EMPLOYEE DISABILITY RIGHTS PROCEDURES
SECTION IV.E.3. – NOTICE AND COMMENT

The Chancellor revised Section IV.E.3. Employee Disability Rights Procedures of the Lone Star College Policy Manual. The notice and comment period for the policy was open to the public from **May 25, 2021 to June 25, 2021**. The procedure was posted for public comment at [http://www.lonestar.edu/proposed-policies.htm](http://www.lonestar.edu/proposed-policies.htm). Commenters could anonymously submit comments to LSC-PolicyFeedback@lonestar.edu. We received four procedure comments.

**Comment 1:** A procedure commenter suggested that the procedure specify time limits for providing documents.

**Response 1:** The Office of the General Counsel notes that each accommodation request is unique, and the supporting documentation needed may vary depending on the request and nature of the impairment. Ultimately, there is no specific time limit to provide documents. However, the College cannot approve retroactive accommodations. Accordingly, delays in providing documents may prolong the accommodation approval process.

**Comment 2:** A procedure commenter expressed concerns regarding the accommodation process for employees with conditions that affect them temporarily or intermittently and whether the process would take too long to accommodate given that the need arises quickly or abruptly. The commenter also expressed concerns about how the College, given its size, would be able to claim that a requested accommodation creates an undue hardship or fundamentally alters the nature of operation of the College’s business.

**Response 2:** The accommodation process is generally completed quickly when a requesting employee has the appropriate documentation ready and available at the time of request. For most intermittent conditions, accommodations can be requested in advance to implement when needed. The undue hardship determination is made on a case-by-case basis.

**Comment 3:** A procedure commenter suggested a stylistic wording change to the timeline references in Section 6(a).

**Response 3:** We have implemented this suggestion into the relevant section.

**Comment 4:** A procedure commenter requested clarification regarding when the interactive process begins and posed three fact-specific questions.

**Response 4:** The Office of the General Counsel notes that Board Policy states the College will not presume that an employee’s physical or mental impairment will necessarily limit the employee’s ability to perform assigned job duties. Accordingly, the interactive process begins when an employee specifically requests an accommodation. The commenter should reach out to Accessibility Services & Resources with any fact-specific questions.