

Executive Vice President Policy: Disability Grievance Policy and Procedure	Replaces: NEW Effective: April 2010
Access to Policy: Public	Position Responsible for Facilitating Compliance: Coordinator of Disability Services
Application: All Students	

## POLICY

It is Niagara University's policy to ensure that no qualified student with a disability is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination by any university program or activity.

If a student believes he/she has been denied equal access to the university's academic programs, resources or other services because of a disability, he/she has the right to file either an informal complaint or a formal grievance. Please see information below.

*Note that if a student with a grievance alleging disability discrimination is also employed by the university and the grievance arises out of the student's employment, the grievance may be filed under the university's "Policy Against Sexual & Other Forms of Harassment, Discrimination and Retaliation," (No. A-06). For more information, please contact the Office of Human Resources, Human Resources Building, 716.286.8690 / FAX: 716.286.8694, [hro@niagara.edu](mailto:hro@niagara.edu).*

## PROCEDURE

The university always encourages students to enlist the aid and intervention of the coordinator of disability services in order to resolve complaints informally. The coordinator will make every effort to resolve the disagreement, first with any appropriate faculty or staff person, then with the academic or administrative department head, or, if needed, with the dean of the student's college or the dean of student affairs, as is appropriate.

If informal procedures do not satisfactorily address the student's concerns or the grievance arises out of a decision made by the coordinator of disability services regarding a student's eligibility for academic or other accommodations, he/she may file a formal grievance. The student must provide the following information in writing to Niagara University's Director of Human Resources, Human Resources Building, 716.286.8690 / FAX: 716.286.8694, [hro@niagara.edu](mailto:hro@niagara.edu):

1. Student's name, address, phone number, email address, and student number;
2. Information about the alleged discrimination including a specific description regarding the action(s) or inaction(s) that precipitated the grievance as well as the date, place, and names of the persons involved;
3. Efforts made to settle the matter informally;
4. Any documentation that supports the grievance;

## 5. Remedy sought.

The ADA Coordinator will conduct an investigation of the grievance and will furnish a written response to the grievance no later than 15 academic days\* after receiving the written complaint from the student. The written response shall be mailed to the student by certified mail, return receipt requested.

If the student is not satisfied with the written response from the ADA Coordinator, he/she may present the grievance in written form to the Executive Vice President within 10 academic days after the receipt of the ADA Coordinator's written response.

The Executive Vice President or designee shall, within 15 academic days after the receipt of the grievance, schedule and conduct a meeting with the student and other persons involved in the grievance.

After the investigation is complete, the vice president or designee shall issue a written response to the student/complainant within 15 academic days from completion of the meeting(s) with the student and other persons involved in the grievance. This is the final institutional level of appeal.

The right to prompt and equitable resolution of a grievance shall not be impaired by the student's pursuit of the remedies such as filing a complaint with a responsible federal department or agency. Although individuals have the right to pursue appeals through external channels, students are encouraged to first utilize the university's internal mechanism to resolve disagreements.

\*An "academic day" is any day, including weekends between the first day of the fall semester and the last day of the spring semester, discounting holidays on the Niagara University academic calendar.