

Section 504/Title II Complaint Procedures

Any student or employee who believes that he or she has been discriminated against on the basis of their disability status or has been denied access or accommodations required by law may make a complaint under this procedure. Students or employees may make a complaint about, including but not limited to, any of the following:

- A requested service or accommodation, including appeals of determinations regarding accommodations;
- Inaccessibility of a university program or activity;
- Access of a service animal;
- Harassment on the basis of disability in violation of university policy;
- Any other alleged university violation of the ADA or the Rehabilitation Act; or
- Retaliation.

Please note: This is not the procedure for initially seeking accommodations. For more information on how to request accommodations:

- **Students:** Contact [Services for Students with Disabilities](#).
- **Employees:** Contact [ADA and Accessibility Services](#) in the Office for Equity and Accessibility.

Complaint Procedure

1. Complaints should be addressed to:

Virginia Tech Office for Equity and Accessibility
300 Turner Street NW, Suite 2300
Blacksburg, VA 24061
equityandaccess@vt.edu

2. A complaint to the Office for Equity and Accessibility (OEA) must be filed in writing, contain the name and address of the person filing it, and briefly describe the alleged violation of [University Policy 1025: Policy on Harassment, Discrimination, and Sexual Assault](#) or [University Policy 4075: University Accommodations of Persons with Disabilities](#). Use of the OEA [complaint form](#) is strongly recommended. A complaint should be filed within three hundred (300) days after the complainant becomes aware of the alleged violation.
3. Within five (5) days of OEA's receipt of a complaint, OEA will decide whether the complaint states a potential violation of University Policy 1025 or 4075. If the written complaint lacks sufficient

information for OEA to make this decision, OEA will contact the complainant to gather additional information.

- a. If OEA determines that the complainant's allegations, if true, do not state a violation of University Policy 1025 or 4075, the complainant will receive written notice of this decision within five (5) days. OEA may inform the complainant of other possible avenues of redress, such as contacting Employee Relations in the Division of Human Resources.
 - b. If OEA concludes that the allegations of the complaint state a potential violation of University Policy 1025 or 4075, OEA will notify the complainant of that determination in writing within five (5) days and will promptly meet with the complainant to confirm the specific factual allegations upon which the complaint is based.
4. If the matter is not appropriate for informal resolution, the matter will be resolved through an investigation. Within five (5) days of determining the matter should be resolved through an investigation, OEA will issue a Notice of Intent to Investigate to the respondent and respondent's supervisory team. Each party will be promptly notified in writing of the investigation, and will have the opportunity to participate, present witnesses, and submit evidence for consideration.
 5. Within forty-five (45) days following the Notice of Intent to Investigate, the investigator will conduct an investigation to include interviewing the complainant, the respondent, witnesses provided by both parties, and gathered additional evidence.
 6. After an investigation is completed, the investigator will issue a report that identifies the issues presented and documents whether Policy 1025 or 4075 has been violated. The final report will be issued sixty-five (65) business days from OEA's Notice of Intent to Investigate.
 7. Federal and state law and university policy prohibit any form of retaliation against a person who requests an accommodation, opposes discrimination, or participates in a complaint process. Retaliation can take many forms, ranging from students or employees harassing or ostracizing another student or an employee to a faculty member excluding a student from an educational activity. More information on retaliation is available [here](#). OEA will take immediate steps to protect students who make a complaint under this procedure, when needed. The university will also immediately address any retaliatory actions that occur.
 8. Students may appeal their findings or remedy, including accommodation decisions, to the university's Director of ADA, 504 Compliance, and Accessibility Services Pamela Vickers at pvickers@vt.edu. The appeal must be in writing and filed with the Director of ADA, 504 Compliance, and Accessibility Services within fifteen (15) days after receiving the investigative report or remedy.