



DIVERSITY, EQUITY AND INCLUSION POLICY AND PROCEDURE

PURPOSE

Southwest Mississippi Community College (SMCC) is committed to the compliance and complaint process established in accordance with Mississippi House Bill 1193 and policies adopted by the Mississippi Community College Board. This policy and procedure was developed in accordance with HB 1193 and remains subject to all applicable federal antidiscrimination laws, including, but not limited to Title VI and Title VII of the Civil Rights Act of 1965, Title IX of the Education Amendments of 1972, the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973. It provides a formal procedure for students, faculty, staff, employees, and contractors to report alleged violations related to the prohibited use of diversity, equity, and inclusion (DEI) practices at Southwest Mississippi Community College. Nothing in this policy and procedures shall be interpreted to conflict with or diminish any rights or protections afforded under federal law. In accordance with HB 1193, SMCC prohibits the use of public funds for any programs, practices, training or policies related to diversity, equity and inclusion (DEI) that are restricted under that law.

WHO MAY FILE A COMPLAINT

- Any student, employee, faculty, staff member, or contractor affiliated with Southwest Mississippi Community College may file a complaint.
- A minor student (*under the age of 18*) may file through a parent, guardian, or next friend.
- Upon turning 18, a student must file a complaint in their own name.

HOW TO FILE

- All formal complaints must be in writing.
- All formal complaints must be signed by the complainant (*if being filed through a parent, guardian or next friend on behalf of a minor under the age of 18, the minor should sign as well as the one filing.*)
- All formal complaints must be submitted within 30 calendar days of the alleged violation.
- All formal complaints must be delivered to the Office of the President at Southwest Mississippi Community College.

DELIVERY METHODS

- In-person: The Office of the President, Southwest Mississippi Community College, Summit, MS.
- By mail: The Office of the President, Southwest Mississippi Community College, 1156 College Drive, Summit, MS 39666.
- By email: (*Must be a PDF document with signature*): president@smcc.edu

The President is authorized to establish and implement administrative procedures to ensure compliance with HB 1193 and this policy, including investigation and resolution of complaints.

REQUIRED COMPLAINT CONTENTS

1. Full name, address, phone number, and email address of the complainant
2. Name(s) of individual(s) impacted by the alleged violation
3. Dates and/or times of the incident(s)
4. Specific nature of the alleged violation and the related section of the HB 1193 allegedly violated
5. A statement explaining how the complainant was harmed
6. Name(s) and contact information of potential witness(es)
7. Any relevant documentation or evidence to support the complaint

INVESTIGATION PROCESS

1. Upon receipt of a complete and timely complaint (within 30 days of the incident), the Board of Trustees' designated investigators will initiate a formal investigation. The Southwest Mississippi Community College designated investigators are as follows:
 - a. Student Complaints: The Vice-President for Student Affairs or designee
 - b. Personnel Complaints: The Vice-President for Financial Affairs or designee
2. The investigator will present full findings to the Board of Trustees who will then issue a ruling or take appropriate action within 30 days of receiving the complaint.
3. If no violation is found by the Board, a written determination will be provided to the complainant.
4. If a violation is found by the Board:
 - a. Southwest Mississippi Community College has 25 calendar days to cure all aspects of the violation reported.
 - b. A final report detailing the violation and the corrective action taken will be issued to the complainant.

APPEALS

If the violation remains uncured after 25 days, the complainant may file for injunctive relief in accordance with HB 1193 to compel Southwest Mississippi Community College to comply. (*The 25-day period starts on the day the Board of Trustees finds a violation according to HB 1193, Section 7.*)

CONFIDENTIALITY

All complaints and investigations will be handled as confidentially as possible, consistent with the need to investigate and address the matter effectively.

RETALIATION PROHIBITED

Retaliation against anyone who files a complaint under this policy is strictly prohibited and may result in disciplinary action.

REPORTING

An annual report will be provided each year to the Board of Trustees of Southwest Mississippi Community College no later than July 30 of each year.