

Disability Support Services Complaint (Grievance) Procedure

Complaint (Grievance) – A complaint, for the purpose of this policy, is an allegation of discrimination or harassment based on disability or an allegation of retaliation that stems from the filing of a complaint of discrimination or harassment. A complaint may be made by students, staff member or faculty member and by a member of the college community who feels that he or she has been discriminated against in violation of this policy, retaliated against from filing a complaint or participating in an investigation related to this policy.

Procedures

Responsibility for coordinating MCC's compliance with requirements of the American with Disabilities Act as Amended (ADAAA) and Section 504 of the Rehabilitation Act of 1973 reside with MCC's Chief Compliance and Title IX Officer.

If a student with a disability feels they have been discriminated against or harassed based upon their disability, students are encouraged to first consider the following:

1. The Americans with Disabilities Act (ADA), as amended (ADAAA), and Section 504 of the Rehabilitation Act of 1973 require that accommodations are developed in a dialogue between the student with a disability and the institution. At Muskegon Community College this is done with the Disability Support Services office. Students may also need to meet with their instructors to implement accommodations once they are approved.
2. Muskegon Community 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 Support Services at (231) 777-0309 or e-mail: mccdss@muskegoncc.edu
3. Some accommodations may be complex and take time to set up. Students should be aware that his/her failure to make a timely request may impact Disability Support Services' 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 prior to/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.

If a student with a disability feels they have followed the above guidelines and have a legitimate complaint of disability discrimination or harassment, the student is encouraged to file a complaint. Muskegon Community 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.

Complaint Process for Students, Faculty or Staff

Step 1: If a student with a disability feels they have been discriminated against or harassed based upon their disability, students should talk with Disability Support Services about the accommodation decision(s) under question. If the problem is with an employee of the Disability Support Service office, please start at Step 2. Faculty or staff who have complaints regarding MCC's compliance with this policy should contact Disability Support Services. Complaints will be promptly acknowledged and investigated with the purpose of equitable resolution.

Step 2: If the complaint cannot be resolved by the Disability Support Services Office, the individual may choose to discuss the Disability Support Services Appeal with the Director of Student Success or designee whose offices are located in the Student Success Department, room 1055. An appointment can be made by calling (231) 777-0216. If the complainant feels the Disability Support Services Appeal is not satisfactorily resolved, proceed to Step 3.

Step 3: The individual may file a written statement of the Disability Support Services Appeal to the Chief Compliance and Title IX Officer, who is also the college's Section 504/ADA Coordinator. The contact information is as follows:

Muskegon Community College
Office of the President, Room 2109
221 S. Quarterline Road
Muskegon, Michigan 49442
(231) 777-0617

kenneth.james@muskegoncc.edu

The written complaint must include: the reason for the complaint, related dates, and the individual's signature. The Chief Compliance and Title IX Officer 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 thirty (30) 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, counseling records, and the discipline of students or employees.

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 Disability Support Services Appeal 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: <https://www2.ed.gov>