

<b>FLORIDA</b>	<b>OFFICIAL</b>
<b>POLYTECHNIC</b>	<b>UNIVERSITY</b>
<b>UNIVERSITY</b>	<b>POLICY</b>

<b>Subject/Title:</b> Student Requests for Disability Services
<b>FPU Policy Number:</b> FPU-3.0041AP
<input type="checkbox"/> New Policy <input checked="" type="checkbox"/> Major Revision of Policy <input type="checkbox"/> Minor Technical Revision of Policy
<b>Date First Adopted:</b> 10-22-15
<b>Date Revised:</b> 4-11-19
<b>Responsible Division/Department:</b> Academic Affairs
<b>Initiating Authority:</b> Terrance Parker, Executive Vice President of Academic Affairs and Provost

**A. APPLICABILITY/ACCOUNTABILITY:**

This applies to all students of Florida Polytechnic University (the “University”).

**B. POLICY STATEMENT:**

The University is committed to ensuring equal access to all educational opportunities. The Americans with Disabilities Act of 1990 (ADA) Title II, as amended by the ADA Amendments Act of 2008, Section 504 and Section 508 of the Rehabilitation Act of 1973, Title VI and VII of the Civil Rights Act of 1964, and all other federal and state laws and regulations prohibits such discrimination on the basis of disability. No qualified individual with a disability, shall, by reason of such disability, be excluded from participation in or be denied the benefits of any services, program or activity of the University, or be subjected to discrimination, as provided by law.

The University, through the Office of Disability Services (“ODS”), facilitates reasonable accommodations for students with disabilities so that such students can participate and enjoy the benefits and privileges of University programs, services and activities. Reasonable accommodations may include academic adjustments, auxiliary aids, and reasonable modifications as long as such modifications do not fundamentally alter the nature of a service, course, program or activity or would result in undue financial or administrative burdens.

If a student wishes to receive an accommodation, the student must self-identify, register with the ODS as the first point of contact, and follow the procedures for an accommodation request and assessment. It is the student’s responsibility to submit the Accommodation Request Form to ODS or to request a specific service from ODS in a timely manner. Registration with ODS is only required once but students must request accommodations each semester during which they want to use them.

**C. PROCEDURES:**

**1. Self-Identification.** It is the student’s responsibility to self-identify as a student with disabilities and register with ODS. To register with ODS:

- a. The student must submit an Accommodation Request Form
- b. The student should submit supporting materials including medical documentation from an appropriately licensed professional containing information about the

student's disability/condition, any ameliorating conditions (e.g. medication), the functional impact of the disability/condition(s) in an academic setting, and the need for an accommodation.

## **2. Accommodation Request and Assessment**

- a. Initial Individualized Assessment. Students who complete an Accommodation Request Form will have an initial individualized assessment which is an interactive process that determines whether the student has a disability that entitles them to an accommodation.
  - i) Initial Individualized Assessment will include a student intake interview where the student provides information on their academic experience and any other pertinent information.
  - ii) The Initial Individualized Assessment will involve ODS consideration of the following:
    1. The student's documented skills and demonstrated abilities
    2. The manifestations of his/her disability
    3. A careful, thoughtful and rational view of the course and program requirements
    4. The impact the accommodations in question would have on the course or program
  
- b. Accommodation Renewal. ODS accommodations must be requested each semester in which a qualified student wants to use accommodations. ODS will engage in an individualized assessment that involves a consideration of:
  - i) If the student has received accommodations in prior semesters, the information surrounding these accommodations will be considered as accommodations for the new semester are determined
  - ii) The student's documented skills and demonstrated abilities
  - iii) The manifestations of his/her disability
  - iv) A careful, thoughtful and rational view of the course and program requirements
  - v) The impact the accommodations in question would have on the course or program
  - vi) If the student has received accommodations in prior semesters, the information surrounding these accommodations will be considered as accommodations for the new semester are determined.
  
- c. Self-Advocacy
  - i) Parents or other third party may not request accommodations and/or services on behalf of the student. The student must request services and accommodations, as well as any updates or changes to accommodations.
  - ii) ODS needs to have open, direct communication directly with the student.

iii) It is the student's responsibility to adhere to the ODS procedures and to actively participate in the process.

d. Deliberative Process. The deliberative process is an extension of the individualized assessment, and will be used in cases where the requested accommodations require a thoughtful and rational review of the impact that a requested accommodation may have on a course or program, academic requirement or technical standard. The deliberative process will be used to review a requested accommodation that could be considered to fundamentally alter a core learning outcome(s) that all students must demonstrate, with or without using accommodations, which are part of a larger, interconnected curriculum related to a program or degree (essential requirement). The purpose of the deliberative process is to determine if a requested accommodation does inappropriately alter a core learning outcome. The following deliberative process is to be followed:

i) The Office of Disability Services initiates the process upon:

1. Student request
2. Instructor/department/program request

ii) Deliberative process participants are:

1. The Department chair of the student's major, if the student has not declared a major, the division director for Science, Arts, and Mathematics
2. Instructors affected by the request
3. ODS staff
4. Other administrators deemed appropriate to determine the reasonableness of the request and any possible alternative solutions, if needed

iii) The student is informed of the deliberative process meeting date and time, and is invited to address the committee with information on their academic experience and any other pertinent information.

1. Parents or other third party may not address the committee on behalf of the student.
2. It is the student's responsibility to actively participate in the deliberative process.

iv) ODS leads the deliberative process and uses the process to determine the final decision regarding the accommodation.

v) The deliberative process will

1. Review the essential requirements of the course and/or program
2. Conscientiously seek suitable means to reasonably accommodate the student
3. Determine whether a requested accommodation would result in a fundamental alteration of the course or program, based on an individualized assessment of the course or program.

vi) ODS notifies the student of the decision regarding the request for accommodation.

### **3. Student Eligibility for Disability Services**

- a. Student Not Eligible for Disability Services. If ODS determines that the student is not a qualified individual with a disability, ODS will inform the student and provide written notice of such determination to the student's University email account that explains the reason for the decision and how the student can appeal.
- b. Additional Documentation Needed. If the ODS determines that the documentation the student provided is insufficient, or that more documentation is needed, ODS will notify the student by email to the student's University email account and the student must obtain and provide the additional documentation to ODS for determinations of eligibility.
- c. Additional Assessment. If additional assessment is needed to determine functional impact of the disabling condition in an academic setting, the assessment is at the student's expense.
- d. Provisional Services. For acute circumstances, ODS may make provisional services available, limited to one semester. For purposes of ODS provisional services, summer term is considered a semester.
- e. Eligible Student. If ODS determines that the student, when they register with ODS, is an individual with disability and the need for accommodations has been requested, ODS will inform the student of their approved accommodation(s) at a face-to-face meeting and followed up by an email through an Accommodation Letter.
- f. Accommodation Letter. The Accommodation Letter will specifically state the accommodations available to the student. ODS may partially or completely approve or deny requests for reasonable accommodations. An accommodation letter may be changed by ODS after approval based on newly discovered significant information.
- g. Implementation of Accommodations. Approved accommodations may be implemented in different manners as to the nature of the course or other circumstances.
- h. Review of Accommodations. Approved accommodations may be reviewed to ensure the accommodations remain effective and appropriate.

#### **4. Student Responsibilities**

- a. It is the student's responsibility to request academic accommodations, to adhere to the institution's accommodation procedures and to actively participate in the process.
- b. Students are responsible for informing ODS regarding any changes in their condition or needs.
- c. Students are responsible for informing ODS of any issues with accommodations or campus accessibility.

- d. Students are responsible for requesting Accommodation Letter at the beginning of each semester.
- e. Students are responsible for handing the Accommodation Letter to their professors each semester.
- f. Students should normally provide this letter to their Professor within three weeks of the beginning of the semester; in all instances, a student must provide a faculty member with at minimum one week to arrange to accommodate their disability.
- g. Students are encouraged to use their Accommodation Letter as an opportunity to self-advocate.
- h. The student must maintain direct interactions with ODS.

**5. Appeal of a Denial of Eligibility or Requested Accommodation**

- a. The Provost is responsible for overseeing the appeal process. The Provost may designate the individual that oversees the appeal process. No person may decide an appeal if he or she participated in the determination that is being appealed.
- b. Appeal deadline. A student may appeal a denial of eligibility or requested accommodation to the Office of the Provost. Such appeals must be in writing and must be received by the Office of the Provost no later than five (5) business days after the date of the determination that the student is appealing was sent.
- c. Basis of Appeal. The student may appeal a denial of eligibility or requested accommodation based on the following:
  - i) ODS determination of student eligibility and accommodations was not properly conducted. The purpose of the appeal will be to determine whether the process for reviewing and assessing the student's determination of eligibility for ODS services and accommodations was conducted fairly and in conformity with prescribed procedures. Information to be Reviewed on Appeal.
  - ii) New, relevant information that was not available when the Request for Accommodations was originally submitted is now available.
- d. Information to be Reviewed on Appeal. An appeal is limited to a review of the Accommodation Request Form, supporting materials submitted, notes from the interactive process, and individualized assessment and deliberative process. Provost's Decision. The Provost, or designee, carefully reviews the appeal and determines whether to uphold the determination of Student Eligibility for ODS Services and/or accommodations and sends written notification of such decision to the student within five (5) business days of receiving the appeal.

- e. Appeal Denied. If the result of the appeal is to uphold the original determination, the matter is final and binding.
- f. Appeal Granted. If the result of the appeal is to not uphold the original determination, the ODS will re-initiate the Individualized Assessment (see Section C.2.a. above) with the student within five (5) business days of the Provost’s decision.
  - i) If the appeal is based on a deliberative process decision, ODS will reconvene the persons involved with the interactive and deliberative process within five (5) business days to review their process and decision. The deliberative process committee will provide a final and binding decision within ten (10) business days.

ACADEMIC POLICY APPROVAL	
Policy No.: 3.0041AP	
Initiating Authority	Date
Academic Policies Committee Chair	Date
Vice President of Academic Affairs	Date
President/Designee	Date
Approved by FPU BOT, if required	Date

**EXECUTED SIGNATURE PAGES ARE AVAILABLE IN THE  
OFFICE OF THE GENERAL COUNSEL**