



**I. Principles of Non-Discrimination at Murray State University.**

**the end of this policy. Allegations of violation of these policies as applicable are considered as allegations of discrimination under this policy.**

**Appendix II includes contact information for all offices mentioned in this policy and for other available resources.**

## **II. Scope of this policy regarding Discrimination Grievance Procedures.**

This policy establishes the procedures to be followed in the event of allegations of discrimination against a University employee or volunteer or against a non University individual, including the employee of a contractor at, a visitor to, or a patron of the University.

This policy also establishes the procedures to be followed in the event of allegations of discrimination against a student or student organization based upon sex or sexual orientation, including allegations of sexual harassment, sexual violence or misconduct, relationship violence, or stalking.

Murray State University is committed to investigating, in a prompt, reliable, and equitable manner, allegations and claims of discrimination in the operation and administration of its programs, services and employment practices.

This policy supersedes any other grievance mechanism with respect to issues of discrimination and affirmative action, except as the question of discrimination and affirmative action constitute a part, but only a part, of grievances or complaints filed before other hearing bodies within the University. In these latter cases, the proceedings before the hearing body shall be suspended until matters of discrimination and affirmative action have been decided in accordance with the procedure provided by this policy.

## **III. Reporting Allegations of Discrimination and Where to report violations**

### **A. Where to report allegations that *you* have been discriminated against**

Any member of the University community, including students, staff, faculty, patrons, visitors, employees of a contractor, and applicants for employment and admission, who believes he or she may have been subjected to discrimination by a University employee, student, or volunteer or non-University individual is encouraged to report it as provided below.

- 1. Allegations against University employees, volunteers, and non-University individuals.*

Allegations under this policy against University employees, volunteers and non-University individuals should be made with the Executive Director of the Office of Institutional Diversity, Equity, and Access (IDEA)/Title IX Coordinator. This includes allegations of discrimination based on sex or sexual orientation, including allegations of sexual harassment, and sexual

concerned for their safety, or if a victim wishes to report an act of discrimination which occurs outside of normal University office hours. Offices listed in Appendix II can assist in contacting law enforcement.

Reports of matters related to discrimination, including discrimination based on sex or sexual orientation and including allegations of sexual harassment and sexual violence and misconduct, relationship violence, and stalking, made to the Murray State University Police Department will automatically be referred to the Executive Director of IDEA/Title IX Coordinator with personally identifying information regardless if the victim chooses to pursue criminal charges or requests confidentiality. If the matter cannot be immediately reported to the Executive Director/Title IX Coordinator, the matter must be reported as soon as possible.

Contact information for the Murray State University Police Department is: Murray State University, 101 Public Safety Building, Murray, KY 42071; telephone: (270) 809-2222.

**Campus Security Authorities.** Individuals may seek the assistance of University employees who

here

<http://www.murraystate.edu/HeaderMenu/Offices/PublicSafetyAndEmergencyManagement/PoliceDepartment/CampusSecurityAuthorities.aspx>. Campus Security Authorities must report crimes to the Murray State University Police Department.

**Other Resources.** In addition, individuals may seek assistance, such as counseling and support and medical services, from the resources listed in Appendix II.

*4. Confidential Reporting/Requests for Confidentiality or that an Investigation not be Pursued*

Individuals are encouraged to report under this policy allegations that they have been discriminated against even if they request confidentiality or do not wish to participate in an investigation.

*a. Matters reported to ID 02 9 re WBT/F9 12 Tf1 01 25.3720.14 Tmr WBT/F4 12 Tf1 01*

In the event an individual reporting discrimination to the Executive Director/Title IX Coordinator requests confidentiality or does not wish to participate in an investigation, the

[REDACTED]





IDEA will, if possible, meet with the individual who alleges discrimination or who is reported to have been subjected to discrimination.

**Available Assistance.** IDEA will provide written information to individuals involved in allegations of discrimination, in an attempt to assist them, of measures which may be immediately available and which are appropriate under the circumstances. Examples include counseling and modifying academic, living, transportation, and working situations, a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. An individual who allegedly engaged in prohibited behavior may be removed or banned from University property or certain portions of campus to the extent consistent with law. IDEA will facilitate the implementation of such measures if requested and if they are reasonably available in consultation where necessary with the appropriate Vice President, or designee, and other offices. These measures may remain available regardless of the outcome of any complaint process.

#### B. Complaint Process

If the individual making allegations that he or she has been discriminated against wishes to pursue a formal complaint, the following procedures will be followed.

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The Office of General Counsel will be kept informed of all proceedings.

Any complaint against a student which could result in suspension or expulsion will be forwarded immediately to the Office of Student Affairs for handling pursuant to procedures related to the University Judicial Board found in the **Student Life Policies, Rules, and Procedures**.

*b. Notifying the Respondent*

IDEA will immediately forward a copy of the complaint to the

In the event the parties are able to resolve the complaint, the agreement will be reduced to writing for their signature. There will be no further investigation of the complaint. Any informal resolution must include measures to stop any discrimination, prevent any recurrence, correct any discriminatory

The report will be submitted by IDEA to the Vice President of the area in which the Respondent is employed and simultaneously to the parties for consideration of the conclusions regarding discrimination and any recommended sanctions and corrective action. The parties will have 7 days from the date the report is mailed to submit written comments to the Vice President, who will provide copies of the comments to each of the parties and IDEA. The Vice President will have 5 days, after receipt of all comments or expiration of the time for submitting comments, in which to review the report and any comments and to issue the final written decision. The President may extend the time for good cause. is defined below at Section VII (E).

A final written decision as to whether discrimination occurred and any sanctions and corrective action will be made by the Vice President after considering the report and recommendations from IDEA and any comments from the parties. The final decision will state the rationale for the Vice conclusions as to whether discrimination occurred. If there is a finding of discrimination, sanctions and corrective action imposed will include measures to stop the discrimination, prevent it from recurring, correct its discriminatory effects, and protect other members of the University community from discrimination. The rationale for any sanctions will be stated.



The Answering Party may submit to the Executive Director/Title IX Coordinator a written response to the request for Further Review within 7 days from the time the request for review is hand delivered or 10 days from the date it is mailed. The President may extend the time for good cause. is defined below at Section VII (E).

Any response is to be delivered to the Executive Director/Title IX Coordinator in person or by way of postal delivery and must not be sent electronically by, for example, e-mail. The response will be deemed timely if it is postmarked within the stated time frame.

The Executive Director/Title IX Coordinator, or designee, will provide a copy of any response to the Petitioner.

### C. Procedures for Further Review

Further Review will be conducted by a Review Committee composed of 3 employees of the University appointed by the President. The chair of the Review Committee shall be designated by the President. The President shall appoint the Review Committee within 10 days after receipt of the request for Further Review from the Executive Director/Title IX Coordinator or designee. The President may extend the time for good cause. is defined below at Section VII (E).

Except as otherwise provided here, the Review C

- g. A record of the proceedings shall be retained by electronic and/or stenographic recording.

All procedures shall be applied in a manner which is consistent with due process under the circumstances of the case.

If consideration of the request for Further Review by the Review Committee reveals that if true the request provides no basis for review, it will so advise the parties and request simultaneous statements in support of their respective positions. If the Review Committee still believes the

of such requests for additional information and will be provided with a copy of any response along with the opportunity to provide a written reply.

The written decision of the President will be provided to the parties simultaneously, the pertinent Vice President, and the Executive Director/Title IX Coordinator. The decision of the President shall be final save and except as an appeal to the Board of Regents may be mandated by law.

## **VI. Retaliation Prohibited**

There will be no retaliation against any individual because he or she has



necessary, if there is a need to know, and if allowed by law. Murray State will protect the confidentiality of victims to the extent permissible by law by (i) completing publicly available recordkeeping without inclusion of personally identifiable information about the victim and (ii) maintaining as confidential any accommodation or protective measures provided to the victim to

It is the express intent of this policy that all allegations and complaints be investigated and resolved in an expeditious manner and

## APPENDIX I

### **Affirmative Action Plan:**

The *Affirmative Action Plan for Minorities and Females* and *Affirmative Action Plan for Veterans and Individuals with Disabilities* can be accessed under the link for Affirmative Action, Sexual Harassment, and Grievances on the website of Office of Institutional Diversity, Equity and Access which can be found by searching the Murray State homepage.

### **Affirmative Action Policy Statement:**

The statement can be accessed under the link for Affirmative Action, Sexual Harassment, and Grievances on the website of Office of Institutional Diversity, Equity and Access which can be found by searching the Murray State homepage.

### **Policy Prohibiting Discrimination Based on Disability:**

See Section 2.23 of the *Policies of the Board of Regents* which can be accessed under the link for the Board of Regents Policy Manual on the website of the Board of Regents which can be found by searching the Murray State homepage.

The policy can also be accessed under the link for Policies and Procedures on the website of Office of Institutional Diversity, Equity, and Access which can be found by searching the Murray State homepage.

### **Non-Discrimination Statement:**

The statement can be accessed under the link for Affirmative Action, Sexual Harassment, and Grievances on the website of Office of Institutional Diversity, Equity, and Access which can be found by searching the Murray State homepage.

### **Policy Condemning Sexual Violence and Misconduct, Relationship Violence and Stalking:**

See Section 2.24 of the *Policies of the Board of Regents* which can be accessed under the link for the Board of Regents Policy Manual on the website of the Board of Regents which can be found by searching the Murray State homepage.

The policy can also be accessed under the link for MSU Policy Against Sexual Violence and Misconduct, Relationship Violence and Stalking on the website of Office of Institutional Diversity, Equity, and Access which can be found by searching the Murray State homepage.

### **Policy Prohibiting Sexual Harassment:**

See Section 2.21 of the *Policies of the Board of Regents* which can be accessed under the link for the Board of Regents Policy Manual on the website of the Board of Regents which can be found by searching the Murray State homepage.

The policy can also be accessed under the link for Affirmative Action, Sexual Harassment, and Grievances on the website of Office of Institutional Diversity, Equity, and Access which can be found by searching the Murray State homepage.



## **APPENDIX II**

Murray State University Athletics  
Matt Kelly, Senior Associate Athletic Director and Title IX Athletics Liaison  
217 Stewart Stadium  
Murray, KY 42071  
Phone: (270) 809-4424  
Email: [mkelly@murraystate.edu](mailto:mkelly@murraystate.edu)

Murray State University Police Department

Office of Institutional Diversity, Equity, and Access (IDEA)

Lea Bowland, Assistant Director

103 Wells Hall

Murray, KY 42071

Telephone: (270) 809-3155

Fax: (270) 809-6887

TDD: (270) 809-3361

Email: [lbowland2@murraystate.edu](mailto:lbowland2@murraystate.edu)

Office of the President

218 Wells Hall

Murray, KY 42071

Telephone: (270) 809-3763

Office of Student Affairs

Jennifer Caldwell, Coordinator of Student Conduct and Special Projects

425 Wells Hall

Murray, KY 42071

Telephone: (270) 809-6833

Email: [jcaldwell@murraystate.edu](mailto:jcaldwell@murraystate.edu)

U.S. Department of Education

Office for Civil Rights

The Wanamaker Building

100 Penn Square East, Suite 515

Philadelphia, PA 19107-3323

Telephone: (215) 656-8541

Facsimile: (215) 656-8605

TDD: (800) 877-8339

Email: [OCR.Philad11reWin0009\(Te\)d.g B o](mailto:OCR.Philad11reWin0009(Te)d.g B o)







Office of Student Affairs  
Jennifer Caldwell, Coordinator of Student  
Conduct and Special Projects  
425 Wells Hall  
Murray, KY 42071  
Telephone: (270) 809-6833  
Email: [jcaldwell@murraystate.edu](mailto:jcaldwell@murraystate.edu)

## **PADUCAH CAMPUS**

### **POLICE DEPARTMENTS**

Kentucky State Police  
Post One  
8366 State Route 45 North  
Hickory, KY 42051  
Telephone: (270) 856-3721

McCracken County Sheriff  
301 South Sixth Street  
Paducah, KY 42003  
Telephone: (270) 444-4719

Paducah Police Department  
1400 Broadway  
Paducah, KY 42001  
Telephone: (270) 444-8550

401 Wells Hall  
Murray, KY 42071  
Telephone: (270) 809-2504  
Fax: (270) 809-2992  
Purchase Area Sexual Assault and Child  
Advocacy Center  
Telephone: (270) 534-4422  
Helpline: (800) 928-7273

University Counseling Services  
Counseling Center  
C104 Oakley Applied Science Building  
Murray State University  
Murray, KY 42071  
Telephone: (270) 809-6851  
Ema 0 612E

### **MEDICAL CARE**

Baptist Health Paducah  
2501 Kentucky Avenue  
Paducah, KY 42003  
Telephone: (270) 575-2100

Lourdes Hospital  
1530 Lone Oak Road  
Paducah, KY 42003  
Telephone: (270) 444-2444

### **SEXUAL ASSAULT COUNSELING**

Four Rivers Behavioral Health  
Center for Adult Services  
425 Broadway  
Paducah, KY 42001  
Telephone: (270) 442-7121

Merryman House Domestic Violence Crisis  
Center  
Hotline: (800) 585-2686

Psychological Center  
Murray State University





Office of Institutional Diversity, Equity, and  
Access (IDEA)  
Blaire Bushart, Deputy Title IX Coordinator  
and Investigator  
103 Wells Hall  
Murray, KY 42071  
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Email: [bbushart@murraystate.edu](mailto:bbushart@murraystate.edu);  
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Jennifer Caldwell, Coordinator of Student  
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Email: [lbowlan2@murraystate.edu](mailto:lbowlan2@murraystate.edu)

## MADISONVILLE CAMPUS

### **POLICE DEPARTMENTS**

Hopkins County Sheriff  
56 North Main Street  
Madisonville, KY 42431  
Telephone: (270) 821-5661

Madisonville Police Department  
99 East Center Street  
Madisonville, KY 42431  
Telephone: (270) 821-1720

### **MEDICAL CARE**

Baptist Health Madisonville  
900 Hospital Drive  
Madisonville, KY 42431  
Telephone: (270) 825-5100

### **SEXUAL ASSAULT COUNSELING**

Psychological Center  
Murray State University  
401 Wells Hall  
Murray, KY 42071  
Telephone: (270) 809-2504  
Fax: (270) 809-2992

Sanctuary Inc. (Sexual Assault Advocacy)  
100 S. Railroad Street  
Madisonville, KY 42431  
Telephone: (270) 825-9737  
Hotline: (800) 766-0000

University Counseling Services  
Counseling Center  
C104 Oakley Applied Science Building  
Murray State University  
Murray, KY 42071  
Telephone: (270) 809-6851  
Email:  
[msu.counselingcenter@murraystate.edu](mailto:msu.counselingcenter@murraystate.edu)  
Liaison: Heather Roy; Telephone: (270)  
825-4379; Email: [hroy@murraystate.edu](mailto:hroy@murraystate.edu)

### **SUPPORT SERVICES**

Abigail Cox  
C103 Oakley Applied Science Building  
Murray, KY 42071  
Telephone: (270) 809-3140  
Email: [msu.womenscenter@murraystate.edu](mailto:msu.womenscenter@murraystate.edu)

### **OTHER IMPORTANT CONTACTS**

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103 Wells Hall  
Murray, KY 42071  
Telephone: (270) 809-3155  
Fax: (270) 809-6887



## HENDERSON CAMPUS

### **POLICE DEPARTMENTS**

Henderson County Sheriff  
20 N. Main Street, Suite 112  
Henderson, KY 42420  
Telephone: (270) 826-2713

Henderson Police Department  
1990 Barret Court  
Henderson, KY 42420  
Telephone: (270) 831-1295

### **MEDICAL CARE**

Methodist Hospital  
1305 North Elm Street  
Henderson, KY 42420  
Telephone: (270) 827-7700

### **SEXUAL ASSAULT COUNSELING**

New Beginnings (Sexual Assault Advocacy)  
437 First Street  
Henderson, KY 42420  
Telephone: (270) 826-7273  
Hotline: (800) 226-7273

Psychological Center  
Murray State University  
401 Wells Hall  
Murray, KY 42071  
Telephone: (270) 809-2504  
Fax: (270) 809-2992

University Counseling Services  
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Email:  
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Liaison: Slone Cansler; Telephone: (270)  
707-1525; Email: [scansler@murraystate.edu](mailto:scansler@murraystate.edu)

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## ONLINE STUDENTS

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401 Wells Hall  
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Fax: (270) 809-2992

University Counseling Services  
Counseling Center  
C104 Oakley Applied Science Building  
Murray State University  
Murray, KY 42071  
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Email:  
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[msu.titleix@murraystate.edu](mailto:msu.titleix@murraystate.edu)