

Appeal Guidance and Procedure

Purpose

The Disability Access Services (DAS) office at Frederick Community College (FCC) is committed to ensuring that all students with disabilities have equal access to fully engage in all FCC programs, courses, activities, and services. The DAS office determines reasonable accommodations for students on a case-by-case basis to foster an inclusive and supportive learning environment. Every effort is made to review requests for accommodations in a timely manner.

This guidance ensures that every student at FCC receives an equitable standard of care and consideration when requesting accommodations and protects the integrity of the accommodation process. All requests will be thoroughly considered, and every effort is made to ensure decisions will be made in a timely manner.

Students have the right to request an appeal of any decision regarding a request for accommodations. Reasons for appealing a decision include:

- A procedural error or oversight occurred that affected the decision
- There is new information not known or provided to DAS at the time of the initial decision
- The decision was not consistent with the documentation provided and information shared

Students may utilize the support of another individual to participate in or assist with the disability services process, and may request support when making an appeal by emailing DisabilityServices@Frederick.edu

All information related to the appeal process, including the appeal submission and supporting documentation, will be treated confidentially. This information will be limited to individuals directly involved in the appeal process and will be stored as part of the student's DAS documentation.

Non-retaliation Statement

The College prohibits any person from engaging in retaliation against any student who exercises in good faith their own rights under College policy or State or federal law. This expectation extends to those who participate in or assist others in any process related to the appeal of a decision made by DAS.

Procedure

Step 1: Reconsideration

Students may request a *reconsideration* of the decisions made during the intake appointment.

This request should be made within 10 business days of receiving written notification of the initial request for accommodation(s) decision.

The request for reconsideration should be sent to DisabilityServices@Frederick.edu

The request for reconsideration should include:

- New or updated documentation not presented during the initial request
- The procedural error, if any occurred
- Information regarding the impact of the disability and barriers to access

The request for reconsideration will be conducted by the DAS professional who made the initial decision or another DAS professional who has reviewed the initial request.

DAS will contact the student within 3 business days of receiving the request for a reconsideration to schedule an appointment. The appointment will be scheduled for within 10 business days of the receipt of the request.

At that appointment, the DAS professional will review all documentation, reconsider the decision, uphold or change the initial decision, and provide the student with an explanation of the next steps in the appeal process.

A written decision regarding the reconsideration will be sent to the student within 5 business days following the reconsideration appointment.

Step 2: Review

Students who have met to have their accommodation decision reconsidered and believe that the issue was not resolved may request a *review* by the Director of Disability Access Services.

Request for Review

The request for a review should be submitted within 10 business days after receiving written notification of the decision resulting from the reconsideration meeting.

The request for review should be sent to DAS via email at DisabilityServices@Frederick.edu

The request must include

- A brief statement explaining the reason that the decision should be reviewed, which should include one or more of the following:
 - A procedural error that is believed to have occurred that affected the decision
 - New information not known or provided to DAS at the time of the *reconsideration* of the decision
 - Information outlining why the decision was not consistent with the documentation provided and information previously shared
- Additional supporting documentation per the documentation policy
- Evidence of a barrier to access that was not previously identified

Process for the Review

DAS will contact the student within 3 business days of receiving the request for a reconsideration to schedule an appointment. The appointment will be scheduled for within 10 business days of the receipt of the request.

The review will be conducted by the Director of DAS or a designee who was not part of the original decisions.

DAS will contact the student within 3 business days of receiving the request for a review to schedule an appointment with the Director of DAS. The appointment will be scheduled for within 10 business days of the receipt of the request.

The Director of DAS will meet with the student, review all documentation, reconsider the decision, uphold or change the initial decision, and review the right to file a complaint.

The decision will be emailed to the student within 5 business days of the review appointment.

The decisions of the Director of DAS are considered final within Frederick Community College internal processes.

Right to File Complaint

Students retain the right to pursue complaints under the college's non-discrimination policy or through state and federal agencies. Frederick Community College is committed to the principles of equal opportunity and strictly prohibits discrimination against any person on the basis of age, ancestry, citizenship status, color, creed, ethnicity, gender identity and expression, genetic information, marital status, mental or physical disability, national origin, race, religious affiliation, sex, sexual orientation, pregnancy (including childbirth, lactation and related medical conditions) or veteran status in its activities, admissions, educational programs, and employment.

Non-Discrimination Policy at FCC

External Government Agencies That Address Discrimination Complaints:

Students who believe that they have been discriminated against because of their race, color, national origin, disability, age, sex, or religion, may file a complaint with the State of Maryland Commission on Civil Rights and/or the Office for Civil Rights.

State of Maryland Commission on Civil Rights

6 Saint Paul Street, Suite 900
Baltimore, MD 21202-1631
800-637-6247 | 410-767-8600
Maryland Relay: 711

Initiate an Inquiry Form

Office for Civil Rights

U.S. Department of Health and Human Services
801 Market Street, Suite 9300
Philadelphia, PA 19107-3134
Customer Response Center: (800) 368-1019
Fax: (202) 619-3818
TDD: (800) 537-7697

Email: ocrmail@hhs.gov

OCR Complaint Portal