



<b>Policy Title:</b>	<b>Accessibility and Disability Grievances and Resolutions</b>
<b>Policy Number:</b>	UNIV-339
<b>Revision Date:</b>	May 2022
<b>Policies Superseded:</b>	None
<b>Policy Management Area(s):</b>	Diversity, Equity, and Inclusion

**SUMMARY:**

Members of the University community, including students, staff, faculty, patrons, and visitors, who believe they have been subjected to prohibited conduct on the basis of disability or have been denied access or accommodations required by law shall have the right to invoke this Accessibility and Disability Grievances and Resolutions policy.

**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.

It is the policy of Coastal Carolina University to provide members of the University community, including students, staff, faculty, 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.

**II. DEFINITIONS**

- A. Complainant- an individual who is alleged to be the victim of conduct that could constitute prohibited conduct
- B. Disability- with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.
- C. Discrimination- treating another individual unfavorably compared to other similarly

situated individuals; adversely affecting a term or condition of an individual's employment, education, living environment or participation in University programming; or creating an antagonistic or hostile environment, whether intentional or unintentional, based solely upon their membership in a protected class as defined by law, regulation, and/or this policy.

- D. Formal Complaint- a document filed by a complainant or signed by the ADA Compliance Officer alleging prohibited conduct against a respondent and requesting that the University investigate the allegation of prohibited conduct.
- E. Having a record of such an impairment- has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
- F. Informal Resolution- a method of resolving a complainant's grievance, such as mediation, that does not involve a full investigation and adjudication.
- G. Major Life Activities- functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
- H. Physical or Mental Impairment- Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine; Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The phrase physical or mental impairment includes, but is not limited to, such contagious and noncontagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.
- I. Prohibited Conduct- discrimination, harassment, other violations of the the ADA and/or Section 504, and retaliation.
- J. Regarded as having an impairment- Has a physical or mental impairment that does not substantially limit major life activities but that is treated by a public entity as constituting such a limitation; has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or has none of the impairments defined in this definition but is treated by a public entity as having such an impairment.
- K. Respondent- an individual who has been reported to be the perpetrator of conduct that could constitute prohibited conduct

### III. SCOPE

This Policy is designed to address prohibited conduct, including, but not limited to, discrimination, harassment, other alleged violations of the ADA and/or Section 504, and retaliation.

Any individual who believes that they have experienced any of these concerns, 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.

### IV. TYPES OF REPORTING

Allegations of prohibited conduct should be reported as soon as possible to the ADA Compliance Officer to be reviewed and processed in accordance with this policy and administrative University procedures. Allegations of prohibited conduct can be submitted as either an informal report or formal complaint:

#### A. Informal Grievance Resolution Process

The informal grievance resolution process is a method of review designed to resolve a complainant's grievance that does not involve a full investigation and adjudication. This process is facilitated by the ADA Compliance Officer or designee and addresses the grievance with direct communication, explanation, correction, and/or action steps.

A complainant who chooses to utilize the informal grievance resolution process may elect at any time during that process to stop and initiate the formal complaint process.

#### B. Formal Complaint Investigation Process

The formal complaint investigation process is a method of determining whether or not, by a preponderance of the evidence, the alleged prohibited conduct occurred against the complainant by the respondent. This process is initiated by the filing of a report, in writing, by a complainant or signed by the ADA Compliance Officer alleging prohibited conduct against a respondent and requesting that the University investigate the allegation of prohibited conduct.

To Report alleged prohibited conduct, and for additional information about the resolution processes, please visit

<https://www.coastal.edu/disabilityservices/universallinks/adapoliciesandprocedures/>.

## V. CONTACT

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