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STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS
Academic and Student Affairs Committee
September 15, 2011

SUBJECT: Public Notice of Intent to Amend Board of Governors Regulation 6.018
Substitution or Modification of Requirements for Program Admission,
Undergraduate Transfer, and for Graduation by Students with Disabilities

PROPOSED COMMITTEE ACTION

Consider approval of the public notice of intent to amend Board of Governors Regulation 6.018 Substitution or Modification of Requirements for Program Admission, Undergraduate Transfer, and for Graduation by Students with Disabilities.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution

BACKGROUND INFORMATION

Sections 1007.264 and 1007.265, *Florida Statutes*, were amended by the 2011 Florida Legislature. Due to these changes in statute going into effect July 1, 2011, Regulation 6.018 requires amendment. The statement exempting documented intellectual disabilities from the definition of "other health disabilities" has been proposed elimination. Intellectual disabilities and Attention Deficit Disorder/ Attention Deficit Hyperactivity Disorder were added with individual definitions. Additionally, the name of the regulation has been slightly modified in order to capture the possibility of substitutions being made for university admission decisions.

This regulation has been reviewed by the university general counsels, members of the Council of Academic Vice Presidents, members of the Council of Student Affairs, state university student disability services directors, and other state university staff. Pursuant to the regulation procedure adopted by the Board at its meeting on March 23, 2006, the Board is required to provide public notice by publication on its Internet Web site at least 30 days before adoption of the proposed regulation.

Supporting Documentation Included: Proposed Regulation 6.018

Facilitators/Presenters: Dr. Jon Rogers

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6.018 Substitution or Modification of Requirements for University or Program Admission, Undergraduate Transfer, and ~~or~~ for Graduation by Students with Disabilities.

(1) A university shall provide reasonable substitution or modification for any requirement for admission into a university, ~~into~~ an undergraduate or graduate program of study, ~~for entry into the upper division,~~ or for graduation for any eligible student with a disability. Appropriate documentation must be provided to indicate that the student's failure to meet the requirement is related to the disability. Additionally, the university must determine that such failure to meet the requirement does not constitute a fundamental alteration in the nature of the ~~academic~~ program. For purposes of this regulation, the following constitute a recognized disability:

- (a) Deaf/Hard of Hearing. A hearing loss of thirty (30) decibels or greater, pure tone average of 500, 1000, 2000, and 4000 hertz (Hz), unaided, in the better ear. Examples include, but are not limited to, conductive hearing impairment or deafness, sensorineural hearing impairment or deafness, high or low tone hearing loss or deafness, and acoustic trauma hearing loss or deafness.
- (b) Blind or Low Vision. Disabilities in the structure and function of the eyes 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 that 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.
- (c) Specific Learning Disability. A disability in one or more psychological or neurological processes involved in understanding or using spoken or written language. Learning disabilities 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 disabilities do not include learning problems that are due primarily to visual, hearing, or motor disabilities, to intellectual disabilities, to psychiatric or emotional disabilities or to an environmental deprivation.
- (d) Orthopedic Disability. A disability of the musculoskeletal system, connective tissue, or neuromuscular system. Examples include, but are

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

- (e) **Speech/Language Disabilities.** Disabilities of language, articulation, fluency, or voice that interfere with communication in academic settings, employment preparation/training or social interaction on campus. Examples include, but are not limited to, cleft lip or palate with speech disabilities, stammering, stuttering, laryngectomy, and aphasia.
- (f) **Psychological, Emotional, or Behavioral Disability.** Any mental or psychological disability including, but not limited to, organic brain syndrome, emotional or mental illness, ~~or attention deficit disorders.~~
- (g) **Autism Spectrum Disorder.** Disabilities characterized by an uneven development profile and a pattern of qualitative impairments in social interaction, communication difficulties, and/or the presence of restricted repetitive or stereotyped patterns of behavior, interests, and activities. These characteristics may manifest in a variety of combinations and range from mild to severe.
- (h) **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 or physical ability and functioning.
- (i) Intellectual Disabilities. Significantly below average general intellectual and adaptive functioning manifested during the developmental period, with significant delays in academic skills. Developmental period refers to birth to eighteen (18) years of age.
- (j) Attention Deficit Disorder/Attention Deficit Hyperactivity Disorder. A chronic condition manifested by hyperactive and impulsive behavior, significant symptoms of inattention, or both. The behavior and symptoms have a significant impact on cognitive ability and academic functioning.

| (k) Other Health Disabilities. Any disability not identified in this subsection, ~~except documented intellectual disability,~~ deemed by a disability professional to make completion of the requirement impossible.

(2) In determining whether to grant a substitution or modification, a university will consider pertinent documents including, but not limited to, assessments administered and interpreted by a licensed psychologist or interns supervised by a licensed psychologist; a physician or other qualified professional's statement; vocational rehabilitation records; school records maintained as a result of the exceptional child provisions of Public Law 94-142, military/Veterans Administration records; Board of Governors regulations, or statewide articulation documents. Standards for documentation required for specific learning disabilities shall include at a minimum intelligence, achievement, and processing assessment using adult-normed instruments with information about functional limitations. Each university shall provide the student the opportunity to present evidence of a qualifying disability.

(3) Each university shall develop and implement policies and procedures for providing reasonable substitution or modification for eligible students as required by this regulation. The policies and procedures shall include at least the following:

- (a) A mechanism for informing students of the process for requesting a substitution or modification;
- (b) A mechanism for identifying reasonable substitutions or modifications for criteria for admission to the institution, admission to a program of study, entry into the upper division, or graduation;
- (c) A mechanism for making the designated substitution or modification known to affected persons;
- (d) A mechanism for making substitution or modification decisions on an individual basis; and
- (e) A mechanism for a student to appeal a denial of substitution, modification, or a determination of eligibility.

(4) The policies shall provide for articulation with other state postsecondary institutions, which shall include, at a minimum, acceptance of all reasonable substitutions previously granted by a state postsecondary institution.

(5) Each university shall maintain records on the substitutions or modifications provided per this regulation, the substitutions identified as available for each documented disability, the number of students granted substitutions by type of disability, and substitutions provided and the number of requests for substitutions that were denied.

Authority: Section 7(d), Art. IX, Fla. Const., History-New 4-20-87, Amended 9-15-91. Amended and Renumbered 1-29-09. Amended 9-16-10.

STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS
Academic & Student Affairs Committee
September 15, 2011

SUBJECT: Adult Degree Completion Initiative

PROPOSED COMMITTEE ACTION

For information

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Not applicable

BACKGROUND INFORMATION

A SUS work team consisting of Board staff and staff from the University of South Florida and University of West Florida was asked to research adult degree completion initiatives in others states for the purpose of developing a similar approach for the State University System. A status report will be presented.

Supporting Documentation Included: None

Facilitators / Presenters: Dr. Kathleen Moore, Associate Vice President,
System Initiatives, USF

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**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS
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September 15, 2011**

SUBJECT: Student Affairs Reports and Updates

PROPOSED COMMITTEE ACTION

For information

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Not applicable

BACKGROUND INFORMATION

The SUS Council for Student Affairs held a workshop on September 13th at FIU to enable the vice presidents to discuss current issues relating to student life that are being encountered around the SUS campuses. Dr. Maribeth Ehasz, Council chair, will provide a brief summary of the workshop.

Governor Michael Long, President of the Florida Student Association, will provide a brief report on FSA plans and priorities for the 2011-12 academic year.

Supporting Documentation Included:

None

Facilitators / Presenters:

Dr. Maribeth Ehasz, Chair, SUS Council
for Student Affairs
Governor Michael Long

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