

# The University of Kansas Medical Center

Equal Opportunity Office

## **INFORMATION NEEDED TO ESTABLISH THE PRESENCE OF A “COVERED DISABILITY” AND THE NEED FOR REASONABLE ACCOMMODATION**

According to the Americans with Disabilities Act of 1990, the Americans with Disabilities Act Amendments Act of 2008 and the Federal Rehabilitation Act of 1973, a disability is defined as

- ❖ a physical or mental impairment that substantially limits one or more major life activities and/or major bodily functions,
- ❖ a record of such an impairment, or
- ❖ being regarded as having such an impairment.

The nature and severity of the impairment, the duration, or expected duration of the impairment and the permanent or long term impact, or expected impact are factors that are considered in determining whether the impairment substantially limits a major life activity and/or major bodily function.

Major life activities include activities such as caring for one’s self, seeing, hearing, walking, breathing, speaking, learning, working, concentrating and thinking.

Major bodily functions include the operation of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.

The medical condition must rise to the level of substantially limiting one or more of these major life activities as compared to that of the average individual in the general population in order for it to be considered a “covered disability.” Physical conditions must prevent or restrict the performance of tasks “that are of central importance to most people’s daily lives.” This includes activities such as “performing household chores, bathing and brushing one’s teeth.”

A person is not considered substantially limited in working if he/she is significantly restricted in performing only a particular job. To be substantially limited in working the individual is significantly restricted in the ability to perform either a class of jobs or a broad range of jobs.

This determination of the medical condition being a “covered disability” must be made before

- ❖ the individual is afforded protection from discrimination on the basis of disability and
- ❖ the determination is made if the individual is “otherwise qualified” – an individual who, with or without reasonable accommodation, can perform the essential functions of the job held or desired or the technical standards of the academic program
- ❖ consideration is given to any “reasonable accommodation(s)” that might allow the individual to perform the essential functions of his/her job or to meet the technical standards of his/her academic program

**In order to establish eligibility for accommodations and services due to a disability, the following information must be provided for review:**

- **Request for Accommodation form completed**
- **report written by an appropriate evaluator**
- **diagnosis with date of initial identification, date of current evaluation, current treatment, restrictions with expected duration of each, prognosis or expected future status**
- **impairments resulting from the diagnosis**
- **functional impact, level of impact, especially for job or academic related functions**
- **recommendations of needed accommodations**
- **medications, if any, and impact on job or academic functioning including attendance, expected duration of prescriptions, known side effects related to job or academic functioning, if any, including level of impact**
- **general comments from evaluator are welcome**

**For additional information or inquiries, contact Carol Wagner, EO/ Disability Specialist, Equal Opportunity Office, 1040 Wescoe, [cwagner@kumc.edu](mailto:cwagner@kumc.edu) (913) 588-7813, TDD (913) 588-7963**

**revised 6//09**