University of California Student Association
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Resolution in Support of the Plaintiffs in *Payan v. Los Angeles Community College District (LACCD)*

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WHEREAS, the plaintiffs in *Payan v. Los Angeles Community College District (LACCD)*, brought their concerns regarding course material accessibility to their federal district court in hopes of taking legal measures to ensure an equitable and educational experience for disabled students; and

WHEREAS, the two LACCD student experiences directly represented in the case, Roy Payan and Portia Mason, fell behind in their coursework due to the inaccessibility of web programs like MyMathLab, library resources, textbooks, and more[1]; and

WHEREAS, the plaintiffs proved twice to the federal district court and the Ninth Circuit Court of Appeals that LACCD was required by §Section 504 of the Americans with Disabilities Act (ADA) to accommodate the specified complaints brought forward by *Payan*; and

WHEREAS, this came with the statement that "§Section 504 and the ADA were specifically intended to address both intentional discrimination and discrimination caused by 'thoughtless indifference' or 'benign neglect,' such as physical barriers to access public facilities,"[2] meaning that LACCD is working against the interests of the disabled community by appealing to the Supreme Court of the United States to reverse the precedent of §Section 504; and

WHEREAS, These barriers to systemic accessibility are barriers that not only affect Payan and Mason but blind students as a part of the larger disabled community who seek an equitable education in LACCD institutions[3]; and

WHEREAS, the Office for Equity, Diversity, and Inclusion at LACCD claims to be working towards "supporting an environment that reflects, complements and meets the needs of the

[1]United States Court of Appeals for the Ninth Circuit. "19-56146 - Roy Payan, et al v. LACCD". Government. Administrative Office of the United States Courts, August 23, 2021. https://www.govinfo.gov/app/details/USCOURTS-ca9-19-56146.
[2] *Id.* at 17.
[3] *Id.* at 17.

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diverse student population,"[4] yet actively works towards uprooting the precedent set for §Section 504, effectively creating grounds for disabled students to be victims of unintentional discrimination and not have the legislative support to fight it; therefore, be it

RESOLVED, that the Board of Directors of the University of California Student Association (UCSA) condemns the Los Angeles Community College District (LACCD)'s plan to file a petition with the Supreme Court of the United States in *Payan v. LACCD*; and, be it further

RESOLVED, that the Board of Directors of the UCSA reaffirms its commitment to advocating for the needs of disabled students by publicly supporting the plaintiffs in *Payan v. LACCD* through various advocacy efforts, including addressing its concerns at the March 2, 2022, LACCD Board of Trustees meeting.

[4] Statement of Purpose: Office of Equity, Diversity, and Inclusion for Los Angeles Community College District. https://www.laccd.edu/Departments/DistrictResources/OfficeOfDiversity/Pages/default.aspx.