

**AUSTIN PEAY STATE UNIVERSITY
POLICIES AND PROCEDURES MANUAL**

Policy Number: 5:057	Supersedes Policy Number: 5:057
Date: October 7, 2008	Dated: January 13, 2003
Subject: Grievance Procedure for Persons w/Complaints Related to the Americans w/ Disabilities Act	Mandatory Review Date: October 7, 2013
Initiating Authority: University President	TBR Policy/Guideline Reference:
Approved: <p style="text-align: right;">President: signature on file</p>	

I. Purpose

The purpose of this procedure is to provide a clear, orderly and expedient method through which all persons may process bona fide complaints related to Title II of the Americans with Disabilities Act (ADA), which states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subject to discrimination" in programs or activities sponsored by a public entity such as the university.

II. Scope

This procedure is available to all persons. Employees may prefer to use APSU Policy No. 5:027, Grievance and Complaint Procedures for Employees. Students may choose to use APSU Policy No. 3:008, Student Non-Academic Grievance.

III. Steps for Filing a Complaint

A complaint should be addressed to the Director of Affirmative Action, APSU Box 4457, Clarksville, TN 37044, telephone number (931) 221-7178. The Director of Affirmative Action has been designated by the President to coordinate ADA compliance efforts.

A complaint may be made verbally or in writing, preferably in writing, and must provide the name and address of the person making the complaint and a brief description of the alleged violation of ADA regulations. A complaint must be filed within 10 working days after the complainant becomes aware of the alleged violation.

IV. Investigation

The Director of Affirmative Action will investigate the complaint. The investigation will include, but not necessarily be limited to, interviews with the complainant and with university personnel in charge of the area in which the alleged violation occurred. All interested parties will be provided an opportunity to submit evidence relevant to the complaint, and the investigation will be conducted in a manner that protects any due process rights of parties concerned and insures that the University complies with the ADA and its implementing regulations.

When the investigation is complete, the Director of Affirmative Action will issue a written determination concerning the validity of the complaint and a description of the resolution, if any. This statement will be provided to the complainant no later than 20 working days following receipt of the complaint.

V. Steps for Filing an Appeal

The complainant may request a reconsideration of the case in instances where she or he is dissatisfied with the resolution. Request for reconsideration should be made in writing to the President, APSU Box 4576 within 10 working days from receipt of the determination. The President will provide a response to the complainant no later than 20 working days following receipt of the request.

VI. Maintenance of Records

The Director of Affirmative Action will maintain files and records of the University relating to the complaint.

VII. Filing of Complaints through Other Agencies

A complaint which is the subject of an action filed with an external agency (court, federal or state administrative office, etc.) shall not be processed through the procedures of this policy.