

Albany Medical College

Disability Accommodations Policy and Procedure

ACCOMMODATIONS UNDER THE AMERICANS WITH DISABILITIES ACT AND SECTION 504 OF THE REHABILITATION ACT

Introduction

Albany Medical College is committed to the academic, social and cultural integration of individuals with disabilities. Students with physical, learning or other disabilities as defined by law may apply for and receive reasonable accommodations to help them attain the necessary level of achievement. Albany Medical College is in full compliance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990, and the New York State Human Rights Law, and will ensure provision of necessary services and reasonable accommodations for qualified individuals with disabilities.

Definitions of ADA/504 Terminology

Both the ADA and Section 504 of the Rehabilitation Act define the term “disability” as any individual with a physical or mental impairment that substantially limits that person in one or more major life activities, or any individual who has a history or record of, or who is regarded as having, such an impairment. These terms are further defined as follows:

- **Physical or mental impairment:** in order to meet ADA guidelines, impairment must be categorized as a physiological or mental disorder, as those terms are defined under the ADA.
- **Substantially limits:** impairment substantially limits an individual in a major life activity if the person cannot perform the life activity at all, or if the individual is limited in the condition, manner or duration of that activity.
- **Major life activity:** examples of the kind of activities that would be considered “major life activities” include, but are not limited to, walking, seeing, breathing, learning, reading, concentrating, thinking, communicating, working or performing manual tasks.
- **Qualified person with a disability:** this is defined as one who meets the academic and technical standards requisite to admission or participation in the College’s programs and activities.

***The ADA excludes from its protection people who currently use illegal drugs but prohibits discrimination against recovering (nonactive) drug addicts and alcoholics. In order to encourage individuals to end substance abuse, the ADA provides civil rights protection for individuals who have successfully completed rehabilitation.*

Guidelines for Compliance Committee Review

What is a “reasonable accommodation,” and who determines what is “reasonable?”

Generally, reasonable accommodations are modifications or adjustments to the tasks, environment, or to the way things are usually done that enable qualified individuals with a disability to have an equal opportunity to participate in an academic program.

Appropriate and reasonable accommodations should ensure that academic evaluations measure student achievement rather than unnecessarily reflecting the impact of the disability. Reasonable accommodations are not intended to give students with disabilities unfair advantages over other

students. Albany Medical College is obligated to make reasonable accommodation only to the known limitations of an otherwise qualified disabled student.

Albany Medical College will not provide accommodations that it determines are not reasonable, pose an undue hardship, or pose a direct threat to the health or safety of the student or others. In addition, Albany Medical College will not provide an accommodation under the following circumstances:

- the student is not qualified when compared to other applicants/participants in a program;
- the accommodation would result in a fundamental alteration of the program or a dilution of standards; or
- the institution is being asked to address a personal need (like attendant care).

The Review Process

Students at Albany Medical College who seek “reasonable accommodation” under this Policy are responsible for notifying the Director of Student Affairs of their disability. There is an established procedure to follow (see below) that students must follow when requesting an accommodation. Students requesting accommodations are encouraged to read this policy and procedure before meeting with or submitting materials to the Director of Student Affairs.

In brief, the student seeking accommodation must make a formal request for a reasonable accommodation. This request should be made in writing to the Director of Student Affairs and should specify the nature of the accommodation being requested. While a student can request a particular type of accommodation, it is the College that determines how to meet a particular need. Therefore, alternative accommodations may be provided that are more cost-effective or efficient than those requested by the student seeking accommodation. Together with the request for accommodation, the student seeking accommodation must submit documentation of disability, which will be kept in a confidential, secure file with the Director of Student Affairs. The documentation must support the accommodation request by demonstrating by competent qualified opinion that the student requesting accommodation has a physical, mental, or learning impairment that substantially limits a major life activity and sets forth the nature, manner, and duration of that limitation. The College reserves the right to require further evaluation or additional documentation.

Requests submitted to the Director of Student Affairs are then reviewed by the Disability Accommodations Review Committee who will recommend accommodations and academic adjustments, as indicated by supporting documentation, and specify length of such recommendations. Membership on the Disability Accommodations Review Committee includes the Assistant Dean for Student Affairs, the Associate Dean for Graduate Studies, the Director of Graduate Medical Education, a representative from the Physician Assistant and Nurse Anesthesiology programs, a representative from Patient Safety Clinical Competency Center (PSCCC), a representative from the Office of Health Equity, Diversity and Inclusion, and relevant professionals from the Student & Academic Affairs Office.

It is the responsibility of the student to communicate with faculty and instructors of their need for accommodations as early as possible and in writing with details re: location, format changes, exam

length/extension, etc. The implementation of approved in-class accommodations is a shared responsibility between the instructor and the student.

Albany Medical College Rights and Responsibilities

Albany Medical College has the responsibility:

- To inform its applicants and students about the availability of possible accommodations.
- To evaluate applicants based solely on their abilities. Should an evaluation method or criteria have a negative effect on an applicant with a disability, Albany Medical College must seek reasonable alternatives.
- To ensure that all of its programs are accessible architecturally and/or programmatically.
- To make reasonable adjustments in the instructional method and evaluation system for a course when these have a negative impact on disability.
- To adjust or substitute any requirement that has a negative impact on disability ***and is not fundamental to the student's academic program.***
- To identify and establish the abilities, skills and knowledge necessary for success in its programs and to evaluate applicants on this basis.
- To establish, through the appropriate faculty members, the abilities, skills, and knowledge fundamental to the requesting student's academic programs/courses and to evaluate each student's performance on this basis. These fundamental program/course goals are not subject to accommodation.
- To request and review, when necessary, documentation that supports requests for accommodation. Albany Medical College has the right to seek second opinions from qualified professionals or to table any request that is not so supported with requested documentation.

Students Rights and Responsibilities

Students with disabilities are entitled to an equal opportunity to learn. They also have the same obligations as any other students to meet and maintain the institution's academic and technical standards. With that as a given, students with disabilities have the right:

- To identify themselves as needing accommodation in a timely fashion.
- To demonstrate or document how their disability affects a particular delivery system, instructional method, or evaluation criteria when requesting an accommodation.
- To participate actively in the search for accommodations and auxiliary aids. This responsibility extends to working with the institution to seek financial assistance from government and private sources.
- To be evaluated based on their ability, and not their disability. If their disability affects the outcome of an evaluation method, they are entitled to an evaluation by alternative means.
- To access services, extracurricular activities, and transportation at levels comparable to access by all other students. This is especially significant if the location, delivery system, or instructional methodology limit their access, participation, or ability to benefit from the academic community.
- To appeal the institution's decisions concerning accommodation. They can accomplish this by writing a letter to the Disability Accommodations Review Committee; failing that, they may file a complaint with the New York State Division for Human Rights or the U.S. Department of Education, Office of Civil Rights.

Recommended Disclosure Statement

The following statement must be included in the description of each course syllabus:

Reasonable accommodations will be provided for students with documented physical, sensory, systemic, cognitive, learning and psychiatric disabilities. If you believe you have a disability requiring accommodation in this class, please notify the Director of Student Affairs (The Commons ME-7, 518-262-6354).

Albany Medical College Process for Requesting Reasonable Accommodations

Students must complete the necessary form and submit the supporting documentation no later than the first week of the academic year or if during the academic year, as soon as practicable upon diagnosis of the disability.

1. Complete the form ***Albany Medical College Student Request For Accommodation Form***. This form should specify what accommodation(s) are being requested and why, as well as for how long the accommodation should be in place.
2. Provide official ***Medical Verification*** of the diagnosis and accommodations requested from a licensed professional diagnosing the disability. Documentation MUST:
 - a. Include an Integrative Analysis that integrates findings from previous testing, historical information, current test results, and clinical impressions.
 - b. Give a detailed history of the condition as well as an explanation of how specific symptoms of the disability negatively affect the student's ability in the test-taking situations. If a psychiatric diagnosis, it must be in DSM-V format.
 - c. Include the type of testing situation targeted (i.e. exams, OSCEs) and the exact nature of the accommodation.
 - d. Include a statement on how long (temporary or permanent) the student will need the requested accommodation(s) if granted by AMC. If temporary, the documentation must state the duration/length of time for requested accommodations.
 - e. Bear the clinician's letterhead. The letterhead must include name, title/credentials, address, and phone number. A sentence or short note on a prescription pad is not acceptable documentation. If not already working with a professional, students will be referred to the AMC Student Psychological Services or the AMC Student Health Clinic or approved outside providers in the Capital Region. Documentation must be presented in typewritten form.
 - f. The evaluation should have been administered no more than 3 years prior to the submission date for requesting accommodations.
3. Upon obtaining the ***Albany Medical College Student Request For Accommodation Form*** and the required documentation, the Disability Accommodations Review Committee will make a determination regarding the accommodation(s). The Committee will meet quarterly and as needed to review student requests.

- a. If not approved, the Director of Student Affairs will notify the student of this decision.
- b. If approved, the Director of Student Affairs will advise the appropriate parties (Administrator overseeing that portion of the academic program with copy to student) no later than one week following the approval of the student's request for accommodation. After the appropriate parties are notified, they will work with the student to solidify the logistics of meeting the accommodation.
- c. The implementation of approved in-class accommodations is a shared responsibility between the instructor and the student. Student Affairs suggests that all details (e.g., exam length, start times, format changes, locations) be decided as early as possible and recorded in writing.
- d. Final accommodation(s) documentation will be filed confidentially and securely in the Office of Academic & Student Affairs.

All documentation or questions should be submitted to:

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