



Channel Islands

CALIFORNIA STATE UNIVERSITY

Division of Student Affairs

**DSA Area Name:** Retention, Outreach and  
Inclusive Student Services (ROI)

**Effective Date:** 01/01/2022  
**Procedure Number:** ROI-p.005.02

**Student Affairs Working Procedure on Informal Student Conflict Resolution and the Appeals Process Pertaining to Disability Accommodations & Support Services Eligibility or Accommodations**

**Intent:**

To ensure students who are seeking or are registered with Disability Accommodations & Support Services (DASS) are provided a prompt and equitable opportunity to appeal and resolve conflicts pertaining to the determination of eligibility for and/or provisions of DASS accommodations and support services informally.

To ensure that faculty are provided a timely opportunity to resolve conflicts informally when faculty believe that approved DASS accommodations are not reasonable and/or fundamentally alter the nature of the course.

**Background:**

CSU Coded Memorandum AA-2014-08, CSU Executive Order No. 1111, The Americans with Disabilities Act of 1990, as amended 2008 (ADAAA); 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 Affairs – Retention, Outreach and Inclusive Student Services, the Director of DASS and all DASS professional staff and the Title IX Coordinator.

**Applicability:**

Students with disabilities enrolled full or part time at California State University Channel Islands (CSUCI) or programs administered through CSUCI Extended Education, registered with DASS. CSUCI students with disabilities who have completed the New Student Appointment process and who are registered for DASS accommodations and support services.

These guidelines and procedures are intended to address conflicts pertaining to the provisions or denial of DASS accommodations and support services, either by DASS, CSUCI faculty or staff. However, they are not intended to supersede University policies, procedures or legal mandates established for any individual who explicitly or implicitly reports acts of disability harassment or discrimination. In such cases, DASS is required to report the situation to the University ADA Coordinator/Inclusion Officer, Title IX & Inclusion office and shall provide the student with written information regarding the University's established procedures and students' protected rights as individuals with a disability.

**Definition(s):**

CSU Executive Order 1096 Systemwide Policy Prohibiting Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking against Employees and Third Parties and Systemwide Procedure for Addressing Such Complaints by Employees and Third Parties <https://calstate.policystat.com/policy/8453514/latest/>.

**Procedure:**

Individuals may decide to place a formal complaint with the University ADA Coordinator/Inclusion Officer, Title IX & Inclusion office or externally with The U.S. Department of Education's Office for Civil Rights. However, because most concerns can be resolved informally and promptly through communication and education regarding the DASS accommodation process and federal guidelines, it is recommended that individuals first begin by working together with DASS to resolve their concerns. This process is not intended for grades or concerns not related to DASS accommodations.

It is important to report concerns in a timely manner. The recommended time frame is within 5 working days of an incident. In order to have a valid grievance with a faculty member for not providing DASS approved accommodations, students must have initially completed the Accommodation Request Procedure via DASS On-Line Services for the course prior to the incident date.

Decisions regarding DASS accommodations and support services are determined on a case-by-case basis using various methods to identify student status for the purpose of receiving DASS accommodation and services. These methods include, but are not limited to, the interactive process between DASS staff and students, the students' self-report, and additional sources and forms of documentation of disability.

Specific procedures follow for a) Student concerns or grievances with DASS for not providing requested accommodations; b) Student concerns or grievances with faculty; and c) Faculty concerns with approved accommodations.

**Student concerns or grievances with DASS for not providing requested accommodations**

Students shall be made aware of the following guidelines and responsibilities that may influence the ability of DASS to provide requested accommodations:

- Students' submitted documentation of disability and requests for the purpose of obtaining DASS accommodations and support services must meet legal as well as CSU and CSUCI guidelines, policies, and procedures.

- Under federal guidelines of the ADA, DASS is not required to provide students with disability accommodations or support services that are not reasonable or would result in a fundamental alteration in the nature of a service, program, or activity, or that would result in undue financial or administrative burden against the CSU.
- Although DASS will first attempt to provide the student with a preferred accommodation when reasonable, DASS may determine a reasonable alternative accommodation for the student.

If a student still has a concern or grievance with DASS for not providing requested accommodations, they may address the grievance by completing the following procedures within the recommended time frame of five (5) days of the date of the incident or sooner:

1. Complete and submit the Grievance Resolution Form found online at the following link: <https://www.csuci.edu/dass/nondiscrimination.htm>.
2. DASS Administrators (Director or Associate Director) will contact the student within five (5) working days, or earlier, to initiate the interactive process and attempt to resolve the grievance.
3. Students who do not feel able to address the issue directly with DASS Administrators may contact the ADA Coordinator/Title IX Inclusion Office.

### **Student concerns or grievances with faculty**

Students who have a concern regarding the provision of DASS accommodations listed on the Faculty Notification Letter or any other disability-related access concerns may address the grievance by completing the following procedures within a recommended time frame of five (5) days of the date of an incident or sooner:

1. Complete and submit the Grievance Resolution Form found online at the following link: <https://www.csuci.edu/dass/nondiscrimination.htm>.
  - a. It is recommended that students select the option first to attempt to resolve the issue directly with faculty and then notify DASS of the outcome.
  - b. Students who do not feel able to address the issue directly with faculty may select the option to request that DASS facilitate a resolution with both the student and faculty member. After submitting the form, the student will be contacted by DASS to schedule an appointment with a DASS Administrator, the Director, or Associate Director. The assigned DASS Administrator will then work with the faculty and student to resolve the grievance in a timely manner and may also have a need to contact the Department Chair, Dean and/or the ADA Coordinator/Title IX Inclusion Office for guidance and resolution.
2. If the issue cannot be resolved by DASS, both the student and DASS will contact the campus ADA Coordinator/ Title IX Inclusion Office.

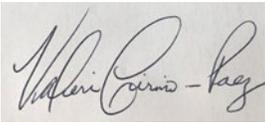
### **Faculty concerns with approved accommodations**

The following procedure is designed for faculty to address conflicts or concerns with an approved DASS student accommodation; such concerns generally arise when faculty believe such accommodations are not reasonable and/or fundamentally alter the nature of the course.

Faculty shall complete and submit the Grievance Resolution Form found online at the following link: <https://www.csuci.edu/dass/nondiscrimination.htm>, as early as possible in the semester in order to provide adequate time to address the situation and make adjustments if needed.

1. Faculty shall continue to provide the approved DASS accommodation until the matter is resolved.
2. A DASS Administrator (Director or Associate Director) shall contact the faculty member within 3-5 business days from the date the Grievance Resolution form was submitted, or earlier, to schedule a discussion and attempt to resolve the situation.

If the discussion does not produce a resolution, DASS Administrators or designee shall schedule a follow-up meeting(s) in a timely manner with additional involvement from both Academic Affairs and Student Affairs. Appropriate membership at these meeting(s) may include the faculty member, Program Chair and/or Dean, the DASS Director or designee, ADA Coordinator/Title IX & Inclusion Office and/or Associate Vice President of Student Affairs - Retention, Outreach & Inclusive Student Services

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