



## Disability Discrimination Grievance Procedure

In the event of disability-related concerns, students and staff should attempt to resolve them by promptly communicating and discussing the issues in a calm and respectful fashion. The Student Accessibility Center is available to assist students in addressing disability-related issues or concerns with faculty as needed. Sometimes difficulties arise where the above approach is insufficient or otherwise not appropriate. In those circumstances, the University's grievance procedure is delineated below.

The Ashland University (AU) Disability Discrimination Grievance Procedure applies to all disability discrimination complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 ("Section 504"), whether carried out by AU or Seminary employees, students, or third parties. The Coordinator for Section 504 complaints is Silvia Henriss. She can be reached at the Student Accessibility Center, 930 Claremont Ave Ashland OH 44805, [shenriss@ashland.edu](mailto:shenriss@ashland.edu), 419-289-5904. Should the complaint name Silvia Henriss as a respondent, the Coordinator for that complaint will be Dr. Amiel Jarstfer, the AU Provost. As used in this procedure, the term Complainant refers to the individual who files a complaint and the term Respondent refers to the individual(s) named in the complaint as alleged to be involved in the discrimination or other incident giving rise to the complaint.

### Filing a Complaint

A complaint can be filed by an AU student or an AU employee, including Seminary students and employees. Absent unusual circumstances, a complaint must be filed within 180 calendar days of the date of the alleged discrimination or other incident giving rise to the complaint. Further, the incident(s) alleged in the complaint must have taken place on AU / Seminary grounds or within its programming. A complaint is filed by submitting the online form [available here](#) or by emailing Silvia Henriss at [shenriss@ashland.edu](mailto:shenriss@ashland.edu). If the complaint names Silvia Henriss as a respondent, the complaint can be filed by submitting a letter outlining the alleged discrimination to Dr. Amiel Jarstfer, the AU Provost. Dr. Jarstfer can be reached at [ajarstfe@ashland.edu](mailto:ajarstfe@ashland.edu) or Founders Hall Room 205 401 College Ave, 419-289-5051.

## Investigation Process

The investigation process provides for the adequate, reliable, and impartial investigation of complaints, including the opportunity to present witnesses and other evidence.

**Step One: Receiving the Complaint.** The Coordinator receives the Complaint and determines whether the allegations meet the above requirements. If the complaint alleges events beyond the 180-calendar day deadline, incidents outside AU/Seminary grounds or programming, or actions not prohibited by Section 504, the Coordinator may dismiss the Complaint and notify the Complainant of the reasons for the dismissal. If the Complaint is not dismissed, the Coordinator will schedule a conference with the Complainant.

**Step Two: Conference with Complainant.** The Coordinator will conduct a formal conference with the complainant, permitting him or her to provide additional relevant information, if any. The Complainant may present any relevant evidence at this conference, including identification of any witness(es) the Complainant believes has relevant information. The Coordinator will make reasonable attempts to interview all such witnesses identified. Absent a request for an extension or other unusual circumstances, this conference will take place within seven (7) business days of receiving the complaint.

**Step Three: Conference with Respondent.** The Coordinator will conduct a formal conference with the Respondent, permitting him or her to provide any additional relevant information. The Respondent may present any relevant evidence at this conference, including identification of any witness(es) the Complainant believes has relevant information. The Coordinator will make reasonable attempts to interview all such witnesses identified. Absent a request for an extension or other unusual circumstances, this conference will take place within seven (7) business days of the conference with Complainant.

**Step Four: Additional Interviews as Needed.** The Coordinator may interview other witnesses, seek additional evidence, or conduct any additional investigatory meetings as necessary to obtain relevant information. Absent a request for an extension or other unusual circumstances, this process may take up to seven (7) business days from the conference with Respondent.

**Step Five: Decision.** The Coordinator will use a preponderance of the evidence standard to determine whether the evidence demonstrates that the allegations are substantiated and whether the Respondent is responsible for the alleged discrimination or other conduct giving rise to the complaint. Absent extension requests or other unusual circumstances, the Coordinator will prepare a written decision within twenty-eight (28) business days of the complaint's submission. The written decision will summarize the allegations, delineate the findings of fact, explain the rationale for the decision, and list the remedies, if any, to be implemented. This decision is final and neither the Complainant nor the Respondent have an opportunity to appeal this decision.

**Informal Resolution:** Depending on the nature of the allegations, the Coordinator may offer an informal resolution process to Complainant and Respondent at any time after receiving a Complaint. Such a process may include informal mediation, remedial or supportive measures, or/and other dispute resolution alternatives. Participation in the informal resolution process is voluntary and not a required step to be taken prior to filing a formal complaint. Either Respondent or Complainant may opt out of the informal resolution process at any point before the resolution is finalized.

## **Complaint Outcome**

The Coordinator will notify both the Respondent and Complainant as to the complaint's outcome by providing them with the written decision. Copies of the complaint, the investigative materials, the written decision, and any other documentation of proceedings will be maintained for five years with the Office of Institutional Effectiveness. Should the written decision substantiate allegations of discrimination or harassment, AU / Seminary will take steps to prevent recurrence of the discrimination or harassment and to correct its effects on the Complainant and others, if appropriate.

Retaliation is strictly prohibited. This means that AU employees or students, including Seminary employees or students, may not intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Section 504 or because an individual has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under Section 504.

Individuals have a right to file a complaint with the United States Department of Education Office for Civil Rights (OCR) at any time. OCR may be contacted at 1350 Euclid Ave, Suite 325, Cleveland, OH 44115.