

# GRIEVANCE PROCEDURES

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## Section 504 (1973) & ADAAA (2008)

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### **Grievance Procedure for Claims of Discrimination and/or Harassment Based upon a Student's Disability**

There are times when a student may have a complaint or concern regarding the treatment towards them by a College employee, student, or contractually affiliated third party because of their disability. These procedures have been developed to protect the rights, health and safety of students, staff and faculty as well as to maintain an equitable learning environment for all Mott Community College students. If a student with a disability feels they have been discriminated, or harassed, based upon their disability, students are encouraged to first consider the following:

1. The Americans with Disabilities Act, As Amended (2008) requires that accommodations are developed in a dialogue between the student with a disability and the institution. At Mott Community College this is done with a Disability Services Specialist. Students may also need to meet with their instructors to implement accommodations.
2. The College is required to provide reasonable, appropriate, and effective accommodations for disabilities that have been adequately documented and for which procedures for requesting those accommodations have been followed. Consistent with Title II requirements of the ADA, the College will give primary consideration to requests for auxiliary aids and services if the requestor is an individual with a disability. However, the College reserves its right pursuant to Title II to provide alternative auxiliary aids or services that are as effective as that provided to students without disabilities. If you have any questions or would like to request an accommodation, contact Disability Services at 810-232-9181 (voice) or email [disability@mcc.edu](mailto:disability@mcc.edu).
3. Some accommodations may be complex and take time to setup. Students should be cognizant that his/her failure to make a timely request may impact the College's ability to provide an accommodation in the timeframe requested. To ensure timely receipt of accommodation, please make requests for alternative format texts at least three (3) weeks before a semester begins or earlier. Other accommodation requests should be made at the start of the semester and/or one week prior to the accommodation date (test, project, event, etc.) to ensure needed materials are timely received.

### **DISABILITY SERVICES**

1401 East Court St. • Flint, MI 48503 • (810) 232-9181 • [disability@mcc.edu](mailto:disability@mcc.edu)

If a student with a disability feels they have followed the above, and have a legitimate complaint of disability discrimination or harassment, the student is encouraged to file a complaint. The College takes all complaints seriously and it will investigate complaints of disability discrimination and/or harassment of which it becomes aware in a timely manner. The investigation process includes but is not limited to providing both parties to a complaint an opportunity to identify witnesses and provide relevant evidence to ensure an adequate, reliable and impartial investigation of all complaints. If a complaint is substantiated, the College will follow-up with corrective action aimed at addressing the offending behavior and its discriminatory effects on complainant or others. In some situations, the College may be required to take appropriate action as necessary to end known discriminatory or harassing behavior prior to a student filing a formal written complaint and/or prior to the investigation being complete.

The grievance procedure for a student with a disability discrimination and/or harassment complaint by a College employee, student, or third party is as follows:

**Step 1:** In an effort to resolve concerns informally, students may submit a verbal complaint to the Director of the Student Success Center & Disability Services whose office is located in the Learning Center in the Prah! College Center, PCC2280A. An appointment can be made by calling 810-232-9181 or emailing [disability@mcc.edu](mailto:disability@mcc.edu). All informal verbal complaints are voluntary and the student may end the informal process at any time and submit a formal written complaint pursuant to step 2 below.

**Step 2:** If the complaint is not resolved at Step 1 or if the student chooses to start the grievance process at Step 2, the student may file a formal written complaint to the Director of the Student Success Center & Disability Services, who is also the College's Section 504/ADAAA Coordinator. The contact information for the Director of the Student Success Center & Disability Services /Section 504/ADAAA Coordinator is as follows:

**Mott Community College**  
Disability Services  
1401 East Court Street  
Flint, Michigan 48503

Prah! College Center, PCC2280A  
(810) 232-9181  
[disability@mcc.edu](mailto:disability@mcc.edu)

The written complaint must include the reason for the complaint, related dates, and the student's signature. The Director of the Student Success Center & Disability Services or his/her designee will oversee and complete the investigation. A written response to the complaint will be provided to both parties as soon as possible, but no later than **twenty (20) business days** after receipt of the written complaint, unless extenuating circumstances exist. Written responses will not include information protected from disclosure by privacy and confidentiality laws or College policy, including but not limited to: the Family Educational Rights and Privacy Act ("FERPA") 20 USC 1232g, private medical information or counseling records, and the discipline of students or employees.

In the event the complaint is filed against the Director of the Student Success Center & Disability Services, the Vice President of Student Success or his/her designee will investigate the complaint as described above.

**Step 3:** If the complaining student or the respondent disagrees with the resolution of the Director of the Student Success Center & Disability Services in Step 2 above, a written appeal may be submitted to the Vice President of Student Success within **five (5) business days** of receipt of the response. The Vice President of Student Success or his/her designee shall issue a written response to the appeal within **ten (10) business days**.

Students have the right to file a formal complaint with the Office of Civil Rights (OCR) at any time; however, students are encouraged to first follow the grievance procedure listed above so that the College has an opportunity to resolve any concerns prior to submitting a complaint with OCR. Students interested in pursuing a complaint through the OCR can go to: <http://www2ed.gov/ocr>

Documentation of written complaints, written responses, and findings of fact will be maintained in the College's Disability Services Department. Records related to student corrective action will be maintained with Student Services and records related to employee corrective action will be maintained in Human Resources.

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