



Policy on Disability-Related Grievances

Responsible Executive: Provost and Academic Vice President

Responsible Office: Services for Students with Disabilities

I. POLICY STATEMENT

In furtherance of its non-discrimination policies, it is the policy of John Carroll University (“John Carroll”) to comply fully with state and federal laws, including the Americans with Disabilities Act (the “ADA”) and Section 504 of the Rehabilitation Act of 1973 (“Section 504”), and to establish a procedure to ensure that grievances are fairly heard and resolved. Grievances arising under this Policy include allegations concerning accessibility, discriminatory treatment, harassment, retaliation, and other allegations of disability-related violations.

II. PURPOSE

The purpose of this Policy is to establish a grievance procedure that provides grievants with a fair and effective mechanism for resolving disability-related disputes.

III. APPLICABILITY

This Policy applies to complaints by persons alleging discrimination carried out by John Carroll faculty, staff, employees, students and third parties contracted on behalf of the University.

IV. NOTICE

John Carroll students, faculty, administration and staff shall receive notice of this Policy through a posting on the John Carroll Office of Students with Disabilities website located at: <http://www.jcu.edu/disabilities/>, and publication in Student Bulletins.

V. POLICY ELABORATION

John Carroll strongly urges that —when appropriate — parties resolve disputes through informal and direct contact between the affected individuals and the office of Services for Students with Disabilities (“SSD”). However, there may be instances when informal efforts are ineffective or otherwise not appropriate. Persons are not required to engage in an informal resolution process, and persons who are engaged in informal resolution efforts may, at any time, elect to engage the formal grievance process set forth below.

Step 1: The grievance must be presented in writing to the Director of SSD. The SSD office is located on the Garden Level of the Administration Building, in Room A-7. The SSD mailing address is Services for Students with Disabilities, 1 John Carroll Boulevard, University Heights, Ohio 44118. The SSD phone number is (216) 397-4967. In the event the grievance is against the Director, the grievant should file the grievance with the Dean of the College of Arts and Sciences. The office of the Dean of the College of Arts and Sciences is located in the B Wing of the Administration Building in Room B101. The mailing address is Office of the Dean of the College of Arts and Sciences, 1 John Carroll Boulevard, University Heights, Ohio 44118. The phone number of the College of Arts and Sciences is (216) 397-4215

Any grievance shall: (a) clearly identify the facts and events related to the grievance; (b) identify all relevant persons and their respective roles in the dispute; (c) explain all efforts undertaken to resolve the issue prior to filing a grievance; and (d) identify any specific relief sought. Upon receipt of a grievance, the Director or the Dean shall contact the parties and provide them the opportunity to submit evidence and identify witnesses. Witness statements may be submitted in writing or be heard by the Director or the Dean. All evidence shall be submitted within twenty-one (21) days following the submission of the written statement.

The Director or the Dean shall review all relevant evidence, and shall, if appropriate, interview the parties and other witnesses. The Director shall then consult as necessary with John Carroll's legal counsel. Subsequently, within fourteen (14) days of receiving the evidence, the Director or the Dean shall make a finding, provided in writing to all parties, that shall identify any violations of the ADA and/or Section 504, and shall identify necessary and appropriate remedial measures that John Carroll will take to prevent recurrence of any discrimination and/or to correct any discriminatory effects. After the Director or the Dean has issued a finding, any party may make a written request that the Director or Dean engage **Step 2** within ten (10) business days after receiving the written finding.

Step 2: The Director shall submit a written statement of the matter, including the finding identified in **Step 1**, to the Dean of the College of Arts and Sciences. If the grievance is against the Director, the Dean shall submit a written report to the Provost and Academic Vice President (the "Provost"). The Dean or the Provost shall then contact all involved parties to discuss the grievance, and shall conduct further investigation as s/he deems necessary. The Office of the Provost is located in the Administration Building, Room AD133. The mailing address is Office of the Provost and Academic Vice President, 1 John Carroll Boulevard, University Heights, Ohio 44118. The phone number is 216-397-4207.

Within twenty-eight (28) days after receiving the **Step 1** findings, the Dean or the Provost shall provide all involved parties with a written decision as to whether discrimination did or did not occur as found in Step 1. All parties shall receive a copy of the written decision. In the event that the Dean or the Provost determines that a violation of the ADA and/or Section 504 has occurred, the written decision shall outline the steps that John Carroll will take to correct any discriminatory effects and to prevent recurrence of any discrimination.