I. Policy

The Office of Disability Services has the responsibility to verify disabilities in order to protect the health and safety of the students with disabilities and others. To live in University housing, students with disabilities who need personal care attendants are required to have an attendant to assist with day-to-day living activities such as dressing, transfers to and from wheelchairs, light cleaning, bathing, errands, feeding, and toilet routine.

The University recognizes that the individual needs of students vary greatly and that no two students have exactly the same needs. If an attendant is required in order to maintain daily independent living, the Office of Student Disability Services can refer students with disabilities to appropriate agencies. For additional information, call 777-6142.

II. Procedure

A. Once an attendant has been employed, the student with a disability is responsible for ensuring that the attendant fulfills the employment agreement. The student must provide the Office of Student Disability Services a copy of the contract between the student and the personal care attendant or agency and must notify Student Disability Services of any changes in the contract. The student must supply a list of attendants’ names to University Housing for safety and security reasons.

B. The Office of Student Disability Services and/or Housing reserves the right to make periodic health and safety inspections to ensure compliance with the University’s health and safety standards expected of all students. Failure to adhere to this policy may result in termination of on-campus housing privileges. In accordance with Title III, Section 36.208 of the Americans with Disabilities Act 28 C.F.R. (ADA), the University reserves
the right to initiate procedures to terminate the University Housing Agreement because of a "direct threat" to the health or safety of the students with disabilities or others.

III. Appeals Procedure

Appeals under the Personal Care Attendant policy must be made in writing in accordance with the following procedures:

A. Complaints must be forwarded in writing to the Director of Student Disability Services, 112A LeConte, Columbia, SC 29208. For additional information call 777-6142.

B. A complaint must be filed in writing within fifteen (15) 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 the Office of Student Disability Services.

C. An appropriate investigation shall follow the filing of a complaint. The investigation shall be conducted by the Director of Student Disability Services to determine if a risk exists or whether reasonable modifications can mitigate the risk. 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 the Director of Student Disability Services and forwarded to the complainant as soon as the investigation is concluded, normally no later than 30 working days after the filing of the complaint.

E. The complainant may request a reconsideration of the complaint if dissatisfied with the resolution. The request for reconsideration must be made in writing to the Office of Equal Opportunity Programs, 1600 Hampton Street, University of South Carolina, Columbia, SC 29208, within 10 working days of the complainant’s receipt of notification of the resolution. For additional information, call 777-3854.

F. The Section 504 and ADA coordinator for students on the Columbia campus shall maintain the files and records of Section 504 and ADA complaints filed by students at USC-Columbia. In addition, such files and records necessary for system-wide Section 504 and ADA monitoring and reporting purposes shall be maintained by the Office of Equal Opportunity Programs.

G. The right to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 and ADA complaint with the appropriate state or federal department or agency.
IV. Reason for Revision

Policy updated to reflect recent amendments to the Americans with Disabilities Act and University procedures regarding housing and students with disabilities.