

NURSING STUDENT, DISABLED, SUES CCAC AFTER FAILING

PAULA REED WARD

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ABSTRACT

According to the lawsuit, Ms. Borman enrolled in CCAC's nursing program in 2008, and during her third semester in October 2009, had a stroke. Because of complications, she was forced to stop attending classes through the rest of that school year while she attended physical therapy and bio-feedback treatments, the lawsuit said.

FULL TEXT

A Bethel Park woman is suing Community College of Allegheny County, alleging that a school staff member discriminated against her after she had a stroke.

Sally Borman, 51, who filed the complaint in Allegheny County Common Pleas Court, includes claims for violating the Americans with Disabilities Act, as well as breach of contract.

David Hoovler, a spokesman for the school, said he could not comment on pending litigation.

According to the lawsuit, Ms. Borman enrolled in CCAC's nursing program in 2008, and during her third semester in October 2009, had a stroke.

Because of complications, she was forced to stop attending classes through the rest of that school year while she attended physical therapy and bio-feedback treatments, the lawsuit said. Ms. Borman resumed her education in the fall of 2010 on a limited basis, and in the summer of 2011 resumed full time. She was on track to graduate in spring 2012.

Although she was returning to the program, said Joseph Luvara, the attorney representing her, Ms. Borman was left with physical limitations in her right hand and leg.

"If anything, it would require a bare minimum of accommodation," he said.

During her last semester, in spring 2012, Ms. Borman began her required clinical, in which she was to work hands-on with nurses in a hospital.

Her clinical was at UPMC McKeesport and was run, the lawsuit said, by Nora Evans, an instructor for CCAC. Before beginning her assignment, Ms. Borman obtained a letter from CCAC's Supportive Services Department regarding her disability, and gave it to Ms. Evans on her first day.

The complaint said that Ms. Evans "promptly dismissed [it], stating, "that [the letter] doesn't mean anything to me.' "

Later that day, Ms. Evans "forced plaintiff to push the nursing cart, despite the presence of other members of the clinical, none of whom were disabled and none of whom were made to push the cart."

About a month later, on Feb. 16, the lawsuit said that Ms. Evans told Ms. Borman, " 'I'm not going to pass you. I just wanted you to see how difficult this [the clinical] would be for you to do.' "

On March 3, the complaint continued, Ms. Evans told the woman that the clinical was not required to adapt "for anyone with a disability."

Later that month, Ms. Borman claims that Ms. Evans would not allow her to work in the emergency room even though all the other students did a rotation there. On March 15, Ms. Evans refused to let Ms. Borman use a one-handed blood pressure cuff, even though, the lawsuit contends, it is an accepted piece of medical equipment. A week later, the instructor refused to allow Ms. Borman to draw medication from a vial with a syringe, even though she had successfully done so in the past.

The clinical ended on March 25, and six days later, Ms. Borman was notified that she had failed, "despite having successfully met all of the requirements of a passing grade," the complaint said.

Ms. Borman attempted to appeal the grade through a procedure listed in CCAC's student handbook, only to be told, the lawsuit said, that only the instructor of a course may modify a grade.

"She just feels really wronged," Mr. Luvara said.

DETAILS

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