

<b>UA Number:</b>	<b>303.02</b>
<b>Title:</b>	<b>Americans with Disabilities Act Complaint Procedures</b>
<b>Originator:</b>	Provost and Vice President for Academic Affairs
<b>Initial Adoption:</b>	08/13/1992
<b>Revision Dates:</b>	04/09/2010
<b>Purpose:</b>	This UAR defines the University's grievance procedures for resolution of complaints alleging actions prohibited by Title II of the Americans with Disabilities Act.
<b>Procedural References:</b>	Other - Americans with Disabilities Act
<b>Scope (Who Is Covered By This Uar?):</b>	This UAR covers qualified individuals with a disability as defined in the Americans with Disabilities Act.
<b>Description:</b>	<p>Morehead State University has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Americans with Disabilities Act (ADA) and by the Department of Education regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794). Section 504 states, in part, that "no otherwise qualified handicapped individual...shall solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance...."</p> <p>Complaints should be addressed to: either the Director of Human Resources located at 101 Howell McDowell for faculty or staff complaints or The Disabilities Services Coordinator located in the Adron Doran University Center for student complaints.</p> <ol style="list-style-type: none"> <li>1. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.</li> <li><del>2.</del> A complaint should be filed within thirty (30) days after the complainant becomes aware of the alleged violation.</li> <li>3. An investigation, as may be appropriate, shall follow a filing of complaint. The investigation shall be conducted by the Director of Human Resources, the Disabilities Services Coordinator, or a member of his/her staff. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.</li> <li>4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Director of Human Resources or the Disabilities Services Coordinator and a copy forwarded to the complainant no later than fourteen (14) days after its filing.</li> </ol>

5. The Director of Human Resources or the Disabilities Services Coordinator shall maintain the files and records of Morehead State University relating to the complaints filed.
6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for consideration should be made within fourteen (14) days to either the Director of Human Resources or the Disabilities Services Coordinator.
7. The right of a person to a 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 an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be constructed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that Morehead State University complies with the ADA and implementing regulations.

Approved by: Wayne D. Andrews, President Date: 8/17/2010