

# **Metropolitan State College of Denver**

## **SECTION 504/ADA STUDENT GRIEVANCE PROCEDURES**

### **I. Policy Statement**

Metropolitan State College of Denver has adopted an internal grievance policy for prompt and equitable resolution of complaints alleging any action prohibited by federal regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990 (ADA). Section 504 and ADA state, in part, that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by such an entity".

### **II. Scope and Application of Grievance Procedure**

A student who believes that he or she has been subjected to discrimination on the basis of disability or has been denied access or accommodations required by law shall have the right to invoke this Grievance Procedure. In general, this Grievance Procedure is designed to address the following types of concerns:

- A. Disagreements or denials regarding requested accommodations;
- B. Alleged inaccessibility of a College program or activity;
- C. Alleged harassment or discrimination on the basis of a disability;
- and
- D. Any other alleged violations of the ADA and/or Section 504.

This Grievance Procedure, however, is not intended and shall not supersede other College policies and procedures which may exist for addressing other issues of concern for which separate College policies and procedures exist, including, for example, grade appeals.

All grievances must be filed within 30 days of the event or action giving rise to the student's complaint(s). As an initial matter, all grievances shall be reviewed to determine whether they are submitted within a timely manner and/or whether they contain all required information. The College shall not review a grievance which is untimely or fails to contain all required information, including a clear statement of all grounds for the grievance. To facilitate a clear and prompt resolution, once initiated, a grievance shall not be expanded beyond the issues presented in the student's initial complaint. The College reserves the right to redirect a grievance to the proper grievance procedure or to any other appropriate review procedure.

### **III. Informal Grievance Procedure**

A student shall first attempt to resolve his or her complaint informally by following the steps listed below.

1) The student needs to schedule a meeting with the Director of the Access Center or his or her designee. The Director or his or her designee will review the matter, allowing all interested parties an opportunity to submit relevant information, statements and documentation. The Director or his or her designee will make a decision regarding the appeal within ten (10) working days of the meeting and notify the student via their Metro State e-mail address.

2) If the student is not satisfied with the result of the meeting with the Director or his or her designee, the student can request an ADA Grievance form. This form should be completed and submitted to the ADA Coordinator within ten (10) working days from the date of the student's receipt of the decision resulting from the meeting with the Director or his or her designee of the Access Center.

3) After the ADA Coordinator receives the grievance form, he/she will conduct a review of the student grievance. This review may involve meeting with the student, staff from the Access Center, a faculty member or other staff members. In filing an appeal with the ADA Coordinator, the student thereby gives the ADA Coordinator permission to review the student's documentation and file.

4) The ADA Coordinator will make a final decision regarding the ADA grievance within thirty (30) working days of receiving the ADA Grievance form. This decision will be communicated to the student in writing via their Metro State e-mail address with a copy provided to the Access Center and other appropriate college/university staff.

### **IV. Formal Grievance Procedure**

If the grievance is not resolved informally, then the student shall have the right to invoke the appropriate formal grievance procedure. Information regarding filing a formal grievance can be found on the Office of Equal Opportunity website, [www.mscd.edu/facstaff/admin/eoo/index.shtml](http://www.mscd.edu/facstaff/admin/eoo/index.shtml). The Office of Equal Opportunity is located in Central Classroom 315 and the phone number is 303-556-4746.

### **V. Resort to Other Procedures.**

Those who believe they are victims of unlawful discrimination, harassment, or retaliation, may also initiate outside legal action through private sources or the appropriate state or federal enforcement agencies. It is recommended that where time allows (before applicable statutes of limitations have run out) the internal grievance procedures of the College be used prior to using a grievance system

outside the College.

The grievant may choose to file a complaint externally at any point before, during, or after the internal College proceedings.

## **CONTACT INFORMATION**

Access Center for Disability Accommodations and Adaptive Technology

Mr. Gregory P. Sullivan, Director

Auraria Library, Suite 116

303-556-8387

303-556-8484 (TDD)

303-556-6852 (fax)

[sullivag@mscd.edu](mailto:sullivag@mscd.edu)

ADA Coordinator for Students

Mr. Steve Monaco

Plaza Building, Suite 150

303-556-2525

303-556-3881 (fax)

[monacos@mscd.edu](mailto:monacos@mscd.edu)

Office of Equal Opportunity

Dr. Percy A. Morehouse, Jr., Assistant to the President

Central Classroom, Suite 315

303-556-2939

303-556-3912 (fax)

[morehoup@mscd.edu](mailto:morehoup@mscd.edu)

Denver Office

Office for Civil Rights

U.S. Department of Education

Cesar E. Chavez Memorial Building

1244 Speer Boulevard, Suite 310

Denver, CO 80204-3582

Telephone: 303-844-5695

FAX: 303-844-4303; TDD: 877-521-2172

[Ocr.denver@ed.edu](mailto:Ocr.denver@ed.edu)