



1.0 TITLE: Grievance Procedures For Students With Disabilities

2.0 PURPOSE: To afford students with disabilities the appropriate channel to pursue resolution to complaints on the basis of disability. This policy is intended to reflect La Roche University's commitment to the principles, goals, and ideals described in the University's Mission Statement.

3.0 REVISION HISTORY: First Published 03/27/14, reviewed 2019

4.0 PERSONS AFFECTED: The individual responsible for investigating claims and concerns will be the Coordinator of Accessibility and Compliance; if the complaint is being filed against the Coordinator of Accessibility and Compliance, the individual who will investigate the grievance is the Vice President of Student Life & Dean of Students.

5.0 POLICY:

5.1 In accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 as amended, all qualified La Roche University students with disabilities have full access to institutional programs, activities, and services and are provided opportunities and reasonable accommodations and services to ensure access. No form of discrimination, including discrimination based on disability, is tolerated by the institution. Any current La Roche University student, who believes that she/he has been subject to discrimination on the basis of disability or has been denied access to accommodations required by law, shall have the right to invoke the University's grievance procedure. The grievance procedure addresses the following types of concerns:

5.1.1 Denial of a request for accommodations and/or services

5.1.2 Claims of inaccessibility of a University program, activity, or facility

5.1.3 Alleged harassment or discrimination on the basis of disability

5.2 During the grievance process, all procedures, meetings, names, and related information will be kept confidential except to the extent that release of information is necessary to investigate the particular grievance. Consultation will be limited to those students, faculty, or staff members who have information about the complaint, who need to know that a complaint/grievance has been filed, or whose job responsibilities include arranging reasonable accommodations for students with disabilities. No person shall be subjected to retaliation for having utilized or assisted others in the utilization of this grievance process.

6.0 DEFINITIONS:

6.1 Days: The word "days" in the policy means "regular business days." For good cause, such as illness, closings, or other circumstances, the University may extend the timeframes for resolving the student's complaint, provided notice of the extension is given to the student.

6.2 Grievance: Grievance means a complaint alleging a violation of any policy, procedure or practice prohibited by the Americans with Disabilities Act or the Rehabilitation Act of 1973.

6.3 Complainant: A student who files a grievance with the University because she/he believes that

a request for a reasonable accommodation has been improperly denied or believes she/he has been discriminated against on the basis of disability.

6.4 Respondent: La Roche University, and/or a University administrator, faculty, or staff member acting in his/her official capacity and alleged to be responsible for the violation(s) alleged in the grievance. Respondent may also be used to designate the person "responding" to an allegation during formal grievance procedures.

6.5 Retaliation: The act of retaliation, or of seeking revenge.

7.0 AUTHORITY: Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990

8.0 PROCEDURES:

8.1 Students invoking the grievance procedure to resolve a concern must go through each step to follow the appropriate protocol put in place by the University.

8.2 Step One: Level 1 Grievance (Informal Verbal Grievance): The student should first discuss the concern with the appropriate professional, which would typically be the Coordinator of Accessibility and Compliance. This discussion should be aimed at resolving the concern on an informal basis. The student is encouraged to seek guidance from the Coordinator of Accessibility and Compliance regarding making contact and discussing concerns with the appropriate parties.

Where the grievance involves allegation of harassment, the student is not expected to bring his or her complaint to the attention of the alleged harasser. The concern should be raised with the Coordinator of Accessibility and Compliance within 5 days of the alleged occurrence. If the grievance is against the Coordinator of Accessibility and Compliance, the student should discuss his/her concerns with the Vice President of Student Life & Dean of Students. If the Coordinator of Accessibility and Compliance is not available for a period of time (out due to illness, attending a conference, on vacation, etc.) the student should go directly to the Vice President of Student Life & Dean of Students.

8.3 Step Two: Level 2 Grievance (Formal Written Grievance): A student may take further action if she/he does not believe a satisfactory resolution was reached following the informal resolution process by filing a formal written grievance with the Coordinator of Accessibility and Compliance within 10 days of the alleged occurrence

8.3.1 The written grievance must include:

8.3.1.1 Name, address, primary telephone number and University issued email address of the complainant

8.3.1.2 Date, approximate time, and location of the alleged incident

8.3.1.3 The name of the individual whom the complaint is being filed against

8.3.1.4 Specific description of allegation(s) including the basis for the grievance, specific facts and/or policies supporting complainant's position, and impact of alleged incident on complainant's living/learning environment

8.3.1.5 Name (s) of witness(es) if applicable

8.3.1.6 Desired outcome/resolution sought by the complainant

8.3.1.7 Signature of complainant

8.3.2 The Coordinator of Accessibility and Compliance will interview the student and other involved parties to seek resolution. This investigation may also include a request by the investigator

for written incident reports by other involved parties. Such requests are required to be filed with the Coordinator of Accessibility and Compliance within 48 hours of the request being made. In an attempt to reach a resolution, the investigator (the Coordinator of Accessibility and Compliance) may in his or her discretion facilitate a meeting of the parties involved in an effort to clarify and resolve issues.

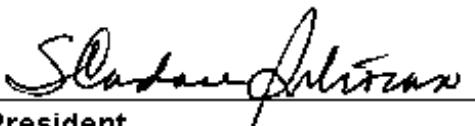
8.3.3 The complainant and other involved parties will be notified of the determination within 10 days of receipt of the written grievance. Due to the urgency of many issues, it is hoped that many problems will be resolved much sooner.

8.3.4 If the grievance filed is against the Coordinator of Accessibility and Compliance, the above steps should be followed; however, the formal written grievance should be submitted to the Vice President of Student Life & Dean of Students, not the Coordinator of Accessibility and Compliance.

8.4 Step Three: Level 3 Grievance (Appeal of Formal Grievance): A student may appeal the decision or resolution of her/his formal grievance filed with the Coordinator of Accessibility and Compliance if she/he does not believe a satisfactory resolution was reached by the Coordinator of Accessibility and Compliance. The student must notify the Vice President of Student Life & Dean of Students of her/his intent to file an appeal. The notice must be in writing (by filing the formal written grievance for Accessibility Services and include the basis for being unsatisfied with the resolution proposed by the Coordinator of Accessibility and Compliance). Written notice to the Vice President of Student Life & Dean of Students is required within 5 days of the Coordinator of Accessibility and Compliance' response. The Vice President of Student Life & Dean of Students will request from the Coordinator of Accessibility and Compliance copies of: the complainant's original written grievance, incident summary reports filed by other involved parties, and the Coordinator of Accessibility and Compliance' written response to the complainant. The Vice President of Student Life & Dean of Students will have 10 days to review the appeal and this review will be based on the written report given but may also include personal interviews and additional requests for information. Within 10 days (of the end of the appeal review) the Vice President of Student Life & Dean of Students will issue a written determination of the appeal or notice (signed by the complainant) indicating that the grievance has been satisfactorily resolved - unless the complainant is dissatisfied and advances to Step Four: Level 4 Grievance (Formal Complaint of Discrimination). The Vice President of Student Life & Dean of Students will advise the President if the complaint has not been satisfactorily resolved.

8.5 Step Four: Level 4 Grievance (Formal Complaint of Discrimination): If after utilizing these procedures a satisfactory resolution is still not obtained, the complainant may choose to file a complaint with the federal Office of Civil Rights. The Office of Civil Rights will take complaints and investigate them when appropriate.

9.0 CONTINUOUS RENEWAL: This policy shall be assessed in 5 years from its effective date to determine its effectiveness and appropriateness. This policy may be assessed before that time to reflect substantive change.



President

Effective Date: 11/27/2019

10.0 RELATED POLICIES