

Accessibility Services Grievance Policy

Capital University and Accessibility Services are committed to providing reasonable accommodations, modifications, and auxiliary aids for equal access, opportunity, and participation in all University programs and courses as directed under the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. We support your right to file a grievance if you believe you have been denied equal access or believe an assigned accommodation is a fundamental alteration of the academic program.

Outlined below are the grievance procedures if a student's request for an accommodation is denied or the assigned accommodations are not being met, or if staff or faculty believe the assigned accommodations are not reasonable. We highly encourage students, faculty, and staff to engage in an informal discussion at Level I first, as most disability-related issues or complaints about accommodations, services, faculty, other campus departments, programs, or facilities are generally resolved at this level.

The grievance process should be initiated as soon as there is a concern and is only applicable after a complaint is filed. The grievance process takes time to complete. University policy requires that the assigned accommodations must be provided until such time as it is altered through mutual understanding reached through this interactive process.

These procedures do not apply to other types of complaints of alleged discrimination or harassment based on a student's disability, which are addressed by other University offices (e.g. [Human Dignity and Bias Incident Policy](#)).

Grievance Procedure

Level I: Informal Appeal

- **If students wish to appeal an accommodation denial or their assigned accommodations are not being met:**
 - o Students should contact Accessibility Services (AS) in writing to address their concerns and meet with the Director of Accessibility Services to discuss the informal appeal. The Director may request additional supporting documentation or clarification to aid in a better understand of the aforementioned disabilities. AS will inform the student of the final decision in writing within five (5) academic days after the informal appeal.

- **If faculty or staff do not agree with an assigned accommodation:**
 - If faculty or staff are concerned that an assigned accommodation is a hindrance to implement, alters the essential components of the course or program, or cannot be implemented effectively, they should schedule a meeting with the Director of Accessibility Services as soon as possible to discuss the concern. The Director may consult with the Academic Dean, Department Chair, or Department Director if necessary. University policy requires that the assigned accommodations must be provided until such time as it is altered through mutual understanding reached through this interactive process.

Level II: Formal Appeal

If the complaint cannot be resolved at Level I or for any reason cannot be discussed with the Director of Accessibility Services, students, faculty, or staff should file a formal appeal.

- **If students wish to file a formal appeal for an accommodation denial:**
 - An appeal letter must be submitted by the student within five (5) academic days of the denial to the Associate Provost/ Dean of Engagement and Success, Deanna Wagner (dwagner1453@capital.edu). The appeal letter must include the stated grievance, the reason a resolution was not reached prior, and a request for a review of the accommodation. The Associate Provost or designee will evaluate the appeal and may consult with AS, legal counsel, or other relevant faculty or staff members. The Associate Provost will inform all involved parties of the progress, findings, or resolution within ten (10) academic days.

- **If faculty, staff, and Accessibility Services cannot reach a mutual agreement on the reasonableness of an accommodation:**
 - The Director of Accessibility Services will contact the Associate Provost, Deanna Wagner, in writing to request the formation of the Accessibility Services Fundamental Alteration Review Committee. The Provost Office will appoint a committee consisting of three (3) to five (5) faculty and staff members from the student's program of study or relevant department and other faculty or staff members across the University. The Provost Office calls the committee into session within a reasonable time once the request has been received. The committee meeting is not open to the public. AS will provide evidence gathered from the student's documentation, meetings, and information from the faculty member. The student and faculty or staff members involved have the right to submit a letter to the committee. If the committee agrees, through majority rule, there is merit to the unreasonableness of the accommodation, the committee should suggest alternatives to AS, if possible. The final decision of the committee will be reported in writing to AS, the student, and faculty or staff members within five (5) academic days of the committee meeting.