

ADA Classroom Accommodations Appeals Procedure

Notification of Classroom Accommodations

For a student with a documented disability requesting classroom accommodations, the Office of Educational Accessibility (OEA) will issue a copy of a letter of accommodation for the student to present to the faculty member of the course. This accommodation letter will inform the faculty member of the student's specific academic needs. It is the responsibility of the student to present the letter of accommodation to the faculty member. Students with disabilities are held to the same academic standards as all other students. Faculty members are not required to provide accommodations prior to or retroactive from the date an accommodation letter is presented. Faculty members should contact the OEA if they have questions about the accommodations outlined.

Appeals Regarding Classroom Accommodations

The University provides for an appeals process regarding classroom accommodations. Any and all efforts will be made with the understanding that a timely resolution is in the best interest of all parties involved. While an appeal is under review, the student is expected to attend classes and do assignments to the best of their ability and faculty members are expected to provide reasonable classroom accommodations to the best of their abilities. While an appeal is under review, the student and the faculty members of their courses are expected to make good faith efforts toward reasonable classroom accommodations and engage in the educational process. An appeal reviewed under this policy does not alter or interfere with the student's right to file a complaint of discrimination on the basis of a disability with the University's Office of Social Equity or to pursue a formal complaint with the Pennsylvania Human Relations Commission or the U.S. Department of Education, Office of Civil Rights.

- A. If a student has concerns with the determination of accommodations by the OEA, the student and the director of OEA should first meet in order to resolve the matter. If they do not reach agreement, the student may initiate a formal appeal by contacting in writing the associate provost (for undergraduate students) or the graduate dean (for graduate students) (see section C).
- B. If a faculty member has concerns about the application of the accommodations to their course and/or a student feels the accommodations are not being adequately implemented, the student and the professor should meet in order to resolve the problem. If these efforts are unsuccessful, either the faculty member or the student may request informal resolution through OEA.
 1. The student and/or the faculty member informs both OEA and the chair of the department of the course within two work days following the meeting between the faculty member and the student about unresolved concerns for accommodations in the course.
 2. Within one week after being informed of the concerns, OEA will coordinate a meeting of the student, faculty member, and/or chair in an attempt to achieve a resolution by meeting with the student and/or faculty member. During this meeting, with the consent of the student, OEA may further advise the faculty member of the student's individual needs and the appropriateness of any recommended accommodations.
- C. If resolution is not accomplished after informal meetings between OEA, the student, faculty member, and chair, a formal appeal may be started. Either the faculty member or the student may initiate the formal appeal by contacting OEA in writing; as appropriate, the associate provost or the graduate dean will then be notified. The formal appeal will proceed as follows:
 1. Within the two weeks following the initiation of the formal appeal, a Classroom Accommodations Review Panel will meet. The associate provost and dean of graduate studies or their designee will convene the panel. The panel will consist of a dean of a school or college, a faculty member, and a student, each of whom will be from outside the department than the one in which the problem arose and selected from respective pools of individuals who have received

- training in ADA law and procedures; the dean shall serve as panel chair. Panel members will be informed in writing by the associate provost and dean of graduate studies at least a week in advance of the date, time, and place that the panel will be convened.
2. At the proceedings of the panel, the representative of OEA shall present to the panel relevant information about the nature of the student's disability and appropriate accommodations. Because this information is confidential, the student's consent to the disclosure of the information must be obtained beforehand. In order to protect matters which are confidential, the panel may, upon its own motion or upon the request of any involved party, hear statements in private without the other parties being present.
If the situation involves a challenge to the OEA director's denial of a requested accommodation, the OEA shall present information and documentation showing why such an accommodation is inappropriate.
If the dispute is related to the application of an accommodation in a particular course, the faculty member shall then present to the panel their concerns about the accommodation and shall have the opportunity to present any information or documentation that the faculty member believes is relevant. The panel may request that the chairperson of the academic department in which the dispute arose, or other faculty members who teach the same course, present any concerns that they may have regarding how the accommodations might create a fundamental alteration in the nature of the course.
The student shall have the opportunity, but shall not be required to make a statement to the panel and to present any information or documentation which the student believes is relevant. The Office of Social Equity will be available to the panel for consultation on an "as needed" basis.
 3. It shall be the function of the panel to make a recommendation to the provost concerning the appropriateness of the requested accommodations and/or a revision of the accommodations. The panel shall deliberate immediately following the meeting and shall render its recommendation by majority vote. The decision and any dissenting opinions of the panel shall be sent in writing to the provost within three work days by the panel chair.
 4. The provost shall review the recommendation of the panel and render a final decision on the matter in writing to the student, the faculty member, and the OEA director within one week after receiving the panel's recommendation.