

Non-Discrimination and Complaint Procedure

Summary/Purpose: The purpose of this policy is to provide the University's policy on non-discrimination and the procedure for filing complaints related to unlawful discrimination on the basis of race, color, gender, sex, sexual orientation, gender identity or expression, religion, national origin, age, disability, veteran status, or genetic information. Please note that the University has a separate policy (Policy Number DSA.DS.200.015) for dealing with sexual misconduct (including sexual harassment and sexual assault) when the individual accused of misconduct is a student.

The University of Mississippi does not unlawfully discriminate on the basis of race, color, gender, sex, sexual orientation, gender identity or expression, religion, national origin, age disability, veteran status, or genetic information. Employees, students, applicants for admission or employment, or other participants in University of Mississippi programs or activities, who believe they have been discriminated against are entitled to seek relief through the following procedure. Please note that any reference to the "Director" is referring to the Director of Equal Opportunity and Regulatory Compliance or an individual designated by the Director.

University policy prohibits retaliatory action against any complainant or any person acting in good faith who is assisting in the investigation of a complaint. Persons who knowingly bring false allegations may be subject to immediate disciplinary action.

In the event a complaint cannot be resolved by the parties on an informal basis, the complaint should be submitted in writing to the Director of Equal Opportunity and Regulatory Compliance, 217 Martindale. Complaints should be submitted within 180 days of the alleged discriminatory action. At the discretion of the Director of Equal Opportunity and Regulatory Compliance, complaints that are not reduced to writing or that fall outside the specified time limit may be investigated. The Director of Equal Opportunity and Regulatory Compliance will investigate complaints pursuant to the following guidelines:

- **Informal Resolution through Mediation:** The Director will contact the complainant to ascertain whether the complainant would prefer to resolve the matter informally through mediation. Mediation is an informal process in which a neutral third party assists the complainant and the respondent to voluntarily and jointly reconcile their differences. Mediation is an alternative to the often lengthy investigative process traditionally used to determine the merit of charges of discrimination. The purpose of mediation is to help the parties reach a fair and expeditious resolution of the complaint prior to a formal investigation. Most mediations are completed in only one session. Discussions that occur during the mediation are confidential. The mediator cannot impose a decision on the parties. Instead the mediator gives the parties the opportunity to discuss the issues raised in the complaint, clear up misunderstandings, and find areas of agreement. If the complaint is resolved during the mediation process, a written mediation agreement will be prepared for the signature of the two parties. Once the complainant and the respondent have signed the mediation agreement, each party to the mediation will be provided a copy of the signed mediation agreement. The complainant's file will be closed, and the terms of the agreement will end further processing of the complaint by the University.

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Mediation focuses on resolution of the dispute between the complainant and respondent by addressing the interests of both parties. It is not a forum for reaching a determination as to whether discrimination occurred. Therefore, any agreement reached during mediation does not constitute a determination that discrimination has/has not occurred.

While generally the mediation session is attended by the parties alone, the parties may bring a representative with them if they wish. The representative may not be a potential witness and may not address the opposing party or the mediator during the session.

A matter will not be mediated unless both parties agree to mediation. (The complainant should understand that even if the complainant wishes to try to resolve the issues through mediation, the respondent may not wish to undergo mediation.) The complainant and the respondent will each be asked to sign an Agreement to Mediate. Failure by either party to sign the Agreement within five days will be interpreted as a decision by that party not to mediate. If there is no mediation, the Director will begin a formal investigation.

- **Formal Investigation:**

If the parties do not elect to pursue informal resolution through mediation or the attempt at mediation does not successfully result in a signed mediation agreement, the Director will conduct a formal investigation. The formal investigation generally will include the following (as well as other actions deemed appropriate): interviewing the complainant, the respondent, and witnesses who may have relevant information; submitting questions to or taking statements from parties or witnesses; and reviewing documents.

- **Findings:** If the complaint is against a member of the faculty, upon the conclusion of the investigation the Director will present findings and recommendations to the appropriate Dean for input concerning disciplinary action. The employee's Department Chair or other appropriate person(s) may be consulted and may be a part of the decision-making process if requested by the Dean. The complainant will be informed of the decision in a timely manner by the Director. The person against whom the complaint is made will be notified by the Director of the findings and any disciplinary action to be taken.

For complaints against all other University employees, upon the conclusion of the investigation the Director will present findings and recommendations to the appropriate Vice Chancellor. The department head responsible may be consulted concerning disciplinary action if requested by the Vice Chancellor. The complainant will be informed of the decision in a timely manner by the Director. The person against whom the complaint is made will be notified by the Director of the findings and any disciplinary action to be taken.

If a complaint is made against a student for sexual harassment, please follow Policy Number DSA.DS.200.015. If the complaint is against a student for any other reason, or if the complaint is against someone other than a University employee or student, the Director will conduct an investigation and make recommendations to the appropriate parties.

- **Appeal:** The complainant or the person against whom the complaint is made may appeal the findings of the investigation and any disciplinary action taken by submitting an appeal, in

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writing, to the Provost. Such an appeal must be made within five (5) days of the receipt of the decision from the Director. The Provost's decision is final.

UNIVERSITY OF MISSISSIPPI

MOST

Mississippi Outreach to Scholastic Talent

CONFERENCE

The MOST Conference is a leadership conference for rising African American seniors (current juniors/Class of 2019).

This one-of-a-kind experience will take place over three days and two nights on the University of Mississippi Campus. Sunday through Tuesday, July 15-17, 2018.

The conference is free of charge.

For more details and to apply to attend, visit olemiss.edu/most2018. The application opens on April 3 and ends on April 17. All selected participants will receive confirmation on or before May 8, 2018.



THE UNIVERSITY of
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IHL Board of Trustees

Policies & Bylaws

DIVERSITY STATEMENT

One of the strengths of Mississippi is the diversity of its people. This diversity enriches higher education and contributes to the capacity that our students develop for living in a multicultural and interdependent world. Our system of government, rooted in respect for all people and respect for each individual, is based on understanding. Embracing diversity of thought, cultural background, experience, and identity helps to foster inclusive and intellectually enriched campus communities that maximize opportunities for success among all students and employees.

Institutions of higher learning have a moral and educational responsibility to ensure that talent is developed in all our citizens, and that our universities, individually and collectively, are strengthened by diversity in student bodies, faculties, administration, and in all areas offering employment opportunities, including construction, financing, and consulting. Increasing access and success among all populations assists the state of Mississippi in meeting its enrollment and degree completion goals as well as advancing critical economic development.

The Board recognizes the importance for campus environments to promote diversity and ensure that all aspects of institutional practice affirm our commitment to access and success, with particular attention to heightening participation and achievement of underrepresented individuals, as defined by each institution and approved by the IHL Board. To that end, the Board adopts the following goals for higher education in Mississippi:

1. To increase the enrollment and graduation rate of underrepresented students at our institutions;
2. To increase the employment of underrepresented individuals in administrative, faculty and staff positions;
3. To enhance the overall educational experience through infusion of curricular content and co-curricular programming that enhances multicultural awareness and understanding; and
4. To increase the use of underrepresented professionals, contractors, and other vendors.

The Board recognizes that the full and meaningful implementation of this statement and these goals requires that a high priority be assigned to this endeavor; therefore, the Board will require that the performance evaluation of all institutional executive officers and the Commissioner include diversity outcomes as among the most significant elements. The Board also expects the institutional executive officers and the Commissioner to incorporate appropriate diversity metrics into the performance evaluation in their units and in the establishment of goals and performance evaluation of the institutions and organizations.

BIRT

- Provides support and a process for effective advocacy on behalf of the impacted student, faculty, or staff member who is a target of bias
- Promotes educationally driven outcomes to enable students, faculty, and staff to learn about discriminatory behavior and language
- Tracks bias data to share with campus partners to monitor campus climate

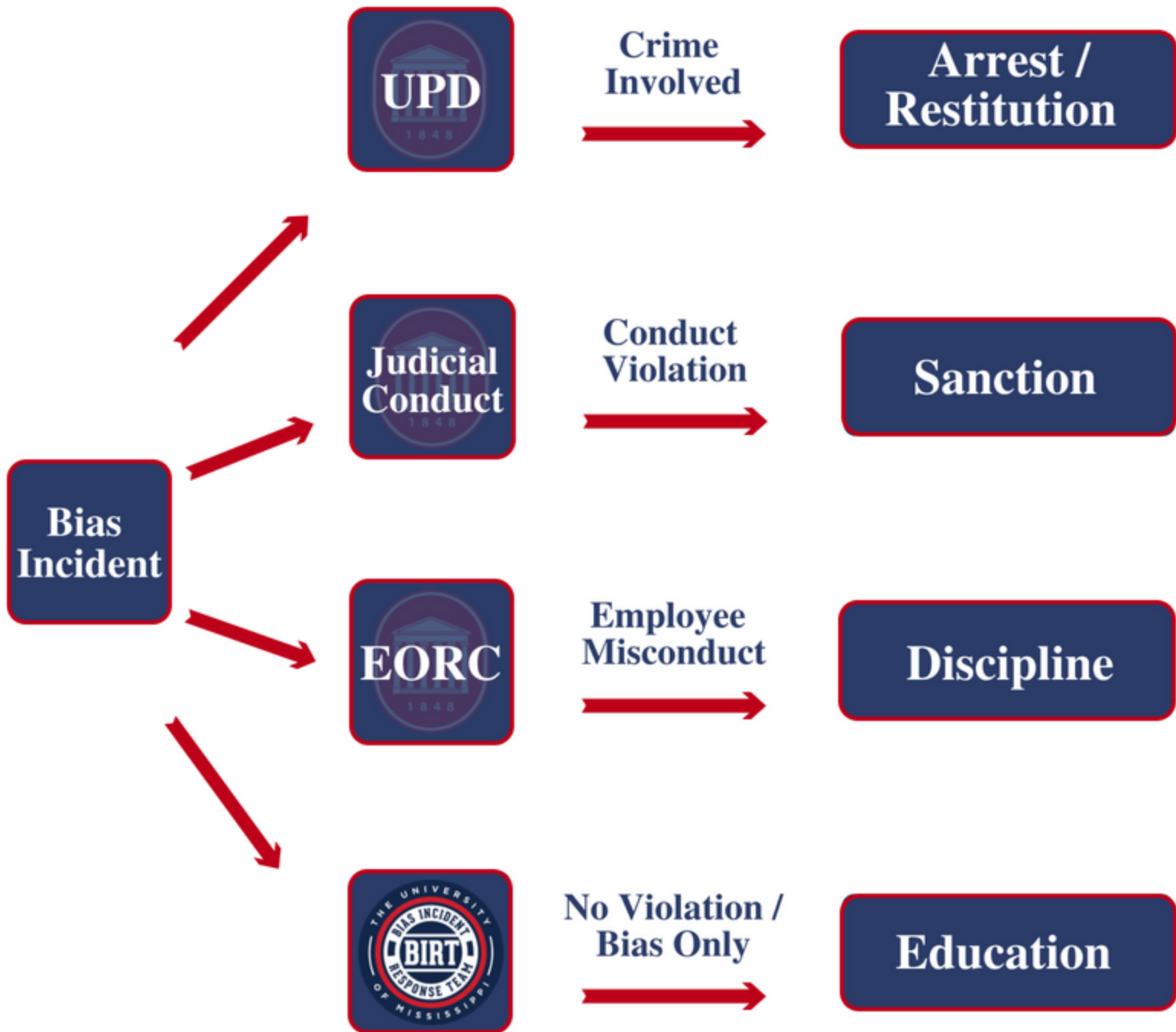
Bias Incident

A Bias Incident is characterized as a behavior or act that targets an individual or group based on perceived or actual characteristics such as, but not limited to, race, religious belief, sexual orientation, disability, or age



Examples

- Offensive graffiti, images, or drawings
- Using racial/cultural slurs or names towards a specific person or a group of people
- Posting or commenting on social media related to someone's identity in a biased manner
- Displaying graphics that imitate, stereotype, belittle, or ridicule someone because of their gender, race, ethnicity, disability, sexual orientation, faith, or political affiliation



Bias Incident



Crime Involved



Arrest / Restitution



Conduct Violation



Sanction



Employee Misconduct



Discipline



No Violation / Bias Only



Education