University of Baltimore

I.5.1 Section 504/ADA Policy and Procedures for Students with Disabilities

Approved March 2017

Policy Statement

The University of Baltimore (University), is committed to ensuring that no otherwise qualified individual with a disability is excluded from participation in, denied the benefits of, or subjected to discrimination in University programs or activities due to his or her disability. The University is fully committed to complying with all requirements of the Americans with Disabilities Act of 1990 (ADA) and the Rehabilitation Act of 1973 (Section 504) and to providing equal educational opportunities to otherwise qualified students with disabilities.

Disabilities Accommodations

In connection with the University's commitment to providing equal access to educational opportunities for persons with disabilities, the University recognizes that individuals with disabilities may need reasonable accommodations to have equally effective opportunities to participate or benefit from University educational programs, services, and activities. The University shall adhere to all applicable federal and state laws, regulations, and guidelines with respect to providing reasonable accommodations as necessary to afford equal employment opportunity and equal access to programs for qualified persons with disabilities.

Applicants for admission and students requesting accommodations for a disability should contact the Center for Educational Access, cea@ubalt.edu. Visitors and participants in nonacademic programs should contact the sponsoring department to request accommodation(s). Questions regarding reasonable accommodations and/or discrimination on the basis of disability should be directed to the Director of the Center for Educational Access.

Documentation

In order to provide academic adjustments and/or accommodations for students, documentation must be provided by the appropriate diagnostician. This documentation must be on letterhead and include the diagnosis, how the diagnostician determined the diagnosis, how the disability impacts the student, and recommendations for accommodations. While recommendations of the diagnostician will be considered, they are not guaranteed. This documentation must be provided whether the condition is permanent or temporary (i.e. broken leg, etc.)

Documentation relating to all students, including undergraduate, graduate, and law students, registered for accommodations will be retained in the Center for Educational Access. Documentation will remain in the Center for Educational Access for the duration of the student's

academic career until graduation or for up to seven years after the last contact by the student with the Center. All documentation will remain confidential.

Student Grievance Process

Any student who believes that he or she has been denied access to educational opportunities or reasonable accommodations required by law may make a complaint under this procedure. Specifically, students may make a complaint about:

- A requested service or accommodation, including appeals of Center for Educational Access determinations regarding accommodations;
- Inaccessibility of a university program or activity

These Grievance Procedures are not intended and shall not supersede other University policies and procedures, which may exist for addressing alleged violations of ADA and/or Section 504, and other issues of concern for which separate University policies and procedures exist, including for example, grade appeals. Students are encouraged to consult with the Director of the Center for Educational Access regarding the most appropriate University policy or procedure to address a particular disability related concern. A student who believes he/she has been discriminated against or harassed on the basis of his/her qualified disability should submit a complaint to the Director of the Center for Educational Access at cea@ubalt.edu and/or (410) 837-4775 pursuant to University Policy.

Using this Grievance Procedure is not a prerequisite to the pursuit of other remedies, but students are encouraged to utilize this Grievance Procedure prior to lodging complaints with agencies outside of the University. The rights of a person to a prompt and equitable resolution of the grievance filed hereunder will not be impaired by the person's pursuit of other remedies, such as the filing of a Section 504 or ADA complaint with the responsible federal department or agency. Retaliation for filing a grievance in accordance with this Policy will not be tolerated, and a student or employee who engages in retaliation may be subject to discipline.

Informal Grievance Procedure

The University encourages informal resolution options when the reporting party and responding party desire to resolve the situation cooperatively. **If you believe you have been discriminated against based on your disability and have concerns or complaints that you would like to discuss and potentially resolve on an informal basis, you may** contact the Director of the Center for Educational Access to schedule an appointment to informally discuss the situation. A discussion can include topics such as Center for Educational Access related policies and procedures, faculty and/or staff concerns, concerns regarding accommodations or requested accommodations, the federal laws that may apply or other issues about which you may want to have a conversation. Even if you engage in informal discussion, you may, at any time, still initiate the formal procedures below or other available procedures.

Formal Grievance Procedure

The Grievance Procedure is designed to address complaints regarding a decision of the University's Center for Educational Access regarding requests for and/or the provision of reasonable accommodations in connection with a disability. Complaints from students under the Grievance Procedures should be addressed to:

Dean of Students
Office of Community Life
University of Baltimore
1420 N. Charles Street
Academic Center, room 112
Baltimore, MD 21201

1. A complaint must be filed in writing, contain the name and address of the person filing the complaint and briefly describe the alleged violation of the regulations
2. A complaint should be filed within ten (10) days after the complainant becomes aware of the alleged violation
3. An investigation, as may be appropriate, will follow within ten (10) days of a filing of the complaint. The investigation will be conducted by the Dean of Students, within the Office of Community Life or his/her Designee. The investigation will afford all interested persons an opportunity to submit evidence relevant to a complaint
4. A written determination of the outcome of the investigation and a description of the resolution, if any, shall be issued by the Dean of Students or Designee and forwarded to the complainant not later than fifteen (15) days after the investigation is completed
5. The Section 504/ADA Coordinator will maintain the files and records of the University of Baltimore relating to the complaints filed

Request for Reconsideration of Grievance Decision

The complainant may request a reconsideration of the case in instances where he or she is dissatisfied with the outcome and/or resolution by the Dean of Students or Designee above. The request for reconsideration must be received by the Vice President for Student Affairs at the University of Baltimore, 1420 N. Charles Street, Baltimore, MD 21201-5779, within ten (10) days after the receipt of the written determination from the Dean of Students or Designee. The Vice President for Student Affairs or Designee will review all written documentation relevant to the grievance, and if necessary in his/her discretion, meet with the involved parties.

The Vice President for Student Affairs shall render a decision on a request for reconsideration of a grievance decision within ten (10) working days of receiving the request for reconsideration. The Vice President for Student Affairs' or Designee's decision shall be considered final and binding.

Outside Agency Complaint Options

At any point a student may contact the U.S. Department of Education's Office of Civil Rights to discuss the filing of a formal grievance:

Philadelphia Office
Office of Civil Rights
U.S. Department of Education
The Wanamaker Building
100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323

Telephone: 215-656-8541
FAX: 215-656-8605
TDD: 800-877-8339
Email: OCR.Philadelpia@ed.gov