

UAR NUMBER: 303.01

TITLE: Americans with Disabilities Act Complaint Procedures

ORIGINATOR: Vice President for Administration and Fiscal Services

INITIAL ADOPTION: 08/13/1992

REVISION DATES:

PURPOSE: This UAR defines the University's grievance procedures for resolution of complaints alleging actions prohibited by Title II of the Americans with Disabilities Act.

PROCEDURAL REFERENCES:

Other - Americans with Disabilities Act

SCOPE (Who is covered by this UAR?): This UAR covers qualified individuals with a disability as defined in the Americans with Disabilities Act.

DESCRIPTION:

Morehead State University has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act. Title II states, in part, that "no otherwise qualified individual with a disability shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination" in programs or activities sponsored by an agency.

Complaints should be addressed to: William T. Rosenberg, Director, Risk Management, UPO 916, Morehead State University, Morehead, KY 40351, (606) 783-2007, who has been designated to coordinate ADA compliance efforts.

1. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
2. A complaint should be filed within 180 days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination which occurred before this grievance procedure was in place will be considered on a case-by-case basis).
3. An investigation, as may be appropriate, shall follow a filing of complaint. The investigation shall be conducted by the ADA Coordinator, or a member of his/her staff. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the ADA Coordinator and a copy forwarded to the complainant no later than fourteen (14) days after its filing.
5. The ADA Coordinator shall maintain the files and records of Morehead

State University relating to the complaints filed.

6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for consideration should be made within fourteen (14) days to the ADA Coordinator.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be constructed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that Morehead State University complies with the ADA and implementing regulations.

Approved by: Ron G. Eaglin

Date: 08/13/1992