



Policy Title:	Prohibition Against Discrimination
Policy Number:	UNIV-476
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Policies Superseded:	N/A
Policy Management Area(s):	University Belonging and Student Affairs

## SUMMARY

The University shall not unlawfully discriminate against, or grant preferential treatment to, any individual on the basis of race, color, religion, age, national origin, ethnicity, disability, veteran or military status, sex, gender, genetic information, sexual orientation, pregnancy, childbirth or related medical conditions, in the administration of all campus programs, services and activities including intercollegiate athletics, and the admission of students, employment actions, or other sponsored activities.

In alignment with our mission and institutional values of truth, respect, integrity and excellence, Coastal Carolina University is committed to cultivating a campus culture that promotes full and open competition on the basis of merit, experience, and qualifications and advances access, inclusion and diversity.

## POLICY

### I. DEFINITIONS

- A. CCU Community - all students, faculty, and staff, whether full-time, part-time, temporary, research grant, temporary grant, or time limited. It also includes volunteers, affiliates, contractors and consultants performing work or services on University owned or leased property, or on behalf of the University.
- B. Discrimination - unlawfully treating another individual of a Protected Class unfavorably compared to other similarly situated individuals; unlawfully and adversely affecting a term or condition of an individual within a Protected Class employment, education, living environment or participation in University programming; or unlawfully creating an antagonistic or hostile environment, including harassment, whether intentional or unintentional, based solely upon an individual's or individuals' membership in a Protected Class as defined by law, regulation, and/or this policy. Discrimination shall also include unlawful preferential treatment; unlawfully treating an individual of a Protected Class more favorably compared to other similarly situated individuals;

unlawfully and more favorably affecting a term or condition of an individual within a Protected Class' employment, education, living environment or participation in University programming.

- D. Protected Class - a group of people with a common characteristic who are protected by law, regulation, or this policy from discrimination or preferential treatment on the basis of that characteristic, including race, color, religion, age, national origin, ethnicity, disability, veteran or military status, sex, gender, genetic information, sexual orientation, pregnancy, childbirth or related medical conditions.

## II. SCOPE

- A. This policy applies to all members of the CCU Community, as defined by this policy.
- B. Any employee at CCU who violates this policy will be subject to disciplinary action, up to and including termination.
- C. Any student who violates this policy will be subject to discipline as outlined in the Code of Student Conduct.
- D. Any volunteer, affiliate, contractor or consultant who violates this policy may have their University affiliation terminated.

## III. POLICY

- A. Discrimination to an individual or individuals of a Protected Class, in regard to the administration of any campus programs, services and activities including intercollegiate athletics, and/or the admission of students, employment actions, or other sponsored activities is prohibited by this policy.

B. Reporting

The promotion and protection of a Discrimination-free environment is the responsibility of all members of the CCU community. The University can only take action against these behaviors when it becomes aware of the problem. Therefore, the University encourages persons who believe that they have experienced or witnessed discriminatory behaviors as prohibited by this policy to come forward as soon as possible.

Inquiries, reports, or complaints of these prohibited behaviors may be reported to any of the following:

- Your immediate supervisor
- The Title IX Officer
- Human Resources
- EEO Officer

- The Dean of Students
- The University Confidential Reporting,  
<https://www.coastal.edu/universitycompliance/reporting/>

Employees who witness such prohibited behaviors but fail to report the incident may be subject to disciplinary action.

#### C. Responsibilities of Managers and Supervisors

While this Policy applies to all employees of the University, the University specifically expects management level personnel to serve as models of appropriate conduct for members of the CCU community, and will hold them to a higher standard of accountability. It is imperative that managers and supervisors not only adhere to but enforce this Policy. Managers and supervisors have a special obligation not to engage in discrimination or harassment. All management and supervisory personnel have an affirmative duty and are required to promptly report any Discrimination that they observe, learn about from others, or reasonably suspect has occurred with respect to a member of the CCU community. Managers and supervisors who knowingly allow Discrimination to continue may be disciplined.

#### D. Limitations of Policy

Nothing in this Policy shall or shall be interpreted to:

- Prohibit consideration of bona fide qualifications based on potential Protected Class characteristics which are reasonably necessary to the normal operation of public employment, education, or contracting;
- Invalidate any court order or judicial decree in effect as of the date of the Policy;
- Prohibit action which must be taken to establish or maintain eligibility for any federal or state program, where ineligibility could result in a loss of federal or state funds;
- Prohibit collection of demographic data, so long as the collection is consistent with privacy laws and the data is not used for impermissible purposes.

### IV. UNIVERSITY INITIATED ACTION

In circumstances when a report of inappropriate behavior is made, but the complainant does not wish to pursue the matter, the University reserves the right to investigate the report and take appropriate action.

Reasons the University may initiate action include, but are not limited to:

- the allegations, if true, give reason to believe that the complainant or other members of the University community may be at continued risk of victimization, or
- the University has a legal obligation to investigate.

## V. CONFIDENTIALITY

The University recognizes that confidentiality is important. Information gathered during an investigation shall be maintained as confidential to the extent reasonably possible and permitted under law.

## VI. NON-RETALIATION

The University will not retaliate against an individual who reports a perceived violation of this Policy and will not tolerate retaliation by a member of the CCU community. Whistleblower protections and protection from retaliation are addressed in [UNIV-414 Whistleblower and Retaliation Protections](#).

## VII. AFFIRMATIVE ACTION

The University has developed an Affirmative Action Program that establishes goals for non-discrimination and benchmarks for reaching those goals. The approved Coastal Carolina University Affirmative Action Program narrative is in the Office of Human Resources and the EEO Officer.

## VII. LEGAL AUTHORITY

The Equal Pay Act of 1963; Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, the Age Discrimination in Employment Act of 1967, the Vietnam Veterans Readjustment Assistance Act of 1974 (38 U.S.C. 2012), Immigration and Nationality Act (8 U.S.C. §1324b) the Genetic Information Nondiscrimination Act of 2008 and the South Carolina Human Affairs Law provide statutes that form the basis of the University's policies concerning discrimination..