

# D. STUDENT DISABILITY ACCOMMODATION POLICY

Updated July 2019

Mount St. Joseph University (the “University”) offers accommodations to qualified students with documented disabilities to allow full access to and participation at the University as set forth in this policy and related procedures. This commitment is consistent with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 as amended in 2008, and embodies the University’s long-standing mission to ensure the inclusion of all members of its community.

For information about accommodations available under this policy, please contact Stacy Mueller, Director of The Learning Center, Disability Services, and Project EXCEL, 513-244-4623 or [stacy.mueller@msj.edu](mailto:stacy.mueller@msj.edu).

## Disability

Generally, a person with a disability is an individual who has a physical or mental impairment that substantially limits one or more major life activities. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

### 1) PROCEDURE FOR REQUESTING AND IMPLEMENTING ACADEMIC ACCOMMODATIONS

An academic accommodation includes the provision of certain auxiliary aids and/or modifications of policies, practices, or procedures that will allow the student with a disability to meet the requirements of the course or program. The University will not permit academic accommodations and/or auxiliary aids that would fundamentally alter academic requirements that are essential to the instruction pursued by a student or to any directly related licensing requirements, would cause undue hardship on the University, or would jeopardize the health or safety of others. Examples of academic accommodations may include, but are not limited to, arranging for priority registration; reducing a course load; substituting one course for another; providing note takers, recording devices, sign language interpreters, extended time for testing; and equipping computers with screen-reading, voice recognition, or other adaptive software or hardware.

Students who seek to obtain academic accommodations and/or auxiliary aids must:

- Step 1- Contact the Director of The Learning Center, Disability Services, and Project EXCEL, Stacy Mueller at 513-244-4623 or [stacy.mueller@msj.edu](mailto:stacy.mueller@msj.edu) to schedule an intake meeting. If an in-person intake meeting is not possible, a phone intake meeting may be

scheduled.

- Step 2- Prior to or at the scheduled intake meeting, provide the Director with “Adequate Documentation” of the student’s disability or disabilities as defined in this policy.
- Step 3- Collaborate with the Director to discuss reasonable academic accommodations and/or auxiliary aids that will reduce or remove the barrier(s) resulting from the disability or disabilities identified in the Adequate Documentation. Each request for academic accommodations is handled on a case-by-case basis.
- Step 4- Determine, through collaboration with the Director, the reasonable and appropriate academic accommodations for the student that will be formalized in an Accommodation Letter approved by the Director. The Accommodation Letter states a student’s academic accommodations but not a student’s disability diagnosis. A copy of a student’s Accommodation Letter is available from the Director prior to the start of any course.
- Step 5- Provide the Accommodation Letter to any course instructor when the student determines that an accommodation(s) in that course may be needed. It is recommended that the student provide the Accommodation Letter to any course instructor within one week of the beginning of any course.
- Step 6- Collaborate with each course instructor to determine how the accommodation(s) set forth in the Accommodation Letter will be accomplished in the specific course. Following a collaborative process, the student must return the fully executed Accommodation Letter, signed by the student and the instructor for each course, to the Director.
- Step 7- Follow the Learning Center policy for each approved accommodation in each course to ensure that accommodations are implemented in a timely manner.
- Step 8- Contact the Director with any questions or concerns about implementing the accommodations set forth in the Accommodation Letter in any course.

**“Adequate Documentation” is a prerequisite to any student receiving academic accommodations and/or auxiliary aids and requires:**

- That the documentation be on letterhead and from a qualified diagnostician;
- A description of the nature and extent of the student’s impairment and the diagnostic tools used in the diagnosis;
- An explanation of the functional impact of the impairment, especially as it relates to the academic environment;

- Recommendations for reasonable academic adjustments and auxiliary aids; and,
- If the documentation provided is more than three years old, it will be evaluated by the Director to determine whether updated documentation is necessary.

If a student needs, or expects to need, an accommodation not supported by Adequate Documentation, the student should discuss evaluation needs with the Director.

Please be aware that other institutions, licensing authorities, and testing agencies (which administer standardized tests such as the GRE and LSAT) may require different documentation of disabilities than the Adequate Documentation required by the University.

**Students not satisfied with the result of the Academic Accommodations process should consult the [Student Disability Grievance Procedure](#).**

## **2) RESIDENCE HALL ACCOMMODATION PROCEDURE**

For students who choose to live on campus in the University's Residence Hall, residential life is an important aspect of the University experience. Learning to share space and demonstrate consideration of others is part of residential life, though in some cases, a disability may necessitate an accommodation to a living arrangement. All requests for disability-related Residence Hall accommodations (regardless of whether the request is based on a physical or psychological disability) must be submitted in writing each year to the Director of The Learning Center, Disability Services, and Project EXCEL at 513-244-4623 or [stacy.mueller@msj.edu](mailto:stacy.mueller@msj.edu) and must include the following:

- Step 1- Completed [Housing Application](#) submitted by the student to the Office of Residence Life.
- Step 2- Completed [Medical Documentation Form](#) from a qualified professional describing the physical or mental impairment that substantially limits or restricts a major life activity such as walking, seeing, or hearing, as well as that impairment's current impact on the student. The medical provider should include an explanation of the medical necessity of housing accommodations, how the student's impairment impacts the student's housing requirements, how the housing accommodation will ameliorate the impact of the impairment, and possible alternatives if the recommended configuration is not available.

Following a student's completion of the Housing Application submission and Medical Documentation Form, the student should schedule an intake appointment with the Director of The Learning Center, Disability Services, and Project EXCEL at 513-244-4623 or [stacy.mueller@msj.edu](mailto:stacy.mueller@msj.edu) to discuss the Medical Documentation Form, the student's Housing Application, and the requested Residence Hall accommodations. After the intake appointment, the Director will determine if the student is a qualified student with a disability and a Residence Hall accommodation is a medical necessity.

The Director will forward the determination on disability-related Residence Hall accommodation requests to the Office of Residence Life. If a student's request for a disability-related Residence Hall accommodation is not granted, the student's Housing Application will be reviewed in accordance with the standard Residence Hall room assignment protocol. If any Residence Hall accommodated housing is determined to be necessary, the Office of Residence Life will evaluate the student's Housing Application to determine if the requested Residence Hall room assignment can be filled. The following circumstances may affect the assignment of a requested room:

### **Timing of the Request**

- Was the request for a Residence Hall accommodation made at the time the student's Housing Application was submitted?
- Was the student's Residence Hall accommodation request made before the Housing Application deadline?
- Was the Residence Hall accommodation request made as soon as was reasonable after the student was diagnosed as having a disability? In considering this question, the date of diagnosis, date of submission of documentation, and date of receipt of Housing Application will be considered.

### **Feasibility and Availability**

- Is space available that conforms to the student's requested accommodation/configuration?
- Can space be adapted to conform to the requested configuration/accommodation without creating a safety hazard (electrical load, emergency egress, etc.)?
- Are there other adjustments or aids that would provide a benefit equivalent to the configuration/accommodation the student has requested?

**Students not satisfied with the result of the Residence Hall Accommodations process should consult the [Student Disability Grievance Procedure](#).**

### **3) EMOTIONAL SUPPORT ANIMAL ACCOMMODATION PROCEDURE FOR RESIDENCE HALL ONLY**

In general, the University prohibits animals on any of its property, including in the Residence Hall. However, the University recognizes that certain "Emotional Support Animals" (ESA), animals not classified as "Service Animals" under the ADA, may provide support for students with mental or psychiatric disabilities who live in the Residence Hall by alleviating one or more of their identified symptoms, and the University permits ESA accommodations accordingly. All disability-related ESA accommodation requests shall be made consistent with the [Residence Hall Accommodation Procedure](#) outlined in this policy, which requires a student to complete a [Housing Application](#) and to submit a completed [Medical Documentation Form](#).

The Director will forward the determination on disability-related ESA accommodation requests to the Office of Residence Life. If a student's request for a disability-related ESA accommodation is not granted, the student's Housing Application will be reviewed in accordance with the standard Residence Hall room assignment protocol. If any ESA accommodation is determined to be necessary, the Office of Residence Life will evaluate the student's Housing

Application to determine if the requested Residence Hall room assignment can be filled. The following circumstances may affect the ability to make a reasonable accommodation for an ESA by the University, in addition to the considerations outlined in the Residence Hall Accommodation Procedure:

### **ESA Accommodation Considerations**

- Does the ESA accommodation impose an undue financial and/or administrative burden on the University?
- Does the ESA accommodation fundamentally alter University Residence Hall policies?
- Does the ESA accommodation pose a direct threat to the health and safety of others or would it cause substantial property damage to the property of others, including University property?
- Is the ESA accommodation unreasonable for the operation of the University?
- Would the presence of the ESA force another student from the Residence Hall (e.g. serious allergies)?
- Would the presence of the ESA allow adequate living space for student(s)?
- Would the ESA violate students' right to peace and quiet enjoyment?
- Is the ESA housebroken and able to live with others in a reasonable manner?
- Are the ESA's vaccinations up to date?
- Does the ESA pose or has posed in the past a direct threat to the student or others such as aggressive behavior towards or injuring the individual or others?
- Would the ESA cause, or has it previously caused, excessive damage to housing beyond reasonable wear and tear?

If approved, ESA disability-related accommodations are subject to the terms and conditions of a fully executed [ESA Agreement](#). Any approved ESA is permitted in the student's assigned Residence Hall **only** and to no other parts of the University's campus or facilities. No student may have an ESA in the student's assigned Residence Hall room prior to obtaining approval from the University as set forth in this process.

This ESA Accommodation Procedure for Residence Hall Only does not apply to Service Animals as defined by ADA. Please see the [Service Animals Procedure](#) outlined in this policy.

**Students not satisfied with the result of the Emotional Support Animal Accommodation Procedure for Residence Hall Only should consult the [Student Disability Grievance Procedure](#).**

#### **4) LENIENCY IN ATTENDANCE ACCOMMODATION PROCEDURE**

Regular class attendance can be a legitimate academic requirement and some instructors have strictly-enforced policies regarding the number of absences a student may accrue before the student's grade is affected. However, certain disabilities may necessitate a student's request for leniency in attendance. Students who seek to obtain leniency in attendance as an accommodation must:

- Step 1- Meet the requirements of the University’s [Procedure for Requesting and Implementing Academic Accommodations](#) and obtain an Accommodation Letter (the “Registered Student”).
- Step 2- If a Registered Student believes that leniency in class attendance for any course is needed, the Registered Student must obtain a [Leniency in Attendance Agreement](#) from the Director of The Learning Center, Disability Services, and Project EXCEL at 513-244-4623 or [stacy.mueller@msj.edu](mailto:stacy.mueller@msj.edu) and follow the instructions on the Leniency in Attendance Agreement, which requires the Registered Student to schedule a meeting with any course instructor to discuss leniency in attendance as an accommodation.
- Step 3- After the Registered Student and instructor for any course meet to discuss a requested accommodation and to complete a Leniency in Attendance Agreement, the Registered Student must return the fully executed Leniency in Attendance Agreement that has been signed by the Registered Student and the instructor for the applicable course to the Director of The Learning Center, Disability Services, and Project EXCEL in person or at [stacy.mueller@msj.edu](mailto:stacy.mueller@msj.edu).

Leniency in attendance accommodations are not retroactive, apply only to the specific course referenced in any Leniency in Attendance Agreement, and the details of any accommodation begin on the date the fully executed Leniency in Attendance Agreement for a specific course is returned to the Director of The Learning Center, Disability Services, and Project EXCEL at 513-244-4623 or [stacy.mueller@msj.edu](mailto:stacy.mueller@msj.edu).

### **Guidelines:**

- Registered Students and Faculty should consider the following questions, which were developed by the Office of Civil Rights (OCR) of the United States Department of Education, when meeting to discuss implementing leniency in attendance accommodations and determining why attendance is or is not an essential aspect of any course:
  - Is there classroom interaction between the instructor and students and among students?
  - Do student contributions constitute a significant component of the learning process?
  - Does the fundamental nature of the course rely upon student participation as an essential method for learning?
  - To what degree does a student’s failure to attend constitute a significant loss to the educational experience of other students in the class?
  - What do the course description and syllabus say?
  - What method is used to calculate the final grade?
  - What are the classroom practices and policies regarding attendance?
  - Is the attendance policy equally applied?
  - Has the policy been modified for others or any exceptions made to the policy for non-disabled students?

- If attendance is intrinsic to the nature of any course for which a Registered Student has requested leniency in attendance as an accommodation, the instructor must promptly contact the Director of The Learning Center, Disability Services, and Project EXCEL at 513-244-4623 or [stacy.mueller@msj.edu](mailto:stacy.mueller@msj.edu). In consultation with the instructor, department chairperson, and/or dean, the Director will ultimately decide if attendance is an essential element of any course by considering the course description, syllabus, methods of grading, external licensure requirements, the impact on the educational experience of the entire class, and other factors.
- If, at any time, including but not limited to after the execution of a Leniency in Attendance Agreement for a course, an instructor feels that a Registered Student's absences threaten the academic integrity of a course or render it impossible for the Registered Student to meet the course learning objectives, the instructor should contact the Director of The Learning Center, Disability Services, and Project EXCEL at 513-244-4623 or [stacy.mueller@msj.edu](mailto:stacy.mueller@msj.edu) immediately. After consultation with the instructor, the Director will meet with the Registered Student to review the Registered Student's options.
- Any student or Registered Student who fails to comply with this Leniency in Accommodation Procedure will put him/herself at risk of failing to meet the course learning objectives and to earn a satisfactory grade.

**Students not satisfied with the result of the Leniency in Attendance Accommodation Procedure should consult the [Student Disability Grievance Procedure](#).**

## **5) SERVICE ANIMALS PROCEDURE**

Service animals assisting individuals with disabilities are permitted in all University buildings and facilities and at all activities, except as described below.

**Definition:** A service animal is defined by the ADA as any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including (but not limited to) guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items. If an animal meets this definition, it is considered a service animal.

The Director is permitted to ask the following questions only in any instance of the presence of a service animal in a University building:

- Is the animal a service animal required because of a disability?
- What work or task has the animal been trained to perform?

**Circumstances Under Which a Service Animal May be Prohibited or Removed:**



- If the service animal's behavior or condition is disruptive or poses a direct threat to the health or safety of others. Some examples of problem behaviors or conditions include barking, aggressiveness or unruliness, lack of cleanliness, or illness.
- In areas where the presence of the animal fundamentally alters the nature of the program or activity (e.g. some lab settings, food preparation areas, etc.).

#### **Owner/Partner Responsibilities:**

- **A student who utilizes a service animal on campus is encouraged to register with the Director of The Learning Center, Disability Services, and Project EXCEL by calling 513-244-4623 or emailing [stacy.mueller@msj.edu](mailto:stacy.mueller@msj.edu) and to provide documentation, as appropriate, of the student's status as a person with a disability. However, students who utilize service animals are not required by law to register with the Director.**
- Service animals must meet all requirements for the presence of animals in public places. This includes vaccinations, as well as licensure and ID tags as mandated by state or local ordinances (<http://www.hamiltoncountyauditor.org/dogs.asp> ).
- Service animals must be in good health.
- Service animals must be under the full control of the owner/partner at all times.
- All costs of care and responsibility for the well-being of the service animal are the sole responsibility of the owner/partner.
- Owner/partner who is not physically able to pick up and dispose of animal feces is nonetheless responsible for making all necessary arrangements for assistance in waste removal. Under no circumstances is the University responsible for the removal of service animal waste on its property.

#### **Service Animals in the Residence Hall:**

- A student with a disability who requires the use of a service animal and who wishes to live in the University's Residence Hall must give notification to the Director of The Learning Center, Disability Services, and Project EXCEL at 513-244-4623 or [stacy.mueller@msj.edu](mailto:stacy.mueller@msj.edu) at least 30 days in advance.
- The student and the Director will meet to discuss any issues that may arise from the presence of a service animal in the Residence Hall.
- The service animal must undergo an annual examination by a licensed veterinarian and receive a clean bill of health. The student is responsible for submitting documentation of this examination to the Director at the beginning of each academic year during which the service animal resides in the Residence Hall.
- The student is responsible for any property damage caused by the service animal and for any non-standard cleaning costs.

#### **Conflicting Disabilities**

An individual whose allergies/asthma/medical issues are triggered by the presence of the service animal should bring his/her concerns to the Director of The Learning Center, Disability Services, and Project EXCEL at 513-244-4623 or [stacy.mueller@msj.edu](mailto:stacy.mueller@msj.edu). The individual must provide documentation from a qualified professional attesting to his/her medical condition. The needs of both the service animal's owner/partner and the individual with the medical condition will be considered in resolving the issue as efficiently and effectively as possible.



**Students not satisfied with the result of the Service Animals Procedure should consult the [Student Disability Grievance Procedure](#).**

**6) TEMPORARY ILLNESS, INJURY, PREGNANCY OR RELATED CONDITION MODIFICATION PROCEDURE**

If a serious, but temporary, medical condition, or pregnancy or pregnancy related condition, results in a student anticipating missing more than one week of class (consecutive class sessions), the student may request temporary modifications—versus disability-related accommodations—of the requirements listed within the class syllabi during the period of this illness, injury, pregnancy or related condition. This policy does not guarantee that modifications will be granted unless mandated by Title IX in the case of pregnancy or related conditions; granting of modifications is the decision of the course instructor. **Students should begin this process as soon as possible after the onset of the serious illness, injury, or pregnancy or related condition, which is as follows:**

- Step 1- Student notifies his/her instructors of the illness, injury, pregnancy or related condition.
- Step 2- Student contacts the University's [Wellness Center](#) for assistance in obtaining medical documentation.
- Step 3- Once medical documentation is received, the student provides this medical documentation to the Director of The Learning Center, Disability Services, and Project EXCEL who can be reached at 513-244-4623 or [stacy.mueller@msj.edu](mailto:stacy.mueller@msj.edu). Next, the Director will notify the student's instructors of the recommended and/or mandated modifications.
- Step 4- Each instructor will review the recommended modifications and notify the Director if the recommended modifications would be possible in the instructor's course or how mandated modifications will be addressed. If recommended modifications are not possible, the student will be notified.
- Step 5- In cases of pregnancy or related conditions, the student should meet with her instructors after the completion of step #4 above. In cases involving temporary illnesses and injuries, once the student is physically able, the student will meet with each instructor who indicated that modifications would be possible to determine if the student could meet the essential requirements of the course. If so, the instructor and student will specify, in writing, how the course requirements will be met. If, during the discussion, the instructor determines that the student cannot complete the course requirements with the recommended modifications, or the modifications cannot be reasonably applied to the particular course, the student will be counseled by the instructor or advisor to drop the course, seek an incomplete, a withdrawal, or to request a Medical Leave under the

University's [Medical Leave Policy](#). Any and all costs incurred in providing Temporary Illness/Injury Modifications (e.g. remediated clinical experience) shall be the sole responsibility of the student.

**Students not satisfied with the result of the Temporary Illness, Injury, Pregnancy or Related Condition Modification Procedure should consult the [Student Disability Grievance Procedure](#).**

## **MOUNT ST. JOSEPH UNIVERSITY ACCESSIBILITY STATEMENT**

The Americans with Disabilities Act of 1990 as amended in 2008 and Section 504 of the Rehabilitation Act of 1973 require that Mount St Joseph University ensures that its programs, services, goods, and facilities are accessible to individuals with disabilities. Mount St. Joseph University, in compliance with state and federal laws and regulations, does not discriminate on the basis of disability in administration of its education-related programs and activities, and has an institutional commitment to provide equal educational opportunities for disabled students who are otherwise qualified.

For information about procedures and policies for individuals with disabilities, please contact the Director of The Learning Center, Disability Services, and Project EXCEL at 513-244-4623 or [stacy.mueller@msj.edu](mailto:stacy.mueller@msj.edu).

*Mount St. Joseph University ("the University") is committed to providing an educational environment free from discrimination or harassment on the basis of race, color, national origin, religion, sex, age, disability, sexual orientation or other minority or protected status. This commitment extends to the University's administration of its admission, financial aid, employment, and academic policies, as well as the University's athletic programs and other University-administered programs, services, and activities.*

*The University has designated the Title IX Coordinator, Paige Ellerman, (513) 244-4393, as the individual responsible for responding to inquiries, addressing complaints, and coordinating compliance with its responsibilities under Title IX of the Education Amendments of 1972 and other related federal and state civil rights laws. The University has designated the Director of Human Resources/Equal Opportunity Officer, Lisa Kobman, (513) 244-4979, as the individual responsible for responding to inquiries, issues, or complaints relating to discriminatory, harassing, or retaliatory conduct related to race, color, national origin, religion, age, disability, or any other legally protected status. The University has designated the Associate Provost for Academic Affairs, Dr. Christa Currie, Ph.D., (513) 244-4614, as the individual responsible for responding for addressing formal complaints regarding compliance with its responsibilities under Section 504 of the Rehabilitation Act of 1973.*

# I. STUDENT DISABILITY ACCOMMODATION GRIEVANCE PROCEDURE

Update July 2019

Mount St. Joseph University has designated the Director of the Learning Center, Disability Services, and Project EXCEL at 513-244-4623, as the individual responsible for the coordination of efforts to comply with its responsibilities under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 as amended in 2008 through the University's [Student Disability Accommodation Policy](#). That person will also sometimes be referred to as the 504 Coordinator.

Students with concerns or complaints arising out of the University's handling of the student's request for or implementation of an accommodation should consult this policy. Students with concerns or complaints relating to a belief that the student has been treated differently or harassed because of the student's disability should consult the University's [Equal Opportunity and Non-Discrimination Policy](#).<sup>1</sup>

## INFORMAL RESOLUTION

Any student who feels that a requested accommodation has not been properly provided or has not been implemented in an effective or timely manner is encouraged to first attempt to resolve the matter informally with any individuals involved. Students are free, as part of this informal process, to consult with the Director of The Learning Center, Disability Services, and Project EXCEL at 513-244-4623.

## FORMAL RESOLUTION

1. If a student chooses not to attempt an informal resolution, or if an informal resolution is attempted but not achieved, the student may file a formal grievance with the Associate Provost for Academic Affairs, Dr. Christa Currie, who can be reached at (513) 244-4614 or [christa.currie@msj.edu](mailto:christa.currie@msj.edu).
2. The formal grievance must be filed within thirty (30) calendar days of the occurrence of the event(s) giving rise to the complaint.
3. The formal grievance must be in writing and signed by the student.

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<sup>1</sup> If your report/complaint involves conduct relating to sex discrimination (including sexual harassment and sexual misconduct), domestic violence, dating violence, or stalking please refer to the [Sexual Misconduct and Interpersonal Violence Policy](#). If your report/complaint involves discriminatory, harassing, or retaliatory conduct based on race, color, national origin, religion, age, disability, or another legally protected status, please refer to the University's [Equal Opportunity and Non-Discrimination Policy](#).

4. The formal grievance must contain the following:
  - The name, address, and phone number of the student;
  - The name and position of the person against whom the complaint is made;
  - A clear statement of the complaint and suggestions for resolution; and,
  - The names of any witness(es) or individual(s) who the student believes has knowledge or information supporting the allegations contained in the grievance

(collectively, the “Grievance”).

5. A Grievance Resolution Committee of three (3) faculty members or administrators will be convened by the Associate Provost for Academic Affairs within ten (10) calendar days (excluding University holidays) of the date on which the Associate Provost for Academic Affairs receives the Grievance. The make-up of the committee will vary depending on the nature of the Grievance and will include individuals with expertise specific to the disability and/or issue who have been trained in Section 504 standards and investigative methods.
6. The Grievance Resolution Committee will interview the student, the individual(s) against whom the Grievance is made, any individuals identified by the student as having knowledge or information supporting the Grievance, and any other involved parties. The Grievance Resolution Committee will also collect and review any documentation or other evidence identified by the parties, and other information related to the Grievance as appropriate.
7. In most instances, the Grievance Resolution Committee shall make a decision regarding the merits of the Grievance within twenty (20) calendar days (excluding University holidays) of the date on which it convened. In cases where the Grievance Resolution Committee is unable to make a decision within this timeframe, it will notify the complainant of the need for additional time, the reason, and an approximate date upon which a decision will be made.
8. If the Grievance Resolution Committee determines that the Grievance has merit, it will notify all parties in writing of that determination, as well as suggest a proposed resolution. The Grievance Resolution Committee will then convene a meeting with the student to discuss the proposed resolution of the Grievance and to hear alternative proposals for a resolution offered by the student. The ultimate resolution of any Grievance, or determination of whether a new, modified, or additional accommodation will be provided to the student, rests in the sole discretion of the Grievance Resolution Committee and the University.
9. If the Grievance Resolution Committee determines that the Grievance does not have merit, it will notify all parties of that determination in writing.
10. A student who disagrees with the Grievance Resolution Committee’s decision may appeal to the Provost, Dr. Diana Davis, who can be reached at (513) 244-4301 or [diana.davis@msj.edu](mailto:diana.davis@msj.edu). Such an appeal must be made in writing within seven (7) calendar

days (excluding University holidays) of notice of the Grievance Resolution Committee's decision. The Provost shall issue a written decision in response to the appeal no later than fourteen (14) calendar days (excluding University holidays) after the written appeal is submitted. The Provost's decision regarding the Grievance shall be final.

11. The University shall maintain all documents and other materials related to any Grievance proceedings for a period of two (2) years. All documents and other materials will be maintained confidentially to the extent permitted by law.

## **RIGHT TO PURSUE EXTERNAL COMPLAINTS**

Nothing in this process should be construed as impeding or prohibiting a student from filing a complaint with the appropriate external governmental agency. Although a student with a concern or complaint about any disability accommodation is encouraged to attempt to resolve the student's grievance within this procedure, students have the right to file a grievance/charge directly with the U.S. Department of Education's Office for Civil Rights or the Ohio Civil Rights Commission before or after any internal resolution process. Any internal resolution process will continue through completion, regardless of whether a student files a grievance/charge with the appropriate external governmental agency.

## **PROHIBITION AGAINST RETALIATION**

Any student who has sought an informal or formal resolution of a grievance under this policy, or who has participated in any investigation into such a grievance, and who subsequently believes the student has been subjected to retaliation of any kind by any University employee, administrator, or officer, is directed to immediately report the alleged retaliatory conduct to the Associate Provost for Academic Affairs, Dr. Christa Currie, who can be reached at (513) 244-4614 or [christa.currie@msj.edu](mailto:christa.currie@msj.edu). Reports of retaliation will be investigated promptly in a manner intended to protect confidentiality as much as practical, consistent with the University's obligation to conduct a full and fair investigation.