**Policy Manual**

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<tr>
<th>Title: Disabilities Services and Academic Accommodations for Students</th>
<th>Number: 6Hx2-5.09</th>
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### GENERAL STATEMENT

Broward College (the “College”) complies with the Americans with Disabilities Act of 1990 (ADA) that governs accessibility standards for disabled students as defined under the Americans with Disabilities Act of 1990 as amended, (ADA) and Section 504 of the Rehabilitation Act of 1973. Section 504 defines an "individual with disability" as any person who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment. Section 504 provides that: "No otherwise qualified individual with handicaps in the United States . . . shall, solely by reason of her or his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance...."

Federal disability laws guarantee students an equal opportunity to participate, but these laws do not guarantee that students will achieve a particular outcome, for example, good grades. Students with disabilities are, in general, expected to be responsible for their own academic programs and progress in the same ways that nondisabled students are responsible for them.

The College sets its own requirements for documentation as allowed in Section 504 and Title II, and as outlined in the procedure to this policy. The College may delay or deny services if the diagnosis or the documentation is unclear. Students should not expect that the documentation guidelines at BC are necessarily the same as those accepted at other prior institutions attended, either in the secondary or post-secondary levels.

**Academic Accommodations:** The College is not required to provide an academic accommodation that would alter or waive essential academic requirements, nor is it required to make every academic adjustment requested. BC also does not have to provide an academic accommodation that would fundamentally alter the nature of a service, program or activity.

Students who wait until after completing a course or activity or receiving a poor grade to request services should not expect the grade to be changed or to be able to retake the course or activity; no refunds will be allowed under these circumstances.

### THE POLICY AND THE STUDENT

Students in institutions of postsecondary education are responsible for notifying the Disability Services Office staff of their disability should they need academic adjustments. Student must also provide documentation to the Disability Services staff that supports a disability that is an impairment that substantially limits a major life activity, and that supports the need for an academic adjustment. The documentation should be current within three years and identify how the student’s ability to function is limited as a result of her or his disability. The

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**History:** Revised as Policy 5.17 (*Service to Handicapped*) on December 16, 1986; revised, re-titled, and re-numbered on July 23, 1997; revised on August 29, 2001, revised August 26, 2008, revised October 25, 2011.

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The purpose of the documentation is to establish a disability in order to help the College work interactively with the student to identify appropriate services. The information must adequately document the existence of a current disability and need for an academic adjustment.

Students are responsible for requesting accommodations through the Office of Disability Services by providing documentation that meets the guidelines of the College prior to the beginning of each term or at a minimum prior to the start of the class with a requested academic accommodation. The College reserves the right to require additional documentation to clarify any information supplied by the student. Once a student’s documentation is accepted and the accommodation is determined and documented, it is the student’s responsibility to communicate with the faculty prior to the start of class and in a manner that optimizes their privacy. The College considers any accommodation requested by students made after the start of class as altering the nature of its services, programs and academic standards of the course. Students should weigh their options and consider alternatives, including but not limited to taking the course at a later session or term.

THE POLICY AND THE FACULTY AND STAFF

Faculty and staff are required to comply with Federal guidelines. The information a student shares with faculty about her/his disability is confidential information and must be treated as such. Faculty should not discuss a student’s personal circumstances in front of class or in a non-confidential setting.

The faculty are required to provide the academic accommodations provided to them in writing by the student, as determined by the Disability Services Adviser, including but not limited to, extended time a student with a disability is allotted to take tests, but are not required to change the substantive content of the tests or academic requirements for the course. The Faculty has no obligation to provide academic accommodations to the student who waits until after completing a course or activity or receiving a poor grade to request services or academic accommodations. Faculty are not obligated to change a grade.

Disability Services Advisers evaluate documentation, work with students to determine appropriate services, prepare and provide students with accommodation letters, assist students and faculty in arranging services, coordinating testing modifications, advise and assist students in completing educational plans, assist the students with registration or completing the FAFSA, and help students deal with problems as they arise. Disability services advisers also provide faculty members with accommodation letters for each student with approved accommodations prior to the start of the class.

History: Revised as Policy 5.17 (Service to Handicapped) on December 16, 1986; revised, re-titled, and re-numbered on July 23, 1997; revised on August 29, 2001, revised August 26, 2008, revised October 25, 2011.

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IMPLEMENTATION AND OVERSIGHT
The Vice President for Student Affairs and Enrollment Management is responsible for the implementation and oversight of policy compliance for the institution. Students who wish to grieve a decision of the Office of Disability Services relative to an accommodation 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. For course substitutions, students should refer to BC Policy 6Hx2-4.01. 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.

The Office of Civil Rights (OCR) has enforcement responsibilities under Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, and Title II of the Americans with Disabilities Act of 1990, as amended, (Title II), 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 have their case heard by OCR.

VIOLATION OF POLICY
Institutions that receive Federal Title IV Financial Aid are required to comply with Section 504 of the ADA and the provisions therein. The institution may be subject to sanctions for failure to comply with this law.

Students who falsify information or otherwise violate this policy are subject to disciplinary action in accordance with College Policy 6Hx2-5.02 – Student Code of Conduct, up to an including expulsion from the College.

Non-represented faculty who fail to comply with required accommodations or otherwise violate this policy are subject to disciplinary action up to and including termination.

Full-time Faculty who fail to comply with required accommodations or otherwise violate this policy are 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.

Staff who fail to follow the policy and procedures as outlined for providing information and services to students and faculty in accordance with the guidelines set forth in this policy will be subject to disciplinary action, up to and including termination.

History: Revised as Policy 5.17 (Service to Handicapped) on December 16, 1986; revised, re-titled, and re-numbered on July 23, 1997; revised on August 29, 2001, revised August 26, 2008, revised October 25, 2011.
DEFINITIONS
Disability – According to the Americans with Disability Act, as amended the term “disability” means, with respect to an individual that:

(A) A physical or mental impairment that substantially limits one or more of the major life activities of such individual;

(B) A record of such an impairment; or

(C) Being regarded as having such impairment.