Glendale Community College District

5145

Administrative Regulation

Section 504 Complaint Procedure

I. Filing a complaint

A. If a disagreement occurs between an instructor and a student regarding a requested accommodation, a timely review procedure will be initiated by the Associate Dean of the Center for Students with Disabilities (CSD) whether or not this is a student receiving services through the CSD. The Associate Dean will render an interim decision within three instructional days and initiate a fact-finding review. The interim decision of the Associate Dean 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 Associate Dean will initiate a fact-finding process. The Fact-finding Committee will consist of a CSD specialist and one faculty member from a closely related academic content area. The purpose of fact-finding is to determine if the 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. The process will include:

- 1. Interviews with the instructor and student regarding the dispute and the expectations for classroom performance and accommodations;
- 2. Input from appropriate CSD and academic faculty;
- 3. Review of the documentation regarding the student's disability and the educational limitations imposed by the disability;
- 4. Review of the accommodation or auxiliary aid(s) requested; and
- 5. Compilation of other information that would have a bearing on the educational limitation(s) in dispute and the appropriateness of the academic accommodation.

C. Based upon the fact-finding process and the recommendations of the fact-finding team, the Associate Dean 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.

II. Appealing the Decision

The student or 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 CSD Academic Accommodation Review Committee within ten (10) days of receiving the decision of the Fact-finding Committee from the CSD Associate Dean.

- 1. Any request for appeal will be made in writing on a form provided by the CSD (accommodations will be provided if needed).
- 2. The CSD Academic Accommodation Review Committee, which will consist of the Vice President of Instruction, 504/ADA Compliance Officer, EEOC Officer, a certified member of the CSD, a member of the Academic Senate, the Student Trustee or a designated ASGCC 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 Glendale Community College 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 or designee will review all materials, statements, and recommendations. The Superintendent/President or designee shall ensure that District policies and procedures have been followed. The Superintendent/President or designee 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 or designee shall be final and binding upon all parties.

The time line will be adjusted for intersessions to accommodate the student.

Revised: 3/31/83; 8/18/09