

A photograph of a university campus scene viewed through two large, light-colored stone columns. In the background, a large, modern building with a prominent glass facade and a curved roof is visible under a blue sky with scattered white clouds. The foreground shows a paved walkway and green grass with trees. The image is framed by blue diagonal graphic elements in the corners.

# Institutional Equity & Compliance

**MIDDLE  
TENNESSEE**  
STATE UNIVERSITY.

I AM *true* **BLUE**

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## IEC: Institutional Equity & Compliance

MTSU's IEC Office values the backgrounds, experiences, perspectives, traditions and talents of all members of our community.

We strive to foster an environment that implements best practices and that affirms the diversity of our community and dignity of each individual through ensuring equity.

## What We Do

- Provide oversight for policies
- Compliance: U.S. Constitution, Title VI, Title VII, Title IX, ADAAA, RECRA, ADEA, Equal Pay Act, VEVRAA, § 503, § 504, EO 11246, IRCA, GINA, FMLA, FLSA, HIPAA, FERPA, Whistleblower, + State, + Local
- Consultations
- Investigate/mediate discrimination/harassment complaints
- Coordinate both online and in-person compliance and equity training
- And more...

## MTSU Non-Discrimination EEO/AA

### **Policy 21: University Nondiscrimination Policy Statement:**

Middle Tennessee State University does not discriminate on the basis of race, color, religion, creed, ethnic or national origin, sex (including pregnancy), sexual orientation, gender identity/expression, disability, age (as applicable), status as a covered veteran, or genetic information in its programs and activities involving students, employees or other participants.

### **Policy 25: Equal Opportunity and Affirmative Action:**

MTSU is an equal opportunity, affirmative action employer that values diversity in all forms. All qualified applicants will receive consideration for employment without regard to race, color, religion, creed, ethnic or national origin, sex, sexual orientation, gender identity and expression, disability, age, status as a protected veteran and genetic information.

# Discrimination

Discrimination is:

the practice of unfairly treating a person or group of people less favorably than others because of their membership in a **legally protected category**

OR

having a policy or practice that has a disproportionately adverse impact on **protected class members**.

# Protected Categories

**Sex**

**Gender**

**Race**

**Color**

**National origin**

**Religion**



**Genetic information**

**Age**

**Disability**

**Veteran status**

**Natural hair/protective hair styles**



**Other categories protected by law**



## Not Considered Discrimination

### **Examples of What Is Not Considered a Protected Class (Non-discrimination)**

Different treatment can exist within all types of groups; however, different treatment in groups that are not considered a protected class does not fall under anti-discrimination laws:

- Education level
- Criminal records



## Title VI of the Civil Rights Act of 1964

No person in the United States shall,  
on the basis of **race, color or national origin**,  
be excluded from participation in,  
be denied the benefits of, or  
be subjected to discrimination under  
any program or activity receiving federal financial assistance.

(includes grants/contracts)

## Title VI continued...

### Limited English Proficiency:

- **MTSU Policy 305:**

- ✓ Title VI's prohibition on the basis of national origin also prohibits discrimination based on limited English proficiency
- ✓ MTSU is required to provide LEP individuals with meaningful access to our programs and services (generally involves services for oral interpretation and written translation of vital documents)

**Avaza:** MTSU provides oral interpretation and written translation services (24/7) through AVAZA at: 615-810-8506 (**Code 37970**)

- IEC will pay for the service for our students, faculty and staff
- Avaza language identification posters are available in each department

## Policy 26

MTSU strictly prohibits discrimination or harassment on the basis of **race, color, national origin, ethnicity, religion, disability, age (as applicable), status as a protected veteran, genetic information, natural/protective hairstyles, and/or any other legally protected class other than sex or gender.**

## Mandatory Reporting and Cooperation

“..faculty and staff must promptly report to the appropriate University contact any complaint or conduct that might constitute discrimination or harassment as defined by this policy, whether the information concerning a complaint is received formally or informally. Failure to do so may result in disciplinary action up to and including termination.”

“All faculty and staff members are required to cooperate with investigations of alleged discrimination or harassment. Failure to cooperate may result in disciplinary action up to and including termination. Students are also required to cooperate with these investigations and failure to do so may result in disciplinary action up to and including expulsion.”

## Title IX (Sex/Gender)

### **Title IX of the Education Amendments (1972 as amended)**

“No person in the United States shall, on the basis of **sex**,  
be excluded from participation in,  
be denied the benefits of, or  
be subjected to discrimination under  
any education program or activity receiving federal financial assistance.”

It prohibits:

- Discrimination on the basis of sex
- Sexual Harassment
- Sexual Assault and Sex-based Violence

## Policy 27

- Sexual Misconduct (Sexual assault, Dating violence, Domestic violence, Stalking)
- Sexual Harassment  
Student/Student; All other
- Sexual Exploitation
- Discrimination based on sex/gender
- Retaliation

## Policy 29

### Specific categories, people, locations

- Sexual Assault (Forcible or Non-Forcible)
- Domestic Violence
- Dating Violence
- Stalking
- Quid Pro Quo by Employee
- Severe, Pervasive, & Objectively Offensive

## IEC Processes

Review Reported Incidents (\*Mandatory Reporting)

Consultations/Supportive Measures

Investigation

Informal resolution

Internal Decision Maker (Policy 26, Policy 27)/Hearing (Policy 29)

Appeal



## Other Processes

University	External
HR/Student Conduct	Criminal court
CAERM/Audit & Consulting	EEOC/OCR
Provost/Athletics	Order of Protection



# Sexual Assault and Consent

## Sexual Assault

Forcible: rape, sodomy, object, fondling

Non-forcible: incest, statutory rape

**Consent = An informed decision, freely given, made through mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity**



## Consent

Cannot be given by an individual who is underage, asleep, unconscious, or mentally/physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or is under duress, threat, coercion, or force –  
**EVEN WITH A VERBAL YES!**

Past consent does not imply future consent.  
Silence or absence of resistance does not imply consent.  
Consent can be withdrawn at any time.

**Consent is a Yes  
when you are  
comfortable  
saying No**





## Policy 817 Consensual Relationships

Intimate relationships

Supervisor/Subordinate or Faculty/Student

Conflict of interest → Must take steps to remove conflict

### Domestic Violence:

- A **current or former spouse** or intimate partner of the Complainant
  - A person with whom the Complainant **shares a child** in common
- A person who is cohabitating with, or has cohabitated with Complainant as an **intimate partner**
  - \* Similar status

### Dating Violence:

A person who is (or has been) in a **social relationship of a romantic or intimate nature** with the Complainant.

Whether the relationship qualifies is based on:  
type of relationship, how long it has lasted, and  
how often the people involved interact.

## Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

Fear for their safety or the safety of others, or

Suffer substantial emotional distress



# How To Respond When Someone Is Harmed

**If you have the opportunity, pick your time and place carefully.**

Avoid being in a rush or in a place where others may overhear.

**Don't judge.** Let them know you are concerned and want to help.

**Listen.** Let them tell you what they need to share. Try not to ask too many questions.

**Stay calm.** They may not talk about abuse if they see you get angry, worried, or scared.

**Reassure them.** Make sure they know they are not in trouble.

Ask if you can connect them with people who can help.

**Thank them for trusting you enough to share.**

[\\*NOTIFY THE  
TITLE IX  
COORDINATOR  
IMMEDIATELY\\*](#)

[988lifeline.org](https://988lifeline.org)





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**Breanna Owens**

**Vincent Smith**

**Reggie White**

**MTSU:**

**NO Closed Door**

**MTSU Health Services – 615-898-2988**

**MTSU Counseling Services – 615-898-2670**

**MTSU Student Affairs – 615-898-2440**

**Domestic Violence and Sexual Assault**

**Center – 615-896-7377**

**24 hours Crisis Lines**

**Sexual Assault – 615-494-9262**

**Domestic Violence – 615- 896-2012**