



Policy: Disability-Related Grievance	Policy No: DI.I
Policy Developer(s): Student Accessibility Services	Original Date: April 27, 2020
Last Review Date: January 21, 2021	Approval Date: January 21, 2021

Contact Person for Website: *Director of Student Accessibility Services*

- I. **POLICY:** In furtherance of its non-discrimination policies, it is the policy of John Carroll University (“the University”) to comply fully with state and federal laws, including the [Americans with Disabilities Act](#) (the “ADA”) and [Section 504 of the Rehabilitation Act of 1973](#) (“Section 504”), and to establish a procedure to ensure that grievances are fairly heard and resolved. Grievances arising under this Policy include disability-related allegations concerning accessibility problems, discriminatory treatment, harassment, retaliation, and other allegations of disability-related violations of the University’s policies or legal obligations.
- II. **PURPOSE:** The purpose of this Policy is to establish a grievance procedure that provides grievants with a fair and effective mechanism for resolving disability-related disputes.
- III. **SCOPE:** This Policy applies to complaints by persons alleging discrimination carried out by University faculty, staff, employees, students and third parties contracted on behalf of the University. However, complaints by employees and applicants for employment will be handled pursuant to the appropriate Human Resources policies, such as the [Disability Accommodation Policy](#) or [Non-Discrimination and Non-Harassment Policy](#), and issues involving student misconduct will be handled pursuant to the John Carroll University [Community Standards Manual](#), [Graduate Bulletin](#), or [Undergraduate Bulletin](#) as applicable.
- IV. **PROCEDURES:** The University strongly urges that—when appropriate and reasonable—parties resolve disputes through informal and direct contact between the affected individuals and the office of Student Accessibility Services (“SAS”). Note that SAS may refer a complainant to the appropriate office. However, there may be instances when informal efforts are ineffective or otherwise not appropriate. Persons are not required to engage in an informal resolution process, and persons who are engaged in informal resolution efforts may, at any time, elect to engage the formal grievance process set forth below.
 - A. **Grievance Process Part I:** The grievance must be presented or conveyed in writing to the Vice President for Diversity, Equity and Inclusion (contact information located in the [Appendix](#) to the policy). In all cases in this policy, references to writing or written form is not meant to exclude digital or email formats. The Vice President for Diversity, Equity and Inclusion may investigate the grievance or may identify an appropriate designee to conduct investigations on their behalf, who shall serve as the investigator and initial adjudicator under this process. In the event the grievance is against the Vice

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President for Diversity, Equity and Inclusion, the grievant should file their grievance with the Provost & Academic Vice President, who will then appoint an appropriate Dean or Associate Dean to serve as the investigator and initial adjudicator under this process. Contact information for the Provost & Academic Vice President can be found in the [Appendix](#).

Any grievance shall:

- (a) clearly identify the facts and events related to the grievance;
- (b) identify all relevant persons and their respective roles in the dispute;
- (c) explain all efforts undertaken to resolve the issue prior to filing a grievance; &
- (d) identify any specific relief sought.

Upon receipt of a grievance, the Vice President for Diversity, Equity and Inclusion, or the designated Dean or Associate Dean (the “Investigator”) shall contact the parties and notify them of the opportunity to submit evidence and identify witnesses if they wish to do so. The Investigator may place reasonable limits on the scope of evidence that is to be considered and the time given to submit evidence.

The Investigator shall review all relevant evidence, and shall, if appropriate, interview the parties and other witnesses. The Investigator may consult as necessary with the University’s Office of Legal Affairs with respect to legal/compliance issues and may seek input on academic issues from the Associate Academic Vice President or others as appropriate. Subsequently, the Investigator shall make a finding that shall identify whether any violations of the University’s policies or the University’s obligations pursuant to Section 504 and/or the ADA have occurred and if so, shall identify necessary and appropriate remedial measures that the University will take to prevent recurrence of any discrimination and/or to correct any discriminatory effects. The Investigator shall notify the parties in writing of the finding. Generally, the Investigator normally will complete their investigation within twenty-one (21) days of receiving the complaint, however, the Investigator will notify the parties if they need additional time to complete the process. After the Investigator has issued a finding, any party may make a written request that the Investigator engage in **Part II** of this process within ten (10) business days after receiving the written finding.

- B. Grievance Process Part II:** The Investigator shall submit a written statement of the matter and the investigation file, including the finding identified in **Part I**, to the Provost & Academic Vice President. If the grievance is against the Provost & Academic Vice President, the Investigator shall submit a written report to the President, who will then designate an appropriate official to serve in the place of the Provost for all processes in **Part II**. The Provost will review the investigation file and may then contact all involved parties to discuss the grievance, as appropriate, and shall conduct further investigation as the Provost deems necessary. Contact information for the Provost & Academic Vice President can be found in the [Appendix](#).

Within twenty-eight (28) days after receiving the **Part I** findings, the Provost shall provide all involved parties with a written decision as to whether discrimination did or did not occur as found in **Part I**. All parties shall receive a copy of the written decision. In the event that the Provost determines that a violation of the University’s policies or obligations pursuant to Section 504 and/or the ADA has occurred, the written decision shall outline the steps that the University will take to correct any discriminatory effects and to prevent recurrence of any discrimination.

V. CROSS REFERENCES:

- A.** University Policies, including but not limited to
 - 1. [Disability Accommodation Policy](#)
 - 2. [Non-Discrimination and Non-Harassment Policy](#)
- B.** Other University documents, including but not limited to
 - 1. [Community Standards Manual](#)
 - 2. [Graduate Bulletin](#)
 - 3. [Undergraduate Bulletin](#)
- C.** Federal Regulations, Statement, and Mandates
 - 1. [Americans with Disabilities Act](#)
 - 2. [Section 504 of the Rehabilitation Act of 1973](#)

This policy will next be reviewed five years from the approval date/date of last review.

VI. APPENDIX:

- A.** The Vice President for Diversity, Equity and Inclusion's office is located on the first floor of the Administration Building, in Room 128C.

The mailing address is: Vice President for Diversity, Equity and Inclusion, 1 John Carroll Boulevard, University Heights, Ohio 44118.

The phone number for the Vice President for Diversity, Equity and Inclusion is (216) 397-4282.

- B.** The office of the Provost & Academic Vice President is located on the first floor of the Administration Building in Room AD133b.

The mailing address is: Provost & Academic Vice President, 1 John Carroll Boulevard, University Heights, Ohio 44118.

The phone number of the Provost & Academic Vice President is (216) 397-4372.