

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT  
ADMINISTRATIVE PROCEDURE

GENERAL INSTITUTION

Chapter 3

**Academic Adjustments**

**AP 3440**

**Education Programs**

Reference:

*Education Code Sections 66250 et seq.; 200 et seq.; 72010 et seq.  
Accreditation Standard 1.6*

The District shall provide access to its services, classes and programs without regard to, national origin, religion, ages, sex (gender), race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, or because he or she is perceived to have one or more of the foregoing characteristics.

Academic staff, including but not limited to counselors, instructors and administrators shall not offer program guidance to students which differs on the basis of protected class.

Insofar as practicable, the District shall offer opportunities for participation in athletics equally to male and female students.

**Process for Adjustments**

The District will take necessary steps to ensure that no qualified students with a disability is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination because of the absence of educational auxiliary aids.

1. A student with a documented disability contacts the instructor or instructions prior to or at the beginning of the semester with a request for an academic adjustment.
2. The instructor of the semester with a request with the student and confer (if necessary) with the staff in DSPS to determine an appropriate adjustment.
3. A student with a documented disability may also seek an adjustment by requesting staff in DSPS to initiate contact with the instructor(s).
4. Instructors do not have the authority to unilaterally make a determination on the sufficiency of documentation of the disability or the appropriateness of an academic adjustment.
5. If the student, instructor(s), and staff in DSPS have made a reasonable effort to resolve the matter and are unable to agree on an appropriate adjustment within five working days, the matter may be referred to the ADA Compliance Office or her/his designee.
6. The ADA Compliance Officer or her/his designee will gather appropriate information and determine a reasonable accommodation within two working days after having received written notification of a problem from a concerned party and will make an interim adjustment pending a final resolution.

## **Appeals Process**

1. If the student or the agents of the college do not concur regarding the requested academic adjustment, the matter will be forwarded to the Academic Accommodations Committee. The role of the Academic Accommodations Committee is to review the request for academic adjustment. Specifically, the Academic Accommodations Committee will determine whether the requested academic adjustment fundamentally alters the program of instruction or, if implemented, will conflict with a direct licensing requirement or jeopardize a requirement essential to the program of instruction. If so, the Academic Accommodations Committee, in consultation with the student and the instructor(s) will determine alternative academic adjustments that can be offered to ensure the student is not denied the benefits of, or is excluded from participation in the academic program without fundamentally altering the program of instruction.
2. The Academic Accommodations Committee may include the following members:
  - A faculty member from the DSPS
  - The ADA Compliance Officer
  - Two instructor's from the academic area (one selected by the department chair and one selected by the instructor)
  - An advocate or information specialists of the student's choice (non-voting)
  - An academic administrator who serves as the chair of the committee
3. The student and the instructor will meet with the Academic Accommodations Committee and will have an opportunity to express their concerns.
4. The Academic Accommodations Committee will meet no later than ten (10) working days after the interim adjustment (Step 6 Process for Adjustment) has been made and will then render a written decision within five (5) working days.

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**Academic Adjustments (Addendum)**

**AP 3440**

Procedures for Course Adjustment of Graduation Requirement

Guidelines:

It is the policy of Victor Valley College (VVC) to maintain compliance with Title V of the California Educational Code, through the passage of AB 77 (Lanterman) 1976 and compliance issues specific to Section 504 and 508 of the Rehabilitation Act of 1973, The Higher Education Act, and the Americans with Disabilities Act (ADA) of 1990, and the Americans with Disabilities Amendment Act (ADAA) of 2008.

It is the intent of the college that students with disabilities be admitted to courses and programs on an equal basis with all other students. To ensure quality of access for these students, academic accommodations and auxiliary aids are provided to the extent necessary to comply with all the regulations. When the severity of a disability of an otherwise qualified student creates an obstacle to successful completion of a course required for graduation from Victor Valley College, despite a good faith effort and the use of accommodations on the part of the student, a course substitution or waiver may be considered.

**If the 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. VVC students will be informed in writing that a substitution granted by VVC may not be recognized by a subsequent institution.**

In order to accommodate students with documented disabilities, the District will use the following criteria and process in evaluating a student's request:

- 1) Student fills out a request for course substitution/waiver with DSPS. Request must be received by DSPS **prior to** enrollment in the student's final semester (Fall or Spring only) before graduation.

The request must include the following documentation:

- a. Documentation of Disability with specific test scores and/or medical documentation and a description of the degree of educationally related functional limitations in the academic area under discussion.
- b. Evidence of the student's good-faith effort to meet the Degree/Certificate requirement such as:

- Academic transcripts showing consistent and persistent effort in attempting course work, and/or
  - Regular attendance, completion of all assignments, and/or
  - Use of all appropriate and available services such as tutorial assistance, and/or
  - Use of all appropriate and available academic adjustments such as test accommodations, and/or
  - Clear documented educational history of prolonged Math or English disability.
- c. Evidence that the student is otherwise qualified such as:
- Student’s success in completing course work in all other areas required for the degree or certificate and/or
  - Success in courses that demonstrate equivalent skills to the courses under consideration and/or
  - Success in employment.
- d. Evidence that the objectives of the course in question can be met in some other way (course substitution or other).
- e. Evidence that the request would not require a fundamental alteration to an essential component of an academic requirement. (“Academic requirements that the District can demonstrate are essential to the program of instruction being pursued by the students, or directly related to licensing requirements, will not be regarded as discriminatory.” Volume 34 of the Code of Federal Regulations 104.44(a).)
- 2) DSPPS confers with the Academic Department involved. A DSPPS Course Substitution Committee will be formed to include the DSPPS director, the DSPPS professional recommending the adjustment, the Department Chair or faculty representative from the department of the course in question, and a designee from the Academic Senate. The student requesting the substitution/waiver will be included as a participant but will not have a vote. If the Committee is in agreement with the course substitution, and the proposed course substitution meets the requirement of comparable concept mastery, the course substitution will be granted and documented with A & R. There will be a 10 (academic) day timeline for the committee to be brought together and for a decision to be made. An additional 5 (academic) days will be given for a written response to student.
- 3) The Graduation Course Substitution Agreement will then be sent to Office of Instruction as an Information Item.
- 4) If consensus cannot be reached by the DSPPS Course Substitution Committee, the request, including all the relevant paperwork, will be immediately referred to the Vice President of Instruction **and** the Vice President of Student Services with consultation from the ADA Coordinator for a final decision. There will be a 5 (academic) day timeline for this decision.