

USF – College of Medicine
GRADUATE MEDICAL EDUCATION POLICY & PROCEDURE

Title: Americans with Disabilities (ADA)		No.: GME-302
Effective Date: 1/1/99	Revision Date:	Distribution: All
Page: 1 of 1		

Policy Statement

The University of South Florida strives to ensure that all goods, services, facilities, privileges, advantages and accommodations are meaningfully accessible to qualified persons with disabilities in accordance with federal and state laws. Therefore, it is the policy of the University of South Florida to comply fully with the requirements of the Americans with Disabilities Act of 1990, 42 U.S.C. 12101, and all other Federal and State laws and regulations prohibiting discrimination on the basis of disability or handicap.

The University of South Florida Policy Statement on Americans with Disability (ADA) (Policy #0-108) is attached to this policy for reference.

Procedure

Responsible Party

Action

Program Director

Ensures each applicant to the USF residency programs meets the technical standards of the College of Medicine residency programs as outlined in the Program Director Handbook and the Resident Handbook.

Resident

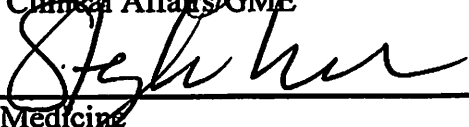
In the event of a disability, requests reasonable accommodation in order to meet the academic requirements of the residency program.

Program Director

Follows the recommendations for accommodation as outlined in the USF Policy on ADA.

APPROVED:


 Associate Dean – Clinical Affairs/GME


 Dean, College of Medicine
 c:p&p\ADA

REVIEWED – 6/05

REVIEWED, APPROVED – 8/2008



POLICY

✓USF System ☐USF ☐USFSP ☐USFSM

Number: 0-108

Subject: Disability and Accommodations (Public/Employees/Students)

Date of Origin: 05-15-98

Date Last Amended: 05-10-13

Date Last Reviewed: 05-10-13

I. **INTRODUCTION (Purpose and Intent)**

It is the policy of the University of South Florida System (USF System) to comply fully with the requirements of the Americans with Disabilities Act of 1990 (ADA), as amended, the Americans with Disabilities Act Amendment Act of 2008 (ADAAA) and all other federal and state laws and regulations prohibiting discrimination and assuring accessibility on the basis of disability. No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of services, programs, or activities of the USF System, or be subjected to discrimination or lack of access by the USF System, as provided by law.

The USF System is committed to ensuring equal access to information for all of its constituencies, including information provided on USF System web sites. The USF System acknowledges its obligation to assure that its electronic media, On-line course content, and web sites satisfy all applicable legal and regulatory requirements for accessibility by persons with disabilities. The USF System requires that web sites are accessible to all users. As such, the USF System Office of Diversity and Equal Opportunity (DEO) shall develop and maintain *USF System - Minimum Electronic and Web Accessibility Standards (MEWAS)* for electronic or web based information, which can be found on the DEO website (<http://usfweb2.usf.edu/EOA>).

II. **STATEMENT OF POLICY**

A. **Public Accommodations**

Sponsors of programs and events, such as campus cinemas, lectures and speakers, must advise potential attendees who may require reasonable accommodation to participate, that such accommodation must be requested of the program sponsor at least five (5) working days prior to the event. (A sample request form may be found at: http://www.usf.edu/coa/documents/ADA_Request_for_Public_Accommodation_For_m.doc). All electronic and web based advertising, announcements and content materials will strive to meet USF-MEWA standards.

Normally, the accommodation will be provided and funded by the program sponsor; however, requests for assistance and questions may be directed to the Office of Diversity

and Equal Opportunity (813-974-4373). Final decisions on USF System Public Accommodations issues will be made by the Vice President for Administrative Services, or designee on behalf of the USF System.

B. Electronic Information and Web Accessibility

All electronic and web based advertising, announcements and course content materials will meet *USF System Minimum Electronic and Web Accessibility Standards* (MEWAS). This policy recognizes that the USF System's web sites originate from separate departments and/or operational units within the USF System, and that each department or operational unit shall be considered the responsible "publisher" of its web site. Regardless of origin, all official University web sites must comply with the MEWAS. It is the responsibility of both the publisher of a University web site and that publisher's Dean, Vice President, Chair and/or Director to ensure that such web sites and electronic course content comply with the MEWAS. In the event that a disabled individual expresses difficulty in accessing Web or electronic based information under the Americans with Disabilities Act Amendment Act (ADAAA) with respect to a USF System web site, then it is the responsibility of the ADA coordinator and the publisher of that web site to address that individual's specific request for reasonable accommodation.

C. Employees

1. Application

- a. The USF System is an Equal Opportunity/Equal Access System.
- b. Applicants are entitled to request reasonable accommodation in the application process. A request is to be made at least five (5) working days prior to the time the accommodation is needed.
- c. The USF System will not make pre-employment inquiry as to disability except: (1) as to an applicant's ability to perform essential job functions with or without reasonable accommodation and (2) to invite an applicant to give five (5) working days' notice of any reasonable accommodation needed during the recruitment/hiring process.
- d. Pre-employment physical exams may be required for those positions for which there is a bona fide job-related physical requirement. However, if such exams will be required of persons with a disability, then those exams must also be required of all individuals seeking the positions after conditional job offers are made.

2. Employment

The USF System prohibits discrimination against its employees on the basis of disability, as provided by law, and is committed to providing accessibility and reasonable accommodation to its employees with regard to any aspect of employment including fringe benefits, training, conferences, meetings and recreational/social activities sponsored by the USF System.

- a. Requests for reasonable accommodation shall be submitted to the Employee Relations Department of the Division of Human Resources ("Employee Relations") as follows:
 - (1) Using the designated accommodation request form (<http://usfweb2.usf.edu/human-resources/pdfs/employee-relations/forms/ada-request-for-reasonable-accommodation.pdf>) specify the requested accommodation(s) and submit the information to Employee Relations.
 - (2) Attach documentation of the diagnosis of a disability from the employee's qualified medical provider. Such documentation is to include sufficient evidence that the employee has a physical or mental impairment that substantially limits one or more major life activities.
- b. Upon request from the Division of Human Resources, the employee's supervisor will provide Employee Relations with a written statement outlining the potential impact of the requested accommodation(s) upon the department.
- c. After consulting with the employee, supervisor, and other required parties, as applicable, Employee Relations will, if appropriate:
 - (1) Offer the employee in writing an effective reasonable accommodation.
 - (2) Assign an Accommodation Request Number (ARN) for internal processing needs of the USF System, if necessary.

USF System employees scheduled for domestic or international travel who are requesting an ADAAA reasonable accommodation for such travel must submit their requests a minimum of ten (10) working days in advance of the scheduled travel.

The initial responsibility for funding the cost of a reasonable accommodation rests with the employee's department. Should a department demonstrate to the next highest administrative level that sufficient funds do not exist, the department head should refer a request for co-funding to the next highest administrative level. Final decisions on how to fund reasonable accommodations will be made by the Vice President for Administrative Services or designee.

Denied accommodation requests may be appealed in writing by an employee to the Associate Vice President, Human Resources. Such appeals must be filed within ten (10) calendar days of the employee's receipt of the denial of the accommodation.

request. Individual circumstances related to medical leaves and/or work-related injuries may need to be addressed outside the scope of this Policy and questions should be directed to Employee Relations.

D. Students

1. Admissions and Pre-Enrollment

- a. Applicants are entitled to request reasonable accommodations in the application process. Applicants may contact the ADA coordinator in the office of Diversity and Equal Employment (<http://usfweb2.usf.edu/EOA>).
- b. All applicants are considered for admission based on the same criteria and are expected to meet the minimum admission requirements in effect at the time of application. The University of South Florida System does not give pre-admission consideration to disability issues. Applicants who are denied admission may be eligible to request an appeal of the decision to the Faculty Committee on Student Admissions as designated in the Notification of Denial and may provide additional relevant information regarding disabilities in that appeal. At the time of appeal, students may request modification or substitution of courses for admissions purposes as provided in BOG Regulation 6.018 or the USF System Admissions Regulation at the appropriate institution or campus.
- c. Consideration of a disability for academic requirement modification or substitution in the admission process is not a review or representation that, upon admission, the applicant will be able to meet the technical and academic standards of the USF System or program with or without reasonable accommodation. Prior to enrollment, the USF System may make inquiries to enable an appropriate analysis and determination regarding the ability of the accepted applicant to participate and successfully complete the determined academic program.

2. Enrolled Students and Students with Disabilities Services

- a. Students with disabilities who require reasonable accommodation in order to meet the academic requirements of the USF System or to participate in activities or services must request an accommodation in writing from the students' campus office of Students with Disabilities Services (SDS). Such requests must be accompanied by documentation of disability and an explanation of any documentation related to the need for the particular accommodation requested. SDS is responsible for approval of submitted documentation.
- b. The SDS office may request that a student submit any additional documentation of disability or need for accommodation necessary to permit the USF System to make a decision on the request.

- c. If disability and need for accommodation are adequately shown and the provision of such accommodation would not fundamentally alter the academic program, the SDS office will discuss the provision of these accommodations with other appropriate USF System representatives (e.g. the faculty member who teaches the course for which the student requests accommodation) and, if appropriate, will offer the student a reasonable accommodation.
- d. Denied accommodation requests may be appealed in writing by a student to the SDS Director, or designee. Such appeals must be filed within ten (10) calendar days of the student's receipt of the denial of accommodation request.

III. COMPLAINTS REGARDING DISCRIMINATION, HARASSMENT AND/OR RETALIATION

Complaints of disability discrimination, harassment, or retaliation must be filed with the Office of Diversity and Equal Opportunity, in accordance with USF Policy Number 0-007, Diversity and Equal Opportunity: Discrimination and Harassment (<http://usfweb2.usf.edu/EOA>).

Comments, concerns and/or requests regarding electronic and web access may be initiated by contacting the USF System ADA Coordinator's Office (<http://usfweb2.usf.edu/EOA>).

IV. CONFIDENTIALITY OF DOCUMENTS

- A. The USF System may request any person seeking accommodation to provide documentation of a disability from a qualified medical provider that shows that the specific modification being requested is appropriate and necessary for the diagnosed disability. Such information may be shared with individuals with legitimate interest as necessary to process the request.
- B. Confidential documentation submitted or prepared in connection with requests for accommodation will be maintained apart from personnel, student or other records.
- C. The University of South Florida Office of the General Counsel is available to assist with questions concerning ADAAA and the law and should be notified in the event an accommodation requestor retains a lawyer or otherwise makes claims in an external legal or administrative forum.

Authorized and signed by:

Steven D. Prevaux, General Counsel
Judy Genshaft, President