



POLICY STATEMENT 1 NONDISCRIMINATION POLICY

POLICY DIGEST

Monitoring Unit: Office of Civil Rights & Title IX
Initially Issued: January 1, 1985
Last Revised: June 4, 2026

I. PURPOSE

Louisiana State University (LSU) is committed to providing an educational and working environment for students, faculty, and staff that is free from discrimination based on race, creed, color, marital status, sexual orientation, gender identity, gender expression, pregnancy, religion, sex, national or ethnic origin, age, disability, genetic information, veteran's status, military status, or any other status or organization protected by state or federal law in its programs and activities. This policy may also be implicated for other grounds of discrimination and harassment, including racism, antisemitism, Islamophobia, caste status, citizenship status, ethnicity/ethnic characteristics, national origin, and shared ancestry.

This policy implements a procedure to address complaints for those who believe they have been subjected to discrimination, harassment, and/or retaliation in violation of this policy. Individuals who believe they have been subjected to conduct that violates this policy are encouraged to file a report with the university. Any person found in violation of this policy may be subject to corrective action, sanctions, disciplinary action, up to and including termination or expulsion, or losing affiliate status. This policy also prohibits retaliation against someone because the individual reported under this policy, opposed an unlawful practice, participated in an Office of Civil Rights & Title IX investigation, or requested supportive measures. Finally, this policy prohibits failing to cooperate in good faith, filing false complaints or providing materially false information, interfering with this policy's processes, abusing the investigation process, or failing to report incidents reasonably believed to constitute discrimination, harassment, and retaliation.

LSU complies with the provisions of [Title IX](#), [Title VI of the Civil Rights Act of 1964](#), [Title VII of the Civil Rights Act of 1964](#), [Section 504 of the Rehabilitation Act of 1973](#), [the Age Discrimination Act of 1975](#), [the Age Discrimination in Employment Act of 1967 \(ADEA\)](#), [the Equal Pay Act of 1963](#), [the Genetic Information Nondiscrimination Act of 2008 \(GINA\)](#), [the Pregnancy Discrimination Act \(PDA\) of 1978](#), [the Pregnant Workers Fairness Act \(PWFA\) of 2022](#), [PUMP for Nursing Mothers Act \(PUMP Act\)](#), [Vietnam Era Veterans' Readjustment Assistance Act \(VEVRAA\)](#), [the Uniformed Services Employment and Reemployment Rights Act \(USERRA\)](#), [the Americans with Disabilities Act \(ADA\) of 1990](#), [the ADA Amendments Act of 2008 \(ADAAA\)](#), and applicable state law.

This policy does not cover prohibited conduct of a sex-based or sexual nature. Procedures for addressing and resolving allegations of a sex-based or sexual nature, including power-based violence, are required and governed by (1) [Title IX of the Education Amendments of 1972](#), which prohibits sex discrimination in any education program or activity receiving federal financial assistance, (2) [Act 472 of the 2021 Regular Legislative Session of the Louisiana Legislature](#), (3) [the Board of Regents Uniform Policy on Power-Based Violence, including sex- and gender-based harassment and](#)

[discrimination, and Sexual Misconduct \(e.g. sexual harassment, sexual assault, rape, stalking, dating violence, domestic violence, sexual exploitation\)](#), and (4), [LSU Permanent Memorandum 73 Prohibiting Power-based Violence, including Sex- and Gender-based Harassment and Discrimination, and Sexual Misconduct](#).

The university reaffirms and emphasizes its commitment to provide a workplace free from discrimination and harassment and to provide a means to address complaints of discrimination and/or harassment. LSU also reiterates its commitment and responsibility to protect its employees and students from discrimination, harassment, and retaliation for participating in the complaint process. This policy statement is not intended to infringe upon constitutionally guaranteed rights or academic freedom. In considering allegations of discrimination and/or harassment, the university must be concerned with the rights of both the complainant and the accused.

The Executive Director of Civil Rights & Title IX Coordinator is responsible for coordinating the university's compliance with these statutory provisions and for administering this policy at LSU A&M. Inquiries regarding this policy may be directed to the [Office of Civil Rights & Title IX \(OCRTIX\)](#).

II. GENERAL POLICY

This policy applies to all university faculty, staff, employees, students, student organizations, and applicants for admission to or employment with the university. Reports and complaints against individuals subject to this policy are processed according to the parameters set out below. Former faculty, staff, employees, and students are eligible to file a complaint under this policy within 180-calendar days of the most recent incident of discrimination. Reports and complaints against individuals not subject to this policy (e.g., a Respondent over whom the university has no jurisdiction and is not or no longer affiliated with the university) are reviewed and processed to provide support resources to the affected individual where appropriate. The extent of the support and responsive steps will depend on the specific circumstances.

This policy applies to conduct that occurs on campus, in university-owned housing, or in an education program or activity. Campus means any building or property owned or leased by the university that is used in direct support of the university's educational purposes. An education program or activity means locations, events, or circumstances over which the university exercises substantial control, and includes any building owned or controlled by a registered student organization. This policy applies to off-campus or online conduct when the conduct substantially affects a person's education or employment with the university or poses a risk of harm to members of the university community. This policy does not apply to discrimination or harassment that occurs outside the university's educational programs or activities (e.g., conduct that takes place on digital and social media platforms that are not operated by or used in the university's operations).

III. DEFINITIONS

Advisor – May be any person not otherwise a party or witness to the case, selected by a party or appointed by LSU to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct questioning for the party at the hearing, if any. The advisor may, but is not required to, be an attorney. Participation shall be limited as stated herein.

Age – Forty years of age or older for purposes of protection against discrimination and harassment under federal law and this policy.

Antisemitism – Conduct that excludes, harms, persecutes, or is unequal, based on an individual's or group's actual or perceived Jewish ancestry or ethnicity/ethnic characteristics, national origin, or is based on support for Jews, Israel (conceived as a Jewish state/collectivity), or Zionism.

Caste – A person's actual or perceived descent-based or hereditary status, typically involving social stratification or classes.

Citizenship Status – An individual's legal relationship with the United States acquired through birth, naturalization, or another legal process.

Color – The actual or perceived pigmentation, complexion, or shade/tone of a person's skin (i.e., lightness, darkness, or other color characteristic of a person's skin), regardless of that person's race or ethnicity.

Complainant – The individual who is alleged to be the victim of any prohibited conduct under this policy.

Complaint – Information submitted in writing or electronically, including oral statements (if appropriately acknowledged), to OCRTIX by a complainant, alleging a violation of this policy.

Creed – A set of moral or ethical beliefs and the practices and observances associated with those beliefs. Although creed includes traditional religious beliefs, it also incorporates belief systems that may not be expressed by an organized religious group.

Disability – A physical, intellectual, or psychiatric impairment that substantially limits one or more major life activities, having a history or record of such an impairment, or being perceived by others as having such an impairment.

Discrimination – Conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects their employment or education because of their race, creed, color, marital status, sexual orientation, gender identity, gender expression, pregnancy, religion, sex, national or ethnic origin, age, disability, genetic information, veteran's status, military status, or any other status or organization protected by state or federal law.

Ethnicity/Ethnic Characteristics – Belonging to a population, group, or subgroup of people based on shared culture/cultural background (e.g., language, food, music, dress, values, and beliefs), history, ancestry, or descent, or having the characteristics commonly attributed to such ethnicity.

Harassment – Is a form of discrimination defined as verbal or physical conduct that is directed at an individual or group because of their race, creed, color, marital status, sexual orientation, gender identity, gender expression, pregnancy, religion, sex, national or ethnic origin, age, disability, genetic information, veteran's status, military status, or any other status or organization protected by state or federal law. This conduct must be sufficiently severe, pervasive, persistent, and objectively offensive so as to have the purpose or effect of interfering with the impacted individual's or group's academic or work performance; or of creating a hostile academic or work environment. When examining whether behavior was sufficiently severe, pervasive, and objectively offensive, OCRTIX will look to how an objectively reasonable person would have experienced or viewed the behavior.

Islamophobia – Conduct that excludes, harms, persecutes, or is unequal, based on an individual’s or group’s actual or perceived Muslim or Islamic ancestry or ethnicity/ethnic characteristics, national origin, or is based on support for Muslims or Muslim-majority countries or nations.

National Origin – A person’s actual or perceived place of origin, ancestry, ethnicity/ethnic characteristic, language or accent, cultural heritage, surname or name associated with a nation, or association with people of a particular nation or origin, regardless of a person’s citizenship or immigration status. For the purposes of this definition, national origin also encompasses actual or perceived shared ancestry, ethnic characteristics, or citizenship or residency in a country with a dominant religion or distinct religious identity.

Notice of Investigation and Allegations (NOIA) – Is a formal document that informs parties (complainant and respondent) about an ongoing investigation into potential policy violations. It outlines the specific allegations, the parties involved, the policies involved, investigative procedures, right to respond, advisor information, confidentiality protocols, non-retaliation expectations, and potential consequences.

Notification – Notification under this policy occurs on the date any document is sent by electronic mail, when properly addressed. Notification may also occur five days after the date of posting of any document in the United States mail, properly addressed, or upon the date of receipt of any document, when placed in the campus mail, properly addressed. OCRTIX will use the address included in the complaint or the last known address contained in the university’s records.

Parties – The “complainant” and the “respondent” under this policy.

Preliminary Inquiry – An initial fact-finding process to determine if there is reasonable cause to believe a violation of this policy has occurred. It involves gathering information to assess whether a formal investigation is warranted.

Preponderance of the Evidence – The greater weight of the credible evidence. Preponderance of the evidence is the standard for determining allegations of conduct that violate this policy. This standard is satisfied if the action is deemed more likely to have occurred than not.

Race – A person’s actual or perceived (by others) membership in a group characterized by shared physical, cultural, or ethnic traits. This includes traditional racial groups (e.g., White, Black, African American, Asian, American Indian, or Alaska Native) as well as those that may be defined by ancestry, ethnic identity, or perceived racial affiliation.

Racism – Conduct that excludes, harms, persecutes, or that is unequal, based on actual or perceived race.

Relevant – Evidence (i) that has any tendency to make a fact more or less probable than it would be without its existence, and (ii) the fact is of consequence in determining if a policy violation has occurred.

Report – Information submitted in writing or electronically, including oral statements (if appropriately acknowledged), submitted to OCRTIX by a reporter, alleging a violation of this policy.

Reporter – An individual, other than a complainant, making a report of an incident(s) under this policy.

Respondent – The individual and/or organization reported to be the alleged perpetrator of conduct that violates this policy.

Retaliation – Any action taken to cause an adverse effect in the terms or conditions of an individual’s academic experience or employment with the university, or other institutional status of a student, employee, university affiliate, visitor, or applicant for admission or employment with the university, because an individual has in good faith reported or brought a complaint under this policy, opposed an unlawful discriminatory practice, participated in an OCRTIX investigation, or requested supportive measures. Further, retaliation includes any acts against an individual for the purpose of interfering with or discouraging an individual from exercising a right or privilege under this policy. Activities protected from retaliation include reporting or opposing discrimination and harassment; filing a formal complaint; and participation in an investigation, process or hearing, whether as a party, witness, hearing panel member, appeals officer, or advisor. Prohibited retaliatory acts include, but are not limited to, intimidation, threats, coercion, or discrimination. Retaliation may be found even when an underlying report or complaint made in good faith was not substantiated.

Shared Ancestry – Actual or perceived ethnic, cultural, or ancestral background (e.g., lineage, familial origins, genetic inheritance, language, customs, societal norms, and heritage). Discrimination on the ground of shared ancestry can include discrimination based on actual or perceived religion (e.g., Jewish, Christian, Muslim, Sikh, Hindu, Buddhist, Shinto, indigenous/religious group), when that discrimination is interwoven with shared ancestry or ethnicity/ethnic characteristics.

IV. RESPONSIBILITIES AND PROCEDURES

A. General Procedures

The university recognizes the rights of parties to report an incident to the university and to receive a prompt and equitable resolution of the report.

1. Reporting Incidents

Any person may report an incident under this policy to OCRTIX – via email at ocrandtix@lsu.edu; via mail at 118 Himes Hall, Baton Rouge, LA 70803; by calling 225-578-9000, or by submitting an online reporting form via the [Bias or Discrimination Incident Report](#), regardless of whether the person reporting is the person alleged to be the subject to the complained-of behavior. Any person may report incidents anonymously via the online reporting form found on OCRTIX’s website.

A person who believes that they have experienced discrimination, harassment, or retaliation under this policy should promptly report the incident to OCRTIX. No person is required to report discrimination, harassment, or retaliation to the alleged offender.

It is not necessary for an individual to be directly involved in an incident to make a report, though the person reporting the alleged conduct must have reasonably adequate and credible information. While all reports are reviewed, only those with sufficient details can be adequately pursued.

2. Supervisor’s Responsibility

Any supervisor, administrator, or manager who directly receives a complaint of discrimination, harassment, or retaliation, or who observes discrimination, harassment, or retaliation in their department shall promptly report the incident to OCRTIX.

3. Incident Reports

An incident report alleging a violation of this policy shall be submitted to OCRTIX. The incident report should contain the following information:

- a. Name of the complainant(s);
- b. Contact information, including address, telephone, and e-mail, if known;
- c. Name of person(s) directly responsible for alleged violation(s);
- d. Date(s) and place(s) of alleged violation(s);
- e. Nature of alleged violation(s) as defined in this policy;
- f. Detailed description of the defined conduct that is the basis of the alleged violation(s);
- g. Copies of any documents about the alleged violation(s);
- h. Names of any witnesses to the alleged violation(s) and witnesses' contact information;
- i. Remedy requested to resolve the situation; and
- j. Any other relevant information.

While a preliminary inquiry may begin on the basis of a verbal complaint or verbal report, the university strongly encourages individuals to file a written formal complaint with OCRTIX. If the incident report is not in writing, OCRTIX will prepare a statement of what it understands the allegations to be and seek to obtain verification from the complainant or reporter.

4. Time Limit

Individuals must file an incident report regarding violations under this policy within 180 calendar days of the most recent incident of discrimination. OCRTIX may extend the 180-day filing deadline when good cause supports the extension.

5. Acknowledgement

OCRTIX is committed to reviewing and responding to reports and complaints within two business days after receipt of the report.

B. Initial Review and Assessment Procedures

1. Purpose

OCRTIX will conduct an initial review of all reports and complaints. This initial review is to assess whether an incident report describes in sufficient detail the alleged conduct that is the basis of the complaint, whether these allegations (if true) implicate this policy, and whether a formal investigation is warranted.

2. Intake Review

OCRTIX will conduct a review of the allegation(s) and may gather additional information regarding the allegation(s) to determine jurisdiction. OCRTIX will determine whether the incident report should be reviewed by OCRTIX or referred to an appropriate department for resolution or for informal resolution. If additional information is needed to evaluate the incident report, OCRTIX will conduct a preliminary inquiry.

3. Preliminary Inquiry

A preliminary inquiry is not a formal investigation but includes appropriate steps to properly and thoroughly evaluate an incident report. OCRTIX will take appropriate steps to gather sufficient information to determine whether a formal investigation is warranted.

4. Potential Outcome/Resolution of Complaints or Reports

OCRTIX will ultimately determine whether the incident report should be (i) closed due to insufficient evidence or information; (ii) closed because the respondent is not affiliated with the university or is not an applicant for admission or employment; (iii) referred to the appropriate department for possible resolution; (iv) referred to informal resolution; or (v) elevated to a formal investigation. Additionally, if an incident report or complaint is withdrawn, OCRTIX may choose to initiate a due diligence inquiry if the alleged conduct implicates this policy. Complaints and reports closed by OCRTIX due to insufficient evidence before an investigation is opened may be re-opened if additional information is later available and it is still within the 180-calendar-day limitations period. A new complaint must be filed with OCRTIX by the complainant to reopen the process.

5. Notification of Results

If OCRTIX determines that an incident report should be referred to another department for resolution (e.g., Human Resource Management [HRM], Student Advocacy & Accountability [SAA], department leader), or closed for lack of relevant evidence or jurisdiction, OCRTIX may provide notice to the complainant about the referral or closure.

C. Informal Resolution Procedure

OCRTIX may determine in its discretion whether informal resolution is appropriate and, if so, will engage the process accordingly.

Methods for informal resolution may include, but are not limited to:

1. Coaching the person on how to directly address a situation which is causing a problem;
2. Mediating the dispute with the parties;

3. Aiding in the modification of a situation in which the offensive conduct occurred;
4. Assisting a department with the resolution of a real or perceived problem; or
5. Arranging a documented meeting to discuss the university's requirements for behavior.

The university will document any informal resolution. OCRTIX will retain this documentation and keep it confidential to the extent permitted by law.

D. Formal Investigation Procedures

1. Investigation Responsibility

OCRTIX is responsible for conducting formal investigations of formal complaints involving possible violations of this policy. OCRTIX will initiate a formal investigation upon receipt of a formal complaint if a complaint is within the scope of this policy and articulates sufficient specific allegations, which, if determined to be true, would support a finding that this policy was violated.

Notwithstanding the above, the Executive Director of Civil Rights & Title IX Coordinator has ultimate discretion as to whether a formal complaint is made and may conduct a risk assessment to aid their determination whether to sign a formal complaint on behalf of the complainant. The Executive Director of Civil Rights & Title IX Coordinator may consider elements such as patterns of behavior, predation, threats, violence, use of weapons, or involvement of minors in determining whether to sign a formal complaint. When the Executive Director of Civil Rights & Title IX Coordinator signs a formal complaint, it is done on behalf of the complainant. The complainant remains the person who experienced the alleged misconduct.

2. Delegation in Certain Circumstances

If an incident report is directed against an individual who would otherwise play a role in investigating or resolving the complaint, or there is any other conflict of interest present, the function assigned to that person by these procedures will be delegated to another person, as determined by the Executive Director of Civil Rights & Title IX.

3. Notice of Investigation and Allegations (NOIA)

If a formal investigation is warranted, OCRTIX will provide the parties a written Notice of Investigation and Allegations (NOIA). The NOIA will include:

- a. A statement of the allegation(s) to be investigated;
- b. A statement regarding the relevant policy that is the subject of the investigation;
- c. A statement regarding the investigative process that will be followed;

- d. A statement notifying the respondent that they have an opportunity to submit a written response to the allegation(s);
- e. A statement advising the parties that retaliation is prohibited and that engaging in retaliation will result in appropriate disciplinary action;
- f. A statement notifying the parties that they have a right to an advisor during the investigation process;
- g. A statement requesting confidentiality by the parties to preserve the integrity of the investigation;
- h. A statement regarding the parties' duty to cooperate;
- i. Information regarding resources and supportive measures available to the parties;
- j. Contact information for the OCRTIX case management team; and
- k. Contact information for the OCRTIX investigator conducting the investigation.

4. Discretionary Dismissal of Formal Complaint

The Executive Director of Civil Rights & Title IX Coordinator may dismiss a formal complaint and close a formal investigation before completing it if it is determined that a significant change in circumstances has so substantially impaired the formal investigation that OCRTIX cannot reach reasonably reliable conclusions about whether the alleged conduct occurred. Other discretionary reasons for dismissal may include withdrawal of formal complaint by the complainant; respondent is no longer affiliated with LSU; or specific circumstances prevent LSU from gathering evidence sufficient to reach a determination as to the allegations contained in the formal complaint. OCRTIX will, when appropriate, take steps to stop the reported conduct, prevent its escalation or recurrence, and address its effects, including offering appropriate supportive measures to the parties.

5. Investigative Process—Gathering of Evidence

a. Notice of Meetings

OCRTIX will notify the parties and witnesses of the date, time, location, participants, and purpose of any meeting. OCRTIX will also notify them of their right to be accompanied by an advisor.

b. Respondent Statement

The respondent has an opportunity to submit to OCRTIX a written response to the allegations.

c. Interviews

During a formal investigation, OCRTIX may interview the complainant(s), respondent(s), and any person that may have relevant information related to the formal complaint.

Parties should submit the name(s) and contact information for any witnesses they would like to be interviewed and a brief explanation of the witness's relevance to the investigation. In most cases, OCRTIX will not interview character witnesses.

d. Evidence

The parties may present any information or evidence that may be relevant to the investigation. OCRTIX may also gather relevant evidence from witnesses, other parties, or other departments as appropriate. Evidence may include, but is not limited to, direct and first-hand information, photos, videos, emails, text messages, social media posts, notes, written witness testimony, and evidence gathered by the investigator.

e. Findings

OCRTIX will use the Preponderance of the Evidence standard to determine if a policy violation has occurred.

6. Consolidation of Formal Complaints

A formal complaint under this policy may be consolidated with other complaints when there are multiple allegations of conduct that arise out of the same facts or circumstances, such as when there are multiple complainants or respondents. This policy may also address any alleged misconduct (e.g., student code of conduct, employee code of conduct) that is ancillary to or concurrent with alleged violations of this policy.

7. Investigation Report and Referral

a. Preliminary Investigation Report and Access to Evidence

After completion of the investigative process, OCRTIX will provide the parties with a Preliminary Investigation Report (PIR) and access to relevant evidence.

The PIR will outline each of the allegations that potentially constitute a violation of this policy, provide the timeline of the investigation, and fairly summarize the relevant evidence, participant statements, responses to questions, and documentary evidence. The PIR will also include a statement of finding of violation or no finding of violation and the related rationale.

OCRTIX will redact student identifiable information and other information that is confidential by law. OCRTIX also reserves the right to redact the names of witnesses for confidentiality and privacy reasons, as well as to mitigate a perceived risk of retaliation.

b. Opportunity to Respond to PIR

The parties will have ten business days to review, inspect, and submit a written response to the PIR and the relevant evidence. A written response may include any additional fact(s), evidence that was unavailable at the time of the investigation, or names of witnesses that have not been interviewed, that may serve to change the statement of violation or no finding.

OCRTIX will review and consider the response received from the parties for relevance and determine whether further investigation is warranted.

If the parties contend that the statement of violation or no finding was based on the following:

- i. A procedural irregularity that affected OCRTIX's determination; or
- ii. The OCRTIX investigator had a conflict of interest or bias for or against a party that affected the outcome of the matter.

A party may appeal to the Executive Director of Civil Rights & Title IX Coordinator no later than five business days following the ten-business day review period referenced above.

The appeal must be in writing and describe in sufficient detail the basis for the appeal (i and/or ii above). A disagreement with OCRTIX's determination, without more, is not sufficient basis for appeal.

Appeal requests should be submitted electronically at ocrandtix@lsu.edu via mail or in person at OCRTIX, 118 Himes Hall, Baton Rouge, Louisiana 70803.

The Executive Director of Civil Rights & Title IX Coordinator or their designee will determine within five business days of receipt of the appeal request whether OCRTIX's decision was in error. If the Executive Director of Civil Rights & Title IX Coordinator or their designee upholds OCRTIX's determination, the decision is final, and the process will continue to the next step.

If the Executive Director of Civil Rights & Title IX Coordinator or their designee determines that item "i" above was a factor in the preliminary outcome decision, the complaint will be sent back to OCRTIX for further investigation and/or mitigate, as appropriate, the related factors.

If the Executive Director of Civil Rights & Title IX Coordinator or their designee determines that item "ii" above was a factor in the preliminary outcome decision, they will appoint a new investigator and reengage the investigation process, as appropriate, to ensure a thorough and impartial review.

c. Final Investigation Report and Referral

After the parties have an opportunity to respond to the PIR, OCRTIX will provide a Final Investigation Report (FIR) and access to the relevant evidence to the parties and their advisors, if any.

d. Discipline Decision-maker Review of PIR

If there is a finding of violation of this policy, the FIR will be provided to the appropriate discipline decision-makers for disciplinary and sanctioning determinations as follows:

- i. If the respondent is a student, it will be referred to the Associate Vice Chancellor & Dean of Students and Director of Student Advocacy & Accountability, in accordance with the university's student disciplinary procedures;
- ii. If the respondent is faculty, it will be referred to the Senior Vice Chancellor for Academic Affairs & Provost, or designee, for discipline decision, in accordance with the university's policies for discipline and termination of faculty; and
- iii. If the respondent is staff, it will be referred to the Associate Vice Chancellor for Human Resource Management or designee, for discipline decision, in accordance with the university's policies for discipline and termination of staff.

The discipline decision-maker, or designee, will inform the parties and OCRTIX in writing of the decision.

e. Privacy

As required by federal law, any disclosure of the findings and decision of the [LSU Office of Student Advocacy & Accountability](#) will be governed by the provisions of the [Family Educational Rights and Privacy Act \(FERPA\)](#) and other applicable law.

E. Right to Advisor

The complainant(s) and the respondent(s) may be accompanied by an advisor, who may be an attorney, to any meeting or interview with OCRTIX. The role of an advisor is to provide support to the respective party. An advisor may not examine witnesses, answer questions, provide information or otherwise actively participate in a meeting or interview. An individual may only have one advisor present at a time. Parties will be required to complete an Advisor Designation and Confidentiality Agreement prior to utilizing an advisor during the entire grievance process.

F. Submission of Evidence

During an initial review or formal investigation, the complainant(s) and the respondent(s) should provide OCRTIX with all relevant evidence in their care, custody, or control. They should also identify any witnesses that they believe have relevant information. Any witness list should include a summary of the information the witness can provide regarding the issues raised in the complaint.

G. Miscellaneous

1. Grievance of a Disciplinary Action

Any student, employee, or faculty disciplined pursuant to this policy, should follow the corresponding university policy and grievance procedures related to their status (e.g., student, employee, or faculty).

2. Effect on Pending Personnel Actions

The filing of a report or complaint under this policy will not stop or delay any personnel/academic actions including,

- a. Any evaluation of disciplinary action relating to a person who is not performing up to acceptable standards or who has violated university rules or policies;
- b. Any evaluation or grading of students participating in a class, or the ability of a student to add/drop a class, change academic programs, or receive financial reimbursement for a class; or
- c. Any job-related functions of a university employee.

3. Interim Action

Nothing in this section shall limit the university's ability to take interim action or execute an emergency removal of any party, including the designation of administrative leave with or without pay in accordance with university policies and procedures.

4. Collateral Misconduct

Collateral misconduct includes potential violations of other university policies that occur in conjunction with alleged violations of this policy, or that arise through the course of the investigation, for which it makes sense to provide one resolution for all allegations. Thus, the collateral allegations may be charged along with potential violations of this policy, to be resolved jointly. The exercise of collateral charges is within the Discipline Decision-maker, or designee, discretion.

5. Relationship of Complaint Process to Outside Agency Time Limits

The filing of a discrimination, harassment, and retaliation complaint under this policy does not excuse the complainant from meeting deadlines set by law or an outside administrative agency.

6. Time Frames

OCRTIX may extend the time frames mentioned in this policy at its discretion.

7. Free Speech and Academic Freedom

Faculty and other academic appointees, staff, and students of the university enjoy significant free speech protections guaranteed by the [First Amendment of the United States Constitution](#) and [Article I, Section 7 of the Louisiana Constitution](#). This policy is intended to protect members of the university community from discrimination, harassment, and retaliation, not to regulate protected speech. This policy will be implemented in a manner that recognizes rights to freedom of speech and expression. The university also has a compelling interest in free inquiry and the collective search for knowledge; it thus recognizes principles of academic freedom as a special area of protected speech. Consistent with these principles, no provision of this policy will be interpreted to prohibit conduct that is legitimately related to course content, teaching methods, scholarship, or the public commentary of an individual faculty member, other academic appointee, or the educational, political, artistic, or literary expression of students in classrooms and public forums.

Academic freedom, as described in [Policy Statement 15 Academic Freedom, Free Speech, and Tenure](#), includes the right to express views, even if their essence is unpopular, on matters of public importance. This right extends to curriculum and instruction within the classroom, which includes discussions, perspectives, information, and challenges to conventional beliefs. Freedom of speech, freedom of expression, and academic freedom are essential to the mission of the university; the free exchange of ideas is necessary for the discovery and dissemination of knowledge. However, freedom of speech and academic freedom are not limitless and, for example, do not protect speech or expressive conduct that violates federal or state anti-discrimination laws.

Constitutionally protected speech or expression is not considered harassment under this policy. Refer to [Permanent Memorandum 79 Freedom of Speech and Expression](#) for more information.

8. Cooperation in an Investigation

Cooperation involves actively and honestly participating in good faith with university investigations. Good faith cooperation includes, but is not limited to:

- a. Providing full and truthful answers during an investigation;
- b. Identifying relevant witnesses;
- c. Providing truthful information and documents;
- d. Preserving relevant materials;
- e. Responding to requests for interviews or information; and
- f. Being available and appearing for scheduled meetings, interviews, or hearings.

9. Filing of False Complaints and Providing Materially False Information

It is a violation of this policy to knowingly and intentionally file a false complaint or report under this policy or to knowingly and intentionally provide materially false information about an alleged violation under this policy. A complaint or report that is ultimately unsubstantiated is not a false complaint or report unless it was filed in bad faith. Bad faith is an intent to harm or deceive. Information is materially false if it is untrue and would tend to influence the outcome of an investigation of an alleged violation under this policy.

10. Investigation Process Interference

Any person who intentionally interferes with the administration of this policy commits a violation of this policy. Interference may include, but is not limited to:

- a. Attempting to coerce, compel, or prevent an individual from providing testimony or relevant information;
- b. Removing, destroying, withholding, or altering documentation relevant to the complaint or report; or

- c. Knowingly providing false or misleading information to OCRTIX or any other university administrator or encouraging others to do so.

11. Abuse of Investigation Process

This policy prohibits individuals from abusing the investigative process. OCRTIX will determine whether conduct is an abuse of the process by assessing the totality of the circumstances. Abuse of the investigation process is a pattern of behavior that overburdens OCRTIX staff and resources, including but not limited to:

- a. Repeatedly refusing to specify complaint or report allegations;
- b. Repeatedly failing to appear at and/or schedule investigative interviews or meetings in a timely manner, without good cause; or
- c. Filing multiple complaints or reports on the same or substantially similar events.

12. Documentation and Confidentiality

The university will maintain documents related to complaints under this policy as required by law. The confidentiality of a complaint under this policy and all documents, correspondence, interviews, and discussions relating to the investigation of the information contained in a complaint will be maintained on a confidential basis to the extent permitted by law. Any person who knowingly and intentionally makes an unauthorized disclosure of confidential information contained in a complaint or otherwise relating to the investigation of a complaint under this policy is subject to disciplinary action. The university may be required to disclose information on a need-to-know basis to properly address a complaint, when there is a threat to others, pursuant to subpoena, or other court or administrative order, or as may be required by applicable law.

V. SOURCES

[Act 472 of the 2021 Regular Legislative Session of the Louisiana Legislature](#)

[ADA Amendments Act of 2008 \(ADAAA\)](#)

[Age Discrimination Act of 1975](#)

[Age Discrimination in Employment Act of 1967, as amended](#)

[Americans with Disabilities Act of 1990](#)

[Article I, Section 7 of the Louisiana Constitution](#)

[Board of Regents Uniform Policy on Power-Based Violence and Sexual Misconduct](#)

[Equal Pay Act of 1963](#)

[Executive Order of 11246](#)

[Family Educational Rights and Privacy Act \(FERPA\)](#)

[First Amendment of the United States Constitution](#)

[Pregnancy Discrimination Act \(PDA\) of 1978](#)

[Pregnant Workers Fairness Act \(PWFA\) of 2022](#)

[PUMP for Nursing Mothers Act \(PUMP Act\)](#)

[Sections 503 and 504 of the Rehabilitation Act of 1973](#)

[Title II of the Genetic Information Nondiscrimination Act of 2008](#)

[Title VI of the Civil Rights Act of 1964](#)

[Title VII of the Civil Rights Act of 1964, as amended](#)

[Title IX of the Education Amendments of 1972](#)

[Uniformed Services Employment and Reemployment Rights Act \(USERRA\)](#)

[Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended](#)

[PM 73 Prohibiting Power-based Violence, including Sex- and Gender-based Harassment and Discrimination, and Sexual Misconduct](#)

[PM 79 Freedom of Speech and Expression](#)

[PS 15 Academic Freedom, Free Speech, and Tenure](#)

VI. APPENDICES

[Bias or Discrimination Incident Report](#)

[LSU Office of Civil Rights & Title IX Website](#)

[LSU Office of Student Advocacy & Accountability Website](#)