

# **Southeastern Louisiana University**

## **Discrimination and Harassment Policy**

### **Policy Statement**

Southeastern Louisiana University is committed to maintaining an educational and workplace environment free of any type of discrimination and/or harassment which is illegal and which will not be tolerated. In furtherance of that commitment, this policy forbids discrimination and/or harassment of any kind by or against any applicant, employee, student, or any other individual/group of individuals on the basis of race,





A. Evidence

1. Direct Evidence In order to establish direct evidence of discrimination and/or harassment, there must be proof that the adverse action or preferential treatment was a result of a protected category/status. Such evidence is any written or verbal statement by an official that he/she took actions against, or offered preferential treatment to, an individual/group of individuals because of their protected category/status.

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temporary changes in classes, residence hall assignments, work assignments, etc. Both parties will be advised regarding the University policy on retaliation.

D. Reporting and Investigation Process

Each of the Universities that comprise the University of Louisiana System (ULS) shall designate an



Written Summary. The Compliance Office will provide to both parties a written summary of the outcome of the investigation within a reasonable timeframe (within ten working days of the completion of the investigation). A copy of the Compliance Officer's written summary of the investigation will be accessible to both parties.

Preventative measures. If an investigation confirms either that discrimination or harassment has occurred or that conduct in violation of the policy has occurred, immediate and appropriate action to stop any such conduct and reasonable steps to prevent any further harassment, discrimination, or retaliation shall be taken.

## Formal Complaint Process Level 2

If either party to a complaint of unlawful discrimination and/or harassment wishes to appeal the Level 1 decision, an appeal of the written decision must be made in writing within 10 business days of the receipt of the Level 1 Complaint determination. The appeal should be sent to the Office of the President of the University who will forward the appeal to the University EEO Advisory Committee for a review and determination.

## Equal Employment Opportunity (EEO) Advisory Standing Committee

Each University shall create an EEO Advisory Standing Committee composed of members of the faculty and staff from various departments. The EEO Advisory Standing Committee should include individuals representing the interests of classified and unclassified staff and should reflect the diverse workforce of the campus. The EEO Advisory Standing Committee for each University will communicate regularly regarding issues related to implementation including University climate and systemic concerns. In addition to its other responsibilities, a sub-group of between three (3) and five (5) of the EEO Advisory Standing Committee Members shall serve as the Level 2 appeal review committee for this Discrimination/Harassment process.

Each university shall maintain a pool of trained investigators who are employees of the universities who have had formal training in investigation techniques, policies, and procedure for purposes of resolving administrative complaints and actions within the campus environment. Such individuals should have knowledge of interviewing, evidence collection, and report writing, and will be the primary individuals responsible for making initial inquiries of complainants and respondents in a variety of administrative proceedings.

Prior to the EEO Advisory Standing Committee's review, a trained investigator appointed by the President of the university will:

0. Review and investigate the Level 1 complaint decision;
1. Collect and clarify additional available facts about the alleged incident;
2. Meet with the complainant/complainants and the accused individual, separately, if appropriate.
3. The trained investigator will provide a report to the EEO Advisory Standing Committee within ten working days of receiving the notice of appeal from the President. The EEO

EEO Advisory Standing Committee will review the Level 1 decision and the appeal as well as the investigator's report, and will make a determination regarding the Level 1 decision and will provide detailed findings along with recommendations for appropriate action to the President of the University for his/her consideration. Such work must be completed within ten (10) working days of receipt of the report of the trained investigator. Recommendations may include: uphold the Level 1 decision in full or in part or render an alternative decision in full or in part. The President of the University will review the report submitted by the EEO Advisory Standing Committee and, depending upon the nature and severity of the charge(s), the President may approve the recommended action or may recommend an alternate resolution. The action of the President must be taken within five working days of receipt of the report of the Committee.

Any extension of deadlines in this process must only be for reasons of extenuating circumstances and those circumstances must be shared with the complainant/s and the accused individual.

The complainant/complainants and the accused individual will be notified of the decisions at each level.

The complainant/complainants will also be notified of all elements of the decision that directly relate to the complainant, involve general campus wide changes, or are otherwise required by state or federal law.

### III. Sanctions

Following an investigation, if a faculty or staff member is found in violation of the policy, that individual may be subject to disciplinary action, and the sanctions may include reprimand, probation, suspension, demotion, reassignment, and termination. If the event that personnel action is determined necessary and appropriate with respect to the accused, the University should use its appropriate personnel policies after a determination