

Sample Language about Disability Services for Potential and Admitted Students

Application and Website:

[Name of university or program] is committed to providing equitable access to learning opportunities for all students. The medical school welcomes qualified students with disabilities (e.g. mental health, attentional, learning, chronic health, sensory, or physical) who meet the technical standards of the program, with or without reasonable accommodations. If you are an applicant with a disability who needs accommodations to complete this application or has questions regarding reasonable accommodations for technical standards, please contact [Insert DS office name and contact information for office].

Interviews

[Name of university or program] welcomes qualified students with disabilities (e.g. mental health, attentional, learning, chronic health, sensory, or physical) who meet the technical standards of the program, with or without reasonable accommodations. If you are a student with a disability who needs accommodations during your interview, please contact [Insert appropriate office and contact information for office].

Acceptance Letters

[Name of university or program] welcomes qualified students with disabilities (e.g. mental health, attentional, learning, chronic health, sensory, or physical) who meet the technical standards of the program, with or without reasonable accommodations. If you are a student with a disability who needs reasonable accommodations to fully access the [Insert program or school], please contact [Insert DS office and contact information for office]. Accommodations are not provided retroactively. To ensure equitable access, students are encouraged to register with [DS office name] far in advance of the start of the program.

COMMUNICATION ABOUT DISABILITY AFTER ENROLLMENT

Orientation

Even after students are accepted to a school, they may still be hesitant to disclose a disability. Having a representative from the DS office speak at orientation may help ease student apprehension about self-identifying. By presenting at orientation, disability providers can help demystify the process of applying for services and put a face on the DS office, rather than simply being known as the “disability office.” Students report feeling more comfortable approaching a familiar face and having some knowledge of how things work at the institution. In addition, having a representative at orientation speaks to the program’s commitment to diversity and inclusion, and their expectation that students with disabilities will indeed be a part of their communities.

Syllabus Statements

Having faculty include a disability statement on course syllabi is another effective way of indicating that the institution welcomes and encourages students with disabilities to participate in programs. Many schools offer a standard syllabus statement for faculty to use. Faculty can also contact the DS office to inquire about crafting a statement for a syllabus.

Sample Syllabus Statement

Example 7.1: Well Written Syllabus Statement

"[Name of School] is committed to providing equitable access to learning opportunities to students with documented disabilities (e.g. mental health, attentional, learning, chronic health, sensory, or physical).^a To ensure access to this class, and program, please contact [designated contact person for disability services] to engage in a confidential conversation about the process for requesting reasonable accommodations in the classroom and clinical settings.^b

Accommodations are not provided retroactively. Students are encouraged to register with [name of office responsible for DS] as soon as they begin their program. [Name of school] encourages students to access all resources available through [name of office responsible for DS] for consistent support and access to their programs. More information can be found online at [DS website], or by contacting the office at [DS phone number].^d"

^a Indicates a welcoming educational environment.

^b Makes the student aware there is a process to follow before accommodations can be made.

^c This is important for students to know prior to starting a class.

^d Make information about contacting the office readily available.

Example 7.2: Poorly Written Syllabus Statement

"Please contact the Disability Services office for help with accommodations."^a

^a This statement, while valid, does not encourage the student who is struggling or unsure of the correct process to seek help. It also suggests, with its lack of detail, that the university may not be welcoming of students with disabilities.

Sample Guidelines for Faculty: Maintaining Confidentiality of Student Disability Information

All disability-related information including accommodation letters, correspondence, and consultations are considered confidential and must be managed in line with The Family Educational Rights and Privacy Act (FERPA) regulations. This includes electronic, paper, verbal, and any other types of communication.

In addition to fulfilling legal obligations, maintaining a high standard of confidentiality also serves to maintain an environment in which students with disabilities feel respected, safe, supported, and protected.

Breaches of confidentiality are taken very seriously by [INSERT SCHOOL NAME]. Unauthorized disclosures of student information must be documented and can result in the University being in non-compliance with federal regulations. The Office for Civil Rights (OCR) may audit FERPA compliance and require corrective actions. Additionally, such disclosures may violate state privacy laws and may subject the university and the individual to liability.

We recognize that disclosures of information are generally inadvertent. For this reason, a high level of vigilance to avoid unintentional but inappropriate disclosure of disability information must be maintained. Please contact [INSERT OFFICE NAME] if there are any questions, issues, or concerns regarding maintaining confidentiality of information.

[OFFICE NAME] offers the following guidelines for faculty, staff, and administrators to ensure that confidential student information is kept secure:

- **All information** that a student shares with a faculty member **is to be used specifically for arranging reasonable accommodations** for the course of study.
- **Do not leave student disability information visible** on your computer or in any printed format that others can see.
- **Letters of accommodation should be filed in a safe place** and disposed of securely at the end of the quarter.
- **Refrain from discussing a student's disability status and necessary accommodations** within hearing range of fellow students or others who do not have an "educational need to know."
- **Do not assume that students registered with Student Disabilities Services are aware of other students' disability status.** If for some reason you feel it might be beneficial for students with disabilities to know each other, [OFFICE NAME] is happy to discuss this further with you. However, the default action is to keep this information private.
- **When sending emails to a group of students**, even if they are all registered with Student Disabilities Services, **blind copy (BCC) students** so they are

not privy to other student's information, or better yet, send separate emails to each student.

- **At no time should the class be informed that a student has a disability,** except at the student's request.
- **Discuss Accommodation Letters and logistics of implementing accommodations with students in private.** Make yourself available by email, during office hours, or by appointment to discuss.
- **Casual conversations with colleagues about a student's disability status are prohibited.** Confidential disability information, to which you have access, should be released to other faculty or staff based only on their need to know (e.g. they are a co-instructor in the course, they are proctoring an exam, they are arranging for exam space, they are assisting you to identify a notetaker in the course). In such cases, disclose only the necessary information. For example:
 - A **course coordinator** proctoring your exam would only need to know the student's approved exam accommodation (e.g. 1.5 extended time and private room).
 - A **TA** who is providing [NAME OF OFFICE] with a list of the required books for the course only needs to know that the book list is needed, not which student the request is related to.
 - A **clinical supervisor** only needs to know the approved on-site accommodations, not why the student requires them.
 - It is acceptable to communicate an anticipated number of students with testing needs to faculty in other blocks to aid in test administration pre-planning.
- **Requesting specific information about a student's disability is inappropriate.** Instead, faculty should focus any inquiry on how a student's learning is impacted by their disability.
- **Requesting a letter from the student's physician is inappropriate.** The Accommodation Letter is all that is needed to justify the accommodation and supersedes any letter from the student's provider.
- **If a student voluntarily discloses the nature of their disability to you, even if it is obvious, do not disclose it to others.**
- **If a student tries to provide you with their primary disability documentation, refuse to read or accept it** and refer the student to [NAME OF OFFICE]. [NAME OF SCHOOL] has designated [NAME OF OFFICE] as the repository of all disability documentation for students with disabilities.

For further information about the University's expectations for maintaining security of information see:

SUGGEST A LINK TO FERPA AND HIPAA

Sample Confidentiality Policy for Students

The University recognizes that student disability records contain confidential information and are to be treated as such. Therefore, documentation of a student's disability is maintained in a confidential file in (name of office) and is considered part of the student's educational record.

The Family Educational Rights Privacy Act (FERPA) regulates disclosure of disability documentation and records maintained by SDS. Under this Federal act, prior written consent by the student is required before (name of office) may release disability documentation or records.

FERPA provides numerous exceptions to the general requirement to seek student consent prior to releasing personally identifiable information from educational records. One of the exceptions authorizes SDS to release information to any school official who has a "legitimate educational interest." Another exception is for health and safety emergencies.

Professors or other school officials, such as administrators assisting in coordination of accommodations, may request information about the *impact* of a student's disability on their ability to learn. In the interest of serving the needs of the student, the provision of services may also involve SDS staff disclosing disability information provided by the student to appropriate University personnel participating in the accommodation process. The amount of information that may be released is determined case by case, in the context of the service being coordinated. SDS seeks to preserve the student's wish to keep their disability information and status confidential. (Name of office) staff is extremely sensitive to this issue.

Reviewing and Obtaining Your Records

Under FERPA, students are also allowed to inspect and review their files maintained by SDS. Students have the right to challenge any information contained in the files that is incorrect, misleading, or not accurate and request an amendment to this misinformation.

Students may request a copy of their records, including requests for copies of disability documentation and accommodation letters at any time. (Name of office) asks that students make their requests in writing. This request can be made by email to (email of office). Please specify the preferred mode of receipt and applicable address or fax number in your request - materials can be sent by email, mail, fax, or a copy can be picked up in person. For more information about (Name of school) policies regarding FERPA, please see the [\(link to the FERPA policy for your school\)](#).

Sample Policy Audio Recording

Audio Recording Policy

For students who have been granted permission to make an audio recording of classes as a disability accommodation, including the use of Smartpens, the following policy applies:

In any class in which you plan to audio record the lecture, the faculty of record must be given a copy of your accommodation letter that states your need to record lectures prior to the first class meeting that you record.

Faculty members may express concern about the recording of sensitive data, such as patient information shared as part of a case study, or unpublished research data. If this happens, please contact SDS—typically a signed agreement promising that the recording will not be distributed and specifying how it will be protected from accidental disclosure can be arranged to satisfy concerns. Alternately, an agreement can be made that the recording will be stopped during sensitive conversations.

Audio recordings of class lectures are permitted for students as a disability accommodation. Recordings are not to be shared with other students, posted to any online forum, or otherwise disseminated in any way. Failure to adhere to this policy may result in the loss of recording privileges.

Be aware that, under California law, it is illegal to make audio recordings of others without their knowledge, though this doesn't apply where there is "no expectation of privacy," such as a lecture hall with posted signs warning that recording may take place there. However, recording small seminar classes, study groups, or other small group situations should not take place without the agreement of all parties in the room. In the case of small classes (such as seminars) where students might share information of a personal nature that they prefer *not* be recorded, you should ask the faculty member to inform the class (without revealing your identity) that recordings may take place.

Sample Grievance and Appeals Policy

Consistent with the spirit of the Americans with Disabilities Act (ADA), (insert school) determines disability accommodations through a deliberative and interactive process involving disability services professionals, appropriate members of the University community, and, of course, the individuals with disabilities themselves.

We recognize that there is the possibility of disagreement about the appropriateness of accommodations in any deliberative process. We also acknowledge that even with the best efforts of everyone involved with your service

delivery at (insert school name), a problem may occur. To this end, (insert name of office) recommends a range of options to resolve concerns about accommodation and eligibility decisions, services received, treatment by University staff and faculty, and University policies related to students with disabilities.

Occasionally a problem arises because of a misunderstanding or miscommunication; clarification can lead to a quick and effective solution. It is often best to discuss the issue with the person(s) most closely involved with the decision or incident first, and then go to the person's supervisor or department chair if a satisfactory resolution has not been provided. We strongly encourage you to let (name of office) know about any problems as soon as possible so that we can work together to solve the problem as quickly as possible.

Though attempts at internal resolution are always recommended first external means for resolution are available, and may be exercised at any time.

Throughout any of these procedures you should expect to be treated with respect, receive a timely response, have your issues dealt with in a confidential manner to the greatest extent possible, and should not fear any form of retaliation.

The University expects that you address any problems early, give clear and detailed information, and be respectful of those people who are working with you. If you wish to know more about your rights as a disabled person under Federal and State law and University policy, (name of office) can refer you to the appropriate entity. Disability-related law and University policy prohibit retaliation in any form against persons who file complaints.

Appeals of (name of office) Decisions

Students who wish to appeal a decision made by (name of office) must do so in writing, by submitting an appeals form ([link to form](#)). Appeals are considered by (insert name of individual who supervises the office). Completed Accommodation Appeal forms may be submitted by email or in person to (include information).

(Name of individual or office) will review the Accommodation Appeal Form and the student's file, then meet with the student to discuss their request. In order to reach a decision, s/he may also request additional documentation of a student's disability, request to consult with their treatment team or diagnostician, or consult with outside experts. The review process will be conducted as quickly as possible.

If a student disagrees with the appeal decision they may request a formal investigation by contacting the University's 504/ADA Compliance Officer:

- **Director Affirmative Action EEO & ADA Compliance (insert info)**

Appeals of Faculty/School Decisions

Occasionally, an accommodation initially recommended by SDS may not be considered feasible or appropriate for a specific course or program requirement, when the accommodation would result in a fundamental alteration of an essential aspect of the student's program. This decision would have been made through an interactive process involving the student, their program, and possibly outside experts.

If a student were to disagree with the outcome of such a decision, they are encouraged to consult informally with the (name of office) Director. If this does not resolve the concern, students may request a formal investigation by contacting the University's 504/ADA Compliance Officer:

- Director Affirmative Action EEO & ADA Compliance (insert name)

An individual who believes they have been discriminated against on the basis of their disability, or who feels that the University is out of compliance with their obligations to people with disabilities under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, as amended (ADA AA), is encouraged to work with (name of school) to resolve their concerns informally. In the event that such difficulties cannot be resolved informally, students can avail themselves of (name of school) formal grievance processes, or the external processes for resolution.

Informal resources for resolving grievances:

- Discuss with Director of (office)
 - Name/contact
- Discuss with the supervisor of that office:
 - Name/contact
- Discuss with the [Office of the Ombuds](#), (if you have one)

Formal means for resolving grievances:

Internal

- File a complaint with the University's Director of ADA Compliance
- Director Affirmative Action EEO & ADA Compliance (insert name/contact)
- File a grievance via the University's [Student Grievance Procedures](#)

External

- Seek resolution through the [Office of Civil Rights of the Federal Department of Education](#) (insert link to your local office)

Provide contact info for your local office

- Phone
 - Email
 - TTY
- Seek resolution through private legal means

UCSF policy on requesting and using accommodations for the School of Medicine can be found at:

<http://sds.ucsf.edu/Medicine>