



Grievance Procedure for Academic Accommodations

Purpose

West Liberty University has adopted an internal grievance procedure for prompt and equitable resolution of complaints alleging any action prohibited by federal regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990 (ADA). Section 504 and ADA state, in part, that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by such an entity." Issues that are grievable include, but are not limited to, a denial of a requested accommodation, the inadequacy of an accommodation, the inaccessibility of a program or activity due to disability, or discrimination or harassment based on disability.

The purpose of this procedure is to establish a process for promptly resolving student appeals related to the Accessibility Services Office administrative decisions involving academic accommodations.

While attending West Liberty University, you may have concerns related to disability-based services. If this should happen, there are some things to keep in mind.

- It is important to deal with problems as they arise. Do not delay, as that only allows small problems to become bigger! If you're not sure what to do, contact the Learning and Student Development Center (LSDC) Accessibility Services Office to discuss further.
- If you have a problem with a particular individual, discuss the problem with that person first. Your LSDC can offer helpful suggestions since problems often can be solved informally through effective communication.
- If you have a problem with the implementation of your accommodations, please talk with the person(s) facilitating those accommodations first. *For example, if you are using a reader and she/he reads too slowly, explain this to the reader.*
- If your professor is questioning the appropriateness of a recommended accommodation, discuss it with him/her first. If you are still unable to resolve the issue, let the LSDC Accessibility Services Office know. Clarification and/or suggestions on how

to proceed can be provided. If necessary, the LSDC can work directly with the professor to resolve the particular question.

Academic Accommodation Grievance Procedure

Any student who is not satisfied by the services provided by an LSDC staff member may seek the assistance from the Director. The LSDC Director will work with the student to resolve the issue. If an informal resolution is not achieved, the student may pursue the formal appeal process outlined below:

A complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of person making the complaint and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or tape recording, will be made available for persons with disabilities upon request.

The complaint should be submitted by the person making the complaint and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Chris McPherson
Director, Learning and Student Development Center
CUB 112
208 University Drive
West Liberty, WV 26074

Within 15 calendar days after receipt of the complaint, Mr. McPherson or his designee will meet with the person filing the complaint to discuss it and possible resolutions. Within 15 calendar days of the meeting, Mr. McPherson or his designee will respond in writing, and where appropriate, in an accessible format. The response will explain the position of West Liberty University and offer options for substantive resolution of the complaint as appropriate.

1. Any student can request a formal appeal if the student disagrees with an LSDC-Accessibility Services Office decision related to the request/implementation of an academic accommodation or if the student is not satisfied with the resolution.
2. Requests for a formal appeal of a decision should be submitted in writing. The request for formal appeal should include a copy of the decision letter, an explanation of the reason for the appeal and a description of the desired outcome. The student may request a meeting with the Vice President of Student Affairs and Enrollment Management to discuss the formal appeal.
3. The Vice President of Student Affairs and Enrollment Management will review the formal appeal based on the following grounds:
 - a. The decision reflects a failure to follow University policy;
 - b. There is new information not taken into account by the decision maker; and or,

c. The decision reflects an abuse of discretion by the decision maker;

4. The Vice President of Student Affairs and Enrollment Management provides a response in writing once the formal appeal is received, generally within 15 business days.

If the student is not satisfied with the response from the appeals process, or if the student selects not to use the Appeals Procedure, the student may file a grievance directly with:

U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Bldg.
400 Maryland Avenue, SW
Washington, DC 20202-1100
Telephone: 800-421-3481
FAX: 202-453-6012; TDD: 800-877-8339
Email: OCR@ed.gov

Retaliation against any complainant under this grievance procedure or against any person who assists a complainant in his/her pursuit of a complaint under this grievance procedure is prohibited.