

UNIVERSITY OF TENNESSEE DISCRIMINATION COMPLAINT PROCEDURE

Any UT employee, student, applicant for admission or employment, or other participant in UT's programs or activities, who believes that he or she has been discriminated against on the basis of race, color, sex (including sexual harassment), religion, national origin, age, disability or veteran status is encouraged to use the procedures outlined below for the resolution of his or her complaint. University policy prohibits retaliation against any person who in good faith opposes a practice which he/she believes to be discriminatory. Complaints of discrimination should be directed to the Office of Equity and Diversity (OED), 1840 Melrose Avenue, Knoxville, Tennessee 37996-3560 (telephone: 974-2498, TDD available). Complaints must be put in writing and filed within 300 calendar days of the alleged discriminatory action. In certain circumstances, at the discretion of OED, complaints filed outside of this time limit or that are not put in writing may be investigated.

1. Employees and students are encouraged to attempt to resolve a complaint through the administrative structure of the employment unit or academic department. OED will provide assistance to the complainant, employment unit, and/or academic department in order to resolve the complaint.
2. Complaints received directly by OED will be reported by the Director (or the Director's designee) to the appropriate administrator(s) who will attempt to resolve the matter working in conjunction with OED. Confidentiality will be maintained to the extent possible.
3. If the complaint is not resolved through the methods described above, OED may use the following:
 - a. Complaints should be submitted in writing to OED. The complaint must include (1) the name of the complainant; (2) an explanation of the action or conduct complained of and (3) the person or department responsible for the action. The complaint should include the resolution sought by the complainant. The head of the responding unit or academic department and the party against whom the complaint has been lodged (respondent) will be notified of the complaint.
 - b. OED will conduct an investigation, the nature and scope of which will be determined by OED on a case-by-case basis. The investigation may include any or all of the following, as well as such other action as OED deems appropriate: interviewing the complainant; interviewing the respondent; interviewing witnesses; submitting questions to or taking statements from parties or witnesses; reviewing documents; and/or setting up an investigative committee.
 - c. If an investigative committee is deemed appropriate, the relevant Chancellor/Vice Chancellor/ Vice President or the President (in the event that the complaint is made against a Chancellor/Vice Chancellor/ Vice President) will be asked by OED to appoint the members of such a committee. OED may assist the appropriate administrator in appointing committee members.
 - d. The investigative committee, or OED if there is no investigative committee, will make findings of fact and will determine whether sufficient evidence exists to support a charge of discrimination. Those findings, together with a statement outlining the basis for them, will be transmitted by OED to the appropriate administrator. A copy will also be available to the complainant.
 - e. The appropriate administrator(s) will review OED's findings, make a determination and notify the complainant of the decision in writing. Within fifteen workdays after receipt of that decision, complainants who are in staff non-exempt positions may pursue a grievance under UT Personnel Policy and Procedure 640, contained in the UT Policies and Procedures Manual if they are not satisfied with the determination.
 - f. If the complainant is not satisfied with the determination and is not eligible to or has not elected to file a grievance, the complainant may appeal in writing within fifteen workdays after receipt of the decision to the next higher administrative level. The decision on the appeal will be provided in writing to the complainant. Decisions by a Chancellor/Vice Chancellor/ Vice President may be appealed to the President.