
COLUMBUS STATE UNIVERSITY

Policy Name: Non-Discrimination Policy

Policy Owner: General Counsel & Chief Legal Affairs Officer

Responsible Office: Office of Legal Affairs, Ethics & Compliance

Approval Date: July 24, 2025

Effective Date: July 24, 2025

Related Policies: BOR 6.06 Non-Discrimination and Anti-Harassment

I. POLICY PURPOSE STATEMENT

Equal opportunity and decisions based on merit are fundamental values of the University System of Georgia (USG). The Board of Regents prohibits discrimination on the basis of an individual’s age, color, disability, genetic information, national origin, race, religion, sex, or veteran status (“protected status”). No individual shall be excluded from the participation in, denied the benefits of, or otherwise subjected to unlawful discrimination, harassment, or retaliation under, any USG program or activity because of the individual’s protected status; nor shall any individual be given preferential treatment because of the individual’s protected status, except that preferential treatment may be given on the basis of veteran status when appropriate under federal or state law.

Columbus State University (CSU) is committed to maintaining a fair and respectful environment for living, work, and study, in accordance with federal and state law, University System of Georgia (USG) Board of Regents (BOR) policy, and University policy.

II. BACKGROUND

In accordance with applicable federal and state law, the University System of Georgia prohibits members of the CSU campus community from engaging in any form of prohibited discrimination or protected status harassment (including sexual harassment) and expects individuals to refrain from committing acts of bias within the System’s jurisdiction. CSU follows and incorporates the University System of Georgia Board of Regents Policy 6.06 (Non-Discrimination and Anti-Harassment), the USG Human Resources Administrative Practice Manual: Prohibit Discrimination and Harassment, and applicable Board of Regents policies, including Policy 6.7 (Sexual Misconduct). To the extent of any conflict, Board of Regents and USG policies shall control.

III. SCOPE

Every member of the CSU community is expected to uphold this policy as a matter of mutual respect and fundamental fairness in human relations. All members of the faculty, staff, and student body are expected to ensure that nondiscriminatory practices are followed at the University.

Allegations of sexual misconduct as defined under Board of Regents Policy 6.7 shall be addressed in accordance with the University's Title IX Sexual Misconduct Policy and associated procedures. All other forms of discrimination and harassment are addressed under this Policy.

IV. DEFINITIONS

- **Discrimination:** Acts that deny, deprive, unreasonably interfere with or limit the education or employment based on race, color, sex (including pregnancy), ethnicity or national origin, religion, age, genetic information, disability, or veteran or military status.
- **Discriminatory Harassment:** Unwelcome verbal or physical conduct based on race, color, sex (including sexual harassment and pregnancy), ethnicity or national origin, religion, age, genetic information, disability, or veteran or military status, when it is sufficiently severe, persistent, or pervasive to:
 - a. Unreasonably interfere with the individual's work or educational performance;
 - b. Create an intimidating, hostile, or offensive working or learning environment; or
 - c. Unreasonably interfere with or limits one's ability to participate in or benefit from an institutional program or activity.
- **Jurisdiction:** This Policy applies to the Columbus State University's education programs and activities (defined as including locations, events, or circumstances in which the Columbus State University exercises substantial control over both the Respondent and the context in which the conduct occurred), circumstances where the Columbus State University has disciplinary authority, and to misconduct occurring within any building owned or controlled by a Columbus State University. This Policy may also apply to the effects of off-campus misconduct that limit or deny a person's access to Columbus State University's education program or activities.

For disciplinary action to be issued under this Policy, the Respondent must be a Columbus State University faculty member, student, or employee at the time of the alleged incident. If the Respondent is unknown or is not a member of the Columbus State University community, the Administrator will offer to assist the Complainant in identifying appropriate institutional and local resources and support options and will implement appropriate supportive measures and/or remedial actions (e.g., trespassing a person from campus).

All vendors serving the Columbus State University through third-party contracts are subject to the policies and procedures of their employers [and/or to these policies and procedures to which their employer has agreed to be bound by their contracts].

When a party is participating in a dual enrollment program, the Columbus State University will coordinate with the party's home institution to determine jurisdiction and coordinate providing supportive measures and responding to the complaint under the appropriate policy and procedures based on the allegations and identities of the Parties.

When the Respondent is enrolled in or employed by another institution, the Administrator can assist the Complainant in contacting the appropriate individual at that institution, as it may be possible to pursue action under that institution's policies.

Similarly, the Administrator may be able to assist and support a student or employee Complainant who experiences discrimination in an externship, study abroad program, or other environment external to the Columbus State University where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give the Complainant recourse. If there are effects of that external conduct that impact a student or employee's work or educational environment, those effects can often be addressed remedially by the Administrator if brought to their attention.

- **Online Harassment and Misconduct:** Columbus State University policies are written and interpreted broadly to include online manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on the Columbus State University's education program and activities, or when they involve the use of Columbus State University networks, technology, or equipment.

Although Columbus State University may not control websites, social media, and other venues through which harassing communications are made, when such communications are reported to Columbus State University, it will engage in a variety of means to address and mitigate the effects.

Nothing in this Policy is intended to infringe upon or limit a person's rights to free speech. Any online posting or other electronic communication by students, including technology-facilitated bullying, stalking, harassment, etc., occurring completely outside of the Columbus State University's control (e.g., not on Columbus State University networks, websites, or between Columbus State University email accounts) will only be subject to this Policy when such online conduct can be shown to cause (or will likely cause) a substantial in-program disruption or infringement on/harm to the rights of others. Otherwise, such communications are considered speech protected by the First Amendment. Supportive measures for Complainants will be provided.

Off-campus harassing speech by employees, whether online or in person, may be regulated by the Columbus State University only when such speech is made in an employee's official or work-related capacity.

V. POLICY

Columbus State University prohibits harassment of or discrimination against any person because of race, color, sex (including sexual harassment and pregnancy), ethnicity or national origin, religion, age, genetic information, disability, or veteran or military status by any member of the CSU community on campus, in connection with a University program or activity, or in a manner that creates a hostile environment for members of the CSU community.

For additional information or to file a complaint under the provisions of this policy, students, employees, applicants for employment or admission, or other third parties should contact

Whitley Hall, Esq.
General Counsel & Chief Legal Affairs Officer
Office of Legal Affairs, Ethics & Compliance
4225 University Avenue
Richards Hall, Suite 201
Columbus, GA 31907-5679
706-569-4640
legalaffairs@columbusstate.edu

Retaliation is strictly prohibited by Columbus State University and constitutes a separate violation of this Policy, as well as a violation of applicable federal and state law. Retaliation means any form of intimidation, reprisal, or harassment against an individual because that individual:

- In good faith, reports what she or he believed to be discrimination or harassment based on a protected category (race, color, sex (including sexual harassment and pregnancy), ethnicity or national origin, religion, age, genetic information, disability, or veteran or military status);
- Participated or cooperated in an investigation; or
- Was otherwise associated with an investigation.

VI. ASSOCIATED POLICIES AND REGULATIONS

CSU's Non-Discrimination Policy is consistent with the requirements and objectives of Title VI and Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, as amended, Executive Order 11246, as amended, the Vietnam Era Veteran's Readjustment Act of 1974, as amended, the Uniformed Services Employment and Reemployment, the Section 504 of the Rehabilitation Act of 1973, as amended, the Rights Act of 1994, the Americans With Disabilities Act of 1990, as amended, the Genetic Information Nondiscrimination Act of 2008, the Lilly Ledbetter Fair Pay Act of 2009 and the Georgia Fair Employment Act of 1978, as amended.

VII. PROCEDURE

1. Preliminary Review

Upon receipt of a complaint of discrimination or harassment, the Office of Legal Affairs, Ethics & Compliance (or designated office) will conduct an initial assessment to determine whether:

- The alleged conduct, if substantiated, may constitute a violation of university policy or present a serious ethical concern;
- The complaint is within the scope of university jurisdiction; and
- A formal investigation is warranted.

If it is determined that the alleged conduct does not rise to the level of discrimination, harassment, or a policy violation, the complaint may be closed following documentation of the rationale. The Complainant may be referred to other appropriate campus offices or informal resolution pathways, if applicable.

2. Initiation of Formal Investigation

If a formal investigation is initiated, the following procedural steps will apply:

- **Notification:** Written notice of the investigation will be provided to the Complainant and Respondent. The notice will include a summary of the alleged conduct, the policies potentially violated, and the investigator's contact information.
- **Participation Rights:** Both parties will be afforded a full and fair opportunity to:
 - Present relevant information and documentation;
 - Identify and provide names of potential witnesses;
 - Participate in interviews and respond to inquiries;
 - Review and respond to relevant evidence prior to a final determination;
 - Receive periodic updates regarding the status of the investigation.
- **Role of the Advisor:**
 - Each party may have an advisor of their choice present at any meeting or proceeding.
 - The advisor may be an attorney but is not required to be.
 - The advisor's role is to provide support and guidance to the party. The advisor may not speak on behalf of the party during interviews or proceedings, except as otherwise permitted under applicable law or policy (e.g., during a hearing under Title IX).
 - Parties must inform the investigator of their chosen advisor in advance of scheduled meetings.

3. Timeframe for Investigation

Formal investigations will typically be completed within 60 calendar days from the date the investigation is initiated. This timeframe may be extended for good cause, such as complexity of the allegations, witness unavailability, or breaks in the academic calendar. Parties will be notified in writing of any extensions and the reasons for the delay.

4. Standard of Evidence

The investigation will be conducted using a preponderance of the evidence standard—i.e., whether it is more likely than not that a policy violation occurred.

5. Confidentiality and Retaliation Protections

- Information related to the complaint and investigation will be shared only with those who have a legitimate need to know.
- Retaliation against any person who reports misconduct, cooperates in an investigation, or participates in the resolution process is strictly prohibited and may result in disciplinary action.

6. Outcome and Resolution

At the conclusion of the investigation, the Investigator will issue a written report of findings, which may include the following outcomes:

- **Substantiated:** The evidence supports a finding that a policy violation occurred.
- **Unsubstantiated:** The evidence does not support a finding that a policy violation occurred.
- **Inconclusive:** There is insufficient evidence to determine whether a policy violation occurred.

The report will be submitted to the appropriate administrative authority for review and determination of any corrective or disciplinary action.

7. Corrective Action and Follow-Up

If a violation is found, appropriate disciplinary or corrective action will be taken in accordance with university policy and applicable due process rights. Examples include:

- Counseling or training;
- Written warning or reprimand;
- Suspension or termination of employment;
- Student conduct sanctions.

Where appropriate, interim measures or supportive measures (such as no-contact orders, academic accommodations, or work schedule adjustments) may be continued or modified after the investigation concludes.

8. Appeals

The parties may have the right to appeal the outcome in accordance with the applicable

grievance or appeal procedures. The basis for appeal may include:

- Procedural error that materially affected the outcome;
- New evidence not reasonably available at the time of the investigation;
- Conflict of interest or bias by the Investigator or decision-maker.

Appeals of a Complaint Decision must be made in writing and must be submitted within five University business days of the date of the written notice of decision.

Student Respondents: If the Respondent is a student or former student, the appeal should be made to and addressed by the Vice President for Student Affairs (VPSA) or their designee. The appeal shall be a review of the record only, and no new meeting with either party is required. The VPSA may affirm the decision, change the decision or may remand the complaint to the investigator to consider additional information. The VPSA shall then issue a written decision simultaneously to the parties within a reasonable time period. The VPSA's decision shall be the final decision of the institution.

Employee Respondents: If the Respondent is an employee or former employee, the appeal should be made to and addressed by the Chief Human Resources Officer (CHRO) or their designee. The appeal shall be a review of the record only, and no new meeting with either party is required. The CHRO may affirm the decision, change the decision or may remand the complaint to the investigator to consider additional information. The CHRO shall then issue a written decision simultaneously to the parties within a reasonable time period. The CHRO's decision shall be the final decision of the institution.

The University will administer this Policy in a manner consistent with applicable Board of Regents and USG requirements. Detailed procedures may be updated from time to time to ensure continued compliance.

VIII. REPORTING OPTIONS

An individual who wishes to complain to the university about alleged discriminatory or harassing behavior or retaliation should report it to one of the individuals below or may utilize the online [Complaint Form](#):

Whitley D. Hall, Esq.
General Counsel & Chief Legal Affairs Officer
[706-507-8904](tel:706-507-8904)
hall_whitley@columbusstate.edu

Tamara Wade
Chief Human Resources Officer
[706-507-8919](tel:706-507-8919)
wade_tamara@columbusstate.edu

External Contact Information

Concerns about the Columbus State University's application of this Policy and compliance with certain federal civil rights laws may also be addressed to:

Region IV - Atlanta - Office of Civil Rights
U.S. Department of Health & Human Services
Sam Nunn Atlanta Federal Center, Suite 16T70
61 Forsyth Street, S.W.
Atlanta, GA 30303-8909
(800) 368-1019 (ph)
(800) 537-7697 (TDD)
(404) 562-7881 (local)

For Complaints involving employee-on-employee conduct: [Equal Employment Opportunity Commission](#) (EEOC).

APPROVED:  Signed by:
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Dr. Stuart Rayfield
President

DATE: 7/25/2025 | 8:32 AM EDT