

<b>ADMINISTRATIVE DIVISION</b>	Civil Rights & Title IX
<b>POLICY NUMBER</b>	CR 3.00
<b>POLICY TITLE</b>	Access for Individuals with Disabilities
<b>SCOPE OF POLICY</b>	USC Columbia and Palmetto College
<b>DATE OF REVISION</b>	April 28, 2025
<b>RESPONSIBLE OFFICER</b>	Associate Vice President for Civil Rights and Title IX
<b>ADMINISTRATIVE OFFICE</b>	Office of Civil Rights & Title IX

## **PURPOSE**

The University of South Carolina is committed to providing an inclusive and accessible university environment for all qualified individuals with disabilities.

## **DEFINITIONS**

**Disability:** A physical or mental impairment that substantially limits one or more of the major life activities of an individual.

**Fundamental Alteration:** A change to a university program, service, or activity that significantly changes the essential nature of the program, service, or activity (e.g., employment, course design, degree requirements).

**Interactive Process:** A collaborative exchange that allows the individual and the university to provide input and feedback in determining a reasonable accommodation.

**Major Life Activity:** A function that most people in the general population can perform with little or no difficulty. A function includes but is not limited to: caring for oneself, performing manual tasks, walking, sitting, standing, lifting, reaching, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, bending, reading, concentrating, thinking, and communicating, as well as the normal operations of major bodily systems including but not limited to: functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

**Plain Language Accommodation Request:** Indicates a program-related need associated with a medical condition or disability. Someone does not need to use specific language or the word “accommodation” to indicate this need.

**Education Program or Activity:** Locations, events, or circumstances over which the university exercises substantial control.

**Qualified Individual with a Disability:** An individual with a disability (student, employee, or any other program participant) who, with or without a reasonable accommodation, meets the eligibility requirements for program participation.

**Employee:** Any person having an employment relationship with the university. Employees might be university officers, faculty, staff, student-employees, and other individuals employed by the university regardless of classification, including all full-time, part-time, temporary, research grant, time limited and contract employees.

**Reasonable Accommodation:** A modification to policy, practice, the environment, or the provision of an auxiliary aid and service that mitigates the impact of the disability and does not cause a fundamental alteration.

**Substantially Limits:** An impairment that restricts the duration, manner, or condition under which an individual can perform a particular major life activity as compared to the ability of the typical person in the general population to perform the same major life activity. In these instances, the following factors will be considered:

- (1) the nature and severity of the impairment;
- (2) the duration or expected duration of the impairment;
- (3) the permanent or long-term impact resulting from the impairment.

**Undue Hardship:** Any accommodation that is substantial, disruptive, or would be a significant cost to the university, or fundamentally alter the nature or operation of the program.

#### **POLICY STATEMENT**

To advance the university's commitment to providing an inclusive and accessible environment for qualified individuals with disabilities, this policy and related procedures will ensure that people with disabilities are afforded reasonable accommodations when requested. This promotes an environment where qualified individuals have full and equal access to the university's education programs and activities and are not subject to discrimination based on their disability. This policy applies to all members of the University of South Carolina community, including students, faculty, staff and third parties such as affiliates, volunteers, vendors, contractors, consultants, guests, alumni, applicants for admission or employment, or other individuals. This policy will be interpreted in compliance with applicable law and exceptions provided by applicable law.

A. This policy applies to all programs offered by the university, including:

1. All employment practices and actions through the entire employee life cycle. This includes, but is not limited to, recruitment, application, hiring, training, disciplinary actions, advancement, transfer and reassignment, employment status, and employees engaged in telecommuting through the university.
2. All educational deliveries and practices. This includes but is not limited to recruitment, application, examination and testing, educational status, and students engaged in online education through the university.
3. All health care services and the facilities where such services are provided.

4. All programs and activities over which the university exercises substantial control, which may occur outside of the classroom, campus, or office environment but are a vital part of the university experience (e.g., education abroad, intern/practical experiences, and sponsored events).
5. All public access to university programs and other offerings. This includes, but is not limited to, athletic events, parking, conferences, and any other event or service open to the public.
6. All facilities and property owned, operated by, or rented by the university.
7. All digital information and services provided by the university, including delivery platforms. Please refer to the [Digital Accessibility Policy \(IT 5.0\)](#).

B. Administration: Academic- or administrative-level policies, guidelines, procedures, and practices must comply with this policy.

C. Rights and Responsibilities

1. Qualified individuals with disabilities have the right to an equal opportunity to participate in and benefit from all programs offered by the university. Individuals who choose to exercise these rights:
  - a. Are protected under the Americans with Disabilities Act (ADA) when they meet any of the following eligibility criteria:
    - i. Have a physical or mental impairment that substantially limits one or more major life activities;
    - ii. Have a history or record of such an impairment; or
    - iii. Is perceived by others of having such an impairment.
  - b. Have a right to reasonable accommodations.
  - c. Are responsible for initiating the accommodation process in a timely fashion by identifying themselves as needing reasonable modifications to a university environment, policy, or practice and/or needing auxiliary aids and services.
  - d. Are responsible for providing appropriate documentation that confirms a disability and a description of the relevant impacts of that disability when requested by the ADA Coordinator's office or designated office.
  - e. Are expected to actively engage in the interactive process to determine reasonable accommodations in a timely fashion.

- f. Have the same obligation as all program participants to meet and maintain the institution's performance standards, academic and technical standards, and codes of conduct.
  - g. Have a right to be evaluated based on their ability, not their disability.
  - h. Have the right to be informed of procedures for appealing a university decision through internal and appropriate external channels.
2. The university has a responsibility to ensure access to all its programs while maintaining the standards that are fundamental and essential to programs. In meeting these obligations, the university:
  - a. Will inform its program participants about the availability of accommodations.
  - b. May select between equally effective methods of accommodating an individual with a disability.
  - c. Will identify and establish the abilities, skills, and knowledge necessary for entrance and ongoing participation in its programs and evaluate applicants and participants on those bases.
  - d. Will make reasonable modifications to the environment, policy, or practice and/or provide auxiliary aids and services in a timely fashion when an individual's program participation is negatively impacted by their disability in a substantial way.
  - e. May refuse a requested accommodation that fundamentally alters an essential element or program requirement (e.g., academic and technical standards or job responsibilities) or creates an undue hardship as determined by the ADA Coordinator's office or designated office.
  - f. Will inform the individual of the availability of internal and external appeals processes as applicable.
3. All plain language accommodation requests must be referred to the appropriate designated offices (see Procedure A3). Any individual that provides supervision, instruction, human resources support, or controls a program is responsible for making these referrals.
4. Only the designated offices (see Procedure A3) may request and review documentation in support of accommodation requests and may refuse a request that is unsupported by documentation. The designated offices may also seek permission from the requestor to interact directly with a healthcare provider to determine what accommodations may be reasonable and likely to be effective.

#### D. Privacy

1. The university recognizes the importance of privacy. Information received in connection with establishing and implementing reasonable accommodations, reporting, and resolutions will be treated as private and will only involve individuals whom the university determines are necessary to ensure reasonable accommodations, to provide assistance and resources to parties, to perform other appropriate university functions, or in accordance with applicable law.
2. The university will maintain any personal medical information provided as private, to the extent that maintaining such privacy would not impair the ability of the university to provide the accommodations.
3. All individuals involved in the process should observe the same standard of discretion and respect for everyone involved in the process.

## PROCEDURES

### A. Reasonable Accommodations

1. All accommodations will be evaluated in accordance with the criteria established and defined by state and federal laws including the Americans with Disabilities Act and Section 504 of the Rehabilitation Act, using an interactive process.
2. Reasonable accommodations will be assessed by the issuing designated office at least annually.
3. The Office for Civil Rights & Title IX provides oversight and review of the accommodation review process. Reasonable accommodations are initially determined through the interactive process by the designated office in collaboration with the individual with a disability and relevant unit or program. The primary designated offices include:
  - a. For student academic and/or housing accommodation requests, contact [Student Disability Resource Center](#):
    - i. Phone: 803-777-6142
    - ii. Email: [sadrc@mailbox.sc.edu](mailto:sadrc@mailbox.sc.edu)
    - iii. Website: [Register With Us - Student Disability Resource Center](#)
  - b. For employee accommodation requests, contact [Employee Relations](#):
    - i. Phone: 803-777-3821

- ii. Email: [uscer@mailbox.sc.edu](mailto:uscer@mailbox.sc.edu)
  - iii. Website: [Americans with Disabilities Act \(ADA\) Accommodation Request Form](#)
- c. For accommodation requests during the application or interview process, contact Talent Acquisition Office:
- i. Phone: 803-777-3821
  - ii. Email: [uscjobs@mailbox.sc.edu](mailto:uscjobs@mailbox.sc.edu)
  - iii. Website: <https://uscjobs.sc.edu/>
- d. For digital accessibility:
- i. Email: [DigitalAccessibility@sc.edu](mailto:DigitalAccessibility@sc.edu)
  - ii. Website: [Digital Accessibility - Digital Accessibility | University of South Carolina](#)
  - iii. [Digital Accessibility Policy \(IT 5.00\)](#)
- e. Healthcare Providers and Clinics:  
(e.g. Student Health and Well-being, Montgomery Speech-Language-Hearing Clinic, or Psychological services center on Devine Street)
- i. Contact the service provider directly for accommodations
- f. For Gamecock athletics tickets, contact the [Gamecock Ticket Office](#):
- i. Phone: 800-472-3267
  - ii. Email: [gamecocktickets@sc.edu](mailto:gamecocktickets@sc.edu)
  - iii. Website: <https://gamecocksonline.com/tickets/>
- g. For accessible parking on the Columbia campus, contact [Parking and Transportation Services](#):
- i. Phone: 803-777-5160
  - ii. Email: [parking@mailbox.sc.edu](mailto:parking@mailbox.sc.edu)

- iii. Website: [Accessible Parking Registration - Parking and Transportation Services | University of South Carolina](#)
- h. For facility access issues, general inquiries, accessibility for guests, and all other accommodation requests not otherwise stated in this policy, contact the ADA Coordinator in the Office of Civil Rights & Title IX:
  - i. Phone: 803-777-3854
  - ii. Email: [civilrights@mailbox.sc.edu](mailto:civilrights@mailbox.sc.edu)
  - iii. Website: <https://sc.edu/accessibility>

#### 4. Appeal

- a. If an individual requesting an accommodation would like to appeal an accommodation decision determined by a designated office as outlined in the policy, they may appeal to the ADA Coordinator or designee in the Office of Civil Rights & Title IX.

#### B. Reporting

1. If you or someone you know has been the victim/survivor of discrimination or harassment at the University of South Carolina, you can report it. Any person who has encountered a barrier to access or believes they have been improperly denied the benefit of, or access to, a program, service, or activity may also submit a report. Please know this does not automatically initiate an investigation or notify the alleged person but can connect those impacted with staff to discuss options. To file a report, an individual may contact the Office of Civil Rights & Title IX, through one of the following ways:
  - a. Online: reporting form at <https://cm.maxient.com/reporting.php?UnivofSouthCarolina>
  - b. Phone: 803-777-3854
  - c. Email: [civilrights@mailbox.sc.edu](mailto:civilrights@mailbox.sc.edu)
  - d. Mail or in person: Office of Civil Rights & Title IX, Byrnes Building, 901 Sumter Street, Suite 401, Columbia, SC 29208
2. Anonymous: More information about anonymous reporting options, and the accompanying procedures can be found in [CR 1.00 Policy Against Discrimination, Harassment, and Sexual Misconduct](#)

3. **Mandatory Reporting:** All University of South Carolina employees are required to report incidents of prohibited conduct, including disability discrimination and harassment, to the Office of Civil Rights & Title IX, which is the office with the authority to institute corrective measures on behalf of the university. Additional information on how to report, exceptions to the reporting requirements, and the accompanying procedures can be found in [CR 1.00 Policy Against Discrimination, Harassment, and Sexual Misconduct](#).

Note: You can dial 711 or 1-800-735-8583 to connect voice, a text telephone (TTY), or other device to call persons with or without such disabilities via a Telecommunications Relay Services (TRS) operator.

**RELATED UNIVERSITY, STATE, AND FEDERAL POLICIES**

[Americans with Disabilities Act](#)

[Rehabilitation Act of 1973](#)

[Office for Civil Rights \(OCR\)](#)

[South Carolina Code of Laws Title 43](#)

[CR 1.00 Policy Against Discrimination, Harassment, and Sexual Misconduct](#)

**HISTORY OF REVISIONS**

<b>DATE OF REVISION</b>	<b>REASON FOR REVISION</b>
April 28, 2024	New policy approval

**APPENDIX**

Assistance Animals

## **Appendix: Assistance Animals**

### **Assistance Animals:**

Assistance animals include those that provide active support (i.e., Service Animals), as well as those that provide passive support. Animals providing these passive services are generally referred to as Emotional Support Animals (ESAs), and they can help to alleviate or partially mitigate an impact of a disability, which can allow that individual to benefit from University of South Carolina's programs. Listed below are the types and definitions for each category of Assistance Animal.

### **Service Animals:**

Service animals are trained to perform tasks directly related to the individual's disability (e.g., psychiatric, cognitive, mental, communication, physical and sensory disabilities), and are generally allowed to access anywhere their handlers are permitted on campus (exceptions may exist in sterile environments and areas requiring protective equipment or clothing for access). Under the Americans with Disabilities Act (ADA), only dogs and miniature horses are protected service animals. Some examples of work tasks of a Service Animal include:

- Guide
- Retrieve
- Assist
- Alert
- Prevent/interrupt behavior

### **Service Animals in Training:**

Service animals in training are not recognized by federal law but are recognized by SC Code of Laws 43-33-20(d). However, puppy rearing (for dogs under six months of age) focused on socialization is general obedience training is not typically considered to be in training. Service animals in training must have a liability insurance policy provided by the nonprofit agency sponsoring the training and be engaged in learning service tasks.

### **Emotional Support Animals:**

Emotional support animals (ESA) provide passive support that partially alleviates the impact of a disability, but they do not have the same access rights as service animals. Use of an ESA on campus is potentially a reasonable accommodation.

### **Therapy Animals:**

Therapy animals have been trained to provide comfort, support, and affection to people other than the handler. Therapy animals may be allowed access to specific locations with prior permission.

## **Permitted Inquiries**

If the function of a service animal is not readily apparent, a University of South Carolina employee is permitted by law to ask the following two questions:

*Is this a service animal required for a disability?*

*What work or task is this animal trained to perform?*

### **Prohibited Inquiries**

You may not inquire about an individual's disability. Under the ADA, services animals are not required to have documentation for access. You may ask for clarification or follow up regarding ambiguous responses, however, requesting certification paperwork or proof of disability is strictly prohibited.

### **How to Ask for an Accommodation for an Emotional Support Animal**

If you would like to request an accommodation for an emotional support animal or have questions about assistance animals, please contact:

- a. For student academic accommodation requests, contact [Student Disability Resource Center](#):
  - i. Phone: 803-777-6142
  - ii. Email: [sadrc@mailbox.sc.edu](mailto:sadrc@mailbox.sc.edu)
- b. For employee (faculty and staff) accommodation requests, contact [Employee Relations](#):
  - i. Phone: 803-777-3821
  - ii. Email: [uscer@mailbox.sc.edu](mailto:uscer@mailbox.sc.edu)

### **How to Respond to Problematic Behavior**

If there is a behavioral problem with the animal, you should first ask the handler the two allowable questions. If it is a service animal and there are behavioral issues, you may then ask the handler to correct the behavior. If this does not improve, you may ask that the animal be removed from the facility then notify the ADA Coordinator in the Office of Civil Rights & Title IX at 803-777-3854 or [civilrights@mailbox.sc.edu](mailto:civilrights@mailbox.sc.edu).

### **Basis of Denial or Exclusion of Assistance Animal**

Examples of bases of denial or exclusion of assistance animals may include but are not limited to the following:

1. Direct Threat

- Individualized assessment based on recent, credible, and objective evidence demonstrating the specific animal poses a direct threat to the health and safety of others.
  - Unit/Service specific and evidence-based assessment of health risks based on credible objective sources.
2. Lack of Control
    - The animal or handler fails to adhere to reasonable behavioral expectations, including but not limited to disruptive, aggressive, or destructive behavior.
  3. Inability to Provide or Arrange Care
    - The University is not responsible for the care or supervision of any assistance animal.
  4. Extenuating Circumstances Related to Location
    - If the request is made in a location that could lead to zoonosis.
    - If the request is made in a location that requires maintaining a sterile field and/or would compromise health and safety regulations such as laboratories, health care settings, food preparation areas.
  5. If the handler is unable or unwilling to meet the above responsibilities, the animal may be denied or removed.
  6. Denial of a request for an Emotional Support Animal (ESA) may be based on insufficient documentation confirming a disability or of the need for an ESA as an accommodation in the context requested.