

4002.

ADMINISTRATIVE REGULATIONS ON
DISABLED STUDENTS PROGRAMS AND SERVICES

4002.1 Responsibility

- A. The Superintendent-President in consultation with the Vice President, Student Support Services shall ensure that the DSPS program conforms to all requirements established by relevant laws and regulations, as outlined in Board Policy 5021 and Administrative Regulation 5021.
- B. The Vice President, Academic Affairs shall ensure adherence to these regulations for academic and curricular accommodations requests and adjustments for students with a disability.

4002.2 Definitions of Disabilities, Academic Adjustments and Related Academic and Curricular Services

Definitions in this regulation are outlined within California Administrative Code, Title 5, Section 56000 et seq., Rehabilitation Act, Section 504 (1973), Americans with Disabilities Act (1990) and Americans with Disabilities Act Amendments Act (2008)

- A. A student with disabilities is any student who experiences education limitations and has verified one of the below-mentioned disabilities either through the DSPS registration process or through verification with DSPS or the ADA/504 Compliance Office. Students with disabilities are not required to register with DSPS. All students with disabilities are eligible to participate in the DSPS program if they have an impairment which is verified and which results in an educational limitation. Non-DSPS student accommodations are overseen by the ADA/504 Compliance Officer. Verification of disabilities is the responsibility of the DSPS program and the ADA/504 Compliance Officer.
- B. Disabilities for which academic accommodations may be provided include, but are not limited to:
 - 1. Acquired Brain Injuries (ABI)
 - 2. Attention Deficit and Hyperactivity Disorder (ADHD)
 - 3. Autism Spectrum
 - 4. Blind and Low Vision
 - 5. Deaf and Hard of Hearing
 - 6. Intellectual Disability/Developmental Disability
 - 7. Learning Disability
 - 8. Mental Health Disabilities

9. Other Health Conditions and Disabilities
 10. Physical Disabilities
- C. Academic adjustments or accommodations are defined as modifications to the way instructional material is presented, learned, expressed and/or assessed. Academic adjustments or accommodations may not fundamentally alter the essential requirements of a course, program, certificate or degree. Requests for accommodation or adjustment will not be granted unless an educational limitation has been verified by DSPS or the ADA/504 Compliance Officer.
- D. DSPS, in consultation with faculty where DSPS deems it is needed and appropriate, may provide to students the following academic services as academic adjustments or accommodations based on educational need in relation to disabilities listed above:
1. Reader services
 2. Scribe services
 3. Testing accommodations
 4. Note taker services
 5. Recording of lectures
 6. Class aids for lab courses or hands-on tasks
 7. Sign language interpreters
 8. Closed or open captioning
 9. Printed college materials in alternate formats
 10. Adaptive equipment or furniture
 11. Specialized classes and support programs
 12. Technology accessibility
 13. Liaison with faculty and staff
 14. Calculator on exams
 15. Use of instructional materials, such as PowerPoints or instructor-approved formula cards on math exams
 16. Academic counseling, or
 17. Other academic adjustments and/or accommodations.
- E. Determining eligibility for academic adjustments, auxiliary aids, services or other accommodations is an interactive process by which DSPS and the ADA/504 Compliance Officer verify a disability that results in an educational limitation. A student's educational limitations and approved accommodations must be identified and described in the Academic Accommodation Plan (AAP).

4002.3 Academic Adjustments and Accommodations Verification Procedures for Students with a Disability

The process of assessing and verifying eligibility for specific academic adjustments and/or accommodations is the sole responsibility of the DSPS program and the ADA/504 Compliance Officer. Faculty are not permitted to approve or provide accommodations without authorization from DSPS or the ADA/504 Compliance Officer. However, faculty and students have responsibilities to ensure the provision of accommodations and adjustments is correctly implemented.

A. Student Verification Process Responsibilities

1. Students seeking academic accommodations and/or educational adjustments are required to request assessment or submit verification of disability to DSPS, at which point a DSPS Counselor, the Learning Disability Specialist or the DSPS Director will assess and/or review documentation to determine eligibility for academic adjustments, and/or accommodations.
2. Once eligibility for academic adjustments and/or accommodations is determined and accommodations are approved, the student is responsible for submitting accommodations letters to instructors where accommodations are applicable.

B. Instructional Faculty Verification Process Responsibilities

1. Instructional faculty are responsible for referring students to DSPS when students disclose a need for accommodations due to disability.
2. Faculty will be notified of approved accommodations or educational adjustments through an accommodation letter. Faculty must acknowledge receipt of accommodation letters.

4002.4 Implementation of Academic Adjustments and Accommodations

The implementation of academic adjustments and/or approved accommodations must meet accessibility standards. In order to meet accessibility standards, students and instructional faculty have certain responsibilities to ensure that instruction is implemented in accordance with approved accommodations.

- A. Once accommodations and adjustments services have been offered to an eligible student, the student must contact faculty via an accommodation letter in a timely manner to plan and organize implementation of accommodation and academic adjustments support.
- B. Academic adjustments and/or accommodations begin once the instructor has confirmed receipt of an accommodation letter.

- C. Instructional materials developed, purchased or used must meet accessibility standards. Faculty will be provided with training and/or resources to effectively implement accommodations and/or academic adjustments after educational limitation has been verified with the student and DSPS.
- D. When a student refuses to utilize accommodations or adjustments, faculty may send notification that refusal of accommodation and adjustment services may have an impact on learning.
- E. Faculty are encouraged to include a syllabus statement that offers assistance, encourages students with disabilities to contact DSPS, and states the current location of DSPS office at both the LAC and PCC campuses.

4002.5 Disability Related Course Substitutions

Students with verified disabilities may request course substitutions for courses within a program of study that cannot be completed due to the nature of a student's specific disability. The procedures and timeline for requesting course substitution are outlined in Administrative Regulation 5021 in detail. The following outlines the general procedure and standards for evaluation of course substitution requests:

- A. Course substitutions may be granted by the Disability Related Course Substitution Committee (DRCS) consisting of, but not limited to, the following members or designees:
 - 1. Instructional Faculty representative.
 - 2. Learning Disability Specialist or DSPS professional recommending the adjustment.
 - 3. Director of DSPS.
 - 4. Area Dean.
 - 5. Department Head or department representative from the department of the course in question, as appointed by the Academic Senate.
- B. The Disability Related Course Substitution Committee will review the student's application and determine by a simple majority vote that all of the following conditions have been fulfilled and/or verified:
 - 1. The student with a verified disability, as defined by Administrative Regulation 5021, that has a direct effect upon the student's ability to complete the course or proficiency;

2. The student has made a consistent and persistent good faith effort to complete all required course outcomes or proficiency, which includes utilizing resources available for successful completion of the course;
 3. The student has demonstrated academic ability;
 4. The student's requested adjustment is not is not integral to the student's selected program of study.
- C. If a substituted course is required for transfer, and the student plans to transfer, the student is responsible for contacting the transferring institution regarding the acceptability of the substitution.
- D. Grades for courses used as substitutions shall be based on a student's ability to demonstrate comparable concept mastery to that of other students enrolled in the course being replaced. For this reason, special project courses or others designated by the department may be assigned as the appropriate substitution courses and should incorporate those essential concepts as identified in the course outline of record for the course being replaced.

4002.6 Complaint/Grievance Process for Providing Equal Access

The following procedures generally outline the process by which students with disabilities and/or faculty may file complaint or grievance on the basis of dissatisfaction with reasonable academic accommodations and/or implementation of accommodations. It is the responsibility of DSPS to track such complaints or grievances and maintain a timeline, as outlined in Administrative Regulation 5021.

A. Student Complaint/Grievance Responsibilities

Students with verified disabilities who are dissatisfied with their approved accommodation, purchase, use or agreement for assessing College-related information can appeal the decision following the outlined procedure below:

1. The student should communicate their concerns and offer suggestions for an alternate plan with their DSPS Counselor and/or the Disability Support Services Specialist.
2. If not satisfied with the outcome from the above conversation, the student may call for the DSPS Director or the ADA/504 Compliance Officer to review the complaint and determine whether changes in the accommodations plan are warranted. The accommodation originally authorized will remain in place for a maximum of three

instructional weeks while it is determined whether or not the accommodation is reasonable.

3. If the decision made by the DSPS Director or ADA/504 Compliance Officer is not to the student's satisfaction, the student may request an Equal Access Hearing, as outlined in Administrative Regulation 5021.

B. Faculty Complaint/Grievance Responsibilities

Instructional faculty who are not satisfied with approved accommodations or purchase, use or agreement for assessing instructional materials can appeal the decision following the outlined procedure below:

1. The instructor may initiate a discussion about concerns regarding accommodations plans with the DSPS professional who authorized the accommodation or the DSPS Director. Information gathering meetings may be held with the student in question, Department Chair and/or other appropriate members DSPS and members of the College Community, including the Vice President, Student Support Services to resolve concerns.
2. If no informal resolution can be found, the instructor shall refer the matter to the ADA/504 Compliance Officer as soon as possible for review. The ADA/504 Compliance Officer shall make a decision regarding the accommodation within five instructional days.
3. If the instructor is not satisfied with the above decision, the instructor will notify the ADA/504 Compliance Officer in writing within five instructional days and an Equal Access Hearing process will begin, as outlined in Administrative Regulation 5021.

C. General Provisions for Complaints/Grievances Regarding Approved Accommodations

1. An Equal Access Hearing will be comprised of the following voting members:
 - a. Dean of Counseling and Student Support Services or designee;
 - b. An academic Dean or designee;
 - c. Discipline appropriate Department Head;
 - d. Academic Senate President or designee;
 - e. Student representative appointed by the Associated Student Body.

2. Any complaint by a student or instructor may be withdrawn at any step of the process; however, the same complaint shall not be re-filed.
3. The ADA/504 Compliance Officer may be consulted by any party regarding these procedures at any time. In the case that the grievance is in relation to an accommodation or academic adjustment offered by the ADA/504 Compliance Officer, the Vice President, Student Support Services, may be consulted.
4. Accommodations may not pose a direct threat to health or safety of others.
5. Accommodations may not pose an undue burden on the College.

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