



510 POLICY - Nondiscrimination and Complaints

510.1 Statement of Policy

Redlands Community College does not discriminate on the basis of race, color, national origin, sex, disability, age, religion, or status as a veteran, in any of its educational programs, activities, policies, practices, or procedures, including, but not limited to, admissions, employment, eligibility for financial aid, and educational services, in accordance with Title VI and VII of the Civil Rights Act of 1964, Executive Order 11246 as amended, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, the Civil Rights Act of 1991, and other federal laws and regulations.

510.2 Designation of Responsible Employee(s)

All employees of the College shall be responsible for compliance with the nondiscrimination policy. The College's Compliance Officer shall coordinate the compliance with Titles VI and VII of the Civil Rights Act of 1964, Executive Order 11246 as amended, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, the Civil Rights Act of 1991, and other laws and regulations on prohibited discrimination.

510.3 Complaints

Complaints of prohibited discrimination should be addressed to the College's Compliance Officer, the person responsible for coordinating compliance with the relevant law. If that person is the subject of the complaint, the complaint should be addressed to a person with administrative authority over the Compliance Officer. Guidelines for filing a complaint are published in the Procedures section of the Policies and Procedures Manual.

510.4 Other Remedies

The right of a person to prompt and equitable resolution of complaints filed under this procedure will not be impaired by the person's pursuit of other available remedies such as filing complaints with responsible outside agencies or departments. Filing a complaint under this procedure is not a prerequisite to the pursuit of such other remedies.



510.5 Compliance Officer

To contact the College's Compliance Officer:

Compliance Officer
Redlands Community College
1300 South Country Club Road
El Reno, OK 73036-5304
(405) 262-2552
Email: Human.Resources@redlandsc.edu

510.6 Related Procedure

The Procedures section of the Policies and Procedures Manual contains a complaint procedure that is related to this Nondiscrimination and Complaints Policy.

Adopted December 1997
Revised February 2001
Revised February 2002
Revised February 2008
Revised December 2010
Revised March 2015



510 PROCEDURE - Nondiscrimination and Complaints

510.1:1 Statement of Procedure

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510.2:1 Designation of Compliance Officer

All employees of the College shall be responsible for compliance with the College's nondiscrimination policy. The College's Compliance Officer shall coordinate the compliance with Titles VI and VII of the Civil Rights Act of 1964, Executive Order 11246 as amended, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, the Civil Rights Act of 1991, and other laws and regulations pertaining to prohibited discrimination. The College's Compliance Officer may be contacted at:

Compliance Officer
Redlands Community College
1300 South Country Club Road
El Reno, OK 73036-5304
(405) 262-2552
Email: Human.Resources@redlandsc.edu

510.3:1 Anti-Retaliation

The College prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the College's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The College will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These



steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the College will take prompt responsive action, including possible discipline, including disenrollment or termination, if applicable.

510.4:1 Anti-Harassment

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's race, color, national origin, religion, disability, age, sex, or other protected category, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- A. Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or
- B. Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the College, whether those programs take place in a College's facilities, on a College bus, at a class or training program sponsored by the College at another location, or elsewhere.

Discriminatory harassment because of a person's race, color, national origin, religion, disability, age, sex, or other protected category, may include, but is not limited to:

- A. Name-calling
- B. Teasing or taunting
- C. Insults, slurs, or derogatory names or remarks
- D. Demeaning jokes
- E. Inappropriate gestures
- F. Graffiti or inappropriate written or electronic material
- G. Visual displays, such as cartoons, posters, or electronic images
- H. Threats or intimidating or hostile conduct
- I. Physical acts of aggression, assault, or violence
- J. Criminal offenses

See the College's Policy and Procedure (503) pertaining to sexual harassment for additional information and examples of sexual harassment.



If the College knows or reasonably should know about possible harassment, including violence, the College will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see section entitled “Complaints of Discrimination,” below), and take appropriate interim measures, if necessary. If the College determines that unlawful harassment occurred, the College will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the College will follow this policy and grievance procedure.

All College employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, harassment, or retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance officer).

510.5:1 Complaints of Discrimination

An employee, student, or any other person who feels that he or she has been the subject of discrimination, retaliation, or harassment by the College may file a complaint with the College’s Compliance Officer, the person responsible for coordinating compliance with the relevant anti-discrimination laws. If that person is the subject of the complaint, the complaint should be addressed to the Compliance Officer’s supervisor, the Vice President for Finance and Campus Services, who may be contacted at:

Vice President for Finance and Campus Services
Redlands Community College
1300 South Country Club Road
El Reno, Oklahoma 73036-5304
(405) 422-1265
Jena.Marr@redlandsc.edu

510.5:2 Investigation

College employees, supervisors, or administrators must immediately report any complaints, reports, observations, or other information of alleged discrimination, retaliation, or harassment, to the designated compliance coordinator, even if that College employee is investigating the alleged discrimination as part of the College’s student or employee disciplinary process, and provide the complainant with information for filing a complaint of discrimination, including a complaint form if requested, and contact information for the College’s designated compliance coordinator. If the College uses its disciplinary procedures to investigate and resolve an alleged discrimination complaint, those disciplinary procedures will comply with the College’s



standards for a prompt and equitable complaint procedure. Other individuals may report alleged discrimination to the designated coordinator.

Once the College receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the College will conduct a prompt, adequate, thorough, and impartial investigation to determine whether unlawful discrimination, retaliation, or harassment occurred. If necessary, the College will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with any alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the College's investigation. The College will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

The College will investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The College will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this complaint procedure. If the allegation(s) involve possible criminal conduct, the College will notify the complainant of his or her right to file a criminal complaint, and College employees will not dissuade the complainant from filing a criminal complaint either during or after the College's investigation.

The College will complete its investigation within ten (10) business days after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. Extenuating circumstances do not include summer vacation, and if a designated compliance coordinator or investigator is unavailable, another coordinator or trained employee will be designated to conduct the investigation. If extenuating circumstances exist, the extended timeframe to complete the investigation will not exceed ten (10) additional business days, without the consent of the complainant. Periodic status updates will be given to the parties, if necessary.

The College's investigation will include, but is not limited to:

- A. Providing the parties with the opportunity to present witnesses and provide evidence.
- B. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- C. For allegations involving harassment, some of the factors the College will consider include:
 1. the nature of the conduct and whether the conduct was unwelcome,
 2. the surrounding circumstances, expectations, and relationships,
 3. the degree to which the conduct affected one or more students' education,

4. the type, frequency, and duration of the conduct,
 5. the identity of and relationship between the alleged harasser and the subject or subjects of the harassment,
 6. the number of individuals involved,
 7. the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment,
 8. the location of the incidents and the context in which they occurred,
 9. the totality of the circumstances, and
 10. other relevant evidence.
- D. A review of the evidence using a “preponderance of the evidence” standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

- A. A summary of the facts,
- B. An analysis of the appropriate legal standards applied to the specific facts,
- C. Findings regarding whether discrimination occurred, and
- D. If a finding is made that discrimination occurred, the recommended remedy or remedies necessary to eliminate discrimination, including harassment and retaliation, prevent its recurrence, and remedy its effects, if applicable.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report, unless the compliance coordinator is the subject of the complaint. The College will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made (see the Remedies section, below, for additional information about remedies). The College will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

510.5:3 Determination

The person investigating the complaint will issue a written determination as to the validity of the complaint and a description of the resolution, if any. A copy of the determination and any resolution will be provided to the parties within ten (10) business days after completion of the investigation. If dissatisfied with the determination or any resolution, a complainant may appeal the determination to the Vice President for Finance and Campus Services, or the College President, if the Vice President for Finance and Campus Services issued the original determination or any resolution.



510.5:4 Appeal

A determination and any resolution originally issued by the Compliance Officer may be appealed to the Vice President for Finance and Campus Services. A determination and any resolution originally issued by the Vice President may be appealed to the College President, who may be contacted at:

President's Office
Redlands Community College
1300 South Country Club Road
El Reno, Oklahoma 73036-5304
(405) 422-1258
Jack.Bryant@redlandsc.edu

To appeal, a Notice of Appeal should be filed in writing within ten (10) business days after the complainant's receipt of the original determination and any resolution. The complaint, determination, and any resolution, and any other relevant documentation, should be submitted with the Notice of Appeal. On receiving the Notice of Appeal, the Vice President or President will review the documentation, conduct any additional investigation necessary, and issue a written decision within ten (10) business days after receiving the Notice of Appeal or after completion of any investigation. The decision on the appeal may affirm, reverse, or modify the original determination and resolution.

510.5:5 Remedies

The right of a person to prompt and equitable resolution of complaints filed under this procedure will not be impaired by the person's pursuit of other available remedies such as filing complaints with responsible outside agencies of departments. Filing a complaint under this procedure is not a prerequisite to the pursuit of such other remedies.

If the College knows or reasonably should know about possible discrimination, retaliation, or harassment, the College will take immediate, interim action or measures to protect the alleged victim, ensure the safety of the school community, and prevent further potential discrimination, harassment, or retaliation during the College's pending investigation. These interim measures will be prompt, effective, and tailored to the specific situation, and may include a change in the student's seating assignment or class, a change in an employee's work area, prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the College's investigation, and other remedies, such as those listed below.

The College will minimize any burden on the alleged victim when taking interim measures. For instance, the College generally will not remove the alleged victim from his or her class or work area and allow the alleged harasser to remain. In addition the College will ensure that the complainant is aware of his or her rights, including a strong



prohibition against retaliation for reporting discrimination or harassment or cooperating with any investigation or proceeding, and any available resources, such as counseling, health, and mental health services, and the right to file a complaint with local law enforcement, if applicable.

If the College determines that unlawful discrimination or harassment occurred, the College will take prompt and effective action to eliminate the discrimination or harassment, prevent its recurrence, and remedy its effects on the complainant and others, if appropriate. The remedies will be tailored to the specific allegations and facts of each situation, including, but not limited to, the following remedies:

- A. Providing an escort to ensure the complainant can move safely between classes and activities.
- B. Ensuring the complainant and alleged harasser do not attend the same classes.
- C. Providing counseling services.
- D. Providing medical services.
- E. Providing academic support services, such as tutoring
- F. Arranging for the complainant to re-take a course or withdraw from a course without penalty, including ensuring that any changes do not adversely affect the complainant's academic record.

The College may provide remedies for the broader student population as well, including but not limited to:

- A. Designating an individual from the College's counseling center to be "on call" to assist victims of harassment or violence whenever needed.
- B. Providing additional training to the College's designated compliance coordinators and other employees who are involved in addressing, investigating, or resolving complaints of discrimination, harassment, and retaliation, to better respond to specific types of harassment and violence.
- C. Informing students and employees of their options to notify proper law enforcement authorities, including school and local police, and the option to be assisted by College employees in notifying those authorities.
- D. Creating a committee of students or employees and College officials to identify strategies for ensuring that students and employees:
 - 1. Know the College's prohibition against discrimination, harassment, and retaliation.
 - 2. Recognize acts of discrimination, harassment (including acts of violence), and retaliation when they occur.
 - 3. Understand how and to whom to report any incidents of discrimination.
 - 4. Know the connection between alcohol and drug abuse and harassment or violence based on sex or other protected characteristics.
 - 5. Feel comfortable that College officials will respond promptly and equitably to reports of discrimination, harassment (including violence) and retaliation.
 - 6. Conducting periodic assessments of student or employee activities to ensure that the practices and behavior of students or employees do not violate the College's policies against anti-discrimination, anti-harassment, and anti-



retaliation.

7. Conducting, in conjunction with students or employees, a “climate check” to assess the effectiveness of efforts to ensure that the College is free from discrimination, harassment (including violence), and retaliation, and using the resulting information to inform future proactive steps that will be taken by the College.

In addition to these remedies, the College may impose disciplinary sanctions against the student or employee who discriminated, harassed, or retaliated against the complainant, including possible expulsion or termination.

510.5:6 Confidentiality

The identity of the complainant will be kept confidential, to the extent permitted by state and federal law. The College will notify the complainant of the anti-retaliation provisions of applicable laws and that the College will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

Adopted December 1997

Revised February 2002

Revised February 2011

Revised August 2014