

8.1.1P
ACADEMIC ACCOMMODATIONS
FOR STUDENTS WITH DISABILITIES
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AMERICANS WITH DISABILITIES ACT (ADA) 2010 AMENDMENT
ED CODE: 67300 et. seq.
TITLE 5 §: 56000-56076
REHABILITATION ACT OF 1973: 504, 508

Sonoma County Junior College District has developed the following procedures to respond to academic accommodation requests by students with disabilities.

The student is responsible for presenting verification of their disability, completed and signed by a qualified professional, before an academic accommodation can be authorized.

When a student requests disability-related services, the student's disability is confirmed by a Disability Resources Department (DRD) Specialist following state and federal guidelines. The Specialist, in consultation with the student, determines educational limitations based on the disability and authorizes appropriate accommodations

If the student does not have appropriate verification of a disability, DRD may provide an assessment to determine and document the disability if it is within the scope of eligibility services provided by DRD.

By law, a student is not required to go through DRD to receive academic accommodations and may choose to meet directly with the District 504 Coordinator, Vice President of Human Resources, or designee to request review of disability verification and authorization of accommodations.

Faculty are responsible for allowing auxiliary aids and/or assisting with the implementation of academic accommodations.

I. COURSE ACCOMMODATION, COURSE REQUIREMENT ALTERATION

A. Eligibility:

Requests for course accommodation are considered case-by-case based on the functional limitations of the student's disability and the requirements of the course. When a student who is otherwise qualified for a course has functional limitations that preclude them from fulfilling course expectations, consideration may be given to grant a course requirement alteration.

B. Requesting Course Accommodation, Course Requirement Alteration

1. Students request authorization for accommodations from DRD prior to the need of the accommodation. A student who requests accommodations directly from a faculty member should be referred to DRD.

2. DRD Specialists, in consultation with the student, record on the Authorized Academic Accommodation (AAA) Letter the accommodations specifically authorized for each course of enrollment.

C. Implementation of Course Accommodation, Course Requirement Alteration

Students present the AAA Letter to the faculty member at an appropriate time, prior to the need for accommodation.

D. Procedure for Resolving Course Accommodation, Course Requirement Alteration Concern

1. Student Concern:

- a. If the student has a concern with the DRD authorized accommodation, they will discuss it with the DRD Specialist who made the decision.
- b. If the student has a concern with the implementation of the accommodation in the classroom, they will discuss it with the faculty member and may invite a member of DRD to be present.
- c. If a resolution is not reached within 5 working days, the student may submit a written request for an Accommodation Review to the Disabled Students Programs and Services (DSPS) Coordinator that addresses the following that apply:
 - i) Evidence that the accommodation is necessary to appropriately address the verified disability related limitation(s); or
 - ii) Evidence that an authorized accommodation has been denied in the classroom, or
 - iii) Evidence that the accommodation is reasonable and will not fundamentally alter the essential academic objectives of the course requirements.

2. Faculty Concern:

- a. If the faculty member has a concern about implementing an accommodation or believes that the accommodation would fundamentally alter essential course requirements and/or create a safety concern, the faculty member will discuss it with the DRD Specialist who authorized the accommodation or the DSPS Coordinator.
- b. If a resolution is not reached within 5 working days, the faculty member may submit a written request for an Accommodation Review to the DSPS Coordinator that includes evidence that the course requirement alteration in question will fundamentally alter essential course requirements and/or create a safety concern.

3. Absent safety concerns, the DRD authorized accommodations shall be provided during the resolution process and any subsequent complaints.

4. The DSPS Coordinator will conduct a thorough review and provide a written recommendation within 10 working days after of receiving the review request.

5. If a resolution is not reached, the DSPS Coordinator will establish an Accommodation Review Panel consisting of the following members and may add additional panel members in order to ensure a meaningful review process:

- a. DSPS Coordinator
- b. Dean of Instructional Area or designee
- c. Department Chair or designated Faculty member from Instructional Area with content area expertise
- d. Non-DRD faculty member from outside impacted Instructional Area
- e. DRD Specialist familiar with the student's disability limitations
- f. Dean of Admissions, Records and Enrollment Management

6. Accommodation Review Panel

In order to expedite the process, the panel will convene within 10 instructional days. If a temporary resolution is necessary prior to the panel's action, the Compliance Officer, VP Human Resources, will make an interim decision. The panel's recommendation and/or decision will be made by consensus. Consensus, as used in this procedure, means that each individual on the panel either agrees with the decision or can live with it, and that it takes more than one dissenting member to block consensus. Should more than one member dissent, the panel decision will be made by majority vote. ~~must reconsider options. If a student is dissatisfied with the panel's decision they may follow District Procedure 2.7, Discrimination and Complaint.~~ The Accommodation Review Panel:

- a. Will identify the objective of the course requirement, taking into consideration the information provided by the faculty member, program or department concerning essential requirements, and Course Outline of Record. The panel will ensure that the requirement is not simply based on tradition or routine practice without direct connection to essential requirements.
- b. Will consider whether the requirement is consistent with similar programs at other educational institutions, and with relevant national and expert guidelines; and whether there is any unique justification for a requirement that is not generally adopted by other educational institutions.
- c. Will consider whether notice of the essential requirement in question has been provided to the student, and whether the accommodation requested by the student would invalidate the objective of the requirement.
- d. Will determine whether the accommodation requested by the student would invalidate the objective of the requirement. If not, the accommodation will be implemented.
- e. Will investigate alternate accommodations in consultation with the faculty member, Disability Specialist and the student if the requested accommodation would invalidate the objective of the requirement.
- f. Will provide a prompt written notice of the panel's decision to the faculty member and student.
- g. The DSPS Coordinator will take all steps necessary to ensure that the final approved accommodation is implemented fully and promptly.

II. COURSE SUBSTITUTION

A. Eligibility:

A course substitution may be considered for certificate, program or local degree option A if:

1. The student can demonstrate ~~that~~ the course is not a fundamental skill for the major, ~~or~~ certificate or any related licensing requirement, and
2. ~~3-~~ The student can demonstrate ~~that~~ limitations from the disability are of such magnitude that any attempt to pass the course would be futile. , or
3. ~~2.~~ The student, having made an earnest effort, can demonstrate they were ~~was~~ unable to complete the required course due to the limitations of their disability, ~~or~~ including:
4. ~~Required Documentation of Earnest Effort which must be confirmed by collaboration of the Disability Specialist and the Academic Department:~~
 - a. Evidence of appropriate course attendance, participation and assignment completion.
 - b. Verification that the student employed all authorized accommodations and services.
 - c. Documentation that the student regularly accessed appropriate campus support services.
 - d. Evidence that the student is appropriately placed and/or prepared for the course prior to enrollment. ~~(Students may submit additional documentation).~~
 - e. Evidence that the disability limitations impact the student's success in the course.

B. Requesting Course Substitution

1. The ~~S~~ student will meet with a Disability Specialist to complete a Disability Accommodation Course Substitution/~~Waiver~~ Request form and submit it with supporting documentation to the DSPS Coordinator that includes:
 - a. Identification of the specific course for which substitution is requested, and
 - b. Evidence that the course is not a fundamental skill for the major, certification or licensure requirements related to employment goals, and
 - c. Evidence of the student's success in completing course work in other areas required for the degree or certificate, and
 - d. Written verification from a qualified professional that the verified disability related limitations preclude success in the identified course or evidence that the student's disability related limitations prevented success in the course despite the student's earnest effort confirmed by collaboration with the academic department.
2. The DSPS Coordinator or Designee submits the completed request to the Dean of Admissions, Records and Enrollment Management for processing. The student will be notified of the outcome of the request within 30 working days of receipt of the request.
3. If an appropriate substitution is not identified once the student's request has been approved or the student's disability-related limitations preclude success in all substitutions, a course waiver will be considered.
- ~~4. The DSPS Coordinator will review the request to verify eligibility based on disability related limitations.~~
 - ~~a. If ineligible, the DSPS Coordinator will notify the student within 10 days.~~
 - ~~b. If eligible, the DSPS Coordinator will establish a Course Substitution Review P panel consisting of the following members and may add additional panel members in order to ensure a meaningful review process:~~
 - ~~i. DSPS Coordinator~~
 - ~~ii. Dean of Instructional Area or designee~~
 - ~~iii. Department Chair or designated Faculty member from Instructional Area with content area expertise~~
 - ~~iv. Non-DRD faculty member from outside impacted Instructional Area~~
 - ~~v. DRD Specialist familiar with the student's disability limitations~~
 - ~~vi. Dean of Admissions, Records and Enrollment Management~~

~~The Panel will convene and determine if the student has met II. A~~

- ~~a. If the Panel determines the student has not met II. A, the substitution request shall be denied in order to protect the integrity of the program of study and to protect the student's best interest in pursuing that program.~~
- ~~b. If the Panel determines the student has met II.A, it will notify the Instructional Department in question to the need to identify or approve acceptable substitution(s).~~
- ~~c. If no appropriate substitution course can be found, or in the most extreme cases, if the Panel concludes that a substitute course is inappropriate due to the nature of the disability, a course waiver may be granted.~~
- ~~d. Within thirty instructional days of the filing of the request, the DSPS Coordinator will inform the student in writing of the Panel's decision.~~

~~In order to expedite the process, the panel will convene in a timely manner to allow for a final decision within thirty instructional days of the filing of the request. The panel's recommendation and/or decision will be made by consensus. The panel signs the request and submits it to the Dean, Admission, Records and Enrollment Management to process the request. Students dissatisfied with the panel's decision may follow District Procedure 2.7, Discrimination and Complaint.~~

III. COURSE WAIVER

A. Eligibility:

A course waiver will be considered for certificate, program or local degree option A if a course substitution is not viable for one of the following extraordinary reasons:

1. The student's verified disability related limitations preclude success in the course and all authorized substitutions; or
2. The student's verified disability related limitations prevent success despite the student's earnest effort to pass an approved substitution; or
3. The Instructional Department is unable to identify an appropriate substitution after the student's substitution request is approved.

B. Requesting Course Waiver

1. Students will submit a Disability Accommodation Course ~~Substitution~~/Waiver Request form to the DSPS Coordinator with ~~supporting~~ required documentation.

2. The DSPS Coordinator or Designee submits the completed request to Dean of Admissions, Records and Enrollment Management for processing. The student will be notified of the outcome of the request within 30 working days of receipt of the request.

- ~~a. Identification of the specific course for which a waiver is requested.~~
 - ~~b. Evidence that the course is not a fundamental skill for the major, certification or licensure requirements related to employment goals, and~~
 - ~~c. Written verification from a qualified professional that the verified disability related limitations preclude success in the identified course and successful completion of all approved substitutions, or~~
 - ~~d. Evidence that the student's disability related limitations prevented success in an authorized substitution despite the student's earnest effort, or~~
 - ~~e. That upon the review panel's approval of a Course Substitution Request the Instructional Department was unable to identify an appropriate substitution.~~
- ~~2. The DSPS Coordinator will establish a Course Waiver Review Panel consisting of the following members and may add additional panel members in order to ensure a meaningful review process:~~
 - ~~a. DSPS Coordinator~~
 - ~~b. Dean of Instructional Area or designee~~
 - ~~c. Department Chair or designated Faculty member from Instructional Area with content area expertise~~
 - ~~d. Non-DRD faculty member from outside impacted Instructional Area~~
 - ~~e. DRD Specialist familiar with the student's disability limitations~~
 - ~~f. Dean of Admissions, Records and Enrollment Management~~
- ~~2. The Panel will convene, review the request with supporting documentation and consider evidence that the student meets eligibility per section III. A.~~
 - ~~3. In order to expedite the process, the panel will convene in a timely manner to allow for a final decision within thirty instructional days of the filing of the request. The panel's recommendation and/or decision will be made by consensus. The panel signs the request and submits it to the Dean, Admission, Records and Enrollment Management to process the request.~~
 - ~~4. Within thirty instructional days of the filing of the request, the DSPS Coordinator will inform the student in writing of the panel's decision.~~

IV. COMPLAINT PROCESS

Students dissatisfied with an accommodation decision may follow the District grievance process. Procedure 2.7, Discrimination and Complaint-Unlawful Discrimination and Sexual Harassment.