

Information

Reports of Bias Discrimination and Harassment

Effective

May 1 1992

Number

PER 1 10

Applicability

This policy applies to University Administrators Faculty Staff and Students

Administrative Authority

Executive Vice President for Legal Governance and External Relations Chief Legal Counsel Vice President for Risk Audit and Compliance

Responsible Unit

Office of Legal Compliance and Investigations

Phone: 502.852.5368

Email: uoflinvestigations@louisville.edu

History

Revision Date(s): January 14, 2014; October 7, 2015; March 26, 2019; March 2, 2020 (minor edits); December 1, 2021 (minor edits to email); August 24, 2022 (minor edits); April 14, 2023; September 18, 2023; May 12, 2025; June 27, 2025

Reviewed Date(s): March 8, 2016; May 12, 2025; June 25, 2025; December 8, 2025

Categories

Statement:

The University of Louisville (University) is committed to maintain a community that is free from Bias, Discrimination and Harassment. Bias, Discrimination and Harassment are not acceptable at the University and are inconsistent with the University's commitment to excellence and respect for all individuals.

The University is also committed to protecting the academic freedom and freedom of expression of all members of the university community. Academic freedom and freedom of expression include, but is not limited to, the expression of ideas, however controversial, in the classroom, residence hall, and in keeping with different responsibilities, in workplaces elsewhere in the university community.

All allegations of Bias, Discrimination, and/or Harassment shall be reported to the Office of Legal Compliance and Investigations, and to the University Integrity and Compliance Office.

If a complaint involves a Bias, an investigation shall not be initiated unless the General Counsel certifies in writing that the investigation is necessary because the conduct being investigated either (1) may rise to the level of student-on-student harassment if all facts alleged are taken as true; or (2) is subject to a mandatory investigation pursuant to applicable state or federal law.

If a complaint allegation is determined to be Discrimination and/or Harassment, and not Bias, as defined within this policy, the complaint allegation will be investigated in accordance with this policy and the associated procedures.

Additionally, the University will not hold a hearing, tribunal, or other disciplinary proceeding on an allegation of Bias unless the General Counsel (1) authorizes the hearing and (2) certifies in writing, after a review of all relevant evidence, that the hearing is necessary to ensure compliance with applicable state or federal law.

All University members are expected to provide truthful information in any report or proceeding under these Procedures. Any person who knowingly makes a false statement in connection with the initiation or resolution of a complaint or University-initiated investigation under these procedures may be subject to appropriate discipline. Making a good faith report of discrimination or harassment that is not later substantiated is not considered a false statement.

POLICY EXCLUSIONS

Offensive behavior that is outside the scope of this policy, may fall under the scope of other University policies, including, but not limited to, the University Code of Conduct, the Discipline Policy PER 5.01, Chapter 4 of the Redbook, Employee Sexual Misconduct Policy, Student Sexual Misconduct Policy, or the Code of Student Conduct. Nothing herein overrides existing University policy or circumscribes the authority of the University to establish policy that is not otherwise contrary to law.

RETALIATION

Federal and state law and University policy prohibit any form of retaliation against a person who makes a report in good faith.

POLICY VIOLATIONS AND SANCTIONS

Persons found to have violated the provisions set forth in this policy will be subject to disciplinary action and penalties as set forth in applicable University Policies, including, but not limited to, the University's Code of Conduct, Discipline Policy PER 5.01, Chapter 4 of the Redbook, Employee Sexual Misconduct Policy, Student Sexual Misconduct Policy, or the Code of Student Conduct. These penalties include, but are not limited to, suspension, demotion, termination, or in the case of students, dismissal. Other corrective action such as counseling or training, and steps such as reinstatement, hiring, reassignment, promotion, training, back pay or other benefits may be taken as are necessary.

Related Information:

[Duty to Report and Non-Retaliation Policy](#)

[Equal Employment Opportunity Commission](#)

[United States Department of Education](#)

[Office for Civil Rights](#)

[Kentucky Commission on Human Rights](#)

Definitions:

Bias (or Bias Incident) is defined as noncriminal conduct that is alleged to constitute an act or statement against a particular group or individual because of the group's or individual's religion, race, sex, color, or national origin, or perceived religion, race, sex, color, or national origin.

Discrimination is an action or behavior that deprives or limits access to an individual's educational or employment opportunities at the University, or treats an individual differently on the basis of the individual's actual or perceived membership in a protected class, including race, sex, age, color, national origin, ethnicity, creed, religion, disability, genetic information, sexual orientation, gender, gender identity or expression, marital status, pregnancy or veteran status, unless otherwise permitted or required by law.

Harassment is any unwelcome conduct based upon the individual's actual or perceived membership in a protected class, including race, sex, age, color, national origin, ethnicity, creed, religion, disability, genetic information, sexual orientation, gender, gender identity or expression, marital status, pregnancy, or veteran status.

Harassment becomes unlawful where enduring offensive conduct becomes a condition of continued employment, or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Hostile Work Environment exists when Harassment is so severe or pervasive that it unreasonably interferes with, deprives, or limits an individual from participating in or benefiting from the University's education or employment programs and/or activities.

Retaliation is any form of adverse action, or threat of adverse action, taken against an individual because the individual reported a complaint of actual or suspected misconduct or participated in an investigation or complaint review process.

Responsibilities:

The Office of Legal Compliance and Investigations will:

1. Respond to every complaint of alleged Bias, Discrimination, and/or Harassment;
2. Act impartially, whether an investigation is conducted or not, considering the interests of all parties;
3. Keep information regarding an allegation of Bias, Discrimination, and Harassment and the parties involved confidential to the extent legal and practicable and it will be shared only with those who have a legitimate reason to know; and
4. Maintain all files and records relating to all complaints in accordance with the University record retention policy.

The Office of Legal Compliance and Investigations is also responsible for the interpretation of this policy and for educating the University community about this policy and associated procedures. Questions about this policy should be directed to the Director, Legal Compliance and Investigations at (502) 852-5368 or uoflinvestigations@louisville.edu.

The Office of Legal Compliance and Investigations Office is responsible for providing educational and training programs to assist members of the University community in understanding what constitutes Bias, Discrimination, or Harassment, and how to address behavior that violates this policy.

University students and employees are responsible for being aware of this policy and knowing when to report potential violations of this policy. University employees are obligated to report to appropriate University officials when they suspect or have

knowledge of a violation of this policy in accordance with the University's [Duty to Report and Non-Retaliation Policy](#). Additionally, all employees and students have an obligation to cooperate in the conduct of these Procedures. Failure to do so may result in disciplinary action.