



## Division of Student Affairs

**DSA Area Name:** Student Life and Support Programs  
(SLSP)

**Effective Date:** 8/26/2024

**Procedure Number:** to replace ROI-p.005.02

### Student Affairs Informal Complaint/Formal Grievance Procedures for Disability Accommodations & Support Services

#### **Intent:**

The purpose of these procedures is to ensure that Disability Accommodations & Support Services (DASS) at California State University Channel Islands (CSUCI) complies with the provisions of the Americans with Disabilities Act, Rehabilitation Act of 1973, as amended (Section 504) and that students with disabilities are provided the means to seek resources in the event a violation is perceived to have occurred. This procedure is intended to reflect the CSU's commitment to the principles, goals, and ideals described in the [CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation \(Nondiscrimination Policy\)](#). It establishes due process and safeguards that will be followed by DASS and CSUCI in the resolution of accommodation-related grievances.

#### **Background:**

[CSU Policy for the Provision of Accommodations and Support Services to Students with Disabilities](#), the Americans with Disabilities Act of 1990, as amended 2008; Sections 504 and 508 of the Federal Rehabilitation Act of 1973, as amended; and applicable state laws including but not limited to the Donahoe Higher Education Act, Education Code sections 67302, 67310-13 and sections 11135 and 12926 of the Government Code.

#### **Accountability:**

Vice President for Student Affairs, Associate Vice President for Student Life & Support Programs, Director of DASS, all DASS professional staff, and the Executive Director of Equity & Inclusion/Title IX Coordinator.

#### **Applicability:**

Students with disabilities who are matriculated and enrolled full or part-time in a CSUCI degree program, or in degrees and programs offered through CSUCI Extended University, who have:

- registered with DASS.
- completed the new student appointment process.
- formally requested academic and/or housing disability accommodations and/or support services through the DASS student portal.

#### **Definition(s):**

1. A *disability* shall mean a physical or mental impairment of an individual that limits one or more of the major life activities and requires either a record of such an impairment, or documentation of having been regarded as having such an impairment.

2. An *individual with a disability* shall refer to:
  - a. Any person who has a physical or mental impairment that limits one or more of the major life activities of such individual,
  - b. Any person who has a record of such impairment, or
  - c. Any person who is regarded as having such impairment.
3. A *qualified individual with a disability* shall mean an individual with a disability who:
  - a. Meets the academic and technical standards requisite for admission or participation in the education programs of CSUCI. This includes students with disabilities participating in clinical or field placements that are offered as part of a program's field of study.
  - b. Meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity regardless of:
    - i. Reasonable modifications to rules, policies, or practices
    - ii. The provision of auxiliary aids and services
    - iii. The removal of architectural, communication, or transportation barriers

**Attachment(s):** N/A

**Procedure:** This procedure places priority on open, honest communication. No grievance procedure should take the place of negotiating in good faith. A grievance filed under this procedure will be initiated within 100 business days of the alleged accident. The student may withdraw the grievance at any stage, at which point the process will immediately terminate. During all stages of the grievance, the burden of proof will be on the student. DASS will help students understand the scope and details of the grievance procedure and may be called upon for assistance.

Initial assistance with complaints should be an informal process discussed with the DASS Director to determine how a student can best resolve a disagreement with policies, practices, or individuals. Resolutions through preventive intervention rather than formal complaints can, in most cases, result in a positive outcome.

1. Informal Complaint Resolution
  - a. A qualified student with a disability who has a complaint regarding the determination of disability status, service provision, and/or related issues should notify their DASS Counselor or the DASS Director as soon as possible in an attempt to resolve the issue. The DASS Director will arrange a meeting within 10 business days. The DASS Counselor may attend this meeting at the request of either the student or the DASS Director.
  - b. These complaints can include but are not limited to, denial of accommodation, delay and/or denial of services or auxiliary equipment, unequal treatment and/or discrimination, program and architectural inaccessibility, and/or failure to be reasonably accommodated in the employment setting (student assistant campus positions only). The DASS Director will inform the student in writing of the outcome of the interaction no later than 10 business days after the meeting.
  - c. If an informal resolution is not reached, the student may submit a formal grievance within 100 business days of the event/action (or the last date of a related series of events/actions), notwithstanding any action taken by the appropriate administrator.
2. Formal Grievance Resolution
  - a. A formal grievance may be filed by a student who has been denied services by DASS or is dissatisfied with the services provided. The DASS website shall provide information on how to file a formal grievance.
  - b. Formal grievances must meet one of two criteria:
    - i. Procedural error occurred that may have impacted the decision, or
    - ii. New evidence exists that was not reasonably available to present at the time of the original decision or informal complaint process.

- c. The formal grievance must be made in writing to the DASS Director and include the following information:
  - i. The accommodation or service that is subject to the complaint,
  - ii. Date of the complaint,
  - iii. The facts on which the complaint is based,
  - iv. Alleged procedural error or violation of policy,
  - v. New evidence that was not previously available that may affect a student's requested service(s), and
  - vi. The resolution requested.
- d. The decision regarding formal grievances shall be made by a committee of three people appointed by the Associate Vice President overseeing DASS. The Committee's review will be to ensure due process was followed and if appropriate, consider new evidence that may affect a student's requested service or accommodation. The DASS Director will notify the student in writing of the Committee's decision regarding the complaint. The committee's decision will be final.
- e. After the formal grievance procedure has concluded, should a student still feel they have been discriminated against due to a disability, they may file a complaint with the CSUCI Title IX office pursuant to the [CSU's Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation \(Nondiscrimination Policy\)](#).

**Timeline:**

Informal Complaints:

- Upon receipt of a complaint, a meeting between the necessary parties will be set within 10 business days.
- The resolution will be put in writing by DASS Director within 10 business days of last meeting between parties.


Formal Grievance:

- The student may submit a formal grievance within 100 business days of the last date any events/actions related to the informal complaint occurred.
- The Associate Vice President's final Committee Decision will be provided to the student within 40 business days.

**Approved:**

Dr. Nicholas Fuentes

Author's name

  
Nick Fuentes (Aug 1, 2024 11:48 PDT)

Author's signature

08/01/2024

Date

Julia Heck

DSA Area Head's name



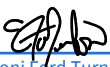
DSA Area Head's signature

08/01/2024

Date

Eboni Ford Turnbow

VP's name

  
Eboni Ford Turnbow (Aug 22, 2024 15:06 PDT)

VP's signature

08/22/2024

Date