



# POLICY AND PROCEDURE

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<b>TITLE:</b>	<b>Accessibility Grievance Policy</b>
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## **POLICY STATEMENT:**

It is the policy of Goodwin University to not discriminate on the basis of disability. The University has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act as amended, and/or Connecticut state disability laws.

Any person who believes they have not been properly accommodated due to the action or inaction of any member of the University may file a grievance under this procedure. It is against the law for the University to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

## **PROCEDURE DETAILS:**

Prior to submitting an accessibility grievance, please attempt the following methods of resolution:

1. Speak directly with the faculty or staff member allegedly at issue. Remind them of your accommodations and review each party's expectations. Frequently, issues are due to misunderstandings or a lack of communication.
2. Seek assistance from the Office of Student Accessibility Services, who is available to help mediate situations related to accommodations within campus settings, including housing or classrooms, and action/inaction by faculty or staff.
3. If neither of these methods works, you may then proceed to file an accessibility grievance with the University's appointed ADA/504 Coordinator.
4. Alden Minick, Associate Director of Title IX, and Equity Compliance, ADA/504 Coordinator, [aminick@goodwin.edu](mailto:aminick@goodwin.edu).

These complaints should be submitted as soon as possible after the alleged incident, but no later than 90 days after the last incident. The University may waive the 90-day period upon a showing of good cause or where the law requires. These matters are generally resolved within 30 days unless there is reasonable cause for a delay. The grievance process is intended to address disputes concerning the following:

- Disagreements regarding a requested service, accommodation, or modification of a university practice or requirement
- Inaccessibility of a program or activity
- Violation of privacy in the context of disability

Harassment or discrimination on the basis of disability or perceived disability will be addressed through the Discrimination, Harassment, Sexual Misconduct, and Retaliation Policy. The University maintains the right to

merge allegations under this procedure into the procedure found in the Discrimination, Harassment, Sexual Misconduct, and Retaliation Policy when an allegation is based on discrimination.

#### Accessibility Grievance Procedure:

1. Complainant submits a written or verbal complaint to the ADA/504 Coordinator (Alden Minick, Associate Director of Title IX and Equity Compliance at [aminick@goodwin.edu](mailto:aminick@goodwin.edu)) within 90 days of the last incident.
2. The ADA/504 Coordinator or their designee reviews the complaint, speaks with the Complainant and the alleged Respondent(s), reviews the accommodations documentation, and attempts to mediate the issue.
3. If the mediation does not work, within a reasonable amount of time, the procedure will move forward to an investigation. The ADA/504 Coordinator or their designee will investigate the matter and compile an investigation report, including a determination, and will distribute it to the involved parties.
  - The report will include:
    - Identification of the allegations and parties
    - Review of relevant documentation and evidence
    - Findings of fact supporting a determination regarding the alleged violation
    - A statement of, and rationale for, a determination based on the preponderance of the evidence regarding the alleged violation
    - A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the University's education program or activity will be implemented by the University

#### Appeal Process:

Following the investigation, if a party is dissatisfied with the results, they may submit a written appeal for one or more of the following reasons:

- To determine whether the grievance process was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures. The Complainant is given a reasonable opportunity to present information that their rights were violated, and the Respondent is given a reasonable opportunity to prepare a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
- To consider new evidence, sufficient to change the outcome of the determination, that was not available to the person appealing prior to the determination.
- To determine whether the sanction(s) imposed were appropriate for the violation of the Policy under which the Respondent was found to have committed.

This appeal must be submitted within 10 business days and sent to Jean White, Senior Vice President of Human Resources and Community Culture, or her designee, and Kim McGinnis, Dean of Students, or her designee. Appellate officers will review the appeal and determine if there is a basis for the appeal. If there is not, they will dismiss the appeal and let the appealing party know in writing within 5 days of the receipt of an appeal.

If there is a basis for the appeal, the appellate officers will notify both parties that an appeal has been submitted and on what basis it was submitted. The appellate officers will then review the investigation report and determination, along with the written appeal. Should they have any questions for the parties, they may ask them.

The appellate officers will make a determination based on the preponderance of the evidence on whether to uphold the findings or reverse them. Should they reverse the findings, the appellate officers may make appropriate changes to the sanctions or remedies put in place, including eliminating them if necessary.

The parties will be notified of this determination within 7 business days of the notification of appeal to the parties. The determination will be shared in writing and constitutes final University action.

Concerns about the University's policy and procedures pertaining to ADA/504 Rights may be addressed to:

The Office for Civil Rights

U.S. Department of Education  
8<sup>th</sup> Floor, Five Post Office Square  
Boston, MA 02109-3921

The Connecticut Commission on Human Rights and Opportunities  
450 Columbus Boulevard  
Hartford, CT 06103-1835

**PUBLISH POLICY STATEMENT (CLICK ON BOX NEXT TO OPTION-SELECT ALL THAT APPLY):**

COLLEGE CATALOG

STAFF HANDBOOK

FACULTY HANDBOOK

STUDENT HANDBOOK

**DEFINITIONS:**

N/A

**EXCLUSIONS:**

N/A

**OFFICES DIRECTLY AFFECTED BY THE POLICY:**

All University; No person or office is exempt from the provisions of this policy

**HISTORY:** Created August 2023

<b>EFFECTIVE DATE:</b>	
<b>RESPONSIBLE OFFICE (ONLY ONE):</b>	Human Resources
<b>REVIEW DATE:</b>	Yearly

**APPENDIX:** N/A