

TITLE IX POLICY

It is the policy of Jackson State University (“University”) not to discriminate against any person on the basis of gender in violation of any applicable law, including but not limited to, Title VII of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000e), and Title IX of the Education Amendments of 1972 as well as its implementing regulations (34 CFR Part 106).

It is the policy of the University not to discriminate on the basis of gender in the educational programs and activities that it operates. This prohibition against gender based discrimination extends to all University educational program, and activities, as well as to admission into such programs and activities.

The University is committed to fostering a positive working and educational environment in which there exists mutual respect for all University students, faculty, and staff. Harassment of employees or students based upon sex is inconsistent with this objective and contrary to the University policy of equal employment and academic opportunity without regard to race, color, national origin, sex, age, or disability. Sexual harassment is illegal, and will not be tolerated within the University. It is the policy of the University that no member of its community shall sexually harass another. Any employee or student who violates this policy will be subject to disciplinary action up to and possibly including separation from the University.

Members of the University Community who believe that this policy has been violated are strongly encouraged to report the allegations of sexual harassment as promptly as possible. Delay in making a complaint of sexual harassment may make it more difficult for the University to investigate the allegations.

Title IX Complaint Procedures

A. Reporting Sexual Harassment

A member of the University community who wishes to file a complaint about sexual harassment by an employee or student of the University **should take the following action:**

- **If the alleged harasser is a faculty or staff member, the complaint should be made, orally or in writing, to the alleged harasser’s unit administrator or to the University’s Title IX Coordinator.**
- **If the alleged harasser is the unit administrator, the complaint should be made, orally or in writing, to the unit administrator’s superior or to the University’s Title IX Coordinator.**
- **If the alleged harasser is a student, the complaint should be made to the Associate Vice President for Student Life and Dean of Students or to the University’s Title IX Coordinator.**

The University can most effectively investigate and respond to alleged sexual harassment if the complaint is made as promptly as possible after the alleged sexual harassment occurs.

The University can only take corrective action when it becomes aware of problems. Therefore, the University encourages persons who believe that they have experienced sexual harassment to come forward with their complaints and seek assistance within the University. Faculty, staff, and students who believe that they have witnessed sexual harassment are encouraged to report the alleged harassment promptly. In addition, supervisors, managers, and other designated employees are expected to promptly report all allegations of sexual harassment to the Title IX Coordinator.

Reports of sexual assault and other crimes should be directed to the JSU Campus **Police** regardless of whether the matter is also reported and being investigated as sexual harassment.

B. Contact Information

Title IX Coordinator:

Thomas Hudson, EEO/AA and Chief Diversity Officer
(601) 979-6883
thomas.k.hudson@jsums.edu

C. Processing Complaints

All complaints of alleged sexual harassment are investigated under the oversight of the University's Title IX Coordinator. The University will process all formal complaints of sexual harassment it receives; regardless of where the conduct which is the basis for the complaint allegedly occurred. The Title IX Coordinator may also determine that an investigation is warranted without a formal complaint if the University has sufficient notice that sexual harassment may have occurred.

1. Investigation Timelines

Investigations of sexual harassment will normally be completed within 60 calendar days, with an additional 15 calendar days to complete a formal report where appropriate. If the investigation cannot be completed within that timeframe, the complainant and the respondent will be informed of the reasons for the delay and an estimated date of completion.

2. Interim Measures

The University may take interim measures it deems necessary during an investigation. Interim measures will be taken within the context of University policies and might include changes to class or housing assignments for students or work assignments for employees.

3. Complaints in Which a Student is the Alleged Harasser

Complaints of alleged sexual harassment by a student will be investigated under the oversight of the University's Title IX Coordinator. If that investigation results in a finding that sexual harassment has occurred, the Title IX Coordinator will file a complaint with the Division of Student Life and such complaint will be processed under the student disciplinary

code. In those cases, the Title IX Coordinator will be identified as the Complainant and it will be the prerogative of the victim to determine in what capacity, if any, he/she will participate (i.e., co-complainant, witness, or no participation).

4. Complaints in Which an Employee is the Alleged Harasser

Complaints of alleged sexual harassment by a faculty or staff member will be investigated under the oversight of the University's Title IX Coordinator.

D. Investigations Generally

Each complaint of sexual harassment will result in an investigation, including interviews and the review of evidence, such as electronic and written material, if any exists. Both the complainant and the alleged harasser will be notified of the outcome of an investigation. If an investigation results in a determination that sexual harassment has occurred, the University will take remedial action, including, where appropriate, disciplinary action, to eliminate the harassment and prevent its recurrence. The Title IX Coordinator, in cooperation with the relevant University officials, will continue to monitor the matter to assure that harassment does not recur.

E. Confidentiality

The review of sexual harassment complaints, including formal investigation, will be conducted confidentially to the extent permitted by law, except insofar as information needs to be disclosed so that the University may effectively investigate the matter or take corrective action.

F. Retaliation

Persons who complain about sexual harassment, or who cooperate in the University's investigation and handling of sexual harassment reports or complaints, shall not be subject to retaliation for complaining or cooperating, even if the University finds that no sexual harassment occurred. If a complainant or witness believes that she or he is being subjected to retaliation, she or he should promptly contact the Associate Vice President for Student Life and Dean of Students within the Division of Student Life, or the Title IX Coordinator.

G. Cooperation

Members of the University community are expected to cooperate in the University's investigations of alleged sexual harassment by University officials.

H. Assistance with Processing Complaints

The EEO/AA and Chief Diversity Officer is responsible for monitoring the University's compliance with federal and state nondiscrimination laws. However, a discrimination-free environment is the responsibility of every member of the

community. Unit administrators set the tone regarding acceptable conduct and climate within their units. Unit administrators who need assistance in applying this Policy, education and training with respect to the Policy and who have questions about sexual harassment prevention may contact: the Associate Vice President for Student Life and Dean of Students within the Division of Student Life; the Title IX Coordinator; and/or the Office of the General Counsel.

I. University Investigation Without A Complaint

When necessary to meet its commitment to provide an environment free of unlawful harassment, the University may investigate alleged incidents of sexual harassment of which it becomes aware, even if no formal complaint has been filed or the individual(s) involved is unwilling to pursue a complaint or cooperate in an investigation. If a University employee becomes aware of specific and credible allegations of sexual harassment, whether through a complainant or otherwise, the allegation should be reported promptly to the Title IX Coordinator.

J. Reporting Requirements

To assure University-wide compliance with this policy and with federal and state law, the Title IX Coordinator must be advised of all reported incidents of sexual harassment and their resolution. The EEO/AA and Chief Diversity Officer will monitor repeated claims within the same unit or against the same individual, where identified, to assure that such claims are appropriately handled.

