

## Student Grievance Procedure

### Resolving Student Complaints under the Americans with Disabilities Act and the Rehabilitation Act of 1973

#### Purpose and Scope

Ohio Christian University prohibits discrimination on the basis of disability. The purpose of these procedures is to provide a prompt and equitable process for resolving student complaints alleging discrimination, harassment, and retaliation on the basis of disability under Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990 (ADA). Faculty, Staff, and Visitor grievances are not within the scope of these procedures and should be submitted pursuant to the separate Grievance Procedure relating to complaints under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 as set forth in the Employee Handbook. Nothing in this procedure replaces any other University policy or procedure.

#### Definitions

- A. *Grievance*: Grievance means a complaint alleging any policy, procedure or practice which would be prohibited by federal regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended, and the ADA
- B. *Grievant*: Grievant means a student who submits a grievance relevant to the ADA or the Rehabilitation Act of 1973.
- C. *Respondent*: Respondent means any Ohio Christian University officer, administrator, faculty, employee, or staff member acting in their official capacity and alleged to be responsible for the violation(s) alleged in a grievance.

#### Filing of Grievance

- A. *Eligibility for Filing*: Any Ohio Christian University student or applicant may file a grievance relating to any allegation of discrimination, harassment, and/or retaliation under the ADA or the Rehabilitation Act of 1973.
- B. *Informal Pre-Grievance Meeting*: Prior to the filing of a written grievance, the grievant is strongly encouraged to discuss their concerns in a pre-grievance meeting with the respondent alleged to be directly responsible for the possible violation, or the student's Academic Advisor, in an effort to seek an informal resolution. When a matter cannot be resolved informally, or if a student prefers to file a formal grievance, a written grievance must be submitted to the Director of Accreditation and Assessment, who is the University's 504 Compliance Officer located in the AGS Academics and Student Services Building.

#### Grievance Procedure

A. *Grievance Submission*: All grievances shall be submitted in writing and shall provide the following information:

- (1) Name, address and telephone number of grievant(s);
- (2) The nature, date and a detailed description of the alleged violation(s);
- (3) The name(s) of the person or persons responsible for the alleged violation(s);
- (4) The specific requested relief for corrective action; and
- (5) Any background information the grievant believes to be relevant.

*B. Timing of Grievance Submission:* A formal grievance must be filed within 60 calendar days of the date upon which the grievant becomes aware of the alleged prohibited action. Complaints received later than 60 calendar days after complainant became aware of the alleged violation will be dismissed as untimely.

*C. Notification of Respondent(s):* Upon receipt of a grievance, the University's 504 Compliance Officer (or his/her designee) shall send the respondent a copy of the grievance and ask the respondent to prepare a response within 14 calendar days. The respondent will be specifically instructed not to retaliate against the grievant in any way. Unlawful retaliation will subject the respondent to disciplinary action. The response should include any denial, in whole or part, of the charges.

*D. Investigation:* The 504 Compliance Officer (or her/his designee) shall conduct a prompt and impartial investigation of the grievance. The investigation shall afford interested persons, including the grievant and respondent an opportunity to identify witnesses and/or submit evidence relevant to the grievance. The 504 Compliance Officer will maintain the files and records of the University relating to such grievances and will maintain the confidentiality of the grievant to the degree possible given the nature of the grievance.

*E. Decision:* The University's 504 Compliance Officer (or his/her designee) will issue a written decision on the grievance to the grievant and respondent no later than 30 calendar days after its submission.

*F. Appeal:* If the grievance is not satisfactorily resolved by the decision of the University's 504 Compliance Officer (or his/her designee) the grievant may appeal the decision by submitting a written appeal to the University's Students with Disabilities Committee within 14 calendar days of receiving the 504 Compliance Officer's decision. The University's Students with Disabilities Committee shall issue, to the grievant and respondent, a written decision in response to the appeal no later than 30 calendar days after its filing.

*G. OCR Filing:* An individual is not required to file a grievance with the University and may choose to file a complaint with the U.S. Department of Education's Office for Civil Rights at any time.

*H. Corrective Action:* In the event that an act of discrimination, harassment, and/or retaliation under the ADA or the Rehabilitation Act of 1973 is found to have occurred, a written decision issued under Paragraph D and/or E above will be provided to grievant and notify grievant that appropriate corrective and remedial measures will be undertaken by the University.

*I. Reconciliation:* Nothing in these procedures is intended to prevent a grievant and respondent from voluntarily resolving their grievance by signing a written statement of agreement and submitting it for review and approval by the 504 Compliance Officer. If the agreement is approved, the pending grievance shall be deemed dismissed.

*J. Retaliation:* Retaliation against any person under this grievance procedure or against any person who participates in related proceedings is prohibited.