

## Personalized Learning Center Complaint Resolution Process

This process was established to comply with the Americans with Disabilities Act (“ADA”) and Section 504 mandate to “provide for prompt and equitable resolution of complaints alleging any action that would be prohibited.”

The following process may be used by students with disabilities to resolve complaints about these matters: Denial of disability-related accommodations, decisions regarding eligibility for disability-related accommodations, determinations of specific appropriate disability-related accommodations, provision of accommodations and auxiliary services, provision of communication services, and administrative decisions of the Personalized Learning Center (PLC).

Students may address concerns about disability-related accommodation decisions affecting them in two ways. The first is to pursue an informal resolution through an accommodation appeal process. The second is to pursue a formal complaint (explained further below) through the university disability grievance process. The appeal process must be completed in its entirety before an individual may move to the formal grievance process.

If a student needs an accommodation to engage in either the appeal or grievance process, they should contact [plc@marian.edu](mailto:plc@marian.edu)

### I. Informal Resolution: Accommodation Appeal Process

If new information (information not already shared and on file with the PLC) is provided by the individual at any point throughout the appeal process, the interactive process of seeking an accommodation will restart, the appeal will end, and the individual will be connected with the appropriate representative at the PLC.

#### Step 1.

An individual should begin by consulting with the representative from the PLC who denied the accommodation the student believes to be reasonable and engage in a meeting within **five (5) business days** of the original denial. The meeting should be documented by means of memorandum of record containing the meeting date, a summary of the results of the meeting, and the signatures of the student and person appealing the decision.

## Step 2.

If step 1 does not result in a resolution, the individual shall submit a written or recorded complaint to the Director of the Personalized Learning Center or their designee (the “Director”) within five **(5) business days** of the consultation meeting with the representative of the PLC who denied the accommodation. This document should include all relevant information regarding the complaint, including the initial decision and the requested resolution.

## Step 3.

The Director shall render a decision within ten **(10) business days** of the receipt of the complaint. The Director will look at the accommodation request, review all information provided and either provide the accommodation, find an alternative accommodation or agree that the accommodation cannot be provided. The Director’s rendered decision completes the appeal process.

## II. Formal Resolution: Disability Grievance Process

### Step 1.

A formal complaint regarding a decision made by the PLC or provision of (or denial of) a disability-related accommodation or service must be made in writing, must state unambiguously that it is a “formal complaint,” and must be sent to the Senior Vice President for Leadership Integration and Student Success, Ruth Rodgers (the “SVP”) ([rrodgers@marian.edu](mailto:rrodgers@marian.edu)).

The formal complaint must describe the specific accommodation or service issue that is the subject of the complaint, the date that the issue arose, the facts on which the complaint is based, and the resolution requested. Formal complaints should be submitted within **fifteen (15) business days** of the rendered appeal decision from the Director of the PLC. The campus may treat untimely complaints as having been waived by the student based upon failure to assert the complaint in a timely manner; Please inform the SVP if there is a disability related reason for any delay.

### Step 2.

Within **five (5) business days** of receiving the official complaint, the SVP will appoint an ad hoc panel to review the complaint. This panel will be chaired by the Assistant Vice President for Student Success and Engagement (the “AVP”) or their designee and include 2 additional trained members of the Marian community. The panel designees will each complete a paper review of the complaint and will provide their recommendations to the SVP.

The review will proceed promptly and be completed within **ten (10) business days**. If the appeal panel is not able to complete the review within **ten (10) business days**, the complainant will be notified, and a **five (5) business day extension will be added**. If additional time beyond this is needed, the consent of the complainant will be required.

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During this step of the Grievance process, the SVP may also work with the parties to explore a mutually agreeable resolution of the complaint and may dismiss the panel if a resolution is reached. The mutually agreeable resolution will be documented with a letter from the SVP and sent to the complainant and the Director.

## Step 3.

Within **three (3) business days** following the conclusion of the review, the AVP will provide the panel's recommendation(s) to the SVP.

## Step 4.

Within **five (5) business days** of the receipt of the recommendation(s) from the appeal panel, the SVP will make a decision regarding the complaint and will send the written notice of the decision to the complainant, the Director and the chair of the appeal panel. The SVP's rendered decision is final and will not be reconsidered.