NOTE: THIS POLICY, LIKE ALL OTHER COASTAL CAROLINA UNIVERSITY POLICIES, IS NOT A CONTRACT OF EMPLOYMENT AND SHOULD NOT BE RELIED UPON AS SUCH. THIS POLICY MAY BE CHANGED AT ANY TIME BY COASTAL CAROLINA UNIVERSITY.

SUMMARY:

Coastal Carolina University is an equal employment opportunity employer. No person will, on the basis of race, color, religion, sex, national origin, age, genetic information, mental or physical disability or status as a disabled veteran or veteran of the Vietnam era, be excluded from employment with the University or participation in, be denied the benefits of or otherwise be subjected to discrimination under any program or activity. The University is committed to achieving equal employment opportunity through an affirmative action plan.

POLICY:

I. POLICY

Coastal Carolina University is committed to ensuring that all persons are able to learn, work and enjoy a workplace, educational and living environment that is free from discriminatory harassment, treatment or services.

Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Executive Order No. 11246, Sections 503 and 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967, the Vietnam Veterans Readjustment Assistance Act of 1974 (38 U.S.C. 2012) and the South Carolina Human Affairs Law provide statutes that form the basis of the University’s policies concerning discrimination. Discrimination based on race, color, religion, sex, national origin, age, genetic information, mental or physical disability or status as a disabled veteran or veteran of the Vietnam era is prohibited. Thus, it is the policy of Coastal Carolina University that no person will be excluded from participation in, be denied the benefits of, or in any way be subjected to, discrimination in any program or activity of
the University. It is the policy of the University to recruit, hire, train, promote and effect all other personnel actions of employees without discrimination.

Any employee, student, student organization or person pursuing an education at Coastal Carolina University who violates this policy will be subjected to disciplinary action, up to and including termination and expulsion from the University.

Discrimination includes conduct (oral, written, graphic or physical) directed against any person or group of persons because of race, color, religion, sex, national origin, age, genetic information, disability or status as a disabled veteran or veteran of the Vietnam era that has the purpose or reasonably foreseeable effect of creating an offensive, demeaning, intimidating or hostile environment for that person or group of persons. Such conduct includes but is not limited to, objectionable epithets, demeaning depictions or treatment and threatened or actual abuse or harm.

II. COOPERATION IN INTERNAL INVESTIGATIONS

When directed to do so by the immediate supervisor or other persons who have been given investigative authority by the President of the University, an employee of Coastal Carolina University will cooperate to the fullest extent possible in any internal investigation conducted by his or her employment unit. Cooperation may involve the use of polygraph tests.

III. TEMPORARY MEASURES

At any point in the informal or formal complaint procedure, the Office of Human Resources and Equal Opportunity (HREO) may recommend interim actions to protect parties or witnesses involved in the investigation including but not limited to, separating the parties, reassignment, alternative work or student housing arrangements or other types of temporary measures. The University also reserves the right to issue no contact provisions to any or all parties involved in the investigation.

IV. ADMINISTRATIVE PROCEDURES FOR ALLEGED DISCRIMINATION

All members of the Coastal Carolina community should contact HREO if they observe or encounter conduct that may violate the University’s Equal Employment Opportunity Policy. Reports of alleged violations may also be made to an immediate supervisor. Complaints may be made to the next level supervisor if the alleged discrimination is from the immediate supervisor is. Students can report alleged violations to deans or department chairs or to staff in Counseling Services or HREO. Any University employee who receives a complaint of discrimination is required to notify HREO in order to have complaints promptly processed under the informal and/or the formal complaint procedure described below. Information essential to an investigation must be provided to HREO upon request.
Alleged discrimination must be reported as soon as possible. Prompt reporting enables the University to more effectively investigate the facts, determine if a violation of policy has occurred and provide an appropriate remedy or take appropriate disciplinary action.

A. Informal Complaint Procedure

The goal of the informal complaint procedure is to resolve concerns at the earliest stage possible. This procedure includes but is not limited to, discussions with the parties, mediating an agreement between the parties, referring the parties to counseling programs, conducting educational and training programs and making other recommendations for resolution. Upon notification of an informal complaint, HREO will conduct an investigation into the allegations using the following procedure:

1. Discussions will be conducted separately with the complainant and the accused to review the allegation(s) and develop a mutually satisfactory resolution. If deemed appropriate and both parties agree, the investigator may bring the parties together for a joint discussion.

2. The resolution procedure will be confidential to the extent permitted by law. HREO will advise all parties of the confidentiality of the investigation and the strict prohibition against retaliation.

3. Resolution of complaints handled under the informal complaint procedure will be completed as soon as possible and in most cases within thirty (30) calendar days of receipt of the complaint by HREO. If a resolution cannot be completed within thirty (30) calendar days because of valid extenuating circumstances, the complainant will be notified and given a projected time for completion. If it is determined that a matter originally submitted under the informal complaint procedure becomes a formal complaint, all parties will be notified in writing from HREO.

4. If the complaint is resolved through the informal complaint procedure, a written record of the allegation(s) and the resolution will be retained in HREO and the file will be closed.

5. If the investigator, after hearing the complainant’s statement, determines that a formal investigation is necessary, the complaint will be handled under the formal investigation procedure in section IV. B. of this policy.

6. The informal complaint procedure is an optional step. The complainant or HREO may decide to skip the informal complaint procedure and proceed under the formal complaint procedure.

B. Formal Complaint Procedure
The formal complaint procedure will be followed if the informal complaint procedure is not successful or appropriate for addressing the alleged discrimination. The wishes of the complainant making the report will be considered, but the University will determine whether or not to initiate the formal complaint procedure. For example, the University may determine that it is obligated to proceed under the formal complaint procedure due to the seriousness or nature of the allegations. Upon notification of a formal complaint, HREO will conduct an investigation into the allegations using the following procedure:

1. The procedure will be confidential to the extent permitted by law. All parties will be advised of the confidentiality of the investigation and the strict prohibition against retaliation.

2. The investigation will include interviews with the parties, interviews with witnesses and a review of relevant documents. If all witnesses identified by the parties are not interviewed, the investigator will document the reason the interviews were not conducted.

3. The individual(s) accused of violating Coastal Carolina University’s Equal Employment Opportunity will be given a written statement of the allegations.

4. The investigation will be completed as promptly as possible and in most cases within forty-five (45) calendar days of the date the formal investigation procedure was initiated. If the investigation cannot be completed within forty-five (45) calendar days because of valid extenuating circumstances, the parties will be notified and given a projected time of completion.

5. The investigation will result in a written report that includes a statement of the allegations, the positions of the parties, a summary of the findings of fact, a determination by HREO whether or not University policy has been violated and recommendations for actions to resolve the complaint, if appropriate. The report will include an explanation if all witnesses identified were not interviewed. The report will be submitted to University official(s) with authority to implement the actions necessary to resolve the complaint.

6. The parties will be informed as soon as possible and in most cases within thirty (30) calendar days of the conclusion of the investigation unless valid extenuating circumstances occur. Parties will be notified when the investigation is complete and whether or not any violations of policy were found. The complainant will be informed of actions taken to resolve the complaint only if the actions are directly related to the complainant, such as a directive that the accused not contact the complainant. The complainant will be notified if the matter is referred for disciplinary action, but will not be informed of the details.

C. Sanctions/Disciplinary Actions
1. Persons found to be in violation of the University's discrimination policies will be subject to disciplinary action(s) which may include but are not limited to, oral or written warnings, suspension, transfer, demotion or dismissal.

2. Willful false accusations will be subject to disciplinary action which may result in sanctions such as reprimand, suspension, demotion or dismissal.

3. Appealing a Sanction

   If the disciplinary action is a demotion, dismissal, or suspension, it may be grievable by staff employees under the University Grievance Procedure administered by HREO. Faculty members should consult the Faculty Manual for appropriate grievance procedures. Students should consult the Student Handbook for appropriate grievance procedures.

V. APPEALS OF THE FORMAL COMPLAINT PROCEDURE

   A. The complainant or accused has a right to appeal the decision of the formal complaint procedure.

   1. Appeals must be submitted in writing to the Office of the President of the University within seven (7) University work days after the complainant is notified that the investigation is complete. The President or designee will review and decide the appeal.

   2. Decisions not appealed within such time are deemed final.

   3. The President or designee will issue a decision on the appeal to all parties involved within thirty (30) calendar days after receipt of the written appeal. This is the final step in the University’s formal complaint procedure.

VI. AFFIRMATIVE ACTION

   A. It is the intention of the University to take affirmative action to remove any disparate effects of past discrimination and to prohibit discrimination of any form. This is to extend to all levels and phases of personnel administration such as recruitment, testing, hiring, training, promotion, transfer, leave, compensation, selection for supervisory positions and administration of employee reduction-in force and benefit programs.

   B. To carry out this practice, the University has developed an Affirmative Action Plan which establishes employment goals and benchmarks for reaching these goals. The University also endorses the policy of eliminating the remaining vestiges of prior discrimination. It further endorses the specific goals adopted toward this end including those actions and goals contained in the Affirmative Action Plan. The achievement of the goals and interim benchmarks as specified in the Affirmative Action Plan constitutes the official policy of the institution.
C. Paramount to the success of the University's Affirmative Action Plan is its administration. HREO is assigned the responsibility to execute and administer the provisions of this policy. Any person having a question regarding applicable laws and regulations or who feels discriminated against is encouraged to contact the Assistant Vice President for Administrative Services who is designated the University’s ADA, Title II, Section 504 and Title IX Coordination.

D. This policy statement will be posted in places conspicuous to all members of the faculty, staff, and student body; it will be communicated to all applicants for employment and admission; and it will be given such external dissemination as is necessary to inform and secure the cooperation of individuals and organizations constituting sources of employment and student referrals to the University.

E. A copy of the approved Coastal Carolina University Affirmative Action Plan is available online at www.coastal.edu.