriplegic with permanent paralysis to lower limbs as well as differing degrees of paralysis to upper extremities; and the hemiplegic with differing degrees of paralysis affecting one half of the body.

Semi-ambulatory Disabilities—Physical impairments that cause a person to walk with difficulty. The semi-ambulatory include people using crutches, walkers or braces; amputees; arthritics; and those with pulmonary or cardiac ailments.

Coordination Disabilities—Impairments of muscle control to the limbs, resulting in faulty coordination.

Sight Disabilities—Impairments affecting sight totally or partially.

Hearing Disabilities—Impairments affecting hearing totally or partially.

Speech Impairments—Impairments affecting totally or partially the ability to communicate orally.

Learning Disabilities—Impairments that impede the normal learning processes.

Mental or Psychological Disorders—Impairments affecting normal mental processes or emotional stability.

General Requirements: An institution may not discriminate against qualified handicapped persons because its facilities are inaccessible to or unusable by such persons. This requirement has implications for existing facilities and new construction on college and university campuses and applies to facilities that an institution may lease from another organization or person for any of its programs, activities, or services.

It should be remembered that the term "facility," as defined at paragraph 84.3(i), includes all or any portion of buildings, structures, equipment, roads, walks, parking lots, or other real or personal property or interest in such property.

Existing Facilities: Section 84.22 of the regulations requires that each program or activity operated by the institution be readily accessible to handicapped persons when it is viewed in its entirety. Therefore, every facility (or every part of every facility) need not be accessible to and usable by handicapped persons. Handicapped persons must have equal opportunities to achieve full participation in all programs and activities, but full participation does not necessarily mandate massive renovation or construction efforts.

An institution is not required to make structural changes in existing facilities where other methods are effective in achieving program accessibility. Therefore, facilities need not be renovated when any of the following actions (or similar types of actions) are successful in ensuring full participation for handicapped persons in programs and activities:

(1) The redesign of equipment;
(2) The reassignment of classes or other services to accessible buildings;
(3) The assignment of aides to handicapped persons; and
(4) Home visits.

The section 504 regulations are therefore flexible, allowing institutions to determine for themselves, in consultation with handicapped students and employees, the most effective means of achieving program accessibility. As an example of the creative approaches that may be permitted to achieve accessibility without great expense, HEW has stated that making water fountains accessible to persons in wheelchairs may be as simple as installing paper cup dispensers within reach of persons who are in wheelchairs.

As the institution formalizes plans for achieving program accessibility, it should be remembered that facility renovation costs are of a one-time nature. Other means for achieving program accessibility, such as providing assistants to retrieve books in the library, may involve ongoing annual costs.

As the institution selects among options for achieving program accessibility—options that certainly include renovation of existing facilities or the construction of new ones—it is important that *priority* be given to those options that offer programs and activities to handicapped persons "in the most integrated setting appropriate." This firm requirement in the regulations does not necessarily lead to an environment that is any more or less barrier-free. At the risk of generalizing, persons who are blind or deaf may consider existing facilities satisfactory in their pursuit of full participation, with few or no changes made to remove physical barriers. On the other hand, persons with mobility impairments may require certain facility renovations in order to have opportunities that are equal to those of non-mobility-impaired persons. In the context of facility renovation, "the most integrated setting appropriate" for any handicapped person will be the one that makes his or her actions and activities less different from (or perhaps the same as) those of non-handicapped persons.

Unique challenges may exist on campuses where historical buildings must play a major role in the delivery of programs and services to students and employees. Although there is no exemption from the program accessibility standard for historical buildings, the flexibility contained in this standard should permit accommodation in most cases without major change in historical buildings. Organizations listed in the Appendix of this *Guide* may be able to assist with the plans for making such buildings accessible while preserving their "sentimental value" and aesthetic appeal.

It is reasonably clear from the section 504 regulations, and from HEW pronouncements since the issuance of final regulations, that whenever program accessibility can be achieved through methods other than renovation or construction, the physical plant of a college or university need not be altered. It is equally clear that where other methods (such as the reassignment of classes) are not successful in achieving full participation by handicapped persons, existing facilities will have to be renovated or new facilities will have to be constructed.

The institution may wish to alert its employees and students to general accessibility standards (e.g., those related to parking lots, water fountains, and so forth) so that they may report problem areas to the responsible campus official. Through such an ongoing communications process, an institution may be more responsive to the accessibility requirements of handicapped persons based on its experiences with section 504.

The institution must adopt and implement procedures to ensure that interested persons, including those with sight and hearing impairments, can obtain information regarding the existence and location of services, activities, and facilities that are accessible to and usable by handicapped persons [84.22(f)].

New Construction: Beginning June 3, 1977, all new construction and alterations that affect usability are to be carried out according to standards that ensure accessibility to and usability by handicapped persons. These requirements pertain to facilities (or parts of

facilities) that are constructed or altered by, on behalf of, or for the use of colleges and universities. Any alterations that could affect the usability of the facility, or part of the facility, shall, *to the maximum extent feasible,* be made in a manner that makes the altered portion of the facility readily accessible to and usable by handicapped persons. Consequently, if a doorway is being altered, the door opening must be wide enough to accommodate wheelchairs. On the other hand, if the alteration consists of changing ceilings, the accessibility standard would not apply since ceilings could not be altered in a manner that would affect accessibility.

The phrase "maximum extent feasible" is intended to cover cases in which the nature of the facility is such as to make it impractical or prohibitively expensive to renovate in a manner that results in a completely accessible alteration. In such cases, however, the maximum physical accessibility feasible should be the objective.

Standards to be followed in construction or alteration are those of the American National Standards Institute (ANSI standards). ANSI standards include precise specifications designed to ensure that handicapped persons will have access to, and be able to use, facilities, *including:* doors, stairways, parking, elevators, walkways, corridors, ramps, dormitories, sanitary facilities (including toilets, sinks, mirrors, and showers), dining areas, lecture halls and classrooms, laboratories, spectator spaces, physical education facilities, libraries, drinking fountains, light switches, telephones, electric outlets, vending machines, and so forth. Departures from the ANSI code are permitted, but only when it is clearly evident that equivalent access is provided. Current ANSI standards, which are being revised, are available for $2.75—checks payable to ANSI—by writing to: ANSI, 1430 Broadway, New York, New York 10018.

In addition to other resources listed in the Appendix of this *Guide,* there are two sources of information that are highly recommended to individuals who require additional information on facility renovation or modification:

(1) *Architectural Accessibility for the Disabled of College Campuses,* Alfred H. De Graff and Stephen R. Cotler, October 1976. Available at no charge by writing to: State University Construction Fund, 194 Washington Avenue, Albany, New York 12210.

(2) The Association of Physical Plant Administrators of Universities and Colleges, which has conducted seminars and published extensive materials on program accessibility for colleges and universities. Contact APPA, Eleven Dupont Circle, Suite 250, Washington, D.C. 20036. (Section 504 hotline telephone number—202/234-1663.)

Section 502 Buildings: Section *502* of the Rehabilitation Act of 1973, as amended, contains authority for the Architectural and Transportation Barriers Compliance Board to insure compliance with the Architectural Barriers Act of 1968, as amended. Although this statute has no legal relation to section 504, it does contain requirements that are similar to section 504 facility restrictions and should be incorporated into section 504 planning. The Architectural Barriers Act mandated that all buildings constructed with federal construction funds after September 2, 1969 be built in accordance with ANSI standards. All *new* construction on college and university campuses must be in conformance with ANSI standards as a result of section 504. However, as a result of the Architectural Barriers Act, this requirement dates back to September 2, 1969 for all construction funded by federal construction assistance. For institutions that have buildings that have been constructed since September 2, 1969 with federal support, it is important to make certain that such facilities are consistent with ANSI and, if they are not, that immediate efforts be undertaken to ensure that they are in compliance. For such buildings there is no waiting period for compliance; they were to have been in compliance from the outset.

Non-Structural Modifications/Transition Plan: Two section 504 deadlines regarding program accessibility passed during 1977. These include:

(1) By August 2, 1977, program accessibility was to have been achieved for all pro-

grams and activities except where alteration or modification of existing facilities or construction of new ones was required;

(2) By December 2, 1977, institutions were to have completed a Transition Plan that, at a minimum:

(a) identified physical obstacles that limit accessibility;

(b) described in detail the methods that will be used to make facilities accessible;

(c) specified the yearly schedule for completion, by June 3, 1980, of steps necessary to achieve full program accessibility; and

(d) indicated the person responsible for implementation of the plan.

The Transition Plan was not required to be submitted to HEW, but must be available for public inspection or submission to HEW on request.

In cases where alteration or construction is not necessary to achieve program accessibility (e.g., through actions such as the rescheduling of classes), such programs and activities were to have been accessible on August 2, 1977. In cases where alteration or construction is necessary, June 3, 1980 is the deadline for achieving program accessibility. HEW has cautioned colleges and universities that the June 3, 1980 deadline should not delay the tasks of making programs and activities accessible as expeditiously as possible, particularly in cases where minor renovations (such as ramps or curb cuts) would result in accessibility.

It is important that an institution document its efforts to achieve program accessibility by June 3, 1980. HEW has stated that, with the flexible standard that permits institutions to devise ways to make their programs accessible short of extremely expensive or impractical physical changes, *there is no provision that allows for waivers of the program accessibility requirements.*

Integration of Transition Plan and Self-Evaluation: For the purpose of this *Guide,* published in January 1978, it must be assumed that colleges and universities completed their Transition Plans by December 2, 1977, and have formal plans for the modification or renovation of facilities. This *Guide,* therefore, makes no attempt to provide information regarding the identification and removal of physical barriers. Such information was to have been gathered and utilized prior to December 2, 1977.

For institutions that are still in need of such information, or wish to refine their Transition Plans (see below), the Appendix of this *Guide* contains listings of organizations and literature that may be helpful with regard to facility modification efforts. Also, the two sources listed on page 24 should be consulted.

It is imperative that an institution's Transition Plan and Self-Evaluation be well integrated and consistent from programmatic, policy, and financial planning viewpoints. Institutional goals, objectives, policies and procedures regarding section 504 should be reflected in the Transition Plan and Self-Evaluation without contradiction or inconsistency.

In order to perform the institutional Self-Evaluation in an objective manner, institutions may wish to evaluate their policies and practices without much, if any, reliance on their Transition Plans or materials that were developed by August 2, 1977 to achieve nonstructural program accessibility. Through this separate method, all policies and practices may be evaluated in an organized and systematic manner, involving all interested and responsible campus officials and handicapped persons or their representatives. Once the Self-Evaluation has been completed, and participants in the process have agreed upon modifications that must be made, the Transition Plan may be modified as appropriate to reflect the results of the Self-Evaluation.

Once the Self-Evaluation has been completed and the Transition Plan has been modified, if necessary, for consistency with the Self-Evaluation, the institution should have a two-part Master Plan for achieving program accessibility. With the Self-Evaluation documenting the steps that must be taken to achieve accessibility in all programs and

activities, the Transition Plan may be viewed as a technical appendix to the Self-Evaluation, enumerating the facilities renovation and construction work, with time schedules, that will be accomplished to meet needs identified in the Self-Evaluation.

HEW Regulations (Subpart C)

Subpart C—Program Accessibility

§ 84.21 Discrimination prohibited.

No qualified handicapped person shall, because a recipient's facilities are inaccessible to or unusable by handicapped persons, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which this part applies.

§ 84.22 Existing facilities.

(a) *Program accessibility.* A recipient shall operate each program or activity to which this part applies so that the program or activity, when viewed in its entirety, is readily accessible to handicapped persons. This paragraph does not require a recipient to make each of its existing facilities or every part of a facility accessible to and usable by handicapped persons.

(b) *Methods.* A recipient may comply with the requirement of paragraph (a) of this section through such means as redesign of equipment, reassignment of classes or other services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of health, welfare, or other social services at alternate accessible sites, alteration of existing facilities and construction of new facilities in conformance with the requirements of § 84.23, or any other methods that result in making its program or activity accessible to handicapped persons. A recipient is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with paragraph (a) of this section. In choosing among available methods for meeting the requirement of paragraph (a) of this section, a recipient shall give priority to those methods that offer programs and activities to handicapped persons in the most integrated setting appropriate.

(c) *Small health, welfare, or other social service providers.* If a recipient with fewer than fifteen employees that provides health, welfare, or other social services finds, after consultation with a handicapped person seeking its services, that there is no method of complying with paragraph (a) of this section other than making a significant alteration in its existing facilities, the recipient may, as an alternative, refer the handicapped person to other providers of those services that are accessible.

(d) *Time period.* A recipient shall comply with the requirement of paragraph (a) of this section within sixty days of the effective date of this part except that where structural changes in facilities are necessary, such changes shall be made within three years of the effective date of this part, but in any event as expeditiously as possible.

(e) *Transition plan.* In the event that structural changes to facilities are necessary to meet the requirement of paragraph (a) of this section, a recipient shall develop, within six months of the effective date of this part, a transition plan setting forth the steps necessary to complete such changes. The plan shall be developed with the assistance of interested persons, including handicapped persons or organizations representing handicapped persons. A copy of the transition plan shall be made available for public inspection. The plan shall, at a minimum:

(1) Identify physical obstacles in the recipient's facilities that limit the accessibility of its program or activity to handicapped persons;

(2) Describe in detail the methods that will be used to make the facilities accessible;

(3) Specify the schedule for taking the steps necessary to achieve full program accessibility and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and

(4) Indicate the person responsible for implementation of the plan.

(f) *Notice.* The recipient shall adopt and implement procedures to ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of services, activities, and facilities that are accessible to and usable by handicapped persons.

§ 84.23 New construction.

(a) *Design and construction.* Each facility or part of a facility constructed by, on behalf of, or for the use of a recipient shall be designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by handicapped persons, if the construction was commenced after the effective date of this part.

(b) *Alteration.* Each facility or part of a facility which is altered by, on behalf of, or for the use of a recipient after the effective date of this part in a manner that affects or could affect the usability of the facility or part of the facility shall, to the maximum extent feasible, be altered in such manner that the altered portion of the facility is readily accessible to and usable by handicapped persons.

(c) *American National Standards Institute accessibility standards.* Design, construction, or alteration of facilities in conformance with the "American National Standard Specifications for Mak-

ing Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," published by the American National Standards Institute, Inc. (ANSI A117.1–1961 (R1971)),[1] which is incorporated by reference, in this part, shall constitute compliance with paragraphs (a) and (b) of this section. Departures from particular requirements of those standards by the use of other methods shall be permitted when it is clearly evident that equivalent access to the facility or part of the facility is thereby provided.

[1] Copies obtainable from American National Standards Institute, Inc., 1430 Broadway, New York, N.Y. 10018.

The Self-Evaluation

(1) Who is the institutional officer responsible for the Transition Plan and its implementation?

Name_____

Title_____

Address_____

Telephone Number_____

Who is the institutional officer with primary responsibility for the Self-Evaluation?

Name_____

Title_____

Address_____

Telephone Number_____

Describe the steps that will be taken to ensure a full integration and complete consistency between the Transition Plan and the Self-Evaluation.

(2) List those facilities that the institution rents or leases (or uses through any other arrangement) for programs, activities or services offered by the college or university?

For each of those facilities listed, describe steps that will be taken to ensure that such facilities are accessible, or that the use of such facilities will not result in the inaccessibility of any programs or activities of the institution.

(3) List any buildings or facilities that have been constructed since September 2, 1969 with federal construction funds. In each case, indicate whether or not such buildings or facilities have been constructed in accordance with ANSI standards.

For those buildings listed that were not constructed in accordance with ANSI standards, indicate immediate steps that will be taken to ensure that necessary modifications are made.

(4) Discuss any steps that may be taken to inform students and employees of general accessibility standards, so that they may report problem areas to the responsible campus official. Discuss also steps that will be taken to adopt and implement procedures for informing interested persons, including those with sight and hearing impairments, of the existence and location of accessible services, activities, and facilities.

(5) All steps to be taken as a result of program accessibility requirements contained in this chapter (*and* specific steps enumerated in the institution's Transition Plan) should

be incorporated into an organized process for ensuring adequate planning, data collection, scheduling to complete the required action, records maintenance, and monitoring activities. Unless a process more suited to an institution's administrative procedures is devised, all steps or actions required should be the subject of individual Summary Report Forms as described in Chapter Five, "Implementing the Plan" (see page 79). Using the process described in Chapter Five will also permit an institution to measure the projected and actual impact of actions taken under section 504.

Discuss the procedure to be followed and the schedule for developing individual Summary Report Forms for all steps to be taken as a result of this chapter and the institution's Transition Plan.

3

Student Programs, Activities, and Services

Section 504 prohibits discrimination against qualified handicapped students in any programs or activities of the institution. A "qualified handicapped person" with respect to postsecondary education, as defined at subparagraph 84.3(k)(3), is a handicapped person who meets the academic and technical standards requisite to admission or participation in the institution's programs or activities.

This chapter covers all aspects of student life as they are affected by section 504, including Admissions and Recruitment, Academic Programs and Adjustments, Treatment of Students, Transportation, Health and Insurance, Housing, Financial and Employment Assistance, and Nonacademic Services. For each of these important areas there are sections on **Discussion and Analysis, HEW Regulations,** and **The Self-Evaluation.**

Prior to specific discussions of student programs, activities, and services, it is necessary to reemphasize five major principles contained in section 504:

(1) Handicapped persons or their representatives must be involved in the self-evaluation processes that will ensure an absence of discrimination in all student programs, activities, and services.

(2) Regular and open communications (and formal grievance procedures) must be established so that information related to student programs, activities, and services will be shared on an ongoing basis.

(3) Providing *separate* or *different* programs, activities, or services is prohibited under section 504 unless they are necessary to achieve equal opportunity. When there is more than one option in the decision-making process, the option selected for implementation shall be the one that will result in the "most integrated setting appropriate" for handicapped persons. Section 504 places obligations on the institution and not the individual handicapped person. Where separate programs or activities exist, handicapped persons must always have the option to participate in those programs or activities that are *not* separate or different.

(4) It is important to recall the variety of handicaps and the fact that barriers to full participation in student programs, activities, and services cannot be categorized by handicap. The process of eliminating barriers to full participation for the handicapped students on a particular campus will make it necessary to ascertain what, if anything, those individuals require in order to ensure their equal opportunities.

(5) Discretion and common sense should prevail, and flexible approaches and processes should be adopted.

Despite the caution above regarding overgeneralizations and categorizations based on handicap, it will be important to consider the range and variety of handicaps in eliminating barriers to full participation through accommodations, adjustments, and the availability of auxiliary aids. The following is a general listing of handicaps that is *not* intended to be comprehensive, but may highlight the range of conditions that should be considered in planning modifications.

Non-ambulatory Disabilities—Physical impairments that, regardless of cause, confine persons to a wheelchair. In this category are individuals ranging in severity of disabilities (see related discussion on page 22);

Semi-ambulatory Disabilities—Physical impairments that cause a person to walk with difficulty, perhaps with the assistance of crutches, walkers, or braces.

Coordination Disabilities—Impairments of muscle control to the limbs, resulting in faulty coordination.

Sight Disabilities—Impairments affecting sight totally or partially.

Hearing Disabilities—Impairments affecting hearing totally or partially.

Speech Impairments—Impairments affecting totally or partially the ability to communicate orally.

Learning Disabilities—Impairments that impede the normal learning processes.

Mental or Psychological Disorders—Impairments affecting normal mental processes or emotional stability.

Admissions and Recruitment

Discussion and Comment

Under section 84.42 of the regulations, qualified handicapped persons may not, on the basis of handicap, be denied admission or be subjected to discrimination in admission or recruitment.

It should be remembered that, since section 504 is *not* an affirmative action statute, there are no goals and timetables related to the number of handicapped persons in the student population.

Freeing admissions and recruitment policies and procedures of discrimination based on handicap is essential to ensuring full participation for handicapped persons. First, and quite obviously, discriminatory obstacles to a person's admission not only limit participation, but they may ensure that there will be no participation in an institution's programs and activities. Second, since admissions and recruitment activities are often a student's first exposure to an institution, the degree of discrimination present in these processes may set the tone for an individual's ensuing educational experience. A qualified handicapped student's sense of community or involvement may be severely compromised if he or she has had to overcome unnecessary obstacles during the admissions process.

It is clear that colleges and universities are required by section 504 to make accommodations and adjustments for qualified handicapped students; making this equally clear to admissions and recruitment personnel, and ensuring that such persons are knowledgeable in all aspects of an institution's section 504 efforts, will be essential in combating discrimination in admissions and recruitment.

"Recruitment," in the context of section 504, means all activities by the institution's staff, faculty, alumni, and others that are intended to influence students to attend the college or university. This includes personal contact, media presentations, and printed materials posted or sent to prospective students. In all such activities, institutional personnel should be aware of the prohibition against counseling handicapped students toward more restrictive courses of study or careers (see page 60).

Handicapped applicants must have the same opportunity to learn about an institution, and to enroll in it, as nonhandicapped persons. In order to provide equal opportunities, a college or university may wish to expand its recruitment activities to include schools and special classes attended by handicapped students. In addition, recruitment information should be available in forms that are suitable for use by handicapped persons, including those with sight and hearing impairments.

Section 84.8 of the regulations states that, if the institution publishes or uses recruitment materials or publications containing general information that it makes available to participants, it shall include in those materials or publications statements of compliance with section 504. With regard to current supplies of publications or written materials, it will be permissible to use an insert or a stamp to include the nondiscrimination statement in a prominent place. The following statement can serve as a model for use by the institution: " (name of institution) does not discriminate on the basis of handicap in the recruitment and admission of students, the recruitment and employment of faculty and staff, and the operation of any of its programs and activities, as specified by federal laws and regulations. The designated coordinator for compliance with section 504 of the Rehabilitation Act of 1973, as amended, is (name of coordinator) ."

Catalogs, student handbooks, brochures, written materials regarding financial assistance, and other literature for prospective students should contain the institution's commitment to nondiscrimination. Also, information about accommodations or adjustments that will be made for handicapped applicants or students should be integrated throughout the student handbook—in sections such as housing and transportation where the accommodation or adjustment would take place—rather than segregated in a separate section on services for handicapped students.

All student orientation programs, and written materials prepared for student orientation, must be free from discrimination based on handicap and presented in a format that is usable by all students. Any special orientation programs for handicapped students must be *in addition to,* and *not instead of,* the regular orientation program for students.

Regarding admissions and recruitment, a college or university *shall:*

(1) *not* apply limitations upon the number or proportion of handicapped persons who may be admitted;

(2) *not* make use of any test or admission criterion that has a disproportionate, adverse effect on handicapped persons or any class of handicapped persons, *unless:*

(a) the test or criterion, as used by the institution, has been validated as a predictor of success in the education program or activity in question, *and*

(b) alternate tests or criteria that have a less disproportionate, adverse effect are not shown by the Director of OCR to be available. (Note: Prediction equations may be based on first-year grades, but, in order to monitor the general validity of test scores, the institution shall conduct periodic validity studies against the criterion of overall success in the education program or activity in question.);

(3) assure itself that admissions tests are selected and administered in a manner that ensures that they accurately reflect the applicant's aptitude or achievement level (or whatever other factor the test purports to measure), *rather than* an applicant's impaired sensory, manual, or speaking skills (except where those skills are the factors the test purports to measure);

(4) assure itself that admissions tests designed for persons with impaired sensory, manual, or speaking skills are offered as often and in as timely a manner as are other admissions tests;

(5) assure itself that admissions tests are administered in facilities that are, on the whole, accessible to handicapped persons. (Note: "On the whole" means that not all of the facilities need to be accessible, so long as a sufficient number of facilities are available to handicapped persons.);

(6) *not* make preadmission inquiries regarding handicap, but may, after admissions, inquire on a confidential and voluntary basis as to handicaps that may require accommodations.

Preadmission inquiries regarding whether and to what extent applicants are handicapped may be made when an institution is taking "remedial action" ordered by the Director of OCR to correct the effects of past discrimination or is taking "voluntary

action" to overcome the effects of conditions that have resulted in limited participation (see page 16). In making preadmission inquiries in these two instances, an institution shall state clearly (in writing if a written questionnaire is used) that the information is being requested on a voluntary basis, that it will be kept confidential, that refusal to provide the information will not result in any adverse treatment, and that the information is intended for use *solely* in connection with remedial action obligations or voluntary action efforts of the institution.

In institutions that have open admissions programs, where admission and registration occur simultaneously and the application form is not used to make admission or rejection decisions, the college or university should prepare a statement for prospective students that includes the institution's commitment to section 504 and prohibitions against making preadmission inquiries regarding handicap. This statement may also invite students who are enrolling to provide information regarding their handicaps on a voluntary basis, so that the college or university may have information regarding accommodations or adjustments that may be required. (This statement, of course, should be modified to reflect the legal status of inquiries if the institution is taking remedial or voluntary action.)

No forms that prospective students must submit to the institution—including those related to medical condition or health, housing, financial aid, and so forth—may include compulsory questions related to handicap or medical condition. Students accepted for admission (and applicants if the institution is taking remedial or voluntary action) may be invited to provide information related to handicap on a *voluntary* basis. Such information would be useful in planning accommodations and adjustments for individual handicapped persons.

This prohibition against preadmission inquiries applies equally to interviews, letters of recommendation, and other similar activities related to the admissions process.

Medical information may be solicited from candidates after they have been admitted, providing it is clear that such information is being requested on a voluntary basis.

Measuring "adverse effect" in admissions testing may be difficult in the absence of any specific definition of the term under section 504. It should be pointed out that regulations issued pursuant to statutes prohibiting discrimination in employment have defined "adverse impact" with great specificity in separate guidelines on employee testing. (Note: November 26, 1976 *Federal Register,* final "Employee Selection Guidelines" of the Civil Service Commission and Justice and Labor Departments.) The extent to which principles contained in such guidelines (related to employment and discrimination based on race and sex) would relate to adverse effect for handicapped persons in student admissions is not known.

It should be emphasized that despite any possible reliance by the institution on national standardized admissions tests, the obligation to make certain that such tests do not discriminate against applicants for admission to a college or university rests with the college or university, and not with the national testing service. The institution, of course, may receive (and should request) technical assistance from its test publishers in efforts to validate such tests. However, ascertaining whether any test or criterion has a disproportionate, adverse effect on the individual applicants seeking to gain admission to the specific programs and activities of a college or university (and eliminating discrimination that exists) is the legal responsibility of the college or university. Also, if nationally administered tests are not available for certain classes of handicapped persons (e.g., the blind), then the lack of a test score may not be used to exclude such persons, and alternate admissions criteria must be devised.

National testing services may also be able to provide technical assistance to institutions seeking tests designed for persons with impaired sensory, manual, or speaking skills. Such alternatives may *include* a reliance on "power" tests that measure ability or level of achievement (rather than "speed") for persons with visual or manual impairments;

the use of aids such as braillers and abaci by persons with visual impairments; the use of translators or typed material to provide information on test instructions to persons with hearing impairments; the modification of certain features of a test, such as verbal portions for persons with hearing impairments; the revision of test content for persons with visual impairments in cases where elaborate tables or graphs would be the basis for test answers; and the provision of auxiliary aids to persons who cannot take written tests or make the marks required for mechanically scored objective tests.

As of January 1978, HEW has not prepared a list of alternate admissions tests that have a less disproportionate, adverse effect on handicapped persons. HEW is studying complex issues related to adverse effect and should be prepared to provide information regarding alternate tests by the summer of 1978.

For additional information and technical assistance regarding admissions and recruitment, institutions are referred to the Appendix in this *Guide* (see page 85) where national organizations and a bibliography are included. Also, college and university officials are referred to programs of the American Association of Collegiate Registrars and Admissions Officers (One Dupont Circle, Suite 330, Washington, D.C. 20036). AACRAO has staff members qualified to answer questions related to admissions, recruitment, student records, and class scheduling (202/293-9161), and, under an HEW contract, is in the process of developing a "Guide for Recruitment and Admissions" for section 504. Some materials developed for use in this AACRAO guide have been used in the above section.

HEW Regulations (84.42)

§ 84.42 Admissions and recruitment.

(a) *General.* Qualified handicapped persons may not, on the basis of handicap, be denied admission or be subjected to discrimination in admission or recruitment by a recipient to which this subpart applies.

(b) ***Admissions.*** In administering its admission policies, a recipient to which this subpart applies:

(1) May not apply limitations upon the number or proportion of handicapped persons who may be admitted;

(2) May not make use of any test or criterion for admission that has a disproportionate, adverse effect on handicapped persons or any class of handicapped persons unless (i) the test or criterion, as used by the recipient, has been validated as a predictor of success in the education program or activity in question and (ii) alternate tests or criteria that have a less disproportionate, adverse effect are not shown by the Director to be available;

(3) Shall assure itself that (i) admissions tests are selected and administered so as best to ensure that, when a test is administered to an applicant who has a handicap that impairs sensory, manual or speaking skills, the test results accurately reflect the applicant's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the applicant's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure); (ii) admissions tests that are designed for persons with impaired sensory, manual, or speaking skills are offered as often and in as timely a manner as are other admissions tests; and (iii) admissions tests are administered in facilities that, on the whole, are accessible to handicapped persons; and

(4) Except as provided in paragraph (c) of this section, may not make preadmission inquiry as to whether an applicant for admission is a handicapped person but, after admission, may make inquiries on a confidential basis as to handicaps that may require accommodation.

(c) *Preadmission inquiry exception.* When a recipient is taking remedial action to correct the effects of past discrimination pursuant to § 84.6(a) or when a recipient is taking voluntary action to overcome the effects of conditions that resulted in limited participation in its federally assisted program or activity pursuant to § 84.6(b), the recipient may invite applicants for admission to indicate whether and to what extent they are handicapped, *Provided,* That:

(1) The recipient states clearly on any written questionnaire used for this purpose or makes clear orally if no written questionnaire is used that the information requested is intended for use solely in connection with its remedial action obligations or its voluntary action efforts; and

(2) The recipient states clearly that the information is being requested on a voluntary basis, that it will be kept confidential, that refusal to provide it will not subject the applicant to any adverse treatment, and that it will be used only

in accordance with this part.

(d) *Validity studies.* For the purpose of paragraph (b)(2) of this section, a recipient may base prediction equations on first year grades, but shall conduct periodic validity studies against the criterion of overall success in the education program or activity in question in order to monitor the general validity of the test scores.

The Self-Evaluation

(**NOTE**: In the questions or statements that follow, *if* the institution has had sufficient experience in recruitment and admissions work with handicapped applicants or students to make statistical studies meaningful, it is recommended that such studies be conducted to measure discrimination in admissions based on handicap. This recommendation applies to any questions or statements below to which statistical studies might apply.)

(6) Does the institution have any limitation on the number or proportion of qualified handicapped persons who may be admitted?

Yes _____ No _____

If "no." describe the general admissions process and how it relates to handicapped applicants.

If "yes," describe the steps that will be taken to remove this limitation.

(7) Based on a department-by-department analysis that includes all schools and colleges of the institution, list and briefly describe all tests and other criteria used in institutional admissions decisions. (List all tests and all criteria such as interviews, good health, high school performance, portfolio for an art student, musical ability for music students, and so forth.) For all tests listed, note the skill, level of achievement or other factor that the test purports to measure.

(8) For each test listed in (7), describe steps that will be taken to ensure that it measures solely what it purports to measure and that impaired sensory, manual or speaking skills (unless those skills are the ones it purports to measure) are not being measured as well.

(9) List from (7) those tests or criteria that have a disproportionate, adverse effect on handicapped applicants, or have the potential to have such an effect on handicapped applicants.

(10) For each test or criterion listed in (9), state whether or not the Director of OCR has identified any alternate tests or criteria that would accomplish the same measurement with a less disproportionate, adverse effect on handicapped persons. Where alternate tests or criteria have been identified by the Director of OCR, describe the steps that will be taken to employ these alternate tests or criteria in place of those currently used.

(11) For each test or criterion listed in (9) for which the Director of OCR has *not* identified any alternates, either: (A) provide background information that indicates the validity of the test or criterion as a predictor of success (Note: first-year grades may be used to monitor validity in this case); or (B) indicate steps that will be taken to modify the test or criterion or discontinue its use with respect to classes of handicapped persons affected adversely.

(12) For all tests and other criteria used in admissions, discuss the process through which the institution will conduct periodic validity studies against the criterion of overall success in the education program or activity (beyond the initial validation based on first-year grades or some equivalent factor) in order to monitor the *general* validity of test scores. Indicate the nature and frequency of such studies.

(13) Does the institution make available to applicants admissions tests that are designed for persons with impaired sensory, manual or speaking skills?

Yes _____ No _____

If "yes," describe what tests are available and the procedure for notifying applicants, including those with sight and hearing impairments, that such alternate tests are available.

If "no," describe steps that will be taken to make certain that such tests are made available by the institution (or will be made available as required) and that applicants, including those with sight and hearing impairments, are notified regarding the availability of alternate tests.

Describe steps to be taken that will ensure that such alternate tests are offered as often and in as timely a manner as other admissions tests.

(14) Are admissions tests administered in locations and facilities that, on the whole, are accessible to handicapped persons?

Yes _____ No _____

If "yes," describe those facilities used for testing and comment on their accessibility.

If "no," describe steps that will be taken to ensure that admissions tests are administered in locations and facilities that, as a whole, are accessible to handicapped persons.

(15) Is the institution's admissions office (or other campus facility normally used in the admissions process) accessible to all applicants?

Yes _____ No _____

If "no," discuss steps that will be taken to make the admissions office (or similar facility) accessible, and make certain that these steps are included in the institution's Transition Plan.

(16) Does the institution make *any* preadmission inquiries (on forms, during interviews, and so forth) regarding whether an applicant for admission is a handicapped person?

Yes _____ No _____

If "no," discuss safeguards that exist to ensure that no such preadmission inquiries are made (unless an institution is taking voluntary or remedial action, see below).

If "yes," discuss steps that will be taken to make certain that this policy or procedure is discontinued or modified to conform to section 504 requirements (unless an institution is taking voluntary or remedial action, see below)

(17) Is the institution:

taking remedial action at the request of the Director of OCR? Yes _____ No _____

taking voluntary action to overcome the effects of conditions that resulted in limited participation in programs or activities by handicapped persons? Yes _____ No _____

If answers to either of the above questions are "yes," then it is permissible for an institution to invite applicants for admission to indicate whether and to what extent they are handicapped. If answers to either of the above questions are "yes," will the institution be asking applicants for admission to provide voluntary information related to their possible handicaps?

Yes _____ No _____

If "yes," describe steps that will be taken to ensure that applicants are notified that information is being requested on a voluntary basis, that it will not result in any adverse treatment, that the information will be kept confidential, and that it will be used solely in connection with remedial or voluntary action efforts. Discuss also steps that will be taken to ensure the confidentiality of such information.

(18) Following admission, inquiries may be made on a *voluntary* and confidential basis regarding handicaps that may require accommodation or the availability of auxiliary aids, whether or not an institution is taking voluntary or remedial action. Discuss whether, and when, such inquiries will be made, how confidentiality of information will be ensured, and how specific information gathered will enter some procedure through which accommodations will be made and auxiliary aids will be available, as necessary.

(19) For each school or department of the institution, discuss briefly the process of selection regarding admissions. Outline the steps in the process, who is involved, and other pertinent factors. Discuss whether or not the process of selecting students from the applicant pool has any potential for discrimination against qualified handicapped persons.

(20) Describe the steps that will be taken to communicate to all academic administrators and department chairpersons information and requirements related to admissions contained in (6) through (19) above.

(21) Describe the steps that will be taken to make certain that all admissions and recruitment personnel of the institution are knowledgeable with regard to section 504 requirements, the information contained in (6) through (19) above, and the prohibition against counseling students toward more restrictive courses of study or careers.

(22) Describe the steps that will be taken to make certain that all applicants, including those with sight or hearing impairments, are notified of the institution's policies and practices regarding nondiscrimination in admissions and recruitment (and regarding specific accommodations that will be made). Include steps that will be taken to ensure that *all* catalogs, handbooks, forms, and communications used in admissions and recruitment accurately reflect the policies and practices of nondiscrimination based on handicap, include the institution's statement of nondiscrimination, and are available to and usable by all prospective students, including those with sight and hearing impairments.

(23) Describe steps that will be taken to ensure that orientation programs do not discriminate on the basis of handicap, and that no separate orientation program replaces the regular orientation program for handicapped students.

(24) Discuss briefly the recruitment policies and practices of the institution, including specific steps in the recruitment processes.

(25) Discuss steps that will be taken to ensure an absence of discrimination in all recruitment policies and practices, including the selection of schools and sites for visitation, the accessibility of sites used for recruitment purposes, and the education with regard to section 504 obligations of all persons who perform recruitment work in an official capacity on behalf of the institution. Discuss also what additional steps might be taken to inform others involved in the recruitment process (e.g., former students, friends of the institution) of the institution's commitment to nondiscrimination based on handicap in admissions.

(26) All steps to be taken as a result of admissions and recruitment requirements contained in this section should be the subject of individual Summary Report Forms, as discussed in Chapter Five (see page 79). This is recommended unless a procedure more suited to an institution's administrative processes is devised for ensuring adequate planning, data collection, scheduling to complete the required action, records maintenance, and monitoring activities.

Discuss the procedure to be followed and the schedule for developing Summary Report Forms for all steps to be taken or actions required as a result of this section on admissions and recruitment.

Academic Programs and Adjustments

Issues related to academic programs and adjustments appear in section 84.44 of the regulations, *following* the section on "Treatment of Students; General" (84.43). It should be emphasized that principles contained in the "Treatment of Students" discussion, beginning on page 44, apply fully to academic programs and adjustments. These topics appear in reverse order in this *Guide* to emphasize the important academic requirements and to organize those nonacademic subject areas under the heading of "Services to Students."

Discussion and Comment

Academic Requirements: Paragraph 84.44(a) of the regulations states that colleges and universities shall make such modifications to their academic requirements as are necessary to ensure that such requirements do not discriminate, or have the effect of discriminating, on the basis of handicap against a qualified handicapped applicant or student. Academic requirements that the institution can demonstrate are essential to the program of instruction being pursued by such student or to any directly related licensing requirement will not be regarded as discriminatory, even if they have an adverse effect on persons with handicaps. Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted.

If a requirement is shown to be essential to a program and a handicapped person cannot fulfill it, then the person is not "qualified" within the definition of this term. Section 504 is *not* intended to dilute the quality of education offered, and contains no requirements that *essential* program requirements be modified or waived.

Paragraph 84.43(c) of the regulations, located under the section devoted to "Treatment of Students" (see page 44) but more properly treated in this section on "Academic Programs and Adjustments," states that institutions may not, on the basis of handicap, exclude any qualified handicapped student from any course, course of study, or other part of its education program or activity. This requirement is intended to eliminate the practice of excluding handicapped persons from specific courses and from areas of concentration because of factors such as ambulatory difficulties of the student, or because of assumptions related to employment opportunities that may be available in a particular area for persons with a specific handicap.

Unless academic requirements are demonstrated to be essential to the program of instruction in question or directly related to some licensing requirement, they must provide no barriers to equal opportunity and full participation for handicapped persons. In order to ensure that no discrimination exists in academic requirements, courses of study, or individual courses, institutions may wish to review all graduation requirements, all policies or guidelines regarding procedures for assigning students to courses or classes, course descriptions and catalogs, curriculum guides that outline the content, activities, and instructional methodologies of courses, and student handbooks.

Also, if a comprehensive process is to be used in order to ensure nondiscrimination, a department-by-department self-evaluation will have to take place to reveal specific policies and practices that may be discriminatory. All department chairpersons and academic officers should analyze their programs of study, and specific courses contained therein, to determine whether or not discrimination exists. It must be determined, for example, whether or not there are any prerequisites to courses that have the effect of discriminating on the basis of handicap. In cases where discrimination (or potential discrimination) is revealed, department chairpersons must demonstrate that the requirement or policy in question is essential to the course of study, or directly related to a licensing requirement. If such cannot be demonstrated, modifications, such as those discussed above, will have to be made to ensure nondiscrimination. A person with a learning disability, for instance, may be granted a longer period of time to fulfill degree requirements than is normally granted by a department. An otherwise qualified handicapped student who is blind may be allowed to substitute a music appreciation course for a required course in art appreciation. An otherwise qualified handicapped student who is deaf may receive alternate assignments in foreign language studies to replace language laboratory work.

It is important to remember that modifications should not be made based on any generalizations regarding categories of handicap, but should be made in individual instances on a case-by-case basis. Arbitrary policies that involve automatic modifications for handicapped students who may not require such would be a violation of the "most integrated setting appropriate" principle. Students should always be permitted to participate in academic programs without any separate or different treatment, if they so choose, or in programs that have only minor variations.

Under program accessibility requirements (see Chapter Two), the rescheduling of classes is one option that may be used to achieve accessibility without making structural modifications. It should be noted that institutions that are able to schedule classes based on pre-registration information will eliminate many tasks related to rescheduling, providing they are aware of accessibility requirements of individual handicapped persons (*not* classes of handicapped persons) in their student body. All existing classrooms of the institution do not have to be accessible, but a sufficient number must be accessible so that, through advance scheduling or rescheduling, handicapped students are not limited in their selection of courses. Depending on the number of handicapped students on a campus, or in a particular program, it is suggested that all required courses and a reasonable selection of electives be offered in accessible classrooms, in order to avoid unnecessary rescheduling complications. A college or university may not exclude a handicapped student from any specifically requested course offering once the three-year transition period for structural modifications, ending June 3, 1980, has expired. The flexible program accessibility standard, however, should permit institutions to make most, if not all, courses accessible well in advance of that date. For courses that have more than one section, there is no requirement that more than one section be accessible. However, institutions would violate the "most integrated setting appropriate" principle if all handicapped students (not merely those with mobility impairments) were scheduled for the same section.

Institutions are cautioned against establishing automatic or computerized scheduling mechanisms that may make arbitrary adjustments, based on categories of handicap, for *individuals* who may not require such.

Obviously, this requirement regarding accessible classrooms may have some serious implications for those courses of study that involve heavy equipment or machinery or special facilities designed for the program, such as laboratories. All such programs, however, must be accessible by June 3, 1980 (or sooner where only minor modifications are required in order to achieve accessibility).

In connection with requirements that all courses be accessible, and that resched-

uling be utilized to ensure flexibility, institutions should review their policies that apply to all students on the subject of late transfers into courses.

Institutions should also explore, on a department-by-department basis, all courses or academic activities that are not conducted on the premises. Trips to museums, field trips in courses such as geology, and other off-campus activities related to academic programs and activities must be free from discrimination based on handicap. There are obvious transportation implications in such programs for students with mobility impairments.

Courses of study that include requirements (or expected participation) regarding practical training (e.g., internships, student teaching) must include opportunities that are, as a whole, equal for handicapped persons. For example, every student teaching assignment need not be accessible to handicapped persons, so long as enough student teaching assignments are accessible that equal opportunities for participation are provided.

Beyond the tasks of ensuring that discrimination does not exist in courses and in courses of study, or that flexible arrangements such as rescheduling are available on short notice to combat limited participation, an institution must also analyze other activities related to the academic process to make certain that opportunities are equal. The use of libraries or reading rooms, and policies related to reserved reading materials would be topics for such an analysis. Stores that are owned or operated by the institution, from which students are normally expected to purchase books or materials for a particular course, must be accessible to handicapped students. Also, making certain that students with mobility impairments are able to visit with professors during office hours is an issue that requires some attention.

Research opportunities that are available to an institution's students must be available equally to handicapped and nonhandicapped students.

Educational consortia applied only to handicapped students in a region would be considered discriminatory and a violation of the "most integrated setting appropriate" principle. Institutions in a particular region could not, therefore, avoid renovation work by having students with mobility impairments attend institution x for biology, institution y for chemistry, and institution z for physics, unless all students of the institution were a part of the consortium for these fields of study. So long as a consortium applies to all students of the institution, it will not be discriminatory based on handicap.

Academic Rules or Regulations: Under paragraph 84.44(b), an institution may not impose upon handicapped students rules that have the effect of limiting their participation in education programs or activities, such as the prohibition of tape recorders or braillers in classrooms or dog guides in campus buildings. Potential problems involving tape recorders in classrooms and professors who may wish to copyright lectures may be solved by requiring students who use tape recorders to sign agreements that they will not release the tape recording or transcription or otherwise hinder a professor's ability to obtain a copyright. (Since the new copyright law that went into effect January 1, 1978 contains new protections for an author's rights in published and unpublished materials, this issue may be less of a problem than originally anticipated.)

Course Examinations: Paragraph 84.44(c) states that, in its course examinations or other procedures for evaluating students' academic achievement, institutions shall provide such methods for evaluating the achievement of students who have a handicap that impairs sensory, manual, or speaking skills as will best ensure that the results of the evaluation represent the student's achievement in the course, rather than a student's impaired sensory, manual, or speaking skills (except where such skills are the factors being measured).

This requirement will make it necessary for the institution to develop alternate testing procedures available in every department. As discussed in the earlier section on "Admissions," national testing organizations may be able to provide technical assistance to institutions that must establish alternate testing processes. This requirement not only

mandates the availability of such testing alternatives, but the communication to every faculty member and handicapped student that such alternatives are available. Information regarding alternate tests should be incorporated into some process of periodic communication to faculty members and students, or included in the institution's catalog or other materials.

Alternatives in testing may *include* a reliance on "power" tests that measure ability or level of achievement (rather than "speed") for persons with visual or manual impairments; the use of aids such as braillers and abaci by persons with visual impairments; the use of translators or typed material to provide information on test instructions to persons with hearing impairments; the modification of certain features of a test, such as verbal portions for persons with hearing impairments; the revision of test content for persons with visual impairments in cases where elaborate tables or graphs would be the basis for test answers; and the provision of auxiliary aids to persons who cannot take written tests or make the marks required for mechanically scored objective tests.

Auxiliary Aids: Paragraph 84.44(d) of the regulations states that the institution shall take such steps as are necessary to ensure that no handicapped student is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination under any of its education programs or activities because of an absence of educational auxiliary aids for students with impaired sensory, manual, or speaking skills. Auxiliary aids may include typed texts, lecture notes, film transcriptions, interpreters, or other effective methods of making orally delivered materials available to students with hearing impairments; readers or taped texts for students with visual impairments; classroom equipment adapted for use by students with manual impairments; and other similar services and actions.

Colleges and universities need *not* provide personal attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature.

Institutions may provide, *on a short-term basis,* assistants for handicapped persons for tasks such as carrying individuals up stairs. Such efforts, however, must obviously meet with the approval of the individuals involved, and *must* be short-term services that will be discontinued once program accessibility has been achieved (no later than June 3, 1980) without any separate or different treatment. Such activities shall always be options of last resort to achieve program accessibility in individual instances.

HEW would most likely *not* support all discretionary demands for auxiliary aids on the part of individual handicapped persons. So long as an auxiliary aid *is* effective in achieving full participation, an institution may not be required to provide a second form of aid due to personal preference.

In making auxiliary aids available, institutions should take into account the technical requirements of a particular course or activity, since a certain auxiliary aid may be better suited than another to the activity in question.

Institutions should also consider special events or activities, such as a student lecture series, where interpreters or other auxiliary aids may be required to ensure full participation.

The Appendix in this *Guide* (see page 115) includes a listing, with addresses, of State Vocational Rehabilitation agencies. HEW, in including this requirement with regard to making auxiliary aids *available,* intended for colleges and universities to meet their obligations by assisting students in the use of already existing resources for auxiliary aids, such as State Vocational Rehabilitation agencies and private charitable organizations. Through a liaison with such agencies and organizations, the institution should be able to, in most instances, make auxiliary aids available to its students at no expense to the institution.

The services available from State Vocational Rehabilitation agencies, and eligibility requirements, vary from state to state. However, the state agency in the state in which the institution is located should be contacted to determine which of the following, or

any additional, services are available: diagnostic evaluation; counseling, guidance, and placement services; training services; reader services for the blind; interpreter services for the deaf; medical services and supplies; equipment; transportation; and other client needs as required for independent living. (It should be noted that, for many services in this list, there is no requirement that institutions make any provisions for their handicapped students and employees.)

The statement that institutions need not provide readers for personal use or study, or other devices or services of a personal nature, raises the distinction between "rehabilitation" and "traditional educational" services. Throughout section 504, institutions are required to make adjustments and accommodations, and provide additional services in individual cases, in order to ensure equal opportunity in the "traditional educational" process for handicapped persons. Section 504 is intended to open up traditional education to handicapped persons; it does not deal with the rehabilitation of the individual or with personal needs that are apart from the educational process. In this section on auxiliary aids, and throughout other parts of section 504 (e.g., no medical services, equipment, or supplies need be provided to handicapped students if they are not part of the medical program that is available to all students), it may be easier to envision what is required of the institution if section 504 is viewed as a civil rights statute ensuring rights to equal educational opportunity, rather than a set of requirements addressing rehabilitative or personal needs of handicapped individuals.

HEW Regulations (84.44)

§ 84.44 Academic adjustments.

(a) *Academic requirements.* A recipient to which this subpart applies shall make such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of handicap, against a qualified handicapped applicant or student. Academic requirements that the recipient can demonstrate are essential to the program of instruction being pursued by such student or to any directly related licensing requirement will not be regarded as discriminatory within the meaning of this section. Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted.

(b) *Other rules.* A recipient to which this subpart applies may not impose upon handicapped students other rules, such as the prohibition of tape recorders in classrooms or of dog guides in campus buildings, that have the effect of limiting the participation of handicapped students in the recipient's education program or activity.

(c) *Course examinations.* In its course examinations or other procedures for evaluating students' academic achievement in its program, a recipient to which this subpart applies shall provide such methods for evaluating the achievement of students who have a handicap that impairs sensory, manual, or speaking skills as will best ensure that the results of the evaluation represents the student's achievement in the course, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where such skills are the factors that the test purports to measure).

(d) *Auxiliary aids.* (1) A recipient to which this subpart applies shall take such steps as are necessary to ensure that no handicapped student is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination under the education program or activity operated by the recipient because of the absence of educational auxiliary aids for students with impaired sensory, manual, or speaking skills.

(2) Auxiliary aids may include taped texts, interpreters or other effective methods of making orally delivered materials available to students with hearing impairments, readers in libraries for students with visual impairments, classroom equipment adapted for use by students with manual impairments, and other similar services and actions. Recipients need not provide attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature.

The Self-Evaluation

(27) Discuss the procedures and schedule for a *department-by-department* review of all academic programs and activities of the institution to determine or identify factors *including* the following:

(A) whether or not there are any degree requirements or course requirements (including prerequisites) that discriminate on the basis of handicap or have the effect of so discriminating;
(B) the extent to which alternate testing processes are necessary to eliminate discrimination in testing and evaluation of student ability and achievement;
(C) those off-campus activities or excursions related to a course or a degree requirement that would require accommodation for students with mobility impairments;
(D) those off-campus programs (e.g., student teaching, internships) that are related to a course or degree requirement and must include opportunities that are, as a whole, equal to those of nonhandicapped students;
(E) policies or practices related to library or reading room use, special reading collections of a department, and reserved reading materials;
(F) practices related to professors' office hours, and any arrangements that may be required to offer students with mobility impairments equal access during office hours;
(G) policies and practices related to student participation in research;
(H) inaccessible facilities that must be used by students;
(I) any special equipment or devices that may require adaptation for use by students with certain handicaps;
(J) any special teaching techniques that may require adaptation due to emphasis on visual or oral presentation, or involve mobility on the part of students; and
(K) all policies, procedures and practices of the department, as reflected in written documents related to degree requirements, course requirements, the process of assigning students to courses, course descriptions, curriculum guides that outline the content and instructional methodologies of courses, and other similar materials.

As a part of this department-by-department analysis, all degree or course requirements that discriminate on the basis of handicap, or have the effect of discriminating on the basis of handicap, must be the subject of one of three actions: (A) it must be demonstrated that the requirement is essential to the course of study being pursued; (B) it must be demonstrated that the requirement is directly related to a licensing requirement; or (C) steps must be outlined that will result in the modification of the requirement for individual handicapped persons.

This department-by-department analysis should identify specific areas where discrimination exists, or the potential for discrimination exists. Such areas should be highlighted for individual actions that will ensure nondiscrimination and equal opportunities for handicapped persons to participate in all education programs and activities.

(28) In addition to the department-by-department analysis in (27), which may be conducted by department chairpersons alone, describe steps that will be taken to make certain that all academic administrators and faculty members are informed periodically of requirements contained in section 504, *including* the following:

(A) that no student may be excluded from *any* course or *any* course of study solely on the basis of handicap;
(B) that modifications in degree or course requirements may be necessary to meet the requirements of some handicapped students (include examples);

(C) that prohibitive rules, such as those banning tape recorders from the classroom, must be waived for some handicapped students;
(D) that auxiliary aids must be permitted in the classroom when they are required to ensure the full participation of handicapped students;
(E) that alternate testing and evaluation methods for measuring student achievement will be necessary for students with impaired sensory, manual, or speaking skills (except where those are the skills being measured);
(F) that classes may have to be rescheduled to permit access for students with mobility impairments;
(G) that special equipment or devices used in the classroom (and in some cases teaching techniques that rely upon the sight, hearing, or mobility of students) may require adaptation in individual cases; and
(H) that it is discriminatory to counsel handicapped students toward more restrictive careers than nonhandicapped students, unless such counsel is based on strict licensing or certification requirements in a profession.

(29) Describe the steps that will be taken to make certain that students (including those with sight or hearing impairments) are informed periodically of requirements contained in section 504 and of modifications or adjustments that will be made for individual handicapped students, *including:*

(A) that no one may be excluded from any course, or course of study, on account of handicap;
(B) that classes will be rescheduled for students with mobility impairments if they are scheduled for inaccessible classrooms;
(C) that academic degree or course requirements may be modified in certain instances to ensure full participation by handicapped students;
(D) that alternate methods of testing and evaluation are available in all courses offered by the institution for students with requirements for such methods;
(E) that auxiliary aids are made available by the institution for students with impaired sensory, manual, or speaking skills; and
(F) that certain campus rules and regulations may be waived if they limit the participation of handicapped students.

(30) Describe the general process that will be employed for rescheduling classes to make certain that all courses are available on request to students with mobility impairments.

(31) Describe steps that will be taken to ensure that no automatic or arbitrary scheduling or rescheduling process makes changes or special arrangements for any handicapped student who may not desire or require such treatment.

(32) Does the institution have any specific prohibitions against tape recorders in classrooms, dog guides in campus buildings, or other similar aids that may be required for full participation by handicapped persons?

Yes _____ No _____

If "yes," list each such prohibition or regulation and describe, for each, steps that will be taken to modify or waive the regulation, as required.

(33) Supplementing information gathered and actions required as a result of the department-by-department analysis in (27), describe any modifications in library policies, practices, services, or facilities that will be required to ensure equal opportunity for handicapped persons. Consider all user services and how they will be delivered (or made

accessible) to handicapped persons, especially persons with visual impairments (and their readers).

Discuss also the accessibility of stores owned or operated by the institution, from which students are normally expected to purchase books or materials for course assignments.

(34) Describe the process of registering for courses and modifications in this process that may be necessary to ensure full participation for handicapped persons. Include information related to registration facilities, forms, and scheduling, and the provision of auxiliary aids during registration?

(35) Describe the steps that will be taken to ensure that alternate testing and evaluation methods for measuring student achievement are available in every department of the institution, as required, for students with impaired sensory, manual, and speaking skills. How will the tests be administered? Discuss the procedure that will be followed for making tests available to individual students and for training faculty members in their use, as necessary.

(36) Describe the steps that will be taken to ensure the availability of auxiliary aids for use, as required, by students with impaired sensory, manual, or speaking skills. Discuss what services are available from the State Vocational Rehabilitation agency or other sources, and how additional aids will be made available if they are necessary. Discuss also the process whereby a student requiring an auxiliary aid would arrange for its provision.

(37) All steps to be taken as a result of requirements related to academic adjustments should be the subject of individual Summary Report Forms, as discussed in Chapter Five (see page 79). This procedure is recommended unless a process more suited to an institution's administrative processes is devised for ensuring adequate planning, data collection, scheduling to complete the required action, records maintenance, and monitoring activities.

Discuss the procedure to be followed and the schedule for developing individual Summary Report Forms for all steps to be taken and actions required as a result of this section on "Academic Programs and Adjustments."

Services to Students

Included in this section on "Services to Students" are discussions of "Treatment of Students," "Transportation," "Health and Insurance," "Housing," "Financial and Employment Assistance," and "Nonacademic Services."

Treatment of Students

Discussion and Comment

Under section 84.43 of the regulations, discrimination is prohibited, in general, in the treatment of students. This section prohibits discrimination based on handicap under any academic program, as discussed above, or any program of:

(1) research;
(2) occupational training;
(3) housing;

(4) health;
(5) insurance;
(6) counseling;
(7) financial aid;
(8) physical education;
(9) athletics;
(10) recreation;
(11) transportation;
(12) other extracurricular activities; and
(13) any other postsecondary education program or activity.

Each of these thirteen program areas is covered above in "Academic Programs and Adjustments" or in this section on "Services to Students." In addition, subparagraph 84.43(c) of the regulations under "Treatment of Students" was covered under the "Academic Programs and Adjustments" section on page 37, since this requirement relates to courses or courses of study available to students.

It must be emphasized strongly that *nothing in section 504 requires the establishment of new student programs, activities, or services.* If, for example, an institution does not offer any transportation services to its students, it need not be concerned with transportation services under section 504. The same principle applies to all thirteen program areas listed above. Section 504 requires that discrimination be eliminated and opportunities be equal in programs and activities that exist, but it does not, under any circumstances, mandate the creation of programs that are not presently offered.

This discussion and analysis will focus on four general aspects of "Treatment of Students" in existing programs:

(1) All student programs, activities, and services shall be operated "in the most integrated setting appropriate" for handicapped persons. The provision of separate or different programs or activities, for any of the thirteen areas listed above, is prohibited by section 504 unless they are necessary to achieve full participation by handicapped persons.

(2) In order to evaluate discrimination that may exist in the treatment of students, in general, it is recommended that all material pertaining to aid, benefits, or services provided to students be reviewed. Materials related to rules of conduct, behavior and other treatment of students should be reviewed in a similar fashion. These materials may *include:* copies of student handbooks, descriptions of all student services, copies of all contractual or other agreements between the institution and its students, copies of all medical, hospital, accident or life insurance plans or policies made available by the institution to its students, copies of all materials describing special services provided by the institution, copies of descriptive materials related to extracurricular activities, copies of policies related to the use of campus facilities, copies of any policies or statements setting forth rules or regulations governing discipline, punishments, or penalties, and copies of any other written documents or statements that pertain to the institution's relationship to its students.

Although the thirteen program areas listed above are discussed in detail in other sections, this section recommends that all written policies, statements, or other documents be reviewed to determine, for any of the thirteen program areas, if discrimination on the basis of handicap exists in the treatment of students.

(3) Although the section 504 regulations do not specifically mention food service operations, it is clear that such operations are an activity provided (or contracted for) by the institution for its students, and are therefore covered by prohibitions against discrimination based on handicap. It will be necessary, therefore, for an institution to ensure that there are no obstacles to full participation by handicapped persons in food service operations provided by the institution. The accessibility of food service facilities will be

the major, or sole, factor to consider in this regard, so long as food service policies or contracts are not discriminatory.

It is not likely that an institution would be required to provide any special food or diets for handicapped persons that are not made available to all students.

(4) Subparagraph 84.43(b) covers the complicated issue of programs and activities that are not operated wholly by the institution; it includes the requirement that all programs or activities that are not so operated (that are operated by organizations or persons other than the institution) include opportunities for participation by handicapped persons that, as a whole, are equal to those of nonhandicapped persons. For each of the thirteen program areas listed on page 44, the institution must ascertain which include any activities that are not wholly operated by the institution. In cases where "outside" organizations or persons provide programs, activities, or services to students, the college or university must make certain that, as a whole, equal opportunities exist in each such program, activity, or service. Making certain that nondiscrimination exists may require written assurances from outside organizations and persons in areas *such as* off-campus housing; the provision of health services, insurance, or financial assistance; programs of training or work experience (e.g., student teaching); city or other transportation services provided to students through the institution; and student recruitment for later employment.

It should be emphasized that the "as a whole" standard does not require that every aspect of such programs or activities be accessible to handicapped students. For example, every unit of off-campus housing need not be accessible to handicapped students, so long as equal opportunities exist for handicapped students to live in off-campus housing. Every student teaching assignment need not be accessible to handicapped persons, so long as equal opportunities exist for handicapped students to fulfill student teaching requirements.

Although this discussion of "Treatment of Students" is general, and program areas listed on page 44 are covered in other sections, it is at this point in the Self-Evaluation that institutions must analyze their relationships to "outside" organizations or persons that provide student programs, activities or services to determine what steps will be necessary to ensure that equal opportunities exist, as a whole.

HEW Regulations (84.43)

§ 84.43 Treatment of students; general.

(a) No qualified handicapped student shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any academic, research, occupational training, housing, health, insurance, counseling, financial aid, physical education, athletics, recreation, transportation, other extracurricular, or other postsecondary education program or activity to which this subpart applies.

(b) A recipient to which this subpart applies that considers participation by students in education programs or activities not operated wholly by the recipient as part of, or equivalent to, an education program or activity operated by the recipient shall assure itself that the other education program or activity, as a whole, provides an equal opportunity for the participation of qualified handicapped persons.

(c) A recipient to which this subpart applies may not, on the basis of handicap, exclude any qualified handicapped student from any course, course of study, or other part of its education program or activity.

(d) A recipient to which this subpart applies shall operate its programs and activities in the most integrated setting appropriate.

The Self-Evaluation

(38) To make certain that discrimination (or the potential for discrimination) on the basis of handicap does not exist, describe steps that will be taken to review all materials, documents, or agreements related to student programs, activities, and services, including those related to academic programs, research, occupational training, housing,

health, insurance, counseling, financial aid, physical education, athletics, recreation, transportation, other extracurricular activities, and any other postsecondary education program or activity.

(39) List all policies, materials, documents and agreements, based on the review in (38), that discriminate on the basis of handicap, or could have the effect of so discriminating. For each, describe steps that will be taken to modify such policies, materials, documents, and agreements.

(40) Are the food service facilities of the institution accessible to handicapped persons, and are the policies and contracts related to food service free of any discrimination based on handicap?

Yes _____ No _____

If "no," discuss steps that will be taken to ensure full participation and equal opportunity for handicapped persons in the institution's food service programs. Make certain that any specific modifications required are incorporated in the Transition Plan.

(41) For all social or recreational programs or services for students, analyze the policies and practices related to such services, communications methods for informing students of activities, and the facilities in which they take place (e.g., lecture halls, theaters, athletic facilities, student unions). (Note: This analysis should not include the activities of campus social or recreational organizations, which are covered in the section on "Nonacademic Services" to follow.) Based on this analysis, discuss steps that will be taken to ensure nondiscrimination in all social or recreational programs or activities provided to students.

(42) List all programs, activities and services that are not operated wholly by the institution and, for each, identify the providers of such "outside" programs, activities, or services. Among the areas to be reviewed for identification of "outside" providers are housing, health, insurance, counseling, financial aid, physical education, athletics, recreation, transportation, programs of training or work experience, employment opportunities, and research.

(43) For each of those "outside" programs or activities listed in (42), either: (A) discuss how equal opportunities, as a whole, exist for handicapped persons in the specific program or activity; or (B) discuss steps that will be taken to ensure that equal opportunities, as a whole, will exist in the specific program or activity.

(44) Have grievance procedures been established that will allow students to file complaints with the institution on matters related to section 504? (Note: Such procedures should apply to *all* student programs, activities and services covered in this chapter. However, it should be pointed out that grievance procedures need not apply to complaints from *applicants* for admission.)

Yes _____ No _____

If "yes," describe steps that will be taken to ensure that all students (including those with sight or hearing impairments) will be informed periodically of such procedures.

If "no," describe steps that will be taken to establish such procedures, and to communicate them periodically to all students (including those with sight or hearing impairments).

(45) All steps to be taken as a result of requirements related to the treatment of students should be the subject of individual Summary Report Forms, as discussed in

Chapter Five (see page 79). This is recommended unless a procedure more suited to an institution's administrative processes is devised for ensuring adequate planning, data collection, scheduling to complete the required action, records maintenance, and monitoring activities.

Discuss the procedure to be followed and the schedule for developing Summary Report Forms for all steps to be taken or actions required as a result of this section on the "Treatment of Students."

Transportation

Discussion and Comment

Transportation services that an institution provides to its students shall, when viewed in their entirety, be offered to handicapped students in a manner that provides them with opportunities that are equal to those of nonhandicapped students. This requirement pertains to all aspects of transportation, *including* student parking, shuttle services that are provided to certain facilities or areas of the campus, or programs or activities of the institution for which student transportation is provided (including trips that are part of a course of study or a social, recreational, or other activity).

Section 504 does not obligate the institution to create any special transportation services for handicapped students. The movement of students around a campus, or from one facility to another, is the sole responsibility of the students, unless the institution provides such transportation services for all students.

The need for accessible vehicles must be taken into consideration when the institution purchases new vehicles. Also, there may be immediate needs for accessible vehicles, depending on an institution's transportation programs for students.

Policies and practices of the institution that are related to student transportation shall not discriminate on the basis of handicap, and shall not include any separate or different treatment unless such is necessary to ensure equal opportunities.

It must be emphasized that every aspect of an institution's transportation programs and activities for students need not be accessible to handicapped students, so long as equal opportunities for full participation exist. For example, if the institution provides a bus service for students to football games, every bus certainly need not be accessible to students with mobility impairments. In this case, equal opportunities would exist, on the whole, so long as the institution provides some transportation to the football games for students with mobility impairments. Under this example, it would violate the "most integrated setting appropriate" principle if non-mobility-impaired handicapped students (e.g., persons with hearing impairments) were expected to use a bus that had been made accessible for persons with mobility impairments.

Separate or different programs and activities for handicapped persons shall be employed only when such are necessary to achieve full participation. Also, when separate or different programs and activities do exist, the option must always be preserved for handicapped students to participate in programs and activities that are not separate or different from those of nonhandicapped students.

In most cases, modifications necessary as a result of transportation requirements may be minor matters related to policy or procedure. In some instances, the modification of existing (or purchase of new) vehicles may be required in order to offer students with mobility impairments opportunities that are equal.

As covered in the section on "Treatment of Students," institutions must make certain that "outside" providers of transportation services to students *who are assisted by the institution* provide equal opportunities for handicapped persons.

This section contains no coverage of **HEW REGULATIONS,** since the regulations

contain no specific requirements regarding transportation. Rather, transportation appears in the listing of program areas included at subparagraph 84.43(a) (see page 45).

The Self-Evaluation

(46) List all policies and practices of the institution related to student transportation, including the use of automobiles by students, student parking, or those dealing with the use of campus vehicles.

(47) For each policy and practice listed in (46), discuss either: (A) how the policy or practice does not discriminate against handicapped persons; or (B) steps that will be taken to modify the policy or practice to ensure nondiscrimination in the future. In cases where an institution provides parking space for its students, discuss the accessibility of such parking space for students with mobility impairments.)

(48) List all programs, activities, or services of the institution for which transportation for students is provided, including specific courses of study and social, recreational or other activities.

(49) For each of those programs, activities, or services listed in (48), discuss either: (A) how equal opportunities exist for handicapped persons; or (B) the steps that will be taken to ensure equal opportunities in the future.

Discuss also steps that will be taken to ensure that all students (including those with sight or hearing impairments) are informed of the transportation services that the institution provides for its students.

(50) Make certain that transportation programs, activities or services not wholly operated by the institution were treated in questions (42) and (43) in the section on "Treatment of Students" (see page 47).

(51) All steps to be taken as a result of requirements related to student transportation should be the subject of individual Summary Report Forms, as discussed in Chapter Five (see page 79). This is recommended unless a procedure more suited to an institution's administrative processes is devised for ensuring adequate planning, data collection, scheduling to complete the required action, records maintenance, and monitoring activities.

Discuss the procedure to be followed and the schedule for developing Summary Report Forms for all steps to be taken or actions required as a result of this section on "Transportation."

Health and Insurance

Discussion and Comment

Any health service or insurance programs or policies that an institution offers to its students must be free of discrimination based on handicap. This includes any hospital, infirmary, nurse or other services provided to students, and any insurance or health plans that are offered to students by the institution.

It is particularly important in evaluations of health services to emphasize that *no new or additional programs or services are required on account of section 504.* The health services that are currently offered to students must be offered to handicapped students as well (and at the same cost), but no new or additional health or medical serv-

would comprise a reasonable selection of accessible rooms. The number of rooms that must be made accessible will, of course, depend on the number of handicapped students enrolled (and projected for future enrollment) who require accessible rooms. There is no easy formula that may be used for this computation.

Prohibitions against discrimination in housing, and the resulting requirement that certain dormitory rooms be accessible, have raised certain questions regarding the process by which students select their dormitory rooms. On many campuses, for example, a lottery system permits students to choose dormitory rooms according to the luck of the draw. Such systems, however, are complicated by the need to save certain dormitory rooms for handicapped persons who require accessible quarters. Whatever system is devised, there must not be any discrimination based on handicap. It is not clear whether a separate system (perhaps a separate lottery) for handicapped persons would be discriminatory. The following system, however, may satisfy the requirements of nondiscrimination and incorporate all students into the same housing selection process:

(1) Several weeks in advance of a lottery to determine the order for selecting rooms, the institution should ask all students whether they have any requirements that will make accessible rooms necessary. There should be a specific deadline for response to this inquiry.

(2) Once the deadline for student responses has passed, the institution will know approximately how many rooms must be reserved for persons requiring accessible housing. It should also know the nature of these rooms that must be reserved (e.g., 8 rooms for persons with mobility impairments; 5 rooms for deaf persons who should be located near visible fire signals; and so forth.) Post-admissions information regarding accommodations (see page 32) may be reviewed to make certain that responses have been submitted by all students who require accommodations or should have them to ensure their safety.

(3) All students should be provided with a list of those rooms that are available for their selection. According to the above example, the 8 students with mobility impairments would receive a list of 8 accessible rooms; the 5 deaf students would receive a list of 5 rooms having visible fire signals; all remaining students would receive a list that does not include these 13 rooms. Presumably, the 8 rooms accessible to persons with mobility impairments would represent, in comparability and convenience, the variety and scope of choice in living accommodations available for nonhandicapped students. The same would be true of the 5 rooms reserved for deaf students.

(4) A lottery should be held and all students should receive a number that determines their priority in the order of room selection.

(5) The 8 students with mobility impairments should select from among the 8 rooms that are accessible according to their draw in the lottery; the same should be true for the 5 deaf students, who would select from among the 5 rooms reserved for them; all remaining students would select from the list of rooms that does not include the 13 reserved rooms.

Regardless of the room selection process used, institutions are cautioned against reserving special rooms for persons who have no special housing needs, or including them in any separate process. There will be many handicapped students who will require no modifications in housing, and others who will require only slight modifications.

Institutions are urged to have extra dormitory rooms available for persons with different handicaps to provide flexibility for transfer students and other similar situations. Such rooms would also be useful for persons having temporary handicaps, such as broken legs.

It should be remembered, once again, that section 504 requires programs and activities of the institution to be "in the most integrated setting appropriate" for handicapped persons. With this principle in mind, institutions should take whatever actions

may be necessary to assure a full integration of handicapped students throughout campus housing. Creating a ghetto for handicapped students would be a violation of the "most integrated setting appropriate" principle.

Subparagraph 84.45(b) states that an institution that assists outside agencies, organizations or persons in making housing available to students shall take such action as may be necessary to assure itself that such housing is, "as a whole," made available in a manner that does not result in discrimination on the basis of handicap. It should be remembered that the "as a whole" concept does not require that all off-campus housing be accessible to handicapped persons and administered without discrimination. Rather, it requires that procedures be developed and implemented that will ensure a reasonable selection of off-campus accommodations for handicapped persons.

Some handicapped persons, who neither desire nor require modification to already existing housing facilities, may be denied off-campus housing for other reasons. Through grievance procedures and other mechanisms, students should be encouraged to report proprietors who discriminate on the basis of handicap so that the institution will have a record of such proprietors. Some discrimination in housing is permitted by section 504, since the "as a whole" principle applies to housing. Institutions may wish to discontinue their assistance to individual proprietors who discriminate for reasons that do not involve facility renovation.

Also, it is important to note that this requirement related to off-campus housing applies only when an institution "assists" other organizations or persons in their provision of housing to students. The term "assisting" in this context has not been adequately defined in the regulations or other section 504 literature. However, it may be assumed that actions as limited as making bulletin board space available for posting off-campus vacancies might constitute "assistance." Listing off-campus housing opportunities in campus publications or student materials would most definitely constitute assistance. Institutions that opt to discontinue their assistance to outside providers of housing would not be required to ensure that off-campus or "outside" housing is, as a whole, nondiscriminatory. This option is not recommended, since it might result in more limited housing opportunities for both handicapped and nonhandicapped persons. But it is one that is well within an institution's legal prerogatives. Section 504 does not require that any new programs or activities be established, or that any existing programs or activities be continued. It merely prohibits discrimination in existing programs and activities.

The issue of outside providers of housing for students was to have been addressed at an earlier stage of the self-evaluation process (see "Treatment of Students," questions (42) and (43) on page 47). It is essential that, as a part of that analysis, outside providers of housing be identified, and that their facilities be inspected to determine whether or not a comparable selection of off-campus housing is accessible. If it is not, provisions will have to be made to ensure a comparable selection of off-campus housing for handicapped persons, so long as the institution assists in making such housing available to its students.

One final issue related to housing may present some colleges and universities with complicated legal questions. Section 504 takes precedence over any state or local law or regulation that, on the basis of handicap, imposes prohibitions or limits upon the eligibility of qualified handicapped persons to receive services. However, in certain states and localities, laws or orders may prohibit the housing of certain classes of handicapped persons in certain parts of facilities (e.g., it may be a violation of a local fire ordinance to house persons with mobility impairments above the first floor). On the other hand, providing persons that have mobility impairments with a comparable selection of housing *may,* under section 504, require that some rooms accessible to such persons be on the fourteenth floor.

Colleges and universities should determine which, if any, state or local laws are in conflict with section 504, and determine, in consultation with informed legal counsel,

the appropriate path of action. At odds in this particular case would be the principle of housing students "in the most integrated setting appropriate," as espoused by HEW, and the principle of taking extra precautions to protect the lives of students, as argued by the local fire marshal. Such legal issues are beyond the scope of this *Guide*.

HEW Regulations (84.45)

§ 84.45 Housing.

(a) *Housing provided by the recipient.* A recipient that provides housing to its nonhandicapped students shall provide comparable, convenient, and accessible housing to handicapped students at the same cost as to others. At the end of the transition period provided for in Subpart C, such housing shall be available in sufficient quantity and variety so that the scope of handicapped students' choice of living accommodations is, as a whole, comparable to that of nonhandicapped students.

(b) *Other housing.* A recipient that assists any agency, organization, or person in making housing available to any of its students shall take such action as may be necessary to assure itself that such housing is, as a whole, made available in a manner that does not result in discrimination on the basis of handicap.

The Self-Evaluation

(60) Does the institution provide housing to its students?

Yes _____ No _____

If "yes," describe the different forms of housing that are available from the institution.

(61) Are each of the forms of campus housing listed in (60) accessible to handicapped students and provided to them at the same cost as to others?

Yes _____ No _____

If "yes," discuss whether or not the accessible rooms, when viewed together, are considered to be a selection that is comparable, in variety and convenience, to the selection of rooms offered to nonhandicapped students. Discuss also any actions that may be required to ensure such a comparable selection.

If "no," describe steps that will be taken to make different forms of housing accessible, and to ensure a selection of housing for handicapped students that is, in variety, convenience and cost, comparable to that of nonhandicapped students.

(62) List and briefly discuss any institutional policies or practices related to campus housing.

(63) For each policy or practice listed in (62) discuss either: (A) how the policy or practice does not discriminate on the basis of handicap; or (B) steps that will be taken to modify the policies or practices to ensure nondiscrimination in the future.

(64) Discuss, in general, the accessibility of all facilities used in the program of providing housing to students (e.g., housing office) and make certain that specific steps to achieve accessibility are included in the Transition Plan.

(65) List and discuss any rules or regulations regarding campus housing that may discriminate against handicapped persons (e.g., prohibitions against dog guides, special equipment, and so forth) and steps that will be taken to waive such rules in specific instances.

(66) Describe the process whereby housing is assigned to, or chosen by, students, and any modifications in this process that may be necessary to ensure that handicapped students have housing opportunities equal to those of nonhandicapped students.

(67) Discuss steps that will be taken to ensure that handicapped students who do not require any modifications or accommodations with regard to housing, or that require only minor modifications, will be fully integrated throughout the institution's housing. Discuss also steps that will be taken to ensure that there is as little concentration of handicapped students in campus housing as possible, regardless of the handicap.

(68) List and discuss any state or local laws or regulations that may conflict with section 504 requirements in the area of housing. Discuss what steps will be taken to resolve such conflicts.

(69) Describe steps that will be taken to ensure that all students (including those with sight or hearing impairments) are informed regularly of the housing opportunities made available by the institution.

(70) Make certain that providers of off-campus housing that are assisted by the institution were covered in questions (42) and (43) in the section on "Treatment of Students" (see page 47).

(71) All steps to be taken as a result of requirements related to housing should be the subject of individual Summary Report Forms, as discussed in Chapter Five (see page 79). This is recommended unless a procedure more suited to an institution's administrative processes is devised for ensuring adequate planning, data collection, scheduling to complete the required action, records maintenance, and monitoring activities.

Discuss the procedure to be followed and the schedule for developing Summary Report Forms for all steps to be taken and actions required as a result of this section on "Housing."

Financial and Employment Assistance

Discussion and Comment

Subparagraph 84.46(a)(1) of the regulations states that, in providing financial assistance to qualified handicapped persons, an institution may *not:*

(1) on the basis of handicap, provide less assistance than is provided to nonhandicapped persons, limit eligibility for assistance, or otherwise discriminate; or
(2) assist any entity or person that provides assistance to any of the institution's students in a manner that discriminates against qualified handicapped persons on the basis of handicap.

Subparagraph 84.46(a)(2) states that a college or university may administer (or assist in the administration of) scholarships, fellowships, or other forms of financial assistance established under wills, trusts, bequests, or similar legal instruments that require awards to be made on the basis of factors that discriminate on the basis of handicap *only if the overall effect* of the award of such scholarships, fellowships, and other forms of financial assistance is not discriminatory on the basis of handicap.

It is not considered discriminatory to deny, on the basis of handicap, an athletic scholarship to a handicapped person whose handicap renders the person unable to qualify for the award. For example, a student who has a neurological disorder could be denied a varsity football scholarship if he is unable to play football, but a deaf person could not, on the basis of handicap alone, be denied a scholarship for the school's diving team. The deaf person could, however, be denied a scholarship on the basis of competitive diving ability.

(b) *Assistance in making available outside employment.* A recipient that assists any agency, organization, or person in providing employment opportunities to any of its students shall assure itself that such employment opportunities, as a whole, are made available in a manner that would not violate Subpart B if they were provided by the recipient.

(c) *Employment of students by recipients.* A recipient that employs any of its students may not do so in a manner that violates Subpart B.

The Self-Evaluation

(72) List and discuss briefly the various forms of financial assistance that the institution provides (or assists others to provide) to students at both the undergraduate and graduate levels.

(73) For each form of financial aid listed in (72), discuss either: (A) how no discrimination based on handicap exists in the form of aid; or (B) steps that will be taken to ensure that no discrimination will exist in the future.

(74) Does the institution administer or assist in the administration of scholarships, fellowships or other forms of financial assistance established under wills, trusts, bequests, or similar legal instruments that require awards to be made on the basis of factors that discriminate or have the effect of discriminating on the basis of handicap?

Yes _____ No _____

If "yes," describe steps that will be taken to ensure that the "overall effect" of the award of such financial assistance is not discriminatory on the basis of handicap.

(75) Discuss steps that will be taken to ensure that all policies, practices, application materials, forms, and other documents or information related to financial aid are free from discrimination based on handicap *and* include the institution's statement of commitment to section 504. Describe also assistance that may be provided to handicapped students applying for financial aid, as may be required in individual instances.

(76) Discuss all facilities (e.g., financial aid office) that are used in the process of providing financial aid to students, and any modifications in such facilities that may be required to ensure that handicapped students are not limited in their financial assistance opportunities. Make certain that specific modifications required to achieve accessibility are incorporated in the Transition Plan.

(77) Discuss the methods by which financial assistance and employment assistance programs are communicated to students (and applicants), and steps that will be taken to ensure that all students (including those with sight or hearing impairments) have equal opportunities in the competition for financial and employment assistance. Consider communications related to application deadlines.

(78) Describe the ways, if any, that the institution assists students in obtaining employment while in school, during summer vacations, and after graduation. Discuss steps that will be taken to ensure an absence of discrimination based on handicap in all such assistance, including additional methods that may be required to inform handicapped persons of such opportunities.

(79) Describe the facilities that are used in the process through which the institution assists in making employment opportunities available to its students. Discuss any steps that may be required to ensure that all students have equal access to such employment opportunities without regard to handicap. Make certain that specific modifications required to achieve accessibility are incorporated in the Transition Plan.

(80) Discuss the steps that must be taken to ensure that all principles of nondiscrimination in employment (as covered in Chapter Four of this *Guide*) are applied to student employees as well.

(81) Make certain that "outside" organizations or persons providing financial aid or employment opportunities to students with the assistance of the institution were analyzed in questions (42) and (43) on page 47 of the section on "Treatment of Students."

(82) All steps to be taken as a result of requirements related to financial and employment assistance should be the subject of individual Summary Report Forms, as discussed in Chapter Five (see page 79). This is recommended unless a procedure more suited to an institution's administrative processes is devised for ensuring adequate planning, data collection, scheduling to complete the required action, records maintenance, and monitoring activities.

Discuss the procedure to be followed and the schedule for developing Summary Report Forms for all steps to be taken and actions required as a result of this section on "Financial and Employment Assistance."

Nonacademic Services

Discussion and Comment

Physical Education and Athletics: Subparagraphs 84.47(a)(1) and (2) of the regulations state that, in providing physical education courses and athletics and similar programs and activities to any of its students, a college or university may not discriminate on the basis of handicap. Institutions that offer physical education courses or operate or sponsor intercollegiate, club, or intramural athletics shall provide qualified handicapped students an equal opportunity for participation in these activities. Institutions *may* offer to handicapped students physical education and athletics activities that are separate or different, so long as the "most integrated setting appropriate" principle is not violated *and* qualified handicapped students are not denied the opportunity to compete for teams or participate in courses that are not separate or different.

Nothing in section 504 requires the establishment of any *new* programs. As a result, if an institution does not offer intramural athletics (or any other athletics or physical education program) to its students, it need not offer such a program to handicapped students.

It is clear that no handicapped student who has the skill and ability to participate in any program or activity, athletic or otherwise, may be denied the opportunity for full participation. Institutions are cautioned against making any generalizations based on categories of handicap, and are urged to judge athletic ability and interest on a case-by-case basis. The more complicated questions related to physical education and athletics pertain to individuals who are interested in athletic programs but who do not, because of handicap, have the skill or ability to participate in regular programs of the institution.

Although the regulations state that separate or different physical education and athletics activities *"may"* be provided by the institution, it is reasonably clear that such activities *must* be provided if there is sufficient interest among the institution's handicapped students. Unless the institution responded in such a manner to an identifiable student interest, it would not be providing equal opportunities for students interested in athletics who are not able to participate in regular programs of the institution.

A rule of reason will have to prevail with regard to the establishment of separate or different physical education programs and activities. If, for example, an institution has only one student who is interested in a wheelchair basketball team, and if inquiries

throughout the educational community reveal no other persons with a similar interest, then it would not be possible to establish a wheelchair basketball team. In such a case, it seems clear that the opportunities for full participation of that one student would be limited, but the institution would have little, if any, ability to provide equal opportunities.

Institutions should make certain that their handicapped students are informed that separate programs or activities will be established whenever possible for those who are interested in participating.

As a "program" or "activity," athletics, when viewed in its entirety, must be accessible to handicapped students. This requirement pertains to athletics facilities used for student participation, and to facilities that students may use in a role of "spectator."

Some institutions have requirements related to physical education that are prerequisites to the attainment of a degree. Although this discussion belongs more appropriately in "Academic Programs and Adjustments," institutions may wish to review such requirements at this stage in the self-evaluation process to determine whether or not discrimination on the basis of handicap may exist. Modifications in such requirements should be implemented where it cannot be demonstrated that the requirements are essential to the program of instruction being pursued. Institutions are again cautioned against generalizations based on categories of handicap or the adoption of arbitrary modification policies that may violate a handicapped student's right to function "in the most integrated setting appropriate." Modifications should take place only in response to individual requirements for equal opportunity.

Counseling and Placement Services: Paragraph 84.47(b) of the regulations states that colleges and universities that provide personal, academic, or vocational counseling, guidance, or placement services to their students shall provide these services without discrimination based on handicap. In addition, institutions must ensure that qualified handicapped students are not counseled toward more restrictive career objectives than are nonhandicapped students with similar interests and abilities. However, institutions may provide factual information to handicapped persons regarding licensing and certification requirements that may present them with obstacles in the pursuit of particular careers. Counseling and guidance personnel should obtain full and accurate information related to such licensing or certification requirements.

Based on this requirement, an institution must analyze all policies and practices used in personal, academic, or vocational counseling, guidance or placement services to students to make certain that discrimination based on handicap does not exist. All persons performing such counseling work (including *any* individuals in a position to counsel students, such as faculty members, residence hall supervisors, and veterans program directors), should be knowledgeable with regard to section 504 nondiscrimination principles; it is essential that they understand and act in a manner consistent with the prohibition against counseling handicapped persons toward more restrictive careers. Any faulty assumptions regarding the capabilities and potentials of handicapped persons must be eliminated.

It should be emphasized that section 504 does not require the creation of any new programs or activities, but mandates nondiscrimination in existing programs and activities. Colleges and universities do not, therefore, have to create any new counseling or guidance programs for handicapped students. In fact, the creation of any new programs or activities that are separate or different from those of nonhandicapped students would probably violate the "most integrated setting appropriate" principle.

Social Organizations: Paragraph 84.47(c) of the regulations states that a college or university that provides "significant assistance" to fraternities, sororities, and similar organizations shall assure itself that the membership practices of such organizations do not permit discrimination on the basis of handicap.

As a result of this requirement, colleges and universities must first determine to which organizations they provide "significant assistance"; following these determina-

tions, the institution must review the membership practices of all such organizations, since handicapped persons must have equal opportunities for participation if institutional support is "significant."

Chapter One (see page 12) includes a discussion of determining the "significance" of assistance, and mentions criteria such as financial support and the relation of the organization's activities to the institution. The legal history of this term suggests that it *may* be appropriate to consider "significant assistance" as "assistance without which an organization would no longer exist." This would clearly include fraternities and sororities that are provided free or leased campus facilities for housing, but may not include organizations or clubs that merely hold meetings on campus but could just as easily use off-campus facilities. It would also include organizations or clubs that are dependent upon the institution's communications systems, computers and publications for publicizing their activities, but may not include organizations or clubs that communicate to members and others on their own. And it would include organizations for which support personnel are employed by the institution (e.g., security officers, student activities officers), but may not include organizations that are not reliant on institutional personnel.

The question of whether or not the institution provides "significant assistance" to fraternities and sororities that do not use campus facilities may be a complicated one. Issues to consider include financial support, institutional personnel who devote time to such organizations, and the use of campus communications systems and publications by such organizations. If the "assistance without which an organization would no longer exist" principle is used, then the sum of all support provided to an organization should be analyzed to determine whether or not "significant assistance" exists. There is no easy formula that may be recommended for determining whether or not assistance is "significant."

A second definitional problem related to this requirement may involve the term "membership practices." If the institution provides significant assistance to an organization, then that organization's membership practices cannot discriminate on the basis of handicap. Whether all programs and activities of an organization must be free from discrimination based on handicap is a question that must be resolved. For example, it is logical to conclude that a person could not be a member of an organization whose facilities are inaccessible to or unusable by that person. Other similar questions exist regarding participation in an organization's programs or activities, since the relationship between "membership practices" and programs or activities (the ability to take advantage of membership) is not clear.

It should be emphasized that there is *no* "as a whole" principle applied to such organizations. Every such organization shall have nondiscriminatory membership practices if it receives significant assistance from the institution.

HEW Regulations (84.47)

§ 84.47 Nonacademic services.

(a) ***Physical education and athletics.*** (1) In providing physical education courses and athletics and similar programs and activities to any of its students, a recipient to which this subpart applies may not discriminate on the basis of handicap. A recipient that offers physical education courses or that operates or sponsors intercollegiate, club, or intramural athletics shall provide to qualified handicapped students an equal opportunity for participation in these activities.

(2) A recipient may offer to handicapped students physical education and athletic activities that are separate or different only if separation or differentiation is consistent with the requirements of §84.43(d) and only if no qualified handicapped student is denied the opportunity to compete for teams or to participate in courses that are not separate or different.

(b) ***Counseling and placement services.*** A recipient to which this subpart applies that provides personal, academic, or vocational counseling, guidance, or placement services to its students shall provide these services without discrimination on the basis of handicap. The recip-

ient shall ensure that qualified handicapped students are not counseled toward more restrictive career objectives than are nonhandicapped students with similar interests and abilities. This requirement does not preclude a recipient from providing factual information about licensing and certification requirements that may present obstacles to handicapped persons in their pursuit of particular careers.

(c) *Social organizations.* A recipient that provides significant assistance to fraternities, sororities, or similar organizations shall assure itself that the membership practices of such organizations do not permit discrimination otherwise prohibited by this subpart.

The Self-Evaluation

(83) List and describe briefly any physical education, intercollegiate athletics, club athletics, or intramural athletics programs that are offered by the institution to its students.

(84) Based on an analysis of the policies, procedures, and practices related to each, for each program listed in (83), discuss either: (A) how the program is free from discrimination based on handicap, with or without the option of separate or different programs; or (B) steps that will be taken to ensure equal opportunity in the future.

(85) Discuss any health examinations that are required of all students prior to participation in physical education or athletics. Describe steps that will be taken to make certain that such examinations measure health conditions related to the participation, and do not exclude handicapped persons based on unrelated criteria.

(86) Discuss steps that will be taken to communicate to students (including those with sight or hearing impairments) the availability of separate or different physical education or athletics programs for handicapped persons, if they wish to participate in such.

(87) Describe safeguards that will ensure that a qualified handicapped athlete will not be discriminated against in his or her participation in physical education or athletics programs that are not separate or different.

(88) Does the institution require as a prerequisite to attaining a degree that students complete some requirement regarding physical education or athletics?

Yes _____ No _____

If "yes," either: (A) demonstrate that the requirement is essential to the course of study in question; or (B) describe the steps that will be taken to make certain that the requirement is modified for *individual* handicapped students who are unable to complete the requirement.

(89) Discuss the accessibility of athletics facilities for persons with mobility impairments, and steps that may be necessary to achieve accessibility and full participation for such individuals.

(90) List and briefly describe any programs of personal counseling, academic counseling, vocational counseling, guidance counseling, or placement services that the institution provides to its students.

(91) For each program or service listed in (90), and based on a review of the policies and practices that govern each program or service, discuss either: (A) how the program or service is free from discrimination based on handicap; or (B) steps that will be taken to ensure nondiscrimination in the future.

(92) Describe briefly the facilities that are used in providing the programs or services listed in (90) above, and discuss steps that may be necessary to ensure full participation in such programs and services by handicapped persons. Make certain that specific modifications required to achieve accessibility are incorporated in the Transition Plan.

(93) Discuss steps that will be taken to inform counseling, guidance and placement personnel (and all other persons in a position to counsel students) of the institution's commitment to section 504, of the specific prohibitions against discrimination contained in section 504, and of the prohibition against counseling handicapped students toward restrictive careers. List those classes of persons (in addition to professionals in counseling, guidance, or placement) who will receive such information, including faculty members, residence halls supervisors, and so forth.

(94) Discuss steps that will be taken to ensure that all students (including those with sight or hearing disabilities) are informed periodically of the institution's counseling, guidance, and placement programs.

(95) List those organizations, such as fraternities, sororities, and clubs, that receive significant assistance from the institution.

(96) For each organization listed in (95), discuss either: (A) how the organization does not discriminate in its membership practices against handicapped students; (B) steps that will be taken to ensure nondiscrimination in the future; or (C) steps that will be taken to withdraw the institution's assistance of the organization.

(97) Discuss the procedure that will be used periodically to inform organizations that receive assistance from the institution of prohibitions against discrimination based on handicap in membership practices.

(98) All steps to be taken as a result of requirements related to nonacademic services should be the subject of individual Summary Report Forms, as discussed in Chapter Five (see page 79). This is recommended unless a procedure more suited to an institution's administrative processes is devised for ensuring adequate planning, data collection, scheduling to complete the required action, records maintenance, and monitoring activities.

Discuss the procedure to be followed and the schedule for developing Summary Report Forms for all steps to be taken and actions required as a result of this section on "Nonacademic Services."

4

Employment

Discussion and Comment

Employment presents some of the most complex issues that an institution will confront under section 504. The concept of "reasonable accommodation," and its relationship to "undue hardship" (see page 68), may require the institution to adopt policies and take positions based on standards that have not been fully defined or illustrated.

However, colleges and universities that are already covered by section *503* of the Rehabilitation Act of 1973, as amended, and are already in compliance with nondiscrimination requirements contained therein, may be in compliance with some employment provisions under section 504. Section 503, administered by the Labor Department's Office of Federal Contract Compliance Programs (OFCCP), pertains to federal (sub)contractors with one or more federal (sub)contracts of $2,500 or more. These provisions also contain the "reasonable accommodation" principle.

Section 503 requires that federal (sub)contractors take affirmative action to employ and advance in employment qualified handicapped persons. The employment provisions of section 504 do not contain affirmative action requirements, and consequently impose no goals and timetables upon the composition of the workforce. *Nondiscrimination,* rather than *affirmative action,* is the principle contained in section 504. (See related discussion on page 7.)

It should be emphasized that section 504 does not apply to all persons with handicaps, but only to "handicapped persons" as defined in paragraph 84.3(j). Also, it applies only to "qualified handicapped persons," defined with respect to employment [84.3(k)(1)] as "a handicapped person who, with reasonable accommodation, can perform the essential functions of the job in question."

All employees of a college or university are covered by section 504, including those who are full-time or part-time, temporary or permanent.

Prior to specific discussions of employment provisions, it is necessary to reemphasize five major principles contained in section 504:

(1) Handicapped persons or their representatives must be involved in the self-evaluation processes that will ensure an absence of discrimination in all programs, activities, and services.

(2) Regular and open communications (and formal grievance procedures) must be established so that information related to employee programs, activities, and services will be shared on an ongoing basis.

(3) Providing *separate* or *different* programs or services is prohibited under section 504 unless they are necessary to achieve equal opportunity. When there is more than one option in the decision-making process, the option selected for implementation shall be the one that will result in the "most integrated setting appropriate" for handicapped employees. Section 504 places obligations on the institution and not the individual handicapped person. Where separate programs or activities exist, handicapped employees

must always have the option to participate in those programs or activities that are *not* separate or different.

(4) It is important to recall the variety of handicaps and the fact that barriers to full participation in employee programs and services cannot be categorized by handicap. The process of eliminating barriers to equal opportunity for the handicapped employees on a particular campus will make it necessary to ascertain what, if anything, those individuals require in order to ensure their equal opportunities.

(5) Discretion and common sense should prevail, and flexible approaches and processes should be adopted.

Despite the caution above regarding overgeneralizations and categorizations based on handicap, it will be important to consider the range and variety of handicaps in eliminating barriers to equal employment opportunity through accommodations, adjustments, and the availability of auxiliary aids. The following is a general listing of handicaps that is *not* intended to be comprehensive, but may highlight the range of conditions that should be considered in planning modifications.

Non-ambulatory Disabilities—Physical impairments that, regardless of cause, confine persons to wheelchairs. In this category are individuals ranging in severity of disabilities (see related discussion on page 22);

Semi-ambulatory Disabilities—Physical impairments that cause a person to walk with difficulty, perhaps with the assistance of crutches, walkers, or braces.

Coordination Disabilities—Impairments of muscle control to the limbs, resulting in faulty coordination.

Sight Disabilities—Impairments affecting sight totally or partially.

Hearing Disabilities—Impairments affecting hearing totally or partially.

Speech Impairments—Impairments affecting totally or partially the ability to communicate orally.

Learning Disabilities—Impairments that impede the normal learning processes.

Mental or Psychological Disorders—Impairments affecting normal mental processes or emotional stability.

Institutions in need of additional information or "outside" technical assistance with regard to employment should refer to the Appendix in this *Guide*. Also, the College and University Personnel Association (CUPA) is available to provide individuals with specific guidance or training programs related to section 504 (CUPA, One Dupont Circle, Suite 650, Washington, D.C. 20036 (202/833-9080).

General Prohibitions: According to subparagraph 84.11(a)(1), no qualified handicapped person shall, on the basis of handicap, be subjected to discrimination in employment. Institutions shall make all decisions concerning employment in a manner which ensures that discrimination based on handicap does not occur, and shall not limit, segregate, or classify applicants or employees in any way that adversely affects their opportunities or status because of handicap [84.11(a)(3)].

Colleges and universities, as a result of subparagraph 84.11(a)(4), may not participate in any contractual or other relationships that have the effect of subjecting qualified handicapped applicants or employees to discrimination based on handicap. This *includes* relationships with employment and referral agencies, with labor unions, with organizations providing or administering fringe benefits to employees, and with organizations providing training and apprenticeship programs.

As stated in paragraph 84.11(b), nondiscrimination prohibitions under section 504 apply to:

(1) Recruitment, advertising, and the processing of applications;

(2) Hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring;

(3) Rates of pay or any other form of compensation and changes in compensation;

(4) Job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists;

(5) Leaves of absence, sick leave, or any other leave;

(6) Fringe benefits available by virtue of employment, whether or not administered by the institution;

(7) Selection and financial support for training, including apprenticeship, professional meetings, conferences, and other related activities, and selection for leaves of absence to pursue training;

(8) Employer sponsored activities, including social or recreational programs; and

(9) Any other term, condition, or privilege of employment.

Obligations to comply with nondiscrimination prohibitions in employment are not affected by inconsistent terms of any collective bargaining agreement to which the institution is a party, according to paragraph 84.11(c).

In addition, a college or university that receives assistance under the Education of the Handicapped Act is required by subparagraph 84.11(a)(2) to take positive steps to employ and advance in employment qualified handicapped persons in programs assisted by this act. However, it is very unlikely that many colleges or universities receive assistance under this statute.

To ensure nondiscrimination in employment, an institution should review all policies, procedures and practices related to employment to make certain that the participation of handicapped persons is not limited. This review should extend to all job descriptions and statements of qualifications; organizational charts; salary schedules; application forms; policies pertaining to granting leaves of absence; medical, hospital, accident, life insurance and retirement benefits policies; descriptions of all training programs operated or sponsored by the institution; copies of all collective bargaining agreements; procedures for processing applications; and policies pertaining to opportunities for staff development, internships, or apprenticeships, including travel to meetings or conferences.

Personnel procedures and practices related to descriptions and classifications of jobs, and wage and salary administration, should be reviewed carefully to make certain that discrimination based on handicap is not present. Where there are no general procedures in these areas, it may be difficult to measure the degree of discrimination present.

Opportunities for social and recreational activity that an institution provides to its employees must be provided to qualified handicapped employees also. This requirement may have particular implications for employees with mobility impairments in cases where the institution provides employees with transportation to such activities.

Accessible and convenient parking opportunities must be made available to handicapped employees if parking is provided to employees. In addition, any housing opportunities that exist for an institution's faculty or staff must exist to the same degree for handicapped employees.

A college or university must make certain that opportunities for employment are not limited for handicapped persons on account of factors *such as* inaccessible recruitment sites, recruitment from sources or populations that exclude handicapped persons, advertising that does not reach certain classes of handicapped persons, and application forms or materials that cannot be properly submitted by certain classes of handicapped persons. In this regard, an institution may be required to take actions *such as* exploring different methods for making employment opportunities known to blind persons (e.g., a taped telephone message listing job openings) and providing some assistance to applicants in filling out forms for employment. Also, accessibility to employment opportunities

who has a handicap that impairs sensory, manual, or speaking skills, the test results accurately measure the person's aptitude, skills, or whatever other factor the test purports to measure, rather than reflecting the person's impaired sensory, manual, or speaking skills (except where those are the factors the test purports to measure). For example, a person with a speech impediment may be perfectly qualified for jobs that do not or need not, with reasonable accommodation, require ability to speak clearly. Yet, if given an oral test, the person will be unable to perform in a satisfactory manner. The test results will not, therefore, predict job performance, but instead will reflect impaired speech.

As with provisions that assure accurate measures of a student's course achievement, alternate tests must be available for job applicants and employees with impaired sensory, manual, or speaking skills, if current tests or procedures result in scores that are affected by such impairments. An institution must not only make such alternate tests available, but should make certain that all employees who act in a hiring or promotion capacity are aware of their availability and procedures for their use.

Such alternatives in testing may *include* a reliance on "power" tests that measure ability or level of achievement (rather than "speed") for persons with visual or manual impairments; the use of aids such as braillers and abaci by persons with visual impairments; the use of translators or typed material to provide information on test instructions to persons with hearing impairments; the modification of certain features of a test, such as verbal portions for persons with hearing impairments; the revision of test content for persons with visual impairments in cases where elaborate tables or graphs would be the basis for test answers; and the provision of auxiliary aids to persons who cannot take written tests or make the marks required for mechanically scored objective tests.

National testing services may be able to provide colleges and universities with suggestions for alternate tests. Organizations listed in the Appendix in this *Guide* may be of similar assistance.

Ensuring that tests and criteria do not screen out handicapped persons, and do not measure sensory, manual, or speaking impairments, will necessitate a review of all tests and criteria used in institutional employment. Institutions are advised to analyze not only the instruments used for testing, but methods of their administration, which have potential to be discriminatory also.

Preemployment Inquiries: As outlined in section 84.14, *unless* an institution is taking remedial action required by the Director of OCR, is taking voluntary action under section 504 (see page 16), *or* is taking affirmative action under section 503, it may not make preemployment inquiries regarding the nature or severity of handicap. Preemployment inquiries related to job functions, and one's ability to perform them effectively and safely, are permitted. For example, an employer may not ask on an employment form if an applicant is visually impaired, but may ask if the person has a current driver's license (if that is a necessary qualification for the position in question). Similarly, employers may make inquiries about an applicant's ability to perform a job safely. Thus, an employer may not ask if an applicant has a particular handicap, but may ask whether the person can perform a particular job without endangering other employees.

In cases where voluntary, remedial, or affirmative action is being taken, applicants for employment may be asked to indicate whether and to what extent they are handicapped, so long as they are informed that provision of the information is voluntary (it is not required), that the information will be kept confidential, that refusal to provide the information will not result in any adverse treatment, and that the information will be used solely in connection with the remedial, voluntary, or affirmative action efforts.

Prohibitions related to preemployment inquiries pertain to interviews, application forms, and any other methods that an employer might use to solicit information from applicants.

Colleges and universities are not permitted to conduct preemployment physicals, but may condition offers of employment on the results of such exams if all new em-

ployees are subjected to medical exams prior to their entrance on duty *and* the results of such examinations are not used to discriminate against handicapped persons. There may be independent reasons why such an examination would be desirable for all employees (e.g., Workmen's Compensation requirements).

Any information obtained regarding the medical history or condition of applicants must be collected and maintained on separate forms that are accorded confidentiality as medical records, except that:

(1) Supervisors and managers may be informed regarding restrictions on the work or duties of handicapped persons and any reasonable accommodations required;

(2) First aid and safety personnel may be informed, where appropriate, if the condition might require emergency treatment; and

(3) Government officials investigating compliance with section 504 shall be provided relevant information on request.

If a medical examination reveals that an applicant's condition might pose threats to the safety of other employees, the person need not be hired. For example, if a medical examination reveals that an applicant for a position requiring the delicate handling of bio-hazardous materials has impaired manual skills that would limit effective performance, refusal to hire that person would not be discriminatory. Considerations related to an applicant's own safety or security may be more complicated. The degree to which an institution is responsible for protecting the individual, beyond informing him or her that a job may be injurious to his or her health, is not clear. In cases where a medical examination reveals a condition that might be exacerbated by a particular job (or where more serious threats to health might exist), the institution probably has an obligation to so inform the applicant, and to suggest that the person seek alternative employment. After notification, should the individual persist in his or her job interest the institution may be compelled by section 504 to hire the person if he or she is qualified. If persons are hired under such circumstances (e.g., a person with a history of heart disease applying for a heavy lifting job), then the institution may wish to have the person sign a statement that makes it clear that he or she has received notice that job requirements may adversely affect his or her health, and that he or she accepts the risk. (Colleges and universities should investigate with their legal counsel whether and in what form such a statement should be obtained; whether such a statement is the appropriate legal device in this circumstance; whether it would have any effect on the institution's liability, positive or negative; *and whether such persons need be hired at all.*) The institution should review the impact of any policy in this area on OSHA, compulsory insurance programs (e.g., Workmen's Compensation), and voluntary insurance programs (e.g., health and hospitalization).

It should be noted that, as pointed out in Chapter Three (see page 57), institutions that employ their own students may not do so in violation of principles of nondiscrimination contained in this chapter on employment.

HEW Regulations (Subpart B)

Subpart B—Employment Practices

§ 84.11 Discrimination prohibited.

(a) *General.* (1) No qualified handicapped person shall, on the basis of handicap, be subjected to discrimination in employment under any program or activity to which this part applies.

(2) A recipient that receives assistance under the Education of the Handicapped Act shall take positive steps to employ and advance in employment qualified handicapped persons in programs assisted under that Act.

(3) A recipient shall make all decisions concerning employment under any program or activity to which this part applies in a manner which ensures that discrimination on the basis of handicap does not occur and may not limit, segregate, or classify applicants or employees in any way that adversely affects their opportunities or status because of handicap.

(4) A recipient may not participate in a contractual or other relationship that has the effect of subjecting qualified handicapped applicants or employees to discrimination prohibited by this subpart. The relationships referred to in this subparagraph include relationships with employment and referral agencies, with

labor unions, with organizations providing or administering fringe benefits to employees of the recipient, and with organizations providing training and apprenticeship programs.

(b) *Specific activities.* The provisions of this subpart apply to:

(1) Recruitment, advertising, and the processing of applications for employment;

(2) Hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring;

(3) Rates of pay or any other form of compensation and changes in compensation;

(4) Job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists;

(5) Leaves of absense, sick leave, or any other leave;

(6) Fringe benefits available by virtue of employment, whether or not administered by the recipient;

(7) Selection and financial support for training, including apprenticeship, professional meetings, conferences, and other related activities, and selection for leaves of absence to pursue training;

(8) Employer sponsored activities, including social or recreational programs; and

(9) Any other term, condition, or privilege of employment.

(c) A recipient's obligation to comply with this subpart is not affected by any inconsistent term of any collective bargaining agreement to which it is a party.

§ 84.12 Reasonable accommodation.

(a) A recipient shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified handicapped applicant or employee unless the recipient can demonstrate that the accommodation would impose an undue hardship on the operation of its program.

(b) Reasonable accommodation may include: (1) making facilities used by employees readily accessible to and usable by handicapped persons, and (2) job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, the provision of readers or interpreters, and other similar actions.

(c) In determining pursuant to paragraph (a) of this section whether an accommodation would impose an undue hardship on the operation of a recipient's program, factors to be considered include:

(1) The overall size of the recipient's program with respect to number of employees, number and type of facilities, and size of budget;

(2) The type of the recipient's operation, including the composition and structure of the recipient's workforce; and

(3) The nature and cost of the accommodation needed.

(d) A recipient may not deny any employment opportunity to a qualified handicapped employee or applicant if the basis for the denial is the need to make reasonable accommodation to the physical or mental limitations of the employee or applicant.

§ 84.13 Employment criteria.

(a) A recipient may not make use of any employment test or other selection criterion that screens out or tends to screen out handicapped persons or any class of handicapped persons unless: (1) the test score or other selection criterion, as used by the recipient, is shown to be job-related for the position in question, and (2) alternative job-related tests or criteria that do not screen out or tend to screen out as many handicapped persons are not shown by the Director to be available.

(b) A recipient shall select and administer tests concerning employment so as best to ensure that, when administered to an applicant or employee who has a handicap that impairs sensory, manual, or speaking skills, the test results accurately reflect the applicant's or employee's job skills, aptitude, or whatever other factor the test purports to measure, rather than reflecting the applicant's or employee's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

§ 84.14 Preemployment inquiries.

(a) Except as provided in paragraphs (b) and (c) of this section, a recipient may not conduct a preemployment medical examination or may not make preemployment inquiry of an applicant as to whether the applicant is a handicapped person or as to the nature or severity of a handicap. A recipient may, however, make preemployment inquiry into an applicant's ability to perform job-related functions.

(b) When a recipient is taking remedial action to correct the effects of past discrimination pursuant to § 84.6 (a), when a recipient is taking voluntary action to overcome the effects of conditions that resulted in limited participation in its federally assisted program or activity pursuant to § 84.6(b), or when a recipient is taking affirmative action pursuant to section 503 of the Act, the recipient may invite applicants for employment to indicate whether and to what extent they are handicapped, *Provided,* That:

(1) The recipient states clearly on any written questionnaire used for this purpose or makes clear orally if no written questionnaire is used that the information requested is intended for use solely in connection with its remedial action obligations or its voluntary or affirmative action efforts; and

(2) The recipient states clearly that the information is being requested on a voluntary basis, that it will be kept confidential as provided in paragraph (d) of this section, that refusal to provide it will not subject the applicant or employee to any adverse treatment, and that it will be used only in accordance with this part.

(c) Nothing in this section shall prohibit a recipient from conditioning an offer of employment on the results of a medical examination conducted prior to the employee's entrance on duty, *Provided*, That: (1) All entering employees are subjected to such an examination regardless of handicap, and (2) the results of such an examination are used only in accordance with the requirements of this part.

(d) Information obtained in accordance with this section as to the medical condition or history of the applicant shall be collected and maintained on separate forms that shall be accorded confidentiality as medical records, except that:

(1) Supervisors and managers may be informed regarding restrictions on the work or duties of handicapped persons and regarding necessary accommodations;

(2) First aid and safety personnel may be informed, where appropriate, if the condition might require emergency treatment; and

(3) Government officials investigating compliance with the Act shall be provided relevant information upon request.

The Self-Evaluation

(99) Is the institution covered by section *503* of the Rehabilitation Act of 1973, as amended? (Does it have one or more federal contract or subcontract of $2,500 or more?)

Yes _____ No _____

If "yes," describe steps that will be taken to ensure coordination and consistency in section 503 and section 504 efforts.

(**NOTE**: In the questions or statements that follow, *if* the institution employs, or has employed in the past, a sufficient number of handicapped persons to make statistical studies meaningful, it is recommended that such studies be conducted to measure discrimination in employment based on handicap. This recommendation applies to any questions or statements below to which statistical studies might apply.)

(100) Discuss the general process whereby the institution recruits, advertises, and processes forms and applications for employment.

(101) List those aspects of the process described in (100) that discriminate (or have the potential to discriminate) based on handicap, including the selection and accessibility of recruitment sites and advertising or other communications to applicants that may not reach all handicapped persons. Discuss, for each, steps that will be taken to ensure equal employment opportunity for handicapped persons.

(102) List all tests or selection criteria used for employment decisions. For each, note the skill, achievement level, or other factor that the test or criterion purports to measure.

(103) For each test or criterion listed in (102), describe steps that will be taken to ensure that it measures solely what it purports to measure and that impaired sensory, manual, or speaking skills (unless those skills are the ones it purports to measure) are not being measured as well.

(104) Does the institution make available to employees and applicants for employment tests that are designed for persons with impaired sensory, manual, or speaking skills.

Yes _____ No _____

If "yes," describe the tests that are available, the procedure for notifying applicants that such tests are available, and the process through which they are provided whenever needed.

If "no," describe steps that will be taken to make certain that such tests are made available by the institution (or will be made available as required) and that applicants are notified regarding the availability of alternate testing.

Describe steps that may be necessary to ensure that employees involved in the selection process are trained properly in the administration of tests designed for persons with impaired sensory, manual, and speaking skills.

(105) List from (102) those tests or criteria that screen out (or tend to screen out) handicapped applicants or employees.

(106) For each test or criteria listed in (105), state whether the Director of OCR has identified any alternate tests or criteria that do not screen out as many handicapped persons. Where alternate tests or criteria have been identified by the Director of OCR, describe the steps that will be taken to employ these alternates in place of those tests or criteria currently used.

(107) For each test or criteria listed in (105) for which the Director of OCR has *not* identified any alternates, either: (A) provide background related to its validation as job-related; or (B) indicate steps that will be taken to modify the test or criterion or discontinue its use for classes of handicapped persons who are screened out.

(108) Discuss steps that will be taken to ensure that no preemployment physical examinations are conducted for applicants who have not received conditional offers of employment.

(109) Will the institution be conducting for all applicants preemployment physical examinations after conditional offers of employment are extended to applicants?

Yes _____ No _____

If "yes," discuss steps that will be taken to ensure that *all* applicants will receive such examinations prior to entrance in employment, the results of such exams will not be used to discriminate on the basis of handicap, *and* the results of such exams will be collected and maintained on separate forms that will be accorded confidentiality as medical records (with the three exceptions noted on page 71).

(110) Is the institution:

taking remedial action at the request of the Director of OCR?	Yes _____ No _____
taking voluntary action to overcome effects of conditions that resulted in limited participation in programs?	Yes _____ No _____
taking affirmative action under section 503?	Yes _____ No _____

If answers to *all* of the three questions above are "no," describe steps that will be taken to ensure that no applicants for employment are asked questions (during interviews, on application forms and so forth) regarding the nature or severity of their handicaps.

If the answer to any of the three above questions is "yes," describe steps that will be taken to ensure that applicants are informed that information is being requested on a voluntary basis, that failure to provide such information will not result in adverse treatment, that the information will be kept confidential, *and* that the information will be used solely in connection with remedial, voluntary, or affirmative action efforts.

(111) Discuss, in general, the accessibility of the institution's facilities that are used by employees and applicants (including the personnel office). Describe, in general terms (with specific steps included in the Transition Plan), modifications that are likely to be required in order to ensure equal employment opportunity through reasonable accommodation.

(112) Describe briefly the institution's method of job classification and description. Discuss any factors in this method, or any policies or procedures related to the method, that discriminate on the basis of handicap, have a discriminatory effect, or otherwise classify, segregate, or limit persons based on handicap. For each, discuss steps that will be taken to modify the method (or related policies or procedures) to ensure an absence of discrimination in the future. Consider organizational structure changes, career lines of progression, and seniority rights.

(113) Will the institution be analyzing all job descriptions at once to determine essential and nonessential functions for each, or will essential and nonessential functions be determined prior to posting or advertising a position?

_____ (A) All positions to be analyzed at once
_____ (B) Positions to be analyzed as posted or advertised

If "A," describe the general procedure to be followed during the analysis.

If "B," describe steps to be taken to ensure that essential and nonessential functions will be well-defined before jobs are posted or advertised.

(114) Describe briefly the institution's system of wage and salary administration. Discuss any factors in this system, or any policies or procedures related to this system, that discriminate (or have the effect of discriminating) on the basis of handicap. For each, describe steps that will be taken to ensure an absence of discrimination in the future. Consider actions related to rates of pay or compensation, or changes in rates of pay or compensation.

(115) Based on a review of all pertinent policies, procedures, and *practices* related to employment, discuss any discrimination (or potential for discrimination) that may exist in personnel actions *such as* hiring, upgrading, promotion, the award of tenure, demotion, transfer, lay-off, termination, the right of return from lay-off, and rehiring. Describe, for each, steps that will be taken to ensure an absence of discrimination in the future.

(116) List any contractual relationships that the institution has with regard to its employees, including those with employment or referral agencies, labor unions, providers or administrators of fringe benefits, or training and apprenticeship programs.

(117) Based on a review of the specific terms of collective bargaining agreements listed in (116), and/or the institution's experience in dealing with the unions involved, list the terms or practices that result in discrimination on the basis of handicap (or could result in discrimination based on handicap). For each, discuss steps that will be taken to renegotiate contractual terms or eliminate discriminatory practices to ensure nondiscrimination in the future.

(118) Based on a review of the specific terms of fringe benefit plans listed in (116), including medical, hospital, accident and life insurance and retirement policies or plans, whether they are administered by the institution or by an outside carrier, list terms that

discriminate on the basis of handicap. For each, discuss steps that will be taken to modify terms to ensure nondiscrimination in the future.

(119) List the terms of any other contractual relationships listed in (116) (in addition to those in collective bargaining and fringe benefit contracts) that are discriminatory (or have the potential to be discriminatory). Discuss, for each, steps that will be taken to modify such terms to ensure an absence of discrimination in the future.

(120) Discuss briefly the social, recreational and other similar opportunities that the institution makes available to its employees. Discuss any steps that may be required to ensure that such opportunities are not limited for handicapped employees. (Include transportation services, if they are provided to employees.)

(121) List all programs of leave granted by the institution, including leaves of absence, vacation, sick leave, sabbatical leave, and any others. Based on a review of policies and procedures governing the leave programs, discuss, for each, modifications that may be required to ensure nondiscrimination.

(122) Describe all programs of apprenticeship, internship, and staff or professional development that the institution offers to its employees. Based on a review of policies and procedures governing such programs, and procedures used for selecting and providing support to employees for such programs, describe steps that will be necessary to ensure future nondiscrimination for handicapped employees.

(123) Based on a review of all policies, procedures, and practices of staff and faculty committees, councils, or senates, discuss any factors in the voting or selection processes, and the activities of such groups (including the accessibility of their meeting sites), that discriminate on the basis of handicap. Describe steps that will be taken to ensure equal opportunities for handicapped staff and faculty members.

(124) List any parking or housing facilities that the institution makes available to its employees (or applicants for employment). For each facility, indicate whether or not accessibility has been achieved for handicapped persons and, if not, what steps will be taken to ensure an equal opportunity for handicapped persons to use such facilities. Include in this analysis any policies or procedures related to such facilities that discriminate (or have the potential to discriminate) against handicapped persons.

(125) Institutions must develop some standards for determining whether an accommodation to the known physical or mental limitations of an otherwise qualified handicapped applicant or employee is "reasonable" or imposes an "undue hardship." Using the criteria set forth in paragraph 84.12(c)—see page 69—describe the general standards that will be used for making these determinations. Also, based on these standards, give some examples of accommodations that would be reasonable and accommodations that would impose an undue hardship.

(126) Describe the general process whereby accommodations will be made for applicants who require them. Will there be a person to contact for all employees interviewing someone (or in the process of hiring someone) who may require an accommodation? Discuss this and similar organizational factors related to the process whereby accommodations will be made.

(127) Describe the steps that will be taken to ensure adequate documentation of any decisions regarding refusal to hire or promote due to undue hardship. Discuss also

organizational factors, such as those in (126) above, regarding authority to make decisions based on undue hardship. For example, will decisions regarding undue hardship be made centrally? If so, is there a person to contact?

(128) Have grievance procedures been established that will allow employees to file complaints with the institution on matters related to section 504? (It should be noted that grievance procedures need not apply to the complaints of applicants for employment.)

Yes ____ No ____

If "yes," describe procedures that will ensure that all employees (including those with sight or hearing impairments) will be informed periodically of such procedures.

If "no," describe steps that will be taken to establish such procedures, and to communicate them periodically to all employees (including those with sight or hearing impairments).

(129) List steps that will be taken to notify all employees (including those with sight or hearing impairments) on a periodic basis of the institution's obligations under section 504, and of specific prohibitions or requirements, *such as:*

(A) There may be no discrimination on the basis of handicap in any employment decision or action, policy, procedure or practice;

(B) Prior to posting or advertising any job, essential and nonessential functions of the job should be defined;

(C) Alternate tests are available for applicants or employees with impaired sensory, manual, and speaking skills, and should be used whenever employee testing is affected by such impaired skills. (Include information regarding the procedure for obtaining the alternate tests, and training for use of the tests.)

(D) There may be no preemployment medical examinations required. (Include also a statement regarding whether "all" or "no" applicants must receive a preemployment physical examination between the period when a conditional offer is extended and the entrance on duty. This statement will depend on the institution's policy.)

(E) There must be no discrimination based on handicap in recruitment, advertising, or processing forms for employment. (Include steps, if any, that the institution will be taking to ensure nondiscrimination, such as assisting applicants in submitting forms, advertising for blind persons through national organizations for the blind, and so forth.)

(F) Tests and criteria that screen out handicapped persons must not be used. (Include information regarding who should be informed of such tests, so that alternates may be explored.)

(G) Either: (i) Preemployment questions regarding the nature or severity of handicaps may not be asked—if not taking voluntary, remedial, or affirmative action; or (ii) Preemployment questions regarding the nature or severity of handicaps may (or must) be asked because the institution is taking voluntary, remedial, or affirmative action.

(H) Preemployment questions regarding one's ability to perform essential functions of a job effectively and safely may be asked.

(I) Reasonable accommodations will have to be made to the known physical and mental limitations of otherwise qualified handicapped persons. (Include

information regarding the procedure for making decisions regarding accommodations.)

(J) There may be no discrimination based on handicap regardless of the provisions in contractual agreements with unions, employment or referral agencies, providers of fringe benefits, providers of training or apprenticeship programs, and similar organizations.

(K) Recreational and social opportunities for employees must be provided equally to handicapped employees. (Include information regarding possible transportation requirements.)

(L) Handicapped persons must have an equal opportunity to use parking and housing facilities provided to employees.

(M) There may be no discrimination based on handicap in any leave programs, including sick leave, vacation, leaves of absence, and so forth.

(N) There may be no discrimination based on handicap in opportunities for apprenticeships, internships, and staff or professional development, including travel to meetings and conferences.

(O) Handicapped applicants and employees must not be counseled toward more restrictive careers than nonhandicapped persons.

(130) All steps to be taken as a result of requirements related to employment should be the subject of individual Summary Report Forms, as discussed in Chapter Five (see page 79). This is recommended unless a procedure more suited to an institution's administrative processes is devised for ensuring adequate planning, data collection, scheduling to complete the required action, records maintenance, and monitoring activities.

Discuss the procedure to be followed and the schedule for developing Summary Report Forms for all steps to be taken as a result of this chapter on "Employment."

5

Implementing the Plan

Once a college or university has completed its Self-Evaluation planning, and has modified its Transition Plan to conform to necessary actions identified through the self-evaluation process, there may be numerous steps to be taken or actions necessary to achieve compliance with section 504. These individual steps or actions should include those contained in Chapters Two, Three and Four of this *Guide,* individual steps enumerated in the Transition Plan, and any others that the college or university has identified.

It should be emphasized that there are no requirements regarding any elaborate organization or administrative mechanism for complying with section 504. However, good management dictates that some organized approach be adopted so that **actions are planned** properly, **data is collected and evaluated, modifications are implemented** according to schedule, **records are maintained,** and **progress is monitored.**

Colleges and universities, of course, should adopt the approach or process that is most consistent with their existing administrative structures. The following, however, is a sample process that is recommended for use or modification to meet individual requirements.

STEP ONE: Every action required as a result of section 504 should be described on one copy of the Summary Report Form that appears on pages 83-84, or a form that includes comparable information. (These actions should be drawn from the institution's Self-Evaluation and Transition Plan documents.) Regardless of the magnitude of the action required (e.g., build a ramp to the admissions office, validate student admissions tests, negotiate with the State Vocational Rehabilitation agency regarding interpreters, ensure comparable selection of dormitory rooms for next term), every action to be taken as a result of section 504 should be described on a Summary Report Form.

Using these forms will ensure that several important steps are taken related to any action required:

(1) that someone is designated as responsible for completion of the action;
(2) that procedures to be followed are outlined;
(3) that data or information required will be identified;
(4) that a schedule for completion will be agreed upon;
(5) that records are maintained; and
(6) that progress is monitored.

STEP TWO: Using these forms will also allow an institution, if it so desires, to measure the projected impact of individual actions required *and* of the full range of actions required as a result of section 504. When viewed together, these forms (whether there are 10 of them, 50, or 300) will include projections related to *cost, policy, staffing, space and facilities, communications, equipment, supplies, and vehicles,* and the *institution's relationships with "outside" organizations or persons.* ("Communications" would involve grievance procedures and informal mechanisms for sharing information, and printed materials and other forms of communications that should include statements or information, with schedules for such. "Relationships to 'outside' organizations or persons" would

include ways in which such liaisons are altered as a result of section 504, and any separate processes or arrangements that are necessary.)

By transposing information from each form onto a Master Form for projected impact, it would be possible for an institution to measure the projected impact of section 504 for each of those areas listed above, in addition to any others that the institution may wish to add to the form. Projections based on this process, (particularly those related to cost, staff, space/facilities, and equipment, supplies or vehicles) could be essential in the institution's general administrative and budgetary systems.

STEP THREE: Using the Summary Report Forms will also ensure that necessary actions are completed, or, at a minimum, that there is some report on the progress of actions that were to have been completed. It is recommended that separate files (or sections of a binder) be maintained for actions completed and actions that are still in progress. These Summary Report Forms will also serve as documentation for actions taken.

STEP FOUR: Through a process similar to that described in "Step Two," institutions will be able to measure the actual impact on the institution that actions under section 504 have had. Interim measurements may also be accomplished by using "actual impact" information taken from forms that cover completed actions *and* "projected impact" information from forms that cover actions that are still in progress.

STEP FIVE: Using the Summary Report Forms will also allow an institution to consolidate statements regarding any "voluntary" steps that will be taken to eliminate the effects of past discrimination (if any), and additional actions that will be required to ensure an adherence to policies, practices and procedures developed as a result of the self-evaluation process. Any additional monitoring activity that is necessary will also be described on the forms and may be consolidated in a document for continued future use.

Financing Section 504 Efforts: Colleges and universities are urged to explore sources of funding that may exist for financing certain aspects of their section 504 efforts. As mentioned in several earlier discussions, State Vocational Rehabilitation agencies (listed in the Appendix, see page 115) are available to provide certain services to handicapped persons at no cost to the institution.

Development officers should survey private funding sources to identify foundations and corporations that are supporting efforts to provide handicapped persons with equal access and educational opportunities. Directories of foundations usually include an index entry for "Handicapped." One such source, *User's Guide to Funding Resources* (1975), includes more than 60 pages of listings related to "Handicapped." (This guide is available for $39.95, prepaid, from the Chilton Book Company, Radnor, Pennsylvania 19089.) A second, *Handicapped Funding Directory,* includes over 350 foundations, associations, and government agencies that grant funds for projects in the handicapped area. This directory is published by Research Grant Studies (P.O. Box 357, Oceanside, New York 11572), and is available for $14.50.

In the area of facilities, limited federal funds are available for construction through programs such as the Higher Education Facilities Act (administered by the Office of Education, HEW) and the College Housing Program (administered by the Department of Housing and Urban Development). The former program provides funds for academic facilities, while the latter is related to dormitory buildings.

Numerous other federal programs include funding for specific projects related to the education of handicapped persons. The Appendix includes several bibliographic listings that catalog federal assistance programs. In addition, some organizations listed in the Appendix have information regarding funding sources for their memberships (e.g.,

the American Foundation for the Blind has published a booklet on *Federal Assistance Programs Serving the Visually Handicapped,* available for $3.00).

It should be noted that, as this *Guide* is being published, legislative efforts are in progress that, if successful, could provide some additional assistance to colleges and universities in their section 504 efforts. Institutions are urged to monitor the *Federal Register* and other federal reporting services to stay current on any new funding programs that may be established.

In addition to private and federal funding sources, many state and local governments provide services to handicapped persons or funding for the education of handicapped individuals. Surveying state and local programs, and any private organizations that may exist to serve the handicapped persons of a particular locale, may be a worthwhile exercise.

_____ (form #)

INSTITUTIONAL SELF-EVALUATION SUMMARY REPORT FORM

_____ (date)

I. PRELIMINARY INFORMATION

Noncompliance identified:

Action to be taken:

Person responsible for completion (include telephone number):

Procedures to be followed:

Data or information required:

Schedule for completion (include individual steps):

Projected impact on the institution:

Relationship to "outside" organizations or persons—

Policy changes—

Staffing considerations—

Space or facility needs—

Communications needs—

Equipment, supply, or vehicle needs—

Cost factors—

Other considerations: _____

II. INTERIM COMMENTS ON PROGRESS TOWARD COMPLETION

III. FINAL INFORMATION

Date action was completed _____.

Action that was taken:

Actual impact on the institution:

Relationship to "outside" organizations or persons—

Policy changes—

Staffing considerations—

Space or facility needs—

Communications needs—

Equipment, supply, or vehicle needs—

Cost factors—

Other considerations: _____

IV. Describe steps that will be taken to ensure that the policy, practice or procedure developed as a result of this action will be followed in the future. Describe also any steps that will be taken to monitor future action.

V. (If applicable) Describe any additional "voluntary" steps that will be taken to eliminate the effects of past discrimination.

Attach to this form any background information
or other material relevant to this action

Appendix: Sources of Additional Information and Technical Assistance

The following pages include three listings that may be helpful in locating additional information or technical assistance on section 504. These are:

(1) Organizations experienced in providing equal opportunity to handicapped persons.

(2) State Vocational Rehabilitation agencies.

(3) A bibliography of pertinent literature in the field.

It should be emphasized that HEW's Office for Civil Rights is prepared to provide technical assistance under section 504. (Contact: James Bennett, Director of Section 504 Technical Assistance, Office for Civil Rights, HEW, 330 Independence Avenue, S.W., Washington, D.C. 20201.)

The five subcontractors in the HEATH program (Higher Education and the Handicapped) are also active in efforts to provide assistance to colleges and universities. NACUBO (202/296-2344) has staff assigned to answer questions related to section 504. APPA has done considerable work, in publications and in presenting seminars related to the program accessibility requirements of section 504, and has established a hotline telephone number for questions related to program accessibility (202/234-1663). CUPA (202/833-9080) has and will continue to coordinate training programs designed to assist with section 504 compliance. NEXUS has established an information exchange mechanism and has a national hotline for questions on section 504 (800/424-9775). AACRAO has published a document titled "Guide for Recruitment and Admissions" under section 504. Other areas covered by the association are student records and scheduling. AACRAO staff members are available to answer questions related to section 504 (202/293-9161).

Organizations

The listing below is not intended to represent a complete survey of organizations with experience in providing equal opportunity to handicapped persons. Many similar organizations exist nationally, and many more exist locally, that are not included in this random listing. In addition, the National Center for the Handicapped can provide a free list of organizations having information for the handicapped, which is available from : Closer Look, P.O. Box 1492, Washington, D.C. 20013

ACCENT ON INFORMATION
Gillum Road and High Drive
P.O. Box 700
Bloomington, IL 61701

An automated retrieval system operated by Accent on Living, Inc., which contains information designed to help persons with disabilities live more effectively by providing information in the following areas: products and devices, mobility aids, mobility problems, vocations, employment, social change, housing and architectural barriers, private and government assistance, organizations, formal education, and activities of daily living.

ADVOCATES FOR THE DEVELOPMENTALLY DISABLED
6643 Tabor Avenue
Philadelphia, PA 19111

An organization of disabled consumers and technical experts who advocate on behalf of all handicapped people. They can provide guidance, referrals, and publications on such areas as employment of the developmentally disabled, recreation, and sensitivity and awareness. Its members can serve on advisory committees and conduct needs assessments of plants and programs. In addition, the organization provides advocacy training for disabled people. No fee.

ALEXANDER GRAHAM BELL ASSOCIATION FOR THE DEAF
3417 Volta Place
Washington, DC 20007

A membership organization of persons who are deaf and hearing impaired, their parents, and professionals in the field of hearing impairment; an information center on deafness, on the education of personnel dealing with deaf individuals, and on equipment/special devices/aids. The association seeks to encourage the teaching of speech, speechreading and the use of residual hearing and arranges special courses, lectures and discussions on these topics. For all types of HEW recipients

the association will respond to information requests, make referrals to other information sources, send printed and audio-visual material, and permit on-site use of association holdings. Most information is provided free of charge.

AMERICAN ALLIANCE FOR HEALTH, PHYSICAL EDUCATION AND RECREATION
Physical Education and Recreation for the Handicapped
Information and Research Utilization Center
1201 Sixteenth Street, N.W.
Washington, DC 20036

The Center collects, reviews, catalogues, evaluates, packages, re-packages and disseminates information and materials about physical and health education, recreation, sports and competitive athletics for people with disabilities, with strong emphasis on the maximum possible degree of mainstreaming. It can offer specific guidance in developing activities for people with a particular disability or in more general areas like planning an overall athletic program for a school district, or in mainstreaming people with disabilities into competitive teams. It can conduct needs assessments of programs and facilities, provide long-term consultative services, provide publications, run workshops or provide training in specific skills. Services are open to all, and referral services are free. Fees for on-site technical assistance vary according to expenses.

AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE
Project on the Handicapped in Science
Office of Opportunities in Science
1776 Massachusetts Avenue, N.W.
Washington, DC 20036

The project is designed to explore the barriers obstructing the entry and full participation of physically handicapped persons to education and employment opportunity in science and to examine and evaluate ways in which the scientific professional associations can contribute to equal education and employment opportunity. It offers information services through referral to disabled students, as well as direct counseling, and welcomes inquiries by phone or letter from students and from institutions, organizations and individuals concerned with employment in the sciences or science education. It also provides publications, including "Barrier Free Meetings: A Guide for Professional Associations." Information and referral services (including career counseling and referral) are provided free of charge; there is a small charge for publications.

AMERICAN ASSOCIATION FOR THE EDUCATION OF THE SEVERELY/PROFOUNDLY HANDICAPPED
P. O. Box 15287
Seattle, WA 98115

Membership is open to all interested persons and is composed of

personnel in higher education, state institutions and public schools, students and parents. It was founded largely in response to the changes in legislation governing education and the emphasis on mainstreaming handicapped students.

AMERICAN ASSOCIATION OF UNIVERSITY AFFILIATED PROGRAMS FOR THE DEVELOPMENTALLY DISABLED

1100 17th Street, N.W.
Suite 908
Washington, DC 20036

Provides a central office and focal point for a number of activities of importance to the 35 University Affiliated Facilities located throughout the United States. The UAF program is the first major interdisciplinary approach to meeting the needs of developmentally disabled persons and provides for comprehensive and interdisciplinary training of a broad range of professional and paraprofessional persons working with disabled individuals. It also strives to provide model systems incorporating a full range of services such as comprehensive and interdisciplinary screening, evaluation, treatment planning and educational programming. Training sites are located at, or affiliated with, leading colleges and universities throughout the country.

AMERICAN ASSOCIATION OF WORKERS FOR THE BLIND
1511 K Street, N.W.
Washington, DC 20005

Promotes the development and improvement of public and private services to blind persons of all ages. The association has general information about the handicapping conditions covered, as well as information in education, including the formal education of visually impaired individuals and the education of personnel serving them, employment, including vocational rehabilitation and training, transportation, activities of daily living, and equipment/special devices/aids.

AMERICAN CANCER SOCIETY
777 Third Avenue
New York, NY 10017

The Society's purpose is to organize and wage a continuing campaign against cancer and its effects through medical research, professional and public education, service and rehabilitation programs. The Society can supply information relative to cancer in such areas as: psycho-social services; equipment/special devices/aids; and employment, including rights, hiring regulations and special needs of the employed cancer patient. The Society has a wide range of programs, both nationally and locally, to

provide information, and it distributes a number of journals, brochures, films, bibliographies and other material. Direct services and information services are provided through local divisions and units, and many sponsor counseling for cancer patients, assistance with employment problems and self-help groups to bring patients and their families together. Information is generally supplied free of charge.

AMERICAN COALITION OF CITIZENS WITH DISABILITIES, INC.
1346 Connecticut Avenue, N.W. Room 817
Washington, DC 20036

This nationwide umbrella advocacy organization presenting virtually every disability serves as the focal point for national action on behalf of disabled people and is involved in all concerns common to disabled people. Through a current organizational network of 60 national, state, and local group members, 36 million disabled citizens speak to their own needs and concerns. ACCD can provide information and referral services in rehabilitation, employment, education, housing, transportation, civil rights, and mainstreaming in all facets of daily life.

AMERICAN COUNCIL OF THE BLIND
1211 Connecticut Avenue, N.W. Suite 506
Washington, DC 20036

A national organization primarily of blind people, its goals are to: (1) provide a forum for the views of blind persons; (2) elevate the social, economic and cultural level of blind individuals; (3) improve educational and rehabilitational facilities and broaden vocational opportunities; (4) encourage and assist blind persons in developing their abilities, potentialities and in assuming their responsible place in the community; (5) cooperate with public and private institutions and agencies of and for blind persons, (6) provide for a free exchange of ideas and information relative to matters of concern to blind people through publication; and (7) conduct a program of public education aimed toward improving the understanding of the problems of blindness and of the capabilities of blind people. The Council is a source of information on the following subjects related to blindness: education; employment including the special needs of blind employees; transportation; health; auxiliary aids; and so forth. ACB will answer inquiries by phone or letter and will provide referral services to local organizations and service providers. Staff will appear at conferences, and provide consultative services to other organizations.

AMERICAN DIABETES ASSOCIATION
600 Fifth Avenue
New York, NY 10020

A national voluntary organization devoted to the support of re-

AMERICAN SPEECH AND HEARING ASSOCIATION
9030 Old Georgetown Road
Washington, DC 20014

A membership organization for professionals in such fields as speech and language, pathology, audiology, and speech and hearing research. Its goals include maintaining high standards of clinical competence for professionals, encouraging the development of comprehensive clinical service programs, and stimulating exchange of information on communications impairment. ASHA is a source of descriptive information about handicapping conditions in areas such as education, including formal education of disabled individuals and of personnel working with them; employment of people in the field of speech and hearing; and certification of individuals, clinics and training programs. ASHA can provide health, social service, and educational institutions with guidance on the special adaptive equipment needed to accommodate hearing-impaired and deaf individuals. In addition, it can make referrals to other information sources and to local professionals working in the field. Publications available; fee for services.

ARCHITECTURAL BARRIER REMOVAL INFORMATION CENTER
East Central University
Ada, OK 74820

Developed through grants to provide college and universities in Oklahoma with a central information and referral center for architectural barriers, the Center has begun organizing conferences on transition planning, self-evaluation, and other service delivery systems usable by campuses. Multimedia packages and consultants for section 504-related programs are available.

ARTHRITIS FOUNDATION
3400 Peachtree Road, N.E., Suite 1101
Atlanta, GA 30326

A voluntary health agency committed to finding the cause, prevention, and cure of arthritis and allied diseases. To help arthritis sufferers and their doctors, the foundation and its local chapters sponsor such activities as training for young medical scientists and physicians, expanded community services to patients and their families, and patient, professional, and public education. It provides information, publications, and audiovisual materials in response to inquiries, and will make referrals to other information centers. Generally, local chapters are the primary information and referral centers; in addition, local chapters offer client services. Most information is available free of charge.

ASSOCIATION FOR CHILDREN WITH LEARNING DISABILITIES
4156 Library Road
Pittsburgh, PA 15234

This national association of parents of children with learning disabilities -- and people with professional and personal interest in that area -- serves as a resource center for information about disabilities, offering approximately 400 publications at cost. ACLD works primarily through 755 local chapters which range in size and in type of services offered. All chapters, however, can work closely with educators to define needs of learning-disabled children, and to identify where additional resources may be applied, and where they may be secured. The national office will provide basic information about learning disabilities and the contact person for the nearest local chapter.

ASSOCIATION FOR STUDENTS WITH HANDICAPS
Box 2
800 21st Street, N.W.
Washington, DC 20015

Open to all student organizations and their members who are involved in disabled students activities in higher education, this new organization grew out of the 1976 conference at Wright State University in Dayton, Ohio, of organizers working with programs for handicapped in higher education.

ASSOCIATION OF REHABILITATION FACILITIES
5530 Wisconsin Avenue, Suite 955
Washington, DC 20015

Organized to strengthen the resources of rehabilitation facilities so that through effective and efficient operation they may provide high-quality services to disabled persons and the community at large. ARF works to assure that: (1) rehabilitation facilities are properly managed; (2) high professional standards of operations and service are met; (3) training is provided for present and prospective facility personnel; and (4) medical, vocational and psycho/social services provided by rehabilitation are understood, recognized, and supported by various federal and state mandated service-delivery systems. ARF also provides initiative in all significant areas having an impact on the facilities movement.

BARRIER FREE ENVIRONMENTS, INC.
814 Wachovia Building
Box 53446
Fayetteville, NC 28305

A for-profit architectural design and consulting firm that specializes in the environmental needs of people with disabilities, BFE offers a broad range of services including building and environmental evaluation and design, product design, research, and awareness and consultation activities. It has developed a specific procedure for evaluating buildings and determining necessary modifications, which was first applied at IBM's Corporate Management Development Center in Armonk, New York. Publications are available at cost through the North Carolina Department of Insurance.

BUREAU OF EDUCATION FOR THE HANDICAPPED, HEW
400 Maryland Avenue, S.W.
Washington, DC 20202

Though its main thrust is education of the handicapped through pre-elementary and secondary school until age twenty-one, BEH has provided many helpful projects that relate to education of all handicapped individuals, an example of which was the Directory of Colleges for Students with Handicaps, a contract to identify higher education programs for the handicapped.

CALIFORNIA ASSOCIATION FOR THE PHYSICALLY HANDICAPPED
Box 22552
Sacramento, CA 95822

A state coalition of organizations of consumers formed to provide joint efforts to the handicapped population of California, AAPH publishes a monthly newsletter, "New World for the Physically Handicapped," $3.00.

CAUCUS OF ADULTS WITH CEREBRAL PALSY
c/o UCPA of New York City, Inc.
122 E. 23rd Street
New York, NY 10010

A national consumer organization representing the interests of adults with cerebral palsy, the caucus believes it can serve these interests best by joining with others to form a united front and working towards its common objectives in all areas of living. The caucus can provide consumer input for compliance planning, or refer institutions to other organizations of consumers in local communities.

CENTER FOR INDEPENDENT LIVING, INC.
2539 Telegraph Avenue
Berkeley, CA 94704

The Center for Independent Living (CIL) is a non-profit consumer organization begun in the San Francisco Bay Area to provide services to the disabled community. CIL has developed from a warehouse office providing transportation, wheelchair repair, attendant care training and referral services, social services, counseling and referral, and job development in computer sciences, rehabilitation counseling, advocacy, education, etc., into the nationally known model for centers for independent living throughout the country. CIL has become one of the most well-known centers for information and assisting devices and programs to assist handicapped individuals throughout the country.

CENTER FOR INNOVATION IN TEACHING THE HANDICAPPED
2805 E. Tenth Street
Bloomington, IN 47401

Founded at Indiana University as a national research and development agency to perform research including studies and evaluation of teacher behaviors and their effect on pupil learning, the center provides graduate training in research and evaluation, special education in-service training programs for school systems, and materials evaluation.

CENTER FOR PROGRAM DEVELOPMENT AND THE HANDICAPPED
City College of Chicago
185 N. Wabash Avenue
Chicago, IL 60601

An innovative center to develop programs and aids to assist the most severely disabled students. Job development and career education for college students in the greater Chicago area is the main thrust of this program, but it has become a model for many university-based service delivery systems.

CENTER ON HUMAN POLICY
216 Ostrom Avenue
Syracuse, NY 13210

A Syracuse University-based advocacy organization involved in the national movement to insure the rights of people with special needs, the center is committed to fundamental social change in the areas of education, vocational and rehabilitative programming and residential services for people with disabilities. The center works with community groups, trains local and national community leaders, distributes organizing materials, and supports activist groups in other ways.

CLOSER LOOK
Box 1492
Washington, DC 20013

A national information center established to help parents of disabled children and youths locate educational programs and other kinds of special services and resources, it places a special emphasis on the rights of the disabled individual. It instructs parents of disabled children on how to organize parents groups, gives technical assistance to coalitions working with disabled individuals, and helps plan state and local conferences on handicapped children. It has information on subjects such as specific handicapping conditions, education of disabled children, and recreation/physical education. It will answer inquiries, make referrals and send brochures, fact sheets, bibliographies and other materials. Although it is primarily set up to serve parents and close relatives of handicapped children, services are extended to professionals acting on behalf on disabled children. Services are not geared to supplying publications in bulk to professionals nor is the organization set up to assist research workers. All information is provided free of charge.

COUNCIL FOR EXCEPTIONAL CHILDREN
CEC Information Services
1920 Association Drive
Reston, VA 22091

The principal purpose of CEC is to advance the education of exceptional children and youth. To further this end, it works closely with educational organizations, school administrators, supervisors, parents, and teachers to strengthen and reinforce educational processes for exceptional children. The council will provide technical consultation in the evaluation and design of appropriate programs, procedures, and policies for the education of exceptional children at the classroom, administrative, school district, and state levels , and will also provide a variety of training programs for education professionals. CEC maintains a variety of information services, including the ERIC Clearinghouse on Handicapped and Gifted Children and its own Information Center. Together, these services reference over 20,000 books, journal articles, curriculum guides, conference reports, research reports, guidelines, and other similar materials. CEC also operates the State-Federal Information Clearinghouse for Exceptional Children, which maintains a data bank on state and federal laws, regulations, and litigation involving exceptional children. Customized computer searches of the literature are printed as well as topical bibliographies on popular topics. It also offers a wide variety of bibliographic and substantive publications, as well as professional journals, books, and resource materials in many areas including early childhood education, delivery of services, assessment and placement, research, children's rights, career education, and so forth. Answers to telephone inquiries, referrals to other information centers, brochures, fact sheets, and on-site use of the Information Center holdings are provided free of charge; there are fees for other services and for publications.

COUNCIL OF STATE ADMINISTRATORS OF VOCATIONAL REHABILITATION
Suite 610
1522 K Street, N.W.
Washington, DC 20005

The council is composed of the chief administrators of the public vocational rehabilitation agencies for physically and mentally handicapped persons in the states, the District of Columbia, and the four territories. CSAVR provides a forum for state administrators to study, deliberate, and act upon matters affecting the vocational rehabilitation of handicappped persons, serves as a resource for the formulation and expression of the collective points of view of state vocational rehabilitation agencies, and maintains communication with similar organizations in health, education, welfare, and manpower fields, as such organizations are related to vocational rehabilitation. A variety of information and referral services are provided.

CURRICULUM RESEARCH AND DEVELOPMENT CENTER IN MENTAL RETARDATION
55 Fifth Avenue, Room 1409
New York, NY 10003

Develops curriculum for the full range of mental retardation with particular emphasis on creating an effective methodology for teaching social adaptation to mentally retarded students and youth; also conducts an array of evaluative studies related to teaching methodology and to problem solving capability. Information available from the center concerns its own work and the social learning curriculum it has been developing.

CYSTIC FIBROSIS FOUNDATION
3379 Peachtree Road, N.E.
Atlanta, GA 30326

CFF's goal is to identify the causes of the genetic disorder, cystic fibrosis, and to provide care for children with this disease and other lung-damaging diseases. The foundation is a source of information on cystic fibrosis and pulmonary illness relative to such areas as employment, including hiring regulations and special needs of the cystic fibrosis employee, recreation/physical education, and equipment/special devices/aids. CFF will respond to inquiries, make referrals, and send materials; limited quantities of materials are provided free of charge.

DISABLED AMERICAN VETERANS
807 Maine Avenue, S.W.
Washington, DC 20024

Founded to promote the welfare of disabled veterans and their dependents and to provide a service program to assist them in claims before the Veterans Administration and other government agencies.

Areas of special concern include education, training, employment, vocational rehabilitation, and income maintenance/security of disabled veterans.

EPILEPSY FOUNDATION OF AMERICA
1828 L Street, N.W.
Washington, DC 20036

A national agency for people with epilepsy sponsoring a wide variety of programs and activities, EFA provides general information about epilepsy as well as specific information and referral in the following areas relative to epilepsy: education, employment, housing, transportation, health, psycho/social services, income maintenance/security, recreation/physical education, daily living activities, equipment/devices/aids, civil rights/legislation, and research. Although EFA will refer inquirers to local chapters, both the national office and local chapters provide information and referral services; some local chapters provide direct services. Most information is provided free of charge.

GALLAUDET COLLEGE
Florida Avenue & Seventh Street, N.E.
Washington, DC 20002

Gallaudet College is the only liberal arts college in the world established for deaf students. It operates a number of programs which can be important information sources on deafness/hearing impairment. The library has general information on the subject as well as on areas such as: employment, including vocational rehabilitation and training and the rights, hiring regulations, and special needs of deaf employees; education of deaf individuals and persons working with them; and equipment/special devices/aids. The Linguistic Research Laboratory is concerned with the language of deaf persons and with the application of language science to materials, curricula, and strategies for learning. The National Center for Law and the Deaf, a focal point for legislation and legal actions on behalf of deaf and hearing impaired persons, collects imformation on such subjects as income maintenance/security, including insurance discrimination, and special tax benefits for deaf persons; and employment of deaf persons and their legal rights. The Office of Demographic Studies collects data on the school-age, hearing-impaired population, and from it prepares analyses and reports on such subjects as types and sizes of education programs and development test analyses. Information from many of these programs is available free of charge.

GOODWILL INDUSTRIES OF AMERICA
9200 Wisconsin Avenue
Washington, D.C. 20014

With its member local Goodwill Industries, provides rehabilitation services, training, employment, and opportunities for personal growth as an interim step in the rehabilitation process for disabled and disadvantaged persons who cannot be readily absorbed in the competitive labor markets. The national office provides an umbrella of services, materials, and supervision to ensure proper local performance. Both local chapters and the national office can provide information and referral services on issues surrounding the rehabilitation and employment of people with disabilities. Local chapters may be able to provide recruitment assistance to potential employers.

HAROLD RUSSELL ASSOCIATES
235 Bear Hill Road
Waltham, MA 02154

Specializes in conducting training programs for corporations, institutions, state and local government agencies, hospitals, and colleges in all areas of employment of disabled persons. Guidebooks, workshops, and direct services are tailored to the immediate needs of the particular client. The firm also provides consultation and design services for worksite modification. Fees vary with services.

HELEN KELLER NATIONAL CENTER FOR DEAF-BLIND YOUTHS AND ADULTS
111 Middle Neck Road
Sands Point, NY 11050

A unique source of information on and services for individuals who are deaf-blind, the center can be of assistance to those interested in the special needs of this population. Clients receive individual evaluation and instruction in such skills as methods of communication, job training, and skills of daily living. All categories of HEW recipients can contact the center for information of such areas as employment of people who are deaf-blind, auxiliary aids, and transportation. The center will respond to inquiries with information, publications, media materials, and referrals to other information centers; most information is provided free of charge.

HUMAN RESOURCES CENTER
Willets Road
Albertson, NY 11507

A non-profit organization for the education, training, and placement of the disabled, educably retarded, and aged, the center has programs in employment, education, research, and seminars and training institutes for business.

ICD REHABILITATION AND RESEARCH CENTER
340 East 24th Street
New York, NY 10010

An international organization with the purpose of improving the conditions of handicapped persons through rehabilitation, treatment, training, research, and professional education.

INTERFACE
P.O. Box 5688
814 Wachovia Building
Raleigh, NC 27607

A multidisciplinary design firm, Interface provides design and architectural services to special education facilities, physical and developmental rehabilitation facilities, group homes, sheltered workshops, and so forth. It has specific interests in environmental design considerations for people with hearing, visual, and developmental disabilities, and serves as consultants to HEW, the Association of Rehabilitation Facilities, and the American Association of Mental Deficiency.

INTERNATIONAL ASSOCIATION OF PARENTS OF THE DEAF
814 Thayer Avenue
Silver Spring, MD 20910

An organization of parents of deaf, deaf-blind, and hearing impaired children, IAPD is a clearing-house of information relating to deafness, and on-site use of its holdings is permitted. It can serve as an information source to a wide spectrum of health, social service, and educational institutions on the special needs of deaf children in areas such as auxiliary aids and awareness. IAPD will answer inquiries, send brochures, and refer to other information centers and direct service providers; there are no fees for services.

JOSEPH P. KENNEDY, JR. FOUNDATION
1701 K Street, N.W.
Washington, DC 20006

The two objectives of the foundation are to seek the prevention of mental retardation by identifying its causes and to improve the means by which society deals with its retarded citizens. To accomplish these goals, the foundation has used its funds and its influence in those areas in which a "multiplier effect" could be readily achieved; that is, to (1) develop models to capitalize on innovation, (2) provide seed money to capitalize on flexibility, and (3) capitalize on the foundation's ability to capture the attention of the American public in order to promote public awareness. The foundation engages in both direct and information services.

LIBRARY OF CONGRESS
Division for the Blind and Physically Handicapped
Washington, DC 20542

This division serves principally as a source of general reading materials for people with vision impairments or physical disabilities that prevent the use of ordinary print. It has materials for younger children, an extensive collection of recreation books, and classics. All materials are distributed through a system of 54 regional and 96 local libraries that circulate them to eligible readers. Materials are offered in Braille and on recorded disc and cassette, or in large type. Although the primary objective is to service readers, DBPH also provides information and referral services to lay and professional inquirers. It can provide information on sources of specialized materials like textbooks, and to organizations, agencies, and institutions that provide transcription and recording services. It can provide guidance in library services for blind and physically disabled readers and in auxiliary aids and appliances.

LIONS INTERNATIONAL
York and Cermak Roads
Oak Brook, IL 60521

An association of business and professional men organized in local clubs in 148 countries, this fraternal, humanitarian service organization is dedicated to improving the quality of life for all people. Goals are to provide community service and to promote better international relations. Local clubs provide direct services. The international headquarters, although primarily administrative, provides general information on disabling conditions, vocational rehabilitation and training of handicapped persons, recreation/physical education, equipment/special devices/aids and research. Information is particularly strong in the area of visual impairments and treatment.

LITTLE PEOPLE OF AMERICA, INC.
P.O. BOX 126
Owatonna, MN 55060

A nationwide voluntary organization for dwarfs established to create fellowship, an interchange of ideas and solutions to problems unique to the little people, and moral support, LPA is primarily geared to satisfying the information needs of its members and other interested citizens. Any lay or professional person may request information, and LPA will answer inquiries by letter, send materials, prepare bibliographies, abstracts or indexes in response to certain requests, and identify local members. Information is available on the condition of dwarfism and in other areas such as equipment/special devices/aids, and psychosocial adjustment; most information is provided free.

MAINSTREAM, INC.
1200 Fifteenth Street, N.W.
Washington, DC 20005

A nonprofit organization that provides information and referral services and direct technical assistance on issues surrounding employment of people with disabilities, Mainstream will undertake, for a fee, architectural barriers surveys at the worksite. They will undertake job accommodation studies and recommend cost-effective worksite and job modifications to reflect the various needs of people with specific disabilities. They provide consultation and referral services on insurance, benefits, and union concerns, and can mount human relations seminars for employees, which combine factual information about disabilities with material on such matters as interviewing techniques and with sensitivity activities. The staff will appear at conferences to discuss employment issues. Most services, including assistance in recruitment and other affirmative action programs, are offered at cost to corporations and other organizations; information and referral services are free.

McGAUGHAN AND JOHNSON
1325 Massachusetts Avenue, N.W.
Washington, DC 20005

McGaughan, a consultant on barrier-free design, has undertaken research and consulting projects for a variety of clients including the National League of Cities, the President's Committee on Employment of the Handicapped, and the George Washington University. He serves on the Board of Directors of the National Center for Barrier Free Design and is a member of the Barrier-Free Task Force of the American Institute of Architects.

MOBILITY ON WHEELS
1712 Glendon Avenue
Norfolk, VA 23518

An organized group of citizens with mobility problems due to physical impairment, including visual, hearing, and aging disabilities, MOW's objectives are: (1) to create awareness of mobility limitations; (2) to instigate removal of architectural barriers and prevention of new ones being built by all levels of government and private enterprise; and (3) to maintain a comprehensive community resource center including information, referral, and consultative services.

NATIONAL ARTS AND THE HANDICAPPED INFORMATION SERVICE
Box 2040
Grand Central Station
New York, NY 10017

A consumer demand information and referral center sponsored by the National Endowment for the Arts, whose mandate is to supply

information on acessibility to arts and cultural organizations and other institutions. Most publications are provided free of charge.

NATIONAL ASSOCIATION FOR HEARING AND SPEECH ACTION
814 Thayer Avenue
Silver Spring, MD 20910

An organization dedicated to promoting the interests of persons with hearing and speech handicaps, its major goals are to enhance public understanding, to provide direct assistance to hearing and speech agencies, to foster needed social action, and to launch a program of prevention.

NATIONAL ASSOCIATION FOR MENTAL HEALTH, INC.
1800 N. Kent Street
Arlington, VA 22209

An organization of volunteers dedicated to stimulating social action in the area of mental illness, the association's goals are to improve attitudes toward mental illness and mentally ill persons, to improve services for mentally ill persons, and to work for the prevention of mental illness and promotion of mental health.

NATIONAL ASSOCIATION FOR RETARDED CITIZENS
2709 Avenue E East
Arlington, TX 76011

A national organization of parents and other individuals and professionals devoted to improving the welfare of all who are mentally retarded, NARC undertakes and supports research. In addition, through state and local chapters as well as through the national headquarters, it provides aid to parents, organizations, and communities in providing the appropriate education, employment, housing, and social service opportunities to people who are mentally retarded. NARC, or its local chapters can provide both general and specific information in these areas, as well as in civil rights, legislation, religion, and so forth. The association can refer inquirers to local chapters and answer other questions by phone or mail. Some publications are available, as well as individual bibliographies, indexes, and abstracts in response to certain professional requests. Local chapters often provide direct services in many areas including day camps, sheltered workshops, special classes, preschool programs, and transportation programs. Most information is provided free of charge.

NATIONAL ASSOCIATION OF THE DEAF
814 Thayer Avenue
Silver Spring, MD 20910

An organization of deaf, deaf-blind and hearing-impaired individuals that seeks to bring deaf persons in contact with one another and to support their needs, NAD's goals include serving deaf persons and promoting their unique needs in legislation, education, communication, health, and fighting discrimination in insurance and employment. In addition, NAD is a publisher and a clearinghouse of information relating to deafness, and on-site use of its holding is permitted. It can serve as an information source to health, social service, and educational institutions on the special needs of deaf persons in areas such as auxiliary aids, employment, awareness, and insurance. It will answer inquiries, send brochures and other publications, and make referrals to other information centers and direct service providers; there are no fees for services.

NATIONAL ASSOCIATION OF THE PHYSICALLY HANDICAPPED
12614 Flack Street
Wheaton, MD 20906

A national self-help action group of physically handicapped persons and non-handicapped associate members, NAPH works to improve the social, economic, and physical welfare of all physically handicapped persons. It can provide information and referral services and is particularly concerned with removal of architectural barriers, especially in public buildings. Other areas of expertise include transportation, physical fitness, and sports. It can provide information free of charge and refer inquirers to local chapters which can provide consultative services.

NATIONAL CENTER FOR A BARRIER FREE ENVIRONMENT
8401 Connecticut Avenue, N.W.
Washington, DC 20015

The National Center was created by the American Institute of Architects and a variety of organizations representing the interests of disabled people to serve as a clearinghouse for information on architectural and physical barrier removal and to refer individuals and organizations to architects and consultants who specialize in barrier-free design. The center provides publications (with charges for some) and free referral services by phone or mail, and maintains a list of speakers who can deliver presentations on the technical and cost aspects of making facilities accessible.

NATIONAL CENTER FOR LAW AND THE DEAF
Florida Avenue & Seventh Street, N.E.
Washington, DC

Develops and provides legal representation, legal services, legal information, and legal education opportunities to the deaf and hearing impaired community; also serves as a national center for the initiation of legislation and legal actions benefiting the entire class of deaf and hearing-impaired citizens. The center's information clearinghouse gathers and distributes information about legal and law-related problems associated with deafness and about attempts to solve them.

NATIONAL CENTER FOR LAW AND THE HANDICAPPED
1235 N. Eddy Street
South Bend, IN 46617

Established to protect and insure equal protection under the law for all handicapped individuals through provision of legal assistance, legal and social science research activities and programs, and processes of public education and professional awareness. In addition the center has information and programs on the legal education of persons working with disabled persons and on civil rights and legislation. The center's free bi-monthly publication "Amicus" is also an important information source for both the legal and lay public.

NATIONAL CONGRESS OF ORGANIZATIONS OF THE PHYSICALLY HANDICAPPED, INC.
7611 Oakland Avenue
Minneapolis, MN 55423

An umbrella for national, state, and local organizations of physically handicapped persons, the congress supports these member organizations by advising them on their daily operations, by coordinating their effors, and by representing them at the national and state levels. NCOPH serves as a clearinghouse and library for publications by or about physically handicapped persons, as well as an information source about the special needs of physically disabled individuals. It acts primarily as a referral agency to other information centers and to its member organizations. There is no fee for this service.

NATIONAL EASTER SEAL SOCIETY FOR CRIPPLED CHILDREN AND ADULTS
2023 W. Odgen Avenue
Chicago, IL 60612

In providing direct rehabilitation services to disabled people, NESS conducts a nationwide program of treatment, education, and research. About 2000 facilities and programs, organized on a state basis and in the District of Columbia and Puerto Rico, provide direct services. The national headquarters provides consultation services, professional staff training, advocacy

efforts, and public education services, and operates the Easter Seal Research Foundation. Information is provided on general information about disabilities, education, employment, housing, transportation, health, psychosocial services, recreational physical education, activities of daily living, equipment/special devices/aids, civil rights/legislation, and barrier-free design.

NATIONAL FEDERATION OF THE BLIND
1346 Connecticut Avenue, N.W.
Washington, DC 20036

As the largest organization of blind persons in the United States, with 450 chapters and 50,000 members, the federation's purpose is the integration of the blind into society on a basis of equality. Through chapter meetings and state and national conventions, the blind express their needs and formulate programs to meet those needs. This involves the removal of legal, economic, and social discriminations, and educating the public to new concepts about blindness. The NFB provides literature about blindness, available in print, talkingbook, or Braille, and has a toll-free telephone number (800/424-9770) so that blind or sighted persons can gain information about federal or local programs. The NFB actively protects the rights of blind persons by sponsoring legislation, or through litigation or negotiation, and serves as the main advocate of the blind themselves.

NATIONAL FOUNDATION OF DENTISTRY FOR THE HANDICAPPED
1121 Broadway, Suite 5
Boulder, CO 80302

The foundation works to improve the dental delivery system for disabled and elderly populations. Although its main focus is consumers, NFDH does serve as a source of information for dentists, hospitals, and other institutions which serve disabled and elderly people. It is affiliated with the Academy of Dentistry for Handicapped, a professional organization composed of dental and paradental personnel who treat disabled patients. In addition, it will answer telephone and mail inquiries on dental services for disabled people, provide print and audiovisual material, identify dental offices and clinics that provide services to disabled people, and make referrals to other organizations. There are no fees, except for film rentals of audiovisual materials.

NATIONAL HEMOPHILIA FOUNDATION
25 W. 39th Street
New York, NY 10018

An agency concerned with problems faced by those with hemophilia, its objectives include organizing and developing a national program of research and clinical studies in the field of hemophilia and publishing information and knowledge relating to the early diagnosis and correct treatment of hemophilia. In addition, the foundation engenders the creating of hemophilia comprehensive care clinics and works with federal and state authorities to open up more areas of financial support to aid hemophiliacs. It provides general information about hemophilia as well as information concerning health, psychosocial services, income maintenance/security, recreation/physical education, civil rights/legislation, and research. The foundation will respond to inquiries, send brochures, bibliographies, films, and other materials, and refer inquiries to other information centers and direct service providers. There are no fees for services.

NATIONAL MULTIPLE SCLEROSIS SOCIETY
205 E. 42nd Street
New York, NY 10017

Dedicated to discovering the cause, prevention, and cure for multiple sclerosis, the society's purposes are to stimulate, coordinate, and support research, encourage and assist in establishing chapters and branches, aid in the development of medical and paramedical services as well as social and recreational opportunities for individuals disabled as a result of multiple sclerosis and related diseases, and assist families and communities in dealing with problems resulting from multiple sclerosis. The society funds research projects and fellowships and conducts a year-round educational program for the professional and lay communities so that knowledge regarding progress in research and trends in service programs may be disseminated. In addition, information is provided in areas such as vocational rehabilitation and training, income maintenance/security, equipment/special devices/aids, and civil rights/legislation.

NATIONAL PARAPLEGIA FOUNDATION
333 North Michigan Avenue
Chicago, IL 60601

A national consumer organization, NPF is concerned with the total problem of paraplegia and spinal cord injury. Beyond encouraging a wide range of basic scientific research, it is an advocate for the best possible medical and rehabilitation care. NPF can provide a wide range of information on self-help devices, auxiliary aids, personal care, and architectural barriers to professionals, institutions, and people who are paraplegics.

NATIONAL REHABILIATION ASSOCIATION
1522 K Street, N.W. Suite 1120
Washington, DC 20005

A private, nonprofit organization whose purpose is to advance the rehabilitation of handicapped persons, NRA has chapters in each state (except Vermont) and Puerto Rico. Chapters are active in studying local and state rehabilitation needs and in helping to develop national policy. The national office and state chapters can provide information and referral services on the rehabilitation and employment of people with disabilities.

NATIONAL SOCIETY FOR AUTISTIC CHILDREN
Information and Referral Service
306 31st Street
Huntington, WV 25702

A central source of information relevant to autistic children, the service provides information about autism and autistic-like disorders as well as relevant areas: for example, education, including the formal education of autistic individuals and the education of personnel dealing with them; employment including vocational rehabilitation and training, rights, hiring regulations and special needs of autistic employees; recreation/physical education; and equipment/special devices/aids. The Service sponsors a job exchange which lists qualified personnel who deal with autistic children and who are available for employment in educational institutions. It also engages in advocacy on behalf of those who are autistic and will respond to inquiries with brochures, pamphlets, bibliographies, newsletters, and other information, will make referrals to other information centers, and permit on-site use of its holdings. All information is offered free of charge.

NATIONAL THERAPEUTIC RECREATION SOCIETY
1601 No. Kent Street
Arlington, VA 22209

A branch of the National Recreation and Park Association, NTRS is a professional organization for those concerned with providing recreation and leisure services to disabled people and other special populations. It provides general information on expanding recreation opportunities in the general community as well as in special settings, and offers a mechanism whereby individuals and organizations in the field can share expertise. NTRS can provide information services by phone or mail, and can refer inquirers to other information centers or to direct service providers. Most information is provided free of charge, with some fees charged for films and other publications.

NOAKES ASSOCIATES, ARCHITECTS
8401 Connecticut Avenue, N.W.
Washington, D.C. 20015

Edward H. Noakes was one of the forces behind the creation of the National Center for a Barrier Free Environment and one of the first architects to become nationally known for his work in barrier-free design. He has served as a consultant and architect on projects of all sizes, and is currently supervising modifications to make the U.S. Capitol building and other Congressional office buildings accessible to people with disabilities.

PARALYZED VETERANS OF AMERICA
3440 East-West Highway
Washington, DC 20014

PVA is a national organization established to further technological advances in rehabilitation methods and devices and to support improved programs of medicine, rehabilitation, and social integration not only for veterans, but for all individuals with spinal cord injury. It is a source of information for nonveterans as well as veterans and covers a broad scope of issues affecting any disabled person. PVA can provide information and referral services in education, employment, architectural barrier removal, housing, and auxiliary aids. Information services are provided free of charge, and PVA can refer inquirers to local chapters for consultative services.

PEOPLE TO PEOPLE COMMITTEE FOR THE HANDICAPPED
LaSalle Bldg., Suite 610
Connecticut Avenue & L Street, N.W.
Washington, DC 20036

In its role as liaison with other organizations, the committee frequently works with the President's Committee on Employment of the Handicapped, Goodwill Industries, and the National Easter Seal Society for Crippled Children and Adults, and others to supply information about handicapping conditions and programs for handicapped individuals to people in America and overseas. A special service of the committee is the publication of the "Directory of Organizations Interested in the Handicapped," which has lists and abstracts of organizations concerned with the techniques, training, treatment, devices, and procedures utilized to help handicapped individuals help themselves.

PERKINS SCHOOL FOR THE BLIND
175 N. Beacon Street
Watertown, MA 02172

Founded for the purpose of educating blind and deaf-blind children, the Perkins School is committed to developing each pupil's maximum potential, physical, mental, social, and spirtual being and

preparing him/her for productive life in the community, independently or within the family circle. The school also cooperates with Boston College in training programs for teachers of blind and deaf-blind children. It is a source of information in education, including formal education of blind and deaf-blind children (elementary and secondary levels) and education of persons working with them, employment, including vocational rehabilitation and training, job counseling and employment of personnel working with blind or deaf-blind persons, recreation/physical education, and activities of daily living. Although Perkins is a private school, its endowment permits it to engage in a program of public education to help society in preparing to accept blind youths, whether they come from Perkins or elsewhere.

PLACEMENT AND REFERRAL CENTER FOR HANDICAPPED STUDENTS
Division of Special Education and Pupil Personnel Service
Board of Education of the City of New York
131 Livingston Street
Brooklyn, NY 11201

This placement and referral center for handicapped students is mainly for New York residents, but some assistance may be provided administrators, students, and counselors elsewhere.

PRESIDENT'S COMMITTEE ON MENTAL RETARDATION
7th & D Streets, S.W.
Washington, DC 20201

Principal programs and activities relate to the legal rights of the retarded to promote early intervention and to provide federal, state, and local efforts to support activities on mental retardation.

PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED
1111 20th Street, N.W.
Washington, DC 20210

Provides public education and information services primarily designed to create attitudes favorable to employment of individuals who are disabled. PCEH will prepare and deliver programs, plans, and information to state and local committees, including start-up plans for local employment programs. The committee is specifically set up to serve state and local groups and professionals, and will provide brochures, pamphlets, or fact sheets; lend films or other audiovisuals; prepare bibliographies, indexes, or abstracts in response to certain individual requests; and make referrals to other information sources.

PROGRAMS FOR EXCEPTIONAL PEOPLE
2611 S. Broad Street
Philadelphia, PA 19148

Provides vocational, social, recreational, and academic opportunities for mentally retarded children and adults. Although its

orientation is toward client services, it can provide general advice and guidance to all categories of HEW recipients on such employment-related issues as evaluation, job requirements, sensitization of employees, and vocational counseling of mentally retarded people. It will respond to telephone inquiries, make referrals to other sources of information and assistance, and sponsor workshops. Staff members and its parent advocate group will serve on advisory committees. There is no fee for services.

PROGRAMS FOR THE HANDICAPPED
Smithsonian Institution
National Air and Space Museum
Room 3566
Washington, DC 20560

Offers to federally funded arts and cultural institutions guidance on how to make their facilities and programs accessible to disabled people. This service is available to organizations such as community arts centers, museums, and historical societies. The program will respond to telephone and written inquiries, make referrals to other information sources, and send publications on such areas as physical accessibility, auxiliary aids, and program planning. The staff also has the capacity to make site visits to institutions and to offer on-the-spot assessments of plants and programs. Fees vary with services.

PUBLIC INTEREST LAW CENTER OF PHILADELPHIA
DEVELOPMENTAL DISABILITIES PROJECT
1315 Walnut Street
Philadelphia, PA 19107

Provides legal counsel to and legal representation of disabled people and their organizations before the legislature in administrative hearings and in negotiation with service providers and agencies. Although primarily set up to assist disabled individuals and groups, the project can be a source of information on the legal aspects of such issues as employment, transportation, and education of disabled people. The project staff can serve on advisory committees, supply information and referrals, and mount training workshops for consumers.

RECORDING FOR THE BLIND, INC.
215 E. 58th Street
New York, NY 10022

A national service organization which supplies taped educational books in open reel and cassette form, free on loan, to visually, perceptually, and physically handicapped students whose objectives are to earn diplomas and academic degrees, FRB also services blind and otherwise handicapped adults who require specialized aural educational materials to maintain business and professional roles. As of 1976, RFB's library contained over 33,000 titles. It distributes a pamphlet "Guide to Effective Study Through

Listening" to assist educators, counselors, and others interested in aural study systems. All recordings are provided free, on loan, for as long as needed.

REGISTRY OF INTERPRETERS FOR THE DEAF
P.O. Box 1339
Washington, DC 20013

A national organization established to provide translating/interpreting services to hearing-impaired people of the U.S. and its territories, the registry recruits and educates persons to become interpreters, maintains a registry of accredited interpreters and translators and publishes literature regarding various aspects of interpreting and translating. RID serves as the central coordinating agency for the field of interpretation, and will answer inquiries, send publications, and make referrals to other information centers, especially local RID chapters which have information about local interpreting services. These services are available to health, education, and social service agencies, and are provided free of charge.

REHAB GROUP, INC.
3110 Columbia Pike
Arlington, VA 22204

A large (over 250 employees) profit-making firm, Rehab Group can undertake large-scale training and employment awareness programs for private and institutional employers. It can also evaluate, design, and operate affirmative action employment programs for its clients. Over 30% of Rehab's staff are disabled.

REHABILITATION INTERNATIONAL, USA
20th W. 40th Street
New York, NY 10018

An independent national voluntary organization which offers assistance to disabled persons worldwide by providing a link between the U.S. rehabilitation community and rehabilitation activities in other countries. Topics covered include education, including formal education of handicapped persons and education of persons working with them, employment, including vocational rehabilitation and training, rights, hiring regulations and special needs of handicapped employees and employment of persons working with handicapped persons, recreation/physical education, activities of daily living, and equipment/special devices/aids.

REHABILITATION SERVICES ADMINISTRATION, HEW
330 C Street, S.W.
Washington, DC 20201

The Rehabilitation Services Administration is charged with the

rehabilitation of handicapped individuals through state departments of vocational rehabilitation, the 19 Rehabilitation Research and Training Centers, the Regional Research Resources Centers and Research and Demonstration grants to benefit further services to handicapped individuals.

ROBERT LYNCH AND COMPANY, INC.
440 Pleasant Street
Malden, MA 02148

An architecture firm that specializes in the removal of barriers from existing buildings and facilities, Robert Lynch and Company also serves as a consultant to owners and architects in the barrier-free design of new buildings. The company has participated in the construction or modification of over 200 buildings, including universities, colleges, and hospitals. Mr. Lynch is experienced in compliance matters through his participation on the Massachusetts Architecture Barriers Board, and has spoken extensively about barrier removal and about the implications of sections 504 and 503 of the Rehabilitation Act of 1973. A fee is charged for services.

SPECIAL PEOPLE IN THE NORTHEAST
8040 Roosevelt Boulevard, Suite 219
Philadelphia, PA 19152

Founded by parents of mentally retarded children to provide a range of social, recreational, vocational, and educational programs, Special People is a service provider for moderately, severely and profoundly retarded people and their family members. It can offer information services and materials to health, social service, and educational institutions, and is willing to undertake such activities as needs assessments of plants and programs, long-term consultation, and workshops. Its sheltered workshop trains mentally retarded people so that they can enter the competitive job market.

SPINA BIFIDA ASSOCIATION OF AMERICA
209 Shiloh Drive
Madison, WS 53705

Provides general information about spina bifida and conditions resulting therefrom, as well as information in areas such as formal education of handicapped individuals, recreation/physical education, and prosthetics. The SBAA will answer inquiries by letter and make referrals to direct service providers, send brochures and other publications, and permit on-site use of holdings. Individual bibliographies, indexes, or abstracts are prepared for certain professional requests. Most information is provided free of charge.

TELETYPEWRITERS FOR THE DEAF, INC.
P.O. Box 28332
Washington, DC 20005

A national organization to foster the acquisition and distribution of teletypewriters among deaf people and the institutions which communicate with them. Its primary aim is to foster effective telecommunication for all individuals with hearing impairments.

UNITED CEREBRAL PALSY ASSOCIATIONS
66 East 34th Street
New York, NY 10016

Nationwide voluntary organization devoted exclusively to the multiple problems of cerebral palsy. Working nationally and through local and state associations, provides direct services, public education programs, advocacy, funding of research, and the training of professional and scientific manpower. The association collects and disseminates general information about cerebral palsy and specific information about employment of people with cerebral palsy, housing, transportation, health, recreation and physical education, and professional education of persons dealing with people who have cerebral palsy. UCPA can refer to local associations and asnwer information requests by phone or mail. Some publications, films and public and professional education materials are available; fees are charged for some materials.

WASHINGTON RESEARCH PROJECT, INC.
(CHILDREN'S DEFENSE FUND)
1520 New Hampshire Avenue, N.W.
Washington, DC 20036

Created so that children could get the advocacy they need to challenge and change policies, practices, and institutions which hurt them, CDF fights not only for children in trouble, but for all children who are treated in a callous and destructive way by society, or robbed of their birthright. CDF has been actively involved in issues concerning disabled children. The fund will provide information and make referrals to other sources of information and assistance.

State Vocational Rehabilitation Agencies

Vocational rehabilitation agencies are charged with the responsibility of providing services and support to handicapped persons who meet their eligibility criteria. Each state has a vocational rehabilitation agency and many local agencies.

Institutions of higher education can receive assistance from vocational rehabilitation agencies in the form of services that can be used to increase institutional accessibility; direct assistance to handicapped students is also available. Services provided frequently include: diagnostic evaluation, counseling, guidance, placement, training, readers for the blind, interpreters for the deaf, medical services and supplies, equipment, transportation and other client services required for independent living.

The state vocational rehabilitation agencies are listed below. Local offices may be found in the telephone directory under "Vocational Rehabilitation" within local government listings.

ALABAMA

Vocational Rehabilitation
2129 East South Boulevard
Post Office Box 11586
Montgomery, AL 36111

ALASKA

Office of Vocational
Rehabilitation
Pouch F
Mail Station 0581
Juneau, AK 99811

ARIZONA

Rehabilitation Services Bureau
Department of Economic Security
1535 West Jefferson
Suite 155
Phoenix, AZ 85007

Department of Economic Security
Section of Rehabilitation for
the Blind and Visually
Impaired
Phoenix, AZ 85007

ARKANSAS

Department of Social &
Rehabilitation Services
1801 Rebsamen Park Road
Post Office Box 3781
Little Rock, AR 72203

Office for the Blind and
Visually Impaired
1320 Brookwood Drive
Post Office Box 3781
Little Rock, AR 72203

CALIFORNIA

Department of Rehabilitation
Health and Welfare Agency
830 K Street Mall
Sacramento, CA 95814

COLORADO

Division of Rehabilitation
Department of Social Services
1575 Sherman Street
Denver, CO 80203

CONNECTICUT

State Department of Education
Division of Vocational
Rehabilitation
600 Asylum Avenue
Hartford, CT 06105

Board of Education Services
for the Blind
170 Ridge Road
Wetherfield, CT 06109

DELAWARE

Department of Labor
Division of Vocational
Rehabilitation
1500 Shallcross Avenue
Post Office Box 1190
Wilmington, DE 19899

Delaware Bureau of Visually
Impaired
305 West Eighth Street
Wilmington, DE 19801

DISTRICT OF COLUMBIA

Bureau of Rehabilitation Services
Social & Rehabilitation
Administration
Department of Human Resources
122 C Street, N.W., 8th Floor
Washington, DC 20001

FLORIDA

Division of Vocational
Rehabilitation
Department of Health and
Rehabilitative Services
1309 Winewood Boulevard
Tallahassee, FL 32301

Bureau of Blind Services
Department of Education
1309 Winewood Boulevard
Tallahassee, FL 32301

GEORGIA

Department of Human Resources
Division of Vocational
Rehabilitation
47 Trinity Avenue
Atlanta, GA 30334

GUAM

Division of Vocational
Rehabilitation
Government of Guam
Board of Control for Vocational
Rehabilitation
Department of Education
P.O. Box 10-C
Aganda, GU 96910

HAWAII

Division of Vocational Rehabilitation
Department of Social Services & Housing
Queen Lilinokalini Building, Room 216
P.O. Box 339
Honolulu, HA 96809

IDAHO

State of Idaho
Division of Vocational
Rehabilitation
1501 McKinley
Boise, ID 83704

Idaho Commission for the Blind
State House
Boise, ID 83720

ILLINOIS

State of Illinois
Board of Vocational Education
and Rehabilitation
Division of Vocational
Rehabilitation
623 East Adams Street
Springfield, IL 62706

INDIANA

Indiana Rehabilitation Service
1028 Illinois Building
17 West Market Street
Indianapolis, IN 46204

Division of Services for the Blind
1001 Illinois Building
17 West Market Street
Indianapolis, IN 46204

IOWA

State of Iowa
Department of Public Instruction
Rehabilitation, Education and Services Branch
507 10th Street
Fifth Floor
Des Moines, IA 50309

Commission for the Blind
Fourth & Keosaugua
Des Moines, IA 50309

KANSAS

Division of Vocational Rehabilitation
Department of Social & Rehabilitative Services
6th Floor, State Office Building
Topeka, KS 66612

Services for the Blind and Visually Handicapped
State Department of Social and Rehabilitation Services
Biddle Building
2700 West 6th Street
Topeka, KS 66606

KENTUCKY

Assistant Superintendent of Public Instruction for Rehabilitation
Bureau of Rehabilitation Services
Capital Plaza Office Tower
Frankfort, KY 40601

LOUISIANA

Division of Vocational Rehabilitation
State Board of Education
Post Office Box 44371
Baton Rouge, LA 70804

Louisiana Health and Human Resources Administration
Division of Family Services
755 Riverside North
Post Office Box 44065
Baton Rouge, LA 70804

MAINE

Bureau of Rehabilitation
32 Winthrop Street
Augusta, ME 04330

MARYLAND

Division of Vocational Rehabilitation
State Department of Education
Box 8717
Baltimore-Washington International Airport
Baltimore, MD 21240

MASSACHUSETTS

Rehabilitation Commission
296 Boylston Street
Boston, MA 02116

Massachusetts Commission for the Blind
39 Boylston Street
Boston, MA 02116

MICHIGAN

Director
State Department of Education
Vocational Rehabilitation Service
Post Office Box 1016
Lansing, MI 48904

Department of Social Services
Division of Services for the Blind
300 South Capitol Avenue
Lansing, MI 48926

MINNESOTA

Division of Vocational Rehabilitation
Administrative Office, 8th Floor
Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

State Services for the Blind and Visually Handicapped
1745 University Avenue, 1st Floor
St. Paul, MN 55104

MISSISSIPPI

Vocational Rehabilitation Division
550 High Street
Walter Sillers Building
Post Office Box 1698
Jackson, MS 39216

Vocational Rehabilitation for the Blind
Post Office Box 4872
Jackson, MS 39216

MISSOURI

Department of Elementary and Secondary Education
Division of Vocational Rehabilitation
3523 North Ten Mile Drive
Jefferson City, MO 65101

Bureau for the Blind
Department of Social Services
Division of Family Services
Broadway State Office Building
Jefferson City, MO 65101

MONTANA

State of Montana
Social and Rehabilitative Services
Rehabilitation Services Division
Post Office Box 4210
Helena, MT 59601

Visual Services Division
Department of Social and Rehabilitation Services
Post Office Box 1723
Helena, MT 59601

NEBRASKA

Department of Education
Division of Rehabilitation Services
223 South 10th Street
Lincoln, NE 68508

Services for the Visually Impaired
1047 South Street
Lincoln, NE 68502

NEVADA

Department of Human Resources
Rehabilitation Division
State Capitol Complex
505 East King Street
Carson City, NV 89701

Bureau of Services for the Blind
State Department of Human Resources
308 North Carry Street
Room 200
Carson City, NV 89701

NEW HAMPSHIRE

State Department of Education
Division of Vocational Rehabilitation
105 Loudon Road
Building No. 3
Concord, NH 03301

NEW JERSEY

Division of Vocational Rehabilitation
Department of Labor and Industry Building
Room 1005
John Fitch Plaza
Trenton, NJ 08625

Commission for the Blind and Visually Impaired
1100 Raymond Boulevard
Newark, NJ 07102

NEW MEXICO

Vocational Rehabilitation
Department of Education
231 Washington Avenue
Post Office Box 1830
Santa Fe, NM 87503

NEW YORK

State University of New York
State Education Department
Office of Vocational Rehabilitation
99 Washington Avenue
Albany, NY 12210

NEW YORK (Cont.)

State Department of Social Services
Commission for Visually Handicapped
1450 Western Avenue
Albany, NY 12243

NORTH CAROLINA

Division of Vocational
Rehabilitation Services
Department of Human Resources
620 North West Street
Box 26053
Raleigh, NC 27611

Division of Services for the Blind
Department of Human Resources
410 Boylan Avenue
Post Office Box 2658
Raleigh, NC 27602

NORTH DAKOTA

Division of Vocational
Rehabilitation
1025 North Third Street
Box 1037
Bismarck, ND 58501

OHIO

Rehabilitation Services Commission
4656 Heaton Road
Columbus, OH 43229

OKLAHOMA

Department of Institutions
Social and Rehabilitative Services
Division of Rehabilitative and
Visual Services
Post Office Box 25352
Oklahoma City, OK 73125

OREGON

Vocational Rehabilitation Division
Department of Human Resources
2045 Silverton Road, N.E.
Salem, OR 97310

OREGON (cont.)

Commission for the Blind
535 S.E. 12th Avenue
Portland, OR 97214

PENNSYLVANIA

Bureau of Vocational
Rehabilitation
Labor and Industry Building
7th and Forrest Streets
Harrisburg, PA 17120

Commonwealth of Pennsylvania
Department of Public Welfare
Bureau for the Visually
Handicapped
Post Office Box 2675
Harrisburg, PA 17120

PUERTO RICO

Vocational Rehabilitation
Department of Social Services
Post Office Box 1118
Hato Rey, PR 00919

RHODE ISLAND

Vocational Rehabilitation
40 Fountaine Street
Providence, RI 02903

Department of Social and
Rehabilitation Services for
The Blind
46 Aborn Street
Providence, RI 02903

SOUTH CAROLINA

Vocational Rehabilitation Dept.
3600 Forest Drive
Post Office Box 4945
Columbia, SC 29211

Commission for the Blind
Post Office Box 11638
Capitol Station
Columbia, SC 29211

SOUTH DAKOTA

Department of Social Services
Division of Rehabilitation Services
State Office Building
Illinois Street
Pierre, SD 57501

TENNESSEE

Division of Vocational
Rehabilitation
Suite 1400
1808 West End Building
Nashville, TN 37203

Division of Services for the Blind
Department of Human Services
303-304 State Office Building
Nashville, TN 37219

TEXAS

Texas Rehabilitation Commission
7745 Chevy Chase Drive
Austin, TX 78752

State Commission for the Blind
P.O. Box 12866, Capital Station
800 City National Bank Building
Austin, TX 78711

UTAH

Division of Rehabilitation Services
250 East Fifth South
Salt Lake City, UT 84111

VERMONT

Rehabilitation Central Office
81 River Street
Montpelier, VT 05602

Division for the Blind and
Visually Handicapped
Department of Social and
Rehabilitative Services
81 River Street
Montpelier, VT 05602

VIRGINIA

Department of Vocational
Rehabilitation
Commonwealth Building
Rooms 314 & 117
4615 West Broad Street
Post Office Box 11045
Richmond, VA 23230

Virginia Commission for the
Visually Handicapped
3003 Parkwood Avenue
Richmond, VA 23221

VIRGIN ISLANDS

Department of Social Welfare
Division of Vocational
Rehabilitation
Post Office Box 539
St. Thomas, VI 00801

WASHINGTON

State Office
Division of Vocational
Rehabilitation
Department of Social and Health
Service
Post Office Box 1788
(Mail Stop 24-1)
Olympia, WA 98504

Office of Services for the Blind
Department of Social & Health
Services
3411 South Alaska Street
Seattle, WA 98118

WEST VIRGINIA

Division of Vocational
Rehabilitation
State Board of Education
State Capitol
P & G Building
Washington Street
Charleston, WV 25305

WISCONSIN

Division of Vocational
Rehabilitation
Hathaway Building, West
Cheyenne, WY 82002

TRUST TERRITORY

Office of the High Commissioner
Trust Territory of the Pacific Islands
Saintan, Mariana Island 96550

AMERICAN SAMOA

Palawni Puiasosopo
Assistant to the Governor of
American Samoa
Pago Pago, American Samoa 96799

MIGHT: A GUIDE TO THE UNIVERSITY OF TEXAS AT AUSTIN FOR THE MOBILITY IMPAIRED, by Dora Eddy, Elia Saverdra, and Steve Canter, is an annual guide to campus activities and supportive services for handicapped students at the University of Texas at Austin. (The acronym stands for Mobility Impaired Grappling Hurdles Together.) Available from the Dean of Students, Services for Handicapped Students, The University of Texas at Austin, Austin, Texas 78712.

PLANNING FOR ACCESSIBILITY: A GUIDE TO DEVELOPING AND IMPLEMENTING CAMPUS TRANSITION PLANS, by Margaret Milner, is designed to aid administrators in making their campuses accessible to the handicapped. Available from the Association of Physical Plant Administrators, Eleven Dupont Circle (Suite 250), Washington, D.C. 20036 for $3.

PROGRAMMING AN ADAPTED PHYSICAL EDUCATION FACILITY discusses all phases of a programming method for dealing with the complex problems associated with a college or university's adapted physcial education facility. Available from the School of Design, North Carolina State University, Box 5398, Raleigh, North Carolina 27607. (26 pp. plus illus. and bibliography)

PROGRAMS FOR THE HANDICAPPED is a periodical containing news and recent developments concerning handicapped people. Available from Clearinghouse, Office for Handicapped Individuals, HEW, Washington, D.C. 20201.

PROPOSED REVISIONS TO ANSI A117.1, by Edward Steinfeld, is available from the Research Office, School of Architecture, Syracuse University, 118 Clarendon St., Syracuse, N.Y. 13210 for $12.

READY REFERENCE GUIDE: RESOURCES FOR DISABLED PEOPLE is a compilation of information containing a comprehensive listing of resources for the handicapped. Available from Rehabilitation Services Administration, Office of Human Development, HEW, Washington, D.C. 20201.

SPECIFICATIONS FOR MAKING BUILDINGS AND FACILITIES ACCESSIBLE TO, AND USABLE BY, THE PHYSICALLY HANDICAPPED is available from the American National Standards Institute, 1430 Broadway, New York, N.Y. 10018 for $2.75.

A SUMMARY OF SELECTED LEGISLATION RELATING TO THE HANDICAPPED: 1974 contains brief summaries of legislation for handicapped persons that was passed by the 93rd Congress, as well as cross-references to legislation in the 1963-67, 1968, 1971, and 1972 summaries, amended by laws reviewed in the 1971-72 summary. Available from Clearinghouse, Office for Handicapped Individuals, HEW, Washington, D.C. 20201. (38 pp. plus appendixes)

THE UMBC CAMPUS -- IS IT ACCESSIBLE TO ALL? A REPORT ON FACILITIES AT THE UNIVERSITY OF MARYLAND, BALTIMORE COUNTY surveys the campus exterior, indoor traffic, common amenities, academic facilities and processes at the Baltimore County campus of the University of Maryland. Available from Ms. Aleeze Cerf-Beare, University of Maryland -- Baltimore County, 5401 Wilkins Ave., Baltimore, Maryland 21228. (52 pp. plus bibliography)

UNIVERSITY OF SCRANTON HANDICAPPED CORRESPONDENCE FILE includes an inventory of facilities improved or to be improved, affirmative action, and other information, including the steps being taken to accommodate the handicapped. Available from Office of the Vice President for Business and Management, University of Scranton, Scranton, Pennsylvania 18510.

A WALL OF DISCOVERY is a brochure describing the Center for the Physically Disadvantaged, a division of the Community College of Denver, which offers direct and related support services to disabled students; such students are working to improve the Denver area for accessibility. Available from Center for the Physically Disadvantaged, Community College of Denver, North Campus, 1001 E. 62nd Ave., Denver, Colorado 80216. (10 pp. with illus.)

Articles

Califano, Joseph A., "Statement on Section 504 of the Rehabilitation Act of 1973" in HEW News (April 29, 1977). Contains the Secretary's statements concerning the intent, impact, and ramifications of section 504.

Shultz, Terri, "The Handicapped: A Minority Demanding Rights" in The New York Times (February 13, 1977, section 4, page 8). Discusses the mistaken view that handicapped people are helpless, second-class citizens and how they are using the tactics of other liberation groups to change attitudes.

Simha, O. Robert,"A Laboratory Campus for the Handicapped" in Planning for Higher Education (February 1975). Reviews MIT's efforts to enable handicapped persons to use campus facilities.

Various technical assistance materials for section 504 compliance will shortly be available from the Office for Civil Rights. Among the subjects to be covered are the following: self-evaluation instruments for education programs; postsecondary administrative policy review instrument; evaluation instrument and illustrative procedures for placement of disabled students in special education programs; elementary and secondary education personnel training resource directory; self-evaluation instrument for employment; job analysis methodology; evaluation instrument for preemployment inquiries and solicitation of medical information; self-evaluation instrument for health and social services providers; health provider training for communication with the hearing-impaired. For additional information, call the Office of Public Affairs of OCR: 202/245-6700.