

## Bakersfield College

### Laws and Regulations to Provide Academic Adjustments for Students with Disabilities (Course Substitutions)

The California Code of Regulations, **Title 5**, Section 56027, (5 CCR56027) mandates that:

Each community college district receiving funding...shall establish a policy and procedure for responding to, in a timely manner...accommodation requests involving academic adjustments. This procedure shall provide for an individualized review of each request. The procedure shall also permit the Section 504 Coordinator, or other designated district official with knowledge of accommodations requirements, to make an interim decision pending a final resolution.

Additionally, **Section 504 of the National Rehabilitation Act of 1973** provides the following pertinent regulations:

No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity or be subjected to discrimination by any public entity. {28CFR35.130(a)}

(An institution)...must make such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of disability...Modifications may include...substitution of specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted {34CFR104.44(a)}.

Under the **Americans with Disabilities Act of 1990** (PL 101-336) (ADA), a public entity must make reasonable modifications in policies, practices, or procedures when necessary to avoid discrimination on the basis of disability, unless doing so would fundamentally alter the nature of the service, program, or activity.