Policy Manual

Title: Substitution for Program and Graduation Requirements for Eligible Students with Disabilities


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GENERAL STATEMENT

The College will provide reasonable substitutions for eligible students with disabilities within the terms and intent of this policy. Factors such as accreditation standards, licensure or certification requirements, the significance of particular requirements to the program, and the availability of alternative means of achieving the purpose of the requirement are important considerations in the determination whether reasonable substitutions are available or whether a substitution would constitute a fundamental alteration in the nature of a program. All substitution requests for program/graduation requirements shall be considered on a case-by-case basis.

POLICY AND THE STUDENT

Eligibility for Substitutions. Per the Americans with Disabilities Act as amended 2008, Section 504 of the Rehabilitation Act of 1973, and Florida State Board of Education Administrative Rules, Chapter 6A-10.041, any person who has a documented disability shall be eligible for reasonable substitution for any requirement for graduation. College policy 6Hx2-5.09 describes the role of the Office of Disability Services for students. Documentation to show that the person’s failure to meet the requirement is related to the disability and where the failure to meet the graduation requirement or program admission requirement will not constitute a fundamental alteration in the nature of the program must be provided. For purposes of this policy, the terms deaf/hard of hearing, visual impairment, specific learning disability, orthopedic impairment, speech/language impairment, emotional or behavioral disability, autism spectrum disorder, traumatic brain injury, and other health impairment shall be defined in the manner set forth in Florida State Board of Education Administrative Rules, Chapter 6A-10.041, as the rule may be amended, supplemented, or replaced from time to time.

In determining whether to grant a substitution, the College will establish mechanisms to inform eligible students with disabilities how to seek accommodations and provide documentation to substantiate that the disability can be reasonably expected to prevent the individual from meeting requirements for, admission to a program of study, entry to upper division, or graduation.

As an Equal Access/Equal Opportunity institution, the College publishes information for students regarding the Office of Disability Services and how they may seek accommodations in the college catalog, student handbook, college policy 6Hx2-5.09 and the college website. Each substitution request is handled on an individual basis. Students should refer to college procedure 6Hx2-4.09 for criteria on securing reasonable substitutions for criteria for admission to a program of study, entry to upper division, or graduation related to each disability.

Students who qualify for a course substitution may be exempt from the college preparatory requirements, as provided in State Board Rule 6A-10.0315, F.A.C., in the basic skill area for which the student is eligible for a course substitution, provided that successful completion of the college preparatory coursework is not considered an essential part of the curriculum in the student’s academic program.

Admissions. The College provides equal access for admission to the institution for both disabled and nondisabled students. For admissions to a bachelor program or a limited access program, the College will not grant a substitution that alters the nature of the program. Some programs establish external affiliations with organizations, such as hospitals or medical/dental offices, to provide important specialized training; in some instances, reasonable substitutions for admission to a program and for such academic requirements may not be available. The granting of a substitution may not be construed as a representation that the substitution will meet the requirements of any testing, licensing, or certificating organization.

POLICY AND THE FACULTY AND STAFF

Articulation with Other State Institutions. The College shall accept all substitutions for particular students with disabilities which were previously granted by other accredited state postsecondary institutions in Florida in lower and upper division programs.

Compliance with Accreditation Standards. No substitution, which would constitute a violation of any requirement by an accrediting organization, shall be granted or accepted pursuant to this policy.

History: Issued as Policy 4.11 (Students with Disabilities) on September 17, 1991; revised, re-titled, and re-numbered on April 16, 1997; revised on June 27, 2001, revised on September 25, 2012.

Approved by the Board of Trustees Date 09/25/2012
President’s Signature Date 09/25/2012
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IMPLEMENTATION AND OVERSIGHT
Committee and Procedures. The President is authorized to appoint one or more committees and to establish procedures to implement this policy in a manner consistent with the intent of this policy and with all provisions of Florida and Federal laws. Procedure 6Hx2-4.09 outlines the student submission and appeal processes, membership and required steps of the Admissions and Program Substitution Committees and student notification and recordkeeping requirements.

Appeal Process. The College Provost and Senior Vice President for Academics and Student Success is responsible for the implementation and oversight compliance of this policy.

- Students who wish to grieve a decision of the Office of Disability Services relative to an admissions decision may appeal in writing or another appropriate means to accommodate their disability to the Academic Standards Committee in accordance with BC Policy and Procedure 6Hx2-5.28. The Academic Standards Committee shall make recommendations to the Vice President for Student Affairs and Enrollment Management and will notify the student in writing of the decision within 10 business days of the Academic Standards Committee meeting.

- For course substitution appeals, students should refer to BC Policy 6Hx2-4.01.

The Office of Civil Rights (OCR) has enforcement responsibilities under Section 504 of the Rehabilitation Act of 1973 as amended, and Title II of the Americans with Disabilities Act of 1990, as amended which prohibit discrimination on the basis of disability. If a student has a complaint against the institution relative to the application of this law, the students may also file a complaint to the College’s Equity Officer per policy 6Hx2-3.34 before contacting OCR.

VIOLATION OF THE POLICY
Committee members, staff and non-represented faculty who violate this policy will be subject to discipline up to and including termination.

Full-time Faculty will be subject to disciplinary action up to and including termination, as outlined in the Collective Bargaining Agreement between the Board of Trustees of Broward College and the United Faculty of Florida, Broward College Chapter.

DEFINITION
Student with a disability - any student who is documented as having an intellectual disability; a hearing impairment, including deafness; a speech or language impairment; a visual impairment, including blindness; an emotional or behavioral disability; an orthopedic or other health impairment; an autism spectrum disorder; a traumatic brain injury; or a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia per 1007.02 F.S.

Deaf/Hard of Hearing - A hearing loss of thirty (30) decibels or greater, pure tone average of 500, 1000, 2000, and 4000 (Hz), unaided, in the better ear. Examples include, but are not limited to, conductive hearing impairment or deafness, sensorineural hearing impairment or deafness, and high or low tone hearing loss or deafness, and acoustic trauma hearing loss or deafness.

Visual Impairment - Disorders in the structure and function of the eye as manifested by at least one of the following: visual acuity of 20/70 or less in the better eye after the best possible correction, a peripheral field so constricted that it affects one’s ability to function in an educational setting, or a progressive loss of vision which may affect one’s ability to function in an educational setting. Examples include, but are not limited to, cataracts, glaucoma, nystagmus, retinal detachment, retinitis pigmentosa, and strabismus.

Specific Learning Disability - A disorder in one or more of the basic psychological or neurological processes involved in understanding or in using spoken or written language. Disorders may be manifested in listening, thinking, reading, writing, spelling, or performing arithmetic calculations. Examples include dyslexia, dysgraphia, dysphasia, dyscalculia, and other specific learning disabilities in the basic psychological or neurological processes. Such disorders do not include learning problems which are due primarily to visual, hearing, or motor handicaps, to mental retardation, to emotional disturbance, or to an environmental deprivation.

Orthopedic Impairment - A disorder of the musculoskeletal, connective tissue disorders, and neuromuscular system. Examples

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include but are not limited to cerebral palsy, absence of some body member, clubfoot, nerve damage to the hand and arm, cardiovascular aneurysm (CVA), head injury and spinal cord injury, arthritis and rheumatism, epilepsy, intracranial hemorrhage, embolism, thrombosis (stroke), poliomyelitis, multiple sclerosis, Parkinson’s disease, congenital malformation of brain cellular tissue, and physical disorders pertaining to muscles and nerves, usually as a result of disease or birth defect, including but not limited to muscular dystrophy and congenital muscle disorders.

**Speech/Language Impairment** - Disorders of language, articulation, fluency, or voice which interfere with communication, pre-academic or academic learning, vocational training, or social adjustment. Examples include, but are not limited to, cleft lip and/or palate with speech impairment, stammering, stuttering, laryngectomy, and aphasia.

**Emotional or Behavioral Disability** - Any mental or psychological disorder including but not limited to organic brain syndrome, emotional or mental illness, or attention deficit disorders.

**Autism Spectrum Disorder** - Disorders characterized by an uneven developmental profile and a pattern of qualitative impairments in social interaction, communication, and the presence of restricted repetitive, and/or stereotyped patterns of behavior, interests, or activities. These characteristics may manifest in a variety of combinations and range from mild to severe.

**Traumatic Brain Injury** - An injury to the brain, not of a degenerative or congenital nature but caused by an external force, that may produce a diminished or altered state of consciousness, which results in impairment of cognitive ability and/or physical functioning.

**Other Health Impairment** - Any disability not identified in paragraphs (1)(a) through (h) of this rule, except those students who have been documented as having an intellectual disability, deemed by a disability professional to make completion of the requirement impossible.

### History
Issued as Policy 4.11 *(Students with Disabilities)* on September 17, 1991; revised, re-titled, and re-numbered on April 16, 1997; revised on June 27, 2001, revised on September 25, 2012.