

Trauma Nurse Specialist Course Nondiscrimination | Requests for Accommodations Policy and Procedure (Rev. 8-24)

The Trauma Nurse Specialist Program (Program) endorses the principle of equal opportunity and believes that all otherwise qualified students should receive a fair and unbiased opportunity to participate in the TNS class in compliance with all applicable laws, rules, and guidelines and in a manner consistent with our mission, standards, and duty to safeguard the public.

Students in the Program are considered on their individual merit and abilities. All students are treated equally and with respect. We do not discriminate on the basis of race, color, religion, sex, gender identity, sexual orientation, national or ethnic origin, age, marital status, protected veteran status, disability, or other protected classes under the law as long as the individual is otherwise qualified and able to competently perform all essential job functions and meets essential eligibility requirements for TNS licensure.

The Program is informed and guided by Title VI and VII of the Civil Rights Act of 1964 and Civil Rights Act of 1991; Title IX of the Education Amendments of 1972 published under the United States Code at 20 U.S.C. §1681-§1688); the Americans with Disabilities Act (ADA) of 1990; the Americans with Disabilities Act Amendments Act of 2008; and other federal laws or Illinois statutes which guarantee equal opportunity to qualified individuals and protected classes within our society.

Under the ADA, a public entity is prohibited from discriminating against qualified individuals with disabilities on the basis of disability in the granting of licenses or certification. A person is a "qualified individual with a disability" with respect to licensing or certification **if they can meet the essential eligibility requirements for receiving the license or certification** (see {35.104).

The phrase "**essential eligibility requirements**," is taken from the definitions in the regulations implementing section 504, so case law under section 504 is applicable to its interpretation. In *Southeastern Community College v. Davis*, 442 U.S. 397, the Supreme Court held that section 504 does not require an institution to "lower or effect substantial modifications of standards to accommodate a handicapped person," 442 U.S. at 413. Whether a particular job function requirement is "essential" is listed in the TNS Functional Job Analysis: Essential Skills, Abilities, and Aptitudes document. **All TNS students and those recommended for a TNS license must meet these qualifications.** Further eligibility requirements for TNS licensure are listed in the EMS Systems Act and Rules.

The Program is a fast paced and intensive course of study that requires rapid processing of information due to the special nature of emergency and trauma care work and **very limited accommodations are available to TNS students** as they **must fully demonstrate the ability to perform competently in class and during all assessments and examinations meeting the essential trauma nursing job functions in the same manner as required while on duty in a hospital and/or other emergency care setting.**

See: <https://www.eeoc.gov/disability-discrimination>

REQUESTING an ACCOMMODATION

Students with a diagnosed disability under the ADA (visual, sensory, auditory, physical, intellectual or learning, ADHD, psychological or other) who are otherwise qualified and able to competently perform all the essential functions of a TNS and meet the eligibility requirements for TNS licensure and practice may request an educational accommodation.

Educational accommodations are changes to the environment or equipment that help students with disabilities access content and complete tasks. They are designed to allow students to participate fully and have an equal opportunity to enjoy the same benefits as other students, while still meeting curriculum standards. Accommodations do not change what is being taught or expected outcomes for students, so the same grading scale is used for all students.

Contact the TNS Course Coordinator and submit documentation seeking an accommodation as early as possible to provide adequate time to review the request, resolve any documentation issues that may arise, and determine if the accommodation is reasonable and may be granted. No grades will be adjusted retroactively prior to when an accommodation was requested and approved.

The final decision as to **whether the requested accommodation is reasonable** for their site **rests with the TNS Course Coordinator.**

Each request will be reviewed on an individual basis and decisions are based on the following:

- Only students with disabilities who, with or without reasonable accommodations, meet the eligibility requirements for TNS licensure and practice are eligible for accommodations.
- Requested accommodations must be appropriate for the documented disability, not cause an “undue hardship” to the Program, and must **not** fundamentally alter the program’s instruction or standards, or the ability to assess the student’s ability to competently perform the essential job functions of a TNS.

DOCUMENTATION REQUIREMENTS

- Students seeking an accommodation must receive an examination and diagnosis of a disability or protected status by a healthcare practitioner. Professionals conducting assessments, rendering diagnoses of specific disabilities and/or making recommendations for accommodations must be qualified to do so.
- Documentation must include a comprehensive evaluation with objective evidence demonstrating the existence of a disability or protected status. The name, title and professional credentials of the qualified clinician must be clearly stated in the documentation. Documentation must be submitted on official letterhead, typed, dated, and signed. The professional diagnosis must include:
 - A valid, professionally recognized diagnosis of the student’s disability (e.g., pursuant to the Diagnostic and Statistical Manual of Mental Disorders (DSM V: revised)) by an appropriately qualified expert with copies of and reported scores from professionally recognized diagnostic tests, where applicable.
 - Documentation that clearly identifies the nature and extent of the functional limitations that exist as a result of the diagnosed disability or protected status. Sufficient evidence to demonstrate that the functional limitation substantially limits the individual in performing one or more major life activity.
 - Specific information about the significance of the impact the disability has on the candidate in the learning and testing environments.
 - Specific recommendations for accommodations and an explanation of why each accommodation is recommended and why it is necessary to alleviate the impact of the disability in the learning and measurement environments.
- All documentation submitted in support of a requested accommodation will be kept in confidence and will be disclosed to Program staff and consultants only to the extent necessary to evaluate and implement the accommodation. No information concerning an accommodation request will be released to third parties without written permission from the student.

Programs are not required to provide accommodations if they would cause "undue hardship"

Undue hardship is defined as an accommodation that is costly, extensive, disruptive, or fundamentally alters the business's nature or operation. When deciding if an accommodation would cause undue hardship, the Program will consider factors such as:

- The cost of the accommodation and the Program’s resources
- The nature and structure of the Program’s operation
- The impact of the accommodation on the Program’s operation
- The functional job analysis and essential eligibility requirements for TNS licensure and practice

Due to the nature of a TNS’ essential job functions and the environment in which they attend class and/or must work, and the staffing limitations of many TNS programs, the following are examples of **accommodations that may be considered UNreasonable:**

- Requests to limit and/or eliminating primary TNS essential functions or job responsibilities and/or seek significant changes to the job role
- If the accommodation is too complicated, costly, or cannot be met by the program
- Any request that would result in lowering Program standards
- Keeping a class position open indefinitely
- Reducing student hours
- Providing a note taker in class (detailed content outlines are provided)
- Providing a signer
- Providing an exam reader or interpreter

The TNS Program provides all instruction and administers all assessments and examinations in English as we must ensure that graduates are able to function competently and communicate effectively as a TNS within the general communities that we serve. We are unable to provide education in a student’s primary language if they are an English language learner or have limited English proficiency. We are unable to provide individual interpreters during class or examinations.

Text to talk software resources

- Learning Ally Audiobooks for dyslexia and learning disabilities: www.learningally.org
 - Google translate <https://translate.google.com>
 - Speechify:
https://speechify.com/?utm_source=google&utm_medium=cpc&utm_content=&placement=&utm_term=|&utm_campaign=PMax3824&gad_source=1&gclid=EAlaQobChMIgemktrKhiAMV TzEIBR0f2AZbEAAAYASAAEgL4jPD_BwE
 - Amazon Polly <https://aws.amazon.com/polly/>
 - Amazon Translate <https://aws.amazon.com/translate/?p=ft&c=ml&z=3>
- **Requested accommodations for the summative exams** must not fundamentally alter an examination's ability to assess the essential functions of a TNS, which the tests are designed to measure. Examples include reducing the number of exam questions or the required depth, breadth, or psychomotor competencies required for successful testing; open book testing and/or reliance on notes or other resources; private room for testing with personal exam proctor; or computer enabled testing. No additional time may be allowed for the timed practical exam due to assessment and resuscitation expectation of the TNS role.
 - **Emotional support animals** are generally not allowed in the classroom or testing environments.

Generally approved accommodations:

- Students may use their own amplifying stethoscopes for lab and practical exams.
- Courses materials sent electronically or posted online shall be in an accessible format using Microsoft Suite or Google doc products.
- Materials passed out in paper format (except the final cognitive exam) shall be available in accessible electronic or alternate formats at the same time or prior to when they are given to the class as a whole.
- In face-to-face classes, students may be granted **preferred seating** near to where AV images are projected or faculty members are standing to optimize their ability to see and hear presentations.
- It is generally agreed that cognitive exam candidates with approved documentation verifying a reading disability may be given **additional time for written testing** not to exceed 1.5 minutes per question. (Usual allowance: 1 minute/question or 2.5 hours to take a 150-question test.)
- **Participation accommodations:** If students have a condition that suppresses their immune system or poses a risk to other students, they may wear required PPE in class or exams. Work with the TNSCC to determine the nature and provider of the PPE. They may be temporarily exempted from group work, labs, or face-to-face classes/testing and/or may be allowed physical distancing from others within the confines of the classroom as available. Online academic presentations and practical testing may be available. Online final cognitive (written) exam testing is not available.
- A student with a disability who uses a **service animal** may generally bring the animal to the same areas within the hospital or classroom where the individual (public) may go as long as the animal is under the handler's control. Titles II and III of the ADA define a service animal as any dog or miniature horse individually trained to do work or perform tasks for an individual with a disability. Individual Program policies apply. The Program may ask (1) is the dog or miniature horse is a service animal required because of a disability? and (2) what work or task has the animal been trained to perform? Staff are not allowed to request documentation about the training or certification of a service animal, require the animal to wear an identifying vest or tag, or require that the animal demonstrate its task. The TNSCC may require proof that a service animal has received any vaccinations required by state or local laws that apply to all animals. The person with the service animal may be charged for damages caused by the animal.
- Under Title IX, Institutions must treat **pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery** from these conditions the same as any other temporary disability. If a student is experiencing a high-risk pregnancy or other health concern related to pregnancy, the ADA Accommodation process is the appropriate avenue to seek remedy. Students are encouraged to collaborate with the TNSCC to develop a plan that addresses their evolving needs during pregnancy, minimizes the academic impact of absences, and facilitates a smooth return and completion of course requirements.

Resources:

- BCEN. (2023). Non-discrimination and exam accommodations policy. Accessed online: https://bcen.org/wp-content/uploads/2022/11/3.6-Non-discrimination-and-Exam-Accommodations_2023.pdf
- National Registry of EMTs. (2024) ADA Accommodations Policy. <https://www.nremt.org/Policies/Examination-Policies/ADA-Accommodations> .

Comparison of Services: High school and Post-Secondary/Specialty Credential/Collegiate levels

Assistive services in post-secondary education will look different than what you may have experienced in the past. The table below explains the differences.

| High School | Post-High School |
|--|---|
| <p>Services are provided under the Individuals with Disabilities Education Act (IDEA) in the form of an Individualized Education Program (IEP) or Section 504 of the Rehabilitation Act of 1973 and serve students ages 3-21. https://daillinois.org/ieps-vs-504-plans/#:~:text=A%20504%20Plan%20is%20a,need%20through%20a%20504%20Plan.</p> | <p>An IEP or 504 do not necessarily carry over into college or other postsecondary education programs. Some colleges, universities, and other postsecondary programs will accept an IEP or 504 Plan up to the age of 21 as proof of a disability to provide accommodations, but it varies from institution to institution. Accommodations are generally provided under the ADA.</p> |
| <p>Parents or legal decision makers for a minor are actively involved in the planning and decision-making process.</p> | <p>The student is considered an adult and must advocate for themselves. Parent involvement is limited or does not apply.</p> |
| <p>School districts are responsible for identifying and evaluating disability at no cost to the student or family</p> | <p>Student must self-identify and provide appropriate current documentation based on the education Program's requirements. The Program is not responsible for payment for an evaluation.</p> |
| <p>Parents or legal decision-maker signs documents for student.</p> | <p>Student signs all documents.</p> |
| <p>High school personnel have the responsibility to try to modify inappropriate behavioral caused by the disability</p> | <p>Student is responsible for their own behavior; inappropriate behavior is not tolerated.</p> |
| <p>Tests and questions are often modified or shortened</p> | <p>Program provides equal access, not modifications</p> |
| <p>Special education personnel inform teachers about a student's accommodation needs</p> | <p>Students need to talk with their instructors about accommodation needs (TNS CC)</p> |
| <p>Student is scheduled to see resource personnel on a routine basis</p> | <p>Student must initiate requests to discuss accommodations</p> |

Adapted from: [Disability Support Services Orientation - Anne Arundel Community College \(aacc.edu\)](https://www.aacc.edu/disability-support-services-orientation)