

BSC Student Accessibility Policy E

Course Substitution

Course Substitution on the Basis of a Disability

Students admitted to BSC, are regarded as “otherwise qualified” to participate in a chosen area of academic or vocational study with or without reasonable accommodations. Therefore, students with disabilities are not excused from degree requirements. However, in some limited circumstances, substitution of a course requirement may be determined to be a reasonable and appropriate accommodation for a student with a properly documented disability. An accommodation is not reasonable if it will substantially alter an essential element of the student’s program of study. It is the institution’s responsibility to demonstrate whether the course is essential to the curriculum and whether substitution of the course would create a substantial change in the curriculum. (See Suggestions for Determining Essential Components of a Course or Program Appendix E)

Gaining approval for a course substitution is often a lengthy process. Therefore, it is recommended the student initiate the request early. In most cases, it will be necessary for the student to have declared a program of study before the request can be considered. This will allow a determination to be made as to whether or not the requested course substitution represents a fundamental alteration in the chosen field of study. BSC retains the right to revoke a substitution in the event that the student changes programs and the substituted course is found to be essential to the newly declared program of study. It is recommended the student contact prospective transfer institutions to confirm whether or not the course substitutions provided at BSC will be honored at the transfer institution.

1. The first step involved for both the student and the SA Office will be exploration of accommodations that would allow a student to fully participate in the typical program of study. Tutorial assistance, auxiliary aides and test accommodations are examples of the kinds of assistance a college may extend to a student.
2. Requests from students with disabilities for a course substitution will be considered on a case-by-case basis consistent with the procedures outlined below. Most cases involve a recommendation that the student first attempt the course with use of reasonable and appropriate academic adjustments and support services (e.g., extended time on exams, note taking services, tutoring services).
 - a. Contact the SA Office regarding a request for a course substitution. The student must have documentation on file that provides evidence of a disability related need for course substitution and justification for regarding the request as reasonable. Other supporting documentation may be required.
 - b. The SA Office will determine whether or not the request for course substitution based upon a disability is justified by the documentation

provided by the student. If the request is justified based on available information, the SA office will issue the student a Course Substitution Form, which can be found at: <http://www.bismarckstate.edu/uploads/resources/3364/petition-for-course-substitution.pdf> . This form should then be taken to the course instructor.

- c. The course instructor will determine whether making a substitution would be a substantial change in an essential element of the curriculum. If the instructor agrees with the course substitution and does not believe the change would substantially alter the student's program of study, they will give their approval by signing the form.
- d. The student should then take the course substitution request form to the Department Chair for approval and signature. Lastly, the completed form should be submitted to both the Records Office and a copy to the SA Office.
- e. If the course substitution is not approved, the student may appeal the decision following the Grievance Procedure outlined in BSC Student Accessibility Policy I.

The BSC Course Substitution Policy can be found at:

<http://www.bismarckstate.edu/uploads/resources/4215/coursesubstitution.pdf>

Waivers

Institutions of higher education are not required to eliminate or substantially alter standards and requirements that they can demonstrate are legitimate, reasonable and necessary. Attorney Salome Heyward (1994) after a review of court cases concluded that "waivers are illogical adjustments and, as such, are not reasonable accommodations." He added, "... if the program requirement is, in fact, reasonable and essential, there can be no justification for requiring non-disabled individuals to meet it while relieving similarly situated individuals with disabilities of the responsibility to do so." (Hill, JoAnne. *The Policy Book: Guidance for Disability Service Providers*. Ed. Dan Gephart. Horsham:LRP Publications, 2000.)

In general, the courses at BSC are designed to meet the criteria of being reasonable and necessary for completion of a degree program. Consideration of a waiver would be an extreme situation that would require extensive, compelling documentation. The Student Accessibility Coordinator will assist the student in determining an acceptable alternative or substitution.

History of This Policy:

First Policy Draft August 15, 2004

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