I. POLICY STATEMENT

Florida Gulf Coast University (“FGCU” or the “University”) is committed to equal opportunity and access for persons with disabilities. The University will comply with all provisions of state and federal laws in this regard and will provide, upon request, reasonable accommodations to qualified persons with a disability. This includes complying with the American with Disabilities Act Amendments Act of 2008 (“ADA”), Section 504 of the Rehabilitation Act of 1973 (“Section 504”), and the Fair Housing Act, all of which protect qualified individuals with a disability from discrimination on the basis of disability and in some circumstances require the granting of reasonable accommodation.

II. REASON FOR POLICY

To comply with legal or regulatory requirements.

III. APPLICABILITY AND/OR ACCOUNTABILITY

This policy applies to faculty, staff, students and visitors of the University community. The Office of Equity and Diversity and the Office of Adaptive Services are accountable for compliance with this policy.

IV. DEFINITION OF TERMS

A. Individual with a Disability: Any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.

B. Qualified Individual with a Disability: With respect to employment, a person with a disability who can perform the essential functions of the job with or without reasonable accommodation. With respect to education and housing, a student who meets the essential eligibility requirements for the receipt of services or participation in the program/activity with or without reasonable accommodation.
C. **Reasonable Accommodation:**

1. With respect to employment, a reasonable accommodation is a modification to the work environment or to the manner or circumstances under which the job is customarily performed, that enables a qualified individual with a disability to perform the job’s essential function.

2. With respect to education, a reasonable accommodation is a modification that enables a student with a disability to enjoy the benefits and privileges of University programs, services and activities.

3. With respect to housing, a reasonable accommodation includes a physical modification or exception to a rule, policy, practice, or service that is necessary for a student with a disability to use University housing.

V. **PROCEDURES**

**GENERAL POLICY**

A. **Applicants with Disabilities:**

1. No applicant for employment will be prohibited from applying for any position with the University for which that person is qualified solely because of any physical or mental disability.

2. Reasonable accommodations that do not pose an undue hardship shall be made for any qualified individual with a disability to ensure equal opportunity and access during the application and selection process.

3. Qualified applicants for employment with the University must make a request for reasonable accommodation through the Office of Adaptive Services. Any information or documentation required for a request for reasonable accommodation in employment will be provided to the applicant with a disability by the Office of Adaptive Services.

B. **Faculty and Staff with Disabilities:**

All University administrators, managers and supervisors shall be responsible for ensuring that employees with disabilities receive necessary reasonable accommodations. Employees with disabilities must make a request for reasonable accommodation to the University ADA Coordinator in the Office of Adaptive Services. Any information or documentation required for a request for reasonable accommodation in employment will be provided to the faculty or staff with a disability by the Office of Adaptive Services.

C. **Students with Disabilities:**

1. All University faculty and staff will be responsible for ensuring that students with disabilities receive equal treatment and access to all University programs, services and activities. University faculty and staff will also ensure that students with disabilities are reasonably accommodated.
2. Students with disabilities who are seeking a reasonable accommodation for University housing shall make the request through the Office of Adaptive Services. Any information or documentation required for a request for reasonable accommodation in employment will be provided to the student with a disability by the Office of Adaptive Services. An annual report regarding student use of auxiliary learning support and reasonable accommodations will be forwarded to the Director of the Office of Equity and Diversity.

D. Visitors with Disabilities:

1. Departments or units conducting events, activities or programs should post a notice on their webpage, and in any flyers, bulletins, signage, or other publications that directs persons with disabilities on how to request assistance or accommodation for their disability. Departments or units conducting events, activities or programs are responsible for providing and funding accommodations as needed. For additional information or support contact the Office of Adaptive Services.

2. Visitors needing reasonable accommodations may submit a request to the University department or unit responsible for and/or coordinating a respective event, activity, or program, or to the Office of Adaptive Services. Any information or documentation required for a request for reasonable accommodation in employment will be provided to the visitor with a disability by the Office of Adaptive Services.

E. Role of the Office of Adaptive Services:

1. Inform the individual requesting a reasonable accommodation of their rights and obligations and collect the information needed to process the request(s).

2. Notify any faculty or University employee, who has a legitimate and authorized need-to-know, that an accommodation has been requested. Provide assistance in completion of all necessary documentation.

3. Consult with the appropriate department(s), as necessary, to facilitate a final determination and, if necessary, implementation of a request for reasonable accommodation.

F. Medical Tests and Examinations:

Job-related medical examinations, tests and inquiries may be required at the University's expense to determine whether a person can perform the essential functions of a position with or without reasonable accommodations. All information acquired as part of a medical examination will be maintained separately and confidentially by the Office of Adaptive Services. Such information shall only be disclosed as permitted by law.
G. **Approval of Request and Implementation of a Reasonable Accommodation:**

1. When a request for a reasonable accommodation is approved, the Director of Adaptive Services will immediately inform the individual making the request of the decision in writing. The notice will also advise the applicant, employee, student or visitor of his/her right to make a request for a different accommodation should circumstances change.

2. The approved accommodation will be implemented as soon as practicable under the direction of the Office of Adaptive Services.

H. **Denial of a Request for an Accommodation:**

If a request for a reasonable accommodation is denied, the University ADA Coordinator will inform the requesting individual in writing (or other appropriate form of communication) of the denial and the reason for the denial. The notice will also advise the individual of his/her right to file a complaint through the Office of Equity and Diversity. Reasons for the denial may include:

1. The **individual** requesting the accommodation does not meet the definition of an individual with a disability(ies).

2. The requested accommodation is not reasonable and/or there is no other **alternative** without creating an undue hardship. The reason for the decision will be clearly stated, as well as whether the requested accommodation will create an undue hardship for the University.

3. There is no correlation between the requested accommodation and the individual’s disability (e.g., a wheelchair ramp requested by an individual who has a mental disability, with no physical impairment).

4. There is no reasonable accommodation available that will allow the person to **perform** the essential functions of the job.

5. The requested accommodation will change the fundamental nature of the program/job.

6. The requested accommodation would violate a state or federal statute or regulation.

I. **Record Keeping:**

1. Any employee/student record containing medical information received under this policy must be maintained by the Office of Adaptive Services as "medical-confidential" and kept separate from other files related to the employee/student. This information will remain confidential and only made accessible as allowed by law.

2. Information obtained pursuant to this policy shall not be used to unlawfully discriminate in any employment, education or business practice.

3. Final records of all requests for reasonable accommodation are submitted to the Office of Adaptive Services where they will be retained for the minimum period required by state law.
J. **Complaints:**

1. The Office of Equity and Diversity will ensure that the University complies with all laws and regulations protecting the rights of persons with disabilities.

2. Any applicant, employee, student or visitor may file a complaint regarding an alleged violation of this policy by following the procedures set forth in the *Non-Discrimination and Anti-Harassment Complaint Policy and Procedures*. All complaints will be acknowledged and answered by the Office of Equity and Diversity, according to University guidelines established in the aforementioned procedures.

All documentation regarding complaints filed under this Policy will be maintained in the Office of Equity and Diversity for the period required by state law.

VI. **RELATED INFORMATION**

Non-Discrimination and Anti-Harassment Regulation; Non-Discrimination and Anti-Harassment Complaint Policy & Procedure; Accessibility Resource Manual; Student Housing Assistance; Animal Policy

VII. **HISTORY**


APPROVED

*s/Wilson G. Bradshaw  
President  
October 22, 2013  
Date

*Note: This policy reflects changes to the formatting only. No changes have been made to the text.*
STUDENT DISABILITY INFORMATION RECORD AND
FORMAL REQUEST FOR ACCOMMODATIONS

As a student claiming to have a disability (hereinafter referred to as "disability"), I hereby designate the Office of Adaptive Services to be the holder of record for documentation of my disability. I further request that accommodations which are appropriate to my disability, and reasonable in context of the academic and student service environment under the Americans with Disabilities Act, be provided to me by appropriate entities at Florida Gulf Coast University. I realize that this application for reasonable accommodations as a student with a disability will remain a part of my permanent record in this office.

Today's Date: __________________________ Date of Birth: __________________________ University ID: __________________________

Name: __________________________________________
Permanent Address: __________________________________________
Local Address: __________________________________________
Phone #: (H) ________ (C) ________ (O) ________
Email: __________________________________________
Intended Major: __________________________________________
Type of Disability: __________________________________________
Current Disability-Related Medications: __________________________________________

Accommodations and Services Requested: __________________________________________

I understand that before accommodations can be provided, I must furnish current documentation of my disability from a professional who is licensed/certified in a field applicable to my disability. This documentation will be used as a matter of information regarding accommodations and services that may be appropriate and reasonable in the context of the academic and student service environment. Should documentation I furnish be more than three years old, I understand that it is my responsibility to update my documentation within one month of the date of the submittal of the request for accommodations.
Should the University have reason to question the accuracy of any documentation which I furnish, I understand that the University has the right to require me to obtain a second opinion by consulting a licensed/certified professional in a field applicable to my disability for additional verification. Should this second opinion contradict the first opinion or be inconclusive, I understand that the University has the right to require me to obtain a third opinion from an equally qualified professional.

**Release of General Information**

I understand that it will be necessary for the Office of Adaptive Service to share certain routine, general information regarding my disability with the University personnel who have a legitimate need to know. I understand that my application for service authorizes the Office of Adaptive Services (at its discretion) to provide such information, but that when provided, it will be marked as confidential and will be limited to the following:

a) The generic term (or its equivalent) for my disability.
b) General information about how the disability affects my academic or personal performance
c) Information about my learning modality and recommendations for specific reasonable accommodations.

**Student’s Responsibility**

Students receiving services are expected to act as independent, self-directing, responsible adults with regard to their student status. OAS does not stand in the place of the parent or serve in a caretaker role. The student must accept full responsibility for meeting applicable university standards with regard to behavior, academic performance and autonomy. If the nature or severity of the disability changes, it is the student’s responsibility to update documentation so that it accurately addresses current accommodation requirements.

I have reviewed the foregoing disability information sheet and formal request for accommodation and agree to all the terms and conditions stated herein.

**Student’s Signature** ____________________________  **Date:** ________________

*Use additional sheets of paper as necessary for your response.*

_Foreward request to the Office of Adaptive Services, Howard Hall, Room 137_

_This form is available in alternative formats upon request._

_TTY, VCO, HCO, ASCII or Speech-to-Speech via 711 for (239) 590-7941._
DISABILITY ACCESS REQUEST FORM

FOR EMPLOYEE

DATE: ______________________
NAME: ______________________
DEPARTMENT: ______________________
LOCAL ADDRESS: ______________________

PHONE: ______________________
E-MAIL: ______________________

CHECK ONE: FACULTY: _____
STAFF: _____
POSITION/TITLE: ______________________
DIVISION: ______________________
HOME ADDRESS: ______________________

PHONE: ______________________
E-MAIL: ______________________

EMPLOYEE Describe the need for reasonable accommodation(s) including how this would help you to perform the essential functions of your job. Attach supporting documentation and/or have physician provide a medical questionnaire.

OTHER USER: Provide the name of the activity/event/program date and time reasonable accommodation(s) will be needed.

What is (are) your recommendation(s) for reasonable accommodation(s)? If unknown, please state “To be Determined.”

Requestor’s Signature: ______________________ Date: ______________________
Receiver’s Signature: ______________________ Date: ______________________
Title: ______________________

OFFICE OF EQUITY AND DIVERSITY USE ONLY

DISPOSITION: ______________________.
If denied, include a statement of undue hardship explaining reason for denial and attach additional documentation if applicable.

Signature: ______________________ Date: ______________________

Use additional sheets of paper as necessary for your response.
Forward request to the Office of Adaptive Services, Howard Hall, Room 137
This form is available in alternative formats upon request.
TTY, VCO, HCO, ASCII or Speech-to-Speech via 711 for (239) 590-7941.