

10-9-17

ADA and Universal Design in Medical Field Teaching and Clinicals

Evidence Based Teaching Group

(3-5 min)

DSS role

Admin support

Instruction and universal design

Clinical fieldwork role

Questions/cases

1. What are accommodations?

Modifications or adjustments to the tasks or environment or the way things are usually done, that enable students with disabilities to have an equal opportunity to participate in the academic program. Disability accommodation for access is a civil right.

Accommodations simply provide an alternative way to accomplish the course requirements by eliminating or reducing disability-related barriers. They provide a level playing field, not an unfair advantage.

2. What is reasonable?

The adjustment is reasonable if it removes or lessens a barrier caused by a disability but does not "fundamentally alter" the nature of the program or result in an "undue burden."

Providing accommodations must not compromise the essential elements of a course or curriculum; nor weaken the academic standards or integrity of a course.

3. Who pays?

The university or the clinical setting pays for accommodations that are reasonable and effective and not of a personal nature.

4. What is possible and necessary in traditional classrooms, online settings and clinical rotations.

5. How are teaching and learning accommodations the same or different from testing accommodations?

Same basic concepts of access to receptive and expressive information apply to classroom, online or on campus, clinical, and job settings in the class and in testing.

Bottom line is some accommodations appropriate to classroom may not be appropriate to the clinical setting (job task related example is putting on tourniquet)

DSS role (handout)

- * Understand disability laws and universities obligations
- * Support (work on behalf of) students with disabilities in identifying and arranging for reasonable accommodation
- * Support (work on behalf of) UND in providing reasonable disability accommodations to students with disabilities
- *Understand common accommodations
- * Problem solve for uncommon accommodations

(DSS also promotes universal design to avoid having to register and submit to confidential (private) DSS registration process for simple accommodations. Universal design avoids the somewhat burdensome process required to establish eligibility by disability for many common accommodations.)

Process for disability accommodation

- **Provide information about how to get disability accommodation:**

From DSS and student services:

Getting Disability accommodations (flyer), policy statements, web information,

Reasonable Accommodation Interactive Process (worksheet **handout**)

From faculty:

Clear expectations of course requirements essential syllabus statement (template on DSS website >Faculty>Disability Access Statement

From UND:

non discrimination statement in materials/catalog, DSS office info in admission

- **DSS Registration/verification –updates are semester based and give students a process for learning to effectively manage the functional limits of their disability.**

Accommodating Students with Disabilities in **clinical settings** (note the no resource lists the UND PT department)

<https://www.edurisksolutions.org/blogs/?Id=2147485097>

To best position your campus to handle accommodation requests from students in a clinical program, you should:

- Set clear standards- Essential Requirements and technical standards
- Communicate standards
 - Notify students that clinical sites are distinct from the classroom. Certain accommodations that are acceptable for the classroom may not be appropriate in a clinical setting. For example, being allowed to leave a classroom during discussion of an upsetting topic may deprive the student of a meaningful learning experience in a clinical setting.
 - Communicate the behavioral and professional standards to all students and hold them accountable throughout the program.
 - Encourage, but do not require, a student to disclose his or her disability to the clinical placement site.
 - Train clinical site supervisors on your program's technical standards.
 - **Inform clinical supervisors of accommodations granted to a student, but do not share the nature of the disability.** Caution clinical personnel against engaging in “unofficial” diagnosis, especially relating to behavioral issues. Be clear that evaluations and communications should document behavioral concerns and not speculate on root of any problems.
- Use sound practices for fielding accommodation requests
 - Avoid generalizations based on a student's stated disability. Instead engage in a good-faith **interactive process** by doing an individualized assessment to determine appropriate accommodations.
 - Document your interactions. Keep a record of the accommodations requested and offered along with reasons for accepting or rejecting requests.
 - Often a student's disability is not discovered until a clinical rotation. The law does not require you to retroactively accommodate a disability your institution was unaware of. However, it is prudent to consider whether the student can retake the clinical portion with an accommodation. Again, engage in the interactive process to determine if an accommodation will enable the student to succeed. Consider also whether the student has a right to appeal a dismissal from a clinical site or the overall program.

Resources

[Drexel University Undergraduate Nursing Technical Standards](#)
[Univ. of Minnesota Policy on Medical Students with Disabilities](#)

Salisbury University Social Work Policy and Technical Standards

* Univ. of North Dakota Physical Therapy Technical Standards
Univ. of Southern Mississippi Teaching Technical Standards

<http://www.apa.org/pi/disability/dart/toolkit-three.aspx>

Case Studies

Case Summary

Ms. C is a graduate student with dyslexia in a counseling program. She enjoyed the “hands-on” face-to-face work with clients, and she understood the lectures well, but she struggled with required readings, note-taking during class, conducting literature reviews, taking written exams and completing papers on time. In the past, she would stay up late every night to complete the readings and she received additional time on essay exams. She found the extra exam time to be helpful, but as she progressed in her program, reading assignments become longer, and program requirements become more intensive, she had a difficult time keeping up with her work despite her extra efforts. In the middle of her third semester, Ms. C was stressed and exhausted, and decided to ask her professors for additional accommodations. She explained her situation and requested additional time on written assignments and access to lecture materials in advance to facilitate note-taking. One of her professors said that she currently had an A in his class, so he questioned her need any additional time or accommodations. He said that graduate school was difficult and students are expected to sometimes stay up late to complete readings and assignments. He also thought it was in her best interest to do as much as she could without accommodations because those “luxuries” would not be available in the real world.

Discussion

Under the ADA, programs and training sites are legally required to provide reasonable accommodations to qualified students with disabilities. Ms. C disclosed her disability and established need for accommodations based on this disability. Her requested accommodations (e.g., extended time on exams and assignments; advanced access to class materials) were relatively standard for individuals with dyslexia. Moreover, she had the legal right to request a change in accommodations if they were no longer sufficiently effective for her. In this situation, Ms. C should return to her university’s disability services office. If they deem her newly requested accommodations as reasonable and appropriate for task demands and the nature of her disability, her instructors have the legal obligation to comply with those requests.

This case example was developed in collaboration with the ADA Information Center of the Mid-Atlantic Region.

Case Summary

Mr. T is a student with multiple sclerosis who was granted the use of a scribe for recording answers during his comprehensive exams. This accommodation was deemed reasonable because his disability led to a functional impairment in writing that could be fairly accommodated through dictation. Even with these accommodations, however, he failed his exams. Mr. T then petitioned the school for both a scribe and extra time for the next exam cycle stating that "having a scribe was not enough to help me pass the test. Now I need extra time so I have more time to think about my answers." This request was denied.

Discussion

The denial of his request was deemed legal by the court system. The ADA does not mandate that accommodations be applied until success is achieved. Accommodations are designed to reduce the impact of one's disability on a task or activity, not guarantee a student's success. In other words, accommodations should correct or circumvent functional impairments such that an individual with a disability has a fair opportunity to succeed despite his or her particular disability.

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