



DISABILITY ACCOMMODATION APPEALS PROCEDURE

Resolution of accommodation decision disputes takes place through one or more of three means: informal mediation with the Office of Disability Services, a formal appeals process through the University, and by filing a formal complaint with the Office of Civil Rights. Students are not required to pursue these options in any particular order and have the right to pursue a complaint with the Office of Civil Rights at any time. It is the responsibility of students, or students with their parents' support, to initiate and pursue this process. Parents may not file a grievance on their students' behalf without their adult student's involvement. No student will ever be subjected to negative consequences or suffer retaliatory action as a result of filing an appeal.

Informal Appeals Procedure:

The University encourages students to resolve disputes regarding accommodation decisions informally before initiating a formal appeal. We advise them to discuss their concerns directly with either the Disability Services Coordinator or her supervisor in an attempt to resolve their concern before pursuing additional steps. It is the responsibility of students, not parents, to do so.

Formal Appeals Procedure

Appeals are not new or additional reviews, and are not granted based solely on a student's disagreement with an accommodation decision. Students who wish to formally appeal an accommodation decision, both academic and non-academic, may do so under specific conditions. The Director of the Academic Center for Excellence (or his or her designee if the Director was party to the initial decision) will review requests for appeal to determine if appropriate grounds for filing an appeal have been met.

Grounds for an appeal must be based upon one or more of the following conditions:

- **Procedural error:** A procedural error(s) occurred during the original accommodation review process that may have impacted the outcome of the review.
- **New information:** Specification of new information, **not available at the time of the initial review** that, if introduced, may have altered the outcome of the review. A detailed account of the new information must be clearly described and be accompanied by supporting documentation from a certifying professional such as a treating physician, current therapist, or similar person. Information is not considered new that existed at the time of the original accommodation request but was voluntarily withheld during the initial review.
- **Evidence of discrimination or bias** on the part of the person making the decision, or an inability to consider the accommodation request objectively and completely.

If the Director or his/her designee determines that the request satisfies one or more of the aforementioned grounds, he/she will convene the Accommodation Appeals Committee and the student's request for an appeal will be reviewed by this committee. If the Director or his/her designee decides that grounds for an appeal have not been met the student will be notified and the original decision will stand.

To initiate the appeal process, the student must write and submit, *on his or her own behalf*, within 7 business days after receiving notification of the accommodation decision, a request for appeal to the Accommodation Appeals Committee. The letter of appeal must be accompanied by a Disability Services appeals form available through the Disability Services office or online at www.salve.edu/disability-services. In addition to the factual information requested, the appeal letter and accompanying form must include: 1) a statement explaining the grounds for the appeal; 2) relevant supporting information and documentation; and 3) a statement of the desired outcome of the appeal request.

Once the appeal is received:

1. The Accommodation Appeals Committee will convene to consider the appeal. This committee is comprised of knowledgeable faculty and staff members who represent areas of the university such as Student Affairs, Residence Life, Academic Affairs, Disability Services, Health and/or Counseling Services, or others.
2. Copies of all pertinent documentation will be made available to the appeals committee at the time of the review. Students should be aware that documentation that contains confidential student information will likely be viewed by the committee, whose members hold this information in strict confidence.
3. The Accommodation Appeals Committee will review the documentation and make a determination to either uphold or recommend a modification of the original decision. All materials will be returned at the conclusion of the committee's meeting.
4. The Accommodation Appeals Committee will forward its recommendation within three business days after meeting to the Director of the Academic Center for Excellence and Disability Services (or his/her designee if the Director was party to the initial review).
5. The student will be notified of the outcome of the appeal within 30 business days of receipt of its initiation. The decision to modify or uphold the original decision is final.