

## **General Appeal Procedures**

### **Student Accessibility Services' (SAS) Reasonable Accommodation Decisions**

It is the responsibility of Student Accessibility Services to analyze all information when making equal access decisions. On occasion, a student may not agree with the identified accommodations made available and offered to the student. As required by Section 504 and the Americans with Disabilities Act, SAS includes a process for prompt review and resolution in such situations.

If a student does not agree with an approved/not approved accommodation decision made by the student's SAS point of contact (generally an Assistant Director or Accessibility Consultant), the student may file an appeal through the SAS Appeal Process. The following steps outline this process:

#### *Step 1 (Student Submits an Appeal Request):*

If informal discussions with university personnel have not resolved the issue, the individual shall complete the appeal form received in an email communication from SAS personnel or submit a written complaint to the Director of Student Accessibility Services ([adam.meyer@ucf.edu](mailto:adam.meyer@ucf.edu)) within ten (10) working days of the event(s) that led to the concern. (In some cases, the Director may need to defer the complaint to a designee if timelines cannot be met).

#### *Step 2 (SAS Director Reviews Appeal Request):*

The Director of Student Accessibility Services, or their designee, shall meet with the individual within seven (7) working days of the receipt of the complaint if the student desires a meeting. The SAS Director, or designee, will provide the student with a written decision via UCF email within three working days of the meeting with the student.

*Process Note:* When an appeal is being reviewed during Steps 1 – 2 and the student shares new personal information or documentation that was not provided at an earlier step in the process, the Director, or designee reserves the right to refer the student back to the student's initial SAS point of contact for reassessment of the situation. The presence of new information may have impacted the original decision if shared initially.

#### *Step 3 (Deputy ADA Coordinator Reviews Appeal):*

If the process set forth in Steps 1-2 does not resolve the issue, the individual may request a review of the appeal by the Deputy ADA Coordinator by submitting an email to the SAS Director within ten (10) working days of the SAS Director's written decision. Upon receipt of this request, the SAS Director will forward all relevant documentation, including the complaint submitted to the SAS Director in Step 1 of the process.

The Deputy ADA Coordinator shall be in contact with the student within seven (7) working days of receipt of the complaint. The Deputy ADA Coordinator will make a final decision on the appeal and will provide the student with a written decision via UCF email within three (3) working days of communicating with the student.

### **Disability Grievance Procedures**

Students may file a Discrimination Grievance with the Director of Office of Institutional Equity (OIE) at any time if the student believes that UCF faculty or staff discriminated against the student on the basis of disability. Information on Accessibility and Discrimination can be found on the [OIE webpage](#) or the student may contact OIE directly via email ([oie@ucf.edu](mailto:oie@ucf.edu)) or phone (407-823-1336).

## Specific Access and Accommodation Use within the Classroom

Students Accessibility Services (SAS) staff members aim to ensure that students with disabilities have equal access to participate in educational opportunities at UCF. Determining equal access requires both consideration of a disability along with consideration of the fundamental aspects of academic programs, courses, policies and practices.

If a professor and/or SAS determines that a specific accommodation would not be a reasonable accommodation in the classroom because it would fundamentally alter an academic program or course and the student disagrees with this decision, the student's appeal will be reviewed pursuant to the Procedure for Conducting Fundamental Alteration Assessments set forth below, which includes having a faculty committee review the situation and render a decision. The student should email the SAS Director ([adam.meyer@ucf.edu](mailto:adam.meyer@ucf.edu)) to initiate this process. The SAS Director will work with the student through the review process and indicate what, if any, information the student will need to provide as part of the review. More details on the process of a Fundamental Alteration Assessment review can be found below:

### University of Central Florida Student Accessibility Services & Office of Institutional Equity Procedure for Conducting Fundamental Alteration Assessments

The University of Central Florida conducts an Individualized Assessment when an accommodation requested by a student presents the issue of whether the accommodation would “fundamentally alter” a course or academic program because the accommodation would result in the student not successfully completing an essential academic requirement of the course or program. For example, a student's request to make up work or to miss class which request would violate a professor's syllabus or other class policies may present a “fundamental alteration” issue.

1. Student Accessibility Services (SAS) will be the entity that initially assesses the accommodation question. The Office of Institutional Equity (OIE) will assist, to fulfill the roles of the Rehabilitation Act §504 and/or ADA Coordinator. An OIE representative should be consulted at any stage of this process when there is a question as to whether a proposed accommodation would cause an undue hardship on the University.
2. An SAS representative will consult with the student and the faculty member, conducting an interactive, collaborative process to determine accommodation options. When a faculty member is inclined to deny the request on the basis that a requested course or program modification would fundamentally alter the course or academic program, and there is no other effective accommodation that is agreeable to the faculty member, SAS should advise the student of the faculty member's assessment and their (the student's and/or SAS') ability to submit the request to a faculty panel for review and final decision (Faculty Review Panel).
3. If the student or SAS requests utilization of the Faculty Review Panel, the following will occur:
  - SAS will alert the department chair or program director that the Faculty Review Panel process is being utilized;
  - SAS will advise and select three members of the Faculty Review Panel to serve as the panel reviewing the particular request<sup>1</sup>; and,
  - The department chair or program director will designate two faculty members in the same college who have some knowledge of the subject matter of the course involved to serve as additional members of the Faculty Review Panel only for the particular

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<sup>1</sup> When possible, in light of time constraints, one of the three members selected by SAS will be a faculty administrator.

request.<sup>2</sup>

4. The faculty member, SAS representative and student will have the opportunity to present their positions to the Faculty Review Panel either in person when the panel meets to discuss the matter or by written statement submitted prior to the panel's first meeting. An OIE representative may provide input as needed or requested.
5. The panel will review the following information:
  - a) Course syllabus, assignment sheets and other materials establishing course/program requirements;
  - b) All written statements provided by the faculty member, SAS and/or the student;
  - c) Any medical documentation provided to support the request<sup>3</sup>; and,
  - d) Any other relevant information that SAS, the faculty member and/or the student presents to the panel. In addition to the requested accommodation, the Faculty Review Panel will discuss with SAS, the faculty member, and the student whether there are other accommodations that could enable the student to meet the essential academic requirements of the course.
6. The Faculty Review Panel will meet and deliberate in person or via synchronous conferencing to determine whether the requested accommodation would fundamentally alter the course/program and whether there are other accommodations that would be effective and would not fundamentally alter the course/program. The panel will issue a written decision providing the reasons for the decision, including identification of other accommodations discussed with the parties and considered by the panel. This decision will be issued within seven (7) business days of SAS' notification that the Faculty Review Panel process is being utilized. This timeframe may be extended for good cause, which includes but is not limited to the need to obtain additional medical documentation.
7. If the student, faculty member, or SAS representative is dissatisfied with the Faculty Review Panel's decision, they may ask the OIE Director or their designee to review the panel's decision. The OIE Director or their designee will issue a written decision to the student, SAS and the faculty member involved in the matter within three (3) business days of OIE's receipt of a request for a review of the panel's decision, the panel's written decision, and the documentation reviewed by the panel to reach a decision. OIE's decision will be the University's final decision as to whether an accommodation requested by the student would "fundamentally alter" a course or academic program.
8. The University will maintain the most current version of these procedures on the SAS website. The OIE website will provide a link to these procedures.

The University will provide annual notification of this procedure to faculty members, students currently registered with SAS, and current SAS staff members.

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<sup>2</sup> The department chair or program director may serve as one of these two faculty members that comprise the Faculty Review Panel.

<sup>3</sup> The Faculty Review Panel may request additional medical documentation if necessary to determine the extent of the student's limitations related to the course requirements. Each member must maintain the confidentiality of the medical information examined. This information may be shared with other University employees only on a strict need-to-know basis.