SUMMARY:
Any University students, staff, faculty, community members, patrons, and visitors who believe they have been subjected to discrimination on the basis of disability or has been denied access or accommodations required by law shall have the right to invoke this Grievance Procedure.

POLICY:

I. POLICY STATEMENT

Coastal Carolina University is committed to ensuring that all persons are able to learn, work, enjoy a workplace, educational, and living environment free from discriminatory harassment, treatment, or services. This policy provides a procedure for reporting and investigating complaints from Coastal Carolina University students, staff, faculty, community members, patrons, and visitors regarding accessibility and disability services.

It is the policy of Coastal Carolina University to provide students, staff, faculty, university community members, and the patrons and visitors with a prompt and equitable method of resolving complaints alleging any action or inaction prohibited by the U.S. Department of Education regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) and the Americans with Disabilities Act Amendments Act (ADAAA) 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 impairment, or is regarded as having such impairment. Any individual (student, staff, faculty, or campus visitor) who believes that they have been discriminated against on the basis of their disability under Section 504 of the Rehabilitation Act or the Americans with Disabilities Act should follow the procedures described below.
II. SCOPE OF GRIEVANCE PROCEDURES:

Any University students, staff, faculty, community members, patrons, and visitors who believe they have been subjected to discrimination on the basis of disability or has been denied access or accommodations required by law shall have the right to invoke this Grievance Procedure.

In general, this Grievance Procedure is designed to address the following types of concerns:

- Disagreements or denials regarding requested services, accommodations, or modifications to University practices or requirements;
- Alleged inaccessibility of a University program or activity;
- Alleged harassment or discrimination on the basis of a disability; and
- Any other alleged violations of the ADA and/or Section 504.

III. PROCEDURES:

All disability-related grievances covered by this policy should be filed within 60 days of the alleged concerns of discrimination. The University will extend this time frame when a delay is due to circumstances beyond the individual’s control. Circumstances beyond the individual’s control include but are not limited to: (a) the complainant could not reasonably be expected to know the act was discriminatory within 60 days of the alleged concern of discrimination and the complaint was filed within 60 days after the complainant became aware of the alleged discrimination, (b) the complainant was unable to file a complaint because of incapacitating illness or other incapacitating circumstances during the 60-day period, and the complaint allegation was filed within 60 days after the period of incapacitation ended, or (c) unique circumstances generated by Coastal Carolina University’s action adversely affected the complainant. Prompt reporting enables the University to more effectively gather information related to the grievance, determine whether a violation of policy has occurred, and provide an appropriate remedy and/or accommodation, and/or take appropriate disciplinary action. All grievances will be reviewed to determine whether they are submitted within a timely manner and/or whether they contain all required information. Individuals shall be provided with the opportunity to supplement grievances. The University reserves the right to redirect a grievance to the proper grievance procedure or to any other appropriate review procedure and will notify the individual of any such redirection.

The written complaint should include the following:

- A description of the problem and any relevant facts including dates, timeframes, location, names of witnesses, if applicable;
- The name and contact information of the individual initiating the complaint.

In addition, it is recommended that the complainant also include the following in the written
complaint:

- A summary of the steps the individual has already taken in an attempt to resolve the problem, including the names of persons contacted, if applicable;
- A statement of the requested resolution; and
- Any supporting documentation

A. INFORMAL GREIVANCE PROCEDURES:

Individuals are encouraged, but not required, to first attempt to resolve their complaint informally, by selecting any one or more of the following options: (notification may be given orally or in writing).

- Present their concern to the instructor, department head (including non-academic departments) and/or Dean, providing notification of the incident causing the complaint. The complainant should explain the nature of the problem. The instructor or department head will resolve the complaint within 10 days or;
- Present their concern to Accessibility and Disability Services or;
- Present their concern to the Human Resources and Equal Opportunity Office;
- An individual who files an informal complaint will be notified in writing that they may file a formal complaint at any time.

*Should an individual report a complaint through any method other than notifying Accessibility and Disability Services, the individual or office receiving the complaint shall immediately notify the Director of Accessibility and Disability Services.

An informal complaint will be resolved within ten (10) business days. However, the resolution time may be extended if the complaint is presented at a time when the University is officially closed per the University’s academic calendar, or depending on the complexity of the investigation and the number of parties involved. In the event that the investigation and resolution exceeds 10 business days, the investigator will notify the complainant of the need for additional time and the expected timeframe, and will make best efforts to complete the process in this new timeframe. If additional time is needed, the complainant will be reminded of his or her right to convert the process to a formal grievance.

Grievances will be treated as confidential as possible; however, Accessibility and Disability Services may share information in the grievance process with other University officials when necessary to investigate, prevent or remedy prohibited conduct. If a complainant requests that a grievance remain confidential, the investigator will inform the complainant that the University’s ability to investigate and respond to the complaint may be limited. However, even if the complainant insists on confidentiality in the
informal process, the University reserves the right to take appropriate action, while maintaining the complainant’s confidentiality, based on the seriousness of the complaint. Retaliation against a student for filing a complaint is strictly prohibited.

B. TIMELINES:

Time limitations do not include official university holidays or other closures during the regular academic year. The term "days" refers to days when the University is open for business.

C. OCR COMPLAINT:

Although individuals are encouraged to attempt to resolve complaints pertaining to disabilities by using this grievance procedure, they have the right to file a complaint directly with the U.S. Department of Education, Office for Civil Rights (OCR). Individuals should be aware that they have 180 days from the last alleged act of discrimination to file with OCR, or within 60 days after the conclusion of the university’s grievance process.

U.S. Department of Education
Office for Civil Rights
D.C. Enforcement Office
400 Maryland Avenue, SW
Washington, D.C. 20202-1475
Telephone: 1-202-453-6020
Fax: 202-453-6021
TDD: 877-521-2172
Email: ocrd@ed.gov

Accessibility and Disability Services
Coastal Carolina University
P.O. Box 261954, Conway, South Carolina, 29528-6054
Kearns Hall 106
843-349-2503 (phone)
843-347-5042 (fax)
Emily Gaspar
Designated 504 Coordinator
ADA Compliance Officer
Director, Accessibility and Disability Services
D. RETALIATION:

The University prohibits retaliation against any individual for filing a grievance under this process or against any other individual participating in the investigation of a grievance. Any such retaliation is against state and federal laws and Coastal Carolina University Policy. Retaliation may be subject to disciplinary action up to and including termination. Any individual who has participated in the grievance process in support of the complainant may file a grievance under these procedures with the University's EEO Investigator if they feel they have been retaliated against.

E. CONFIDENTIALITY:

Confidentiality shall be maintained by each person involved in the informal or formal investigation or resolution of a grievance under this policy. Any disclosures regarding the individual or the investigation shall be limited to the minimum necessary to accomplish the investigation or address the grievance.