



# TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO

## Operating Policy and Procedure

**HSCEP OP:** 51.04, **Access for Individuals with Disabilities**

**PURPOSE:** The purpose of this Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso) Operating Policy and Procedure (HSCEP OP) is to ensure full and equal access to individuals with disabilities to all TTUHSC El Paso programs.

**REVIEW:** This HSCEP OP will be reviewed in November of each odd-numbered year (ONY) by the Office of Equal Opportunity, the Office of Human Resources, Office of Student Services, and the Office of General Counsel, with substantive revisions forwarded to the Office of the President.

### **POLICY/PROCEDURE:**

#### **I. Policy**

TTUHSC El Paso is committed to the full inclusion of all qualified individuals. As part of this commitment, persons with disabilities will not be subject to discrimination or denied full and equal access to academic programs, employment, activities, benefits, and services offered by TTUHSC El Paso on the basis of their disability. This policy applies to all students, employees (faculty, staff, or student), patients, volunteers, and visitors.

#### **II. Definitions**

- A. Disability – A physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.
- B. Qualified Individual – An individual who, with or without reasonable accommodation, has the requisite skills, experience, and knowledge, and can meet all essential requirements of their program or perform all essential functions of their job/position.
- C. Programs – Includes all academic programs, employment, activities, benefits, or services offered by TTUHSC El Paso.
- D. Reasonable Accommodation – A modification or adjustment that:
  - 1. Will enable a qualified individual to participate in a program and does not make a fundamental alteration to program requirements; or
  - 2. Will enable an individual to participate in the application process or to perform essential job functions; or
  - 3. Will allow equal access to university programs; and
  - 4. Does not create an undue hardship for TTUHSC El Paso.

#### **III. Rights and Responsibilities**

- A. Individuals:

Individuals with disabilities have the right to an equal opportunity to participate in and benefit from all programs, including employment, offered by TTUHSC El Paso. Individuals who choose to exercise these rights:

1. Have a right to reasonable accommodations.
2. Are responsible for initiating the accommodation process in a timely manner by identifying themselves as needing reasonable modifications to the environment, policy, or practice, and/or needing reasonable auxiliary aids or services.
3. Are responsible for providing appropriate documentation that describes the current need for an accommodation, any history of past accommodations in a similar context, and the impact of their disability in the TTUHSC El Paso environment in sufficient detail to provide a rationale for the requested accommodation.
4. Are expected to actively participate in the identification and discussion of reasonable accommodations.
5. Have the same obligation as non-disabled individuals to meet and maintain TTUHSC El Paso's performance standards, technical standards, and codes of conduct.
6. Will be evaluated based on their ability to meet the essential elements of their academic program or perform their essential job functions.
7. Have the right to be informed of procedures for initiating further appeal of or complaint about a university decision.

B. TTUHSC El Paso:

TTUHSC El Paso has a responsibility to identify and maintain standards that are fundamental to its programs while still ensuring access for qualified individuals with disabilities. In meeting these obligations, TTUHSC El Paso:

1. Will identify and establish the abilities, skills, and knowledge necessary for initial and ongoing participation in its programs, including employment, and evaluate individuals on that basis.
2. Will inform individuals about the availability of accommodations.
3. May request and review documentation in support of an accommodation request and may refuse a request that is unsupported by appropriate documentation.
4. May select between equally effective methods of accommodating an individual with a disability.
5. Will make reasonable modifications to the environment, policy, or practice, and/or provide reasonable auxiliary aids or services.
6. May refuse a requested accommodation that fundamentally alters an essential element or fundamental aspect of a program, including job responsibilities, or creates an undue hardship for TTUHSC El Paso.
7. Will inform the individual of the availability of any appeals or complaint processes.

IV. **Responsible Offices**

Individuals with questions regarding this policy or needing accommodations for a disability should contact the appropriate offices listed below:

Position or Office	Responsibilities	Contact Information
Office of Human Resources—ADA Administrator for Employees	Consults with applicants, employees (faculty, staff, or student), supervisors and volunteers on reasonable accommodations in the workplace and other disability related matters.	915 215 4151 3601 4 <sup>th</sup> St. Administrative Support Bldg. (ASB) 200 N. Concepcion El Paso, TX 79905
Office of Equal Opportunity	Consults with individuals with complaints of noncompliance with TTUHSC El Paso disability policies and/or state and federal disability laws and investigates disability-related complaints of discrimination and harassment involving employees.	806.742.3627 <a href="mailto:eeo@ttu.edu">eeo@ttu.edu</a> System Administration Bldg. 1508 Knoxville, Suite 208 Lubbock, TX 79409
Student Services	Consults with individuals on reasonable accommodations for students and other student disability related matters.	915 215 4370 Medical Sciences Bldg II Room 2C201 137 Rick Francis St. El Paso, TX 79905 <a href="http://www.elpaso.ttuhsoc.edu/studentservices/disability-support-services/">http://www.elpaso.ttuhsoc.edu/studentservices/disability-support-services/</a>
Office of Clinical Affairs	Consults with patients and visitors on clinic accommodations.	915 215 4470 Academic Education Center (AEC), Suite 101 4800 Alberta Avenue El Paso, TX 79905
Office of Graduate Medical Education	Consults with residents/fellows on reasonable accommodations in the program and other disability- related matters.	915 215 4460 A3116 Clinical Science Bldg. 4801 Alberta Avenue El Paso, TX 79905

V. **Requests for Accommodation**

- A. **Patients and Visitors** – Patients and visitors needing accommodations should contact Office of Clinical Affairs at 915-215-4470.
- B. **Students** – Students needing academic accommodations, please refer to [OP 77.14, Students with Disabilities](#), or contact the Office of Student Services at 915-215-4370.
- C. **Employees and Applicants For Employment**
  - 1. **Applicants:** Applicants for employment who need a disability-related accommodation should contact the ADA administrator through the campus Human Resources Office.
  - 2. **Employees:** Employees (faculty, staff, or student) who need a disability-related accommodation may make the request to their immediate supervisor. Alternatively, any employee may make a request directly to the ADA

administrator by contacting Human Resources at 915-215-4151 and completing [Attachment A](#) and [Attachment B](#).

a) Upon receiving a request for accommodation from an applicant or employee, the ADA administrator will:

- Review and discuss the request with the applicant or employee.
- Discuss the request with the hiring manager or supervisor, if applicable.
- Verify the disability which may require documentation from a treating healthcare provider or medical certification as set forth below.
- Review the essential functions of the job.
- Facilitate discussion between the employee and the supervisor regarding possible accommodations.

b) Medical Certification

An employee seeking a disability related accommodation must, upon request, submit appropriate medical certification ([Attachment B](#)) to the ADA administrator from a treating healthcare provider to substantiate the employee's disability and/or the need for accommodation. The ADA administrator will provide this form to employees.

- The employee, not TTUHSC El Paso or the treating healthcare provider, is responsible for submitting the required medical certification to the ADA administrator within 15 days of the date the certification is requested.
- Failure to provide the requested medical certification within 15 days may result in a delay of the accommodation process.

3. **Supervisors:** Supervisors who receive a disability-related request for accommodation should contact the ADA Administrator immediately to review and discuss the requested accommodation.

Any Supervisor who is informed by an employee that a physical or mental condition may be affecting the employee's work performance should refer the employee to ADA Administrator to determine whether there is a need for a disability related accommodation.

## VI. Complaints

- A. Applicants, employees (faculty, staff, or student), who have concerns about violations of this policy or who wish to file a complaint of discrimination or harassment based on a disability should contact the Office of Equal Opportunity or file a complaint pursuant to [OP 51.02, Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws](#).
- B. Students who have a concern about violations of this policy or who wish to file a complaint related to their academic program should contact the Office of Disability Support Services at 915-215-4370.

VII. **Confidentiality**

TTUHSC El Paso will maintain the confidentiality of all medical records concerning employees and students. These records will be kept separate from personnel files and educational records and will be accessible only to authorized personnel.

VII. **Authoritative References**

- Americans with Disabilities Act
- Section 504 of the Rehabilitation Act of 1973
- Texas Labor Code, Chapter 21

IX. **Right to Change Policy**

TTUHSC El Paso reserves the right to interpret, change, modify, amend, or rescind this policy, in whole or in part, at any time without the consent of the employees.