

# **Disability Discrimination Grievance Process Policy**



Ursinus College is fully committed to providing equal educational opportunities for all qualified students in accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 and does not discriminate on the basis of disability in the administration of its education-related programs and activities. Ursinus College has adopted this disability discrimination grievance process to provide prompt and equitable resolution of complaints alleging action prohibited by the ADA or Section 504 of the Rehabilitation Act of 1973.

Any Ursinus College student who believes that they have been subjected to discrimination on the basis of disability or has been denied access or accommodations required by law, shall have the right to invoke this Disability Discrimination Grievance Process. Students have the option of pursuing a preliminary grievance process or initiating a formal grievance process that is prompt and equitable. The Disability Discrimination Grievance process addresses the following concerns:

- Disagreements or denials regarding disability designation and status
- Denial of requested accommodations, auxiliary aids, and/or services
- Claims of inaccessibility of a College program, activity, or facility
- Alleged harassment or discrimination on the basis of a disability by the College or any of its employee

The Disability Discrimination Grievance Process is not intended to supersede other College policies and procedures which may exist for addressing alleged violations of the ADA and/or Section 504, or other issues for which separate policies and procedures exist. For concerns of harassment or discrimination by another student, please refer to the Ursinus Student Code of Conduct, Community Expectations and College Policies, Section XI: Discriminatory Harassment.

### **Preliminary Grievance**

Prior to initiating a formal grievance process students are encouraged first to attempt to resolve their complaint through the informal preliminary grievance process. Under this process, the Director of Disability Services can address a particular concern using the appropriate college policies or procedures. Students who choose to begin with the preliminary grievance process may later pursue the formal grievance process.

Students may initiate the preliminary grievance process by submitting the below Form in writing to the Director of Disability Services promptly after the alleged discriminatory action occurs (if possible). The Director of Disability Services will review the complaint and provide a response in writing within 10 working days.

**Please submit Preliminary Grievances to:**

**Director of Disability Services**

**Ursinus College**

**601 E. Main Street**

**Collegeville, PA 19426**

**Preliminary Disability Discrimination Grievance Form**

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Academic Related Concern: \_\_\_\_\_ Non-Academic Related Concern: \_\_\_\_\_

I believe I have been subjected to discrimination on the basis of my disability, in violation of Ursinus College policies, by (name of staff/faculty person and department or office)

\_\_\_\_\_  
\_\_\_\_\_

**Description of Concern**

**Remedy or Resolution Desired: (please describe):**

Signed: \_\_\_\_\_

*Please make a copy of this form for yourself before you submit the original to the Center for Academic Support.*

## **Formal Grievance**

If the student is dissatisfied with the preliminary grievance process or chooses to initiate a formal grievance at the outset, the student must do so by filing the formal grievance in writing within sixty (60) days of the alleged incident.

The student will present relevant information in writing to the Director of Disability Services, who will promptly review the information and related materials, and forward them to the appropriate Ursinus College administrator:

➤ **Non-Academic/ Student Life Concerns:**

Assistant Dean of Students and Co-Director for the Ursinus Institute for Student Success  
Myrin Library  
601 E. Main Street  
Collegeville, PA 19426  
Phone: 610-409-3590  
Fax: 610-409-3555

➤ **Academic Related Concerns:**

Associate Dean of the College over Grievances  
Corson Hall  
601 E. Main Street  
Collegeville, PA 19426  
Phone: 610-409-3970  
Fax: 610-409-3787

If the student's grievance pertains to a decision made regarding a determination of disability under ADA standards, the student must file a grievance in writing with the Assistant Dean of Students and Co-Director for the Ursinus Institute for Student Success, who will promptly review the charge and the evidence presented by the complainant.

The student's formal grievance must clearly state:

- The name, address and phone number of the complainant
- The name(s) of the individual(s) (if any) alleged to have engaged in the discriminatory conduct and any possible witnesses.
- The dates of and location at which the alleged discriminatory conduct occurred.
- The basis and rationale for the grievance.
- The specific facts and/or policies supporting the student's position
- The remedy and resolution desired by the student

## **The College Administrator or designee will:**

- Undertake a prompt and expeditious investigation.
- Interview all parties and obtain potentially relevant documents, information and witnesses.
- Interview witnesses as deemed necessary, and secure any relevant documentation (such as notes, e-mails, pictures, grades, etc.) and information.
- Respect privacy to the extent possible. Complainants must understand that the college cannot guarantee absolute confidentiality because it cannot conduct an effective investigation without revealing certain information to witnesses or respondents.
- Retain the right to inform persons who may have a need-to-know and to utilize information obtained during the investigation for legitimate College purposes.
- Abide by Federal/State laws and College Policy when reviewing the complaint.
- Act as an impartial fact finder in the matter
- Render a written decision to all parties no later than 30 days after receiving the student's grievance

## **Appeal Process**

Students who are dissatisfied with the resolution issued by the College administrator or their designee can request a reconsideration of the decision. The request for reconsideration must be made in writing within five (5) business days of issuance of the decision to the appropriate Vice-President.

### **Non Academic/ Student Life related appeals:**

Vice-President of Student Affairs and Dean of Students  
Wisner Center  
601 E. Main Street  
Collegeville, PA 19426  
Phone: 610-409-3590  
Fax: 610-409-3555

### **Academic related appeals:**

Vice-President of Academic Affairs and Dean of the College  
Corson Hall  
601 E. Main Street  
Collegeville, PA 19426  
Phone: 610-409-3970  
Fax: 610-409-3787

A written response will be issued within ten (10) business days after receipt of the request for reconsideration. The decision of the Vice-President reviewing the appeal is final.

Filing a grievance does not preclude or negate an individual's right to file an ADA complaint with the U.S. Department of Education Office of Civil Rights.

### **U.S. Department of Education**

The Wanamaker Building  
100 Penn Square East, Suite 515  
Philadelphia, PA 19107-3323  
Telephone: (215) 656-8541  
Facsimile: (215) 656-8605  
Email: [OCR.Philadelphia@ed.gov](mailto:OCR.Philadelphia@ed.gov)

## **Non-Retaliation**

Ursinus College strictly prohibits retaliation against any individual who files or otherwise participates in the investigation of a disability-related grievance. Anyone who believes that they have been retaliated against for filing or otherwise participating in the investigation of a grievance should report the matter in writing to the Director of Disability Services.