

FAYETTEVILLE STATE UNIVERSITY

TITLE IX Coordinators

Complaint Procedures for Students

Authority:	Issued by the Chancellor. Changes or exceptions to administrative policies issued by the Chancellor may only be made by the Chancellor.
Category:	University-Wide
Applies to:	● Administrators ● Faculty ● Staff ● Students
History:	Approved – December 21, 2010
Related Policies/Laws:	● <i>Sexual Harassment</i> ● <i>Title IX, Education Amendments of 1972</i> [Title 20 U.S.C. Sections 1681-1688]
Contact for Information:	Office of the Provost and Vice Chancellor for Academic Affairs (910) 672-2217 Department of Intercollegiate Athletics - (910) 672-1670 Office of Human Resources - (910) 672-1146

I. INTRODUCTION

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance..." 20 U.S.C. § 1681

Title IX of the Education Amendments of 1972 (Title IX) prohibits discrimination based on gender in educational programs which receive federal financial assistance. Athletics are one component of Title IX. Other programs and activities which may be included are: recruitment, admissions, financial aid, and scholarships; course offerings and access; hiring and retention; and, benefits and leave. In compliance with Title IX, Fayetteville State University prohibits discrimination in employment as well as in all programs and activities on the basis of sex.

II. TITLE IX COORDINATOR

Fayetteville State University has designated three (3) professional employees as its Title IX Coordinators. These individuals will oversee compliance efforts and conduct and/or coordinate investigations of complaints received pursuant to Title IX; ensure a fair and

neutral process for all parties; and monitor all aspects of the University's Title IX compliance as it pertains to their individual areas.

Individuals with questions or concerns about Title IX, and/or those who wish to file a complaint of non-compliance, may contact one of the University's Title IX Coordinator:

- **Office of the Provost and Vice Chancellor for Academic Affairs**
For issues involving academic programs, academic and non-academic services, non-employment related discrimination issues based upon sex (excluding sexual harassment) and other non-athletics activities

Director of Strategic Planning & Special Initiatives
Barber Building, Room 223
(910) 672-2217

- **Department of Intercollegiate Athletics**
For issues involving the University's intercollegiate athletics program.

Assistant Athletic Director/Compliance Officer
Health & Physical Education Complex, Room 321
(910) 672-1670

- **Office of Human Resources**
For issues involving employment related discrimination issues based upon sex. Individuals filing employment related discrimination complaints should utilize the employment policy appropriate for their employment classification.

Associate Vice Chancellor for Human Resources
Barber Building, Lower Level
(910) 672-1146

III. SEXUAL HARASSMENT

Individuals seeking to file a complaint regarding an issue of sexual harassment should consult the University's sexual harassment policy.

IV. TITLE IX COMPLAINT PROCEDURES FOR STUDENTS

A. Purpose

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in any education programs or activities by recipients of federal financial assistance, including the Fayetteville State University. It is the University's intent to ensure that students are treated fairly and receive prompt responses to problems and complaints concerning sex discrimination.

A student who believes that s/he has been discriminated against based on her/his sex should consult with a Title IX Coordinator and/or follow the procedures

outlined below. If the problem involves sexual harassment, reference to that policy should be made to initiate a complaint. When unsure which policy applies, the student should contact the Title IX Coordinator for assistance.

Individuals should utilize these procedures freely and without the fear of retaliation. The University will not tolerate retaliation against any individual who files a complaint under Title IX or who participates in an investigation.

To the extent possible, the University will keep the complaint and investigation confidential.

B. Step One (Informal Resolution)

The University encourages informal resolution of complaints. If appropriate, a student should feel free to first discuss the complaint directly with the individual against whom the complaint is made. If the alleged discrimination involves a department or unit rather than an individual, the complaining party should discuss the complaint with the head of that department/unit. The discussion should occur within ten (10) business days of the alleged discrimination whenever possible. If the complaint is not resolved as a result of the discussion with the department/unit head, or if the complaining party does not wish to proceed informally, s/he should proceed to Step Two.

C. Step Two (Formal Resolution)

A student may submit a formal written complaint to the appropriate Title IX Coordinator. A written complaint should include the following:

- name, address, telephone number, and school/college of enrollment of the reporting student;
- a detailed description of the conduct that the reporting party alleges to be discriminatory;
- name(s) and contact information of the person against whom the complaint is being made (or, if the alleged discrimination involves a department or unit rather than an individual, the name of the department/unit head); and
- name(s) and contact information of witnesses (if any).

The complaining party should make every effort to submit the written complaint within thirty (30) calendar days of the alleged conduct.

D. Investigation

The appropriate Title IX Coordinator will investigate the complaint. Depending on the nature of the allegations, the investigation could include interviews with the complaining party, the accused individual (or, if the alleged discrimination

involves a department or unit rather than an individual, with that department/unit head), and/or witnesses; review of written documentation and relevant policies; and any other steps necessary to thoroughly investigate the allegations.

The appropriate Title IX Coordinator will make every effort to conclude the investigation within thirty (30) calendar days. If the investigation cannot be completed in that time period, the appropriate Title IX Coordinator will contact the complainant and provide a time frame in which the investigation will be completed. At the conclusion of the investigation, the appropriate Title IX Coordinator will notify the complainant, in writing, whether any University policy has been violated.

It is important to note that, in many situations, the Title IX Coordinator may not be able to provide information about the sanctions assessed (if any) because of the privacy rights of the accused individual.

E. Appeal

If the complainant is not satisfied with the outcome of the Step Two decision, s/he may proceed with the complaint within ten (10) business days of the receipt of the Step Two decision by submitting the formal written complaint from Step Two and any additional information to either the Director of Intercollegiate Athletics (if athletics related complaint) or to the Provost and Vice Chancellor for Academic Affairs (if a non-athletics related complaint) or either of their designees. The Director or Provost will issue a written decision within ten (10) business days of her or his receipt of the complaint. In reviewing the matter, the Director or Provost shall have access to any information necessary to reach a decision regarding the student's complaint.