

Metropolitan State University of Denver

GRIEVANCE/COMPLAINT PROCEDURES FOR STUDENTS WITH DISABILITIES

I. Policy Statement

Metropolitan State University 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

Students who believe they have been subjected to discrimination on the basis of disability or have 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 University 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 University policies and procedures which may exist for addressing other issues of concern for which separate University policies and procedures exist, including, for example, grade appeals.

Students utilizing the Informal Resolution Process must file their complaints within 30 days of the end of the semester in which the alleged violation occurred. 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 University 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 University reserves the right to redirect a grievance to the proper grievance procedure or to any other appropriate review procedure.

III. Informal Resolution Process

Students are invited to utilize the informal resolution process first to address their complaint.

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

2) If the student is not satisfied with the result of the meeting with the Director or 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 designee of the Access Center.

3) The ADA Coordinator 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 MSU Denver e-mail address with a copy provided to the Access Center and other appropriate university staff.

IV. Formal Grievance Procedure

Students can elect to forgo the informal resolution process and file a formal grievance. Information regarding filing a formal grievance can be found on the Office of Equal Opportunity website, <https://msudenver.edu/eoo/>. The Office of Equal Opportunity is located in Student Success Building, Room 306 and the phone number is 303-615-0036.

V. External Complaint Option

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 University be used prior to using a grievance system

outside the University.

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

CONTACT INFORMATION

Access Center
Mr. Gregory P. Sullivan, Director
Plaza Building, Suite 122
303-615-0200
sullivag@msudenver.edu

ADA Coordinator for Students
Mr. Steve Monaco
Plaza Building, Suite 150
303-615-9999
monacos@msudenver.edu

Office of Equal Opportunity
Mr. Raul Sanchez, J.D., Executive Director
Student Success Building, Suite 306
303-615-0036
Chier1@msudenver.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

Revised: 6/19