



Policy Title: GE2004 – Equal Opportunity and Non-Discrimination (INTERIM)

Subject Area: General

Responsible Official(s): President

Responsible Office(s): Office for Civil Rights Compliance and Title IX

Policy Statement

The University of Memphis (UofM) will not discriminate against, or allow the harassment of any student, employee or applicant for employment based on any protected category or any other legally protected class with respect to all employment, programs, and activities sponsored by the University of Memphis. No student shall be discriminatorily excluded from participation or denied the benefits of any educational program on the basis of a protected class. The University will comply with all applicable laws regarding equal opportunity and non-discrimination. Inquiries concerning this policy and federal and local laws and regulations concerning discrimination or harassment in education and employment programs and activities may be directed to the University's Office for Civil Rights Compliance and Title IX (OCRCTIX). The University of Memphis assures employees, applicants, and students that they will receive consistent and fair treatment.

Procedures

Equal Opportunity - As an Employer

All selection, hiring, and promotion decisions will be based on valid job-related requirements consistent with performance of the essential functions of the position. Further, personnel policies and practices are to be conducted in a work environment that is fair, free from discrimination, and free from harassment based on any protected class.

The principle of equal employment opportunity shall apply with respect to all incidents of the employment relationship, including, but not limited to:

- Employment criteria;
- Recruitment and hiring;
- Promotion, tenure, demotion, transfer, reductions in force, termination, nepotism policies, and rehiring;
- Compensation;
- Job assignments, classifications, and descriptions, lines of progression and seniority lists;
- Leave and fringe benefits; and
- All other terms, conditions, and privileges of employment.

In addition, the University will provide reasonable accommodations for applicants and employees with disabilities in an effort to enable them to successfully perform essential functions of the job or benefit from training.

Equal Opportunity - As an Educational Institution

It is the policy of the University that no person shall be excluded from participation in, be denied the benefits of, or in any way be subject to discrimination in any program or activity at the University. This commitment applies to:

- Recruitment and admission;
- Academic, extracurricular, research, occupational training, health-related training, and other education programs;
- Student life activities;
- Housing and facilities;
- Access to course offerings;
- Counseling;
- Financial and employment assistance; and
- Athletics

Communication of the University's Commitment

- **Bulletin Boards.** Official equal employment opportunity signs shall be posted on bulletin boards at appropriate locations in buildings throughout the campus. The Department of Human Resources shall be responsible for the posting, maintenance, and updating of appropriate signage.
- **Tagline.** The tag line, "An Equal Opportunity University," has been adopted and will be placed on all general written communication devices used by the University. In addition, an equal employment and equal education opportunity statement shall be included in all contracts and purchase orders.
- **Advertisements:** The following statement has been adopted for inclusion on all The University of Memphis vacancy announcements: "The University of Memphis does not discriminate against students, employees, or applicants for admission or employment based on any protected category or any other legally protected class with respect to all employment, programs, and activities sponsored by the University of Memphis. ." Paid

advertisements must contain the statement "The University of Memphis is an Equal Opportunity University."

- Recruitment literature and vacancy announcements shall carry clear statements that the University is an equal opportunity university. Recruitment literature and vacancy announcements shall be sent to recognized sources of candidates according to the type of position and in ways designed to solicit and encourage applications from qualified applicants.
- Notice of Nondiscrimination: The statement approved for inclusion and publication on relevant documents: "The University of Memphis does not discriminate against students, employees, or applicants for admission or employment based on any protected category or any other legally protected class with respect to all employment, programs, and activities sponsored by the University of Memphis." The notice should also identify the Title IX Coordinator as the person designated to handle inquiries regarding non-discrimination policies.

Office for Civil Rights Compliance and Title IX

The President has appointed the Office for Civil Rights Compliance and Title IX as the area responsible for developing and implementing the University's Non-Discrimination activities and for ensuring fair practices in employment and education.

The Office for Civil Rights Compliance and Title IX is responsible for promoting and assuring compliance with this policy and all applicable laws and regulations, receiving and investigating complaints, reviewing the effectiveness of applicable programs and recommending improvements to the President. The Office for Civil Rights Compliance and Title IX shall be responsible for:

- Receipt, review and investigation of all internal and external equal opportunity, harassment and sexual misconduct complaints in accordance with UofM policies. Recommendations regarding disposition of such complaints shall be made to the President.
- Development and maintenance of a comprehensive non-discrimination program which shall include reaffirmation of the University's policy in all personnel actions; formal internal and external dissemination of the policy; establishment of responsibilities for implementation of the program; identification of problem areas by organizational units and job classifications.
- Complaint procedures designed to expeditiously process and resolve complaints and grievances by employees, students or applicants for employment.
- Programming to educate/inform students, faculty, staff and constituents of UofM.

Non-Discrimination Program

To ensure equal employment opportunity exists throughout the University, the non-discrimination program includes an audit and reporting system, which, among other things,

uses metrics and other information to measure the effectiveness of the program. The University's Title IX Coordinator has been assigned responsibility for periodically reviewing progress with compliance and implementation of the University's Equal Opportunity and Non-Discrimination Policy. In accordance with public law, the University's Non-Discrimination programs for protected veterans and qualified individuals with disabilities are available for inspection in the OCRCTIX daily, upon request. The non-discrimination program shall be updated annually, and progress toward meeting the established goals and objectives shall be reported at least annually to the President. The Office for Civil Rights Compliance and Title IX shall discuss the success of the non-discrimination activities with the President and make recommendations regarding desirable changes.

Anti-Retaliation Policy

Retaliation against a person who files a complaint alleging a violation of this policy or any other act of discrimination or harassment, opposes a charge, testifies, assists, or participates in an investigative proceeding or hearing is strictly prohibited.

Enforcement

The President has the legal responsibility for compliance with the equal opportunity laws. However, everyone in the University community should be committed to equal opportunity and non-discrimination . Further, each Vice President and other supervisory personnel are responsible to the President for implementing the Equal Opportunity and Non-Discrimination Policy within their administrative areas. Deans, directors, chairpersons, and managers of the various schools, departments, and programs work to administer and manage personnel activities within their areas to ensure full compliance with the Policy. Further, all employees, including faculty members, are to be knowledgeable of policies and guidelines concerning discrimination and harassment. This section outlines the roles and responsibilities of the University offices or individuals referenced in the policy and procedures. It is most often developed in tabular format.

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UM1381 – Revised: July 20, 2015

UM1381 – Issued: July 14, 2004 supersedes policy number

GE2004 supersedes UM1381