

## Grievance Policy and Procedures

Students seeking accommodations based on a disability initiate the process by submitting relevant medical documentation in accordance with the guidelines established by Accessibility Services, an office within the Academic Resource Hub. The guidelines are available on Accessibility Services [Requesting Accommodations for the First Time](#) page. Determination of accommodations encompasses review of medical documentation, the student's history of accommodations (e.g., high school IEP/Section 504 Plan, SAT/ACT accommodation memos, etc.), and the interactive process between the student and the Assistant Director of Accessibility Services. As part of the accommodation determination process, Accessibility Services may consult with the student's academic faculty to obtain a better understanding of the school's curricular framework. Accessibility Services may also consult with others regarding pertinent requirements.

In most instances, the reasonable accommodations determined by Accessibility Services are acceptable to the student, faculty and Accessibility Services. A student receives a letter by email from Accessibility Services as notification of non-approved accommodations. If a student disagrees with Accessibility Services' determination of reasonable accommodations and/or feels that the approved accommodations are not acceptable, then the student can take the following suggested steps:

### Suggested Step One

A preliminary grievance is the suggested as the first step when a student disagrees with Accessibility Services' determination of reasonable accommodations.

The student submits a written request by email to the [Director of the Academic Resource Hub](#) for the reconsideration of the accommodation decision. This request should be sent within fifteen (15) calendar days of receiving a decision from the Assistant Director of Accessibility Services (student). The request should state the date of the original accommodation request, the accommodation(s) requested and the accommodation(s) not approved. *If the student includes any new or additional information that was not presented in the initial reconsideration request, the student will be directed to submit a new accommodation request.*

The Director of the Academic Resource Hub conducts an investigation of the request. This investigation will be adequate, reliable and impartial. All interested persons will be afforded an opportunity to meet with the Director.

After a meeting and review have been completed, the Director provides a decision to the student by email. Usually within fifteen (15) calendar days of the meeting with the student. If the student is not satisfied with the decision of the Director of Accessibility Services, the student can choose to proceed to Suggested Step Two.

### Suggested Step Two

A Section 504 Grievance is suggested if:

- The student chooses not to pursue Suggested Step One with the Director of the Academic Resource Hub
- The student completes Suggested Step One and does not agree with the outcome
- The student has a concern about Accessibility Services

## **Suggested Step 2**

### **Section 504 Grievance Procedure**

Lafayette College is committed to providing an academic environment that is free from unlawful discrimination on the basis of disability. This commitment is in support of the responsibilities mandated by Section 504 of the Rehabilitation Act of 1973, as amended, and College policy and philosophy.

Section 504 prohibits discrimination on the basis of disability in every educational program or activity available at the College. Section 504 also prohibits retaliation against an individual who files a complaint regarding disability discrimination, files a grievance under this Procedure, or cooperates in the investigation of such complaint or grievance. The purpose of this procedure is to ensure that all complaints of discrimination based on disability are thoroughly and fairly investigated by the College.

#### **I. Scope**

Any Lafayette College student who feels they have been discriminated against or denied accommodation by faculty, staff, or third-party providers of educational programs and activities on the basis of disability may file a grievance under this procedure. This procedure addresses disagreements over or denials of requested services, accommodations, or modifications to College practices or requirements, and alleged inaccessibility of a College program or activity, in addition to any other claimed violations.

#### **II. Procedure**

To initiate the grievance process, an individual who believes they have been subject to discriminatory treatment (the “complaining party”) should contact the Educational Equity Coordinator, who serves as the College’s Section 504 Coordinator, in writing within 45 days of the date on which they become aware of the alleged discriminatory action/inaction. The Educational Equity Coordinator may exercise discretion to evaluate the grievance if contacted after the expiration of the 45-day period.

The written grievance should be as specific as possible regarding the action(s) or inaction(s) that precipitated the grievance and should, at a minimum, include the following:

1. A full description of the problem and any relevant facts, including but not limited to the specific acts considered to be discriminatory, including when, by whom, and what was specifically done or not done, and its impact or consequence to the complaining party;
2. A summary of the steps, if any, the complaining party has already taken in an attempt to resolve the problem, including the names of any persons involved;
3. A statement of the requested resolution and the complaining party’s rationale for the requested resolution for each perceived violation;
4. Any supporting documentation; and

5. The name, contact information, and signature of the complaining party.

Once a grievance has been properly submitted, the Educational Equity Coordinator (or their designee) will conduct a review of the allegations and collect any additional information necessary to determine the merits of the grievance.

The Educational Equity Coordinator's, or designee's, review may be informal, but it will be prompt, impartial, and thorough and will afford the complaining party, the person(s) against whom a grievance has been brought, and other interested persons, if any, the opportunity to submit documents and information and to identify witnesses relevant to the consideration and resolution of the grievance. This review can include, but is not limited to: (i) convening meetings during which the complaining party, the individual(s) against whom the grievance has been brought, and witnesses can supply factual information about what occurred; (ii) interviewing those involved and any witnesses to determine the issues and facts that have occurred and to resolve any factual dispute(s); and/or (iii) obtaining and reviewing any records, documents, emails, etc. relevant to the issues presented. Only the Educational Equity Coordinator (or their designee) will question witnesses, but any party to the grievance may suggest areas of inquiry to be explored. Because this is an internal matter, no legal counsel is permitted at grievance meetings.

During the grievance process, the Educational Equity Coordinator's (or their designee's) role is neutral and the Educational Equity Coordinator (or their designee) will not serve as an advocate for either the complaining party or the alleged discriminating party.

After all relevant information has been reviewed, the Educational Equity Coordinator (or their designee) will determine if the evidence substantiates the grievance. The Educational Equity Coordinator will prepare a final written decision containing a summary of the investigation, written findings, determination of whether discrimination occurred, and a disposition of the grievance. Absent exceptional circumstances, the Educational Equity Coordinator (or their designee) typically will issue their written decision on the grievance no later than 45 days after its filing.

If the Educational Equity Coordinator (or their designee) finds that discriminatory conduct has occurred, the College will thereafter take such steps as are necessary to prevent the recurrence of such discriminatory conduct and to remedy the discriminatory effects on the complaining party, and others, as appropriate. The decision of the Educational Equity Coordinator (or their designee) may be appealed in writing to the President of the College within 15 days of receiving the decision. The appeal must contain the reasons why the person believes the decision should be changed and state the change(s) sought. Absent exceptional circumstances, the President typically shall issue a written decision in response to the appeal no later than 30 days after its submission.

### **III. Conflicts**

The complaining party can request that someone other than the Educational Equity Coordinator handle a grievance if the actions or inactions that are the subject of the contemplated grievance involve the Educational Equity Coordinator.

### **IV. Accessibility**

The College will make appropriate arrangements to provide accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Educational Equity Coordinator (or designee) will be responsible for such arrangements.

### **V. Other Remedies**

Use of this grievance procedure does not preclude an individual from filing a formal complaint with the United States Department of Education's Office for Civil Rights (OCR), or any other Federal agency.

Questions pertaining to this procedure should be directed to the Educational Equity Coordinator:

Amanda Hanincik  
Director of Educational Equity  
Campus Life  
202 Feather House  
(610) 330-5338  
[hanincia@lafayette.edu](mailto:hanincia@lafayette.edu)