

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Appeal Procedure Relating to the Provision of Accommodations for Students with Disabilities

Policy Number: 6.6

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 11/7/2016

Unit(s) Responsible for Policy Implementation: Vice President for University Affairs

Purpose of Policy (what does it do): Provides information regarding the appeal of accommodation provisions for individuals with disabilities.

Reason for the addition, revision, or deletion (check all that apply):

- Scheduled Review Change in law Response to audit finding
 Internal Review Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Minor wording change.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Tiffany Rivers, Director of Disability Services
Dr. Adam Peck, Assistant VP and Dean of Student Affairs
Dr. Steve Westbrook, Vice President for University Affairs
Damon Derrick, General Counsel

Appeal Procedure Relating to the Provision of Accommodations for Students with Disabilities

Original Implementation: July 14, 1998

Last Revision: ~~November 7, 2016~~ *October 28, 2019*

Students, faculty or staff at Stephen F. Austin State University, who disagree with the provision of accommodations for students with disabilities, may submit an appeal to the director of disability services/ADA coordinator (~~director~~) located in disability services, room 325 of the Human Services Building. Appeals related to decisions made by the director of disability services regarding the denial of accommodations should be submitted to the vice president for university affairs, or their designee, located in room 314 of the Austin Building. Grievances or complaints of discrimination based on disability relating to other circumstances not described above should be addressed through the university's policy 2.11, Discrimination Complaints.

Appeals may be initiated by:

1. student or faculty member, regarding academic accommodations;
2. student or staff member, regarding accommodations for non-academic programs or activities;
3. student, regarding accommodation decisions of the director of disability services;
4. student, regarding accommodation decisions of the director of residence life.

Appeals must:

- be submitted in writing;
- state the specific nature and basis of the appeal;
- be signed and dated by the individual making the appeal; and
- be submitted no later than 180 days from the date of notification of the decision being appealed.

Appeal Review

Within two (2) working days of receiving the appeal, the director or vice president for university affairs or their designee will schedule a meeting with the chair/director of the department involved, the faculty or staff member involved, and the student. The purpose of this meeting will be to review the circumstances and, if possible, to reach a mutually agreed upon resolution.

If unresolved, the appeal will be forwarded by the director or vice president for university affairs or their designee to an Appeal Review Committee for a second and final decision.

Appeal Review Committee

The Appeal Review Committee will be composed of three members selected by the director or the vice president for university affairs or their designee. The director will serve as chair and ex officio member of the committee except when their decision is being appealed; ~~when~~ *in such circumstances*, the vice president for university affairs or their designee will appoint a faculty or staff member or academic administrator with background and/or experience in disability-related matters to serve as chair.

- For academic accommodation appeals, the committee will be composed of one faculty member from the department involved, the dean of the college involved, and a member of the ADA Advisory Committee.
- For appeals in non-academic programs/activities and housing accommodations, the committee will be composed of one staff member from the department involved, the director of the department involved, and a member of the ADA Advisory Committee.
- For appeals regarding decisions of the director of disability services, the committee will be composed of one faculty member from the Department of Human Services and two additional individuals knowledgeable about ADA issues.

When selecting committee members, the director or vice president of university affairs or their designee shall exclude individuals who served on the Academic Assessment Committee or the Residence Life Assessment Committee that provided initial review of the documentation and/or request. The director or vice president ~~of~~ *for* university affairs or their designee will communicate the decision and/or recommendations of the Appeal Review Committee to the individual seeking the appeal.

In all circumstances listed above, the Appeal Review Committee may seek input from appropriate parties other than committee members, including the student making the appeal, a faculty or staff member with experience relevant to the circumstances, the provost/vice president for academic affairs, dean of another college, or another director or department head with relevant experience. The Appeal Review Committee may seek advice from the university's general counsel.

It is the intent of the university that meetings related to the appeal are informal in nature to allow all parties the opportunity for reasonable input and discussion. The appeal process, including the initial meeting, the meeting of the Appeal Review Committee and communication of the final decision to the individual making the appeal should be completed with expediency, ideally within seven (7) working days to avoid any delay in provision of accommodations or support services.

For specific information regarding provision of academic assistance, refer to policy 6.1, Academic Accommodation for Students with Disabilities. Refer to policy 13.2, Animals on University Property, for service animal or ~~therapy~~ *emotional support* animal information. For general policy information, refer to policy 2.2, Accessibility for Persons with Disabilities.

Cross Reference: Accessibility for Persons with Disabilities (2.2); Academic Accommodation for Students with Disabilities (6.1); Animals on University Property (13.2)

Responsible for Implementation: Vice President for University Affairs

Contact for Revision: Director of Disability Services

Forms: None

Board Committee Assignment: Academic and Student Affairs