

**21 NCAC 58C .0312      EXCEPTION FOR PERSONS WITH DISABILITIES**

Schools may deviate from Commission rules concerning student attendance, course scheduling, instructional methods, instructional materials, facilities or similar matters as may be necessary in order for a school to comply with the Americans With Disabilities Act or other laws requiring such schools to accommodate persons with disabilities; provided that no deviations from Commission rules are permitted by this Rule with regard to program structuring, course content, academic course completion standards, or instructors. When considering a request for special accommodation under the Americans With Disabilities Act or other similar laws, a school shall make a reasonable inquiry to determine that the person making the request is a qualified individual with a disability and that the requested accommodation is appropriate for the particular disability. A school providing a special accommodation for a student with a disability that requires the school to deviate from Commission rules shall notify the Commission in writing of the accommodation within ten days of the start of the course in which the student is enrolled or, if the accommodation is requested after the start of the course, within ten days of the date the accommodation is first provided.

*History Note:      Authority G.S. 93A-3(c); 93A-34;  
                         Eff. July 1, 1996;  
                         Amended Eff. July 1, 2000.*