

**6A-10.041 Substitution for Requirements for Eligible Students with Disabilities at Florida Colleges and Postsecondary Career Centers.**

(1) Each district board of trustees within the Florida College System and each district school board which operates district postsecondary technical career centers under section 1001.44, F.S., and charter technical career centers under section 1002.34, F.S., ~~a postsecondary career center~~ shall develop and implement policies and procedures for providing reasonable substitution for eligible students as required by Sections 1007.264 and 1007.265, F.S. In determining whether to grant a substitution, documentation to substantiate that the disability can be reasonably expected to prevent the individual from meeting requirements for admission to the institution, admission to a program of study, entry to upper division, or graduation shall be provided. In determining whether to grant a substitution, a college may consider pertinent educational records. For purposes of this rule, the following definitions shall apply.

(a) Deaf/Hard of Hearing. A hearing loss of thirty (30) decibels or greater, pure tone average of 500, 1000, 2000, and 4000 (Hz), unaided, in the better ear. Examples include, but are not limited to, conductive hearing impairment or deafness, sensorineural hearing impairment or deafness, and high or low tone hearing loss or deafness, and acoustic trauma hearing loss or deafness.

(b) Visual Impairment. Disorders in the structure and function of the eye 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 which 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 disorder in one or more of the basic psychological or neurological processes involved in understanding or in using spoken or written language. Disorders may be manifested in listening, thinking, reading, writing, spelling, or performing arithmetic calculations. Examples include dyslexia, developmental aphasia, dysgraphia, dysphasia, dyscalculia, and other specific learning disabilities in the basic psychological or neurological processes.

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

(e) Speech/Language Impairment. Disorders of language, articulation, fluency, or voice which interfere with communication, pre-academic or academic learning, vocational training, or social adjustment. Examples include, but are not limited to, cleft lip and/or palate with speech impairment, stammering, stuttering, laryngectomy, and aphasia.

(f) Emotional or Behavioral Disability. Any mental or psychological disorder including but not limited to organic brain syndrome, emotional or mental illness, or attention deficit disorders.

(g) Autism Spectrum Disorder. Disorders characterized by an uneven developmental profile and a pattern of qualitative impairments in social interaction, communication, and the presence of restricted repetitive, and/or stereotyped patterns of behavior, interests, or 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 and/or physical functioning.

(i) Intellectual Disability. A disorder 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) Other Health Impairment. Any disability not identified in paragraphs (1)(a) through (i) of this rule, where due to the identified disability, completion of this requirement is deemed impossible by a disability professional.

(2) The policies and procedures shall include at least the following:

(a) A mechanism to inform persons eligible for reasonable substitutions due to a disability;

(b) A mechanism for identifying reasonable substitutions for criteria for admission to the institution, admission to a program of study, entry to upper division, or graduation related to each disability;

(c) A mechanism for making the designated substitutions known to affected persons;

- (d) A mechanism for making substitution decisions on an individual basis; and,
- (e) A mechanism for a student to appeal denial of a substitution or a determination of eligibility.

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

(4) The policies shall include a provision ~~for that admitted~~ students who qualify for a course substitution which would allow such students to be exempt from the college preparatory requirements, as provided in State Board Rule 6A-10.0315, F.A.C., in the basic skill area for which the student is eligible for a course substitution, provided that successful completion of the college preparatory coursework is not considered an essential part of the curriculum in the student's academic program. who are assessed for readiness for college-level computation and communication under paragraphs Rule 6A-10.0315(1)(a) or (1)(b) and whose assessment results indicate a need for developmental education may be exempt from developmental education coursework if they qualify for a course substitution.

~~(5) The Commissioner of Education shall coordinate with the Chancellor of the State University System to provide for coordination of the provision of technical assistance in the implementation of this rule.~~

~~(6)~~ (5) Each Florida college and postsecondary career center operated by a school district shall maintain and report records on the number of students granted substitutions by type of disability, the substitutions provided, the substitutions identified as available for each documented disability and the number of requests for substitutions which were denied. Each college within ~~The~~ the Florida College System shall report such information to the Department of Education, Division of Florida Colleges once a year by July 1. The Course Substitution Report, Form CSR-01, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-06771>) is incorporated by reference herein effective ~~June 2016~~, 2022 ~~June 2016~~, can be obtained at <http://fldoe.org/core/fileparse.php/3/urlt/coursesubstitutiontemplate.pdf>. Each career center under section 1001.44, F.S., and charter technical career center under section 1002.34, F.S., shall report such information to the Department of Education, Division of Career and Adult Education once a year by July 1. The Postsecondary Career Center Course Substitution Report, Form XXX-XX is incorporated by reference herein, effective ~~June 2016~~, 2022, can be obtained at ~~http://fldoe.org/core/fileparse.php/3/urlt/coursesubstitutiontemplate.pdf~~.

*Rulemaking Authority 1001.02(1), 1001.02(2)(n), 1001.02(6), 1007.264(2), 1007.265(2) FS. Law Implemented 1007.264, 1007.265 FS. History—  
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