

Moraine Park Technical College Reasonable Equal Opportunity Accommodation Appeals Process

This process is restricted to disability-related access accommodations. Students/applicants with concerns or disagreements about approved accommodations, may appeal the decision to the College's Equal Opportunity Officer or designee within 30 calendar days, using the following process:

- 1) Complete a Reasonable Equal Opportunity Accommodation Appeal Request citing specifics regarding request or challenge and submit to the Equal Opportunity Officer or designee. If more complete documentation is required to support the request, the student/applicant bears the responsibility of providing such documentation. The review will not progress without full documentation.
- 2) It is anticipated that disagreements will be resolved as expeditiously as possible. During the process, current accommodations as determined by the Accommodations Specialist will continue to be in effect and available in order to provide access during the appeals process.
- 3) The Equal Opportunity Officer will re-evaluate the decision, considering any additional information or statements supplied by the student/applicant (including any additional information from medical or vocational rehabilitation experts). The Equal Opportunity Officer's review will determine whether:
 - a) proper procedures were followed and all relevant information was gathered and fairly considered,
 - b) the requested accommodation fundamentally alters the nature of the program or an essential program standard,
 - c) the requested accommodation presents an undue financial or administrative burden to the institution,
 - d) the denial is supported by the record and was not arbitrary or capricious,
 - e) the denial is in compliance with the law,
 - f) any other factors the Equal Opportunity Officer deems relevant to the matter.
- 4) The Equal Opportunity Officer may elect to use the assistance of an accommodations committee. The committee may consult with outside agencies in the appeal process. The committee will discuss its finding and make recommendations to the Equal Opportunity Officer for the appropriate action.
- 5) Maximum possible confidentiality will be maintained and information will only be shared on a "need to know" basis, if it appears necessary in order to decide the appeal.

- 6) The potential outcomes of the ADA appeal process may include:
 - a) The decision to deny the accommodation is upheld.
 - b) The decision to deny the accommodation is overturned and the appealing student/applicant and the Accommodation Specialist return to the interactive process to determine implementation of the accommodation.
 - c) The Equal Opportunity Officer returns the issue to the interactive process to reevaluate reasonable accommodations.
 - d) The appeal is dismissed for untimeliness or because insufficient information was provided by the appealing student/applicant initially or during the course of the review.

- 7) The Equal Opportunity Officer makes the Final Appeal Decision. The student/applicant will be notified of the final decision in writing within 30 calendar days after the appeal is filed. If the 30-calendar day time limit cannot be met, the Equal Opportunity Officer will inform the student/applicant, the Accommodation Specialist, and relevant other parties of an alternative time limit, not to exceed an additional 60 calendar days.

- 8) This is the final internal appeal process for accommodation denials. By filing this appeal, the student/applicant does not give up the right to pursue other appeal processes within the College or through outside regulatory agencies.