

## Section 504/ADA Complaint Procedure

### I. Introduction

The University of Maryland, Baltimore County has developed the following procedure to provide prompt and equitable resolution of complaints alleging any action prohibited by the American with Disabilities Act (ADA) and its implementing regulations, and by the US Department of Education regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended. Use of this procedure does not affect other complainant rights and remedies that may be available under federal and state statutes prohibiting disability discrimination.

### II. Procedure

- A. Any person claiming to have been discriminated against by the University of Maryland, Baltimore County, on the basis of disability, may use this procedure. All complaints of discrimination on the basis of disability will be promptly investigated by the ADA Coordinator or her designee.

1. Complaints should be addressed to:

Adrienne L. Mercer, ADA Coordinator  
University of Maryland, Baltimore County  
1000 Hilltop Circle, Baltimore, MD 21250  
almercer@umbc.edu  
(410) 455 - 1606 TTY (410) 455-3233

2. Complaints against the ADA Coordinator will be processed in accordance with this procedure except that all responsibilities of the ADA Coordinator will be fulfilled by the UMBC General Counsel. Under these circumstances, complaints should be addressed to:

David R. Gleason, General Counsel  
University of Maryland, Baltimore County  
1000 Hilltop Circle, Baltimore, MD 21250  
gleason@umbc.edu  
(410) 455 - 2709 TTY (410) 455-3233

- B. Complaints must be filed, in writing, within one hundred eighty (180) days after the complainant became aware of the alleged violation. Complaints must contain the following information:

1. Name, address and telephone number of the person filing the complaint.

2. A brief description of the alleged violation including the location and date of the violation.
- C. Within ten (10) calendar days of receipt of the complaint, the ADA Coordinator will meet with the complainant to discuss the complaint. Every effort will be made to facilitate informal resolution of the complaint.
  - D. If the complaint has not been resolved within five (5) days of the initial meeting between the ADA Coordinator and the complainant, the ADA Coordinator will conduct a formal investigation of the discrimination complaint.
  - E. The ADA Coordinator shall issue a written report of the results of the investigation. The report will provide a determination of the merits of the complaint related to the ADA and Section 504 of the Rehabilitation Act and, if applicable, options for substantive resolution of the complaint and recommendations for corrective measures. The ADA Coordinator's written report shall be submitted to the Provost within forty five (45) calendar days of receipt of the complaint.
  - F. The Provost shall make a decision based on the record and shall notify the complainant in writing of the decision and the basis for the decision, within fifteen (15) days of receipt of the ADA Coordinator's report.

### **III. Appeal**

- A. If the complainant is not satisfied with the Provost's decision, the complainant may file a written appeal to the President. The written appeal must include a detailed statement of the basis of the appeal. The President shall notify the complainant of the final decision within thirty (30) days of receipt of the appeal.
- B. If the complainant is a faculty member, and the President's decision affects the appointment, rank or tenure of the complainant, the complainant can appeal the decision of the President to the Faculty Grievance Committee under the procedures set forth in the UMBC Policy on Appointment, Rank and Tenure of Faculty.