

# **GRIEVANCE & COMPLAINT PROCEDURES**

## **STUDENTS**

### **Discrimination under the Americans with Disabilities Act**

MVNU prohibits discrimination against any individual on the basis of physical or mental disability. This policy extends to all rights, privileges, programs, and activities, including housing, employment, admissions, financial assistance, educational programs, and athletic programs. It is also the policy of MVNU to provide reasonable accommodations to persons with disabilities, unless such accommodations would impose an undue burden or fundamental alteration to the right, privilege, program, or activity in question.

Any student, who believes that s/he has been subjected to unlawful discrimination based on disability, may make a complaint. MVNU will conduct a fair and impartial investigation of all such complaints, with due regard for the rights of all parties. Retaliation against any person who has made a complaint of discrimination or cooperated in the investigation of such a complaint is illegal and a violation of MVNU policy.

The purpose of these procedures is to ensure that all complaints of discrimination based on disability are thoroughly and fairly investigated by authorized officials. Complaints must be referred to the individual responsible for receiving or investigating such complaints. Any employee who receives a complaint, but who is not specifically designated to formally handle such a complaint, must refer the complainant or the complaint to the appropriate individual.

#### **1. Applicability of these Procedures**

These procedures apply to all complaints of unlawful discrimination based on disability.

#### **2. Coordinator**

The Assistant Vice President for Student Success and Retention is the designated individual for complaints of unlawful discrimination based on disability.

#### **3. Initiating a Complaint**

A student may initiate a complaint by submitting a written complaint to the Vice President for Academic Affairs or the Dean of Students. The complaint will detail (a) the circumstances that precipitated the complaint, (b) the date(s) and place(s) of the incident(s) at issue, (c) the individual(s) involved, (d) the name(s) of any witnesses, (e) any action(s) taken in an attempt to resolve the matter and the result(s) of these actions, (f) the remedy sought, and (g) any other pertinent information.

#### **4. Investigation and Resolution of Complaints**

The above individuals have the responsibility to ensure that the complaint is properly investigated. If the complaint is against one of these individuals, the matter will be referred to one of the other above-named individuals.

The investigation will involve meeting with the parties, interviewing witnesses, requesting written statements from the parties, informing the accused of the allegations, providing the accused with a copy of the complainant, and making any other appropriate inquiries. Before an adverse determination is made, the accused will have an opportunity to respond.

The investigation should be completed promptly, so that a decision can be rendered within 30 calendar days of receipt of the complaint. If the investigation cannot be completed within 30 days, the complainant will be informed of the status of the investigation. A confidential record of all complaints, including their disposition, will be maintained by the investigating individual and the Human Resources Department. The President will be informed of all complaints of discrimination based on disability.

#### **5. Appeals**

If the complainant believes that resolution has not rectified the situation, s/he may appeal the matter to the Vice President for Student Life. Appeals will be made within 10 calendar days of the resolution. Appeals will be decided within 30 days of receipt of the appeal.

***Exceptions to these procedures may be granted by the President, Vice President for Student Life, Vice President for Finance, Vice President for Academic Affairs, or MVNU's Legal Counsel.***