

## ***Student Accessibility Services Appeal Process and Grievance Policy***

Student Accessibility Services (SAS) is committed to providing academic accommodations to students with disabilities to ensure equal access at Western New England University.

Determining equal access requires the review of disability limitations with consideration of technical standards of academic programs and courses. SAS analyzes submitted documentation information when making equal access determinations.

The policy outlined below applies to students and faculty members who have concerns or questions about approved accommodations. Concerns should be addressed with the SAS Director/Team prior to initiating any formal appeal process.

The SAS Appeal Policy does not supersede or replace other Western New England University policies and procedures (grade appeal, Student Code of Conduct, etc.). Western New England University prohibits retaliatory action towards anyone who files Appeal/Grievance Process.

### **SAS Appeal/Grievance Process and Policy Definitions:**

Appeal, Grievance, Informal and Formal Definitions:

- An **appeal** is a formal request to the SAS Director to review information and reconsider a decision related to a prior accommodation determination.
- A **grievance** is any complaint other than one that involves an accommodation decision and may include concerns related to accommodation implementation with a particular staff or faculty member.
- **Informal SAS Review** is a second review of the approved accommodations or requested accommodations by the SAS team.
- **Formal SAS Appeal** is a complete review of the file and additional materials/information to ensure that disability related processes have been accurately and fairly followed.

### **SAS Appeal/Grievance Process:**

- Before commencing this process, the student must have completed the accommodation request process and received a decision granting or denying an accommodation in writing. If a student is not satisfied with the approved accommodations, or denial of accommodations, the student should first meet with the Director of SAS for a discussion as a part of the informal review process.
- If the student remains unstratified with the accommodation, the student may then request an appeal of accommodation.

- The Director of SAS will review formal appeals or written grievances within 40 calendar days of the notice of the accommodation decision or issue related to an area of concern with accommodation implementation, unless there are extenuating mitigating factors., i.e. substantial personal illness requiring medical intervention, loss of access to Western New England University email system verified by the Western New England University IT department, etc.
- A student can always file a new request for accommodation based on new/changed circumstances, this does not require use of the appeal process.
- Delaying the appeal process may limit the formal review process into the matter and the remedies that may be available.
- Although SAS staff will assist in facilitating the filing of an individual's appeal or grievance, a student may obtain assistance from a personal advocate unrelated to SAS to help them in the SAS appeal or grievance process.
- It is important for the student to continue following all academic, attendance, and syllabi requirements during a SAS appeal/grievance process. As a result of an accommodation appeal, official course grades may not be changed.
- In the unlikely event a grade change/review is the determination made by the SAS appeal/grievance process, the SAS Director will work directly with the Instructor, Department Chair, Dean, Registrar, and/or Provost as to this matter.
- This grievance/appeals process applies to all student SAS related accommodation decisions including but not limited to: academics matters, residential issues, and additional accommodation requests.

### **Formal Appeal Procedures:**

#### **A. Step One**

1. To appeal the SAS decision related to accommodations, students must do so in writing within ten (10) days of the notice of the accommodation decision. The SAS Director has the discretion to waive the 10-day deadline for reasonable cause, but the student should recognize that the longer they wait, the more difficult it may become to ascertain the facts of a case.
2. The appeal must be submitted with the SAS Formal Appeal Form and must include a personal statement. It may also include additional supporting documentation of disability.
3. The appeal is to be sent directly to SAS, who will review the appeal with the entire SAS Team. The SAS Team will render a written decision, generally within 30 calendar days of receipt of the appeal.

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4. The SAS Team will provide students and the Director of Student Accessibility Services an opportunity to present information useful to understanding the appeal, in person, by email, or by other means if deemed appropriate.
5. The SAS Team may decide to uphold the previous accommodation decision, support the appeal request: decide on an alternative, reasonable accommodation, or decide that new information has been submitted which necessitates further review by the Coordinator/Director of Student Accessibility Services.

## **B. Step Two**

1. If the student is dissatisfied with determination of the Step One appeal process, the student may appeal directly to the Provost within forty-five (45) days of receiving the Step One determination.
2. The appeal must be in writing and specify the reasons for disagreement with the Step One determination. It is the student's responsibility to provide the Provost with copies of the completed Step One Appeal Process Form and all supporting documentation.
3. A Step Two appeal may be filed in writing and delivered to by email, postal mail, fax, or in hand to the Provost.
4. Once an appeal is filed, the appeals process should last no longer than 50 days.
5. At the end of the investigation, the Provost shall provide the student with a final determination letter, via email or postal mail.
6. The Provost may decide to uphold the previous accommodation decision; support the appeal request; or decide that new information has been submitted which necessitates further review by the Director of Student Accessibility Services.
- 7. The Step Two appeal decision is final.**

# Student Accessibility Services Step One Appeal Form

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## Step One Student Appeal Form

Name

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Date

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Major

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Expected Date  
of Graduation

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Phone

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E-mail

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Approved  
Accommodations

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Appeal Information (Please answer all questions and include additional sheets of paper as needed. There is a preference for typed responses, but not required.):

1. Did you utilize the informal appeal process available to all students registered with SAS? If not, provide additional details as to your decision not to use the informal appeal process and/or the outcome of the informal appeal process?
2. What type of accommodations were requested and the approximate date of the request?
3. What was the response of SAS team and the date of the response?
4. What is your disability diagnosis and the nature of the impact of the disability in the academic or housing setting?
5. Please describe the legal obligation, if any, the individual believes SAS has violated?
6. Are there deadlines related to the SAS formal appeal (such as an appeal time or statute of limitations, if known)?
  - A. Provide copies of any documentation relating to the grievance, which the grievant believes is not already available to SAS, should be included with the appeal or grievance.
  - B. Include a detailed Personal Statement.