I. STATEMENT OF POLICY

A. The University of Central Oklahoma (University) is committed to an inclusive educational and employment environment that provides equal opportunity and access to all qualified persons. The University will continue its policy of fair and equal employment and educational practices without discrimination or harassment because of actual or perceived race, creed, color, religion, alienage or national origin, genetic information, ancestry, citizenship status, age, disability or handicap, gender, marital status, veteran status, sexual orientation, gender identity, or any other characteristic protected by applicable federal, state, or local law. Discrimination or harassment in violation of this policy should be reported to the Affirmative Action Officer (Office of Legal Counsel) in person at 114 Lillard Administration, or by phone at (405) 974-3377 or fax at (405) 974-3807. After office hours or on holidays, the report may be made by contacting University Police Services at (405) 974-2345.

B. The intent of these procedures is to ensure that discrimination and harassment based on these characteristics does not take place in the University community. Should it take place, it is the goal that such discrimination or harassment be promptly reported to appropriate University officials designated to receive such complaints.

C. Any employee (faculty or staff), student, applicant for employment or admission, visitor, or other non-affiliated individual who believes that he or she has been subjected to any form of unlawful discrimination or harassment may make a complaint. Unlawful discrimination includes sexual harassment as well as harassment based on an individual’s membership in any other legally protected
category as stated above. The University will conduct a fair and impartial investigation of such complaints, with due regard for the rights of all parties. Retaliation against any individual who has made a complaint, or who has cooperated in the investigation of such a complaint, is unlawful and in violation of University policy. The purpose of these procedures is to ensure that all complaints are thoroughly and fairly investigated by authorized University officials who have the necessary expertise and training.

D. Any complaint should be referred to one of the individuals responsible for receiving or investigating such complaints. Any employee, other than those listed, who receives a complaint is responsible for directing the complainant or otherwise referring the complaint to the appropriate individual in a timely manner. All complaints, either written or verbal, must be referred to the appropriate office or official as set forth below.

II. DESIGNATION OF COORDINATORS

A. The University’s Affirmative Action Officer/ Director of Equal Opportunity, and the Deputy Affirmative Action Officer/ Deputy Director of Equal Opportunity, are designated to coordinate and insure investigation of complaints arising under Title IX of the Educational Amendments of 1972 and Title VII of the Civil Rights Act. They are a part of the Office of Legal Counsel located in 114 Lillard Administration Building, 100 N. University Drive, Edmond, OK 73034. The telephone number is (405) 974-3377. The fax number is (405) 974-3807. Email complaints or inquiries regarding discrimination or harassment, or any issue involving Title IX or Title VII, may be sent to bmorelli@uco.edu or ekerr@uco.edu.

B. The University’s Affirmative Action Officer/ Director of Equal Opportunity, and the Deputy Affirmative Action Officer/ Deputy Director of Equal Opportunity, are designated to coordinate complaints arising under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA). They are a part of the Office of Legal Counsel located in 114 Lillard Administration Building, 100 N. University Drive, Edmond, OK 73034. The telephone number is (405) 974-3377. The fax number is (405) 974-3807. Email complaints or inquiries regarding discrimination or harassment because of actual or perceived disability, or any issue involving Section 504 or the ADA, may be sent to bmorelli@uco.edu or ekerr@uco.edu.

C. Hereinafter, these individuals are referred to as the "Coordinator" and "Deputy Coordinator.”

III. INITIATING A COMPLAINT

A. The process outlined in this section applies to all complaints of discrimination, except those brought by students on the basis of disability. Students who wish to
file a complaint alleging discrimination based on disability should file with Disability Support Services, in accordance with procedures set forth in section X of this document, "STUDENT GRIEVANCE PROCEDURE IN CASES OF ALLEGED DISABILITY DISCRIMINATION AND/OR HARASSMENT".

B. Any employee, student, applicant for employment or admission, visitor, or other non-affiliated individual who believes that unlawful discrimination or harassment has occurred may initiate a complaint by either meeting with the appropriate individual in one of the offices listed below, or by submitting a written complaint to that individual or office. The information provided in the complaint should be as specific as possible regarding the circumstances that precipitated the complaint. The complaint should include the dates and places of the incidents at issue, the individuals involved, the names of any witnesses, any efforts made to resolve the matter informally and their results, and any other pertinent information.

C. As stated in section II above, the University has designated a "Coordinator" and "Deputy Coordinator" for Title IX, Title VII, and Section 504 complaints. These individuals share the primary responsibility for the receipt, investigation, and resolution of complaints of discrimination and harassment.

1. Any employee, student, applicant for employment or admission, visitor, or other non-affiliated individual may initiate a complaint by contacting any of the individuals as follows:

   • Brad Morelli, "Title IX/Title VII/Section 504 Complaint Coordinator". Office of Legal Counsel, 114 Lillard Administration Building, 100 N. University Drive, Edmond, OK 73034. Phone: (405) 974-3377. Fax: (405) 974-3807. Email: bmorelli@uco.edu.
   • Elizabeth H. Kerr, "Title IX/Title VII/Section 504 Complaint Deputy Coordinator". Office of Legal Counsel, 114 Lillard Administration Building, 100 N. University Drive, Edmond, OK 73034. Phone: (405) 974-3377. Fax: (405) 974-3807. Email: ekerr@uco.edu.

D. Complaints by Students: In addition to contacting the persons listed in paragraph III.C.1. above:

1. Students may initiate a complaint of discrimination or harassment against another student by contacting the Office of Student Conduct.
2. Students may initiate a complaint of discrimination or harassment against a University employee, whether faculty or staff member, by contacting the Dean’s office of the college where the harassment or discrimination is alleged to have occurred. The contact information for each college is listed below.
E. Complaints by Faculty or Staff: In addition to contacting the persons listed in paragraph III.C.1. above:

1. Faculty or staff members may initiate a complaint of discrimination or harassment against a student by contacting the Office of Student Conduct.
2. Faculty or staff members may initiate a complaint of discrimination or harassment against an employee by contacting the Human Resources Department. Employees in academic units, both faculty and staff, may initiate a complaint of discrimination or harassment against an employee by contacting the Dean’s office of the college where the discrimination or harassment is alleged to have occurred.
3. Applicants for employment or admission, visitors, or other non-affiliated individuals may initiate a complaint of discrimination or harassment by contacting those individuals listed in paragraph III.C.1. above.
4. Off-Site Locations: Any individual at an off-site location, such as ACM@UCO, may initiate a complaint of discrimination or harassment to any of the offices above as appropriate, or to the on-site director of the program.
5. After-Hours or Holiday Complaints: In the event any individual wishes to initiate a complaint of discrimination or harassment after regular University office hours, or when offices are closed for University holidays, the individual should contact the University of Central Oklahoma Police Services. Their telephone number is 405-974-2345.
6. The address and phone number for each of the offices where complaints of discrimination or harassment may be made are as follows:

- Brad Morelli, "Title IX/Title VII/Section 504 Complaint Coordinator". Office of Legal Counsel, 114 Lillard Administration Building, 100 N. University Drive, Edmond, OK 73034. Phone: (405) 974-3377. Fax: (405) 974-3807. Email: bmorelli@uco.edu.
- Elizabeth H. Kerr, "Title IX/Title VII/Section 504 Complaint Deputy Coordinator". Office of Legal Counsel, 114 Lillard Administration Building, 100 N. University Drive, Edmond, OK 73034. Phone: (405) 974-3377. Fax: (405) 974-3807. Email: ekerr@uco.edu.
- Director of Human Resources, 204 Lillard Administration Building, 100 N. University Drive, Edmond, OK 73034. Phone: (405) 974-2366.

DEANS of COLLEGES:

- College of Business Administration, Office of the Dean, 100 Business Building, 100 N. University Drive, Edmond, OK 73034. Phone: (405) 974-2426.
- College of Education & Professional Studies, Office of the Dean, 213 Education Building, 100 N. University Drive, Edmond, OK 73034. Phone: (405) 974-5701.
• College of Fine Arts and Design, Office of the Dean, 13 Evans Hall, 100 N. University Drive, Edmond, OK 73034. Phone: (405) 974-3771.
• College of Liberal Arts, Office of the Dean, 104 Liberal Arts Building, 100 N. University Drive, Edmond, OK 73034. Phone: (405) 974-5540.
• College of Math and Science, Office of the Dean, 208 Howell Hall, 100 N. University Drive, Edmond, OK 73034. Phone: (405) 974-2461.
• Jackson College of Graduate Studies, Office of the Dean, 404 Nigh University Center, 100 N. University Drive, Edmond, OK 73034. Phone: (405) 974-3341.

OTHER PROGRAMS:

• The Academy of Contemporary Music, Chief Operating Officer, ACM@UCO, 25 S. Oklahoma, Suite 400, Oklahoma City, OK 73104. Phone: (405) 974-4703.

F. In addition to the above methods to report discrimination or harassment, the Board of Regents of the Regional University System of Oklahoma, which governs the University, has established a “RUSO Tip Line” which is managed by EthicsPoint. The RUSO Tip Line allows concerns to be submitted anonymously.

1. An employee, student, applicant for employment or admission, visitor, or other non-affiliated individual may report incidents of discrimination or harassment online using the RUSO Tip Line. The complaining party should visit www.ruso.ethicspoint.com which is a secure server administered by EthicsPoint.

2. An employee, student, applicant for employment or admission, visitor, or other non-affiliated individuals may also report incidents of discrimination or harassment by calling toll-free 866-898-8438. An EthicsPoint Contact Center Specialist will facilitate the call and compile the required information from the complaining party.

3. EthicsPoint will forward the required information to designated RUSO and University officials who will then conduct an appropriate investigation and resolution.

4. An employee, student, applicant for employment or admission, visitor, or other non-affiliated individual is also encouraged to continue communicating any concerns directly to appropriate campus offices, as listed in paragraph IV.E.6. above.

IV. INVESTIGATION AND RESOLUTION OF COMPLAINTS

A. The individuals and offices available to receive complaints, as noted above, were selected to give all members of the University community the opportunity to
initiate a complaint in a place in which they will feel comfortable doing so. These individuals and offices have the responsibility, after speaking with the complainant and/or reviewing a written complaint, to ensure that the complaint is directed to the proper office or individual for investigation.

B. The Coordinator or Deputy Coordinator shall designate an appropriately trained individual to investigate complaints of unlawful discrimination or harassment.

C. If the individual accused of engaging in discrimination or harassment is a student, the complaint will be investigated and resolved by the Office of Student Conduct.

D. Notice of the complaint and an opportunity to respond will be given to all persons alleged to have violated the University’s policies regarding discrimination or harassment. The investigation may otherwise involve meeting with the parties, interviewing witnesses, and requesting written statements from the parties.

E. The investigation should be completed promptly so that a decision can be rendered within 60 days of receipt of the complaint. If this is not possible, the investigator will inform the complainant of the status of the investigation within 60 days, the reason(s) for delay, and an estimated completion date for the investigation.

F. A confidential record of all complaints, including their disposition, will be maintained by the investigating unit. The Coordinator or Deputy Coordinator shall be informed of, and maintain a confidential record of, the nature of all complaints of discrimination or harassment investigated, the names of complaining parties and respondents, and the final disposition of all complaints.

V. COMPLAINTS AGAINST FACULTY MEMBERS

A. Any employee who receives a complaint against a faculty member will refer the complaint to the Dean of the faculty member’s college, or to the Coordinator or Deputy Coordinator. An investigator will be designated as provided for in paragraph IV.B. above.

B. If the complaint also involves matters such as grades, curriculum, etc., the investigator will inform the complainant of University policies designed to address those issues.

C. The investigator will provide findings and conclusions in writing to the University Provost, and the Coordinator or Deputy Coordinator. The Provost will determine what action, if any, is appropriate.
VI. COMPLAINTS AGAINST STAFF MEMBERS

A. Any employee who receives a complaint against a staff member will refer the complaint to the Human Resources Department, or to the Coordinator or Deputy Coordinator. An investigator will be designated as provided for in paragraph IV.B. above.

B. The investigator will provide findings and conclusions in writing to the Executive Vice President and the Coordinator or Deputy Coordinator. The Executive Vice President will determine what action, if any, is appropriate.

VII. CONFIDENTIALITY

A. Every reasonable effort will be made to protect the privacy and confidentiality of all parties during the investigation, consistent with and subject to the University’s need to investigate the complaint and/or implement decisions made in order to resolve the complaint. It must be understood that in order to permit the University to carry out its obligation to investigate all complaints fairly, and to ensure that non-discrimination is a reality within the University community, no representative of the University is authorized to promise complete confidentiality to any person who possesses information relevant to the investigation of a complaint, including the complainant.

B. Any individual who requests confidentiality before disclosing a complaint must be informed that because any apparent violation of University policy must be addressed, complete confidentiality may not be possible. An individual who insists on confidentiality as a condition of disclosing a complaint may be advised of the opportunity to consult with the Employee Assistance Program (EAP) or Student Counseling Center, with whom such matters may be discussed in confidence. Consulting with EAP or the Student Counseling Center does not constitute the initiation of a complaint. Medical and mental health professionals are not representatives of the University for this purpose and are not authorized to investigate or respond to complaints.

VIII. APPEALS FOR CODE OF STUDENT CONDUCT COMPLAINTS

A. In the event that either the complainant or accused believe that the resolution of the complaint has not rectified the situation, an appeal may be made.

B. In the case of complaints against students, the process for appeal is governed by The Code of Student Conduct found here: www.uco.edu/student-affairs/conduct/forms-and-publications/code.asp.

IX. REQUIRED PROCEDURES
A. These procedures shall constitute the grievance procedure mandated by the regulations that implement Title IX of the Education Amendments of 1972. For employees, the grievance procedure mandated by the regulations implementing Section 504 of the Rehabilitation Act of 1973.

B. The procedure for student grievances under Section 504 is set forth in section X, STUDENT GRIEVANCE PROCEDURE IN CASES OF ALLEGED DISABILITY DISCRIMINATION AND/OR HARASSMENT.

X. STUDENT GRIEVANCE PROCEDURE IN CASES OF ALLEGED DISABILITY DISCRIMINATION AND/OR HARASSMENT

A. Students who require accommodations must provide sufficient documentation to the University’s Disability Support Services (DSS) office located in 309 Nigh University Center.

B. Any student who believes that he or she has been harassed or discriminated against as a result of a disability by any UCO department or organization, or faculty or staff member working in and for the university, may register a grievance by submitting an Incident Report Form to the Disability Support Services Department (DSS). DSS will furnish the Incident Report Form upon request.

C. This policy does not regulate curricular modifications, which are subject to policies contained in the Academic Policy Manual found online at www.uco.edu/academic-affairs.

D. This policy regulates allegations of discrimination or harassment as a result of a disability as the allegations regard:

1. Physical, programmatic, or attitudinal barriers;
2. Disputed requested accommodations;
3. Contested recommended accommodations; or
4. Similar incidents which the student alleges to constitute discrimination or harassment by any UCO department or organization, or faculty or staff member working in and for the university.

E. DSS shall forward the Incident Report Form to the Section 504 Coordinator or Deputy Coordinator identified in section II above. The allegations of the Incident Report Form shall be investigated by the Section 504 Coordinator or Deputy, who will provide findings and conclusions in writing to the following University officials:

1. Matters involving academic accommodations, or allegations of discrimination or harassment by faculty members, shall be forwarded to
the University Provost. The Provost shall determine what action, if any, is appropriate.

2. Matters involving physical barriers, or allegations of discrimination or harassment by staff members, shall be forwarded to the Executive Vice President. The Executive Vice President shall determine what action, if any, is appropriate.

3. All other matters shall be submitted to the Vice President for Student Affairs for decision and action as is appropriate.

F. Any party who disagrees with the decision and action taken under paragraph X.E. above shall have an appeal to the Disabilities Appeal Board (Board). The Board shall hear the appeal in accordance with its policies and procedures. The decision of this Board is final.

G. A student may also file a complaint with any of the following agencies:

1. Oklahoma Office of Disability Concerns, 2401 NW 23rd, Suite 90, Oklahoma City, OK 73107-2423. Phone: (800) 522-8224 (V/TTY). Fax: (405) 522-6695.

2. U.S. Department of Education, Office for Civil Rights, 8930 Ward Parkway, Suite 2037, Kansas City, Missouri 64114-3302; Telephone: (816) 268-0550. Fax: (816) 823-1404. Email: OCR.KansasCity@ed.gov.

3. Office of the Americans with Disabilities Act, Civil Rights Division, U.S. Department of Justice, 950 Pennsylvania Ave. N.W., Washington, DC 20530. Phone: (800) 514-0301 (V) and (800) 514-0383 (TTY).

H. Any faculty member who believes an accommodation requested by Disabilities Support Service is not reasonable may file an appeal with the Section 504 Coordinator or Deputy identified in section II above.

Glossary of Terms:

Legal Citation(s):

Campus Links:

FAQs:

Formerly Known As:

Approved on: 09/12/2012

Effective Date: 09/12/2012
Keyword(s): equal opportunity, discrimination, harassment, protected classes, violation, report, complaint, unlawful, sexual harassment, impartial, investigation, investigate, Title IX, Title VII, Section 504, Rehabilitation Act, Americans with Disabilities Act (ADA), allege, allegations, disability, grievance, incident, resolve, RUSO Tip Line, EthicsPoint, anonymous, confidential, confidentiality, appeals, Appeals Board, accommodations

Last Review Date: 09/12/2012

Date Posted: 09/13/2012