

## **Grievance and Appeal Process: Students with Disabilities**

Cedarville University is committed to providing students with disabilities equal access to all programs, services, activities, and facilities in accordance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990, and the ADA Amendments Act (ADAAA) of 2008. Disability Services seeks to provide legally required, reasonable, and appropriate accommodations to qualified students with disabilities.

Accommodations are determined on a case-by-case basis by one or more of the Disability Services team and are based on

- (1) The student's self-disclosure of the disability;
- (2) Evidence-based, up-to-date documentation from a qualified professional appropriate to the disability diagnosis;
- (3) The interactive process between the student and the Disability Services team. If a student believes that discrimination due to a disability has taken place, or if a student believes that disability-related harassment has taken place, the student is encouraged to contact the Disability Compliance Coordinator. The student may use either the Informal or the Formal process to address a complaint. All complaints will be promptly and thoroughly investigated unless the student (complainant) decides against an investigation.

**INFORMAL PROCESS:** Students are encouraged to contact the Disability Compliance Coordinator to discuss concerns informally as soon as possible after a problem arises. If a student:

- (a) is not receiving an accommodation that has been approved;
- (b) believes that an approved accommodation is not effective for access;
- (c) experiences a problem in using an accommodation;
- (d) disagrees with an accommodation decision; or
- (e) believes that harassment has taken place due to a disability.

The Disability Compliance Coordinator will meet with the student for discussion, support, and intervention if the situation warrants. The Director of the Academic Enrichment Center may be part of this process to aid in resolution. The informal process is not a mandatory step to the formal process. However, because problems are usually resolved at this level, the student is encouraged to directly contact the Disability Compliance Coordinator to report a concern or problem.

**FORMAL PROCESS:** If the student believes there is not a satisfactory resolution with the informal process, or if the student decides to go straight to the formal process to file a grievance, then the student is to submit the formal, written complaint within 30 business days of the perceived problem. The complaint should include the following information:

1. A detailed description of the problem, including the date(s) of the issue to be addressed and all individuals, departments, or programs involved.
2. A description of the efforts made to resolve the problem, including parties involved in the efforts.
3. The specific desired outcome for the resolution of the problem
4. The reasons the desired outcome is necessary.

Complaints will be investigated by the Disability Compliance Coordinator, the Director of Academic Enrichment, or a university-designated faculty or staff member. For disagreements or concerns regarding approved accommodations or provision of services by the Disability Services team, a written complaint should be submitted directly to the Director of the Academic Enrichment Center. Individuals who may be consulted as warranted for thorough investigation include the

student, witnesses, University legal counsel, and other appropriate professionals on and off campus. Those individuals who are contacted may be given access to the complainant's file in Disability Services in order to fully evaluate and resolve the complaint. The complainant will be given the opportunity to provide relevant witnesses and relevant evidence during the investigation.

The investigation shall be completed within 45 business days of receiving the complainant's formal written complaint as outlined in numbers 1, 2, and 3 under "Formal Process." The complainant will be notified in writing of the outcome and any steps for resolution within 15 business days of the conclusion of the investigation. If evidence of discrimination or harassment is found to have occurred, appropriate corrective and remedial actions will be taken. If the complainant disagrees with the outcome and/or the corrective/remedial actions, the complainant may appeal to the Dean of Undergraduate Studies within 10 business days of the decision. The Dean of Undergraduate Studies or a university-designated faculty or staff member will conduct a review of the decision as well as the evidence previously reviewed by the Disability Compliance Coordinator, Director of Academic Enrichment, or university-designated representative to determine if the decision was reasonable. The review shall be completed within 45 business days of receiving the complainant's formal written appeal. The Dean of Undergraduate Studies or university-designated representative may affirm or modify the decision at his/her discretion. The complainant will be notified in writing of the outcome and any steps for resolution within 15 business days of the conclusion of the review.

Any retaliation against the complainant and those who participate in the related proceedings is prohibited. The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the [U. S. Department of Health and Human Services, Office for Civil Rights.](#)

For questions or assistance, students may contact any of the following faculty and staff of the Academic Enrichment Center (The Cove):

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