

UCF-3.0134 Complaints and Grievances Alleging Discrimination, Discriminatory Harassment or Retaliation.

(1) This regulation outlines the procedures to be used for processing complaints/grievances alleging unlawful discrimination, discriminatory harassment, or retaliation. Federal and state laws protect employees, students, and other members of the University community against discrimination, discriminatory harassment and retaliation. University policies have been developed to explain that protection and to offer solutions when discrimination is alleged on the basis of an individual's race, color, ethnicity, national origin, religion, non-religion, age, genetic information, sex (including pregnancy and parental status), gender identity or expression, sexual orientation, marital status, physical or mental disability (including learning disabilities, intellectual disabilities, and past or present history of mental illness), political affiliations, veteran status (as protected under the Vietnam Era Veterans' Readjustment Assistance Act), or membership in any other protected classes as set forth in state or federal law.

(2) The Office of Institutional Equity's Investigation Procedures are the university's procedures for addressing allegations that an employee or third party engaged in discrimination, discriminatory harassment, or retaliation against an individual for reporting, in good faith, any discrimination or discriminatory harassment or participating in or being a party to any investigation or proceeding related to the University's Prohibition of Discrimination, Harassment and Related Interpersonal Violence Policy, No. 2-004. Reports in which a student is alleged to have engaged in discrimination, discriminatory harassment or retaliation are governed by Student Conduct rules and procedures set out in the Student Handbook. These procedures respond to the University's obligations under various laws to provide equal opportunity in employment and

educational programs, and to provide access. A list of statutory and regulatory authorities is maintained on the Office of Institutional Equity's homepage.

(3) Processing Complaints/Grievances Alleging Discrimination.

(a) When an allegation of unlawful discrimination, discriminatory harassment or retaliation is involved, the individual may elect to submit a written complaint/grievance under this procedure. Unless specifically prohibited by the terms of an applicable collective bargaining agreement, the complainant/grievant may submit a complaint/grievance directly to the university's Office of Institutional Equity. A representative of that office will communicate with those involved in the complaint/grievance.

(b) An employee complaint/grievance submitted through other grievance procedures but which alleges discrimination, discriminatory harassment or retaliation will be submitted to the Office of Institutional Equity.

(c) Where a complaint/grievance is submitted to the Office of Institutional Equity, the complainant will be notified in writing of the findings of the investigation. Findings from this procedure may be considered in an employee grievance initiated under other procedures, but no grievance will be processed through more than one university administrative forum.

(4) Unlawful Retaliation. Federal and state laws protect every individual who makes a good faith report of discrimination or discriminatory harassment or participates in or is a party to any investigation or proceeding regarding discrimination or discriminatory harassment from acts of retaliation. Retaliation is defined as any adverse action taken against a person for making a good faith report of discrimination or discriminatory harassment or participating in any proceeding

related to such a report. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in the protected activity.

(5) Substantiated discrimination, discriminatory harassment and retaliation complaints/grievances will be addressed with appropriate corrective action. The Office of Institutional Equity will inform the President, Provost, or appropriate Vice President when an investigation concludes with findings of unlawful discrimination, discriminatory harassment, or retaliation. The President, Provost, or appropriate Vice President will take steps to implement actions that will correct the conduct. These include but are not limited to changes in regulations, policies, or procedures; discipline administered through standard procedures; changes in the complainant's status to achieve a non-discriminatory environment; or other remedies deemed appropriate.

Authority: BOG Regulation 1.001. History—New 12-27-83, Formerly 6C7-3.134, Amended 1-6-93, 4-23-03; Formerly 6C7-3.0134, Amended 5-18-09, 10-27-17.