



Jefferson Community College **Student ADA/504 Complaint and Grievance Procedures**

Jefferson Community College provides access to reasonable and appropriate accommodations for each qualified student with a disability through the interactive process, individualized services, specialized equipment, and a supportive environment. Services are determined on a case-by-case basis.

This procedure is mandated under the ADA and Section 504 of the Rehabilitation Act. These laws prohibit the College from excluding people from participation in its educational programs or activities based on their disability, from denying them the benefits of such programs or activities, and from discriminating against such individuals. This procedure is also mandated under the FHA for our Residence Facilities at JCC. The ADA, Section 504 and the FHA require a process for grievances relating to disability-based discrimination. This procedure identifies the processes for filing a grievance for Academic Accommodations and Residential Accommodations. Only students can file a complaint and/or grievance with Jefferson. No one can file on their behalf.

Students who choose not to use accommodations are able to file complaints/grievances as well as students who use accommodations. Students will be asked to submit any supporting documentation that they have to coincide with the complaint/grievance. If you are a student who does not use accommodations, you will follow the process listed below under academic accommodations.

NOTE For the purposes of this document, The Disability Review Committee shall consist of the Coordinator of Accommodations & Testing Services, the appropriate Associate Vice President for Academic Affairs and the appropriate Chair for the academic course or program of study. The Director of Residence Life or designee will also serve on the review committee if it is a residential complaint.

Academic Accommodations:

Academic Accommodations are determined on the interactive process, documentation submitted and the class format. The Coordinator of Accommodations & Testing Services based on the process described above assigns accommodations.

Any student who believes that he/she has been discriminated against on the basis of his or her disability or has been denied access or accommodations required by law may make a complaint under this procedure. Specifically, students may complain about:

- A requested service or accommodation, including appeals of Student Accommodative Services determinations regarding accommodations;

- Inaccessibility of a College program or activity;
- Harassment on the basis of disability in violation of College policy;
- Any other alleged College violation of the ADA or Section 504.

A student who has been denied a requested accommodation or otherwise disagrees with an Accommodative Services accommodation decision is strongly encouraged to speak with the Coordinator of Accommodations & Testing Services to discuss his or her concern. A conversation may resolve a disagreement quickly. If that does not resolve the issue, the student will:

- Put in writing his or her concern and email it to accommodations@sunyjefferson.edu
- The Disability Review Committee will review his or her concern and will meet with the student for an informal review.
- The Disability Review Committee will provide in writing within 3 business days of their meeting a decision on the students' concern/request.
- If the student does not agree with the Committee's decision, they can file a formal grievance with the College's ADA/504 Compliance Officer. They will need to complete the Grievance form and submit it to gthompson@sunyjefferson.edu within 10 days of receiving the Committee's decision.
 - The ADA/504 Compliance Officer will review the grievance form submitted and will meet with the student within 10 days of the grievance being filed.
 - The ADA/504 Compliance Officer will provide in writing a FINAL decision to the student within 3 days of their meeting.
 - The ADA/504 Compliance Officer will provide the student with the next level of complaint in the written final decision.

The EXCEPTION to this procedure is if the Coordinator of Accommodations & Testing Services discriminates against the student. In that case, the student will file a direct complaint with the ADA/504 Compliance Officer and will complete the Grievance form.

Residential Accommodations:

Residential Accommodations are determined on the interactive process, documentation submitted and the timeliness of the request. All requests for accommodations will go to the Disability Review Committee for the determination of accommodation.

Any student who believes that he/she has been discriminated against on the basis of his or her disability or has been denied access or accommodations required by law may make a complaint under this procedure. Specifically, students may complain about:

- A requested service or accommodation;
- Inaccessibility of a residential program or activity;
- Inaccessibility of the residential facility;
- Harassment on the basis of disability in violation of College policy;
- Any other alleged College violation of the ADA or Section 504.

A student who has been denied a requested accommodation or otherwise disagrees with The Disability Review Committee's decision will:

- Put in writing his or her concern and email it to accommodations@sunyjefferson.edu within 10 days of the Committee's decision.
- The Coordinator of Accommodations & Testing Services will review his or her concern and will meet with the student.
- The Coordinator of Accommodations & Testing Services will provide in writing within 3 business days of their meeting a decision on the students' concern/request.
- If the student does not agree with the Coordinators decision, they can final a formal grievance with the College's ADA/504 Compliance Officer. They will need to complete the Grievance form and submit it to gthompson@sunyjefferson.edu within 10 days of receiving the Coordinators decision.
 - The ADA/504 Compliance Officer will review the grievance form submitted and will meet with the student within 10 days of the grievance being filed.
 - The ADA/504 Compliance Officer will provide in writing a FINAL decision to the student within 3 days of their meeting.
 - The ADA/504 Compliance Officer will provide the student with the next level of complaint in the written final decision.

If students are not satisfied with Jefferson's grievance outcome, they do have an option to file with the federal government. Students can file for themselves or, family members or other constituents may file on behalf of the student. Below are the ways that a grievance can be filed for a civil rights grievance:

**1. Office for Civil Rights (OCR)
Institutional Grievance Procedures**

Prior to filing a complaint with OCR against an institution, a potential complainant may want to find out about the institution's grievance process and use that process to have the complaint resolved. However, a complainant is not required by law to use the institutional grievance process before filing a complaint with OCR. If a complainant uses an institutional grievance process and also chooses to file the complaint with OCR, the complaint must be filed with OCR within 60 days after completion of the institutional grievance process.

How to File a Complaint:

Online: You may file a complaint with OCR using OCR's electronic complaint form at the following

website: <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.

Mail or Facsimile: You may mail or send by facsimile information to the address or phone number available at [this link](#). You may use OCR's [Discrimination Complaint Form](#) or write your own letter. If you write your own letter, please include:

- The complainant's name, address and, if possible (although not required), a telephone number where the complainant may be reached during business hours;
- Information about the person(s) or class of persons injured by the alleged discriminatory act(s) (names of the injured person(s) are not required);

- The name and location (city and state) of the institution that committed the alleged discriminatory act(s); and
- A description of the alleged discriminatory act(s) in sufficient detail to enable OCR to understand what occurred, when it occurred, and the basis for the alleged discrimination.

Email: You may email OCR's [Discrimination Complaint Form](#) or your own signed letter to ocr@ed.gov. If you write your own letter, please include the information identified above.

For those without current email accounts, Internet access may be freely available from your local public library, and free email accounts are available from several large providers.

2. Department of Justice (DOJ)

The Department of Justice accepts complaints for civil rights violations online only. You can file a complaint at: <https://civilrights.justice.gov/> . Anyone filing a complaint with the DOJ does not have to go through the official grievance process at Jefferson. However, it is strongly encouraged that a student follow Jefferson's grievance policy.