

# BCM Policies and Procedures

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## 23.1.07 - Accommodations for Learners and Program Applicants with Disabilities

Students & Learners: Student Services

Date: 06/22/2015

Last Update: 08/12/2020

Applies to: Faculty, Staff, Residents & Clinical Postdoctoral Fellows, Postdoctoral Fellows, Students

### I. Rationale

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Baylor College of Medicine is committed to providing equal educational access for qualified Learners with disabilities in accordance with state and federal laws including the Americans with Disabilities Act of 1990, as amended in 2008, and Section 504 of the Rehabilitation Act of 1973. To effectuate equal access for Learners with disabilities, this policy formalizes procedures for requesting reasonable accommodations, defines parameters for coverage, and provides information regarding the process for requesting accommodations.

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directly to licensing requirements, will not generally be regarded as reasonable accommodations.

2. Limitations. Candidates unable to meet eligibility requirements described in [Section IV.A.2](#) (above), with or without reasonable accommodation, cannot be considered qualified individuals with a Disability under Title III of the ADA or Section 504 of the Rehabilitation Act. Consequently, BCM is not required to provide Auxiliary Aids and Services, nor to modify its policies or procedures to effectuate equal access for those unqualified candidates pursuant to applicable laws. The privilege to enroll and remain enrolled in BCM education programs is contingent upon each enrolled student's ability to demonstrate and build upon the skills and competencies required for participation, admission, promotion, and graduation.
3. Confidentiality. BCM strives to comply with the Family Educational Rights and Privacy Act (FERPA), and will safeguard the privacy of any student who makes a Disability accommodation request to the extent possible. The Director of Title IX and Disability Services (or Designee) will share an individual's Disability information with other college administrators when there is a legitimate educational interest in that information, such as may be required to evaluate and/or implement a request for reasonable accommodation. Copies of a student's personal health or medical records are not shared.

based upon the nature of the request (e.g., missing documentation). All requests will be reviewed and evaluated as soon as practicable. Accommodation requests from Qualified Trainees that relate to work responsibilities rather than participation in an education program or activity will be referred to the Employee Relations Department in the Office of Human Resources, as provided in the [Accommodations for Employees and Employment Applicants with Disabilities Policy \(O2.2.30\)](#).

## V. Responsibilities

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- A. **Director of Title IX and Disability Services** (or Designee). The Director of Title IX and Disability Services (or Designee) is the designated institutional official responsible for granting and coordinating implementation of reasonable accommodations for qualified prospective, newly admitted, and currently enrolled students and other Learners. Any questions about College compliance with these rules and policies should be directed to the Director of Title IX and Disability Services (or Designee), who is the primary contact for Learner Disability issues and engages personnel to prioritize BCM's compliance with disability non-discrimination and accommodation requirements. Reasonable accommodations are implemented through collaboration with responsible academic program personnel. Other responsibilities of the Director of Title IX and Disability Services (or Designee) include:
1. Determines what documentation is necessary to establish a Learner's disability and its impact on their access to educational opportunities and benefits of enrollment at BCM.
  2. Performs initial review and processing of all requests for reasonable accommodation according to applicable laws, regulations, standards, and College policies,
  3. Triage student reports of alleged Disability harassment or discrimination, and transmit to Human Resources for subsequent investigation;
  4. For reasonable accommodations involving national board examinations or examinations administered external to BCM, submits documentation to the outside entity 90 days prior to the exam date, although timely submission of documentation is ultimately the student's responsibility. Additionally, serves as a resource and assists students and academic advisors by providing instructions and timelines for the licensure application process.
  5. Determines the need for a second professional opinion concerning the nature or severity of a student's requested Disability accommodation. If the total cost of obtaining a second opinion exceeds student insurance coverage, BCM will assume responsibility for the balance.
  6. Generates an annual report containing accommodation requests, approvals, denials, grievances and resolutions for submission to the Office of the Provost.
  7. In addition to academic issues, coordinate non-academic issues with other entities (i.e., TMC Parking) including access to facilities and non-academic events.
- B. **Office of Student Services**. The Office of Student Services is the primary responsible office for policy implementation, but relies on the Offices of Compliance to investigate allegations of noncompliance with this policy, and on the Office of Human Resources to implement disciplinary action in accordance with the
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than 30 business days prior to the start of the cour



- o [28.1.16 – Technical Standards Policy;](#)
- School of Health Professions –
  - o [School Handbook;](#)
  - o [Doctor of Nursing Practice-Nurse Anesthesia Student Manual;](#)
  - o [National School of Tropical Medicine Handbook;](#)

C. **Other Accommodation Policies.**

- [02.2.30 – Accommodations for Employees and Employment Applicants with Disabilities;](#)
- [02.2.50 – Accommodations for Breastfeeding Mothers;](#)
- [02.8.25 – Family and Medical Leave Act Policy;](#)
- [23.1.12 – Student Leave of Absence Policy;](#)

## X. Applicable Laws, Regulations & Standards

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- [Americans with Disabilities Act of 1990 \(ADA\) & 2008 Amendments to the ADA;](#)  
[28 C.F.R. Part 36](#)
