

ACADEMIC APPEALS POLICY AND PROCEDURES

FOR STUDENTS WITH DISABILITIES

Policy:

Grossmont-Cuyamaca Community College District (GCCCD) acknowledges that a disability may preclude a student from demonstrating required math, reading and/or writing competencies or from completing the requisite courses for an Associate degree or certificate in the same manner that nondisabled students are expected to. The District also recognizes Its responsibility to accommodate students with documented disabilities to the greatest extent possible without compromising a disabled student's course of study as well as maintaining the standards of academic rigor relative to degree programs.

GCCCD intends that all of its graduates master the competencies required by Title 5 of the California Administrative Code and complete the courses required for graduation. The District recognizes that most disabilities which prevent a student from completing a course can be overcome by altering the methods of course delivery and providing appropriate accommodations, in order to accommodate students with documented disabilities, GCCCD has set up four sequential levels of accommodation.

- The first level of accommodation will involve a good faith effort¹ to complete the course with assistance; for example, tutoring, auxiliary aids, and test accommodations. The students' good faith effort will be determined jointly by the instructor(s) of record and the DSP&S Specialist.
- A second level of accommodation may include a modified version of the course if such modified version is offered by the department.
- For some students with disabilities, such accommodations and alterations of course delivery will not be sufficient to enable him/her to complete the course. For these students, a third level of accommodation may be available, namely, a course substitution considered on a case by case basis under the conditions described below.
- Only in the most extreme cases and after all other levels have been attempted, a fourth level of accommodation may be available, namely, a course waiver will be considered.

If a student with a documented disability can demonstrate to the appropriate DSP&S Specialist that any available first-level or second-level accommodation is insufficient to enable him/her to complete the course, or if the student can demonstrate to the appropriate DSP&S Specialist that his/her disability is of such magnitude that any attempt at completing the course at Accommodation Level I or II would be futile, that student may appeal by submitting a petition to the appropriate Petitions Committee. After accepting the petition request, the Petitions Committee chair or designee will establish a special Academic Appeals Subcommittee to determine whether (1) to accept or reject the DSP&S Specialist's recommendation and/or (2) to determine whether a course substitution or, as a last resort, a course waiver is more appropriate.

¹ A *good faith effort* to meet the graduation requirement includes (1) consistent and persistent effort in attempting course work; (2) regular attendance, completion of all assignments; (3) use of all appropriate and available services such as tutorial assistance or instructional support classes; and (4) use of all appropriate and available academic adjustments such as test accommodations.

It is up to the Academic Department to develop a list of acceptable substitutions. This Academic Appeals Subcommittee will (1) review the DSP&S Specialist's recommendation that the disabled student's situation precludes Levels I and II, and (2) determine if such a substitute or waiver will still meet the required competencies.

A course substitution (Accommodation Level III) will be allowable only if the subcommittee determines that the course in question is peripheral to the student's program of instruction, major or licensing requirements, and that the student has no chance of completing the course even with all Level I and Level II accommodations the District offers. A waiver (Accommodation Level IV) will only be considered when there is evidence that a satisfactory course substitution cannot be found and there are no viable alternatives as determined by the subcommittee. {"Academic requirements that the District can demonstrate are essential to the program of instruction being pursued by the student, or directly related to licensing requirements, will not be regarded as discriminatory." Volume 34 of the Code of Federal Regulations 104.44(a)} NOTE: STUDENTS WILL BE INFORMED IN WRITING THAT A SUBSTITUTION OR WAIVER GRANTED BY ONE OF THE COLLEGES MAY NOT BE RECOGNIZED BY ANY OTHER EDUCATIONAL INSTITUTION TO WHICH THE STUDENT MAY ATTEMPT TO TRANSFER.

ADMINISTRATIVE REGULATIONS

Procedures:

1. A student seeking accommodations in completing a course due to a documented disability shall request assistance from the appropriate Disabled Student Programs and Services (DSP&S) Specialist. The student may present to the DSP&S Specialist a previous assessment of his/her disability.
2. The DSP&S Specialist will assess and document the extent of the disability (considering whatever evidence, if any, the student presents from prior assessments of his/her disability). Depending on the severity and educationally related functional limitations of the assessed disability, the Specialist shall recommend appropriate Level I or Level II accommodations: auxiliary aids, or alternative versions of the course in question. If the Specialist concludes that the severity of the disability warrants a course substitution or, in the most extreme cases, a course waiver (or if the student believes he/she is sufficiently disabled, but the Specialist does not), he/she submits a petition to the Chair of the Petitions Committee. If the petition is accepted, the case is forwarded to the subcommittee established by the Petitions Committee chair.
3. This subcommittee, entitled "The Petitions Subcommittee for Special Academic Appeals," shall have the following constituency (five voting and two non-voting members):
 - a. An instructional administrator from the concerned academic area
 - b. A contract instructor (preferably one who teaches the course in question) from the concerned academic area
 - c. The GCCCD DSP&S Specialist involved in the case
 - d. An advocate of the student's choice (non-voting)
 - e. Each college's articulation officer (as needed for information; non-voting)
 - f. Each college's Director of Admissions and Records, or designee

- g. A representative from the Academic Senate (preferably from the concerned academic area)

This subcommittee shall select a chair from among its five voting members. It shall hear the case brought by the disabled student seeking course substitutions or waivers under any one of the following conditions:

- a. The student, having made a good faith effort to complete the required course in question and having availed him/herself of the Level I and Level II accommodations recommended by the Specialist, has been unable to satisfactorily complete the course, or
 - b. The student and the appropriate GCCCD DSP&S Specialist agree that, due to the severity of the disability, even beginning the course with Level I and Level II accommodations is futile, or
 - c. The student wishes to appeal the GCCCD DSP&S Specialist's assessment that his/her disability is not sufficient to warrant a substitution or, in the most extreme cases, a waiver.
4. If the condition is "c" above, the first responsibility of the subcommittee will be to review and act on the issue. If the condition is "a," the subcommittee must first determine if the student has made a good faith effort to complete the class. If the subcommittee decides that the student has made a good faith effort, or if the condition is "b," the subcommittee will determine if the course in question is essential to the student's program of instruction, major or licensing requirements. If the subcommittee decides it is, the substitution (or, in the most extreme cases, waiver) request shall be denied to protect the integrity of the program and to protect the student's best interest in pursuing that program. If the course in question is found to be peripheral to the student's major or course of study, the subcommittee will seek to provide an appropriate course substitution. If no appropriate substitutions can be found, or, in the most extreme cases, if the subcommittee concludes that a course substitution is inappropriate due to the severity of the disability, a waiver may be recommended by the subcommittee, again, only if the course is found to be peripheral to the student's program of instruction, major or licensing requirements. The subcommittee's decisions will be determined by a majority vote.
5. The subcommittee will make every attempt to forward its decisions in writing to the student and to each College's Petitions Committee within three weeks of receiving the original written petition.
6. If the student with a documented disability is dissatisfied with the subcommittee's decision, he/she may appeal to the College Academic Senate, the Vice President of Academic Affairs, the appropriate College President, and the District Governing Board. Barring unforeseen circumstances, each level of appeal will be resolved within two weeks:
- a. The first appeal is to the appropriate Academic Senate.
 - b. If denied, second appeal is to the appropriate Vice President of Academic Affairs.
 - c. If denied, third appeal is to the appropriate College President.
 - d. If denied, fourth appeal is to the GCCCD Governing Board through the Chancellor's Office.