

Conflict Resolution Procedure

Purpose

The Services to Students with Disabilities (SSD) office is committed to ongoing and open communications between its students and its office staff. It is SSD's experience that open communication is essential to providing the best quality level of services to its students. SSD believes that questions, concerns, problems, or complaints that are left unresolved will negatively impact a student's educational experience as well as the mission and goals of the office.

Procedure

This procedure encourages students to communicate directly with the office regarding any matter and summarizes clear choices/options available to resolve conflict. Below are procedures regarding A) complaints about disability accommodations, B) complaints about decisions made by SSD about delivery of disability accommodations, C) complaints about staff, and D) complaints about alleged discriminatory practices and decisions regarding eligibility.

A. Complaints about Disability Accommodations

1) Informal Review (optional for students)

A student registered with SSD may bring a complaint about disability accommodations to the SSD Director. If the accommodation decision was made by the SSD Director, then the complaint may be brought to the Associate Vice President (AVP) for Student Success and Educational Equity. The complaint may be verbal or in writing and must describe the matter to be resolved. The SSD Director or the AVP will first seek to resolve the complaint by informal means. The SSD Director or his/her

designee will agree to meet in person with the complaining student within five (5) working days of receipt of the complaint. For verbal complaints, the SSD Director or AVP must provide a verbal response to the complainant within five (5) working days of receipt of the complaint. For written complaints, the SSD Director or AVP must provide a written response to the complainant within 5 working days of receipt of the complaint. This step, if successful, can provide a speedy resolution to the dispute.

2) Mid-level Review (interactive process)

If a student elects to use the Informal Review process but the complaint is not resolved in the Informal Review, a mid-level review can be initiated by the student, the SSD Director, or the AVP. The SSD Director will be responsible for notifying the Americans with Disabilities Act (ADA) Compliance Officer that a mid-level review has been initiated. In addition, during the process described below, the SSD Director or the student's SSD Counselor will be responsible for discussing with the student any interim remedies that may be necessary during the mid-level review process.

A student who has elected not to participate in the Informal Review process may initiate a mid-level review by filing a written complaint describing the matter to be resolved with the ADA Compliance Officer at Sierra Hall, Suite 110. The ADA Compliance Officer will convene a panel within 10 working days of receipt of notification from the SSD Director that an informal resolution was not successful or receipt of a complaint under this process from a student.

The Review Panel will consist of the ADA Compliance Officer, one faculty member who is knowledgeable in the area of learning and other

disabilities, the SSD Director, and a professional staff member of SSD who is knowledgeable about the specific disability, the requested aids or accommodations and available options, and, depending on the issues, other academic or administrative personnel as may be appropriate. If one of the SSD staff members on the panel determined the accommodation for the student, that staff member will not participate in the review of that accommodation and will be temporarily replaced by another staff member designated by the SSD Director.

The panel will use a problem solving approach that will include the following steps: 1) an analysis of the particular class or activity for which the accommodation is being sought; 2) consultation with the student with a disability to ascertain the particular limitations of his or her disability and what is being requested as accommodation(s) to overcome the limitations; 3) consultation with the student with a disability to identify options and assess the effectiveness each would have in enabling the student to have an equal opportunity to participate; and 4) consideration of the preference of the student to be accommodated and selection and implementation of the accommodation that is most appropriate for the student and University.

The Review Panel will make a determination within five (5) working days. The timeline may be extended for good cause by the ADA Compliance Officer in writing to the student. The written notification to the student must explain why the timeline for determination has been extended, and address the need, if any, for interim remedies.

In determining whether or not good cause exists to justify extending the timeline for determination, the ADA Compliance Officer will strongly consider the impact such a timeline extension may have on the student's

current ability to effectively participate in his/her university education. The ADA Compliance Officer has the authority in these matters and is the impartial arbitrator who assures prompt and equitable determinations. The written notification to the student will describe the process for filing a formal grievance if the student continues to feel aggrieved.

3) Formal Grievance

The student will be notified of his or her right to follow the University's Procedure for a Discrimination Complaint by a Student and of the timelines for filing. This document is available online [here](#).

B. Complaints about Decisions made by SSD about Delivery of Disability Accommodations

1) Informal Review (optional for students)

A student registered with SSD may bring a complaint about the delivery of accommodations to the SSD Director. If the decision about delivery of disability accommodations was made by the SSD Director, then the complaint may be brought to the AVP. The complaint may be verbal or in writing and must describe the matter to be resolved. The SSD Director or AVP will first seek to resolve the complaint by informal means. The SSD Director or his/her designee will agree to meet in person with the complaining student within five (5) working days of receipt of the complaint. For verbal complaints, the SSD Director or AVP must provide a verbal response to the complainant within 5 working days of receipt of the complaint. For written complaints, the SSD Director or AVP must provide a written response to the complainant within five (5) working days of receipt of the complaint. This step, if successful, can provide a

speedy resolution to the dispute.

2) Mid-level Review (interactive process)

If a student elects to use the Informal Review process but the complaint is not resolved in the Informal Review, a mid-level review can be initiated by the student, the SSD Director, or the AVP. The SSD Director will be responsible for notifying the Americans with Disabilities Act (ADA) Compliance Officer that a mid-level review has been initiated. In addition, during the process described below, the SSD Director or the student's SSD Counselor will be responsible for discussing with the student any interim remedies that may be necessary during the mid-level review process.

A student who has elected not to participate in the Informal Review process may initiate a mid-level review by filing a written complaint describing the matter to be resolved with the ADA Compliance Officer at Sierra Hall, Suite 110. The ADA Compliance Officer will convene a panel within ten (10) working days of receipt of notification from the SSD Director that an informal resolution was not successful or receipt of a complaint under this process from a student.

The Review Panel will consist of the ADA Compliance Officer, one faculty member who is knowledgeable about the delivery of disability accommodations, the SSD Director, and a professional staff member of SSD who is knowledgeable about the specific disability, the requested aids or accommodations and available options, and, depending on the issues, other academic or administrative personnel as may be appropriate. If one of the SSD staff members on the panel participated in the delivery of accommodations, that staff member will not participate in the review of that accommodation and will be temporarily replaced

by another staff member designated by the SSD Director. The panel will use a problem solving approach that will include the following steps: 1) an analysis of the particular class or activity for which the accommodation is being sought; 2) consultation with the student with a disability to ascertain why the delivery of accommodations does not meet the needs of the student; 3) consultation with the student with a disability to identify options and assess the effectiveness each would have in enabling the student to have an equal opportunity to participate; and 4) consideration of the preference of the student to be accommodated and selection and implementation of the accommodation that is most appropriate for the student and University.

The Review Panel will make a determination within five (5) working days. The timeline may be extended for good cause by the ADA Compliance Officer in writing to the student. The written response to the student must explain why the timeline for determination has been extended, and address the need, if any, for interim remedies. In determining whether or not good cause exists to justify extending the timeline for determination, the ADA Compliance Officer will strongly consider the impact such a timeline extension may have on the student's current ability to effectively participate in his/her university education. The ADA Compliance Officer has the authority in these matters and is the impartial arbitrator who assures prompt and equitable determinations. The written notification to the student will describe the process for filing a formal grievance if the student continues to feel aggrieved.

If the student is not satisfied with the Review Panel's response, then the student must use the Procedure for a Discrimination Complaint. There are timelines for filing. This document is available online [here](#).

C. Complaints about Staff

1) Informal Review (optional for students)

A student registered with SSD may bring a complaint about staff service and/or attitude to the SSD Director. The complaint may be verbal or in writing and must describe the matter to be resolved. The SSD Director or her designee will agree to meet in person with the complaining student within five (5) working days of receipt of the complaint. The SSD Director will first seek to resolve the complaint by informal means. If the SSD Director made the decision, then the complaint may be brought to the AVP. For verbal complaints, the SSD Director or AVP must provide a verbal response to the complainant within five (5) working days of receipt of the complaint. For written complaints, the SSD Director or AVP must provide a written response to the complainant within five (5) working days of receipt of the complaint. This step, if successful, can provide a speedy resolution to the dispute.

2) Mid-level Review

If the student elects to use the Informal Review process but the complaint is not resolved in the Informal Review, a mid-level review can be initiated by a student, the SSD Director, or the AVP. The AVP will agree to meet with the student within five (5) working days of receipt of the complaint. If the AVP made the response in C (1), a designee will agree to meet with the student within five (5) working days of receipt of the complaint. A student who has elected not to participate in the Informal Review process may initiate a mid-level review by filing a written complaint describing the matter to be resolved. The AVP will agree to meet with the student within five (5) working days of receipt of the complaint. If the AVP made the response in C (1), a designee will

agree to meet with the student within five (5) working days of receipt of the complaint.

3) Administrative Review

If the complaint is not resolved, the student may next bring the matter to the Vice President of Student Affairs (VSPA) and/or to the Provost. The VSPA or Provost or their designee will agree to meet with the student within five (5) working days of receipt of the complaint. If the VSPA or Provost designates a representative to meet with the student, such a designee cannot be the same person designated to meet with the student pursuant to Section C (2) of this agreement.

D. Complaints about Alleged Discrimination Practices and Decisions Regarding Eligibility

1) Informal Review (optional for students)

A student registered with SSD may bring a complaint about an alleged discriminatory practice or decision regarding eligibility to the SSD Director. If the SSD Director is alleged to have discriminated, then the complaint may be brought to the AVP. The complaint may be verbal or in writing and must describe the matter to be resolved. The SSD Director or the AVP will first seek to resolve the complaint by informal means. The SSD Director or AVP will agree to meet in person with the complaining student within five (5) working days of receipt of the complaint. For verbal complaints, the SSD Director or AVP must provide a verbal response to the complainant within five (5) working days of receipt of the complaint. For written complaints, the SSD Director or AVP must provide a written response to the complainant within five (5) working days of receipt of the complaint. This step, if successful, can

provide a speedy resolution to the dispute.

2) Mid-level Review (interactive process)

If a student elects to use the Informal Review process but the complaint is not resolved in the Informal Review, a mid-level review can be initiated by the student, the SSD Director, or the AVP. The SSD Director will be responsible for notifying the Americans with Disabilities Act (ADA) Compliance Officer that a mid-level review has been initiated. In addition, during the process described below, the SSD Director or the student's SSD Counselor will be responsible for discussing with the student any interim remedies that may be necessary during the mid-level review process.

A student who has elected not to participate in the Informal Review process may initiate a mid-level review by filing a written complaint describing the matter to be resolved with the ADA Compliance Officer at Sierra Hall, Suite 110. The ADA Compliance Officer will convene a panel within ten (10) working days of receipt of notification from the SSD Director that an informal resolution was not successful or receipt of a complaint under this process from a student.

The Review Panel will consist of the ADA Compliance Officer, one faculty member who is knowledgeable in the area of learning and other disabilities, the SSD Director, and a professional staff member of SSD who is knowledgeable about the specific disability, eligibility for disability services, and, depending on the issues, other academic or administrative personnel as may be appropriate. If one of the SSD staff members on the panel made the eligibility decision, that staff member will not participate in the review of that accommodation and will be temporarily replaced by another staff member designated by the SSD

Director.

The panel will use a problem-solving approach and will include the following steps: 1) review of the disability verification information; 2) review of the intake report and other related documentation produced by SSD; and 3) consultation with the student to ascertain the nature and particular limitations of his or her purported disability.

The Review Panel will make a determination within five (5) working days. The timeline may be extended for good cause by the ADA Compliance Officer in writing to the student. The written notification to the student must explain why the timeline for determination has been extended, and address the need, if any, for interim remedies. In determining whether or not good cause exists to justify extending the timeline for determination, the ADA Compliance Officer will strongly consider the impact such a timeline extension may have on the student's current ability to effectively participate in his/her university education. The ADA Compliance Officer has the authority in these matters and is the impartial arbitrator who assures prompt and equitable determinations. The written notification to the student will describe the process for filing a formal grievance if the student continues to feel aggrieved. If the student is not satisfied with the mid-level review process, the student must use the Procedure for a Discrimination Complaint. There are timelines for filing. This document is available online [here](#).

Nepotism

Consistent with the CSUSB policy on nepotism FAM 010 found on the [Policy for the Administration of Grants and Contracts in Support of Sponsored Programs](#) website, SSD adopts this guideline: