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# BERMUDA COLLEGE POLICY ON STUDENTS WITH DISABILITIES

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# **1 POLICY**

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- Bermuda College will make reasonable efforts to provide an academic environment accessible to students with mild to moderate disabilities to benefit from a college experience that recognizes their right to dignity and self-esteem.
- Students attending Bermuda College have the right to inform the College of their disability. As described in section five of the Bermuda College application, only enrolled students who identify themselves can be assured of the complete protection and support outlined in this document.
- Bermuda College will make reasonable efforts to accommodate students with mild to moderate disabilities.
- Bermuda College is committed to making reasonable adaptations to its facilities to ensure accessibility.

## **2 BACKGROUND**

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As student populations on college campuses become increasingly diverse, access to higher education has become an important issue. Therefore, community colleges embracing an open admissions policy and are charged with and challenged by removing the barriers to higher education for students with disabilities.

## **3 RATIONALE**

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As students with disabilities increasingly desire to make Bermuda College their college of choice, the institution is committed to removing barriers to create a level playing field. This commitment and provision of support for students with disabilities is a collaborative effort shared by the entire campus.

## **4 OBJECTIVE**

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This policy represents community college and university disabilities best practices and is harmonious with the New England Commission of Higher Education (NECHE) standards. It guides the institution regarding the transition, enrollment, and support of students with disabilities and encapsulates Bermuda College's commitment to students with disabilities.

## 5 GUIDELINES

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### 5.1 (A) THE FOLLOWING DEFINITIONS WILL SERVE AS A REFERENCE FOR ALL GUIDELINES.

- An individual with a disability is “a person who has any degree of physical disability, infirmity, malformation, or disfigurement that is caused by bodily injury, birth defect or illness, including diabetes, epilepsy, acquired immune deficiency syndrome, human immunodeficiency virus, paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog, wheelchair or other remedial appliance or device; a person who has, or has had, a mental impairment and the impairment has, or has had, a substantial and long-term adverse effect on that person’s ability to carry out normal day-to-day activities” Bermuda Human Rights Act, 1989, amended 2016
- An individual with a disability is a person who “has a physical or mental impairment that substantially limits one or more major life activities; has a history or record of such an impairment; is perceived by others as having such an impairment” Americans with Disabilities Act, 1990.

Types of Disabilities include but are not limited to:

- Learning (e.g., Reading, Math, processing, etc.)
- Attention Deficit Disorder/Attention Deficit Hyperactivity Disorder (ADD/ADHD)
- Autism
- Visual
- Deaf and Hard of Hearing
- Physical
- Emotional (Mental Health)
- Communication
- Traumatic Brain Injury

## **5.2 (B) APPLYING TO THE COLLEGE AND ACCESSING SERVICES**

Applications to the college will be considered if students disclose their disability on the application form. Students must complete Section five, which addresses special needs. Students must contact the Coordinator of Accessibility Services (CAS) to discuss disability details. Students must clearly articulate their exceptionalities, needs, and educational goals. All documentation and requests for accommodations will be assessed for College acceptance to be considered. Students can be assured that all such information is treated with the strictest confidentiality. Factors that determine college acceptance and the granting of reasonable accommodations include the following:

1. Documentation such as Psycho-Educational or Clinical reports provided by a qualified professional must accompany the college application. Preferably, the date of the reports should be within four years of the application date. Individual Education Plans (IEPs) are accepted as evidence of services and accommodations, but more information may be required.
2. Students must meet program or course placement score requirements in mathematics and English.
3. The academic and technical standards required for admission or participation in an education programme or course are not substantially altered.
4. The precise education-related limitations of the student can be overcome with reasonable accommodations
5. The nature and cost of the accommodation will not create an undue financial burden on the College
6. The operation and educational mission of the College, course, and program are not substantially altered

### **5.2.1 ACCOMMODATIONS**

Accommodations at the college level provide an equal playing field and an opportunity for students to complete a program with learning differences. The Coordinator of Accessibility Services will assist with the implementation of the accommodations.

#### **5.2.1.1 *Examples of reasonable accommodations***

- Extended time on exams
- Testing in an individualized, distraction-free environment
- Peer-initiated note-takers
- Recorded classes with the use of an approved BC app or device

- Receive written text/materials in advance
- Enlarged copies of notes, required readings, handouts, and exam questions
- Use of aids, such as magnifiers
- Use of computers/spellcheck in class or access to these aids for writing assignments and exams (using approved BC assistive technology)
- Assistive technology software- Text to-speech, speech to text
- Adaptable furniture
- Course substitutions- Documentation must specifically show that the student's failure to meet the course requirement relates to the disability. The CAS and respective Dean will determine the impact on the college program or requirements essential to the program of study.
- Excused absences (mental health)

Reasonable accommodations do not waive students' responsibilities to:

- Complete requirements of a program or course
- Adhere to generally accepted standards of behavior as outlined in the College's Student Code of Conduct and General and Academic Student Rights and Responsibilities as outlined in the College's Catalogue.

#### ***5.2.1.2 Unreasonable Accommodation Requests***

Unreasonable accommodation requests shall be determined at the sole discretion of Bermuda College. The following are examples of what Bermuda College may define as unreasonable accommodation requests:

- Personal Care Attendants: Bermuda College will not be responsible for locating or paying for this service. Bermuda College realizes that in some instances, personal attendants may be necessary (per appropriate documentation) for students needing assistance in getting to various buildings, toileting, and dispensing medications. Students will be responsible for securing their care attendants.
- The provision of transportation for physically-impaired students
- The educational standards or mission of Bermuda College would be substantially altered
- The nature of the programme or course would be fundamentally altered
- The student is not able (with or without accommodations) to meet the academic and technical standards required for admission or participation in an education programme or course
- The effects of the disability on learning outcomes cannot be overcome even with reasonable accommodations

- The individual would not be able to complete a programme, course, service, or activity; even with reasonable accommodations
- The accommodation would cause an undue financial or administrative hardship (College-wide)

### **5.3 (C) SERVICE AND EMOTIONAL SUPPORT ANIMALS**

- Service animals, usually working dogs, must be trained to perform a specific task to benefit the student with a disability. The student is responsible for the cleanliness, health, and disposal of all animal waste. Other individuals should not touch, feed or separate the dog from its partner. The dog is allowed in all areas unless there is a safety concern, such as food preparation areas or science/research labs.
- Emotional support or comfort animals are generally defined as pets. They are often not trained professionally to perform a specific daily living task. Therefore, they are not allowed in classrooms or any college facilities.

### **5.4 (D) THE COORDINATOR OF ACCESSIBILITY SERVICES (CAS)**

The Coordinator of Accessibility Services collaborates with the College departments and divisions to ensure the needs of students with disabilities are met.

- The CAS is responsible for receiving and processing student requests for accommodations and liaising with faculty members involved in direct instruction.
- The CAS determines if a student with a documented disability or medical condition qualifies for a reduced course load but full-time status.
- Where appropriate, students with disabilities must assume responsibility for requesting accommodations through the CAS. Confidentiality of all student information is essential. The type of disability is not shared with faculty, and at no time should the class be informed that the student has a disability unless the student makes a specific request to do so.
- Students can refer all concerns and complaints related to accommodations to the Coordinator of Accessibility Services.
- The entire campus is responsible for fulfilling the Bermuda College student success mission. As such, procedures for accessing accessibility services and accommodations will be communicated through a variety of methods, including:
  1. Course Catalogue
  2. Course Syllabus

3. Employee Training
4. Faculty/ Student Handbook
5. Freshmen Orientation
6. Advisor/advisee meetings
7. Division Deans

## 5.5 (E) FUNDAMENTAL ALTERATIONS

To be successful in a course or program, each student must achieve the course's required outcomes by demonstrating that they have mastered the essential skills and knowledge for the course or program. **Students with disabilities are not excluded from this requirement.**

However, they are entitled to acquire and demonstrate this knowledge and these skills while using accommodations, provided they do not fundamentally alter the essential requirements of the course or program. If a fundamental alteration question arises, the Dean will appoint a committee (including the CAS) to determine whether there is a reasonable (logical and credible) basis for the position that implementing the accommodation would result in a fundamental alteration of a requirement. Such incidents must be considered carefully and on a case-by-case basis. If the requested accommodation invalidates the objective of the requirement, the committee must promptly search for alternate accommodations in consultation with the faculty member, CAS, and the student.

Examples of objections to accommodations include:

- Unfair advantage
- Academic freedom
- Test Security

## 5.6 (F) ACCESSIBILITY TO BUILDINGS AND GROUNDS

Reasonable adaptations that may be needed to make the college physically accessible to students with disabilities include but are not limited to the following:

- The continued maintenance of all areas, equipment, and facilities to ensure accessibility (e.g., automatic doors, elevators, lighting, passageways, corridor, lifts, etc.).
- The establishment and communication of safety procedures for all locations and buildings for those with physical challenges.



## **5.7 (G) UNDUE BURDEN**

Bermuda College may decline to implement an accommodation that is an undue administrative (college-wide) or financial burden on the College. The basis for this decision is primarily a fiscal determination.

The President makes the final, binding, undue burden decisions in consultation with the Vice President of Academic and Student Affairs. Any accommodation on this ground will require the prompt implementation of an alternate and equally effective accommodation.

Original policy approved by the Board of Governors in March 2014

Revisions approved by the Bermuda College Board of Governors in November 2022