The ADA Coordinator will submit a written determination to include a review of the grievance, a statement of the validity of disability discrimination, and a proposed resolution, if appropriate, within 30 calendar days of receipt of the grievance.

The ADA Coordinator will file the determination with the university and provide a copy to the student, and will maintain the files and records relating to the grievance for a minimum of three years.

If the grievance is against the ADA Coordinator, the grievance should be submitted to the Coordinator's supervisor (the Dean of Students), or the Director of the Equal Opportunity office.

Although students are encouraged to attempt resolution of grievances pertaining to disabilities by using the above campus process, they have the right to file a grievance directly with the US Department of Education, Office for Civil Rights (OCR). Region IV office: 404-562-7886

D. USC Upstate English Fluency Grievance Policy

Students who feel that they are unable to understand the spoken and/or written English of an instructor at USC Upstate shall schedule a meeting with the dean of the respective school and make their concerns known. The dean will conduct an investigation and report to the complaining student his/her findings within 10 working days of the complaint. In the event student charges are substantiated, the dean and the senior vice chancellor for academic affairs will take immediate action to rectify the problem. Such action may take the form of replacement of the instructor immediately, intensive remediation of the problem or any other solution that protects the due process rights of faculty and students.

E. Parking Appeals

An appeal should be filed only if the person feels he or she was given a citation (1) through error, or (2) without just cause.

Appeal forms can be accessed at the following: www.uscupstate.edu/parkingappeal, or can be picked up in the University Police Department within 72 hours or three weekdays following the issuance of a citation. The appeal is automatically forfeited if it is filed after 72 hours of the date when the citation was issued.

The University Parking Appeals Committee, appointed by the Dean of Students, consists of (1) one faculty member; (2) one staff member; (3) president of the student government or his/her appointee. The committee will review each appeal and render a decision within 30 days of the appeal.

VII. Code of Student Behavior

A. Philosophy

The University of South Carolina Upstate is an academic community preserved through mutual respect and trust of the individuals who learn, teach and work within it. Students as well as all parties at the University must be protected through fair and orderly processes. These are best safeguarded when each person within the University community acts in an orderly and responsible manner. All students and guests are equally entitled to the protection embodied in this document and are expected to meet the standards set forth herein.

Specifically, the University of South Carolina Upstate has adopted the Carolinian Creed as developed by the University of South Carolina. Thus, the community of scholars at USC Upstate is dedicated to personal and academic excellence. Choosing to join the community obligates each member to a code of civilized behavior.

As a Carolinian...I will practice personal and academic integrity. A commitment to this ideal is inconsistent with cheating in classes, in games, or in sports. It should eliminate the practice of plagiarism or borrowing another student's homework, lying, deceit, excuse making, and infidelity or disloyalty in personal relationships. I will respect the dignity of all persons. A commitment to this ideal is inconsistent with all forms of theft, vandalism, arson, misappropriation, malicious damage to, and desecration or destruction of property. Respect for another's personal rights is inconsistent with any behavior which violates a person's right to move about freely, express themselves appropriately and to enjoy privacy. I will encourage civility, striving to learn from differences in people, ideas, and opinions. A commitment to this ideal pledges affirmative support for equal rights and opportunities for all students regardless of their age, sex, race, religion, disability, international/ethnic heritage, socioeconomic status, political, social or other affiliation or disaffiliation, or affectional preference. I will demonstrate concern for others, their feelings and their need for conditions which support their work and development. A commitment to this ideal is a pledge to be
compassionate and considerate, to avoid behaviors which are insensitive, inhospitable or insightful, or which unjustly or arbitrarily inhibit another’s ability to feel safe or welcomed in their pursuit of appropriate academic goals. Allegiance to these ideals obligates each student to refrain from and discourage behaviors which threaten the freedom and respect all USC Upstate community members deserve. This last clause reminds community members that they are not only obliged to avoid these behaviors, but that they also have an affirmative obligation to confront and challenge and respond to or report the behaviors whenever or wherever they are encountered.

B. Application
This document governs the conduct of all students and student organizations. This document may apply to student behavior both on and off the University’s campus. Violators are subject to local, state and federal laws, as well as the provisions listed herein. Campus hearings may proceed prior to off campus criminal hearings. The decision regarding when a campus hearing is scheduled is determined by the dean of students with the best interest of the University community in mind.

C. Mental Health Disturbances
Instances of student behavior that may be the result of a mental health disturbance require specific consideration and action. The dean of students, in consultation with the Behavioral Intervention Team (BIT), chief of University Police, the chancellor and others deemed appropriate will assess and treat as unique each student’s behavior and determine if administrative action is warranted. The University may take the following actions in response to instances of student behavior where there is a reason to believe the conduct is the result of a mental disturbance or the behavior poses a threat of physical harm to the individual or others: counseling, referral for evaluation, remediation, therapeutic treatment, disciplinary action, voluntary or involuntary withdrawal, or other action deemed appropriate. Please reference the web site for more information about BIT.

D. Rights and Prohibited Conduct
Nothing herein is intended or shall be construed to limit or restrict the student’s freedom of speech or peaceful assembly. Free inquiry and free expression are indispensable to the objectives of an institution of higher education; and to this end, peaceful, reasonable, orderly demonstrations in approved areas shall not be subject to interference by members of the University community. However, those involved in demonstrations may not engage in conduct that violates the rights of other members of the University community. These rules should not be construed as to restrain controversy or dissent, or to prevent, discourage, or limit communication among faculty, students, staff and administrators. The purpose of these rules is to prevent the abuse of rights of others and to maintain public order conducive to a learning environment. In this regard, it shall be the responsibility of every student to obey the Code of Student Conduct, which includes the Code of Academic Integrity and the Code of Campus Behavior. USC Upstate students who are appointed or elected to positions in University recognized student organizations or who are awarded financial assistantships or scholarships are required to be in good academic and disciplinary standing. Good academic standing is defined as having a 2.0 or greater cumulative grade point average. Good disciplinary standing is defined as not being on university or conduct probation at the time of service. This document is reviewed by the executive vice chancellor for academic affairs, the vice chancellor for student and diversity affairs, the faculty senate and is approved by the chancellor of the University.

E. Student Arrest Policy
Students who are apprehended and charged by law enforcement agencies with felony criminal conduct on or off campus are required to inform the dean of students of such matters within five working days.

I. Student Conduct for the Classroom
USC Upstate supports the principle of freedom of expression for both instructors and students. University policies on appropriate behavior in the classroom cannot be used to punish reasonable classroom dissent. The lawful expression of a disagreement with the instructor or other students is not in itself inappropriate/disruptive behavior. Maintenance of these rights requires classroom conditions which do not impede their exercise. Classroom behavior that seriously interferes with either 1) the instructor’s ability to conduct the class or 2) the ability of other students to profit from the instructional program will not be tolerated. The community of scholars at the University of South Carolina Upstate is dedicated to personal and academic excellence. Freedom to teach and freedom to learn depend upon appropriate opportunities and conditions in the classroom, on campus, and in the larger community. Faculty members and students at USC Upstate are expected