

POLICY STATEMENT

California State University, Long Beach is mandated to provide access to academic programs for students with disabilities consistent with all Federal and State legislation and California State University policies.

Reasonable accommodations, including auxiliary aids, will be provided to students with disabilities when necessary to ensure that they are not denied the benefits of, excluded from participation in, or otherwise subjected to discrimination in any academic program. The University's goal is to provide an equivalent academic experience and learning opportunity, not to guarantee the outcome of the student's educational endeavor.

The University views the provision of reasonable accommodation for students with disabilities as a cooperative effort, involving administrators, faculty, staff and students.

I. SPECIFIC ROLES AND RESPONSIBILITIES

A. The Bob Murphy Access Center (BMAC) is to:

1. Evaluate and certify, based on professional documentation the existence of a disability(ies). For students with learning disabilities, that documentation must be consistent with the diagnostic procedures and standards established by the California State University.
2. Initiate contact with faculty regarding a student with a disability only when authorized by the student and if deemed professionally necessary to do so.
3. Identify and authorize reasonable program access and/or academic adjustments and accommodations for students with verified disabilities. This may entail making modifications to examinations (e.g., additional time and alternative testing methods); use of educational auxiliary aids (e.g., readers/scribes, interpreters, note takers, adapted computers, calculators and tape recorders); and/or a change in classroom space assignment.
4. Work collaboratively with faculty to ensure that the appropriate accommodation is provided. In exceptional situations, e.g., laboratory station modification, consult with faculty in establishing an accommodation plan.
5. Maintain confidential records for each student with a disability containing documentation of verification of disability, counseling and advising.

B. Students with disabilities are to:

1. Meet with a BMAC Disability Specialist and provide written verification and documentation of their disability.
2. Consult with BMAC regarding specific accommodation requests, including identifying needs and obtaining approval for specific academic accommodations.

3. Upon receipt of BMAC determined accommodations, personally contact faculty directly regarding the approved accommodation(s) and provide instructors with BMAC's written verification within the first two weeks of classes or as soon as feasible for students who are certified within the semester.
4. If a disagreement arises regarding the accommodation, discuss the situation with the BMAC Disability Specialist and, if necessary, initiate the "Conflict Resolution" section of this document.

C. Faculty (any employee who has instructional responsibility) are to:

1. Adopt practices that promote equal opportunity to qualified students with disabilities; to use teaching and evaluation methods that measure abilities rather than disabilities, particularly in tests or examinations. This may entail making modifications to degree requirements, course requirements and practices where reasonable and appropriate.
2. Implement the accommodations authorized by BMAC, unless:
 - a. the academic requirement for which an adjustment is requested is essential to the program of instruction being pursued by (the) student, or
 - b. the academic requirement for the requested accommodation is essential to any directly related licensing requirement; or,
 - c. the faculty member, in consultation with the appropriate BMAC Disability Specialist, determines that an equally reasonable accommodation can be offered.
3. To consult with BMAC Disability Specialists within a timely manner if a question arises regarding specific recommendations for accommodation, particularly when adapted test-taking procedures are required.
4. To treat all matters related to students with disabilities as confidential in accordance with law and policy.
5. To consult first with the BMAC Director, ADA/504 Compliance Coordinator, and the School Dean's designee and refer the student to the ADA/504 Compliance Coordinator if a disagreement between a student and faculty member regarding an accommodation is not resolved.

D. Other Campus Staff are to:

1. Facilitate requests made by students, BMAC or faculty regarding accommodations as appropriate. This may include facilitating a referral to BMAC for students not currently served by this office.
2. Consult with BMAC, when appropriate, if concerned about a student, provided the student's confidentiality rights are not violated.
3. Treat all matters related to students with disabilities as confidential in accordance with law and policy

II. CONFLICT RESOLUTION

Per EO 1111, each campus is required to develop and maintain a written procedure by which a student with a disability may appeal a CSU determination to deny a specifically requested modification or accommodation. Each campus shall post the procedure for this appeal on the website of the office

providing services to students with disabilities and shall ensure that this procedure is accessible to students with disabilities.

A. This conflict resolution process is meant to address complaints about the provision of appropriate academic accommodations in classes in which students with disabilities are currently participating. The complainant must be able to establish that he or she appropriately requested, in a timely manner, the desired accommodation. Students with disabilities who feel that they are not being appropriately and reasonably accommodated may contact the University's ADA/504 Compliance Coordinator in the Office of Equity and Compliance at oecc@csulb.edu or at (562) 985-8256.

Complaints about the provision of appropriate academic accommodations in classes in which students are no longer participating may be addressed pursuant to the CSULB Student Discrimination Complaint Procedure identified below at 3a.

1. INFORMAL REVIEW

a. The Bob Murphy Access Center (BMAC) Director or designee will first seek to resolve the conflict by informal means. This step should take no more than 10 working days, and if successful, can provide a speedy resolution to the dispute. This step is optional for the complainant.

2. MID-LEVEL REVIEW (Interactive Process)

a. This process is for all complaints, including cases where a fundamental alteration of academic requirement is claimed (see I.C.2.a.above). If an informal resolution is not possible, the ADA/Compliance Coordinator will convene a review panel within 10 working days of receipt of a notification from the Director of BMAC that an informal resolution was not successful. The review panel will consist of the Dean/designee of the college, one faculty member who is knowledgeable in the area of learning and other disabilities, the Director of BMAC, and a professional staff member of BMAC, who has the expertise in the pertinent disability law designated by the BMAC Director, the Associate Vice President or Vice President of the Division of Student Affairs, and, depending on the issues, other academic or administrative personnel as may be appropriate. If one of the BMAC staff members on the panel determined an accommodation for the complainant, that staff member will not participate in the review of that accommodation and will be temporarily replaced by another staff member designated by the BMAC Director. The panel will then review the claim and render a determination within 10 working days. The timeline may be extended for good cause by the Dean/designee in writing to the complainant. The Dean/designee has the authority in these matters and is the impartial arbitrator who assures prompt and equitable determinations. The written notification to the complainant will describe the process for filing a formal grievance if the student continues to feel aggrieved.

b. Current services authorized by the BMAC Director will continue during the complaint process. Where an accommodation has not been authorized but BMAC has a reasonable basis to believe the student is disabled, and in need of an accommodation, the BMAC and other panel members will identify and implement what it believes to be an effective alternate accommodation, giving due consideration to that preferred by the student.

3. FORMAL GRIEVANCE

a. If an Informal/Mid-Level resolution is not possible, the student will be notified of his or her right to file a formal complaint in accordance with the CSULB Student Discrimination Complaint Procedure with the University's ADA/504 / Compliance Coordinator in the Office of Equity and Compliance at oecc@csulb.edu or (562) 985-8256.

b. Current services authorized by the BMAC Director (or designee) will continue during the complaint process. Where an accommodation has not been authorized but the BMAC has a reasonable basis to believe the student is disabled, and in need of an accommodation, the BMAC and other panel members will identify and implement what it believes to be an effective alternate accommodation, giving due consideration to that preferred by the student.

B. The student has a right to file a formal complaint of discrimination directly with the: Department of Education

Office for Civil Rights
50 United Nations Plaza
San Francisco, CA 94102

Telephone: (415) 486-5555, Facsimile: (415) 486-5570

[Email: OCR.SanFrancisco@ed.gov](mailto:OCR.SanFrancisco@ed.gov), or other appropriate Federal or State departments, in lieu of or in addition to using University procedures to resolve the conflict

C. Retaliation against someone for filing a complaint of discrimination is prohibited. A complainant should file a retaliation complaint through the Office of Equity and Compliance (OEC) or process outlined in 3.B.