

# **Grievance Procedure - Students with Disabilities**

## **University of Wisconsin Oshkosh**

### INTRODUCTION

#### **Definitions**

An individual with a disability is defined by the Americans with Disabilities Act (ADA - 1990) as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. An individual with a disability should meet the essential eligibility requirements of the University to participate in its academic and extra-curricular life. The University has an obligation to provide reasonable accommodation for an individual with a disability if that disability substantially limits access to facilities or service. Reasonable accommodations include, but are not limited to, adjustments to rules, policies, or practices; environmental adjustments such as removal of architectural, communication, or transportation barriers; or auxiliary aids and services. Reasonable accommodations do not include changes that involve a significant alteration of admission or academic curriculum requirements, actions that create an “undue hardship” on the operation of the University, or services/aids considered to be personal in nature.

#### **Accommodation Request Process**

All requests for reasonable accommodation for students with disabilities should be directed to the Coordinator of Services for Students with Disability (CSSD), Dean of Students Office, 125 Dempsey Hall, 800 Algoma Blvd., Oshkosh, WI 54901 (920-424-3100). The student must request accommodation in writing and provide supporting medical documentation. Specific criteria for documentation (i.e. learning disabilities, attention deficit disorder, medical conditions, etc.) can be obtained from the CSSD. Applications for accommodation can be submitted at anytime. The CSSD will issue a response to the written application and its accompanying documentation within 30 calendar days of receipt. However, a thorough review of the request as well as implementation of reasonable accommodation usually takes approximately eight weeks.

### FILING A GRIEVANCE

#### **Informal Process**

If the CSSD denies a student request for accommodation due to disability or a student has a complaint about an action that potentially violates the ADA or Section 504 of the Rehabilitation Act, the student should first engage in new or continued contact with the CSSD (i.e. submission of additional documentation, meeting in person, exploration of alternative options) to identify a solution. The CSSD will consult with faculty, staff, department chairs, or other University personnel involved in the dispute to understand their perspectives and solicit additional potential solutions. Every effort will be made to reach a solution informally.

### **Formal Process**

A student may file a formal grievance if the efforts to informally resolve the request for accommodation are not considered satisfactory by the student. The grievance should be submitted in writing to the ADA Advisory Board, Dean of Students Office, 125 Dempsey Hall, 800 Algoma Blvd, Oshkosh, WI 54901. The student must describe the nature of the grievance, the accommodation requested of the University and accompanying rationale, and supporting medical documentation related to her/his condition. This information will be forwarded, along with relevant records from the CSSD, Dean of Students, and other involved University personnel, to an ad hoc Grievance Committee comprised of five individuals appointed from the University ADA Advisory Board. Minimum representation will include one faculty member, one staff member, and one student, and a faculty or staff chairperson will be assigned for each Grievance Committee. Grievances relating directly to accommodations for course requirements or class assistance will have at least two faculty members on the committee. The Grievance Committee will meet to review the matter within 30 calendar days of receipt of the grievance. The Grievance Committee and student may mutually agree to postpone the proceedings to a specified date for further information gathering purposes (i.e. additional opinions or information). The committee can request witnesses, materials, and opinions related to the case as it deems necessary and will protect the confidentiality of the student (disclosing the student's identity only on a "need to know" basis) to the extent allowed under state and federal law. The Grievance Committee will communicate the findings in writing to the student, CSSD, faculty, or staff directly involved. If the Grievance Committee's decision is unacceptable for the student, faculty, or staff, an appeal may be filed to the Provost and Vice Chancellor within 10 days from the notification date of the decision. The Provost and Vice Chancellor will make a final decision and provide this response in writing to all involved parties.

Updated 3/12/01

Passed - Faculty Senate

Passed - Senate of Academic Staff

Passed - Oshkosh Student Association

Approved - Chancellor Wells, 4/25/01