

## Appeal and Grievance Process for Students

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Consistent with the spirit of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act, University of Massachusetts Global (UMass Global) determines disability accommodations through an interactive, deliberative process involving the individual student with disabilities, the Director or Associate Director of the Office of Accessible Education (OAE) or the Student Access Coordinator, relevant members of UMass Global's faculty, and/or other appropriate members of the University community. The University will communicate its decision regarding accommodations to be provided in writing to the student and other affected parties.

At times, however, a student may disagree about the appropriateness of the University's accommodation decision. The student's request for a review of this decision is an Accommodation Appeal.

In some cases, a student with an approved accommodation may feel that the University has failed to effectively implement the accommodation. This includes, but is not limited to a complaint or allegation that staff or faculty have failed to provide a student with disabilities with an approved accommodation, the student has experienced significant delays in the implementation of an approved accommodation, or the student may perceive resistance or discouragement about using an accommodation. The student's request for a review of such a situation is an Accommodation Grievance.

This Accommodation Appeal and Grievance Process for Students sets for the procedures for resolving disputes and disagreements about the University's accommodation decision (an "Accommodation Appeal") and about the University's implementation of an approved accommodation (an "Accommodation Grievance").

### Accommodation Appeal and Accommodation Grievance Processes: Overview

Accommodation Appeals and Accommodation Grievances follow the same process. Step 1-is an informal process in which the Director of the OAE works with the student and other relevant parties to resolve the student's concerns. A student who is dissatisfied with the outcome of the informal process may proceed to Step 2-which is a formal process in which the Assistant Vice Chancellor for Student Conduct, Accessible Education, and Compliance reviews the file and the outcome of the informal process and renders a final decision on the Accommodation Appeal or Grievance.

### Step 1: Informal Accommodation Appeals and Accommodation Grievances – Details

An Informal Accommodation Appeal or Accommodation Grievance must be submitted, in writing, to the Director of the OAE or his/her designee (the "Director") within ten (10) business days following the written notification to the student of the accommodations to be provided (for an Accommodation Appeal) or the date of the University's decision or action regarding an approved accommodation with which the student disagrees (for an Accommodation Grievance).

To be considered, an informal Accommodation Appeal must include (1) a statement of the student's disability and limitations, (2) a note from a health care practitioner documenting the nature and extent of the student's disability and the limitations imposed by the disability, (3) an explanation as to why the accommodation offered by the University is inadequate, and (4) the accommodation(s) the student believes is required.

To be considered, an informal Accommodation Grievance must include (1) a statement of the student's disability and limitations, (2) a copy of the student's Letter of Accommodations, (3) a statement explaining in detail why or how the student believes the implementation of the approved accommodation has been inadequate or ineffective, (4) what specific changes or adjustments are sought by the student, and (5) any emails or other documentation showing efforts to obtain the approved accommodations and/or address the issues raised in the Grievance.

The Director (or his/her designee) will review the Informal Accommodation Appeal or Grievance, and review the student's records. Then, the Director will schedule a meeting with the student to occur within five (5) business days of the submission of the appeal to discuss the student's requests. In order to reach a decision, the Director may also request additional disability documentation, ask to consult with providers, or collaborate with other faculty/staff or outside experts. Reviews are conducted as quickly as possible. Absent extenuating circumstances, students will receive written responses from the Director upholding, changing or rescinding accommodations decisions within ten (10) business days of the meeting between the Director and the student.

If a student disagrees with the outcome of the Informal Accommodation Appeal or Grievance, he or she can submit written notice to the OAE of a Formal Appeal.

## **Step 2: Formal Appeal Process – Details**

A student who is dissatisfied with the outcome of the Informal Accommodation Appeal or Accommodation Grievance may initiate the Formal Appeal Process by sending an appeal in writing to the OAE and the Assistant Vice Chancellor of Student Conduct, Accessible Education, and Compliance (or his or her designee) (the "AVC") within ten (10) business days of receiving the Director's decision on the Informal Appeal or Grievance.

The Formal Appeal must include the following information:

- Student's name, address, and University ID number
- All documentation submitted by the student in support of the informal Accommodation Appeal or Accommodation Grievance
- A copy of the Director's decision on the informal Accommodation Appeal or Accommodation Grievance
- An explanation of why the student believes the Director's decision on the Informal Appeal or Grievance should be reconsidered
- Any additional supporting information pertinent to the Formal Appeal request
- A clear statement of the student's desired outcome

Upon receiving the Formal Appeal documentation, the AVC will consider the appeal and render a decision within ten (10) business days, absent extenuating circumstances. The AVC may, but is not required to, meet with the student and/or others and/or gather other information relevant to the issues raised by the appeal. The AVC's decision on the Formal Appeal will be provided in writing. The decision on the Formal Appeal is final and cannot be appealed within the University.

Formal appeals should be sent to the AVC, Justyn Howard, at [jhoward4@umassglobal.edu](mailto:jhoward4@umassglobal.edu).

## Disability Discrimination

A student who believes they have been discriminated against on the basis of their disability, or that the University is out of compliance with its obligations to people with disabilities under Section 504 of the Rehabilitation Act of 1973 and/or the Americans with Disabilities Act – Title III, are encouraged to first contact the OAE. The OAE may refer the student to the University's civil rights investigators. The student may also contact the University's civil rights investigators directly at [civilrightscomplaints@umassglobal.edu](mailto:civilrightscomplaints@umassglobal.edu). The designated individual will conduct an investigation into the allegation using the following hyperlinked [policy](#).

## Resources for Students

Students desiring assistance in resolving an issue related to accommodations, disability discrimination, or other accommodation-related grievances, should contact the Office of Accessible Education at [oe@umassglobal.edu](mailto:oe@umassglobal.edu).

The Director of the Office of Accessible Education is:

**Rosalind Blackstar**

[rosalind.blackstar@umassglobal.edu](mailto:rosalind.blackstar@umassglobal.edu)

## External Complaints

Students who feel that the University is not in compliance with their obligations to people with disabilities under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act Title III, as amended (ADAAA), may seek resolution through private legal means. Students may also file a formal grievance against the University or a written complaint with the Office of Civil Rights of the Federal Department of Education.

Please review the links below for information on:

- The [Office of Civil Rights](#)
- The [Complaint Forms](#) with the Office of Civil Rights