

## EQUAL OPPORTUNITY AND NON-DISCRIMINATION POLICY

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### I. Policy Statement

The University of Southern Indiana (“University” or “USI”) embraces and celebrates the many differences that exist among the members of a dynamic, intellectual and inclusive community, and strives to maintain an environment that respects differences and provides a sense of belonging and inclusion for everyone. Any form of unlawful discrimination will not be tolerated. The University is prepared to take prompt action to prevent and correct behavior that violates this Policy and to remedy its effects.

The University prohibits all forms of unlawful discrimination on the basis of race, color, religion, sex, pregnancy or marital status, national origin, age (any age as it relates to University programs and services, age 40 or older as it relates to employment), disability, genetic information, sexual orientation, gender identity, veteran status or any other category protected by law or identified by the University as a protected class.

For faculty, administrators and support staff, compliance with this Policy is a term and condition of employment with the University. For students, compliance with this policy is a term and condition of enrollment at the University.

### II. Discrimination on the Basis of Sex

This Policy applies to all unlawful discrimination against members of any category protected by law or identified by the University as a protected class. However, allegations of discrimination on the basis of sex, including allegations related to sexual misconduct and relationship violence, will also be reviewed in accordance with the University’s Sexual Misconduct and Relationship Violence Policy.

### III. Affirmative Action Officer

The Affirmative Action Officer oversees the University’s compliance with the applicable federal and state laws described above. The Affirmative Action Officer may designate other University personnel or external consultants to assist and support compliance efforts or to act as a designee in cases of conflict of interest or in other situations where a designee is deemed necessary to maintain the University’s compliance under this Policy.

#### **Affirmative Action Officer**

Carrie Lynn  
Civil Rights & Title IX Coordinator  
Wright Administration Building Forum Wing, Room FA171  
812-464-1703  
[cnlynn@usi.edu](mailto:cnlynn@usi.edu)

### IV. Definitions

- A. Protected Class:** A protected class is a group of people protected from unlawful discrimination by federal or state law or by University policy. Examples of protected classes under this Policy include but are not limited to: race, color, religion, sex, pregnancy or marital status, national origin, age (any age as it relates to University programs and services, age 40 or older as it relates to employment), disability, genetic information, sexual orientation, gender identity and veteran status. It is possible for an individual to be a member of more than one protected class (e.g., an Asian-American with a disability, a female member of the Jewish faith). Individuals who are not members of any protected class are also entitled to the protections of this Policy if they experience unlawful discrimination because they are mistakenly perceived to be a member of a protected class.
- B. Discrimination Based on Protected Class:** Discrimination occurs when an individual or individuals are treated unfavorably because of their actual or perceived identification with a particular protected class or

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classes. Discrimination can also occur when the victim and the person(s) engaging in the discrimination share the same protected class or classes. Examples of discrimination include but are not limited to: (1) failing to provide reasonable accommodations to students, staff or visitors with disabilities; (2) making employment or academic decisions based on stereotypes or assumptions about the abilities, traits or performance of individuals who are members of a protected class; or (3) denying employment or educational opportunities to a person based on the person's marriage to, or association with, an individual who is a member of a protected class.

Harassment, when based on an individual's actual or perceived identification with a particular protected class or classes, is a form of discrimination. Harassment is a course of conduct that a reasonable person would find so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with or eliminating access to University programs and activities because it creates an objectively offensive learning, living or working environment. Such harassment can be physical, written, verbal, or visual and other nonverbal actions; and can be committed by employers, faculty, administrators, support staff, co-workers, students and third parties.

### V. Complaint Resolution

The University has adopted Complaint Procedures to provide a prompt and equitable method for reporting, investigating, and resolving complaints of alleged violations of this Policy when they involve University faculty, administrators, support staff and students. The Complaint Procedures can be found online at [www.usi.edu/sexual-assault-prevention-and-response](http://www.usi.edu/sexual-assault-prevention-and-response).

### VI. Retaliation Prohibited

Any attempt by faculty, administrators, support staff or students to penalize, intimidate or to otherwise retaliate against an individual, who is participating in the University's Complaint Procedures for alleged violations of this Policy, is prohibited and subjects the one who has retaliated to possible disciplinary action, up to and including termination or removal from the University. Any person who believes that someone has been subjected to retaliation for making a complaint or for cooperating in an investigation should promptly contact the Affirmative Action Officer or designee.