

Aquinas College **ADA Grievance Procedures**

Effective: February 3, 2015

It is the policy of Aquinas College that all qualified students and employees with disabilities will be provided with equal educational and employment opportunities including the classroom and college sponsored programs and activities. Students and employees will not be excluded from participation in or subjected to discrimination in any college activities or programs.

Procedures for Requesting Accommodations

Aquinas College is committed to inclusivity in its campus community. We are proud to ensure an accessible environment for all students and employees. In an effort to maintain an inclusive environment, Disability Services Office provides accommodations for those students with documented disabilities. Students who would like to request accommodations must contact our Disability Services Office to schedule an appointment. Employees requesting accommodations should contact our Human Resource office.

Implementing Accommodations

Students

Once reasonable and appropriate accommodations have been determined, the student will receive a letter containing the identified accommodations. It is the responsibility of the student to share this information with the professor or staff member. Students are encouraged to meet with the faculty and/or staff to further discuss the accommodations in a timely manner. Aquinas College does not make modifications that would alter a course and/or program. These accommodations are determined on a case by case basis.

If a student disagrees with the outcome of an accommodations determination meeting, he/she may wish to consult with the Office of Student Affairs for an informal resolution. If an agreement cannot be reached, the Office of Student Affairs will inform the student of the Grievance process.

Employees

Employees should contact our Human Resource office when accommodations are requested.

Students and employees who believe the college is in violation of their right to equal accessibility must first work with the Disability Services Office or Human Resources respectively and make every effort possible to remedy the concern.

Grievance Procedures

The following procedure will be used to address situations where an Aquinas student, faculty or staff member has evidence suggesting the College has violated Section 504 of the Rehabilitation Act of 1973, the American with Disabilities Act. This may include disputes regarding the recommended or implemented accommodations.

1. Grievant files complaint form with Disability Services Coordinator (DSC) 15 work days of the perceived violation (form to be developed). The DSC will listen, take notes, inform the Grievant of their options, and will ask for the required Release of Information document to be signed. At this meeting, the DSC will collect the following information:
 - Description of the concern
 - Names of individuals involved
 - Identification of individuals who may have knowledge of the concern
 - The desired resolution

Employees of Aquinas College will contact the Human Resource department and follow the same procedures as listed above.

Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

2. The DSC or Human Resources representative will conduct an informal conversation with the student or employee in search of an acceptable resolution to the concern within 10 work days of receiving the complaint. (The goal of this meeting is to resolve the concern in an ethical manner consistent with social justice practices connected to our Dominican heritage...Should this be included in a legal document?).

Once this informal discussion has occurred, the DCS or Human Resource representative will issue a determination to the complainant and offer an alternative resolution to the complaint. The response to the complainant will be in a format that is accessible to the complainant (such as large print, Braille, or audio tape, etc). This will occur within 7 work days of the meeting.

At this point in the process the Provost's Office will be informed of any student complaints and potential College violations. The Human Resource Office will document employee complaints and immediately address any suspected violations. All actions will be documented in writing in cases involving students or employees.

3. If the concerns are not informally resolved, the Grievant must file a formal grievance with the Grievance Officer within 5 business days of the informal discussion. Alternative options for filing a written grievance may be used in cases where warranted. All grievances should be submitted to the Aquinas College ADA Compliance Officer:

Brad Winkler
ADA Compliance Officer
AB 55
1607 Robinson Road
Grand Rapids, MI 49506
Phone: 616-632-1997

4. The Grievance Officer will meet with the Grievant within 3 business days to gather information. At this point, the Grievance Officer will convene a meeting with the designated Grievance Team which will include one administrator (appointed by the Provost), one faculty member (appointed by the Faculty Assembly chairperson), one staff member (appointed by the chairperson of the Staff Assembly, and one student representative (appointed by the Student Senate President). This team will review the complaint within 5 business days of the Grievance Officer's initial meeting with Grievant.
5. The Grievance Team will make a formal recommendation to solve the concern and the recommendation will be presented to the Grievant within 5 business days.
6. The Grievant will have 5 business days to consider the Grievance Team's decision and respond in writing (or alternative accommodation).

Aquinas College Students

Student who find the Grievance Team's recommendation unacceptable may submit a written appeal to the Provost for review. The Provost will respond within 5 business days and the decision will be binding.

7. In cases where students still find the resolution unacceptable, they will be informed of their rights by the Grievance Officer that they may file a complaint with the U.S Department of Justice, try to resolve the case informally through private mediation, or file a lawsuit.

The Department of Justice is the federal agency that is responsible for enforcing Title III* of the ADA.

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Civil Rights Division
Disability Rights Section-NYAVE
Washington, DC 20530
www.ada.gov/t3compfm.htm

*Title III of the ADA prohibits private colleges and universities from discriminating against people with disabilities. Title II of the ADA prohibits public colleges and universities from discriminating against people with disabilities and those cases are reported to the Office of Civil Rights.

Aquinas Employees

Employees who disagree with the Grievance Team's recommendation will be advised to exercise their right to pursue a disability claim with federal agencies such as the Equal Employment Opportunity Commission (EEOC) or State Equal Employment Office or try to resolve their claim through private mediation. The address and telephone number for the EEOC offices are:

Federal offices:
Equal Employment Opportunity Commission
1801 L Street, N.W.
Washington, DC 20507
(800)USA-EEOC toll free
202-663-4263

State offices:
Equal Employment Opportunity Commission
Patrick V. McNamara Building
477 Michigan Avenue
Room 865
Detroit, MI 48226
1-800-669-4000

If the grievant files a grievance with the federal government before this grievance procedure is completed, the procedures stated above will be abrogated.

Note: the timelines are intended to serve as guidelines. A shorter or longer amount of time may be required depending on the nature of the case, solutions to the concern, and/or the availability of individuals involved in the case.

