

Policy Number : 100.1124.101

Policy Revision Date : 5-24-2022

Policy Category : General Administrative

**Policy Owner : Associate Dean for Student
Affairs**

**Policy Audience : Students, GCSOM
Faculty and Staff**

1. Definitions :

A qualified person with a disability: Any person with a disability who, with or without reasonable accommodations, meets the essential academic and technical standards requisite to admission or participation in the institution's education programs or activities. The term reasonable accommodation includes academic and non-academic modifications and the provision of auxiliary aids and services.

Direct threat: A significant risk to the health or safety of others that cannot be eliminated by a reasonable accommodation i.e., modification of policies, practices, or procedures, or by the provision of auxiliary aids or services.

Fundamental alteration: Modification of academic requirements that are essential to instruction being pursued by a student or to any directly related licensing requirement or that are required by law or accreditation standards.

Undue burden: Significant difficulty or expense. In determining whether an action would result in an undue burden, factors to be considered include: the nature and cost of the action needed and the overall financial resources of the medical school, the effect on expenses and resources, legitimate safety requirements that are necessary for safe operation, or the impact otherwise of the action upon the operation of the medical school.

2. Medical Curriculum Committee Review :

Date of last review: May 24, 2022

3. Introduction / Purpose :

The School of Medicine ("SOM") is committed to full compliance with the requirements of Title III of the Americans with Disabilities Act (ADA) and its implementing regulations (28 C.F.R. Part 36) and Section 504 of the Rehabilitation Act and its implementing regulations (34 C.F.R. Part 104). The School of Medicine does not discriminate against qualified persons with disabilities on the basis of disability in its programs, services, and activities.

4. Governance and Enforcement :

Associate Dean for Student Affairs

5. Policy :

NONDISCRIMINATION POLICY, INCLUDING THE PROVISION OF REASONABLE ACCOMMODATIONS

Consistent with its nondiscrimination commitment, The School of Medicine will provide reasonable accommodations to qualified individuals with disabilities. Reasonable accommodations include making modifications to the academic requirements of its policies and practices ("academic modifications") and non-academic modifications to ensure that the requirements of such policies and procedures do not discriminate or have the effect of discriminating against a qualified individual with a disability on the basis of such disability, unless to do so could fundamentally alter the nature of the educational program and services being offered, could result in undue burden (i.e. significant difficulty or expense), or pose a direct threat to the health or safety of others.

Modifications may include changes such as adaptation of the manner in which specific courses are conducted or exams are given. Academic requirements that the School of Medicine can demonstrate are fundamental i.e., essential to the instruction being pursued by such student or to any directly related licensing requirement or that are required by law or accreditation standards will not be regarded as discriminatory. Modifications that could fundamentally alter the nature of the educational program or services being offered include, but are not limited to, modifications that could substantially modify the content of the curriculum or essential parts of the program, lowering or substantially modify the standards of clinical competence required by the program. (See Policy on Technical Standards)

The School of Medicine's commitment to make reasonable accommodations also includes ensuring that qualified persons with disabilities have communication access that is as effective as that provided to persons without disabilities. To be equally effective, an aid, benefit or service need not produce the identical result or level of achievement for disabled and non-disabled persons; it must afford the person to whom it is provided equal opportunity to achieve equal results, gain equal benefit, and reach the same level of achievement.

Effective communication includes furnishing appropriate auxiliary aids and services. More specifically, Geisinger Commonwealth School of Medicine will take such steps as may be necessary to ensure that no individual with a disability is excluded, denied services, segregated or otherwise treated differently than other individuals because of the absence of auxiliary aids and services, unless such steps could fundamentally alter the nature of the educational program and services being offered, could result in undue burden (i.e. significant difficulty or expense), or pose a direct threat to the health or safety of others.

The School of Medicine will still provide an alternative auxiliary aid or service that would not result in such a fundamental alteration, undue burden or pose a direct threat to the health or safety of others, but that would ensure effective communication, to the extent possible and if one is available.

Auxiliary aids and services may include:

- Qualified interpreters, note takers on-site or through video remote interpreting (VRI) services, real-time computer-aided transcription services, written materials and the exchange of written notes, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), video phones and captioned telephones, or other equally effective telecommunications devices, video displays, accessible information and communication technology, and other effective means of making aurally delivered materials available to students with hearing impairments;
- Qualified readers, taped texts, audio recordings, Brailled materials and displays, screen reader software, optical readers, accessible information and communication technology, large print materials, or other effective methods of making visually delivered materials available to individuals with visual impairments;
- Acquisition or modification of equipment or devices; and
- Other similar services and actions.

The School of Medicine will not place a surcharge on an individual to cover the costs of providing the auxiliary aid or service. Geisinger Commonwealth School of Medicine is not required to provide personal aids and services such as personal attendants, individually prescribed devices such as prescription eyeglasses or hearing aids, or readers for personal use or study, or other devices or services of a personal nature such as assistance in eating, toileting, and dressing that are not provided to other students and are not geared towards facilitating effective and meaningful access to the institution's educational programs or activities.

PROCEDURE FOR REQUESTING AND DOCUMENTING THE NEED FOR REASONABLE ACCOMMODATIONS

An applicant or enrolled student who believes that they might need a reasonable accommodation should make a request to the Accessibility Support Services Coordinator in the Center for Learning Excellence as far in advance as reasonably possible before the scheduled program or activity or as soon as the disability becomes known to the student. Written requests are preferred. However, if an applicant or enrolled student makes a verbal request, the request will be converted to writing on an Application for Accommodation form by the person making the request or a GCSOM staff member and then reviewed and signed by the person making the request.

Students and prospective students requesting a reasonable accommodation must provide documentation, upon request, to The School of Medicine regarding the disability and limitations on participation in courses and other programs, projects, or activities. The primary purpose of the documentation is to establish that the student or prospective student has a disability and needs an academic or non-academic modification or auxiliary aid or service to have an equal opportunity to participate in The School's program, services, or activities.

The documentation should identify how a student's ability to function is limited as a result of his or her disability.

GCSOM may require the applicant or student submit documentation prepared by an appropriate professional, such as a medical doctor, psychologist, audiologist, or other qualified diagnostician.

The required documentation may include the following:

- a diagnosis of the current disability,
- the date of the diagnosis,
- how the diagnosis was reached,
- the credentials of the professional,
- how the disability affects a major life activity, and
- how the disability affects the ability to participate in The School's program, service or

activity for which the accommodation is requested.

If no accommodations have been provided in the past, the qualified professional should include a detailed explanation as to why no accommodations were provided and why they are now needed.

The student or prospective student is responsible for providing the documentation at his or her own expense.

DECISION-MAKING PROCESS

Staff in the Center for Learning Excellence will review the request and documentation with the GCSOM's Accessibility Committee. The Accessibility Committee will determine eligibility for such requests. If the initial documentation is incomplete or inadequate to determine the extent of the disability and need for auxiliary aids or services or modifications, GCSOM may require additional documentation.

GCSOM will provide reasonable accommodations as needed by the student or prospective student in order to afford them an equal opportunity to participate in the School's programs, activities and services (including extracurricular activities). With respect to auxiliary aids and services, GCSOM shall consult with the individual in choosing the specific aid or service it provides to them. As explained above, the discussion with the prospective student or student may address:

- the limitations imposed by the individual's disability; and
- the effectiveness of potential auxiliary aids or services or reasonable modifications in enabling the student to have the effective communication necessary to meet the course requirements or licensing requirements.

Reasonable accommodations are determined by GCSOM on an individual case-by-case basis. After consulting with the student or prospective student, GCSOM has the discretion to choose the specific auxiliary aid or service it provides to the student or prospective student, as long as the aid or service selected is effective and could not fundamentally alter the nature of the educational program and services to be provided, result in undue burden (significant difficulty or expense) or pose a direct threat to the health or safety of others. More specifically, based on discussion with the applicant or student, GCSOM will determine the type of auxiliary aids or services and the date, time, and place where such services will be provided. GCSOM, at its own expense, will secure the particular aids or services necessary to ensure effective communication. Such aids will remain the property of the School of Medicine.

The Assistant Dean of Students or their designee will notify the student, verbally and in writing, and in a timely manner considering the nature of the request, whether the reasonable accommodation request has been approved or denied and explain the basis for any denial.

The student is required to communicate regularly with the appropriate Curriculum Coordinator,

providing, whenever feasible, at least a seven day notice of any Graduate, M1 or M2 test that requires accommodations (e.g., untimed, distraction free environment, assistive technology devices and services), one month notice of any clinical skills assessment that requires accommodation and at least a 6 week notice of any activity in the M3 and M4 year (Shelf Exams, TBL, clinical rotation) that requires accommodation.

Any grant of a reasonable accommodation will relate specifically to a particular aspect of the student's education and will not necessarily affect other aspects of their education at GCSOM. For example, the provision of additional time to a testing situation will not necessarily extend to the provision of additional time for a clinical assignment.

Reasonable accommodations will not be offered if, in the judgment of the Accessibility Committee the accommodation would fundamentally alter the nature of the educational program, result in undue burden (significant difficulty or expense) or pose a threat to the health or safety of others.

The prior granting of accommodations for any other testing administration such as the SAT or MCAT does not necessarily mean that accommodation will be granted by GCSOM. Students should also be aware that special testing accommodations agreed upon by GCSOM do not guarantee that the same or similar accommodations will be provided by nationally standardized examinations, such as the MCAT or those administered by the National Board of Medical Examiners.

CONFIDENTIALITY

All information obtained in the process of determining whether a student is an individual with a disability and in determining effective accommodations for an individual, will be considered confidential, except as permitted or required by law. With the student's written permission, the Associate Director of the Center for Learning Excellence or their designee will notify the Curriculum Coordinator or Senior Regional Education Specialist as appropriate for the MD program or Assistant Dean of Academic Affairs for Graduate Programs that the student is eligible for reasonable accommodations and will provide them with a list of accommodations the student is eligible to receive in order to provide the appropriate services. No identifying information of the diagnosis or nature of the disability will be released by the Center for Learning Excellence without the permission of the student. Notwithstanding the previous sentences, the information, however, may be made available to supervisors or faculty on a need to know basis; first aid and safety personnel if the disability might require emergency treatment; and government officials investigating compliance.

To ensure confidentiality, all medical and/or psychological documentation should be addressed directly to the requesting GCSOM staff member and the envelope marked as "Confidential" by the sender. Qualified interpreters provided by GCSOM shall adhere to confidentiality in accordance with the Registry of Interpreters for the Deaf (RID) Code of Ethics.

GRIEVANCE PROCEDURE

A student or prospective student who is dissatisfied with the decision of GCSOM about the denial of reasonable accommodations including denial of an auxiliary aid or service, academic modification or other reasonable modification to the rules or policies of the school because of disability may file a grievance under GCSOM's Policy on Non-Discrimination and Equal Employment Opportunity.

6. Key Stakeholders :

Students, Faculty and Staff