

Process to Appeal for Denial of Academic Accommodations

The Accessibility Office

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 under the Americans with Disabilities Act (ADA) and Section 504 of the 1973 Rehabilitation Act. At BCCC 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 Disability Services 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 (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 either the Assistant Dean for Student Planning, the Accessibility Office, or the Accessibility Office web site, <http://www.bucks.edu/student/accessibility/>. After completing the form, the form shall be submitted to the Assistant Dean for Student Planning. Upon receipt of the Appeal Form, the following process shall occur:
1. The Assistant Dean for Student Planning shall convene a meeting of the Accommodations Appeal Committee within six (6) business days of receipt of the student's appeal.
 2. The committee shall be comprised of the following:
 - a. A faculty member not then teaching the student
 - b. A representative from Human Resources
 - c. A representative from Learning Resources
 - d. A student
 3. The student filing the appeal shall be invited to attend the meeting and sufficient notice shall be provided to the student to permit the student to attend.
 4. The Accessibility Office will provide the Accommodations Appeal Committee, prior to the meeting, the following information:
 - a. A summary of the documentation provided by the student to the Disability Services Office
 - b. The written denial of an accommodation or the list of recommended accommodations determined by the Accessibility office
 - 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 Accommodations Appeal Committee shall also be sent to the student that appealed the decision
- 5. The Accommodations Appeal Committee shall review the material provided by the Accessibility Office, 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 Accommodations Appeals Committee shall make a recommendation, in writing, to the Accessibility Office Director and the Dean of Students.
 - b. The recommendation shall be made within four (4) 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 members of the Accommodations Appeals Committee for the purpose of hearing this appeal.
- 6. The Dean of Students has up to four (4) business days to review the recommendation and make a final decision.
 - a. The Dean's 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 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 accommodation 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 his/her concerns.
 - a. The Director determines the merit of the student's concerns.
 - b. If appropriate, the Learning Disability Specialist 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 Provost
 - 4. If the instructor disagrees with the Accessibility Director's determination, the instructor may appeal in writing to the Accommodations Appeal Committee within ten (10) business days of hearing the appeal.
 - a. The Instructor may direct his or her appeal to the Assistant Dean for Student Planning who convenes the Accommodations Appeal Committee.
 - 5. The accommodation shall be in effect during the appeal process.
 - a. The committee shall make a decision within ten (10) business days of receipt of the appeal.