

SECTION II: INSTRUCTION
BOARD POLICY NO: 2.14

BOARD POLICY
SISKIYOU JOINT COMMUNITY COLLEGE DISTRICT

SUBJECT: ACADEMIC ACCOMMODATIONS

Adoption date: June 4, 2002

POLICY BASIS: Section 504 of the Federal Rehabilitation Act of 1973 [84.43(a)]
California Education Code, Title V, Section 56027
Americans with Disabilities Act of 1990

POLICY STATEMENT:

It is the policy of the Siskiyou Joint Community College District that no qualified student, who may be reasonably accommodated on the basis of a disability, be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination regarding, any academic, research, occupational training, housing, health insurance, counseling, financial aid, athletics, recreations, other extra-curricular or education program or activity provided by the District. The District will develop procedures to respond to students with verified disabilities who request academic adjustments and accommodations and to respond to conflicts or grievances regarding such requests.

Policy Elements

I. Student's Rights

Each qualified student with a disability has the right to:

- A. Reasonable and appropriate accommodations within the classroom, including academic adjustments or access to auxiliary aids to minimize the impact of a disability (Section 504 of the 1973 Rehabilitation Act; AB77, Lanterman; Americans with Disabilities Act, 1990) whether or not they are registered with Disabled Student Programs and Services (DSP&S).
- B. Receive reasonable academic adjustments in order to create an educational environment where they have equal access to instruction without fundamentally altering any course, educational program, or degree.

II. Student's Responsibilities

Each qualified student with a disability requesting accommodations has the responsibility to:

- A. Identify himself/herself as a student with a disability.
- B. Discuss accommodation needs with the instructor and/or instructional support staff (herein known as instructor) in a timely manner, giving ample time for the verification of the disability and arrangement of the appropriate accommodations based on the functional/educational limitations caused by the disability.
- C. Provide appropriate documentation of his or her disability when necessary.

The student may also identify themselves to DSP&S and request services through the DSP&S office.

III. Instructor's and/or Instructional Support Staff Responsibilities

- A. Provide accommodations as determined to be reasonable and appropriate due to the functional limitations of the disability.
- B. Create a learning environment that is non-discriminatory to students with disabilities.

When a student with a disability self-identifies to an instructor and requests a particular academic accommodation, the disability may be visually verifiable, and the instructor may not feel compelled to request documentation or additional evidence that a disability exists. In other instances, however, the disability may not be apparent, and the instructor needs to request that the student provide appropriate medical documentation. A faculty member may provide the student with information regarding services through DSP&S if the student is unfamiliar with the program. A faculty member may also consult with the DSP&S office to verify a student's stated disability or the type of academic accommodations that would be reasonable and appropriate.

PROCEDURES:

I. Resolving Disagreements

- A. If a disagreement occurs between an instructor and a student regarding a requested accommodation, a timely review procedure will be initiated by the Coordinator of the Disabled Students Programs and Services (DSP&S) office, whether or not this is a student receiving services through the DSP&S office.
The DSP&S Coordinator will render an interim decision within *three instructional days* and initiate a fact-finding review. The interim decision of the Coordinator will be binding on both parties pending final resolution for a maximum of fifteen instructional days, beginning from the day the interim decision is made.
- B. In a timely follow-up to the interim decision, the DSP&S Coordinator will initiate a fact-finding process. The fact-finding review team will consist of a DSP&S specialist and one faculty member from a closely related academic content area. The process will include:
1. an interview with the instructor and student regarding the dispute and the expectations for classroom performance;
 2. soliciting input from appropriate DSP&S personnel;
 3. reviewing or verifying the documentation regarding the student's disability and the educational limitations imposed by the disability;
 4. reviewing the accommodation or auxiliary aid(s) requested, recommended or amended;
 5. gathering such other information that would have a bearing upon the educational limitation(s) in dispute and the appropriateness of any academic accommodation.
- C. Based upon the fact-finding process and the recommendations of the fact-finding team, the DSP&S coordinator will communicate the decision, in writing, to all parties involved as quickly as possible, but in no event longer than fifteen (15) instructional days from the date the interim decision was issued. The fact-finding team's decision will be binding upon both parties and shall continue without interruption throughout the balance of the semester it was rendered.
- D. The review procedure shall be to decide if the particular academic accommodation requested by the student or offered by the instructor is reasonable and appropriate given the student's documented disability and the performance requirements of the class.

II. Appealing the Decision

- A. The student or the instructor has the right to appeal the decision of the Fact-finding Committee. During the formal appeal process, the Committee's decision will remain in effect. If, upon appeal, the Committee's decision is not upheld, the prevailing party will have the right to redo any work done during the time the decision was in effect, utilizing the new accommodations decision.

FIRST APPEAL:

The student or instructor may make an appeal to the DSP&S Academic Accommodation Review Committee within ten (10) days of receiving the decision of the Fact-finding Committee from the DSP&S Coordinator.

1. Any request for appeal will be made in writing on a form provided by the DSP&S office (accommodations will be provided if needed).
2. The Academic Accommodation Review Committee, which will consist of the Vice President of Instruction, the 504/ADA Compliance Officer, the Affirmative Action Officer, a certified member of DSP&S, an Academic Senator, the student trustee or a designated ASB officer, and an instructor of the subject matter (or closely related content area) will be called together. The purpose of the Committee will be to render a decision based upon the information and recommendation of the DSP&S Coordinator, the information gathered through the fact-finding process, the statements of the student and the instructor, and the administrative policies and procedures applicable to the academic accommodation process.
3. The panel will be convened within five (5) days of receiving the written appeal and will render a decision in a timely manner, not exceeding fifteen (15) days after the DSP&S Office receives the appeal in writing.

FINAL APPEAL: A request for a final review and administrative relief may be made to the office of the Superintendent/President of the College of the Siskiyou within ten (10) instructional days following the decision of the Academic Accommodations Review Committee.

1. Any request for appeal will be made in writing on a form provided by the Superintendent/President's office.
2. The Superintendent/President will review all materials, statements, and recommendations. The Superintendent/President shall ensure that District policies and procedures have been followed. The Superintendent/President will render a decision in a timely manner, not exceeding fifteen (15) days from the time the appeal is received by the Superintendent/President's office. The decision of the Superintendent/President shall be final and binding upon all parties.