

STUDENT DISABILITY APPEAL

Related Board of Trustees Policy: BP: 3.1

OPR: Vice President for Instruction

Approved: September 22, 2020

Previous Edition: September 2011

STUDENT DISABILITY APPEAL

In accordance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title III of the Americans with Disabilities Act (ADA), Craven Community College ensures that all qualified students having a disability may participate in, and receive the benefits of, all College programs and activities.

Students with an appropriately documented disability, may request the College to provide reasonable academic adjustments (e.g., extended time on exams, course substitution, etc.) and auxiliary aids and services (e.g., alternate formats of printed materials, sign language interpreter, etc.) as determined by the College to be necessary to afford the student the opportunity to participate fully in college programs. The Executive Director of Academic Support is designated as the College's ADA Coordinator and is responsible for upholding the rights of a student to secure access and accommodations.

The ADA Coordinator maintains a *Student ADA Handbook* published on the College's website.

Request for ADA Accommodation

- The student should first discuss the need for disability-related provision of academic adjustments or auxiliary aids and services with the appropriate instructor. The instructor may be able to provide the requested accommodation directly.
- If the student is not satisfied with accommodation(s) provided by the instructor, the student may meet with the College's ADA Coordinator to request formal disability designation and accommodation. The ADA Coordinator will advise the student of any documentation necessary to evaluate the request.
- After determining the accommodations for which the student is eligible, the ADA Coordinator will coordinate with the appropriate instructors and staff to provide them, and notify the student, in writing, of the approved accommodations.
- If the student is not satisfied with the ADA Coordinator's decision or the resulting accommodation(s), the student may initiate a disability appeal.

Disability Appeal

Step 1: The student must initiate a disability appeal within ten (10) working days of the ADA Coordinator's notification.

- The student's appeal must be in writing.
- The student's appeal must include, 1) a clear statement of the request or concern; 2) the grounds on which the appeal is based; 3) the date of any action that the student is appealing; 4) the names of all Craven Community College employees known to be involved; 4) a summary of the action(s) the student has taken to resolve the matter informally; and 5) a statement of the student's expectation of specific outcome.
- The student may submit additional information deemed appropriate to support the appeal.
- The appeal is submitted to the Vice President for Instruction at the following address:

Vice President for Instruction
 Brock Administration Building, Room 106
 Craven Community College
 800 College Court
 New Bern, NC 28562

Step 2: The Vice President for Instruction (or designee) will conduct an initial review of the appeal, to include the following actions within ten (10) working days of receiving the appeal:

- Written acknowledgement to the student of the appeal
- Investigation of relevant information, to include interview(s) with individuals with knowledgeable of the case circumstances and with those having ADA expertise

Step 3: After the initial review the Vice President for Instruction will meet with the student appellant and other relevant parties hear oral testimony and arguments, and to review any additional evidence presented.

Step 4: The Vice President for Instruction will render a decision within fifteen (15) working days of the date of the appeal. This decision is final and not subject to further appeal, and is communicated in writing to the student, the ADA Coordinator, and all parties who responded to the appeal. This communication will include a summary of the investigation and a rationale for the Vice President for Instruction's findings. The case file will be maintained in the ADA Coordinator's office for five years after the student's last date of attendance at the College.

Extension of Time Limitation for Appeals

The Vice President for Instruction may grant a time extension for a student to submit an appeal, given extenuating circumstances. To ensure timely ADA decisions, such extensions must be fully justified (e.g., circumstances clearly beyond the student's control) and be approved in writing.

Associated Handbook

- 3.1.6.1. *Student ADA Handbook*