MEMORANDUM

DATE: August 1, 2012
TO: SJDC Faculty, EOPS Staff and DSPS Staff
FROM: Matt Wetstein, Interim Vice President of Instruction
SUBJECT: Disability Accommodations for Students – Course Withdrawals and Incompletes

The purpose of this memorandum is to outline the legal requirements and college policies that faculty must comply with when addressing students who have disabilities who are dropped from a class because of attendance issues.

Background
In 2010, a student at the College filed a complaint with the Office of Civil Rights (OCR) of the U.S. Department of Education with several allegations of discrimination on the basis of a disability. One of the issues of concern for OCR was the circumstances under which a student is allowed to continue in a class and take an “Incomplete” when the student registered in a class experiences disability-related absences. The College has recently reached an agreement to resolve the complaint and update policies relating to course withdrawals and drops.

Legal and Policy Requirements for Incompletes and Withdrawals
College regulations concerning course withdrawals and incompletes are outlined in Board Policy 5075 – Course Registration, Adds, and Drops and the accompanying Administrative Procedure 5075 and in Administrative Procedure 4230 – Grading Symbols.

The ability to award incomplete grades appears in AP 4230. Incompletes can be awarded when “unforeseeable, emergency and justifiable reasons” emerge at the end of the term that prevent a student from completing course work and attending class. The policy indicates that incompletes are normally to be made up during the next academic term, although an extension for a time limit is permissible if the student files a general petition. When the “I” grade is assigned, the conditions for the removal of the “I” grade are laid out by a faculty member, and the student is provided a copy of those conditions and the grade that will be assigned if conditions are met. I have attached AP 4230 to provide you with college policy on the awarding of all grading symbols.

Rules relating to course withdrawals and drops are found in BP 5075 and AP 5075. Professors should note the distinction between mandatory withdrawals and discretionary withdrawals. Faculty are required to drop students on or before the census date who have not shown up for class at all (“no shows”) and those who have excessive unexcused absences (absences exceeding one more time than the time a class meets per week – i.e., 4 absences before the census date for a class that meets 3 times a week). Extenuating circumstances may exist that would permit retaining a student in a class. In the case of a student with a disability, a temporary disability, a medical emergency or other disability-related circumstance, each would generally qualify as an extenuating circumstance. Therefore, if a
faculty member is made aware that a student is temporarily unable to attend class because of a
disability, the student should not be dropped without consulting with the Disability Support Programs
and Services Office (DSPS). Dropping a student who is temporarily disabled is not only unfair, it may
violate the College's responsibilities under Title II of the Americans with Disabilities Act of 1990 and
Section 504 of the Rehabilitation Act of 1973. DSPS has the authority and expertise to determine
whether a student making a request due to disability-related absences qualifies as an individual with a
disability at the time of the request. If the individual is not disabled and/or the absences are not
disability-related, the College would not be required under Title II or Section 504 to accommodate the
student by allowing the student to remain registered or to allow an “I” grade.

Discretionary withdrawals are another mechanism for a student to be dropped from class. A student
absent for any reason for more times than the class meets — after the census date — may be dropped by a
faculty member, provided the withdrawal deadline for the course has not passed. This gives a faculty
member some leeway to drop students who start to demonstrate excessive absences during the course of
a term. Once the drop deadline passes, students who are still on the course roster must be awarded a
letter grade other than a “W.”

Faculty should take note that students do have some responsibility to provide notification when they
will not be attending class for several days. AP 5075 indicates that “a student who will be absent from
any class or classes for three (3) days or longer for health reasons or other personal emergencies are
advised to notify the Office of Counseling and Special Services,” and faculty receive a notification from
the Counseling Office when this occurs. This form of notification allows a faculty member to know
that extenuating circumstances may be impinging on the student’s ability to complete a course. When
this happens, faculty should make the effort to communicate by e-mail or telephone to notify the
student that their excessive absences may jeopardize their ability to complete the course, and that a
meeting should take place whenever possible to discuss the possibility of an incomplete grade or
withdrawal from the course. Another effective means would be the college’s Early Alert electronic
notification system, alerting the student to meet with the faculty as soon as feasible.

The important thing to understand is that students who are temporarily disabled have a legal right to
seek an accommodation to continue to remain in the class and to attempt to complete assignments. The
best approach that a faculty member can take in cases where they know a student is absent due to
disability is to contact the student and the DSPS Office. Whether a student has or has not previously
self-identified as needing DSPS services, DSPS Director Danita Scott-Taylor can help coordinate a
discussion with the student that will abide by Title II and Section 504 mandates and perhaps lead to an
“Incomplete” grade for the student. Consultation with DSPS is always a good idea in these
circumstances.

I have attached requisite policies to keep on file for such cases. If you have doubts about what to do in
cases where excessive student absences are piling up, feel free to consult with your division dean, or the
DSPS Office (if appropriate).

Many thanks for your attention to these issues.

Sincerely,

Matthew E Wetstein, Ph.D.
Interim Vice President of Instruction
AP 4230  Grading Symbols

Reference:  Title 5, Section 55022 and 55023

A.  Academic Record Symbols and Grade Point Average

The following symbols may be assigned by professors to be placed on a student's permanent academic record to describe performance in a class:

1.  Evaluative Symbols (Final Grades)

<table>
<thead>
<tr>
<th>Symbol</th>
<th>Definition</th>
<th>Grade Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Excellent</td>
<td>4</td>
</tr>
<tr>
<td>B</td>
<td>Good</td>
<td>3</td>
</tr>
<tr>
<td>C</td>
<td>Satisfactory</td>
<td>2</td>
</tr>
<tr>
<td>D</td>
<td>Less than satisfactory</td>
<td>1</td>
</tr>
<tr>
<td>F</td>
<td>Failing</td>
<td>0</td>
</tr>
<tr>
<td>P</td>
<td>Passing (At least satisfactory – units awarded not counted in GPA. Has the same meaning as “CR” as that symbol was Defined prior to August 14, 2008).</td>
<td></td>
</tr>
<tr>
<td>NP</td>
<td>No Pass (Less than satisfactory, or failing – units not counted In GPA. NP has the same meaning as “NC” as that symbol was defined prior to August 14, 2008).</td>
<td></td>
</tr>
</tbody>
</table>

Adopted 7-15-80  Amended 2-16-93  Amended 11-13-07
Amended 8-15-83  Amended 5-07-96  Amended 11-25-08
Amended 2-19-91  Amended 4-26-05
AP 4230 Grading Symbols

Reference: Title 5, Section 55022 and 55023

2. Non-Evaluative Symbols

<table>
<thead>
<tr>
<th>Symbol</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Incomplete</td>
</tr>
</tbody>
</table>

Incomplete academic work for unforeseeable, emergency, and justifiable reasons at the end of the term may result in an "I" symbol being entered in the student's record. The condition for removal of the "I" shall be stated by the professor in a written record. This record shall contain the conditions for removal of the "I" and the grade assigned in lieu of its removal. This record must be given to the student with a copy on file with the Vice President for Student Services until the "I" is made up or the time limit has passed. A final grade shall be assigned when the work stipulated has been completed and evaluated, or when the time limit for completing the work has passed. The "I" may be made up no later than one semester following the end of the term in which it was assigned. The "I" symbol shall not be used in calculating units attempted nor for grade points. The student, under extenuating circumstances, may request an extension of the time limit for making up the "I" by submitting a General Petition for consideration.
AP 4230  Grading Symbols

Reference:  Title 5, Section 55022 and 55023

The following non-evaluative symbols may be placed on a student's permanent academic record by authorized College officials.

<table>
<thead>
<tr>
<th>Symbol</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>IP</td>
<td>In Progress</td>
</tr>
</tbody>
</table>

The "IP" symbol shall be used only in those courses which extend beyond the normal end of an academic term. It indicates that work is "in progress," but that assignment of an evaluative symbol (grade) must await its completion. The "IP" symbol shall remain on the student's permanent record in order to satisfy enrollment documentation. The appropriate evaluative symbol (grade) and unit credit shall be assigned and appear on the student's permanent record for the term in which the course is completed. The "IP" shall not be used in calculating grade point averages. If a student enrolled in an "open-entry, open-exit" course is assigned an "IP" at the end of an attendance period and does not re-enroll in that course during the subsequent attendance period, the appropriate faculty will assign an evaluative symbol (grade) in accordance with subsection "A" of this policy to be recorded on the student's permanent record for the course.

| RD     | Report Delayed |

The "RD" symbol may be assigned only by the Vice President for Student Services. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible. "RD" shall not be used in calculating grade point averages.

| X      | Credit by Examination |

The "X" shall be added to the evaluative symbol recorded when a course is challenged by examination.

Adopted 7-15-80  Amended 2-16-93 Amended 11-13-07
Amended 8-15-83  Amended 5-07-96 Amended 11-25-08
Amended 2-19-91  Amended 4-26-05
AP 4230  Grading Symbols

Reference:  Title 5, Section 55022 and 55023

W  Withdrawal (Authorized)
 Withdrawal from a class or classes shall be authorized by conditions set forth in Policy 5100.
 Notations shall be prescribed on the academic record of the student who withdraws within the guidelines of Policy 5100.

MW  Military Withdrawal
 Withdrawal from a class or classes due to a call to active service in a United States military unit as set forth in AP 5075.
 Notations shall be prescribed on the academic record of the student who withdraws for military reasons within the guidelines of AP 5075.

B.  Grade Awards and Reports

1.  Final academic record symbols are assigned to students at the end of each academic term and submitted to the Office of Admissions and Records. Professors, in assigning academic record symbols, will employ their best professional judgment and maintain records which will substantiate the basis for the symbols awarded.

2.  Grades issued to students shall be assigned by the professor of the course. The determination of the student's grade by the professor, in the absence of the professor's mistake, fraud, bad faith, or incompetence shall be final.

3.  Students shall be notified of their final grades after the completion of an academic term.

4.  Final grades shall be posted on the student's permanent record.

5.  Professors shall keep a record of grades for each student.

6.  If abuses in the academic record symbols awarded to students are reported or discovered by the Assistant Superintendent/Vice President, these cases will be handled by the Assistant Superintendent/Vice President and the Division Dean in consultation with the professor(s) involved.

Adopted  7-15-80  Amended  2-16-93  Amended  11-13-07
Amended  8-15-83  Amended  5-07-96  Amended  11-25-08
Amended  2-19-91  Amended  4-26-05
BP 5075  Course Registration, Adds, and Drops

Requirements for Registration

A. Have an active application for admission on file.

B. Meet mandatory assessment requirement. All new Delta College students enrolling in college for the first time will be required to participate in skills assessment prior to registration, unless exempt under AP 5051.

C. Provide official transcripts from any college previously attended.

D. Clear all fees and/or administrative and academic holds that prevent enrollment.

Requirements for Attendance

It is the instructor’s responsibility to ensure that all students attending class are officially enrolled. Under no circumstances should a student be allowed to attend class if he/she is not officially enrolled.

Students are expected to attend class on a regular basis.

A. A student who fails to attend any of the first three class sessions at the beginning of a term may be dropped from that class unless the student has advised and obtained an absence approval from the faculty member. The foregoing statement will be read by every faculty member to every class at the first session and for as many subsequent sessions as the faculty member feels to be necessary.

B. No drops will be allowed from a credit class after 50% of the class has elapsed; a grade must be issued.

Mandatory Withdrawals

On or before the last business day before the course census date, a faculty member shall mandatorily drop a student who has been identified as a no show or is no longer participating in the course, except if there are extenuating circumstances. Extenuating circumstances are verified cases of accident, illness, and other circumstances beyond the control of the student. Non-participation is defined as excessive unexcused absences. Excessive absenteeism is defined as one more absence than the class meets per week.

Adopted 06-19-12
BP 5075 Course Registration, Adds, and Drops

Discretionary Withdrawals

A student absent for any reason, for more than the number of times the class meets per week, may be dropped from the class for excess absenteeism providing the withdrawal deadline for the semester/term has not passed.

A student enrolled in a course, other than the standard semester in length, may be dropped if the student is absent for more than 10% of the total class meetings, providing the withdrawal deadline for the class has not passed.
AP 5075  Course Registration, Adds, and Drops

Reference:  Title 5, Section, 55024 and 58004

Regular Registration

A. Prior to each semester, the District will provide a regular registration period.

Dates of registration will be available via the Internet and the Schedule of Classes. Detailed plans for registration will be developed and administered by the Director of Admissions and Records.

B. Enrollment in a regular semester or summer intersession must be undertaken by the close of registration period.

Implementing Prerequisites, Corequisites, and Limitations on Enrollment

A student seeking enrollment in a course with a prerequisite that the student believes has been fulfilled at another college or university must provide official transcripts from that institution to the Admissions and Records Department a minimum of 48 hours to attempting enrollment.

All conditions a student must meet to be enrolled in the course through the registration process will be enforced so that a student is not permitted to enroll unless he or she has met all the conditions of enrollment or sought entry to the course through the Matriculation Prerequisite/Corequisite Appeals Process (See AP 5052).

Student Unit Load

1. Regular Semester

Students who have been unconditionally admitted may register for not more than eighteen (18) units prior to the beginning of each semester. Students may enroll for an additional six (6) units after the semester has begun for a total unit limitation of twenty-four (24) units per semester.

2. Inter-Session

Students who have been unconditionally admitted may be allowed to register for not more than nine (9) units prior to the beginning of summer session. Students may add an additional three (3) units after the summer session has begun for a total unit limitation of twelve (12) units per intersession.
AP 5075  Course Registration, Adds, and Drops

Reference:  Title 5, Section, 55024 and 58004

Students who have been conditionally admitted will be allowed to register for the number of units prescribed on the basis of their conditional admission to the College by the Vice President of Student Services or designee. Students enrolled under Conditional Admission will not be permitted to add additional units without the written authorization of the Vice President of Student Services or designee.

Adding Courses During Registration

Students may add courses through the registration period using the Internet.

Late Registration

A.  Census Classes:

During the regular semester or the summer intersession, students may only register up to, and including, the last day of business immediately preceding the census date for the class.

B.  Positive Attendance Classes:

Students may only register up to, and including, the last day of business before 20% of the number of days for which the class is scheduled to meet has passed.

Once the term has begun, enrollment into classes is subject to instructor approval using electronic wait lists or an Instructor Add Memorandum form. If the faculty member believes there is a compelling reason to add a student after the above deadlines, the request must be approved by the Division Dean or the appropriate Vice President.

Rosters

A.  Each faculty member will have access to the class rosters for each class taught during the current semester on the first day of the class via the online roster system. The roster will include the names of all students who have registered prior to the beginning of the term. The student’s name on the roster is an authorization to be in that class.

B.  Faculty are responsible for managing enrollment in their classes by meeting College deadlines for submission of adds, drops, and submission of census and/or positive attendance rosters, grade rosters, and roster certification forms.
C. If enrollment in a particular course is permitted after classes have begun, the student will be directed to get on the electronic wait list or complete an Instructor Add Memorandum. Students may be moved, by the instructor, from the electronic Wait List to full enrollment through the due date for the Wait List Roster. Under no circumstances should students be allowed to attend class if they are not enrolled properly. If there is a discrepancy, the student should be referred promptly to the Admissions and Records Office to ascertain the problem concerning enrollment.

D. Enrollment management assistance is provided to faculty by the Admissions and Records Office. An instructor hotline, e-mail support, and in-person assistance is available.

Absence from Class

A student who will be absent from any class or classes for three (3) days or longer for health reasons or other personal emergencies are advised to notify the Office of Counseling and Special Services.

Withdrawals

Withdrawals, or drops, are authorized through the last day of the eighth week of instruction or 50% of the term, whichever occurs earlier. Withdrawals, or drops, prior to the beginning of the semester will be permitted without charge.

A student may withdraw from a course and receive a "W" for the same course only two times.

A. The limitations above notwithstanding, a student may petition the Director of Admissions and Records for permission to repeat a course more than once to address excessive “W” with the following limitations:

1. Student is allowed no more than three enrollments that result in grading symbols of “D,” “F,” “NC,” “NP,” and “W.”

2. Students who are allowed to enroll for the third time are not allowed to drop the class on or after the census date—they are required to receive a grade.
AP 5075  Course Registration, Adds, and Drops

Reference:  Title 5, Section, 55024 and 58004

3. Students must request permission from the instructor to add the course once classes have begun.

4. Student must provide the instructor with a copy of petition to repeat the approved class.

5. Student is allowed to enroll only after all other credit-seeking students have been added to the class.

6. Students are required to seek support services such as tutoring, counseling, etc. as determined by the College Counselor.

B. Students, who have exceeded the number of repetitions allowed under this procedure and wish to repeat a class, shall not be allowed to re-enroll in the course at Delta College.

C. The District will not collect apportionment for enrollment in a class after a total of three repetitions resulting in “W”s, grades, or other non-evaluative symbols.

Withdrawal from Graded Courses

A. Withdrawal from Full-Term Census Course:

1. Students who withdraw from one or more courses through the last business day before the census day or date will have no entries made on their transcripts for the courses enrolled in at the time of withdrawal.

2. Students who withdraw from one or more courses on or after the census day or date through the last day of the eighth week of instruction or 50% of the term, whichever occurs earlier, of the fall/spring semesters or 50% of the term for Intersessions, will have “W’s” entered on their transcripts for those courses in which they were enrolled at the time of withdrawal from the College.

3. Students who withdraw from one or more courses after the last day of the eighth week of instruction or 50% of the term, whichever occurs earlier of the fall/spring semester or the last day of the fourth week for Intersession, will have a grading symbol other than a “W” as prescribed in Administrative Procedure 4230, i.e., A, B, C, D, F, CR, NC, P, NP, IP, RD, or I, entered on their transcripts for those courses in which they were enrolled at the time of the withdrawal.
AP 5075    Course Registration, Adds, and Drops

Reference:    Title 5, Section, 55024 and 58004

4. Notwithstanding the above, students who are members of an active or reserve United States military service and who receive orders compelling withdrawal from courses at any time on or after the census day or date shall have the notation “MW” entered on their transcripts in accord with the provisions of Administrative Procedure 4230.

B. Withdrawal from Courses not Coterminous with the Term and Actual Hours of Attendance Courses:

1. Students who withdraw from one or more courses on or before the last business day before the census day or date of the course will have no entries made on their transcripts for the courses enrolled in at the time of withdrawal.

2. Students who withdraw from one or more courses in the period between census day or date and 50% of the course will have a “W” entered on their transcripts for the courses in which they were enrolled at the time of withdrawal from the College.

3. Students who withdraw from one or more courses during the final 50% of the course will have a grading symbol other than a “W” as prescribed in Administrative Procedure 4230, i.e., A, B, C, D, F, CR, NC, P, NP, IP, RD, or I entered on their transcripts for those courses in which they were enrolled at the time of withdrawal.

4. Notwithstanding the above, students who are members of an active or reserve United States military service and who receive orders compelling withdrawal from courses after the census day or date of the first 20 percent of the course shall have the notation “MW” entered on their transcript in accord with the provisions of Administrative Procedure 4230.
AP 5075  Course Registration, Adds, and Drops

Reference:  Title 5, Section, 55024 and 58004

Withdrawal from College or from a Course:

A.  Student Initiated

Students should drop courses using the Internet.

Withdrawing from the College or from a course is the responsibility of the student. When a student withdraws from the College or withdraws from a course, the drop will be reflected on the electronic class list provided through the District’s electronic data system.

B.  Instructor Initiated

1.  Mandatory:
   A student who violates the District’s attendance policy within the first census period will be dropped by the instructor.

2.  Discretionary:
   A student who violates the District’s attendance policy after the first census date may be dropped by the instructor prior to the last date for withdrawal specified above.

A student dropped from class due to nonparticipation or excessive absences may file a General Petition within five business days of return to class if the student feels that there are extenuating circumstances beyond his or her control which justify remaining in the class. Such appeals will be forwarded to the instructor to determine if the student’s academic progress warrants special consideration.

Adopted  02-12-03  Amended  01-26-10  Amended  02-14-12  Amended  06-19-12
Amended  01-13-04  Amended  09-21-11  Amended  04-10-12
Amended  03-08-05  Amended  11-29-11  Amended  05-22-12