Response to ADA Compliance Complaint

**Complaint Date:** May 25, 2016

**Response Date**: July 1, 2016 (Includes one-week extension)

**Complainant**:

Following careful review and deliberation, the ADA Compliance Officer has found no physical evidence of deliberate discrimination (no emails or written correspondence indicative of discrimination). Interviews with the complainant, his parents, professors, and coaches offer perceptual rationale for numerous misunderstandings and miscommunication. Physical evidence is present supporting the complainant’s claim that once his disability was regulated with prescribed medication (Rx), around mid-March, his performance in all classes noticeably improved. Because of these factors, relevant personnel agreed to the need for alternative options for resolution. The following resolutions were provided, allowing the student to receive a grade, which he earned, with no penalty for late submission:

1. SOCL302 – All students had an opportunity to edit and resubmit a 10-page paper. Pre-Rx regulation, the complainant stated he thought he had successfully resubmitted this paper. He provided screenshot evidence (screenshot) of a creation and modification date within the appropriate time frame. He was allowed to submit this paper and has received the revised grade on the paper, although it was not sufficient to raise his final grade in the course.
2. ECON103 – Pre-Rx, the complainant missed an assignment, successful completion of which could potentially elevate the final grade to passing. He was allowed to submit this assignment, and his final grade has been revised in the system.
3. SOCL335 – Pre-Rx, the complainant missed three assignments, successful completion of which could potentially significantly elevate the final grade. He was allowed to submit these assignments, and his final grade will soon be revised in the system.
4. HMXP102 – Pre-Rx, the complainant stated he thought he had successfully submitted the second of four papers, successful completion of which could potentially elevate the final grade to passing. He was allowed to submit this assignment, and his final grade has been revised in the system.
5. The Office of Accessibility agrees to meet with the new Athletic Director, within a month of his start date, to discuss policies and procedures in hopes of preventing future misunderstandings.

The complainant may appeal the decision of the ADA Compliance Officer by resubmitting the complaint form, within 15 days of receiving the Compliance Officer’s decision, to the ADA Coordinator/Vice President for Student Life, for a final review. In this case, the student must present in writing the reasons for this final appeal outlining issues of the ADA Compliance Officer acting arbitrarily, capriciously, or in bad faith. The ADA Coordinator/Vice President for Student Life will issue a final, written decision within 30 days of this new filing. (see full policy: <https://www2.winthrop.edu/public/policy/fullpolicy.aspx?pid=268>)

Respectfully,

Tina Vires

**Tina E. Vires, M.Ed.**

*ADA Compliance Officer*