

**3354:1-42-01.2 ADA complaints procedure.**

- (A) This procedure is to be followed for the resolution of any complaint alleging violations of Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act (ADA).
- (B) A written complaint signed by the complainant must be filed with the Office of Affirmative Action and Diversity.
- (C) The complaint must be filed no later than 300 calendar days after the alleged violation(s) has occurred, contain a concise description of the facts and circumstances and articulate the remedy sought to resolve the matter. The College encourages employees, students and visitors to file their complaint as soon after the alleged incident(s) as possible to enable a fair and quality investigation.
- (D) The Office of Affirmative Action and Diversity will review the complaint and conduct an investigation. The investigation will include a meeting with the complainant and any witnesses, if appropriate. The director will issue a response to the complaint no later than sixty (60) work days after receipt of the complaint. The response shall be sent to the complainant by certified mail.
- (E) A complainant may appeal the decision of the Office of Affirmative Action and Diversity to the Vice President of Human Resources within five (5) work days after receipt of the response. The request for appeal must contain a concise statement of the complaint; the rationale for the appeal, including any documentation, and cite the requested remedy.
- (F) Upon receipt of the request for appeal, the Vice President of Human Resources will review the complaint and convene an Appeals Panel composed of the Vice President of Human Resources and two other Vice Presidents who will review the request for appeal and the documentation submitted by the complainant and, if appropriate, meet with the complainant.
- (G) The Appeals Panel will render a decision no later than twenty (20) work days after receipt of the request for appeal. The written decision of the Appeals Panel will be sent to the complainant by certified mail.

- (H) If the complainant is a student and is not satisfied with the decision of the above, upon request, the College will furnish to the complainant transcripts of the process which the complainant may forward to the U.S. Department of Education, Office of Civil Rights (OCR), 600 Superior Avenue East, Suite 750, Cleveland, Ohio 44114, for further consideration.
  
- (I) The President or the President's designee shall take all steps necessary and appropriate for the effective implementation of this procedure.

Effective: December 15, 2005

Procedure implements: 3354:1-42-01