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ADA Handbook

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Assurance Policy

Florida Academy seeks to ensure that legitimate and reasonable access is available to all students and staff. Florida Academy is in compliance with *Title VI and VII of the Civil Rights Act of 1964*, as amended; the *Civil Rights Act of 1991*; *Executive Order 11246*, as amended; *Title IX of the Education Amendments of 1972*, as amended; *Section 504 of the Rehabilitation Act*; and *The Americans with Disabilities Act of 1990*. Florida Academy endeavors to provide reasonable accommodation to qualified students with disabilities.

Statement of Non-Discrimination

Florida Academy does not discriminate on the basis of sex, age, color, race, national origin, religion, or handicap in its admissions, education, employment, or access to its programs. Florida Academy complies with the Civil Rights Act of 1964 as amended; Federal Executive Order 11246; Educational Amendments of 1972 and 1974; the Vietnam Era Veterans Readjustment Assistance Act of 1972; Age Discrimination Act of 1975; and Family Educational Rights and Privacy Act of 1974.

Confidentiality

Florida Academy is committed to ensuring that all information regarding students and employees is maintained as confidential as required or as permitted by law. Disability information collected for the benefit of any student does not become part of the student's academic record, nor does disability information collected for the benefit of the employee become a part of any public document. Information in files will not be released without a student's or employee's written permission except in circumstances mandated by federal or state law.

Qualification for Services

1.Process

- Any student/employee seeking accommodations under ADA/504 will meet with the ADA Coordinator to discuss individual needs. The student/employee may then complete an application for services (ADA Form 1) and/or reasonable accommodations.
- The student/employee will discuss his/her needs and responsibilities with the ADA Coordinator and sign appropriate release forms (ADA Form 2).
- The student/employee will provide documentation of a disability in accordance with the Criteria for Disability Documentation within Florida Academy (Appendix A).
- The ADA Coordinator will determine whether the student/employee is eligible for services and inform the student/employee in writing of the determination. Applications must be received, and a determination reached prior to the student beginning class or staff member beginning employment.

2. Reasonable Accommodations

- The ADA Coordinator and the student/ employee will determine reasonable and appropriate accommodations based upon documentation (submitted in accordance with bullet point three (3) above).
- The ADA Coordinator will provide an Accommodation Letter for each instructor/supervisor (ADA Form 3).
- The student/employee is responsible for discussing implementation of accommodation with faculty/supervisor. Conflicts or disagreements should be referred to the ADA Coordinator.
- The ADA Coordinator will insure and maintain confidentiality of all student/employee disability related records and services as required by federal and state law.

3. Providing Services for Students and Employees with Disabilities

- Services and reasonable accommodations are provided pursuant to Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. It is a goal of Florida Academy to ensure that students/employees with disabilities have full access to programs, facilities, and employment.
- All students must meet the academic standards for admission established by Florida Academy. Such requirements will not be modified, nor will the standards by which a student/employee is graded or evaluated. All employees must be able to perform the essential duties of the required position with reasonable accommodation.
- Florida Academy strives to eliminate barriers to learning / employment or participation in other institutional activities, and provide the following services for students/employees:
 - Screening of disability documentation
 - Determination of appropriate accommodations
 - Communication with faculty/staff regarding student/employee needs
- Providing reasonable accommodation for students/employees with disabilities requires an individual assessment of need. Specific accommodation depends upon the nature and requirements of a particular course or activity and the skills and functional abilities of the student/employee. Appropriate accommodations may include, but are not limited to:
 - Extended time on exams/assignments
 - Permission to tape lectures
 - Readers/scribes/interpreters
 - Enlarged print/graphics
 - Textbooks/training materials in alternative formats
 - Use of a class note taker
 - Use of a spell checker/calculator
 - Modified equipment or devices
 - Flexible work schedules
 - Workplace modifications
 - Access to special events

Florida Academy is not required to make modifications that would pose an undue financial burden or violate the code of conduct.

- Students/employees with disabilities are responsible for identifying themselves to the ADA Coordinator in order to assure timely provision of accommodations. Students should register and make requests for accommodation prior to the beginning of the term.

4. Activities and Special Events

Every event, special activity, and program hosted or planned by the institution should be accessible to persons with disabilities. When selecting a location for an event, consideration

should be given to its accessibility. If the event is publicized, provide people with disabilities the opportunity to request special accommodation. Special accommodations can include alternate printed materials, interpreters for the deaf, assistive listening devices, etc. Students should contact the ADA Coordinator to plan for any necessary reasonable accommodation.

5. ADA Grievance Procedure

- The person making a complaint should meet with the party with whom the disagreement has occurred and attempt to discuss and clarify the problem.
- If the problem cannot be resolved, the next step is for the person to discuss it with the ADA Coordinator. If the complaint is lodged against the ADA Coordinator, the party making the complaint will meet with the ADA Coordinator's immediate supervisor.
- If the ADA Coordinator's supervisor is unable to resolve the issue, the party making the complaint will put it in writing, using the Florida Academy ADA Grievance Form (ADA Form 4).
- A complaint must be filed not later than 180 days from the date of the alleged discrimination, unless the time for filing is extended by the designated agency for good cause shown.
- The Chief Administrator of the campus will initiate the investigation.
- The reviewing authority shall investigate each complaint, attempt informal resolution, and, if resolution is not achieved, issue to the complainant and the respondent a Letter of Findings that should include: findings of fact, conclusions, a description of a remedy for each violation found, and notice of the rights available to a complainant who is not satisfied with the resolution or decision rendered by the reviewing authority (See 5.8 below).
- Findings will be reported within 30 working days upon receipt of the formal complaint, if possible. A Letter of Findings will be provided to the parties involved via certified mail or email with return receipt requested, informing each of the determinations.
- The right of an individual to a prompt and equitable resolution of a complaint filed under this Grievance Procedure shall not be impaired by his/her right to pursue other avenues of resolution such as filing an ADA complaint with an appropriate federal agency or department. If a satisfactory resolution is not achieved, complaints may be directed to:

Regional Office for Civil Rights
U.S. Department of Education
Atlanta, GA 30301-3104

- The reviewing authority will maintain files and records of ADA complaints and reports of investigations for a minimum of five (5) years.

6. Responsibilities

6.1 Students

Unlike the K-12 system, in higher education it is the responsibility of the student to self-identify as being in need of accommodation. This means it is the student's responsibility to apply to be accepted as a student with a disability, provide documentation, cooperate with the Disability Services Coordinator to determine appropriate accommodations, deliver Accommodation Letters to the faculty, etc. In other words, students with disabilities in higher education (just as those without disabilities) are expected to take an active role in managing all aspects of their academic needs, adhere to academic policies and deadlines and follow codes of conduct.

6.2 Employees

The employee must satisfy the requirements for the job. The employee must also be able to perform the essential functions of the job with or without reasonable accommodation. Employees who believe they have a disability are responsible for notifying their supervisors, contacting the ADA Coordinator, and following the procedures outlined in this policy to secure reasonable accommodation.

6.3 Faculty

Faculty are not responsible for evaluating a student's disability or reviewing documentation of claimed disabilities. Faculty who are presented with such requests are responsible for referring the student to the ADA Coordinator. The ADA Coordinator will evaluate the request in accordance with established policy (see App. A) and make appropriate determinations. If accommodation is merited, a student will present the faculty with an Accommodation Letter (ADA Form 3). The Accommodation Letter, signed by the ADA Coordinator, verifies that the student is registered as a student with a disability and entitled to the accommodation specified in the letter. The faculty are responsible for reviewing the information in the letter and discussing how the accommodation will be implemented in the course. Any questions or concerns about the information contained in the letter should be directed to the ADA Coordinator.

Faculty utilizing Distance Learning media are responsible for ensuring that students with disabilities have full access to distance learning course materials just as they are for students in the classroom. The faculty are responsible for contacting the ADA Coordinator with questions concerning the implementation of accommodation.

Reasonable accommodation in the classroom (traditional, virtual, or otherwise) is an individual civil right guaranteed by federal legislation (ADA and Section 504). Reasonable accommodation is not optional and must be provided. Faculty who refuses reasonable accommodations may be held personally liable for their actions. However, there may be options regarding provision of the accommodations. When questions arise as to specific accommodation, it is the responsibility of the faculty to contact the ADA Coordinator to resolve the matter. Faculty should not offer accommodation without following proper policies and procedures.

6.4 Supervisors

Staff serving in supervisory positions are responsible for referring employees requesting accommodation to the ADA Coordinator. It is the responsibility of the ADA Coordinator to evaluate whether an employee has a disability covered by the ADA and to determine appropriate accommodation. If accommodation is merited, the ADA Coordinator will notify the employee and the supervisor in writing using The Disability Services Accommodation Letter (ADA Form 3). Supervisors are responsible for reviewing the information in the letter and discussing with the employee how the accommodation is implemented. The ADA Coordinator is available to assist the supervisor in determining how best to provide reasonable accommodation. Supervisors should not offer accommodations to employees who have not followed established policies and procedures for obtaining assistance.

Supervisors remain responsible for evaluating whether an employee is able to perform assigned job duties (given reasonable accommodation) just as the supervisor would for any other direct report employee.

Reasonable accommodation in the workplace is an individual civil right guaranteed by federal legislation (ADA and Section 504). Reasonable accommodation is not optional and must be provided. Supervisors who refuse reasonable accommodation may be held personally liable for their actions. However, there may be options regarding the provision of the accommodation. When questions arise as to specific accommodation, it is the responsibility of the supervisor to contact the ADA Coordinator to resolve the matter.

NOTE: The policies and procedures set forth in this document will be periodically reviewed and revised to reflect compliance with existing legislation, amendments to current statutes, or enactment of additional statutes. Each such revision shall supersede all previous publications.

Appendix A
Florida Academy
Criteria for Disability Documentation
Based upon Guidelines from
The Association on Higher Education and Disability (AHEAD)

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 state that qualified students/employees with disabilities who meet the admission, academic or employment standards of Florida Academy are entitled to reasonable accommodations. Under these laws, a disability is defined as any physical or mental impairment that substantially limits a major life activity. Having a history of impairment or being perceived as having impairment may also qualify one as an individual with a disability. It is the student's/employee's responsibility to disclose his/her needs and provide appropriate documentation to the ADA Coordinator. Appropriate documentation is defined as follows:

Health Condition, Mobility, Hearing, Speech, or Visual Impairment

A letter or report from the treating physician which includes:

- Clearly stated diagnosis
- Defined levels of current functioning and any limitations
- Current treatment and medication
- Current letter/report (within 1 year), dated and signed
- Necessary accommodations

Psychological Disorder

A letter or report from a mental health professional who is impartial and not related to the student/employee, i.e., psychiatrist, psychologist, neuropsychologist, licensed professional counselor, or clinical social worker which includes:

- Clearly stated diagnosis based upon current DSM criteria
- Defined levels of current functioning and any limitations
- Assessment and evaluation instruments used, observations, history, etc.
- Current treatment and medication
- Current letter/report (within 1 year), dated and signed
- Necessary accommodations

Traumatic Brain Injury (TBI)

A comprehensive evaluation by a doctor or physician which includes:

- A clear statement of head injury or traumatic brain injury
- Current impact on student's/employee's functioning and limitations
- Current residual symptoms and a statement regarding the student's/employee's ability to meet the demands of a postsecondary academic or work environment
- Current treatment and medication
- Current letter/report (post-rehab within 1 year), dated and signed
- Necessary accommodations

Learning Disabilities (LD)

A comprehensive evaluation report written in narrative form by an impartial doctor or physician individual not related to the student/employee which includes:

- Clearly stated diagnosis of a SPECIFIC learning disability in reading, math, or written language based upon current DSM criteria.
- Educational/work history documenting the impact of the learning disability
- Statement of the functional impact or limitations of the disability
- Current report (within 3 years), dated and signed
- Necessary accommodation

Attention Deficit Hyperactivity Disorder (ADHD)

A comprehensive evaluation report written in narrative form by an impartial doctor or physician not related to the student/employee which includes:

- Clearly stated diagnosis of ADHD based upon current DSM criteria
- Evidence of early and current impairment in at least two different environments including past and present symptoms
- Alternative explanations and diagnoses are ruled out
- Relevant test data with standard scores provided to support conclusions including at least one of the following instruments: (a) WAIS-II or III (b) Woodcock-Johnson
- Psychoeducational Battery-Revised (including Written Language) (c) Behavioral Assessment Instruments and Checklists normed on adults Statement of the functional impact or limitations of the disorder and the degree to which it impacts the individual
- Medications prescribed and how they will impact the student's/employee's ability to meet the demands of the postsecondary academic or work environment
- Current report (within 3 years of enrollment date), dated and signed
- Necessary accommodations



Application for Disability Accommodations

First Name: _____ Last Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____

Email: _____

Projected Program/Position: _____

Projected Start Date: _____

Explain your disability and current treatment:

What accommodation are you requesting?

Do you take prescription medication relating to the disability for which you are requesting accommodation? If yes, please list the name(s), dosage and prescribing physician:

Do you receive assistance from Vocational Rehabilitation, Veteran's Affairs, Student Support Services or any other agency? If yes, please list the contact person and his/her location.

Once you apply for services and provide the appropriate documentation, the ADA Coordinator will review your documentation and inform you of your status as a student or employee with a disability.



Permission to Release Information

I _____, hereby give my permission to Florida Academy to discuss information concerning my disability and accommodations and/or to release documentation on my disability, with individuals who will be involved in the delivery of services to me for my benefit. I also give permission for other agencies and individuals to discuss and release information to the Florida Academy ADA Coordinator. In addition, pertinent information related to my disability may be provided to facilitate the delivery of services on a “need to know” basis. These individuals include, but are not limited to:

- Parents,
- Guardian,
- Spouse
- Faculty and staff of Florida Academy,
- Other professionals or agencies involved in services, support, accommodations or consultation

as deemed appropriate by the ADA Coordinator. For students, permission to release information will remain in effect until graduation. For employees, permission remains in effect throughout the term of employment with Florida Academy. Permission may be rescinded in writing at any time.

Signature of Student/Employee

Date Signed

ADA Coordinator/ HR Director

Date Signed

Notice to Party Receiving Information: This information has been disclosed to you from records whose confidentiality is protected by federal law which prohibits you from making further disclosure of information without the specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A general authorization for the release of medical or other information is not sufficient for this purpose.



Disability Accommodation Letter

The student/employee listed below has registered with the ADA Coordinator as having a documented disability that will require accommodation. This means that (s)he is eligible for services that give equal access to higher education/ employment under the guidelines of Section 504 of the Rehabilitation Act of 1973 (as amended) and the Americans with Disabilities Act of 1990. Please discuss these accommodations with the student/employee and immediately contact the ADA Coordinator if there are any concerns. Florida Academy is committed to ensuring that all information regarding a student/employee is maintained as confidential as required or as permitted by law. Information in files will not be released without the student/employee's written permission except in circumstances mandated by federal or state law.

Student/Employee Name _____

Program/Position: _____

Accommodation Approved: _____

Dates of Accommodation (If any): _____

ADA Coordinator/HR Director Signature

Date Signed

For more information, please contact the ADA Coordinator.



ADA GRIEVANCE FORM

Complainant:

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Email: _____

Faculty _____ Staff _____ Student _____ Other (specify) _____

Date and Time of Occurrence: _____

Location: _____

What happened? _____

Names and phone numbers of others who can verify what happened: _____

What would you like to see happen (for you, for others) with respect to this issue? _____

Signature of Complainant

Date

Respondent:

Name of person conducting interview: _____

Phone #: _____ Email: _____

Name of person(s) or group the complaint is against: _____

Phone #: _____ Email: _____

Phone #: _____ Email: _____

Faculty _____ Staff _____ Student _____ Other (specify) _____

What was the result of your discussion with the respondent?

Signature of Respondent

Date

Signature of Respondent

Date

Signature of Interviewer

Date

Office Use Only

Actions Taken: _____
