

## University Senate UK Core Course Substitution Educational Policy

### Students-First Principles:

- *Center* the specific student requests and needs.
- *Identify* the fundamental requirements of the program and course.
- *Ascertain* options and alternatives.
- *Thoughtful* deliberative, interactive process *with* the student.
- *Case-by-case* basis of consideration (not a predetermined outcome)
- *Timely* manner of action (including all appeals)

### I. Educational Policy Decision-Making Responsibilities of the Senate UK Core Education Committee's Subcommittee for UK Core Course Substitution

Federal regulations (28 C.F.R. § 35.164) and the University's Governing Regulations (G.R. XIV.B.1) require the President to ensure the University does not discriminate against individuals with disabilities. Within those regulations, the University Senate's functions (G.R. IV.C) include determining whether a particular course is an appropriate substitute for a UK Core Requirement. To discharge that function, a subcommittee of the Senate UK Core Education Committee (SUKCEC), through a deliberative and thoughtful review process, is responsible for:

- **Evaluating and determining the University-Senate policy and procedures (GR III. A. 6, para. 1)** related to UK Core course substitutions under the Students-First Principles set forth above.
- **Evaluating and determining , as the officially delegated agent of the University Senate,** whether, as a matter of educational policy (GR IV. C), a specific course substitution would fundamentally alter the nature of the course or the UK Core requirement.
- **Determine whether potential available existing course(s) is/are the most educationally appropriate as a reasonable accommodation**~~consistent with the determination of a reasonable accommodation from the DRC ("students first").~~ The DRC retains the final authority to determine if a course substitution is a reasonable accommodation, but the DRC will respect the subcommittee's sole authority to determine if a course substitution is appropriate. fundamentally alters the nature of the ~~course or the~~ UK Core requirement.

### II. Membership

Membership of the subcommittee varies depending on the Core area requirement for which a student is requesting course substitution.

Membership will consist of the following persons who are trained, experienced, and knowledgeable about accommodating students with disabilities, and faculty and/or administrators knowledgeable about the course requirement in question.

- Core area expert from SUKCEC, who serves as the chair of the subcommittee,
- Disability Resource Center (DRC) Director or appropriate-designee,
- Chair of the SUKCEC

### III. Procedures of the Senate UK Core Education Committee's Subcommittee for UK Core Course Substitution

1. If the DRC determines that a student has a documented disability<sup>1</sup> for which a course substitution of a UK Core requirement is a reasonable accommodation<sup>2</sup>, ~~the~~ then the DRC Director will inform the student that the student may take one of the courses that has been

approved by the UK Core Committee as an appropriate substitute (Parts IV & V of this policy). If the student chooses one of those approved courses, then the student will receive that accommodation as a reasonable accommodation.

2. If the student would like to pursue a course that has not yet been approved, then DRC Director will initiate the subcommittee review process described in Section I.

~~1. DRC Director will initiate the subcommittee review process described in Section I. Any student requesting a course substitution will be de-identified to the Core Substitution Committee members and any individual(s) consulted in the processes, with the exception of the DRC representative.~~

~~2.3. A subcommittee of the SUKCEC will be formed (per Section II above). When the subcommittee is evaluating the proposed course substitution, the DRC will de-identify the student's name before submitting the information to the Core Substitution Committee members and any individual(s) consulted in the processes.~~

~~3.4. The subcommittee will review submitted course syllabi against relevant rubrics to assess academic appropriateness (per section I). If needed, the committee can consult with any individual(s) at the university who are experienced and knowledgeable about the course(s) or program in question.~~

~~5. The subcommittee, as the delegated agent of the University Senate, has the sole authority to make the initial decision, as it relates to UK Core requirements, on the educational appropriateness of a course proposed for Core substitution and whether any course substitution meets the academic standards of the UK Core requirement (otherwise, it may fundamentally alter the UK Core requirement).~~

~~6. Following a decision, by the subcommittee, that a requested course(s) substitution is inappropriate, i.e. would lower essential academic standards, fundamentally or substantially modify the course or academic program in question, (per section I), then accommodation would fundamentally alter a course or program; the student has a right to appeal the subcommittee decision to the full SUKCEC committee by contacting the DRC Director. In the case of an appeal, the SUKCEC has the sole authority to determine if a requested course substitution is appropriate and the decision by the full SUKCEC shall constitute the final decision on that question; if there is no appeal, then the subcommittee's initial decision that the course is inappropriate is final. However, the DRC retains final authority to determine if the proposed accommodation is reasonable.~~

~~4.7.~~

~~5.— The DRC Director, using best practices, will document the subcommittee's final decision about particular course(s) and its rationale (per Step III. 43&54).~~

~~— Following a decision that a requested course substitution accommodation would fundamentally alter a course or program; the student has a right to appeal the subcommittee decision by contacting the DRC Director. At this time, the ADA required interactive process with the student will begin, to be led by DRC, which shall include but not be limited to the opportunity for this subcommittee's academic decision to be appealed to and decided by the full SUKCEC committee.<sup>3</sup>~~

~~6.—~~

~~7. The DRC will communicate, in writing, the University's final decision (after any appeals or reconsideration) to the student, SUKCEC chair, and Registrar, including the committee's decision as well as any other decision(s) related to the accommodation request. In the University's final decision (after any appeal) to the student, SUKCEC chair, and Registrar, which shall include but not be limited to the opportunity for this subcommittee's academic decision to be appealed to and decided by the full SUKCEC committee.<sup>3</sup>~~

⚡ Outside of this process, students have the right to any other appeals guaranteed to them by other University and federal regulations.<sup>3</sup> If students feel they have not appropriately received disability related accommodations, students always retain the right to file a complaint with the following offices:

⚡ ADA/Section 504 Compliance Coordinator Heather Roop; Office of Institutional Equity and Equal Opportunity; 013B Main Building University of Kentucky, Lexington, Kentucky 40506-0032; Telephone: 859-257-8927 (voice/TDD); Fax: 859-323-373; heather.roop@uky.edu; www.uky.edu/eeo

⚡ Office for Civil Rights U.S. Department of Education; 100 Penn Square East, Suite 515, Philadelphia, Pennsylvania 19107; Telephone: 215-656-8541; FAX: 215-656-8605; TDD: 215-656-8604; Email: OCR\_Philadelphia@ed.gov

*Note: Final decisions (per Section I above) on whether a particular student accommodation constitutes a fundamental alteration to a particular course or program must be made on a case-by-case basis and cannot be predetermined. A determination that the requested accommodation would be a fundamental alteration necessarily leads to a determination that the requested accommodation is unreasonable.*

#### IV. DRC Responsibilities

1. The DRC Director, as the official designated by the President for the purpose of ensuring compliance with disability laws, has the final authority on determining (per step III.1.) whether a course substitution is a reasonable accommodation for the student's disability(ies). This "reasonableness" of an accommodation is based on an institutional-level analysis.<sup>2</sup>
2. The DRC is the office of administrative coordination of the above procedure.
3. The DRC Director is responsible for training subcommittee members as needed, including providing OCR-based rubrics for the subcommittee to consider when reaching its decisions and explaining its rationale.
4. For students for whom course substitution is being considered because of a learning disability, the DRC is responsible for first reviewing the list of courses approved for the UK Core requirement to ensure that no appropriate course exists.
5. The DRC is responsible for communicating to students that a course substitution related to the UK Core requirement does not affect any courses that may be required as either pre-major or major requirements.
6. The DRC is responsible for maintaining all records related to the processes and procedures.
7. At the end of each academic year, the DRC will provide the University Senate with demographic data on students who requested Core course substitutions.

*\*Note: The DRC is responsible for determining, on behalf of the University, the need, or not, for reasonable accommodation for any student with a documented disability<sup>1</sup>. These reasonable accommodations can include taking a suitable course with accommodations or if no suitable course exists with alternative accommodation<sup>2</sup>, the DRC may determine that a course substitution is required if such exists. If the DRC determines that a student has a disability for which a course substitution of a UK Core requirement might be a reasonable accommodation, the subcommittee will make a final decision on whether a proposed course substitution would satisfactorily meet the learning outcomes of the UK Core requirement or would represent a concern about a fundamental alteration, as it relates to UK Core requirements, based on the responsibilities listed above in Section I.<sup>3</sup>*

## V. SUKCEC responsibilities

1. The SUKCEC will develop and maintain a database that will include the following:
  - a. A list of optional course substitutions for each of the UK Core areas, more specifically the areas of Quantitative Foundations (QF) and Statistical Inference Reasoning (SIR) that have been approved by the UK Core Substitution Subcommittee.
  - b. This list may include courses that have a pre-requisite or are limited to a particular major; these courses would be restricted to students who meet these requirements. The UK Core Substitution Subcommittee will review the entire list in the database annually and anytime additional courses are approved to be added to the list of course substitutions.
  - c. At the end of the spring academic semester, the UK Core Substitution Subcommittee will review the current approved list and determine if any changes are warranted.
2. During the beginning of each academic year, the SUKCEC will contact Associate Deans to identify a list of acceptable courses that may be used for core substitution. The Core Substitution Subcommittee will evaluate any identified course(s) and determine the appropriateness of a substitution.
3. The SUKCEC and DRC will share this database of approved courses and related documentation.

### ***Procedures not elaborated in this policy***

<sup>1</sup> If the DRC Director determines that an adjustment within a course or a course substitution are not a reasonable accommodation of the student's disability, the DRC Director shall communicate procedures for student appeal to the student and are not part of this policy.

<sup>2</sup> If the DRC Director determines that reasonable accommodation for the student's disability does not include course substitution, the DRC Director considers other accommodations such as but not limited to accommodations within a course. ~~This DRC Director's consideration of other accommodation includes the timely engagement of faculty- is also part of the interactive process in section III step 6. Such other considerations involve the DRC Director's timely engagement of faculty but are not processed through the procedures of the SUKCEC subcommittee.~~

<sup>3</sup> In accordance with GR XI, a decision made under the above process that a course substitution alters the fundamental nature of a course or program can be appealed to the University Appeals Board only on the grounds of "violation of academic rights (outlined in the *University Senate Rules*, Section 6.1)";