

UAMS Academic Affairs Policy - 2.2.5



UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES

Policy: University of Arkansas for Medical Sciences, Division of Academic Affairs
Subject: Student Request for Academic Accommodations
Number: 2.2.5

Date Approved (Council of Deans, Provost): November 23, 2014
Date Effective: November 24, 2014
Last Review/Revision: June 16th, 2017
Next Review/Revision: June 16th, 2019

PURPOSE

UAMS is subject to the requirements of Section 504 of the Rehabilitation Act of 1973, which states: *“No otherwise qualified individual with a disability in the United States, as defined in section 705 (20) of this title, shall, solely by reason of his or her disability, 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...”*

Additionally, UAMS is subject to the requirements of the American with Disabilities Act (ADA), Title II, Subpart B, as amended September 15, 2010, which states: *“No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.”*

UAMS recognizes its obligations under Section 504 and the ADA, as amended. In addition, UAMS embraces the philosophy of inclusion and consistent with its overall vision, mission, and core values, strives to reflect diversity in its staff, faculty and student body. Inherent to this philosophy is the belief that all students, including those with disabilities, are entitled to equal and appropriate access in the educational experience and a welcoming and supportive environment for learning.

The purpose of this policy is to define the process students should follow if accommodations in an academic setting are needed due to a disability.

SCOPE

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This policy applies to all academic programs, facilities, housing, co-curricular and extra-curricular activities that affect students in all UAMS colleges and the Graduate School. The ADA/Title IX Coordinator (Coordinator) is granted authority on behalf of all UAMS colleges and the Graduate School to serve as the central point of contact for students seeking accommodations.

DEFINITIONS

Auxiliary aids: services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities (34 C.F.R. § 104.44)

Disability: a physical or mental condition that substantially limits one or more of the major life activities; a record of such a condition, or the individual is regarded as having such a condition (34 C.F.R. § 104.3)

Qualified individual: a student with a disability who, with or without reasonable accommodation, meets the same eligibility requirements, academic, and technical standards required for admission or participation in UAMS educational programs or activities (34 C.F.R. § 104.3)

Reasonable accommodation: a modification of rules, policies, or practices; adjustments to environments or facilities, or the provision of auxiliary aids and services which do not result in undue financial hardship or administrative burden. Accommodations that pose a threat to the health, safety and/or comfort of patients or others; or result in a fundamental alteration of a program, technical, or professional standard are not considered reasonable.

Temporary condition: a change in a person's physical, mental, or emotional condition that is of limited duration; and significantly impacts one's ability to access educational programs, activities, or facilities. Temporary conditions do not rise to the level of disability in that they are expected to resolve within a predictable period of time. Examples of temporary conditions include, but are not limited to: broken limbs or other bodily injuries, short-term illness such as the flu, or medical complications due to pregnancy.

DOCUMENTATION REQUIREMENTS

The rationale for seeking documentation about a student's condition is to support the Coordinator in establishing that a disability or temporary condition exists, understanding how the disability or condition impacts the student, and making informed decisions about accommodations. The evidence of disability or temporary impairment and the need for a specific accommodation should be logically connected. Interim accommodations may be granted for apparent disabilities/conditions pending the receipt of formal documentation. Documentation should not be so dated that it no longer reflects the student's current level of functioning.

Students should be aware that documentation requirements for standardized testing administered by third parties may vary significantly from UAMS requirements. Therefore, the provision of accommodations in the academic setting should not be construed as a guarantee of accommodations

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on a standardized test administered by a third party. Students are responsible for understanding and following all policies or procedures related to those tests.

Student records of disability and documentation are educational records and protected under the Family Educational Rights and Privacy Act. The ADA/TIX Office will hold confidential personally identifiable health information.

PROCEDURE

The accommodation process begins when a student identifies themselves to their instructor or to the Coordinator as an individual with a disability and asks for assistance. If the instructor recognizes that the structure of the course presents a barrier to equal access, the student should be referred to the Coordinator for consultation and assistance. The student should complete and submit a Student Request for Accommodation form (Attachment 1) to the ADA/TIX Office. Students are encouraged to submit their requests prior to the beginning of the academic year/semester as accommodations are not retroactive.

The university will make reasonable efforts to consider and accommodate late requests, however fewer options may be available once the semester or rotation is underway.

Upon receipt of the accommodation request, the Coordinator will:

1. Conduct a preliminary review of the request and any associated documentation
2. Make an initial determination of disability
3. Meet with the student in order to fully identify barriers in the student's learning environment and discuss potential accommodations
4. Develop a proposed accommodation plan

The Coordinator will then notify the appropriate Associate Dean (AD) of the request and through consultation/collaboration with the AD, as well as any other appropriate faculty and or staff members with a legitimate need to know of the student's condition or disability, make a final determination regarding reasonable accommodations. The Coordinator will prepare and provide a written notice of the formal accommodation plan to the student and AD.

Upon receipt of the accommodation plan, the AD will ensure faculty members responsible for implementation of the approved accommodations are notified in a prompt manner of the accommodations and understand their responsibility to implement the approved adjustments.

Faculty members expressing concerns with the reasonableness of the approved accommodations should immediately contact their AD and the Coordinator. Accommodations should be implemented pending further review by the Coordinator and the appropriate AD regarding the reasonableness of the approved accommodations.

APPROVED ACCOMMODATIONS

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Approved accommodations will be valid until the student completes the degree program or until the student notifies the Coordinator that the accommodation is no longer necessary. Short-term, temporary accommodations will be valid for a specific duration as documented in the notification letter. Students may seek additional accommodations or request a modification to an existing accommodation at any point in time.

If a requested accommodation cannot be approved, every effort will be made to implement an alternate adjustment that will provide the student with equal access. The rationale for denied accommodations will be formally documented and provided to the student.

Students may request reconsideration of denied accommodations by submitting an additional request accompanied by new substantive supporting documentation.

NOTICE OF NON-DISCRIMINATION

UAMS Academic Affairs Policy, 2.1.3, *Non-Discrimination Statement*, prohibits members of the University community from committing or condoning acts of bigotry, racism or discrimination. Furthermore, the University prohibits discrimination on the basis of race, color, religion, national origin, creed, service in the uniformed services, status as a protected veteran, sex, age, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation with respect to all aspects of the student experience, including but not limited to, acceptance and admission, enrollment, financial aid, and access to student resources and support.

GRIEVANCE PROCEDURE

Any student who believes they have been subjected to discrimination on the basis of disability or has been denied access or accommodations required by law, has the right to file a grievance in accordance with Academic Affairs Policy 2.2.1, *Grievance Procedure for Students Alleging Discrimination*. Generally, the following concerns may be addressed under the procedure:

1. Disagreements or denials regarding requested services, accommodations, or modification to University practices or requirements;
2. Alleged lack of access to a University facility, program or activity;
3. Alleged harassment or discrimination on the basis of a disability; and
4. Any other alleged violations of the ADA/Title IX and/or Section 504.

Although students are encouraged to attempt to resolve complaints pertaining to disabilities by using this grievance procedure, they have the right to file a complaint directly with the U.S. Department of Education, Office for Civil Rights (OCR):

Office for Civil Rights, Dallas Office
U.S. Department of Education
1999 Bryan St., Suite 1620
Dallas, TX 75201-6810
Telephone: 214-661-6900

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TTD: 877-521-2172
Fax: 214-661-9587
E-mail: OCR.Dallas@ed.gov

Students may also contact the ADA Coordinator with complaints or concerns:

Ms. Liz Means
Academic Affairs Administration / Student Services Division
4301 W. Markham St. #586
ED II / 111B
Little Rock, AR 72205-7199
Office: 501-526-5641
Fax: 501-686-6745
eameans@uams.edu

REFERENCES

- Section 504 of The Rehabilitation Act of 1973
- Title II of The Americans with Disabilities Act, as amended September 15, 2010
- The Family Educational Rights and Privacy Act
- The Code of Federal Regulations, Title 34 – Education, Subtitle B, Part 104 - Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance
- UAMS Academic Affairs Policy – 2.1.3, Non-Discrimination Statement
- UAMS Academic Affairs Policy – 2.2.1, Grievance Procedure for Students Alleging Discrimination

ATTACHMENTS

Student Request for Accommodation