

## Student Accommodation Request and Grievance Policy and Procedure

**Policy Number: SAD.017**

**Approved By: President on 12/15/17 \_\_\_\_\_**

**Office: Human Resources/ADA Coordinator**

**Policy Contact: ADAC, Leaves and Accessibility Coordinator**

**Related Policy or Policies: SAD.007, FAD.021**

### Revision History

Revision Number:	Change:	Date:
1	Email addresses updated	7/8/19

### A. Purpose

Southern Oregon University is committed to providing equal and integrated access for all students with disabilities to academic, social, cultural, housing and recreational programs. In compliance with state and federal laws and regulations, including the Americans with Disabilities Act of 1990 (ADA: as amended in 2008) and section 504 of the Rehabilitation Act of 1973 (Section 504), SOU does not discriminate on the basis of disability in administration of its programs and activities, and has an institutional commitment to provide full and equal opportunities for individuals with disabilities who are otherwise qualified, to participate in, benefit from, and enjoy all the programs and services of the University.

In our commitment to ensure that no qualified individual with a disability is excluded from participation or denied the benefits of services, programs or activities, we provide accessible technology and course content that conforms to applicable accessibility standards required by law. In addition, SOU commits to implementing accessibility of Electronic and Information Technology (EIT) and shall advise all EIT vendors of our commitment to web-based EIT that complies with the WCAG 2.0 AA standards.

### B. Definitions

**Disability** – Physical or mental impairment that substantially limits one or more major life activities

**Person with a disability** – Has a physical or mental impairment that substantially limits one or more major life activities; has a history or record of such impairments; or is regarded as having such impairment.

**Auxiliary Aids and Services** – Services or devices that enable persons with impaired sensory, manual or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities.

**Assistive Technology** – Any product, device, or equipment, whether acquired commercially, modified or customized, that is used to maintain, increase or improve the functional capabilities of individuals with disabilities.

**Accessible** – The ability to independently acquire the same information, engage in the same interactions, and enjoy the same services within the same time frame as all other individuals, with substantially equivalent ease of use.

**Otherwise Qualified** – A student with a disability who meets the academic and technical standards requisite for admission or participation in the institution’s educational program or activity.

### C. Procedures

#### Accommodation Request Procedures:

All accommodations are made on a case-by-case basis.

### New/Returning Students:

- Students are notified of the availability of Disability Resource Services through Preview Day events, Registration day events, and in New Student Orientation; as well as in syllabus statements in all classes.
- Contact the Disability Resources office at (541) 552-6213, or [dr@sou.edu](mailto:dr@sou.edu) to schedule an initial appointment.
- Complete the [online application](#) for accommodations.
- Provide information regarding the functional limitations of disability. This may include information provided directly by the student, observation by/interaction with Disability Resources' staff and/or documentation from an appropriate clinician, depending on the nature of the disability.
- Submit any required forms or documentation to Disability Resources by mail, fax or email to:

Southern Oregon University  
Disability Resources  
1250 Siskiyou Blvd.  
Ashland, OR 97520  
Fax: (541) 552-8462  
Email: [dr@sou.edu](mailto:dr@sou.edu)

### Accommodation Modification Request:

- For changes to existing accommodations, contact the assigned Disability Resources staff member (Access Consultant) with the request for modification, or for new accommodations.
- The Access Consultant will review existing information immediately to determine if the student is eligible for the modified or newly requested accommodation. If additional information or clinical documentation is necessary, the Access Consultant will contact the student and provide additional details on what is needed to be able to substantiate the request.
- Students will be notified of their new eligibility determination within 10 business days of receiving all required documentation.

### Approval Process:

Disability Resources will begin the interactive process with the student during the initial appointment. Once information and/or documentation is received to substantiate the accommodations requested, the student will receive an eligibility letter with the approved accommodations. The student must request that an Accommodation Letter be sent to each of their instructors through the AIMS website at the beginning of each term. Students will login to their AIMS account and request which of the eligible accommodations they choose to use in each course. Accommodations cannot be made retroactively, so accommodations cannot start until the instructor has received the Accommodation Letter. Disability Resources shall timely respond to reasonable requests for assistance by students with disabilities that may not be anticipated prior to commencement of the class, and therefore not enumerated in Letters of Accommodation.

Disability Resources will serve as the liaison between the student and the faculty to ensure that the accommodations are meeting the student's needs. Disability Resources shall promptly and effectively resolve access issues and provide resources and guides to faculty and instructors. Disability Resources is the primary point of contact on issues related to ADA compliance for all persons involved in providing class instruction at SOU. If a student makes a disability-related complaint to a person involved in providing class instruction, that person must promptly notify the office of Disability Resources so that the office of Disability Resources can ensure appropriate resolution of the complaint and, where appropriate, be involved in facilitating such resolution. Disability Resources will also coordinate and provide specific auxiliary services and aids, including but not limited to: interpreters and/or transcription for Deaf and hard of hearing students; curricular materials in alternate formats; notetaking supports and services; and placement of furniture for accessible seating.

Disability Resources will provide students with timely access to converted curricular material. If circumstances such as late registration, the medium chosen, or the volume and complexity of the material will delay conversion, the University will work with the impacted students to ensure equally effective alternate access to course materials in the

interim.

## **Implementation Process – Faculty**

Once the faculty member has received the Accommodation Letter, they will work with Disability Resources in fulfilling the accommodations requested. Disability Resources directly provides alternate format texts and notetaking. Other accommodations such as enlarged font handouts or large font written directions for assignments are arranged by the instructor. Other accommodations, such as test accommodations, are arranged in conjunction with both Disability Resources and the Faculty member.

### **Faculty Procedures:**

Instructors have the responsibility to ensure full access for students with disabilities by timely responding to the student's need or request for accommodations and to cooperate with Disability Resources in providing accommodations in a reasonable and timely manner. Any concerns or questions should be addressed immediately with the student and by consulting Disability Resources. Instructors are required to follow the procedures below:

- Syllabus Statement – Ensure that the syllabus statement regarding disabilities is included on every syllabus for every class, including reading it aloud in the introductory session.
- Refer students with disabilities to Disability Resource Services.
- Keep disability-related discussions and information confidential.
- Provide accommodations in collaboration with the student and Disability Resources.
- Work with Disability Resources to provide students alternative format materials (e.g., textbooks, handouts, etc.) in a timely manner.
- Ensure that publications used for class have alternate options, or equally effective alternate access available.
- Ensure that course content conforms to applicable accessibility standards.
- Do not provide disability-related accommodations to a student who does not provide an accommodation request letter.
- Treat students with disabilities as equitably as you would treat any other student.

Disability Resource Services has an online Faculty and Staff webpage, which provides resources for working with disabled students, guidance on text conversion services, using closed captioning, accommodated testing, alternate format materials, technology for students with disabilities, sign language, service animals and other resources. It is recommended that all faculty instructors review this resource.

### **Denials and Grievance Process:**

If an initial request for accommodation is denied, a student may request reconsideration. A request that Disability Resources reconsider the denial must be in writing, submitted to [dr@sou.edu](mailto:dr@sou.edu).

Additional information to support the request that was not already presented to Disability Resources may be presented.

Reconsideration requests will be reviewed by at least one Accommodations and Learning Specialist, the Disability Resources Coordinator and a staff or faculty member from another department within the University that has knowledge of the area in which the accommodation is requested (e.g., housing accommodations would have a housing staff member; accommodations for a course would have a faculty member from that department).

A reconsideration determination notice will be emailed to the student within 10 business days from the receipt of the reconsideration request.

### **Accessibility Complaint Resolution Procedure:**

Students with complaints relating to disability-related accommodations, including appropriate Auxiliary Aids and Services and Assistive Technology, or any other issue related to accessibility and/or barrier to accessibility, should first work through the reconsideration request when accommodation has been denied with the Disability Resources

Coordinator in Disability Resources. If that effort is not satisfactory, students may seek review by the Accessibility Coordinator in accordance with the process set forth below.

This process is designed to address disputes concerning the following:

1. A requested service, accommodation, Auxiliary Aid or Service, Assistive Technology, or modification of a University practice or degree requirement;
2. Inaccessibility of a program, service or activity;
3. Harassment or discrimination on the basis of a disability;<sup>1</sup>
4. Violation of privacy in the context of disability.

Complaints under this policy must be filed within 180 days of the denial of services, accommodations or alleged discrimination. Southern Oregon University may consider an extension where a delay is due to circumstances beyond a student's control such as illness or incapacity. Disability Resources will also self-report any denials in accommodations to the Accessibility Coordinator within 2 business days of the failure to resolve the student's complaint.

The complaint must be in the form of either a detailed written complaint sent to the Accessibility Coordinator, Michele Barlow, ADAC, 1250 Siskiyou Blvd., Churchill Hall, Room 159, Ashland OR 97520, [barlowm@sou.edu](mailto:barlowm@sou.edu), 541 552-8508 (fax); or an in-person meeting with the Accessibility Coordinator, or designee. The complaint should include the following:

1. The name, mailing address, email address, and phone number of the person initiating the complaint.
2. A full description of the problem, and what efforts have been made to resolve the issue.
3. A statement of the remedy sought.

SOU will make appropriate arrangements to ensure that persons with disabilities are provided accommodations, if needed to participate in this process. Examples of such arrangements may include, but are not limited to, providing interpreters, providing audio files or materials in Braille, or assuring a barrier-free location for meetings. The Accessibility Coordinator will be responsible for such arrangements. If the complaint is conducted via an in-person meeting, the complaint will be documented in writing by the Accessibility Coordinator or designee and the student provided with a copy of the documentation in a timely manner.

The Accessibility Coordinator or designee will review the complaint and interview, consult with, and/or request written response to the issues raised in the grievance from any individual they believe to have relevant information, including faculty, staff and students.

Southern Oregon University will strive to maintain the confidentiality of information shared throughout the complaint resolution process. However, disclosures may be required for the purpose of fact-finding or efforts to resolve the complaint. In instances where disclosures are made, they will be limited to those persons necessary to proceed in the process or to otherwise address the complaint. All persons involved in the student complaint will be advised of the importance of confidentiality in the process and asked to maintain the confidentiality of the information discussed during the process as well as the identity of the complainant.

A complainant should understand that where a complaint is specifically directed against one or more specific individuals, the complaint itself or portions of the complaint will be disclosed to the relevant individual for purposes of ensuring the individual has the information necessary to prepare a response.

At the conclusion of the investigation, the Accessibility Coordinator or designee will issue a summary of the review, and a proposed disposition (if a resolution is determined). This summary shall be issued no later than 30 calendar days of the filing of the complaint. The deadline may be extended for good cause (including reasons for breaks in the academic calendar). The summary may also be provided, where appropriate, to any University Officer whose authority will be needed to carry out the proposed disposition or to determine whether any personnel action is appropriate.

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<sup>1</sup> The Accessibility Coordinator retains discretion to refer matters to the University's Director of Equity Grievance for processing or adjudication under the University's policy on Equal Opportunity, Harassment and Sexual Misconduct (GEN.009).

If the student wishes to request reconsideration of the decision of the Accessibility Complaint Resolution Procedure, they may do so within 10 business days from the receipt of the summary of the review. This request for reconsideration must be in the form of a detailed written response or an in-person meeting with the Accessibility Coordinator or Designee. Any such meeting will be documented by the Accessibility Coordinator or Designee and the student provided with a copy of the documentation in a timely manner.

Consistent with applicable law, Southern Oregon University prohibits retaliation against any person who requests accommodation, files a complaint alleging disability discrimination or participates in the grievance process. Any concerns about retaliation related to this process should be disclosed immediately to the Accessibility Coordinator.

While students are encouraged to utilize SOU's Complaint Resolution process towards resolving disability-related complaints, all students have a right to file a complaint under the University's policy on Equal Opportunity, Harassment and Sexual Misconduct (SAD.007) and to the Office of Civil Rights and the Department of Justice.

Office of Civil Rights – Department of Education

Address: Seattle Office

U.S. Department of Education

915 Second Avenue Room 3310

Seattle, WA 98174-1099

Phone: 206-607-1600

Email: [ocr@ed.gov](mailto:ocr@ed.gov)

Department of Justice

Address: US Department of Justice

950 Pennsylvania Avenue, NW

Civil Rights Division

Disability Rights Section – 1425 NYA

Washington, D.C. 20530

Phone: 1-800-514-0301

Fax: 1-202-307-1197

TTY: 1-800-514-0383

This procedure may be revised at any time without notice. All revisions supersede prior procedures and are effective immediately upon approval.

#### **D. Policy Consultation**

Faculty Senate, Executive Council, Policy Council. This policy was posted for community comment on November 20, 2017.