EQUAL OPPORTUNITY STATEMENT

The 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 laws. Discrimination or harassment in violation of this policy should be reported to the Affirmative Action Officer (Office of Legal Counsel) Lillard Administration Building, Room 114D, voice (405) 974-3377 or fax (405) 974-3807.

After office hours or on holidays and weekends, the report may be made by contacting University Police Services at (405) 974-2345.
APPENDIX I
SEXUAL HARASSMENT POLICY
UNIVERSITY OF CENTRAL OKLAHOMA
APPENDIX I
Sexual Harassment Policy
UNIVERSITY OF CENTRAL OKLAHOMA

I.1 STATEMENT OF POLICY

The Policy Manual of the Regional University System of Oklahoma states that the board affirms its commitment to ensuring an environment for all employees and students which is fair, humane, and respectful – an environment which supports and rewards employee and student performance on the basis of relevant considerations such as ability and effort. Behaviors which inappropriately assert sexuality as relevant to employee or student performance are damaging to this environment. Sexual harassment by any member of the university community, including students, faculty and staff, is a violation of both law and the board policy, and will not be tolerated. Sexual harassment is a particularly sensitive issue which may affect any member of the university community and as such will be dealt with promptly and confidentially by the university administration. The board reserves the right to deal administratively with sexual harassment issues whenever it deems it appropriate to do so.

All employment or academic decisions at the University of Central Oklahoma (UCO) must be made purely on the basis of ability and qualifications related to job and academic performance devoid of unreasonable considerations of sex. Toward this end, all members of the academic community should support the principle that sexual harassment represents a failure in ethical behavior and that sexual exploitation of professional relationships will not be condoned.

I.2 DEFINITION OF SEXUAL HARASSMENT

Sexual harassment shall be defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in the following context:

A. when submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or academic standing, or

B. when submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual, or
C. when such conduct has the purpose or effect of unreasonable interfering with an individual’s work or academic performance or creating an intimidating, hostile, or offensive working or academic environment.

1.3 EXAMPLES OF PROHIBITED CONDUCT

A. Conduct prohibited by this policy may include, but is not limited to:

1. unwelcome sexual flirtation; advances or propositions for sexual activity;
2. continued or repeated verbal abuse of sexual nature, such as suggestive comments and sexually explicit jokes;
3. sexually degrading language to describe an individual;
4. remarks of sexual nature to describe a person’s body or clothing;
5. display of sexually demeaning objects and pictures;
6. offensive physical contact, such as unwelcome touching, pinching, brushing the body;
7. coerced sexual intercourse;
8. sexual assault;
9. actions indicating that benefits will be gained or lost based on response to sexual advances.

B. For the purpose of further clarification, sexual harassment includes but is not limited to:

1. Making unsolicited written, verbal, physical and/or visual contact with sexual overtones. (Written examples include but are not limited to: suggestive or obscene letters, notes, or invitation. Verbal examples include but are not limited to: derogatory comments, slurs, jokes, or epithets. Physical examples include but are not limited to: assault, touching, impeding, or blocking movement. Visual examples include but are not limited to: leering, gestures, display of sexually suggestive objects or pictures, cartoons, or posters.)
2. Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction is not sexual harassment.)
3. Making reprisals, threats of reprisal, or implied threats of reprisal following a negative response. For example, within the work environment either implying or actually withholding support for an appointment, promotion, or change of assignment; suggesting that a poor performance report will be prepared, or suggesting that probation will be failed. Within the educational environment, either implying or actually withholding grades earned or deserved; suggesting that a poor performance evaluation will be prepared, or suggesting a scholarship recommendation or college application will be denied.

4. Within the work environment, engaging in implicit or explicit coercive sexual behavior which is used to control, influence, or affect the career, salary, and/or work environment of another employee. Within the educational environment, engaging in implicit or explicit coercive sexual behavior that is used to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student.

5. Offering favors for educational or employment benefits such as grades or promotions, favorable performance evaluations, favorable assignment, favorable duties or shifts, recommendations, reclassification, etc. in exchange for sexual favors.

1.4 GRIEVANCE PROCESS FOR ALLEGED SEXUAL HARASSMENT BY A FACULTY MEMBER

A. Informal mediation overview

1. The complainant and respondent faculty member must exhaust the avenues of the informal mediation procedure before initiating formal grievance procedures.

2. The informal mediation procedure should generally not require more than 40 working days to complete.

3. The informal mediation procedure is designed to seek a college level resolution of the issues prior to the initiation of formal grievance procedures.
4. Lawyers for the complainant or the respondent faculty member may not participate in the informal mediation procedure.

B. Informal mediation procedure

1. The complainant should discuss his or her concern with the faculty member involved and attempt to resolve the grievance.
   a. If the problem cannot be resolved, or the complainant is unwilling to talk with the faculty member, the complainant may start the procedure by meeting with the department chair/school director of the respondent faculty member’s department, or
   b. If the department chair/school director is the subject of the grievance, the grievance procedure may start with the dean of the college.

2. The complainant shall meet with and discuss the grievance with the department chair/school director (or the dean if appropriate) in an effort to resolve the grievance. If the grievance is not resolved, the department chair/school director or dean shall invite the complainant to submit a complaint in writing to the department chair/school director or the dean. The complaint must be submitted by the end of the fourth week of the semester following the semester in which the grievance occurred. In no case will a complaint be considered if it is made later than one calendar year from the date of the occurrence causing the complaint.

3. Once a written complaint has been filed, the department chair/school director must:
   a. inform the faculty member involved in the complaint, and
   b. provide a copy of the complaint to the faculty member within two working days of receiving the written complaint.

4. The department chair/school director or dean shall discuss the matter with the respondent faculty member and require a written response to the allegations. The respondent faculty member shall respond within five working days of notification of the allegations.
5. Upon receiving the faculty member’s response, and within the next five working days, the department chair/school director or the dean may attempt to resolve the complaint, either by independent counseling of those involved, or by bringing the complainant and respondent together and discussing the problem. The department chair/school director or the dean has the discretion to choose a method for resolution. If a resolution satisfactory to the department chair/school director and the complainant and the respondent is reached, the department chair/school director shall prepare a written agreement, which shall be signed and dated by each party and the department chair/school director. The agreement shall be transmitted to the dean and the provost/vice president for academic affairs. At that time, the informal mediation process shall be closed. The department chair/school director shall maintain a copy of the written records of the events. Any documents relating to the sexual harassment complaint shall be removed from the faculty member’s file one calendar year from the date of the resolution if no documents should be transmitted to the provost/vice president for academic affairs to maintain in accordance with the Confidentiality of Proceedings and Maintenance of Records section of this policy. If not resolved, the department chair/school director or dean shall write his or her analysis of the situation and recommendation for resolution and give copies to the complainant and respondent.

6. The department chair/school director must forward the complaint, the faculty member’s response, and the department chair’s/school director’s analysis and recommendation, plus any additional comments by the respondent or complainant, to the dean of the college with copies to respondent and complainant within two working days. (If the grievance procedure was initiated with the dean, the dean shall forward the records directly to the provost/vice president of academic affairs. The grievance would then proceed with step 9.)
7. Within five working days of receipt of the grievance records from the department chair/school director, the dean may attempt to resolve the complaint, either by independent counseling of those involved, or by bringing the complainant and respondent together and discussing the problem. The dean has the discretion to choose a method for resolution. If a resolution satisfactory to the dean and the complainant and the respondent is reached, the dean shall prepare a written agreement which shall be signed and dated by each party and the dean. This agreement shall be transmitted to the provost/vice president for academic affairs. At that time, the informal mediation process shall be closed. The dean should maintain a copy of the written records of the events. Any documents relating to the sexual harassment complaint shall be removed from the faculty member’s file one calendar year from the date of the resolution if no additional complaint of sexual harassment is made. Those documents should be transmitted to the provost/vice president for academic affairs to maintain in accordance with the Confidentiality of Proceedings and Maintenance of Records section of this policy.

8. If not resolved, the dean shall respond by writing an analysis of the situation and recommendation for resolution with a copy sent to the complainant and the respondent. The dean shall forward the analysis and recommendation for resolution and the complete grievance file to the provost/vice president for academic affairs within five working days of the meeting.

9. Within five working days of receiving the grievance records transmitted by the dean, the provost/vice president for academic affairs may attempt to resolve the complaint by independent counseling of the persons involved or by bringing together the complainant and respondent to discuss the matter. The provost/vice president of academic affairs has the discretion to choose a method for resolution. If a resolution satisfactory to the provost/vice president for academic affairs, and the complainant and the respondent
is reached, the provost/vice president for academic affairs shall prepare a written agreement which shall be signed and dated by each party and the provost/vice president for academic affairs. The provost/vice president for academic affairs shall maintain the original written records of the events. At that time the informal mediation shall be closed. Any documents relating to the sexual harassment complaint shall be removed from the faculty member’s file(s) one calendar year from the date of resolution if no additional complaint of sexual harassment is made. The provost/vice president for academic affairs shall maintain the written records of the grievance in accordance with the Confidentiality of Proceedings and Maintenance of Records section of this policy.

10. If mediation efforts are unsuccessful, as certified by the provost/vice president for academic affairs and forwarded to the complainant and respondent, then the formal process may begin.

C. Formal Grievance Procedure

1. Filing of Complaint

The complainant or the respondent may initiate the formal grievance process by submitting a written complaint to the UCO Legal Counsel at ADM 114, Box 130, 974-3377.

2. Timing of Complaint

Complaints must be filed with the UCO Legal Counsel within fifteen (15) calendar days of receipt of notice from the provost/vice president for academic affairs that the mediation efforts were unsuccessful.

3. Confidentiality of Proceedings and Maintenance of Records

All records made or maintained as part of the informal mediation or the formal grievance process shall be kept confidential. Any employee or student who discloses such confidential information shall be subject to severe disciplinary measures in accordance with established policy. The formal hearing shall be recorded. A copy of the recording shall be supplied to the complain-
ant or the respondent upon request. Both the complainant and respondent shall have the right to the active support of legal counsel at the hearing.

A record of the complaint and all informal and formal proceedings shall be maintained for a period of five years from the date of final resolution. The records shall be maintained by the provost/vice president for academic affairs who shall be responsible for the safekeeping, confidentiality or destruction of the records in accordance with this policy. The provost/vice president for academic affairs shall maintain a confidential reference log of the cases currently contained in the files. The log shall identify the date the complaint was filed, the names of the complainant and respondent, and the date of final resolution or disciplinary action. Upon termination of the five-year period, without additional complaint, all records maintained by the provost/vice president for academic affairs shall be destroyed, in accordance with the state archives and records law.

4. Proceedings
   a. Investigation and Resolution

      Upon receipt of a complaint of sexual harassment, the UCO Legal Counsel is empowered to conduct an investigation. The investigation may involve interviewing the parties involved and gathering evidence. The investigation shall be completed as soon as possible after receipt of the complaint.

      Upon a clear showing at any state of the investigation that immediate harm to either party is threatened by the continued performance of either party’s regular duties or university responsibilities, the proper executive officer may suspend or reassign either of the party’s duties or responsibilities pending the completion of the investigation.

      Upon completion of the investigation, UCO Legal Counsel is authorized to take any one of the following actions:

      i. Satisfactory Resolution

I-8
Resolve the matter to the satisfaction of the university and the complainant and respondent. If a resolution satisfactory to the university and both parties is reached through the efforts of UCO Legal Counsel, a written agreement shall be prepared and shall be signed and dated by each party and the UCO Legal Counsel. At that time, the investigation shall be closed.

ii. No Resolution
Render a “no resolution” decision which automatically refers the complaint to a formal advisory council. Written notice of such finding shall be given to the complainant and respondent.

iii. Dismissal
Find that no violation of the university’s sexual harassment policy has occurred and dismiss the complaint, giving written notice of said dismissal to the complainant and the respondent. The complainant may appeal the dismissal. The appeal is made by written request to UCO Legal Counsel for a formal hearing. The appeal request must be made within fifteen (15) calendar days of the date of the notice of dismissal. IF no appeal is filed within the (15) calendar day period, the matter is considered closed. The UCO Legal Counsel shall notify the provost/vice president for academic affairs of the appeal request. The provost/vice president for academic affairs shall initiate the process for a formal hearing.

iv. Determination of Possible Violation of Sexual Harassment Policy
Making a finding of possible impropriety and notify the parties that a formal hearing will be required. Disciplinary action shall be in accordance with established policy.

5. Formal Hearing
A hearing may be conducted when a complainant appeals a dismissal or when investigation of the complaint results in the determination of a possible violation of the sexual harassment policy.

a. Selection of an Advisory Council

The provost/vice president for academic affairs shall appoint an advisory council comprised of eight (8) members. The council shall be composed of five (5) tenured faculty members each of whom is appointed by the dean of each college and two (2) tenured faculty members appointed by the president of the faculty senate and confirmed by a majority vote of the senate. When a student is a party to the formal grievance procedure, one (1) student selected by the president of the UCO Student Association. When a student is not a party to the formal grievance procedure, the president of the faculty senate shall appoint a third tenured faculty member to the council who shall be confirmed by a majority vote of the senate.

b. Training of Council Members

Each member appointed to the advisory council shall be provided information and training prior to beginning their duties on the council, to include:

i. General grievance handling skills;

ii. Reviewing and clarifying, where necessary, the procedures to be followed on all sexual harassment complaints;

iii. Ensuring that the preponderance of the evidence standard is used;

iv. Discussion of the principles of fairness and due process

v. When a student is the complainant, an explanation of the requirements of Title IX of the Education Amendments of 1972 and "Sexual Harassment Guidance: Harassment of Students by School Employees" issued by the Office of Civil Rights of the federal Department of Education.

c. Hearing Guidelines
It shall be the function of the council to conduct a complete, fair, and impartial hearing and to present its recommendation for disposition of the case including findings of fact and conclusions of law to the provost/vice president for academic affairs. The council will not have the power to make a decision or agreement that is binding upon the university. Members of the advisory council should meet to discuss the complaint. Unless the council concludes that the complaint is without merit, the complainant and respondent should be invited to appear before the council and to confront any adverse witnesses. The complainant and respondent shall be entitled to observe the hearing, but they shall not be present in the council’s closed session at the conclusion of the hearing. The council may conduct its own hearing, call witnesses, and gather whatever information it deems necessary to assist it in reaching a determination as to the merits of the allegations.

In arriving at a determination of the existence of sexual harassment, the evidence as a whole and the totality of the circumstances and the context in which the alleged incident(s) occurred shall be considered. The council may take into consideration the history of complaints that have been filed by the complainant, and any history of formal findings of unprofessional conduct or patterns of informally settled complaints against either the complainant or the respondent. However, previous allegation that were dismissed for lack of cause at the informal stage without appeal or that resulted in no finding of sexual harassment of unprofessional conduct shall not be taken into consideration.

All respondent employees of UCO are prohibited from using UCO stationery or letterhead to present testimony or solicit support for himself or herself during informal or formal proceedings.

d. Satisfactory Resolution Prior to Hearing Completion
In the event the matter is resolved to the satisfaction of all parties at any time prior to completion of the formal proceedings of the council, a written statement shall indicate the agreement reached by the parties and shall be signed and dated by each party and by the chairperson of the council. The matter shall then be closed.

e. Advisory Council’s Findings and Recommendations
At the conclusion of the hearing, the council shall deliberate in closed session and make a recommendation to the provost/vice president for academic affairs. In addition to making a determination of the existence of sexual harassment or misconduct in accordance with established policy, the council may recommend disciplinary action against the respondent and/or the complainant if the council determines that discipline is warranted. The council’s recommendation shall be prepared and transmitted to the provost/vice president for academic affairs within fifteen (15) calendar days after conclusion of the hearing. The council shall also transmit the grievance file, the recording of the hearing, and all material submitted by the complainant or respondent or witnesses to the provost/vice president for academic affairs. Any disciplinary action recommended against a student shall also be prepared and transmitted to the provost/vice president for student services within fifteen (15) calendar days after the conclusion of the hearing. The recommendation of the council is not binding upon the university. Any disciplinary action recommendations shall be in accordance with established policy. Appropriate disciplinary action may include a range of actions up to and including dismissal.

f. Vice President’s Decision
Within fifteen (15) days after receipt of the council’s recommendations and accompanying records, the provost/vice president shall render a decision in the matter of the sexual harassment complaint and inform
the complainant and respondent of the decision. A copy of the decision shall be transmitted to the complainant, the respondent, the chair of the council and to the UCO Legal Counsel.

g. Appeal

Either party has the right to appeal this determination. The appeal is made by a written request to the president of the university for review of the provost/vice president’s decision and must be made within fifteen (15) calendar days of the date of the decision. If no appeal is delivered to the president, filed within fifteen (15) calendar days, the case is deemed closed.

As soon as possible after receipt of a timely written request for review, the president of the university shall render a decision in the matter of the sexual harassment complaint and inform the complainant and respondent of that decision. A copy of the decision shall also be transmitted to the provost/vice president for academic affairs, the chair of the advisory council and the UCO Legal Counsel. The decision of the president shall be considered final and binding.

In the event a lawsuit is brought against an employee by reason of any act done or omitted in good faith in the course of his or her employment, it is the duty of the Attorney General or staff attorney of such person’s agency where the agency is authorized by law to be represented in court by a member of its own permanent legal staff, when requested in writing by such employee to appear and defend the action or proceeding in his behalf. Such written request shall be made within fifteen (15) days after service of summons on the employee and a copy of the request shall be transmitted by the employee to the head of his agency and the Attorney General. See section 20f of Title 74 of the Oklahoma Statutes.
h. Procedure for Monitoring Final Resolutions

The provost/vice president for academic affairs shall monitor the processing of both the informal and the formal grievance procedure. The provost/vice president for academic affairs is to be notified by the UCO Legal Counsel or the chair of the advisory council of any problems or concerns either has with the progress of the grievance. The provost/vice president for academic affairs shall be responsible for identifying and initiating modifications to any sexual harassment policy, procedure, or practice which is not in compliance with law.

i. Retaliation

Any attempt to penalize or retaliate against a person for filing a complaint or participating in the investigation of a complaint of sexual harassment will be treated as a separate and distinct violation of policy.
5. Failure to comply with federal, state, or university laws, regulations and/or policies governing research; and


H.2.3 TEACHING AND STUDENTS

A. Regents’ Policy Statement

1. Ethical Principles
   a. Faculty members are entitled to freedom in the classroom in discussing their subject, but faculty should be objective in teaching of a controversial matter which has relation to that subject and of controversial topics introduced by students. The faculty member should not introduce controversial matters which have little or no relation to the subject of instruction (Section 3.3.1b, RUSO).
   b. Faculty members have responsibilities to their students. They shall encourage in students the free pursuit of learning and independence of mind, while holding before them the highest scholarly and professional standards. Faculty members shall show respect for the student as an individual and adhere to their proper role as intellectual guides and counselors. They shall endeavor to define the objectives as of their courses and to devote their teaching to the realization of those objectives. A proper academic climate can be maintained only when faculty members meet their fundamental responsibilities regularly, such as preparing for and meeting their assignments, conferring with and advising students, evaluating fairly and participating in group deliberations which contribute to the growth and development of students and the university. All faculty members also have the responsibility to accept those reasonable duties assigned to them within their fields of competency, whether curricular, co-curricular, or extra-curricular. Faculty members make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflect their true merit. They do not exploit students for private advantage and acknowledge significant assistance from them. They protect students’ academic freedom (Section 3.3.2c, RUSO).

B. The faculty member must maintain awareness that his or her personal values affect the selection of courses, materials, and presentation style. In addition, the faculty member should:
   1. Recognize and respect a diversity of opinion among students;
   2. Demonstrate respect for the student as an individual;
   3. Adhere to the proper role as their intellectual guide and counselor;
4. Make every reasonable effort to foster honest academic conduct and assure that the evaluation of students accurately reflects the student's academic performance;

5. Avoid misleading students regarding the factual basis of ideas or findings;

6. Respect the confidential nature of the relationship between teacher and student; and

7. Avoid situations in which the actions of the faculty member may be affected by relationships or associations, i.e., sexual, family, or business, professional, or commercial relationships. (see 3.7 Relatives as Students)

C. Examples of unacceptable conduct include, but are not limited to:

1. Failure to meet the responsibilities of instruction including:
   a. Arbitrary or unwarranted denial of access to instruction;
   b. Repeated inclusion of material unrelated to course objectives to the extent that the objectives are compromised;
   c. Repeated failure, without legitimate reason, to adhere to the responsibilities of the faculty member to meet class, to keep office hours, and to hold examinations as scheduled;
   d. Repeated dismissal or cancellation of class, without legitimate reason, to the extent that course objectives are compromised; and
   e. Evaluation of student work by criteria not directly reflective of course performance.

2. Discrimination for or against a student for reasons of politics, race, religion, gender, national origin, disability, age, veteran status, sexual orientation, or for other arbitrary or personal reasons.

3. Use of the position or powers of a faculty member in such a manner that would violate the Sexual Harassment Policy (Chapter 2, Section 2.10).

4. Presenting research results in a biased manner to malign or privilege persons in arbitrary social categories.

H.2.4 THE UNIVERSITY
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 students 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
Policy ID: ADMI-HUM-6 Minor Revision 1

Title: Retaliation is Prohibited

Description: To establish the policy of prohibited retaliation.

Category: Human Resources

Applies to: staff, faculty

Contact: Human Resources

Purpose: The University prohibits retaliation and strongly urges the reporting of any retaliation.

Policy Statement: The University prohibits retaliation against any individual. This includes, but is not limited to,

- Individuals who report discrimination or harassment
- Individuals who report what is believed to be unethical behavior
- Individuals who participate in an investigation of such reports
- Individuals who sustain workers' compensation related injuries
- Individuals who request Family Medical Leave or a Reasonable Accommodation

Retaliation against an individual in any form is a serious violation and will be subject to disciplinary action, up to and including termination from employment.

Complaint Procedure - Reporting Retaliation

The University of Central Oklahoma strongly urges the reporting of any retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced or witnessed, or otherwise have knowledge of retaliation should report it immediately. Reports and complaints should be filed with an employee's immediate supervisor (unless he/she is the person the complaint is against), any member of administration, or Employee Relations and Development in the Offices of Human Resources. Under any circumstances, individuals should not feel obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of any one of the other University's designated representatives identified above.

**IMPORTANT NOTICE TO ALL EMPLOYEES:**

Employees who have experienced or witnessed conduct or actions they believe is contrary to this policy have an obligation to take advantage of the University's complaint procedure. An employee's failure to fulfill this obligation limits the University's ability to correct inappropriate conduct, and could affect the employee's rights in pursuing legal action. Note: federal, state and local discrimination laws establish specific time frames for initiating a legal proceeding pursuant to those laws.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of wrongdoing. While no time limit has been established, the University requires the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The University of Central Oklahoma will make every effort to stop alleged retaliation, but can only do so with the cooperation of its employees.
Title: Workplace Relationships
Description: University policy concerning workplace relationships
Category: Human Resources
Applies to: staff, faculty
Contact: Human Resources

Purpose: Consenting romantic or sexual relationships between employees, and especially between a supervisor/manager and an employee, may at some point lead to complications and significant difficulties for all concerned — the employee(s), supervisor/manager, co-workers, and UCO.

Policy Statement: If a romantic or sexual relationship between employees occurs that violates the anti-nepotism policy, the involved employees must disclose the existence of the relationship to Employee Relations and Development in the Offices of Human Resources. If the relationship is between a supervisor/manager and an employee, it shall be the responsibility and mandatory obligation of the supervisor/manager to promptly disclose the existence of the relationship. The employee may make the disclosure as well, but the burden of doing so shall be upon the supervisor/manager.

Upon being informed or learning of the existence of such a relationship, UCO may take all steps that it, in its discretion, deems appropriate, especially as it relates to bringing the situation into compliance with the provisions of anti-nepotism, even if one or both of the employees must leave the University’s employment. This shall apply without regard to gender and without regard to the sexual orientation of the participants in a relationship of the kind described.

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Policy ID: ADM-HUM-20 Minor Revision 6
Title: Anti-Nepotism in the Employment of Relatives
Description: Hiring relatives of current UCO employees
Category: Human Resources
Applies to: staff, faculty
Contact: Human Resources

Purpose: Policy regarding the employment of employee's relatives.

Policy Statement: Members of an employee's immediate family will be considered for employment on the basis of their qualifications. Immediate family may not be hired, however, if employment would:

- Create a supervisor/subordinate relationship with a family member;
- Result in both parties working within the same reporting structure (i.e. the same director or chair); or
- Create either an actual conflict or the appearance of a conflict of interest, at the discretion of administration.

This also applies when considering assignment, transfer, or promotion of an employee. For the purpose of this policy, immediate family includes spouse or significant other, parent, child, sibling, in-law, aunt, uncle, niece, nephew, cousin, grandparent, grandchild, or other members of the immediate household regardless of the actual relationship to the employee.

Exception requests should be submitted in writing to Employee Relations and Development in the Offices of Human Resources. Exception requests for faculty should be submitted directly to the Provost. Requests must detail the relationship and impending reporting structure, and the argument why a waiver should be considered. Specifically, address how the employment of all involved individuals will benefit the institution beyond the complexities such arrangements create — the process variances that will have to be made to accommodate such a waiver, as an example.

Glossary of Terms:
Legal Citation:
Campus Links:
FAQs:
Formerly known as:

Approved on: 12/01/2005
Effective date: 12/01/2005
Keyword(s): relative, related, kinship, hiring, promotion, salary, retention, nepotism, employment
Last review date: 07/28/2011
Date posted: Oct 18 2007 10:20AM