

## Discrimination Complaints

**Summary/Purpose:** The purpose of this policy is to provide procedure for filing complaints related to discrimination on the basis of race, color, sex, religion, national origin, age, disability, veteran status, sexual orientation, or genetic information.

Employees, students, applicants for admission or employment, or other participants in University of Mississippi programs or activities, who believe that they have been discriminated against on the basis of race, color, sex (including sexual harassment), religion, national origin, age, disability, veteran status, sexual orientation or genetic information are entitled to seek relief through the following procedure.

**University policy prohibits retaliatory action being taken 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 subjected to immediate disciplinary action.**

In the event a complaint can not be resolved by the parties on an informal basis, the complaint should be submitted in writing to the Executive Director of Equal Opportunity and Regulatory Compliance, 217 Martindale. Complaints must be submitted within 180 days of the alleged discriminatory action (including sexual harassment). In certain circumstances, at the discretion of the Executive 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 informally. The Executive Director of Equal Opportunity and Regulatory Compliance will investigate complaints pursuant to the following guidelines:

- Whenever possible, the Executive Director of Equal Opportunity and Regulatory Compliance, or designee, will seek to resolve the matter informally. The complainant will be notified of the resolution.
- If no resolution is possible, the Executive Director of Equal Opportunity and Regulatory Compliance, or designee, will conduct an investigation, the nature and scope of which will be determined on a case-by-case basis. This investigation may include any or all of the following, as well as other actions as is deemed appropriate: interviewing the complainant, the respondent and witnesses; submitting questions to or taking statements from parties or witnesses; reviewing documents and appointing an investigative committee (hearing panel).
- If a formal investigative committee is formed, it will consist of at least three persons other than the Executive Director or designee. If the complainant is a faculty member, at least one member of the panel shall be a member of the faculty. If the complainant is a staff member, at least one member of the panel shall be a staff employee. If the complainant is a student, the panel shall include one student. No member of the hearing panel should be from the same department, school or college of the University as the complainant or respondent. The Executive Director, or designee, will be the non-voting chair of the panel. A court reporter may be retained to record the proceedings at the discretion of the Executive Director or designee. The panel members will conclude the investigation and make a decision in a timely manner.

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- Upon the conclusion of the investigation and/or hearing, the Executive Director of Equal Opportunity and Regulatory Compliance, or designee, in the instance of complaints against faculty or students, 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 Executive Director of Equal Opportunity and Regulatory Compliance. The person against whom the complaint is made will be notified by the Dean, or the Executive Director of Equal Opportunity and Regulatory Compliance, or designee, of the findings and any disciplinary action to be taken.
- The Executive Director of Equal Opportunity and Regulatory Compliance, or designee, in the instance of non-faculty complaints, will present findings and recommendations to the appropriate Vice Chancellor. The department head responsible for the division of the involved employee(s) 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 Office of Equal Opportunity and Regulatory Compliance. The person against whom the complaint is made will be notified by the Vice Chancellor, or designee, of the findings and any disciplinary action to be taken.
- The complainant may appeal the decision by submitting an appeal, in writing, to the Provost. Such an appeal must be made within five (5) days of the receipt of the decision from the appropriate Academic Dean or Administrative Vice Chancellor. The Provost's decision is final.