

SNU Policy: Section 504/ADA – Grievance Procedure
SNU Policy ID: General Information Policy A-6
Policy Reviewed by: Director of Human Resources
Approval Authority: Vice President for Business and Finance
Approval Date: October 1, 2020
Next Review Date: October 1, 2025

POLICY: Southern Nazarene University has adopted a grievance procedure for prompt and equitable resolution of complaints alleging any action prohibited by federal regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990 (ADA), and the Fair Housing Act. Section 504 and ADA state, in part, that “no qualified 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 such an entity.”

Issues that may be grieved include, but are not limited to, a denial of a requested accommodation, the inadequacy of an accommodation, the inaccessibility of a program or activity due to disability, or discrimination, harassment or retaliation based on disability. The following person has been designated as the compliance officer to handle complaints:

Dr. Lena Crouso
Vice-President for Intercultural Learning and Engagement
Southern Nazarene University
6729 NW 39th Expressway
Bresee Suite 200
Bethany, OK 73008
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The following steps explain the procedure:

1. A complaint should be filed using the [Work Shield All Encompassing Reporting Portal](#) and shall contain the name and address of the person filing it, and briefly describe the nature of the complaint and the alleged violation of the regulations.
2. A complaint should be filed within thirty (30) days after the complainant becomes aware of the alleged violation. Work Shield will evaluate complaints received later than thirty (30) days after complainant became aware of the alleged violation, but Work Shields ability to conduct a thorough investigation may be impacted by delayed complaints.
3. An investigation by Work Shield will follow the filing of a complaint. The

investigation shall be conducted by Work Shield. A prompt, impartial and thorough investigation will afford the complainant, the subject of the complaint, other interested persons, and their representatives.

4. An investigation by Work Shield will generally include the following steps:
 - a. Review the grievance report from the student or employee.
 - b. Gather any additional information from the student or employee that is needed.
 - c. Gather a response and any additional information from the accused and any necessary witnesses.
 - d. Document and assess the finding of facts, including those agreed upon and those that are disputed.
 - e. Attempt a resolution of the grievance between the student or employee and the individual, if appropriate.
 - f. Determine final decision regarding the complaint.
5. If a determination is made that prohibited discrimination, harassment or retaliation has occurred, appropriate corrective and remedial actions will be taken by the University
6. A written notice of the Work Shield's determination as to the validity of the complaint and a description of the recommended resolution or remedial measures, if any, shall be issued by the University's Compliance Officer or another University office acting at the Compliance Officer's request and a copy forwarded to the complainant no later than fifteen (15) working days after receipt of the complaint.
7. The University's Compliance Officer shall maintain the files and records of the University relating to complaints filed.
8. The complainant can request reconsideration of the resolution if dissatisfied with the resolution. Requests for reconsideration should be made within seven (7) days to the appropriate senior officer – the Vice President for Intercultural Learning and Engagement where a faculty member is the accused, the Vice President for Financial Affairs where a staff member is the accused, or the Executive Vice President where a student is the accused.
9. The senior officer shall conduct a review to determine if:
 - a. The complaint alleges facts which, if true, would demonstrate a violation of an anti-discrimination statute or rule;
 - b. The investigation was conducted in accordance with the grievance procedures;

- c. All relevant witnesses were interviewed and their testimony was recorded; and
- d. The conclusions of the Compliance Officer or his or her designee are supported by the evidence.

If the senior officer finds that the initial investigation was not conducted properly, he or she must assign the case to a new investigating administrator within 15 calendar days. This new investigating administrator must not be an interested party to the allegation and must not be a subordinate of the original investigating administrator. If the senior officer finds that the initial investigation was conducted properly and the conclusions are valid, a written response to the appeal that explains this finding will be provided. The senior officer has thirty (30) days to respond to the request for reconsideration. Decisions of the senior officer are final.

- 10. 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 a Section 504/ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- 11. The University will take reasonable action to assure that the complainant, the alleged offender, and those testifying on behalf of either party or supporting either party in other ways, are protected from retaliation. This action may come at any time during or following an investigation of a complaint. Persons who retaliate will be subject to disciplinary action.
- 12. To the extent possible, university proceedings will be conducted in a manner that protects the confidentiality of all parties involved.
- 13. Reasonable extensions of an investigation can be made for extenuating circumstances due to continuing a complex investigation, illness, scheduled vacations, professional presentations, etc. These extensions are granted by the Vice President for Intercultural Learning and Engagement and the complaining party shall be informed of any such extensions.
- 14. This procedure shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that the Southern Nazarene University complies with Section 504/ADA and implementing regulations.
- 15. Retaliation against any complainant under this grievance procedure or against any person who assists a complainant in his/her pursuit of a complaint under this grievance procedure is prohibited.