

MSU Anti-Discrimination Policy

Article I. Purpose

Michigan State University's scholarly community-building efforts occur within the context of general societal expectations, as embodied in the law. The University, consistent with its policies and governing law, promotes institutional diversity and pluralism through mechanisms such as affirmative action, within an over-arching strategy promoting equitable access to opportunity. The University's commitment to non-discrimination is the foundation for such efforts.

Article II. Applicability

This policy states expectations for institutional and individual conduct. It applies to all University community members, including faculty, staff, students, registered student organizations, student governing bodies, and the University's administrative units, and to the University's contractors in the execution of their University contracts or engagementsⁱ, with respect to the following:

1. All educational, employment, cultural, and social activities occurring on the University campus;
2. University-sponsored programs and activities occurring off-campus, including but not limited to cooperative extension, intercollegiate athletics, lifelong education, and any regularly scheduled classes;
3. University housing; and
4. Programs and activities sponsored by student governing bodies, including their constituent groups, and by registered student organizations.

Article III. Prohibited Discrimination

Unlawful acts of discrimination or harassment are prohibited.

In addition, the University community holds itself to certain standards of conduct more stringent than those mandated by law. Thus, even if not illegal, acts are prohibited under this policy if theyⁱⁱ:

1. Discriminate against any University community member(s) through inappropriate limitationⁱⁱⁱ of employment opportunity^{iv}, access to University residential facilities, or participation in education, athletic, social, cultural, or other University activities on the basis of age, color, gender, gender identity^v, disability status, height, marital status, national origin, political persuasion, race, religion, sexual orientation, veteran status, or weight; or

2. Harass any University community member(s) on the basis of age, color, gender, gender identity, disability status, height, marital status, national origin, political persuasion, race, religion, sexual orientation, veteran status, or weight.

These prohibitions shall not be construed in a manner that abridges University community members' right of free expression or other civil rights.

Article IV. Informal Resolution

Informal resolution of disputes, through consultation provided by offices serving the University, is encouraged^{vi}. Informal resolution is typically used when a claimant asks to participate in an informal resolution, requests anonymity, does not consent to participation in an investigation, or the alleged conduct, even if it does not rise to the level of a policy violation, suggests the need for remedial, educational, or preventive action. Participation in informal resolution is voluntary, and either party may terminate the informal resolution process at any time. If a party terminates attempts at informal resolution, or the parties are unable to resolve the matter informally, a formal review of the complaint will begin.^{vii}

Article V. Complaints and Investigations

Complaints under this Policy are processed and investigated by the Office of Institutional Equity (OIE) pursuant to the OIE Complaint Procedures. Allegations involving gender discrimination, including sexual and gender-based harassment, assault, and violence, are processed and investigated pursuant to the Relationship Violence & Sexual Misconduct (RVSM) Policy.

CONTACT INFORMATION:

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The University investigates complaints involving conduct occurring at the locations, programs, and activities listed in Article II above. The University also investigates complaints of conduct occurring off-campus, even if not occurring in the context of a University program or activity, if the alleged conduct creates or contributes to a hostile environment on campus.

Article VI. Violations of the Policy

Violations of the policy may result in disciplinary action pursuant to the applicable student conduct or employee disciplinary process. Discipline may include, but is not limited to, suspension or dismissal for students or employees.

Article VII. History

This Policy was approved by the Board of Trustee on April 9, 1993 and revised on December 5, 2003, April 13, 2007, and October 30, 2015.

This document is currently pending approval from the U.S. Department of Education, Office for Civil Rights.

ⁱ This policy does not apply to the conduct of a contractor's internal affairs, nor does it apply to the conduct of contractual engagements to which the University is not a party.

ⁱⁱ This Anti-Discrimination Policy User's Manual, University ordinances, and written policies provide guidance on the conduct prohibited by Article III of this Policy.

ⁱⁱⁱ Limitations are inappropriate if they are not directly related to a legitimate University purpose. The Anti-Discrimination Policy User's Manual provides additional guidance on inappropriate limitation as defined by this Policy.

^{iv} For purpose of this Policy, "employment opportunity" is defined as job access and placement, retention, promotion, professional development, and salary.

^v For the purposes of this Policy, the reference to "gender identity" shall be interpreted to include protection against gender stereotyping based on a person's gender expression. In other words, gender stereotyping is impermissible discrimination or harassment based on a failure to conform to stereotypical gender norms.

^{vi} Consultation with one or more of the following may be useful:

- the chairperson, director, or dean of the relevant unit,
- supervisory support personnel,
- the Title IX Coordinator or Deputy Title IX Coordinator for Investigations,
- the ADA Coordinator,
- the Office for Inclusion and Intercultural Initiatives,
- the University Ombudsperson,
- the Faculty Grievance Official,
- REHS staff,
- faculty or staff academic advisors, and
- the MSU Counseling Center.

^{vii} The availability and appropriateness of informal resolution involving claims of gender discrimination, including sexual and gender-based harassment, assault, and violence, is governed by the Relationship Violence & Sexual Misconduct (RVSM) Policy.