**NOTICE OF AMENDED REGULATION**

**August 8, 2022**

**BOARD OF GOVERNORS**

Division of Universities

University of North Florida

**REGULATION TITLE:**

Americans with Disabilities Act Compliance Regulation ADA

**REGULATION NO.:**

4.0070R

**SUMMARY:**

The University has expanded its ADA Compliance regulation to incorporate language from two other regulations: 2.0384 Admissions – Applicants with Disabilities and 1.0080R Disability Access Obligations for Programs, Events or Activities.  This change makes these related ADA regulations more user-friendly and accessible by having them in a single regulation.  In addition, the ADA Compliance regulation has been updated and expanded consistent with current law.  Finally,

/ the ADA Compliance Regulation was re-organized to bring greater clarity to how individuals with disabilities may request accommodations and the steps they can take if they have a concern to report.

**FULL TEXT:**

The full text of the regulation being proposed is attached.

**AUTHORITY:**

Florida Constitution, Article IX, Section 7(c), Americans with Disabilities Act, as amended, Section 504 of the Rehabilitation Act of 1973.

**UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:**

Rocelia Roman De Gonzalez, Director ADA Compliance

**INDIVIDUAL TO BE CONTACTED REGARDING THE PROPOSED REVISED REGULATION:**

Stephanie Howell, Paralegal, Office of the General Counsel, showell@unf.edu, phone (904)620-2828; fax (904)620-1044; Building 1, Room 2100, 1 UNF Drive, Jacksonville, FL 32224.

***Any comments regarding the amendment of the regulation must be sent in writing to the contact person on or before Monday, August 22, 2022, to receive full consideration.***

** Regulation**

**Regulation Number**: 4.0070R

**Effective Date**: 2/1/2006 **Revised Date**: Click or tap here to enter text.

**Subject: Americans with Disabilities Act Compliance**

**Responsible Division/Department**: ADA Compliance Office and Student Accessibility Services

**Check what type of Regulation this is:**

[ ] New Regulation

[x] Major Revision of Existing Regulation

[ ] Minor/Technical Revision of Existing Regulation

[ ] Reaffirmation of Existing Regulation

[ ] Repeal of Existing Regulation

#  OBJECTIVE & PURPOSE

The University is committed to nondiscrimination and to ensure equal access to University programs, activities, and services, as well as employment opportunities, for qualified individuals with disabilities. In doing so, the University complies with the Americans with Disabilities Act (ADA) as amended, Section 504 of the Rehabilitation Act of 1973, and all other applicable federal, state, and local laws.

## Reasonable Accommodations for Employment

The [ADA Compliance Office](https://www.unf.edu/adacompliance/) processes requests from employees for reasonable accommodations. In the employment context, a qualified individual with a disability means an individual with a disability that substantially limits one or more major life activities who meets the legitimate skill, experience, education, and other requirements of the position and can perform the essential functions of the job, with or without reasonable accommodations.

# The ADA Compliance Office and SAS

#  The staff will engage in an interactive dialogue with the employee

with an ~~employee~~ who requests an accommodation to determine what accommodations may be provided. ~~That office~~ Medical documentationmay requested ~~documentation~~ from the employee about their disability and functional limitations. The documentation will be kept in a confidential file in the respective office. A request is not reasonable if it imposes an undue hardship on the University. The University may offer effective accommodations other than the specific accommodation requested by the employee.

## Reasonable Accommodations and Auxiliary Aids or Services for Students

The Office of Student Accessibility Services receives requests from students for reasonable accommodations and appropriate auxiliary aids and services. A qualified student with a disability is a person with a disability that substantially limits one or more major life activities who meets the academic and technical standards requisite for admission or participation in the University's educational programs or activities.

Students are responsible for requesting accommodations and auxiliary services. As part of the request and interactive dialogue between the student and Student Accessibility Services, the student may be required to provide documentation to that office to support the request, which documentation will be kept in a confidential file.

Reasonable accommodations for students can include, for example, modification or adjustments to a course, policies, practices, and procedures to enable the student equal access and enjoyment of the same benefits and privileges that are available to similarly-situated students without disabilities. Students may also request appropriate auxiliary aids and services, such as an interpreter in a course, computer programs, braille materials, and so forth. Please visit the [Student Accessibility Services webpage](https://www.unf.edu/sas/) for more information on potential accommodations and auxiliary aids and services.

Accommodations and auxiliary aids and services are intended to provide equal access to University programs, activities, and services. An accommodation cannot fundamentally alter the nature of a program or impose an undue financial or administrative burden. The student is responsible for providing their own auxiliary aids for personal services, such as personal attendants, individually prescribed devices like hearing aids, mobility devices, and readers for personal use, as well as other devices or services of a personal nature.

## Architectural and Other Barriers on University Premises

The University strives to continuously improve the seamless accessibility of its campus, programs, activities, and services. If there are architectural or other barriers to equal access that you have encountered on University premises, please contact the ADA University Compliance Office for the appropriate action to be taken.. ~~That Office then will take prompt, appropriate action.~~

## Equal Access to Programs, Events, Activities, and Services

The University has broad array of extracurricular programs, events, facilities, and services that are open to the public, at both on-campus and off-campus venues. Employees and students should follow the processes outlined above to request reasonable accommodations and/or auxiliary aids and services if needed to participate in such offerings. Visitors who are not UNF employees or students may contact the event coordinator or host to request reasonable accommodation and/or auxiliary aids and services. The ~~he~~ requestor must meet the essential eligibility requirements for participation and if the disability is not obvious the participant may be asked to submit documentation supporting the request by the ADA or SAS staff. The documentation will be kept in a confidential file in the ADA office. Requests must not fundamentally alter the nature of the program, activity, or service or impose an undue financial or administrative burden.

The sponsor of a program, activity, or service is responsible to secure necessary auxiliary aids, services or reasonable accommodations for qualified individuals with disabilities to effectively participate in offerings, in consultation with the ADA Compliance Office and Student Accessibility Services. Accommodations may not fundamentally alter the nature of the program, activity, or service or impose an undue financial or administrative burden

The sponsor must utilize the following language in all advertisements, brochures or other materials regarding the program, activity, or service:

"If you have a disability and require an accommodation for this occasion, please contact (sponsor's name and telephone number) **five days before the event** to enable us to provide you a reasonable accommodation for the event."

##  Admissions, Transfers, and Graduation

Qualified individuals with a disability may request reasonable substitutions or modifications to any requirement for admission into an undergraduate or graduate program of study, for entry into the upper division, or for graduation. To be eligible for such a substitution or modification, the individual must provide documentation that they are disabled and their inability to meet the requirement is related to the disability. 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.

In determining whether to grant a substitution or modification, the University will consider pertinent documents provided by the individual 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. Each request will be determined on an individual basis. The University will accept all reasonable substitutions previously granted by a Florida postsecondary institution. Substitutions and modifications will not be granted if they would result in a fundamental alteration in the nature of the program.

The University will make information available to students regarding the substitution and modification process through the Student Handbook and the admissions section of the University website. To make a request for a substitution or modification, an individual must contact the Disability Consideration Appeals Committee at DCAC@unf.edu. An individual may appeal a denial of a substitution, modification, or determination of eligibility by contacting ADA.DCAC@unf.edu.

## Reporting Concerns Regarding Compliance with Disability Laws

If an individual believes they have been subject to discrimination on the basis of their disability, have been denied a reasonable accommodation or auxiliary aids or services, or otherwise denied equal access to the University's program, activities, and services, that individual may file a complaint with the University's Office of Equal Opportunity and Inclusion.

#  ADDITIONAL REGULATIONS AND POLICIES ADDRESSING DISABILITIES

For additional regulations and policies addressing matters related to disabilities, please refer to the following:

* Americans with Disabilities Act Accessibility for Information and Communication Technology (ICT), 6.0240P
* Nondiscrimination, Equal Opportunity, and Diversity Regulation, 1.0040R.
* Service, Assistance, and Other Animals on Campus, 6.0210R
* Parking Regulations, 9.0010R.

# CONTACT INFORMATION

**ADA Compliance Office**

Building 6, Room 1314

Phone (Voice): (904) 620-2870

<https://www.unf.edu/adacompliance/>

ADAcompliance@unf.edu

Florida Customer Service **866-462-6509 (Voice/TTY)**~~'Phone (TDD/TTY): (904) 620-2969?~~

~~Email: rrgonz@unf.edu~~

**Student Accessibility Services**

Building 57, Room 1500

Phone: (904) 620-2769

SAScenter@unf.edu

**Department of Housing and Residence Life**

Building 14b

Phone: (904) 620-4663

housing@unf.edu

**Equal Opportunity and Inclusion**

J.J. Daniel Hall

Building 1, Suite 1201

Phone: (904) 620-1004

eoi@unf.edu

 **Parking and Transportation Services**

 1 UNF Drive, Building 52

Jacksonville, FL 32224

Phone: (904) 620-2815

parking@unf.edu

**Admissions**

1 UNF Drive

Jacksonville, FL 32224-7699

(904) 620-1111

admissions@unf.edu

Approved by the BOT \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.