

# BLACK HILLS STATE UNIVERSITY

## Policy and Procedure Manual

SUBJECT: Equal Opportunity, Non-Discrimination, and Affirmative Action

NUMER: 4:3

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Office/Contact: Human Resources

Source: [SDBOR Policy 1:17](#); [SDBOR Policy 1:18](#); [SDBOR Policy 1:19](#); [SDBOR Policy 4:7](#); [SDBOR Policy 4:8](#); [SDBOR Policy 4:9](#); Title IX of the Education Amendments Act of 1972 and Section 504 of the Vocational Rehabilitation Act of 1973

The following policies and procedures are important elements in equal opportunity. The sources are also listed.

- i. Sexual Harassment Policy: [BOR Policy 1:17](#)
  - ii. Human Rights Complaint Procedures: [BOR Policy 1:18](#)
  - iii. Faculty Grievance Procedure: [BOR Policy 4:7](#)
  - iv. Non-Faculty Exempt Grievance Procedure: [BOR Policy 4:4](#)
  - v. CSA Grievance Procedure: [BOR Policy 4:9](#)
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### 1. Purpose

Black Hills State University is committed to the achievement of equal opportunity in student admissions, student financial assistance, and faculty and staff employment.

BHSU prohibits discrimination based on the arbitrary consideration of such characteristics as race, color, religion, creed, national origin, age, marital status, gender, sexual orientation, gender identity, veteran's status, or disability, except to the extent allowed by law. Discrimination will not be tolerated in any aspect of the access to admission, or treatment of students in its programs and activities, or in the terms, conditions, or privileges of employment (including but not limited to recruitment, hiring, assignment, training, promotion, tenure, transfer, compensation or termination).

Furthermore, University and Board of Regents policy includes prohibitions of harassment of students and employees, including racial harassment, sexual harassment, and retaliation for filing complaints of discrimination.

## 2. Policy

Black Hills State University affirms its commitment to the objectives of equal opportunity and non-discrimination in accordance with state and federal law. The University complies with the regulations of Title IX of the Education Amendments Act of 1972 and Section 504 of the Vocational Rehabilitation Act of 1973, as well as other applicable Federal and State laws and regulations pertaining to discrimination. Redress for alleged violations of those laws may be pursued through the procedures established by the provisions of [SDBOR Policy 1:18](#), or through the legal system.

### a. Accountability:

- i. All members of the University community (faculty, staff and students) are responsible for maintaining a working and learning environment free from discrimination and harassment. This same responsibility extends to employees of third parties doing business with the University or on University premises and to campus visitors. It is the responsibility of each employee and student to become fully informed of the provisions of this policy and ensure individual compliance. Any supervisor, advisor, or other university member to whom discrimination is reported or who becomes aware of harassment by co-worker, subordinate, peer, or student is responsible for taking immediate steps to end the discriminatory practice and/or for reporting the harassment to administrators with authority to take action. All persons are charged with ensuring that they do not retaliate in any way against a person who files a discrimination complaint. Employees and students may be subject to disciplinary action for violation of any of the obligations set forth in this policy statement.

## 3. Procedures

- a. Black Hills State University is further committed to taking affirmative action to achieve equality of opportunity with regard to the disabled, minorities, women, and Vietnam-era veterans. The Director of Human Resources holds primary responsibility for maintaining the Affirmative Action Plan, monitoring related

university policies, and assisting individuals who have questions or problems related to discrimination.

b. Complaints:

- i. Any person who feels that he or she has been subject to discrimination should immediately report their concern. Discrimination matters that are based on a protected category (sex, race, color, creed, religion, national origin, ancestry, citizenship, gender, gender identity, transgender, sexual orientation, age, or disability, genetic information, or veteran status) should be directed to the BHSU Title IX Coordinator. All other discrimination matters should be directed to the BHSU Director of Human Resources.
- ii. BHSU will work with you to protect your privacy by sharing information with only those who need to know in accordance with all laws. As such, your information may need to be shared with those involved in investigating the incident, those responsible for providing necessary resources and remedies and those responsible for ensuring the public's safety.
- iii. Non-Confidential yet Private Reporting Options
  1. To submit an on-line BHSU Title IX report, [click here](#). Your report will go to the BHSU Title IX-EO Coordinator. To report in person, please visit the BHSU Title IX Office located on the lower level of Woodburn Hall, room 129. Alternatively, you may contact the Title IX Coordinator by email or by phone (605-642-6590).
  2. To submit a report to the BHSU Director of Human Resources in person, please visit the Human Resources Office located on the second floor of Woodburn Hall, room 202. Alternatively, you may contact the Director of Human Resources by email or by phone at (605-642-6549).
- iv. Confidential Reporting Options
  1. To make an online private and confidential report, [click here](#). You may also call a toll-free hotline at 844-390-0005 (English

speaking) or 800-216-1288 (Spanish speaking). The online report and hotlines are provided by Lighthouse Services, Inc. Lighthouse is an off-campus company who specializes in providing independent third-party ethics hotline services. You may choose to remain anonymous when providing information.

4. Responsible Administrator

The Director of Human Resources is responsible for the annual ad hoc review of this policy and its procedures. The University President is responsible for approval of this policy.

SOURCE: Approved by President Laurie Nichols on 10/11/2021.