

Process to Appeal

For Denial of Academic Accommodations

Bucks County Community College's Accessibility Office has a mission to assist in securing access to an equal education at the College for students with documented disabilities; to encourage an environment of diversity through awareness and education, and to foster campus-wide ownership of accessibility.

The Accessibility Office (TAO) is responsible for determining student's eligibility for accommodations and recommending reasonable accommodations based on a student's specific diagnosis, provided documentation, and legal guidelines. Students who are denied accommodation by TAO or do not receive a TAO approved accommodation from an instructor may be eligible to appeal. The student may appeal to TAO or to the instructor if TAO had previously approved the requested accommodations. This appeal process is available to every student after a written request for academic adjustments is denied by TAO staff or by the Instructor.

Section I: Purpose

Students with disabilities enrolled at Bucks County Community College (BCCC) may be eligible for academic accommodations based on the anti-discrimination protections. All academic accommodations are in accordance with the Americans with Disabilities Act of 1990 (ADA), the ADA Amendments Act of 2008 (ADAAA), and Sections 504 and Section 508 of the Rehabilitation Act of 1973. At Bucks, the Accessibility Office (TAO) is responsible for determining eligibility for accommodations and recommending reasonable accommodations based on the legal guidelines and the essential requirements of a course.

Students who are denied an accommodation or do not accept a recommended accommodation may appeal that determination. The student may appeal the denial and/or the recommendation to the Accessibility Office or to the instructor if the Accessibility Office had previously approved or recommended the requested accommodations.

This appeal process is available to every student after a written request for academic adjustments is denied by TAO staff or by the Instructor.

Section II: Student Appeal Process (The Accessibility Office)

The Appeal Process for students that were denied accommodations or did not accept recommended accommodations made by the Accessibility Office

- A. A student has a maximum of ten (10) business days after the student is notified in writing of the approved or recommended accommodations to appeal the accommodation(s) recommended by TAO. In order to appeal, the student must obtain an Appeal Form from the Accessibility Office personnel, or the Accessibility Office web site, <https://www.bucks.edu/resources/accessibility/>. After completing the form, the form shall be submitted to the Director of the Accessibility Office. Upon receipt of the Appeal Form, the following process shall occur:
1. The Associate Provost shall convene a meeting with the Accessibility Office Staff within six (6) business days of receipt of the student's appeal.
 2. The meeting will cover the following:
 - a. A review of all documentation that was provided to TAO by the student
 - b. A review of all requests, correspondence and supports that were provided to the student
 - c. A recommendation from the TAO staff
 3. The student filing the appeal shall be invited to attend a follow-up meeting if there are additional questions, additional documentation is required or if the appeal is denied. Sufficient notice shall be provided to the student to permit the student to attend.

4. TAO will provide the Associate Provost, prior to the meeting, the following information:
 - a. A summary of the documentation provided by the student to TAO
 - b. The written denial of an accommodation or the list of recommended accommodations determined by TAO
 - c. A physician's or otherwise qualified professional's diagnosis
 - d. All requested materials, made by the student, on the Appeal for Denial of Academic Adjustments Form
 - e. A copy of the material provided to the Associate Provost shall also be sent to the student that appealed the decision
5. The Associate Provost shall review the material provided by TAO, as noted above, and shall provide an opportunity for the student to provide such information as the student feels appropriate.
 - a. Following the completion of the meeting and the review of the information provided at the meeting, the Associate Provost shall make a recommendation, in writing, to the Director of TAO.
 - b. The recommendation shall be made within four (4) business days from the conclusion of the meeting.
 - c. All above documentation is of a confidential nature and as such is viewed and used only by the Associate Provost for the purpose of hearing this appeal.
6. The Associate Provost has up to four (4) business days to review the recommendation and make a final decision.
 - a. The Associate Provost post-appeal decision is final.
 - b. If the student disagrees with the decision, the student may exercise the right to file a formal grievance with the Office of Civil Rights under the Americans with Disabilities Act.

Section III: Student Appeal Process (Instructor)

The Appeal Process for students that received approved accommodations from the Accessibility Office that were not implemented by the Instructor

- A. Since accommodations are directed on a semester-by-semester basis, the time frame for a student alleging that an instructor is not observing the accommodations as identified by the Accessibility Office is limited to that specific semester, and thus, the filing of the written appeal has to occur within that specific semester. No appeals will be heard after the semester has concluded. To initiate the appeal, the student must first have provided an instructor with the official Accessibility Office "Faculty Memo" listing the approved and recommended accommodations. If the request for accommodations is not implemented by the instructor, the student contacts the Accessibility Office and obtains an appeal form. After completing and submitting the form to the Accessibility Office, the following process is observed:
 1. The Accessibility Director meets with the student and discusses their concerns.
 - a. The Director determines the merit of the student's concerns.
 - b. If appropriate, the Assistant Director will participate in this process.
 2. If the initial determination is favorable to the student, the Accessibility Director meets with the instructor to further explore the instructor's refusal and the student's concerns.
 3. After reviewing the appeal request and corresponding documentation, the Director makes a decision in writing and informs all parties including:
 - a. The instructor
 - b. The appropriate Assistant Academic Dean
 - c. The Associate Provost
 4. If the instructor disagrees with the Accessibility Director's determination, the instructor may appeal in writing to the Associate Provost within ten (10) business days of Director's written notification.
 5. The accommodation shall be in effect during the appeal process.
 - a. The Associate Provost shall make a decision within ten (10) business days of receipt of the appeal.