

# AGE DISCRIMINATION ACT OF 1975

## Age Discrimination Act of 1975

The following is the policy:

### 1. Policy

It is the policy of Stanford University to comply with the Age Discrimination Act of 1975 and its regulations, which prohibit unlawful discrimination on the basis of age. The Age Discrimination Act Compliance Officer is the Director of the Diversity and Access Office ("the Director"), who has been appointed to coordinate the University's efforts to comply with the law. Anyone who believes that Stanford is not in compliance with the Age Discrimination Act and its regulations ("the Act") should contact the Director at the Diversity and Access Office, Kingscote Gardens, 419 Lagunita Drive, Suite 130, Stanford, CA 94305-8550; (650) 723-0755 (voice), (650) 723-1791 (fax), [equal.opportunity@stanford.edu](mailto:equal.opportunity@stanford.edu) (email).

### 2. Grievance Procedure

- a. An individual who believes that Stanford is not acting in compliance with the Act and who wishes to file a grievance should set forth in writing the substance of his or her complaint, the grounds for it and the evidence on which it is based, and the efforts (if any) taken to date to resolve the matter. It is at this stage that the complaint becomes a formal grievance.
- b. The grievance document should be submitted to the Director. A grievance should be filed in a timely fashion, i.e., normally no later than thirty days after the end of the academic quarter in which the action that is the subject of the grievance occurred. Except in extraordinary circumstances, delay in filing a grievance will be grounds for rejection of that grievance.
- c. The Director will promptly initiate a review, which should normally be completed within sixty days. The Director may attempt to resolve the matter informally, and may refer the matter (or any part of it) to a grievance officer or other designee, who will look into and/or address the matter as the Director directs. The Director may also, in appropriate cases, remand the matter to the appropriate administrator (including to the administrative level at which the grievance arose) for further consideration.
- d. In undertaking this review, either the Director, his or her designee, or the grievance officer may request a response to the issues raised in the grievance from any individuals believed to have information the reviewer considers relevant, including faculty, staff and students.
- e. The Director (or his or her designee) will issue his or her decision in writing, and take steps to initiate such corrective action as is called for (if any).

### 3. Appeal

- a. If the grievant is dissatisfied with the disposition by the Director (or his or her designee), he or she may appeal to the Provost (Office of the President and Provost, Building 10, Stanford, CA 94305-2061; phone 650-725-4075; fax 650-725-1347). The appeal should be filed in writing with the Provost within ten days of the issuance of the decision by the Director (or his or her designee); a delay in filing the appeal may be grounds for rejection of that appeal.

- b. The Provost may attempt to resolve the matter informally, and may refer the matter (or any part of it) to a grievance appeal officer, who will review the matter at the Provost's direction. The Provost may also, in appropriate cases, remand the matter to the appropriate administrator (including to the administrative level at which the grievance arose) for further consideration.
- c. The Provost should normally complete his or her review of the appeal and issue his or her decision in writing within forty-five days. That decision is final.

### 4. General Provisions

- a. Time Guidelines—The time frames set forth herein are guidelines. They may be extended by the Director or Provost, as applicable, in his or her discretion for good cause (including for reasons relating to breaks in the academic calendar), and will nearly always be extended during summers and the winter closure.
- b. No Retaliation—Stanford University prohibits retaliation or reprisals against individuals based on their pursuit in good faith of a grievance under this procedure, or their participation in good faith in the grievance process.
- c. Standards for Review—If the grievance involves a decision that is being challenged, the review by the Director, as well as the review by the Provost on appeal, usually will be limited to the following considerations:
  - i. Were the proper facts and criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear that substantially affected the decision to the detriment of the grievant?
  - ii. Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the grievant?
  - iii. Given the proper facts, criteria, and procedures, was the decision one which a person in the position of the decision maker might reasonably have made?