

BSC Student Accessibility Policy I

Grievance Procedures

Grievance/Appeal Procedures for Students with Disabilities

Any BSC student with a disability may choose to file a grievance or appeal utilizing the procedure outlined in the Bismarck State College Student Policy – Student Grievance and Appeal at

<http://www.bismarckstate.edu/uploads/resources/359/StudentGrievanceAppeal.pdf>

-OR-

BSC students with disabilities, who feel the college may have violated their civil rights, may file a complaint with the Office of Civil Rights (OCR). The mission of the OCR is to ensure equal access to education and to promote educational excellence throughout the nation through vigorous enforcement of civil rights. A primary responsibility is resolving complaints of discrimination. Agency-initiated cases, typically called compliance reviews, permit OCR to target resources on compliance problems that appear particularly acute.

1. Mail or Facsimile: Complainants may email or send by facsimile a letter or use the OCR's Discrimination Complaint Form available from one of OCR's enforcement offices. In your correspondence, please include:
 - a. Your name, address and, if possible (although not required), a telephone number where you may be reached during business hours;
 - b. Information about the person(s) or class of persons injured by the alleged discriminatory act(s), (names of the injured person(s) are not required);
 - c. The name and location of the institution that committed the alleged discriminatory act(s); and
 - d. A description of the alleged discriminatory act(s) in sufficient detail to enable OCR to understand what occurred, when it occurred, and the basis for the alleged discrimination (race, color, national origin, sex, disability, age or the *Boy Scouts of America Equal Access Act*).

Email: Complainants may file a complaint, using the following email address: ocr@ed.gov . Use the same procedures as above.

Online: Complainants may file a complaint with the OCR using OCR's electronic complaint form at the following website:

<http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

Note: A recipient of federal financial assistance may not retaliate against any person who has made a complaint, testified, assisted or participated in any manner in an investigation or proceeding under applicable laws. If you believe that you have been retaliated against for any of these reasons, you may file a complaint with OCR.

2. Anyone who believes that an educational institution that receives federal financial assistance has discriminated against someone on the basis of race, color, national origin, sex, disability, or age may file a complaint. The person or organization filing the complaint need not be a victim of the alleged discrimination but may complain on behalf of another person or group.
3. A complaint must be filed within 180 calendar days of the date of the alleged discrimination, unless the time for filing is extended by the OCR for good cause shown under certain circumstances.
4. Prior to filing a complaint with OCR against an institution, a potential complainant may want to find out about the institution's grievance process (BSC's Student Grievance and Appeal policy is contained on the following pages) and use that process to have the complaint resolved. A complainant is not required by law to use the institutional grievance procedure before filing a complaint with OCR. If a complainant uses an institutional grievance process and also chooses to file a complaint with OCR, the complaint must be filed with OCR within 60 days after the completion of the institutional grievance process.
5. For additional information about civil rights requirements or for other assistance related to civil rights, contact the OCR enforcement serving the state of North Dakota. Contact information is as follows:

Office for Civil Rights
U. S. Department of Education
Citygroup Center
500 W. Madison St., Suite 1475
Chicago, IL 60661-4544
Phone: 312-730-1560
Fax: 312-730-1576
TDD: 800-877-8339
e-mail: OCR.Chicago@ed.gov

History of This Policy:

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