

## Section 1.5 Student Complaint Procedure in Cases of Alleged Disability Discrimination and/or Harassment

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**1.5.1 DOCUMENTATION REQUIREMENTS FOR ACCOMMODATIONS:** Students who require accommodations must provide sufficient documentation to the University's Disability Support Services (DSS) office located in 309 Nigh University Center.

**1.5.2 COMPLAINTS OF DISABILITY DISCRIMINATION OR HARASSMENT:** 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 complaint by submitting an Incident Report Form to the Disability Support Services Department (DSS). DSS will furnish the Incident Report Form upon request.

**1.5.3 EXCEPTIONS:** 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](http://www.uco.edu/academic-affairs).

**1.5.4 UNIVERSITY REGULATIONS:** This policy regulates complaints of discrimination or harassment as a result of a disability as the allegations regard:

- A. Physical, programmatic, or attitudinal barriers;
- B. Disputed requested accommodations;
- C. Contested recommended accommodations; or

- D. 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.

**1.5.5 FORMAL RESOLUTION:** Formal resolution includes:

- A. **INVESTIGATION:** DSS shall forward the Incident Report Form to the Section 504 Coordinator or Deputy Coordinator (Coordinator) identified in section 1.5.12 below. The Coordinator shall perform, in a timely manner, an adequate, reliable, and impartial investigation. As a part of this investigation, the Coordinator shall interview witnesses suggested by the parties, along with other necessary persons, and accept any evidence the parties believe to be relevant. Following the investigation, the Coordinator shall provide findings and conclusions in writing to the Accessibility Compliance Committee.
- B. **DECISION BY COMMITTEE:** Upon receipt of the Incident Report Form, the Committee shall render a decision. In reaching its decision, in addition to the Coordinator's findings and conclusions, the Committee may seek information from witnesses and/or further evidence it deems necessary to reach a decision.
- C. **NOTICE OF FINAL OUTCOME:** Upon reaching its decision, all parties shall be sent written notice of the outcome of the complaint by first-class mail addressed to the parties' last known address.

**1.5.6. APPEALS:** If either party is dissatisfied with the decision of the Committee, that party may appeal the decision in writing filed within five (5) days of receipt of the Committee decision. The appeal shall be filed with the following University official:

- A. Appeals involving academic accommodations or allegations of discrimination or harassment by faculty members shall be forwarded to the University Provost for decision and action as appropriate.
- B. Appeals involving physical barriers or allegations of discrimination or harassment by staff members shall be forwarded to the Vice President of Administration and Finance for decision and action as appropriate.
- C. All other matters shall be submitted to the Vice President for Student Affairs for decision and action as is appropriate.

The decisions of the respective vice presidents shall be final.

**1.5.7 FINAL RESOLUTION:** Upon a final determination of discrimination and/or harassment, the University acting through appropriate officials, shall:

- A. Take steps to remedy or correct the effects of such discrimination and/or harassment on complainants and others, as appropriate; and
- B. Take steps to prevent the recurrence of any discrimination and/or harassment.

**1.5.8 RETALIATION PROHIBITED:** Retaliation against any individual who files a complaint or any individual who participates in a complaint inquiry is prohibited under federal law (Section 504 and Article II) and violates University policy.

**1.5.9 TIMELINES:** In order that complaints result in a timely decision, the following timelines are established.

- A. Investigation by Coordinator: Conducted and findings and conclusions reported to Committee within 25 days.
- B. Decision by Committee: To be rendered within 25 days of receipt of findings and conclusions from Coordinator.
- C. Appeal to Respective VP: Filing within five (5) days of receipt of Committee, and final decision by Vice President within five (5) days. Total 10 days for this phase of the process.
- D. Under unusual circumstances, such as extremely complex issues requiring extensive research, witness unavailability, or situations when strict adherence to these timelines would detrimentally affect the quality of the process, the timelines may be extended upon written notice to the parties and to the University President. The written notice shall state the reason for the delay, and the anticipated date of completion of the relevant phase of proceedings.

**1.5.10 OTHER COMPLAINTS:** A student may also file a complaint with any of the following agencies:

- A. 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.
- B. U.S. Department of Education, Office for Civil Rights, One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, Missouri 64106; Telephone: (816) 268-0550. Fax: (816) 823-1404. Email: OCR.KansasCity@ed.gov.

- C. 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).

**1.5.11 APPEALS BY FACULTY MEMBERS:** 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 Coordinator.

**1.5.12 FOR FURTHER INFORMATION:**

- A. The office address of the Senior Legal Counsel and Legal Counsel, who serve as Section 504 Coordinator and Deputy Coordinator, is Room 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. The email address for the Senior Legal Counsel is [bmorelli@uco.edu](mailto:bmorelli@uco.edu). The email address for the Legal Counsel is [ekerr@uco.edu](mailto:ekerr@uco.edu).
- B. The regular office hours are 8:00 a.m. – 5:00 p.m., Monday – Friday. Before or after office hours, on weekends, or during University holidays when offices are closed, persons wishing to report discrimination or harassment may contact University Police Services office at (405) 974-2345.

*Approved by Cabinet & President on August 18, 2014.*