



POLICY #1.16

SUBJECT: Disability Accommodation

I. PURPOSE

The purpose of this Policy is to establish the process by which students with Disabilities may request and receive Reasonable Accommodations related to Disabilities. This Policy will be construed to be consistent with the requirements of the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), Section 504 of the Rehabilitation Act of 1973 (Section 504), and other applicable federal, state and local laws.

II. REFERENCES

- A. Americans with Disabilities Act ("ADA"), 42 U.S.C. §§ 12131-12132
- B. ADA Amendments Act of 2008
- C. Association on Higher Education and Disability
- D. Family Educational Rights and Privacy Act (FERPA), 34 CFR Part 99
- E. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 ("Section 504")
- F. Non-Discrimination and Anti-Harassment Policy

III. DEFINITIONS

Each of these definitions is provided for ease of reference in this Policy. They shall not be construed to expand the obligations under the ADA or Section 504, and should be construed as consistent with current law.

- A. **Academic Term:** The period of time designated by the University during which courses are scheduled, including but not limited to semesters, trimesters, quarters, clinical rotations, or other designated instructional periods. For purposes of this Policy, an academic term begins on the first day of classes and ends on the last day of final examinations or assessments for that designated period.
- B. **ADA Coordinator:** The Disability Services & Advising Coordinator, who is the individual at KCU designated to facilitate student disability accommodations and coordinate compliance with Section 504 of the Rehabilitation Act and applicable portions of the Americans with Disabilities Act. As used in this Policy, the term may include the ADA Coordinator's designees.
- C. **Clinical Setting:** An environment where students provide direct or indirect patient care as part of their educational program, including but not limited to hospitals, clinics, simulation laboratories, and other healthcare facilities.
- D. **Device or Service of a Personal Nature:** An aid or service provided not for class, clinical, or event purposes, but rather for personal or individual use, such as a personal attendant who may assist with toileting, eating, or dressing; individually prescribed devices; readers for personal use or individual study time; or other devices or services of a personal nature.
- E. **Direct Threat:** A significant risk to the health or safety of patients or others that cannot be eliminated or reduced to an acceptable level through the provision of reasonable accommodations. This determination must be based on an individualized assessment of the

student's present ability to safely perform the essential functions of the program, considering current medical knowledge and best available objective evidence. This assessment includes (1) the nature, duration, and severity of the risk, (2) the probability of potential injury, and (3) whether reasonable modifications of policies, practices, or procedures would mitigate the risk.

- F. **Disability:** A physical or mental impairment that substantially limits (compared to most people in the general population) one or more major life activities, a history of such an impairment, or being regarded as having such an impairment. A temporary impairment may be a Disability if it substantially limits one or more major life activities for an extended period of time. Common, short-term illnesses that predictably resolve themselves do not “substantially limit” a major life activity, and therefore are not Disabilities under the law or this Policy.
- G. **Essential Requirements:** Learning outcomes, objectives, and standards that are essential to the instruction, training, or experience in the applicable health profession program, course, or clerkship. Examples include Technical Standards and standards for professionalism, safety, ethics, confidentiality, knowledge, skill, and ability, including, in some circumstances, performing under time constraints; clinical experiences; performance assessments; and other activities that are essential to a program, course, or clerkship.
- H. **Fundamental Alteration:** An alteration that occurs when a proposed or recommended accommodation invalidates, negates, or impedes an Essential Requirement of a program, course, or clerkship. This includes changes that would lower academic standards, compromise learning outcomes, or modify essential elements required by accreditation standards or licensing requirements.
- I. **Interactive Process:** A collaborative and individualized exchange between the Student, the ADA Coordinator, and any other necessary individuals designated by the ADA Coordinator to discuss functional limitations, how those limitations connect to the relevant course, program, or other requirement, explore accommodative possibilities, and determine any Reasonable Accommodations.
- J. **Qualified Healthcare Professional:** A healthcare practitioner with credentials appropriate to the area in question, who is licensed and qualified to diagnose and assess functional limitations related to the specific disability and who has or had a therapeutic relationship with the Student.
- K. **Qualified Student:** A student who, with or without Reasonable Accommodation, meets the academic requirements and non-academic requirements, including without limitation the applicable Technical Standards, necessary for admission or participation in the relevant KCU program or activity.
- L. **Reasonable Accommodation:** Adjustments or auxiliary aids that facilitate equal access to KCU programs and activities, including classrooms, laboratories, simulations, and clinical trainings, including (1) making existing facilities readily accessible to and usable by individuals with Disabilities; (2) acquisition or modification of equipment or devices; (3) appropriate adjustments or modifications of examinations, course materials, or policies. An accommodation is not considered reasonable if it is a Device or Service of a Personal Nature (unless also provided to individuals without disabilities), would be ineffective, are retroactively applied, would impose an undue financial or administrative burden on the University, pose a Direct Threat, or would Fundamentally Alter any Essential Requirement.
- M. **Technical Standards:** The physical, cognitive, and behavioral abilities required, with or without Reasonable Accommodation, for satisfactory completion of the curriculum and the

development of professional attributes required for admission, continuation, graduation, and practice in a specific health science discipline.

N. **Undue Burden:** Significant difficulty or expense for the University.

IV. POLICY

- A. **Scope.** This Policy applies to all current students and accepted candidates matriculating in KCU's educational programs and activities ("Student").
- B. **Policy Statement.** A Qualified Student with a Disability may be eligible for Reasonable Accommodation(s) to allow them equal access to KCU's education programs and activities. To be eligible for Reasonable Accommodation, a Student with a Disability must seek an accommodation and otherwise comply with the procedures set forth in this Policy. Through its designated ADA Coordinator, KCU will engage in an Interactive Process with the requesting Student to identify specific Reasonable Accommodations.
- C. **Technical Standards and Essential Requirements.** To the extent applicable, academic programs at KCU maintain Technical Standards that outline the essential abilities and characteristics that are required for admission, continuation, and graduation from its programs. Because Technical Standards describe the essential functions that Students must demonstrate, with or without Reasonable Accommodation, to meet the requirements of the specific program, they are prerequisites for admission, continuation, and graduation. As required by the University from time to time, all candidates who are accepted to a program with Technical Standards shall sign a Technical Standards acknowledgement before beginning course work. The Technical Standards, as amended from time to time, shall apply to Students whether or not Students have signed.
- D. **Requesting a Reasonable Accommodation**
 - 1. *Request for Accommodation Form.* Students must initiate a request by submitting a completed Student Request for Accommodation Form ("Request Form"), providing details about their Disability and the Reasonable Accommodations they are requesting.
 - 2. *Documenting the Disability.* A requesting Student must also complete a Student Verification of Disability Form ("Verification Form") to provide current documentation of their Disability from an independent, qualified professional acting within the scope of their specialty. Generally, information provided via the Verification Form must be no more than two years old, unless a waiver of this time requirement is expressly granted by the ADA Coordinator, and must detail the limitations caused by a physical or mental impairment.
 - a. The ADA Coordinator may waive the documentation requirement or extend the documentation renewal deadline in cases where, in the ADA Coordinator's sole judgment, the Disability is readily apparent or where documentation of a permanent or long-term disability has been previously provided. KCU reserves the right to request additional or updated information during the Interactive Process or at any time that the circumstances reasonably warrant such request.
 - b. The ADA Coordinator may, on a case-by-case basis, grant temporary Reasonable Accommodations pending submission of complete documentation and full engagement in the Interactive Process.

Temporary Reasonable Accommodation may not extend beyond a reasonable period of time (generally no more than the semester in which granted) set by the ADA Coordinator, unless extended in writing by the ADA Coordinator.

3. *Timeline.* Students should submit required forms and engage in the Interactive Process at least four weeks before the start of the relevant Academic Term. If a Disability arises after this period, Students should submit their request as soon as possible. Late requests may result in delayed services or missed deadlines.
4. *Additional Accommodations.* A Student who already has a Reasonable Accommodation(s) granted in their educational programming, and seeks additional or modified Reasonable Accommodation, must complete a new Request Form. The same process will be followed as described above for accommodation requests.
5. *Renewing Accommodations.* Accommodative needs may change over time or require adaptation due to changes in technology or the learning environment. Prior history of accommodation, therefore, does not automatically warrant continuation of the same or similar accommodation. Before the start of every new school year, or upon expiration of previously awarded Reasonable Accommodations (whichever is sooner), a Student seeking Reasonable Accommodations shall complete a Request Form. The same process will be followed as described above for accommodation requests.

E. Review of Requests for Accommodation

1. All requests are considered on a case-by-case basis.
2. *Interactive Process.* The ADA Coordinator facilitates the review of all Accommodation Requests through an Interactive Process. The ADA Coordinator considers the following elements, as applicable, when determining whether a Student with a Disability can be Reasonably Accommodated and what the Accommodation is:
 - a. The logical connection between the Student's functional limitations; the unique attributes and requirements of the relevant course, program, or activity; and the effect of the requested accommodation.
 - b. The recommended accommodation by a Qualified Healthcare Provider;
 - c. Whether the requested accommodation may Fundamentally Alter a course's or program's Essential Requirements, including safety, Technical Standards, minimum performance expectations, and essential learning outcomes. This evaluation must be conducted with the instructor or administrative leaders with subject-matter expertise, and will include an assessment of (1) the specific Essential Requirements; (2) the unique qualities of the relevant course or program in relation to its overall objectives; and (3) any reasonable modifications to the Essential Requirements specifically for the requesting Student;

- d. Whether the requested accommodation may pose a Direct Threat, especially in clinical and simulation environments or that reasonably relate to those environments;
 - e. The likelihood of the requested accommodation causing substantial disruption to KCU education programs or activities, including classroom or clinical instruction, or unduly disrupting others' ability to work or learn; and
 - f. Accreditation standards and professional competency requirements.
- 3. A student is not entitled to their preferred Reasonable Accommodation. If multiple Reasonable Accommodations are available, the ADA Coordinator may exercise discretion as to which Reasonable Accommodation(s) to grant.
- 4. *Denials.* The ADA Coordinator may deny a request for accommodation if:
 - a. The documentation does not adequately support that the Student has a Disability, that the functional limitations are not sufficiently connected to the program or activity for which accommodation is requested, or the Student otherwise does not need for requested accommodations under ADA;
 - b. Doing so would create an undue burden on the University;
 - c. Doing so would constitute a Fundamental Alteration of the University's program or activity;
 - d. The accommodation would disrupt KCU's educational program or activity, including classroom and clinical instruction, or unduly disrupt others' ability to learn; or
 - e. The Student is, with or without Reasonable Accommodation, not a Qualified Student.
- 5. *Notice.* Following the Interactive Process, the ADA Coordinator will inform the Student in writing of the decision regarding accommodations, including their option to appeal any denial.

F. Implementing Accommodations

- 1. Instructors shall implement the accommodation(s) as approved by the ADA Coordinator fully, without retaliation, and immediately upon notification. Instructors shall contact the ADA Coordinator with any questions or concerns.
- 2. If a Student believes that a granted Reasonable Accommodation has not been appropriately implemented, they should contact the ADA Coordinator as soon as possible to facilitate either (1) modifications to the granted Reasonable Accommodation, or (2) to clarify the instructor's compliance obligations with the initially granted Reasonable Accommodation.
- 3. *Third parties.* KCU engages in the foregoing processes for its programs and activities. But Students will interact with various external third parties related to their professional development. These third parties may maintain separate accommodation processes, and KCU cannot guarantee that the same Reasonable Accommodations granted by KCU will be implemented by an external third party.
 - a. *Clinical Sites.* KCU will coordinate with clinical sites to facilitate Reasonable Accommodations in external Clinical Settings, which may

require completion of their separate accommodation processes and may be subject to their determinations. Students should follow the procedures outlined in this Policy, and recognize that accommodations may need to be modified or reconsidered depending on the clinical context.

- b. *Licensure Exams.* Students are responsible for initiating NBOME or NBME accommodation requests directly with the appropriate governing entities. KCU will cooperate as necessary, but does not control external licensure examiners and cannot guarantee receipt of accommodations for their activities.
- c. *Professional Licensing and Certification.* Students are responsible for initiating accommodation requests directly with relevant licensing and certifying agencies. KCU will cooperate as necessary, but does not control external licensure or certification entities and cannot guarantee receipt of accommodations for their activities.

G. Appeal Process.

1. *Initiating the Appeal.* If a Student is not satisfied with the outcome of the accommodation process, the Student may file a written appeal of the determination letter to the ADA Coordinator within 5 calendar days of receiving the denial. Failure to file a timely appeal forecloses the appeal process.
2. *Contents of Appeal.* All appeals must include:
 - a. A clear statement of the specific determination being appealed;
 - b. An explanation of why the decision should be reconsidered or overturned, specifically (1) how the requested accommodation relates to the documented Disability, (2) why the requested accommodation is necessary for equal access to educational programs or activities; and (3) a response to the reasons for denial of the requested accommodation (e.g., Fundamental Alteration, sufficient alternative accommodation granted, lack of documentation, etc.).
 - c. Any new or additional information relevant to the request that was not previously available or considered; and
 - d. The specific remedy or resolution sought (e.g., implement preferred accommodation).
3. *Review Process.* The Provost, or their designee, will review all appeals and will decide the appeal after consultation with the Director of Equal Opportunity and/or legal counsel.
 - a. In reviewing appeals, the Provost will consider:
 1. Whether appropriate procedures were followed in the initial determination;
 2. Whether the initial determination was supported by appropriate and relevant documentation;
 3. Whether all relevant factors were appropriately considered;
 4. Whether the requested accommodation would require a Fundamental Alteration or create an undue burden;

5. Any new information provided in the appeal that was not previously available.
- b. The Provost, or their designee, shall provide a final written determination to the Student and ADA Coordinator . The written determination will include the decision to uphold, modify, or overturn the initial determination; the reasoning for the decision; and any instructions for implementation if applicable. The Provost's decision is final.
- c. The Provost may direct any temporary accommodation during the pendency of the appeal, or take other steps as necessary under the circumstances to mitigate interim access challenges for the Student.

H. **Disability Discrimination Complaints.** Appeals and processes related specifically to disability accommodations are subject to this Policy. Students who believe they have otherwise been discriminated against based on disability should contact the Equal Opportunity Coordinator, pursuant KCU's Non-Discrimination and Anti-Harassment Policy.

V. RELEVANT FORMS/LINKS

[Request for Accommodations Form](#)

[Verification of Disability Form](#)

VI. QUESTIONS/RESPONSIBLE OFFICE

The responsible office for this Policy is the Office of Student Success. Questions regarding any part of the Accommodation process may be directed to the Disability Services & Advising Coordinator studentaccommodations@kansascity.edu For questions or requests related to physical access to campus, buildings, and other facilities at both the Kansas City & Joplin campuses, please contact Campus Planning & Facilities at Facilities@kansascity.edu.

VII. POLICY ADOPTION AND AMENDMENT DATES

A. **Updated:** 5.5.2025