

X. POLICY AND PROCEDURE FOR ACCOMMODATION APPEAL

If the student feels that he/she has been denied a reasonable accommodation by the Director of Testing and Disability Services, an appeal may be made to the Appeals Panel of the Disability Advisory Committee.

A. Appeal Procedure

1. Within five (5) business days of the denial for accommodation, the student shall submit a written notice to the Director of Testing and Disability Services of his/her wish to appeal that decision.
2. The Director of Testing and Disability Services shall notify the Disability Advisory Committee in writing of the student's wish to appeal within five (5) business days.
3. The Disability Advisory Committee shall form a panel of three (3) individuals to hear the appeal within five (5) business days of receipt of the notice from the Director of Testing and Disability Services. The Appeals Panel shall be comprised of the following:
 - a. Two representatives from the Disability Advisory Committee.
 - b. One student appointed by the Disability Advisory Committee.
 - c. In no case shall the University Legal Counsel sit as a member of the Appeals Panel.
4. The Appeals Panel will notify the student and the faculty who teach the class(es) or staff who provide the services in which the accommodation has been denied of the date, time and place of the appeal hearing.
5. The student shall have the opportunity to explain to the Appeals Panel at the hearing why he/she believes that the decision of the Director of Testing and Disability Services is incorrect. This opportunity includes:
 - a. The right to make an oral statement to the Appeals Panel; and
 - b. The right to submit supportive documentation.
6. The Director of Testing and Disability Services shall have the opportunity to explain to the Appeals Panel at the hearing his/her reasons for denying an accommodation to the student. This opportunity includes:
 - a. The right to make an oral statement to the Appeals Panel; and
 - b. The right to submit supportive documentation
 - c. The faculty/staff shall have the opportunity to address the panel about the accommodation appeal.
7. The Appeals Panel may ask questions during the hearing of the student, the faculty/staff and the Director of Testing and Disability Services to aid it in its decision.
8. The Appeals Panel must notify the student, faculty/staff and the Director of Testing and Disability Services of its decision in writing within five (5) business days following the conclusion of the hearing.
9. If the student is dissatisfied with the determination of the Appeals panel, he/she may make a final appeal to the Vice President for Student Affairs.
 - a. The student must submit a written notice of appeal to the Appeals panel and the Vice President for Student Affairs within five (5) business days of the Appeal Panel's determination.
 - b. All materials possessed by the Director of Testing and Disability Services and the Appeals Panel shall be forwarded to the Office of the Vice President of Student

Affairs upon receipt of the written appeal by the Director of Testing and Disability Services.

- c. The Vice President for Student Affairs shall make his/her determination within five (5) business days from receipt of the appeal.
- d. The Vice President for Student Affairs shall notify the student, the faculty/staff, the Director of Testing and Disability Services and the Appeals Panel in writing of his/her final determination. The decision of the Vice President for Student Affairs is final.