

## **SECTION 504 DISABILITY GRIEVANCE PROCEDURE**

It is the policy of Villanova University not to discriminate on the basis of disability. Villanova has adopted this internal Grievance Procedure to provide prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended (ADA). Section 504 and the ADA prohibit discrimination on the basis of disability and provide that no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities at Villanova. **Ellen Krutz**, Affirmative Action Officer, has been designated as the Section 504 Coordinator for Villanova University. The Section 504 Coordinator manages the efforts of Villanova to comply with Section 504 and the ADA.

Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. Issues that may be the subject of a grievance include, but are not limited to, a denial of a requested accommodation, the inadequacy of an accommodation, the inaccessibility of a program or activity due to disability, and discrimination or harassment based on a disability

### **Grievance Procedure**

The Grievance Procedure is not intended to supersede the University's Non-Discrimination and Non-Harassment Policy which the University may use to address alleged violations of the ADA and/or Section 504 in lieu of this Grievance Procedure.

### **Informal Resolution**

Individuals may choose to attempt informal resolution of complaints under this Procedure prior to filing a Formal Grievance "Complaint". Students may seek to resolve the matter informally by meeting with the Director of the Office of Disability Services and/or the Director of Learning Support Services.

If a student pursues informal resolution, the student should discuss the problem with the Director of the ODS for matters involving physical disability accommodations, or the Director of LSS for matters involving learning disabilities or chronic illnesses that impact learning. ODS or LSS will seek to resolve the issue with the student and appropriate University professional.

Faculty and staff may seek to resolve the matter informally by meeting with Annette Lucidi, Human Resources Benefits Analyst, who handles workplace accommodations. The faculty or staff member should discuss the problem with the Human Resources Benefits Analyst. The Benefits Analyst will seek to resolve the issue with the faculty or staff member and the appropriate University professional. If the individual is dissatisfied with the informal resolution, she or he may file a Formal Grievance at any time.

### **Formal Grievance Procedure**

Grievances must be submitted in writing to Ellen Krutz, the Section 504 Coordinator, at Room 163 St. Mary's Hall or [ellen.krutz@villanova.edu](mailto:ellen.krutz@villanova.edu). Grievances must be submitted within 30 calendar days of the date the person filing the grievance becomes aware of the alleged

discriminatory action. Complaints received later than 30 days after the individual became aware of the alleged violation may be dismissed as untimely.

- A complaint should be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Section 504 Coordinator (or designee) shall conduct an investigation of the complaint. The investigation will afford the complainant, the subject of the complaint, other interested persons, departments and/or administrative offices of the University, if any, an opportunity to submit information relevant to the consideration of and resolution of the complaint.
- The Section 504 Coordinator will maintain the files and records of Villanova relating to such grievances.
- The Section 504 Coordinator (or designee) will issue a written determination as to the validity of the complaint and a description of the resolution, if any, on the grievance normally no later than thirty (30) calendar days after its filing.
- The complainant can request reconsideration of the decision if he or she is dissatisfied with the resolution. A request for reconsideration shall be made within seven (7) days to the Vice Provost for Academics. If the grievance involves a student or faculty member, the request for reconsideration shall be submitted to the Vice Provost for Academics. If the grievance involves a staff member, the request for reconsideration shall be submitted to the Executive Vice President.
- The Administrator, or their designee, shall issue a written decision in response to the request for reconsideration normally no later than fifteen (15) calendar days after its filing.
- The decision of the Administrator, or their designee, is final.
- The availability and use of this Grievance Procedure does not prevent a person from pursuing other remedies, such as filing a complaint of discrimination on the basis of disability with the U.S. Department of Education's Office for Civil Rights.

### **Non-Retaliation**

Retaliation in any form against an individual who exercises in good faith his or her right to file a grievance under this Policy or who cooperates in the investigation of any such complaint is strictly prohibited, and will itself be cause for appropriate disciplinary action.

Villanova University will make appropriate arrangements to ensure that persons with disabilities are provided reasonable accommodations, if needed, to participate in this Grievance Procedure. The Section 504 Coordinator (or designee) will be responsible for such arrangements.