

Americans with Disabilities Act (ADA) Student Grievance Procedure	Procedure Number	3.20P
	Effective Date	March 18, 1999

1.0 PURPOSE

This grievance procedure is established to meet the requirements of the Americans with Disabilities Act (ADA) of 1990 as amended and Section 504 of the Rehabilitation Act of 1973 as amended. This grievance procedure is designed to provide a process for students who believe their rights as a student with a disability have been violated in the provision of services, activities, programs, or benefits by LCCC.

Students with disabilities are required to request accommodations through the LCCC Disability Support Services (DSS) office and are encouraged to resolve problems on an informal basis with that office prior to filing a formal grievance. If attempts to resolve issues at the informal level are not possible, a formal grievance should be filed in writing with the ADA Coordinator, the Vice President of Student Services. The College will make every effort to ensure that problems are fully explored while the privacy of the student involved is respected. Alternate formats of filing complaints will be made available upon request.

The right of a person to a prompt and equitable resolution shall not be impaired by the person's right to other remedies such as filing an ADA complaint with a federal department or agency. Use of this grievance procedure is not a prerequisite to other options.

2.0 REVISION HISTORY

Adopted on: 3/18/99

Revised on: 2/28/11, 11/12/13, 5/22/15 (replaced Policy/Procedure 6208), 10/27/17

3.0 PERSONS AFFECTED

Students, faculty and staff are affected by this procedure.

4.0 DEFINITIONS

- A. *Section 504 of the Rehabilitation Act* – Extends civil rights to people with disabilities. It allows for reasonable accommodations based on a student's specific disability and essential elements of the college's educational program, course or activity.
- B. *Americans with Disabilities Act (ADA)* – The Americans with Disabilities Act of 1990, prohibits discrimination on the basis of disability.
- C. *ADA Coordinator* – Person designated by the president to represent student ADA concerns. The Vice President of Student Services is the student representative for formal ADA grievances
- D. *Complainant* – The person filing a complaint in accordance with the Informal Grievance Process
- E. *Discrimination* – The unjust or prejudicial treatment of a student with a disability
- F. *Respondent* – The person against whom the formal grievance is filed
- G. *Working Days* – Any day the College's administrative offices are open.

- H. *Alternate Format* – Written statements may be presented in alternate formats such as tape recordings, personal interviews, large print, or Braille upon request.
- I. *Accessible Format* – Written responses may be delivered in different formats such as large text, Braille or audio format, upon request.

5.0 PROCEDURES

A. Informal Grievance Procedures

The informal grievance procedure is a verbal process a student may, but is not required to, engage in. In order to be timely and to ensure appropriate accommodations are in place as early as possible, an informal grievance is recommended to be initiated as close to the time the alleged discrimination is detected by the student, and no later than thirty (30) calendar days after the end of the semester the discrimination took place.

- 1) It is strongly recommended that the complaint be discussed initially between the persons involved. Most misunderstandings and problems can be resolved in this manner. The initial complaint should be made to the student Disability Support Services (DSS) Coordinator. The DSS Coordinator has ten (10) working days from the date of notification to resolve the complaint. A written record will be filed in the DSS office.

B. Formal Grievance Procedure


If the complainant has been unable to resolve the complaint or problem using the Informal Grievance Procedure, or decides to move straight to a formal grievance, the complainant may proceed with the steps below:

- 1) The Formal Grievance Procedure begins with a written (or alternate format) statement, which must be filed within thirty (30) calendar days after the failure to resolve the complaint informally. If the complainant elects not to use the Informal Grievance Procedure, the Formal Grievance Procedure should be initiated by the student as close to the time the alleged discrimination is detected by the student, and no later than thirty (30) calendar days after the end of the semester the discrimination took place.
- 2) The written (or alternate format) statement from the complainant to the ADA Coordinator shall contain the following:
 - a. A description of the alleged events and action(s) of all parties involved
 - b. The date(s) of the alleged occurrence(s)
 - c. Solutions which were proposed and why they were unacceptable
 - d. Detailed description of the remedy sought
 - e. The complaint should be addressed to:

LCCC ADA Coordinator
Office of the Vice President for Student Services
1400 E. College Drive
Cheyenne, WY 82007

C. Relief or Remedy Sought by the Complainant

- 1) In reviewing the grievance, the ADA Coordinator shall request written (or alternate format) statements from the respondent or anyone else directly involved. These individuals have five (5) working days after the date the request is received from the administrator to submit any statements they wish to be considered. The ADA Coordinator has the right to request and collect additional relevant information as needed. A decision of the findings will be sent to the complainant in an accessible format and respondent within ten (10) working days of the receipt of submitted and requested information.
 - 2) The ADA Coordinator will maintain files and records of the grievance.
 - a. The decision of the ADA Coordinator (Vice President of Student Services) is final as pertained to this grievance process.
-

REQUIRED APPROVALS	NAME/SIGNATURE	DATE
Originator(s) Name(s)	Judy Hay, Student Services Vice President	10/10/17
Approval by President's Cabinet		10/25/17
Ratified by College Council	College Council Co-Chair Sabrina Lane	10/27/17
Approval by President (Signature)		10/27/17