

GMDEC Reviewed: February 2010

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Policy on Accommodation for Residents and Fellows with Disabilities

As a public institution that receives federal funding, the University of Tennessee Graduate School of Medicine is required to comply with the Americans' with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

Reasonable accommodations will be made for otherwise qualified disabled veterans and persons with disabilities. The University of Tennessee Graduate School of Medicine is required to comply with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 and is committed to providing a campus which is accessible to everyone.

What Is Prohibited Under Section 504 and the ADA?

Both Section 504 and the ADA prohibit covered entities from discriminating against persons with disabilities in the provision of benefits or services or the conduct of programs or activities on the basis of their disability.

Section 504 applies to programs or activities that receive Federal financial assistance. Title II of the ADA covers all of the services, programs, and activities conducted by public entities (state and local governments, departments, agencies, etc.), including licensing.

Who Is Protected Under Section 504 and the ADA?

Section 504 and the ADA protect qualified individuals with disabilities. A qualified individual is one with a disability who is otherwise able to perform essential duties for progressive competencies in the area of specific graduate medical or dental training residency training (see GSM policy #120 on Essential Abilities). An individual with a disability is a person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. Major life activities mean functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

Under Section 504 and the ADA, a person is a qualified individual with a disability if he or she meets the essential requirements for receipt of services or benefits, or participation in the programs or activities of a covered entity. The question of whether a particular condition is a disability within the meaning of Section 504 and the ADA is determined on a case-by-case basis.

What Is a "Physical or Mental Impairment"?

Physical or mental impairments include, but are not limited to: visual, speech, and hearing impairments; mental retardation, emotional illness, and specific learning disabilities; cerebral palsy; epilepsy; muscular dystrophy; multiple sclerosis; orthopedic conditions; cancer; heart disease; diabetes; and contagious and non-contagious diseases such as tuberculosis and HIV disease (whether symptomatic or asymptomatic).

Specific Requirements of UT Graduate School of Medicine (UTGSM)

UTGSM must not:

- Establish eligibility criteria for receipt of services or participation in programs or activities that screen out or tend to screen out individuals with disabilities, unless such criteria are necessary to meet the objectives of the program.
- Provide separate or different benefits, services, or programs to individuals with disabilities, unless it is necessary to ensure that the benefits and services are equally effective.

UTGSM must:

- Provide services and programs in the most integrated setting appropriate to the needs of qualified individuals with disabilities.
- Make reasonable modifications in their policies, practices, and procedures to avoid discrimination on the basis of disability, unless it would result in a fundamental alteration in their program or activity.
- Ensure that buildings are accessible.
- Provide auxiliary aids to individuals with disabilities, at no additional cost, where necessary to ensure effective communication with individuals with hearing, vision, or speech impairments. (Auxiliary aids include such services or devices as: qualified interpreters, assistive listening headsets, television captioning and decoders, telecommunications devices for the deaf [TDDs], videotext displays, readers, taped texts, brailled materials, and large print materials.)

Who to contact for accommodations?

The Office of Equity and Diversity is responsible for GSM campus' compliance with the ADA and Section 504 of the Rehabilitation Act; therefore, if you have any request, concern or complaint in these areas of the law, please contact the Office of Equity and Diversity by calling 901-448-2112.

Revised and approved by GMEC 2/15/10

Approved by Office of Equity and Diversity 2/22/10