

Students with Disabilities Grievance Procedures

The AUM Center for Disability Services has the responsibility of determining a student's need for academic accommodations. This determination is made through the reviewing of disability documentation and an interactive meeting with the student requesting academic adjustments. For students receiving academic accommodations through the Center for Disability Services, informal grievance procedures are available to resolve accommodation and other disability related complaints in a timely manner. The University will not discourage students from pursuing a formal grievance in lieu of the informal grievance procedures. The informal and formal grievance procedures that follow apply to students who believe their rights may have been violated under Section 504 of the Rehabilitation Act of 1973 (Section 504) and/or the Americans with Disabilities Act of 1990 (ADA). Students not registered with the Center for Disability Services also have the opportunity to file a formal grievance when they believe their rights may have been violated.

Informal Grievance Procedures

Resolving Conflicts with an Instructor regarding Accommodations

AUM encourages students (or a student's parents) to discuss concerns about classroom accommodation with the Disability Services Manager from the Center for Disability Services immediately. The Disability Services Manager will attempt to resolve the situation. In doing so, the Disability Services Manager may contact the instructor, the instructor's department head/chair and/or the instructor's associate dean. The student will be notified by the Center for Disability Services within 10 business days from the time the Center received the complaint. This notification will inform the student of the Center's findings and a proposed resolution. If the student feels that a satisfactory resolution has not been reached, the student can contact the 504 Compliance Officer in 211A Library Admin, (334) 244-3202 to file a formal complaint.

Resolving Conflicts with University Non-Academic Departments, Programs, or Organizations regarding Disability Access

Students are encouraged to discuss their concerns about accommodations in non-classroom settings with the Disability Services Manager from the Center for

Disability Services. The Disability Services Manager will attempt to resolve the concerns by gathering information from the student and discussing the concerns with the non-academic department, program, or organization. If no resolution is reached, the student (or the student's parents) will be encouraged to contact the 504 Compliance Officer in 211A Library Admin, (334) 244-3202.

Resolving Conflicts with the Center for Disability Services

If a student has a disability-related disagreement with a Center for Disability Services staff member, the student should report the disagreement to the Center's Disability Services Manager. To resolve an issue when an accommodation has been denied by the Center for Disability Services, the student should contact the 504 Compliance Officer in 211A Library Admin, (334) 244-3202 to file a formal complaint.

Formal Grievance Procedures

AUM supports a student's right to file a grievance when a student believes he or she has been denied equal access in the form of appropriate accommodations, modifications, auxiliary aids, or effective communication or suffered discriminatory harassment that is sufficiently serious to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by the University as described in Section 504 of the Rehabilitation Act of 1973 or The Americans with Disabilities Act (ADA) of 1990, and subsequent amendments.

If a student, employee, or third parties believe he or she have been discriminated against on the basis of a disability by a student, employee, or third party, the complainant should contact:

Dr. Phill Johnson
504 Compliance Officer
211A Library Admin
Phone: 334-244-3202
E-mail: pjohns23@aum.edu

This is the person designated to coordinate the University's compliance with Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act and to handle inquiries regarding the non-discrimination policies.

For student issues or concerns of harassment/discrimination outside of academic accommodations or for employees and third parties who believe they have been discriminated against on the basis of a disability, the complainant should contact:

Jeanine Boddie-LaVan
Chief HR Officer
AA/EEO/ADA and Deputy Title IX Coordinator
304 Taylor Center
Phone: 334-244-3639
E-mail: jblavan@aum.edu

The following steps explain the formal grievance procedure:

1. A complaint should be filed in writing and signed by the complainant. It should contain the complainant's name and contact information. It should also describe the nature of the complaint, the alleged violation(s), and the desired resolution. Any relevant documents should be submitted with the complaint.
2. A complaint should be filed as soon as possible or within 30 days after the complainant becomes aware of the alleged violation.
3. Upon receipt of the complaint, an investigation shall be conducted. During the investigation, the complainant, the subject of the complaint, and other relevant parties, if any, will have the opportunity to provide witnesses, and submit relevant documents and other information relevant to the complaint.
4. A written determination of the validity of the complaint and a description of the resolution, if any, shall be issued and a copy forwarded to the complainant and the subject of the complaint no later than 60 days after receipt of the complaint, unless the 504 Compliance Officer/Chief Human Resources Officer has good cause for an extension of time.

5. If an incident of discrimination (including harassment) is found, a recommendation will be made to the appropriate University official for implementation of disciplinary action against any student, faculty member, or other University employee. Appropriate action will also be taken against non-University personnel who violate this policy, including formal complaints to their employer and/or restricting access to University property. The University will take steps to prevent the recurrence of any disability based discrimination or harassment and to remedy the discriminatory effects on the complainant and other, if appropriate.

This finding may be appealed using the process below.

APPEAL PROCESS

Either party may issue a request for appeal in writing of the decision. The request for an appeal must be within 7 days of the notification of the outcome of the investigation. The decision of granting an appeal will be based upon the information presented in the written letter of the appeal. The grounds for appeal shall be limited to the following:

- Additional information is submitted which was unknown or unavailable **and** would alter the facts of the case.
- A substantial procedural error was committed.
- The decision was not supported by the evidence presented at the hearing.

An appeal will not be automatically granted. All representatives must agree before an action of the Appeals Committee is invoked. If the appeal is granted, the following actions are available:

- Affirm the original decision and/or recommended sanction.
- Return the case back to the Committee due to the discovery of a procedural error.
- Return the case back to the Committee due to new and compelling evidence that was not available at the time of the original hearing for consideration.

The designated University representatives will inform the parties involved of his/her decision in writing within ten (10) working days of receiving the appeal. The outcome of this process is not appealable.

6. 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.
7. The right of a person to a prompt and equitable resolution of the complaint filed shall not hinder a person's pursuit of other remedies, such as the filing a complaint with Office for Civil Rights. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

Office for Civil Rights
U.S. Department of Education
Atlanta Office
Telephone: (404) 974-9406
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