

### Disability Resource Center – Disability Grievance Procedure

Title II of the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act (1973) were intended to prevent discrimination against individuals with disabilities. They provide that:

"No otherwise qualified person with a disability in the United States...shall, solely by reason of...disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity sponsored by a public entity."

*In addition to the non-discrimination requirement, public entities must adopt and publish a student grievance procedure, which is an internal course of action that provides for timely and equitable resolution of complaints alleging a violation of U.S. Department of Justice regulations related to the implementation of Title II of the Americans with Disabilities Act (1990) or Section 504 of the Rehabilitation Act (1973).*

The Disability Resource Center has adopted a grievance process providing for the equitable resolution of complaints, within a reasonable time, for students with disabilities alleging violation(s) of their rights under the ADA and Section 504 of the Rehabilitation Act.

#### **Disability Grievance Procedure**

The Disability Resource Center (DRC) has the responsibility of determining a student's need for accommodation. This determination is made through a two-part process of an intake interview and reviewing documentation of the disability. If the DRC staff determine a student is eligible for accommodations, the DRC is responsible for coordinating the accommodations with the student and the instructor and third party service providers.

Valid basis for grievances include the following:

- The student was denied accommodations or believes the final accommodation(s) provided are not reasonable
- If the student believes for any other reason that he or she has been subjected to unlawful discrimination or violation of rights with respect to the granting or implementation of their request for accommodations under the ADA and Section 504 of the Rehabilitation Act
- The accommodations were not provided as outlined in the student's letter of accommodation.
- Inaccessibility of a program, event or activity
- Violation of privacy in the context of disability

Grievances may not be filed anonymously and anonymity cannot be preserved in the pursuit of any meaningful resolution.

Grievances regarding discrimination or harassment *not* related to accommodations or accessibility should be directed to the Office of Diversity and Affirmative Action.

### A. Informal Grievance Procedure:

Student may file grievances online using the [Grievance form](#) on Disability Resource Center Website. Students needing assistance may fill out the grievance form in the DRC office with staff assistance. The Director will review the matter, allowing all interested parties an opportunity to submit relevant information, statements and documentation. The Director will make a decision regarding the informal grievance within ten (10) working days of submission notify the involved parties. The Director's decision will be in writing and will be sent to the student's emich email address.

When a student's dispute involves a decision of the DRC Director, the student may forego the Informal Grievance Process and file a Formal Grievance (as defined below).

### B. Formal Grievance Procedure

1. If the student is not satisfied with the result of the Informal Grievance Process with the DRC Director, or if the student's dispute involves a decision of the Director, the student may initiate a formal grievance (the "Formal Grievance") by requesting and filing a formal Disability Grievance form. The grievance form may be obtained from DRC. The form should be completed and submitted to the Assistant Vice President for Student Affairs within 21 working days of the date of the DRC Director's decision regarding the Informal Grievance Process.
2. After the Assistant Vice President receives the grievance form, they or their designee will conduct a formal investigation of the student's Formal Grievance. This review will involve meeting with the student, and may also involve meeting with DRC staff, faculty members, and/or other concerned staff members. The student has a right to present information in person to the Assistant Vice President or designee. A written decision will be issued by the Assistant Vice President within 30 working days of receipt of the grievance form.
3. The student may request a review of the final written decision of Assistant Vice President by the Associate Vice President of Student Affairs within 10 working days of the student's receipt of the final written decision. The Assistant Vice President will file a written decision within 10 working days of the request to review. The decision of the Associate Vice President is final.