

Berry College Student Disability Grievance Policies

Federal law guarantees all students with disabilities a learning environment that provides reasonable accommodations. Section 504 of the Rehabilitation Act of 1973 states:

No otherwise qualified individual...shall by reason of...handicap, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Section 504, as well as the Americans with Disabilities Act (ADA) of 1990 and the Americans with Disabilities Act Amendments of 2008 (ADAAA), prohibits discrimination in recruitment, admission or treatment of students. Students with documented disabilities may request accommodations that will enable them to participate in and benefit from all educational programs and activities. The ADA requires each academic accommodation to be made on an individual or case-by-case basis. Under ADA, the College must ensure that its programs and facilities are accessible to all qualified students.

Students are responsible for self-identifying their need for accommodations to the Academic Success Center and providing adequate documentation of their disability. Students must submit a letter from their physician that verifies the disability.

Students with learning differences and/or disabilities must submit a full psycho-educational evaluation. The assessment must be administered by a trained and qualified (i.e., certified and/or licensed) professional (e.g. psychologist, school psychologist, neuropsychologist, educational diagnostician) and have been completed, ideally, within the last three years. The diagnostic report must include:

- Relevant historical information, past and current academic achievement, instructional foundation, past performance in areas of difficulty, age at initial diagnosis, and history of accommodations used in past educational settings and their effectiveness.
- A diagnostic summary statement with the following information:
 1. A clear and direct statement that a learning disability does or does not exist.
 2. A clear statement specifying the substantial limitations to one or more major life activities.
 3. Recommendations and a rationale for accommodations.
- The signature, location, and license number of the diagnosing professional

A diagnosis of specific learning differences and/or disabilities without psychoeducational measures *may not* be used for determining eligibility for academic accommodations. For example, school plans such as Individualized Education Plans (IEPs) or 504 Plans often do not provide adequate information. However, they may be included with the required evaluation, as they can prove helpful. Please read the complete Berry College Documentation Criteria at <http://www.berry.edu/asc/>. Accommodations do not automatically carry over from semester to semester, nor are they retroactive; therefore, each semester, the student must submit a request to have accommodations activated for the upcoming semester. Requests should include a class schedule and be emailed to Katrina Meehan, Assistant Director of the Academic Success Center, at kmeehan@berry.edu. Students can also come to the ASC's administrative offices located in Evans 106. The accommodation letter serves as a tool to assist students in communicating with faculty about their accommodations. The letter verifies that the student is registered with the office and outlines the approved accommodations.

Please refer to the Academic Success Center Website at <http://www.berry.edu/asc/> for more complete information about accessibility resources.

Berry College Student Disability Grievance Procedure

In the event that specific complaints arise regarding the College's compliance with particular provisions of the Americans with Disabilities Act of 1990, a student with a grievance is encouraged to work with the Berry College personnel most closely involved to resolve the matter informally. If the complaint(s) cannot be resolved informally,

the following procedure has been developed for use by students and prospective students to resolve the grievance pursuant to the Americans with Disabilities Act of 1990:

"Grievance" as used in this procedure means a written complaint by any student who believes he or she is a qualified individual with a disability who has been adversely affected by an improper application of one or more College rules, regulations, or policies, or by specified improper actions of any individual affiliated with the College in the capacity of academic personnel, administrative or professional staff, or clerical or service staff.

"Student" as used in this procedure includes persons (1) who are registered for classes at Berry College at the time a grievance pursuant to this policy is initiated; (2) who were registered for classes at Berry College at the time the adverse occurrence that gave rise to the grievance occurred; (3) who have an offer of admission to Berry College; and (4) who have sought admission to Berry College. "Student" includes undergraduate and graduate students at Berry College.

Step One

A) If informal discussion with appropriate College personnel does not resolve the complaint, the student will submit a written grievance to the Dean of Academic Services within thirty (30) working days of the event(s) that triggered the grievance. The written grievance must include:

1. a clear and unequivocal statement of the College rules(s), regulation(s), policy(ies), and/or actions(s) of which the student complains;
2. the date of any action of which the student complains;
3. the names of all the College employees involved; and
4. a summary of the action(s) the student has taken to resolve the matter informally.

B) The Dean of Academic Services, which term for the purposes of this procedure includes an individual designated in writing by the Dean of Academic Services, will meet with the student within ten (10) working days of the receipt of the grievance.

C) If this meeting does not resolve the grievance, the Dean of Academic Services will conduct an informal investigation of the subject of grievance with the objective of resolving the grievance.

In those cases where the grievance involves a dispute regarding the conduct or requirements of a course or of an academic program, the Dean of Academic Services will, in addition to consulting with the faculty member responsible for the affected course or academic program, meet with and seek faculty advice from the Director of the Academic Success Center, two faculty representatives and one student. One of the faculty participants must be the representative from the school responsible for the course or academic program from which the grievance originated.

D) The Dean of Academic Services will furnish the student with a written response to the grievance within thirty (30) working days of meeting with the student. The written response will be mailed to the student by certified mail, return receipt requested. If the grievance involves a dispute regarding the conduct or the requirements of a course, or of an academic program, a copy of the written response issued by the Dean of Academic Services will be provided to the Director of the Academic Success Center, to the dean and the department head in the school responsible for the affected course or academic program, and, when applicable, to the professor responsible for the course.

Step Two

A) If the student is not satisfied with the written response of the Dean of Academic Services, the student may present his/her grievance in written form to the Provost within ten (10) working days after receipt of the response of the Dean of Academic Services. The grievance presented to the Provost will be limited to those matters raised in the student's grievance to the Dean of Academic Services pursuant to step one of this procedure.

B) The Provost, which term for the purposes of this procedure includes an individual designated in writing by the Provost, will meet with the student and any other person involved with the grievance within fifteen (15) working days after the receipt of the grievance schedule.

When the subject of grievance is the responsibility of another vice president, academic dean, or senior administrator, the Provost will invite the participation of that administrator in the meeting.

C) After discussing the facts and issues involved in the grievance with those appearing at the grievance hearing, the Provost will issue to the complainant a written answer to the grievance within ten (10) working days from the completion of the hearing. The answer or decision by the Provost will be final.

D) If the grievance involves a dispute regarding the conduct or the requirements of a course, or of an academic program, a copy of the written decision issued by the Provost will be provided to the Director of the Academic Success Center, to the dean and the department head in the school responsible for the affected course or academic program, and, when applicable, to the professor responsible for the course.