

University Procedures: Section 504/ADA Grievance Procedures

Related Policy: Disability Access Policy

Subject: Disability Access and Inclusion

Responsible Executive: Vice President for Inclusive Excellence

Office(s) Responsible for Review of this Policy: Office of Inclusive Excellence

A. Overview

American University (“AU of the University”) has adopted these Section 504/ADA Grievance Procedures (“Grievance Procedures”) for addressing disputes related to a determination, denial, or implementation of a reasonable accommodation request in a prompt, equitable, and impartial manner. These Grievance Procedures cover disputes raised by AU community members who participate in or access University Programs or Activities. The individual AU Community member raising the dispute under these Grievance Procedures is referred to as the “grievant” below. Otherwise, these Grievance Procedures adopt and use the definitions outlined in the University’s Disability Access Policy.

The ADA/504 Coordinator will resolve these disputes through an informal or formal resolution process. The outcome of a formal resolution process may include corrective measures and/or remedies. Available remedies or corrective measures may include, but are not limited to, the provision of disability-related reasonable accommodations, measures to ensure proper ongoing disability-related reasonable accommodations, and/or other changes to provide access to individuals with disabilities in University Programs or Activities.

B. Academic and Other Obligations

Filing a grievance does not relieve student grievants from their obligation to timely meet course or degree requirements nor does it pause or otherwise delay University or departmental actions taken for academic or other reasons and which may impact student status or eligibility for housing or other University services or resources. Likewise, filing a grievance does not relieve faculty and staff grievants from timely and appropriately carrying out their work-related responsibilities and following direction from their supervisors.

C. Filing a Grievance

1. **Responsible Office:** Grievances must be filed with the ADA/504 Coordinator, Office of Inclusive Excellence, 3201 New Mexico Avenue, NW, Suite 251, Washington, DC 20016; Telephone: (202)885-1366; Email: ADA504Coordinator@american.edu.

2. **Timeliness of Grievance:** A grievance must be filed as soon as possible, but no later than 30 business days from the determination, denial, or implementation of a reasonable accommodation request that is being challenged. The University may extend this time period for good cause, such as illness, incapacity, or other circumstances beyond the control of the grievant. Requests for extensions of the 30-business day filing period must be made in writing to the ADA/504 Coordinator.
3. **Grievance Requirements:**
 - a. A grievance must be submitted in writing and contain the name, email address, and telephone number of the grievant, a description of the specific facts and information about the alleged reasonable accommodation dispute giving rise to the grievance, any supporting documentation, and efforts, if any, previously undertaken to resolve the matter.
 - b. Oral Complaints Exception: In circumstances where it is impracticable for a grievant to submit a grievance in writing because of a disability-related access need, language access, or other substantial barriers, the ADA/504 Coordinator or designee may accept an oral grievance. In such cases, the ADA/504 Coordinator or designee will reduce the oral grievance to writing based on the grievant's narrative and provide the written summary to the grievant for review and confirmation, including any necessary corrections, before processing the grievance under these Grievance Procedures.

D. Resolution Procedures

1. **Initial Review:**
 - a. Upon receipt of a grievance, the ADA/504 Coordinator or designee will review the grievance for timeliness, completeness, and appropriateness for adjudication under these Grievance Procedures.
 - b. If the grievance is untimely, incomplete, or not appropriate, the ADA/504 Coordinator or designee will notify the prospective grievant in writing of deficiencies to be resolved before proceeding under the Grievance Procedures.
2. **Notice of Receipt of Grievance:**
 - a. Within five business days of receipt of the non-deficient grievance, the ADA/504 Coordinator or designee will provide the grievant with written notice acknowledging receipt of the grievance and arrange an initial meeting. The ADA/504 Coordinator or designee will also provide the other party or parties involved in the grievance, i.e., the

University office, unit, division, faculty, and/or staff member, with notice of the filing of a grievance.

- b. The notice will advise the grievant and other party or parties of the Grievance Procedures and provide an opportunity to resolve the grievance through informal or formal resolution. If informal resolution is unsuccessful, the ADA/504 Coordinator or designee will proceed to resolve the grievance through the formal resolution process.

3. **Informal Resolution:**

- a. The ADA/504 Coordinator or designee may attempt to reach an informal resolution that is mutually acceptable to the parties. The ADA/504 Coordinator or designee will communicate with the parties and any other AU Community members with relevant information to attempt to resolve the matter informally.
- b. Generally, the period of time designated for informal resolution is 15 business days.
- c. If the parties reach an informal resolution, the ADA/504 Coordinator or designee will issue a written informal resolution agreement to the parties.
- d. If an informal resolution is unsuccessful, the ADA/504 Coordinator will proceed to resolve the grievance through the formal resolution process.

4. **Formal Resolution:**

- a. Once the formal resolution process begins, the ADA/504 Coordinator or designee will undertake an inquiry to gather relevant information and issue a written determination.
- b. Generally, the period of time designated for formal resolution is 30 business days.
 - i. The ADA/504 Coordinator or designee may extend the 30 business-day deadline for good cause (including for reasons relating to breaks in the academic calendar, e.g., during summer and the winter closure).
 - ii. The ADA/504 Coordinator or designee will notify the grievant and the other party or parties and provide a completion date if the 30 business-day deadline will be extended.
 - iii. Extenuating circumstances may also be good cause to expedite the formal resolution process. The ADA/504 Coordinator will complete the formal resolution process within a timeframe that is reasonable for the circumstances.

c. Inquiry and information gathering

- i. In undertaking the inquiry and relevant information gathering, the ADA/504 Coordinator or designee will interview, consult with, and request documents and correspondence related to the issues raised in the grievance from the grievant, party or parties, and any member of the AU Community the ADA/504 Coordinator or designee believes has relevant information.
- ii. Members of the AU Community are expected to cooperate with the ADA/504 Coordinator or designee throughout the Grievance Procedures.

5. Written Determination:

- a. At the conclusion of the inquiry and information gathering, the ADA/504 Coordinator or designee will issue a written determination. The written determination will include the allegations, review process, summary of facts, and finding. If the determination includes a finding, appropriate remedies or corrective measures, if any, may be included in the written determination.
- b. The ADA/504 Coordinator or designee will prepare and send the grievant and other party or parties the written determination.
- c. The written determination may also be provided, where appropriate, to relevant University officials who will need to take action regarding the remedy or corrective measures.
- d. The determination will be put into effect promptly.
- e. The ADA/504 Coordinator's or designee's determination is a final decision of the University.

E. Support Person:

1. The grievant is entitled to a support person to assist them in navigating these Grievance Procedures. A support person is defined as a current AU student, faculty, or staff member who has no conflict of interest. Support people are allowed to attend meetings but do not legally represent, speak, or write on behalf of the grievant. A support person may take notes and offer advice and support.

2. Failure of the support person to adhere to the requirements under these Grievance Procedures may result in the University restricting the participation of the support person in this process.

F. Confidentiality

The processes facilitated by the ADA/504 Coordinator or designee are conducted in a confidential manner. However, the ADA/504 Coordinator or designee may make a limited disclosure for the purpose of fact-finding or efforts to resolve the grievance. All individuals involved at any stage of the Grievance Procedures are expected to maintain the confidentiality of the proceedings, identity of the parties and witnesses and any information gained through the process. The expectation of confidentiality does not preclude the parties from sharing limited information to access support services or the ADA/504 Coordinator or designee from making disclosures required by law or pursuant to University policy.

G. Records

The ADA/504 Coordinator will maintain the grievance file. All records are confidential, accessible only to individuals with a legitimate need to know and maintained in accordance with the University's records and retention policy.

H. Questions

Questions about these Section 504/ADA Grievance Procedures may be directed to the ADA/504 Coordinator (see contact information above).

I. Effective Date

These Grievance Procedures are effective on June 1, 2026.