

UC Davis Student Disability Center  
**APPEALS PROCEDURE**

**I. INTRODUCTION**

The Student Disability Center is the unit on the UC Davis campus that is responsible for determining student eligibility for academic accommodations under the Americans with Disabilities Act and authorizing academic accommodations for eligible students.

This procedure provides an avenue for resolving student complaints regarding administrative decisions of the SDC.

**II. SCOPE**

This procedure establishes a process for students to appeal administrative decisions of the SDC. Utilizing this procedure, a student who has requested services from the SDC may file an appeal regarding: (1) the SDC's determination concerning that student's eligibility for services; (2) the SDC's determination of what academic accommodations are appropriate; and (3) issues related to the provision of authorized academic accommodations to that student.

In addition to using this appeal procedure, students may also file complaints on these issues with the U.S. Department of Education, Office of Civil Rights, Western Division, San Francisco Office.

The following matters are NOT covered by this procedure: complaints of prohibited discrimination, including discrimination and/or harassment based upon race, color, national origin, religion gender, sexual orientation, physical or mental disability, or age. Complaints, requests for assistance, or grievances regarding arbitrary treatment, discrimination or harassment believed to be the result of prohibited bias should be filed with the Student Judicial Affairs office, pursuant to UC Davis Policy and Procedures Manual, Section 280-05.

**III. RIGHT TO APPEAL**

- A. A student for whom
  - (1) an eligibility determination has been made,
  - (2) a request for accommodation has been processed, or
  - (3) academic accommodations have been provided may utilize this administrative appeal process to appeal any of these decisions if the student feels that
    - (1) an error has been made or
    - (2) all relevant factors have not been considered in the decision making process.
- B. A student may initiate an appeal at either the Informal or Formal level.

#### **IV. INFORMAL APPEAL PROCEDURE**

##### **A. General**

Informal procedures provide for review and resolution of student concerns through advice and consultation. Students are encouraged to use informal appeal procedures before filing a formal appeal because informal procedures may result in mutually agreeable resolutions, saving time and effort for the student.

##### **B. Initiating an Informal Appeal**

A student initiates an informal appeal by scheduling a conference with the Coordinator of the SDC. At this conference, the student presents the following information: what specific administrative decision is being questioned, what is alleged to be erroneous about that decision, what information may not have been available or considered when the decision was made, what the student believes should have been decided, and why.

##### **C. Review of Informal Appeal**

The SDC Coordinator will make a written record of the conversation and investigate the student's concerns.

##### **D. Conclusion of the Informal Complaint Process**

As expeditiously as possible, and normally within one week of the conference, the SDC Coordinator will schedule a follow-up meeting with the student. The SDC Coordinator will verbally inform the student of the results of the review undertaken at the student's request and at that time will affirm the initial decision, modify the initial decision, or inform the student of the progress made to date in investigating the student's concern.

#### **V. FORMAL APPEAL PROCEDURE**

##### **A. General**

A formal appeal requires a written notice of appeal and results in a written response to the student. There are three levels of formal appeal, culminating in a final written decision issued by the Vice Chancellor of Student Affairs.

##### **B. First Level of Formal Appeal**

1. A student opting to use the formal appeal process must present a written appeal to the Coordinator of the SDC.
2. The written appeal must state what specific administrative decision is being questioned, what is alleged to be erroneous about that decision, what information may not have been available or considered when the decision was made, what the student believes should have been decided, and why. Any additional information the student deems relevant may be included with the written appeal.
3. The Coordinator will review the appeal and determine whether to grant or deny the appeal. The decision will be conveyed to the student in writing as expeditiously as possible, but no later than two weeks after receipt of the written appeal.
4. The Coordinator will prepare an appeal file including all relevant information from the student's SDC file, the student's written appeal, and the written response to that appeal.

### C. Second Level of Formal Appeal

1. If the SDC Coordinator totally or partially affirms the original decision of the SDC, the student may elevate the appeal to the next level of review. The student must provide a written request to elevate the appeal to the SDC Coordinator. The student may submit any additional information for inclusion in the appeal file at this time.
2. The Coordinator will forward the appeal file to the Director of the Department of Student Special Services (SSS) for review.
3. The Director of SSS will review the appeal file and determine whether to grant or deny the appeal. The decision will be conveyed to the student in writing as soon as possible, but no later than two weeks after receipt of the request to elevate the appeal to the second level of review.

### D. Final Level of Formal Appeal

1. If the Director of SSS affirms the original decision of the SDC, the student may elevate the appeal to the next and final level of review by notifying the SDC Coordinator in writing of that election.
2. The last step in the appeal process is a review by the Vice Chancellor of Student Affairs. Upon receipt of a written request from the student, the SDC Coordinator will forward the appeal file to the Vice Chancellor. The student may submit any additional information for inclusion in the appeal file at this time.
3. The Vice Chancellor will review the appeal file and determine whether to grant or deny the appeal. The decision of the Vice Chancellor will be conveyed to the student in writing.
4. The decision of the Vice Chancellor is final.