

# CONCORD UNIVERSITY BOARD OF GOVERNORS

## **Policy No. 29**

### **Policy on Social Justice**

**Effective Date: 07/20/2006**

#### **Section 1. GENERAL**

1.1 Scope: This policy defines social justice and indicates how it is to be achieved as well as outlining a procedure for filing complaints.

1.2 **Authority: W. Va. Code 18B-1-6**, West Virginia Humans Rights Act of 1967; Title IX of the Civil Rights Act of 1972; Equal Opportunity Commission interpretative guidelines issued in March, 1980; Titles VI and VII of the Civil Rights Act of 1964; Vietnam Era Veterans Readjustment Act; Sections 503 and 504 of the Rehabilitation Act; Executive Order 11246; Immigration Reform and Control Act of 1986; Equal Pay Act; Age Discrimination Act; Americans with Disabilities Act; and Disabled Veterans Act.

1.3 Passage Date: April 19, 2006, June 14, 2006

1.4 Effective Date: July 20, 2006

#### **Section 2. POLICY**

2.1 Concord University is committed to implementing a mutual understanding and respect among all individuals and groups at the institution. Concord is also committed to significantly reducing all forms of discrimination as provided by West Virginia and Federal Law.

2.2 Concord University's mission is to recognize the development of human potential which promotes cultural and ethnic diversity and understanding. The institution is committed to fairness and equality in all aspects of employment and campus life; for all persons regardless of age, race, color, national origin, sex, sexual orientation, religion, veteran status or documented disability legal status.

#### **Section 3. IMPLEMENTATION**

3.1 Concord University will develop a program for social justice consisting of the following elements:

3.1.a Provide programs and activities, which have a goal of eliminating prejudice or discrimination based upon race, color, national origin, sex, sexual orientation, age, religion, veteran status, or disability.

3.1.b At regular intervals, the institution will review its educational setting, job structure, and employment practices as they relate to social justice.

3.2 Concord University will provide an opportunity for counseling and appropriate additional institutional responses to employees, applicants, and students who charge that they have been discriminated against, and have in place a plan for the informal resolution of such matters before a formal complaint is filed.

3.3 Responsibility for the implementation of the Social Justice Program is assigned as follows:

3.3.a The President of Concord University shall designate an administrative officer who will be responsible for implementing the program as part of his or her other duties and responsibilities. The appointed administrative officer shall not have duties and responsibilities which may cause a conflict of interest to occur.

3.3.b This administrator shall implement the program in accordance with the directives of the President by developing plans, procedures, and regulations necessary to execute the University's Social Justice Program. The officer will examine the operations of the institution at regular intervals to assure their conformity with the social justice policy as set forth by the Concord Board of Governors.

3.3.c Each Cabinet member, department director, unit head and division chair will have day-to-day responsibility for implementation of the social justice policies.

3.3.d All employees are expected to help create an environment for positive change and results within the social justice area.

#### **Section 4. AREAS OF IMPLEMENTATION**

4.1 The Social Justice Officer is authorized to carry out the institutions' program as authorized by the President, in the following areas:

4.2 The Social Justice Officer will develop plans, procedures, and regulations necessary to carry out the institutions' programs.

4.2.a The Social Justice Program will propose and encourage changes in course content and curriculum, student life programs, personnel programs and administrative procedures designed to eliminate discriminatory practices, which are covered by this policy. The Program will also assist the administration in arriving at solutions to social justice problems. All changes to the academic curriculum shall be approved by the faculty through the curriculum approval process of Concord University.

4.2.b The Social Justice Officer shall encourage and provide assistance to faculty in broadening course content and offerings to reflect the social justice goals of Concord University and the State of West Virginia.

4.2.c The Social Justice Officer will also receive promptly any investigation, disposition, and rendering of a written recommendation to the President of general allegations made by organizations or third parties of systematic discrimination.

#### **Section 5. FILING OF COMPLAINTS**

5.1 Any individual who feels that he or she has been discriminated against in any way always has the right to take their complaint beyond the Social Justice Office of the institution to the U.S Office of Civil Rights.

5.2 The President of the University along with the Social Justice Officer, with the advice of the faculty staff, classified employees as well as student government, shall implement a formal procedure for handling social justice complaints and

assure the appropriate dissemination of information concerning it to faculty, staff and students. The President shall designate a Social Justice Officer who shall receive training in facilitating the informal resolution of complaints with the authority to conduct inquiries and report, in writing, to the appropriate cabinet officer and the director of public safety. In cases involving the president, the complaint should also be filed, with Board of Governors, in writing.

5.3 Any complaint that is filed may be withdrawn at any time by notice, in writing, to the level in which the complaint is then current. The complainant shall not reinstate such complaint unless the Social Justice Officer grants it. If one or more persons is named in the complaint, the withdrawal of one person shall not prejudice the right of any other persons named in the complaint.

5.4 Complaints may be consolidated at any level by the agreement of all parties.

5.5 No reprisal of any kind shall be taken by persons who are associated with the University against any interested party. A reprisal constitutes a complaint and, any person held to be responsible for reprisal action shall be subject to disciplinary action for insubordination.

## **Section 6. INVESTIGATION OF THE COMPLAINT**

6.1.a Before a formal written complaint may be filed, a conference with the or immediate academic advisor, or student affairs representative must be scheduled to discuss the nature of the complaint, and the action, redress or remedy sought. If the immediate academic advisor or student affairs representative is the person who is allegedly discriminating against the complainant, the complainant shall go directly to the academic advisors' or student affairs representative's immediate supervisor. The attempt to schedule such a conference must take place within fifteen days following the occurrence of the event, or fifteen days from the date on which the event became known to the complainant, or within fifteen days of the most recent occurrence of a continuing practice, giving rise to the complaint.

6.1.b The conference with the immediate supervisor or academic advisor, or student affairs representative concerning the complaint shall be conducted within ten days of the request therefore, and any discussion shall be by the complainant, in the complainants own behalf, or by both the complainant and a designated representative.

6.1.c The immediate academic advisor, or student affairs representative shall respond to the complaint within ten days of the conference. The immediate academic advisor, or student affairs representative shall immediately disseminate the information to the appropriate administrative level.

6.1.d Within ten days of the response to the complaint, the complainant may file a formal written complaint with the Office of Social Justice.

6.1.e The immediate academic advisor, or student affairs representative shall then state the decision to such filed complaint within ten days after the complaint is filed.

6.1.f Within five days of receiving the decision of the Office of Social Justice, the complainant shall have the right to file a written notice of appeal to the Chief

Social Justice Officer.

6.1.g Persons dissatisfied with the decision of the Chief Social Justice Officer, shall have the right to file a formal written notice of appeal to the Board of Governors and the President of the University or the US Office of Civil Rights.

**Section 8. POLICY LIMITATIONS**

8.1 Nothing in this policy should be construed to extend “protected class” status or give rise to a cause of action beyond what is otherwise provided by law.