

08.01 Civil Rights Protections and Compliance



Approved December 5, 2008 (MO 411-2008)

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Next Scheduled Review: March 24, 2013

Policy Statement

The Texas A&M University System (system) will strictly comply with all applicable legal requirements prohibiting discrimination against employees, students, applicants for employment or the public.

Reason for Policy

This policy outlines the civil rights protections provided by the system to employees, students, applicants for employment and the public, and sets forth procedures and responsibilities for compliance with applicable laws and administrative regulations.

Procedures and Responsibilities

1. AUTHORITY AND SCOPE OF THE EQUAL OPPORTUNITY PROGRAM

- 1.1 The system will provide equal opportunity for employment to all persons regardless of race, color, sex, religion, national origin, age, disability, genetic information or veteran status, and will strive to achieve full and equal employment opportunity throughout the system.
- 1.2 No individual will, on the basis of race, color, sex, religion, national origin, age, disability, genetic information or veteran status, be excluded from participation in, or be denied the benefit of or be subjected to discrimination under any system program or activity.
- 1.3 The System Office of Equal Opportunity and Diversity, in coordination with the Office of General Counsel (OGC), is responsible for the system's compliance with civil rights laws and regulations and affirmative action programs. This includes, but is not limited to, addressing charges or complaints filed with local, state and federal agencies, and audits of policies and procedures carried out by the U.S. Department of Labor's Office of Federal Contract Compliance Programs, the Texas Workforce Commission's Civil Rights Division and other state and federal affirmative action and civil rights compliance agencies.

- 1.4 The system promotes equal employment opportunity through its procedures, training, compliance with applicable legal requirements and other methods such as affirmative action programs authorized by federal regulations.
- 1.5 Retaliatory action of any kind is prohibited when taken against a complainant, witness or other person participating in a discrimination or related retaliation investigation, complaint, hearing or suit. Such retaliatory action will be regarded as a separate and distinct cause for complaint and possible disciplinary action, including dismissal.

2. RESPONSIBILITIES

- 2.1 Each system member chief executive officer (CEO) is responsible for equal opportunity, affirmative action and program accessibility in accordance with local, state, and federal laws and regulations and system policy.
- 2.2 The system director of equal opportunity and diversity, in coordination with the OGC, will serve as the liaison between system members and local, state and federal compliance agencies. The director is also responsible for the coordination of all reporting requirements for the system and its members under applicable state and federal regulations.
- 2.3 Each system member CEO will appoint an Affirmative Action Representative, a Title IX of the Education Amendments of 1972 Coordinator, a Section 504 of the Rehabilitation Act of 1973 Coordinator and other administrators who will oversee implementation of procedures to ensure compliance with legal and regulatory provisions under this policy.

3. PROCEDURES

- 3.1 The administrators appointed under Section 2.3 will inform the system director of equal opportunity and diversity as soon as a charge or complaint of discrimination, sexual harassment and/or retaliation, or notice of civil rights or affirmative action audit or other inquiry is received from a local, state or federal agency.
- 3.2 Each system member will develop and widely promulgate procedures for the receipt and processing of complaints of discrimination, sexual harassment, and/or related retaliation. These will include the identification of the member official(s) with jurisdiction over the various types of complaints that may be filed by faculty, staff, students and third parties.
- 3.3 Annually, each system member will develop, maintain and update a written affirmative action plan that follows the guidelines of the U.S. Department of Labor's Office of Federal Contract Compliance Programs and the Texas Workforce Commission's Civil Rights Division. These plans will be submitted to the system director of equal opportunity and diversity for compliance review.

Related Statutes, Policies, or Requirements

[The Equal Pay Act of 1963](#)

[Title VII of the Civil Rights Act of 1964, as amended](#)

[The Age Discrimination in Employment Act of 1967](#)

[Title IX of The Education Amendments of 1972](#)

[The Rehabilitation Act Amendments of 1973, as amended](#)

[The Americans with Disabilities Act of 1990, as amended](#)

[The Genetic Information Nondiscrimination Act of 2008](#)

[Executive Order 11246, as amended, Office of Federal Contract Compliance Programs](#)

[Texas Labor Code Ch. 21, Employment Discrimination](#)

[U.S. Department of Labor, Office of Federal Contract Compliance Programs](#)

[Texas Workforce Commission, Civil Rights Division](#)

This policy supersedes:

System Policy *13.01, Equal Educational Opportunity*
System Policy *33.02, Equal Employment Opportunity*
System Policy *34.01, Sexual Harassment*

Contact Office

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