

4002. ADMINISTRATIVE REGULATIONS ON ACADEMIC ADJUSTMENTS
FOR STUDENTS WITH A DISABILITY

4002.1 Responsibility

The Vice President, Academic Affairs, shall be responsible for the administration of these regulations.

4002.2 Review of Requests for Academic Adjustments and Auxiliary Aids

A. Purpose

The Long Beach Community College District establishes this procedure for responding, in a timely manner, to differences of opinion concerning requests for academic adjustments and/or auxiliary aids. In the event of such a disagreement the District shall engage in a timely review procedure in order to ensure compliance with Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and Title 5 of the California Code of Regulations.

B. Legal Responsibilities

Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and Title 5 of the California Code of Regulations require that colleges make modifications to academic requirements that may be necessary to ensure that such requirements do not discriminate or have the effect of discriminating on the basis of a disability. These modifications may include adapting the manner in which specific courses are conducted including the use of auxiliary aids for the completion of the academic requirements. Students making requests for such modifications are not required to utilize Disabled Students Programs & Services (DSP&S) in order to secure or be allowed academic adjustments and auxiliary aids. Recognizing that full compliance with the requirements of Section 504 and Title II of the Americans with Disabilities Act is the responsibility of the college administration, this policy addresses the resolution of differences of opinion regarding specific accommodations. The review procedure will determine if the requested academic adjustment and/or auxiliary aid is reasonable, given the nature of the student's disability and the content of the education program or activity.

C. Student Responsibilities

Students with verified disabilities requesting academic adjustments and/or auxiliary aids are responsible for identifying themselves to the appropriate instructors and it is recommended that the student utilize the

services of the Long Beach City College Disabled Students Programs & Services (DSP&S) department.

Step 1 - The student seeking accommodations is responsible for providing professional verification of his/her disability in a timely manner, to DSP&S or to the instructor, if requested.

Step 2 - Students seeking specific academic adjustments and auxiliary aid requests will be required to meet time lines and procedural requirements established by the District.

D. District Responsibilities

The Section 504 Coordinator will serve as facilitator and be responsible for the convening of an ad hoc committee to review and resolve differences of opinion regarding requests for academic adjustments and/or auxiliary aids within the timelines specified in these regulations. The Instructional Dean in consultation with the 504 Coordinator and the department head, will be responsible for making an interim decision in the event that the disagreement cannot be resolved in a timely manner.

1. Informal Resolution Procedure

- a. The student and/or instructor will make a reasonable effort to resolve differences of opinion on an informal basis prior to requesting intervention and review by the 504 Coordinator.
- b. Instructors having questions regarding academic adjustments and auxiliary aid requests should consult with a DSP&S counselor/specialist.
- c. Any informal meetings and discussions among the instructor, student, appropriate DSP&S personnel and/or other appropriate members of the college community must occur within five (5) instructional days.

2. Formal Resolution Procedure

If no informal resolution is obtained, the student or faculty member may pursue a formal review by submitting a written request for a review of the requested academic adjustment and/or auxiliary aid to the Section 504 Coordinator.

- a. The 504 Coordinator will convene and chair, as an advisory member, a meeting of an ad hoc review committee for the purpose of rendering a final decision.

- b. The ad hoc review committee will include the department head or designee of the department in which the request is being made (exclusive of the instructor receiving the request), the DSP&S Coordinator or designee, and the instructional dean.
- c. The Section 504 Coordinator will inform the instructor and the student of the decision regarding the requested academic adjustment and/or auxiliary aid within 10 instructional days following receipt of the written request for formal review.

3. Appeal

When either the instructor or the student wishes to appeal the decision of the ad hoc review committee, an appeal may be made to the Vice President of Academic Affairs in accordance with existing college procedures. The student also has the right to file grievance proceedings under Section 504 of the Rehabilitation Act of 1973 and/or the Americans with Disabilities Act with the Section 504 Coordinator. This procedure does not prevent the student from directing a formal complaint to the U.S. Department of Education, Office for Civil Rights, at any time.

4002.3 Academic Adjustments to Meet Course Graduation and Proficiency Requirements

A. Purpose

The Long Beach Community College District is committed to the establishment of a procedure for responding, in a timely manner, to accommodation requests of students with a disability involving academic adjustments. In order to meet federal and state guidelines, the District will consider, on a case-by-case basis, the substitution of courses necessary for completion of degree and/or proficiency requirements as an appropriate modification when providing academic adjustments.

In response to these guidelines, the Long Beach Community College District recognizes that a disability may impede a student from demonstrating required mathematics, computer, reading and writing proficiencies or from completing course requirements necessary for an Associate of Arts or Associate of Science degree in the same manner as non-disabled students. The college also recognizes the need to accommodate students with documented disabilities to the greatest extent possible without compromising those students' courses of study, either majors or fields of concentration, and without compromising the integrity of the college's academic standards.

The Long Beach Community College District intends that all of its graduates master the competencies required by Title 5 of the California Administrative Code and complete courses required for graduation. The District recognizes that most disabilities that impede a student from completing a course or proficiency can be overcome by providing a combination of appropriate accommodations. The District also recognizes that for some students with a disability such accommodations will not be enough to enable them to complete the course. For these students, a course substitution will be individually considered according to prescribed procedures outlined in these regulations.

B. Student Responsibilities

The student will request and complete the “Course Graduation or Proficiency Requirements Application for Students with a Disability” available from the Disabled Students Programs & Services (DSP&S) office. In completing this form the student should ensure that all questions are completed in full with supporting documents attached. The student may provide evidence of a previous assessment or documentation of the disability from an appropriate specialist outside the District's DSP&S staff or the DSP&S staff itself. This documentation must include sufficient evidence to allow DSP&S staff to establish a direct relationship between the student's disability and how it specifically affects the student's ability to complete the essential requirements of the course or proficiency.

C. District Responsibilities

The DSP&S Coordinator, or other appropriately qualified DSP&S specialist, will review the application and confirm and document all responses as to their accuracy and completeness. The specialist will then either request additional supporting documentation from the applicant or recommend that the application be submitted to the Academic Accommodations Appeals Committee herein referred to as the “Committee.”

The Committee shall be an ad hoc committee composed of the following individuals:

1. The DSP&S Coordinator or specialist, who will serve as chair.
2. The Department Head of the discipline or designee in which the requirement is taught.
3. The Department Head or designee from the student's major or field of concentration.

4. The Department Head or designee from the department providing the adjustment.
5. A representative from the Associate Degree and General Education Subcommittee of the Curriculum Committee.
6. A Student Advocate if requested (non voting).

The Committee shall thoroughly review the application and determine that all of the conditions listed below have been fulfilled:

1. The student has met the eligibility criteria of a specific disability, as defined by DSP&S regulations (Sections 56032, 034, 036);
2. The student's specific disability has a direct effect upon the student's ability to complete the course or proficiency;
3. The student has made a consistent and persistent good faith effort to complete the required course or proficiency, which includes utilizing all resources available for successful completion of the course;
4. The student has demonstrated academic ability;
5. The student's requested adjustment is not a necessary requirement for successful completion of the major or field of concentration.

The Committee's decision will be determined by a simple majority vote. If the committee determines that all of the aforementioned conditions are met and adjustment is granted, it will designate an appropriate course for substitution. If the Committee determines that any responses from the application are insufficient, it will return the application to the DSP&S office or the applicant for further documentation or clarification. If any of the conditions are not met, the Committee may deny the substitution.

The Committee will notify the student of its decision in a timely manner: during Fall and Spring semesters, this means within 20 academic calendar (working) days. Copies of all approvals are sent from the Committee to the Registrar, the DSP&S office, the student's regular college folder, and the student. NOTE: Students will be informed in writing that a substitution granted by Long Beach City College may not be recognized by any other educational institution to which the student may attempt to transfer.

D. Appeal Process

If the student applicant is dissatisfied with the Committee's decision, he/she may appeal to the Dean of the major or certificate granting school and then to the Vice President of Academic Affairs.

1. Upon receiving an appeal, the Dean shall review the Committee's decision and either affirm or deny the decision.
2. If the Dean denies the appeal, the student may request that the Dean forward it to the Vice President of Academic Affairs, who shall affirm or deny the decision. The decision of the Vice President of Academic Affairs will be final.