

NUMBER: SA 6.00

SECTION: Division of Student Affairs

SUBJECT: Grievance Procedures for Disability Discrimination

DATE: August, 2012

REVISED:

Policy for: USC Upstate
Procedure for: USC Upstate
Authorized by: Dr. T. Moore
Issued by: Disability Services

I. Policy

The University of South Carolina Upstate’s policy is to provide students a prompt and equitable process of resolving complaints alleging any action prohibited by the US Department of Education regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act Amendments of 2008.

The Americans with Disabilities Act states, in part, that “an individual with a disability” is a person who has a physical or mental impairment that substantially limits one or more “major life activities”, has a record of such an impairment, or is regarded as having such an impairment.

II. Procedure

- A. Student complaints of discrimination of a disability must be forwarded in writing to the appropriate university professional, as indicated below:
- A student with an access-related complaint against the University should contact the ADA Coordinator, Campus Life Center Suite 107, 800 University Way, Spartanburg, SC 29303. For additional information, call (864) 503-5199.
 - A student with a complaint against Disability Services should contact the ADA Coordinator, Campus Life Center Suite 107, 808 University Way, Spartanburg, SC 29303 OR Equal Opportunity Programs, Administration Building 310, 800 University Way, Spartanburg, SC 29303. For additional information, call (864) 503-5199 or (864) 503-9889.

- A student with a disability-related complaint against a faculty member should contact the ADA Coordinator, Campus Life Center Suite 107, 800 University Way, Spartanburg, SC 29303. For additional information, call (864) 503-5199.
 - A student with a disability-related complaint against a faculty member for harassment or discrimination should contact Equal Opportunity Programs, Administration Building 310, 800 University Way, Spartanburg, SC 29303. For additional information, call (864) 503-9889.
- B. A complaint must be filed within 15 (fifteen) working days after the complainant becomes aware of the alleged violation. If the complainant needs assistance composing the complaint, appropriate assistance may be arranged through Disability Services.
- C. An appropriate investigation shall follow the filing of a complaint. The investigation shall be conducted by the ADA Coordinator or the Director of Equal Opportunity Programs, depending on the nature of the complaint. The investigation may be conducted informally but will be thorough, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
- D. A written determination of the validity of the complaint and a description of the resolution, if any, shall be issued by ADA Coordinator or Director of Equal Opportunity Programs and forwarded to the complainant as soon as the investigation is finalized, normally no later than 30 working days after the filing of the complaint.
- E. The Director of Disability Services/ ADA Coordinator shall maintain the files and records of Section 504 and ADAAA complaints filed by students at USC Upstate. In addition, such files and records shall be used for system-wide Section 504 and ADAAA monitoring and reporting purposes.
- F. The right to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the complainant's pursuit of other remedies such as the filing of a Section 504 or ADA complaint with the appropriate state or federal agency.

(This policy is adapted from USC Columbia Campus Policy – Disability Discrimination, BUSF 6.00)