



# Non-Discrimination

Valdosta State University is committed to maintaining a fair and respectful environment for living, working and studying. To that end, and in accordance with federal and state law, Board of Regents' policy, and University policy, the University prohibits any member of the faculty, staff, administration, or student body from discriminating against any other member of the University community because of that person's race, ethnicity, color, national origin, sex, sexual orientation, gender, gender identity and/or expression, pregnancy, genetic information, religion, age, disabled status or status as a veteran, and other categories protected under the law.

## DEFINITION

### DISCRIMINATORY HARASSMENT

At the Valdosta State University, discriminatory harassment is defined as:

Sexual Harassment (Student on Student): Unwelcome verbal, nonverbal, or physical conduct based on sex (including gender stereotypes), determined by a Reasonable Person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to participate in or to benefit from an institutional education program or activity.

Sexual Harassment (Other Than Student on Student): Unwelcome verbal, nonverbal, or physical conduct, based on sex (including gender stereotypes), that may be any of the following:

- Implicitly or explicitly a term or condition of employment or status in a course, program, or activity;
- A basis for employment or educational decisions; or
- Is sufficiently severe, persistent, or pervasive to interfere with one's work or educational performance creating an intimidating, hostile, or offensive work or learning environment, or interfering with or limiting one's ability to participate in or to benefit from an institutional program or activity.

### AFFIRMATIVE ACTION OFFICER

The Affirmative Action Officer is the individual designated by the President to be primarily responsible for providing education and training about discrimination to the University community, and for investigating reports and complaints of discrimination in accordance with this policy. The Affirmative Action Officer can be reached at the Office of Human Resources.

## SCOPE

### APPLICABILITY

The University's Non-Discrimination Policy applies to all faculty, staff, administration, and students.



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## **OFF CAMPUS PROGRAMS AND ACTIVITIES**

Students and employees who feel that they have experienced discrimination while participating in off-campus programs and activities should immediately report such incidents to the program director or the Affirmative Action Officer. Off-campus programs and activities include, but are not limited to, study abroad programs, internships, student teaching and applied learning experiences.

## **STUDENT TO STUDENT COMPLAINTS**

Discrimination perpetrated by a student who is not employed by the University should be treated as a disciplinary matter and should be reported to the Dean of Students.

## **COMPLAINT PROCEDURES TIMELINE FOR REPORTING**

All reports and complaints of discrimination will be promptly investigated and appropriate action will be taken as expeditiously as possible. Complaints and reports of discrimination should be reported as soon as possible after the incident(s) in order to be most effectively investigated. Complaints of sexual harassment should be reported within fifty (50) days of the incident. The University will make reasonable efforts to protect the rights of both the complainant and the respondent. The University will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses in a manner consistent with the University's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations required by law.

## **RESPONSIBILITY OF STUDENTS AND EMPLOYEES**

All students and employees should report any discrimination harassment that they experience and/or observe to the Affirmative Action Officer. No student or employee should assume that an official of Valdosta State University knows about their particular situation. The University encourages anyone who feels they have been discriminated against to report the incident to the Affirmative Action Officer. Any student, faculty member, or employee who knows of, or receives a complaint of discrimination should report the information or complaint to a supervisor and/or the Affirmative Action Officer.

## **RESPONSIBILITY OF SUPERVISORS AND ADMINISTRATORS**

Administrators and supervisors must report to the Affirmative Action Officer in timely manner any and all incidents of discrimination which are reported to them.

## **INVESTIGATION AND RESOLUTION**

The University's complaint process, outlined herein, is the procedure used to end inappropriate behavior; to investigate the factual situation; and to facilitate resolution of complaints involving



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allegations of discrimination. However, as part of the complaint process, and if appropriate, the Affirmative Action Officer may recommend that the complainant and respondent attempt to resolve their differences through mediation or through the grievance process through the University's [Conflict Management and Restorative Practices Program](#).

The University reserves the right to investigate and resolve a complaint or report of discrimination regardless of whether the complainant pursues the complaint. In such cases, the respondent shall be informed of the status of the investigation at reasonable times until the University's final disposition of the complaint and will be given an opportunity to respond to the substance of the complaint.

These procedures do not replace the right of complainant to pursue other options or remedies available under the law.

### PROCEDURES

When safe and possible, the complainant should clearly explain to the alleged offender that the behavior is objectionable and request that it cease. If the complainant is not able or does not feel safe confronting the alleged offender, or the behavior does not stop, or if the complainant believes some adverse employment or educational consequences may result from the discussion, the complainant should go to the Affirmative Action Officer or to the next higher level of supervision to document the complaint. The supervisor must report the complaint to the Affirmative Action Officer. When deemed appropriate, the Affirmative Action Officer will work with the supervisor to facilitate a resolution of discrimination complaints at the local level.

The Affirmative Action Officer must be contacted in order to initiate a complaint. The complaint should be brought as soon as possible after the most recent incident. During this process, the Affirmative Action Officer will keep the supervisor/administrator informed of the status of the complaint and will seek input from the appropriate supervisor/administrator when implementing corrective action.

### UNIVERSITY ACTION/RIGHT TO APPEAL

The University will take the appropriate remedial action based on results of the investigation and will follow up as appropriate to ensure that the remedial action is effective. Complainants are encouraged to report any reoccurrences of conduct which were found to violate the Non-Discrimination policy. The Affirmative Action Officer will notify the complainant and respondent, in writing, of the results of the investigation.

The respondent shall have the right to appeal the decision of the Affirmative Action Officer to the President pursuant to this policy. A written appeal must be made within ten (10) working days after written notification of the decision which is being appealed. A decision will be made within a reasonable time and the Affirmative Action Officer, the complainant, and the respondent will be notified of the decision.



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## PROHIBITION AGAINST RETALIATION

Students and employees who, in good faith, report what they believe to be discrimination or who cooperate in any investigation, will not be subjected to retaliation. Students or employees who believe they have been the victim of retaliation for reporting discrimination or cooperating in an investigation should immediately contact the Affirmative Action Officer. Any person found to have retaliated against a person who has cooperated in an investigation will be in violation of this policy and will be subject to disciplinary action.

## AFFECTED STAKEHOLDERS

Indicate all entities and persons within the university affected by this policy:

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Alumni           | <input checked="" type="checkbox"/> Graduate Students | <input checked="" type="checkbox"/> Undergraduate Students |
| <input checked="" type="checkbox"/> Staff | <input checked="" type="checkbox"/> Faculty           | <input checked="" type="checkbox"/> Student Employees      |
| <input type="checkbox"/> Visitors         | <input type="checkbox"/> Vendors/Contractors          | <input type="checkbox"/> Other: _____                      |

## POLICY ATTRIBUTES

<i>Responsible Office(s)</i>	Human Resources, 1205 N. Patterson St., 229-333-5709, hrstaff@valdosta.edu
<i>Approving Officer or Body</i>	University Council
<i>Date Approved</i>	Prior to 06/01/2009
<i>Revised</i>	02/22/2022: added gender identity and/or expression and other categories protected under the law not currently in the policy; replaced binary, non-inclusive language; revised department location of Affirmative Action Officer 12/12/2024: Separated out the definition of discriminatory harassment to 'student on student' and 'other than student on student'; based on USG Legal Affairs guidance of 12/11/2024
<i>Next Review Date</i>	12/12/2026