



Policy Title: **Section 504 and ADA Grievances**

Policy Number: PS 7

Purpose of Policy: To ensure compliance with all provisions of Sections 503 or 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) or Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12132).

Applies to: All Students, Faculty, and Staff

1. Policy Statement: Any person(s) who believes that he or she or any class of individuals has been subjected to discrimination as prohibited by Section 504 of the Rehabilitation Act ("Section 504") or Section 202 of the Americans with Disabilities Act ("ADA") may file a complaint pursuant to the procedures set forth below, on his or her own behalf, or on behalf of another person or on behalf of handicapped persons as a class. Section 504 states, in part, that "no otherwise qualified handicapped individual shall, solely by reason of his or her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance..." The ADA states, in part, that "no individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." All persons are encouraged to file grievances in order to resolve any disputes arising under Section 504. The filing of a complaint will not subject anyone to any form of adverse action, reprimand, retaliation or otherwise negative treatment by Bellevue University.
2. Implementation: The University will publicly state its Grievance Policy in its official Student Handbook, Faculty Handbook(s), Employee Handbook, and in other appropriate University publications.
3. Responsibility: Final responsibility regarding discrimination as prohibited by Section 504 and the ADA at the University rests with the University President.
4. Grievances: Accordingly, Bellevue University has adopted an internal grievance procedure providing for prompt and equitable resolution of complaint alleging any action prohibited by Section 504 and/or the ADA.

5. Grievances and Appeals Procedure: Any grievance resulting from a complaint of discrimination thought to be covered by this policy may be lodged in accordance with the Bellevue University Anti-Discrimination and Harassment Policy, PS 4. The procedures underlying PS 4 will be utilized for grievances and appeals under this policy.
 6. Other Remedies: The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 Complaint with the Office for Civil Rights or the United States Department of Health and Human Services. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
 7. Compliance: These rules shall be liberally construed to protect the substantial rights of interested persons, to meet appropriate due process standards, and to assure Bellevue University's compliance with Section 504 and the ADA.
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Supporting Documentation: Employee Handbook, Faculty Handbook

Keywords: employees, staff, faculty, Section 504, ADA, disability, accommodation, discrimination, grievance, appeal

Responsible Office: Human Resources

Contact Information: Human Resources
402-557-7351

Approved by: Dr. Mary Hawkins

Effective Date: January 31, 2018

Review Cycle and Dates: This policy statement supersedes previous versions of PS 7, dated November 1, 1996 and April 1979.

APPROVED:

/signed/
Dr. Mary Hawkins, Bellevue University President

1/31/2018
Date