

UNIVERSITY OF CENTRAL ARKANSAS

BOARD POLICY

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Policy Number: 522

Subject: Disabilities Grievance

**1. Academic:**

A student must exhaust avenues of review with the faculty member, chair, dean, and director of disability support services (“DSS”) prior to submitting an appeal involving an academic requirement. A student may appeal on one of the following basis:

- a. The plan does not represent a reasonable accommodation of a documented disability. The basis for appeal must state that the disability, in the absence of the requested accommodation, limits the full participation of a student’s accurate evaluation in a specific program or course. The appeal must include a documented rationale for the requested accommodation.
- b. A specific course or degree requirement is not essential to the integrity of a program of instruction. The basis for appeal must state that the disability, in the absence of the requested accommodation, limits a student’s full participation in an academic program. The appeal must include a rationale for the requested accommodation.

A faculty member/department head may appeal on the following basis: the accommodation fundamentally alters a course, program, or academic requirement.

**2. General Services:**

A student must exhaust avenues of review with the responsible office/organizational representative and director of DSS prior to submitting an appeal involving general services.

A faculty or staff member must exhaust avenues of review with the responsible office/organizational representative and associate vice president of human resources prior to submitting an appeal involving general services.

**APPEALS:**

A student, faculty or staff member (grievant) who disagrees with the result of the informal process, may file an appeal, in writing, with the affirmative action/equal employment officer (“AA/EE officer”) within 10 working days of failing to establish a reasonable accommodation.

The grievant may, at his or her own expense, submit the appeal to the AA/EE officer.

2. **Modification of Major/Minor Requirements and/or Modification of General Education or Degree Requirements:**

A student and departmental chair should meet and discuss the need for and the specific appropriate accommodation. The director of DSS should be consulted to assist in establishing a reasonable accommodation. The director of DSS will review the concerns of both parties in light of the student's documented need for accommodation of a major/minor and/or modification of general education or degree requirements. Based on the evaluation, the director will provide a list of reasonable accommodations.

If either the student or departmental chair disagrees with the recommended accommodation, as determined by the director of DSS, an appeal may be submitted to the dean. In the event a satisfactory resolution cannot be reached, an appeal may be submitted, in writing, to the AA/EE officer. The AA/EE officer will forward the appeal to the associate provost for finance and administration or graduate studies. The respective dean will forward the appeal and call a meeting of the Academic Adjustments and Appeals Committee (if the student is an undergraduate or the appeal concerns an undergraduate program) or the Graduate Council (if the student is a graduate or the appeal concerns a graduate program) to consider the appeal within 10 working days of receipt of the appeal. After considering the appeal, the committee/council will submit a recommendation to the provost with copies to the student, departmental chair and director of DSS. The provost will render a final decision.

3. **Accommodation of General Services:**

If a requested accommodation involves general services and the grievant (student, faculty or staff member) and responsible office/organizational representative are unable to reach an agreement for reasonable accommodation, the grievant should contact the director of DSS if

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**THE DISABILITIES GRIEVANCE COMMITTEE:**

1. **Charge:**

and such documentation, if relevant, will be accepted by the committee/council. The chair may rule on the admissibility of evidence and on the relevance of questions. The responsibility for questioning witnesses, securing evidence, and determining the order of proof will be vested in the committee/council. Strict judicial rules of evidence will not be applied. The committee/council may appoint an expert to make an independent evaluation of the documentation provided. The expert may be present at the meeting to interpret the results of the evaluation.

- e. The grievant and appropriate university official(s) may be present at any time testimony is presented and to receive copies of any evidence considered by the committee/council.
- f. A written record of the minutes of the proceedings and the recommendation of the committee/council will be presented to the provost or appropriate vice president within five working days of the final meeting of the committee/council with copies to the grievant and appropriate university official(s).
- g. The provost or appropriate vice president will render the final decision after considering the recommendation of the committee/council. Notification will be forwarded to the parties.

#### **CONFIDENTIALITY AND PROCEDURES FOR HANDLING CONFIDENTIAL INFORMATION:**

Individuals involved in the processes described in the policy shall, to the greatest degree possible, ensure the confidentiality of information received. Information regarding an individual's disability is confidential.

When an individual provides documentation he or she will complete a form indicating consent to release specific information to individuals with legitimate interests relative to the appeal. The information is not to be shared with any individual beyond those directly involved in the proceedings. At the conclusion of the matter, all documentation is to be returned to the director of DSS or associate vice president for human resources.