



OKLAHOMA CITY  
COMMUNITY COLLEGE



**RESOURCE GUIDE FOR MATTERS OF**

# **Discrimination, Harassment, and Retaliation**

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Office of Institutional Equity  
Oklahoma City Community College 2024



## **PURPOSE**

This resource guide serves as a tool to assist faculty, staff, and students in understanding discrimination, harassment, and retaliation (DHR), the complaint resolution process, and resources. This guide is meant as a general tool and should not substitute direct consultation with the Office of Institutional Equity.



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**OCCC NO.1012**

# Equal Opportunity, Harassment, and Nondiscrimination Policy Statement


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Oklahoma City Community College (OCCC) adheres to all federal, state, and local civil rights laws prohibiting discrimination in employment and education. The institution does not discriminate in its admissions practices, in its employment practices, or in its educational programs or activities on the basis of sex, gender, race, color, ethnic or national origin, religion, age, ancestry, disability, genetic information, military status or veteran status, including employment of disabled veterans and veterans of the Vietnam Era, as required by applicable laws and regulations.

As a recipient of federal financial assistance for education activities, the College is required by Title IX of the Education Amendments of 1972 to ensure that all of its education programs and activities do not discriminate on the basis of sex/gender (sex or gender, sex or gender). Sex includes sex, sex stereotypes, gender identity, gender expression, sexual orientation, and pregnancy or parenting status.

The College also prohibits retaliation against any person opposing discrimination or participating in any discrimination investigation or complaint process internal or external to the institution. Sexual harassment, sexual assault, dating and domestic violence, and stalking are forms of sex discrimination, which are prohibited under Title IX and by College policy.





Any person may report sex discrimination (whether or not the person reporting is the person alleged to have experienced the conduct), in person, by mail, by telephone, by video, or by email, using the contact information listed for the Title IX Coordinator (Section 6.0). A report may be made at any time (including during non-business hours) by email.

Oklahoma City Community College is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, which are free from discrimination, harassment, and retaliation. To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, OCCC has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, and for allegations of retaliation. OCCC values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.



## DEFINITIONS

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# Discrimination

Discrimination is defined as actions that deprive, limit, or deny other members of the community of educational or employment access, benefit, or opportunities based on their perceived or actual race, color, ethnic or national origin, sex gender, sex stereotypes, gender identity, gender expression, sexual orientation, pregnancy, parenting status, religion, age ancestry, disability, genetic information, military status or veteran status, or any other classification/activity protected by law (referred to as “protected class(es)”).

In determining whether discrimination has occurred, the Office of Institutional Equity examines whether there was an adverse impact on the individual’s employment or educational program/activity, and whether individuals outside of the protected class received more favorable treatment. If there was an adverse impact on an individual’s employment or educational program/activity, the Office of Institutional Equity considers whether there is a legitimate, nondiscriminatory reason for the action.

### **Examples of Discrimination Based on Protected Classes**

*(but not limited to):*

- Refusing to hire or promote an individual because of their membership in a protected class status.
- Denying an individual a tangible employment benefit, such as a bonus, raise, or stipend.
- Reducing an individual’s job responsibilities because of their membership in a protected class.
- Denying an individual access to an educational program/activity based on their membership in a protected class.
- Denying an individual access to an institutional facility based on their membership in a protected class.



## DEFINITIONS

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# Harassment

Harassment is unwelcome conduct by any member or group of the community based on their actual or perceived membership in a class protected by policy or law that has the purpose or effect of:

- Substantially interfering with, limiting, or depriving a member of the community from accessing or participating in the educational or employment environment and or substantially interfering with an individual's academic performance or work performance.
- Creating an educational or working environment that a reasonable person would consider to be intimidating, hostile, or offensive.

The Office of Institutional Equity examines the context, nature, scope, frequency, duration, and location of incident, as well as the relationship of the individual(s) involved, to determine whether the conduct is sufficiently severe **or** pervasive, **and** objectively offensive to meet the standards stated above.

An individual's subjective belief that behavior is intimidating, hostile, or offensive does not deem that behavior to be prohibited harassment<sup>1</sup>. The behavior must create a hostile environment and/or substantially interfere with access to an institutional program or activity from an objective perspective.

### Examples of Harassment Based on Protected Classes

*(but not limited to):*

- A professor tells racist jokes in the classroom.
- A student group working on an assignment excludes a student's input based upon their race.
- A biology professor continually avoids communication with students of color.
- A campus hiring committee rejects all applicants whose names might have an ethnic origin.
- A student sends racist texts to another student.
- Lab instructor informs a student in wheelchair that the student cannot use equipment based on vague "safety concerns."

<sup>1</sup>OCCC reserves the right to address all forms of unwelcoming behaviors through OCCC Policy No. 2021 & 5076.



## DEFINITIONS

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# Retaliation

Retaliation is the act (or attempt) of taking a materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under policy and procedure.

Individuals who report in good faith, participate (or fails to participate) in a grievance process, or has been identified as the “Complainant” or “Respondent” are protected from retaliation.

When determining whether Retaliation has occurred, the Office of Institutional Equity examines if a causal connection exists between the individual’s protected activity and the harmful action to the individual.

### Examples of Retaliation

*(include but not limited to):*

- Faculty member alleges gender inequity in pay within her department; the Department Chair then revokes the faculty member’s approval to attend a national conference).
- Respondent opts not to participate in the hearing process; the Respondent is automatically found responsible because they opted not to participate.
- Student A testifies in an investigation involving Student B as the Respondent. Both Student A and Student B are members of a student organization in which Student B is the President. Student B revokes Student A’s membership based on their participation in the investigation.





## DEFINITIONS

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# What is Not Discrimination or Harassment

General bullying and other behaviors deemed uncivil that are not based on a protected class or activity do not fall within the scope of OCCC Policy 1012: Equal Opportunity, Harassment, and Nondiscrimination Policy and the Office of Institutional Equity.

However, such behaviors may violate other institutional policies referenced in the OCCC Faculty/Employee Handbooks, and Student Code of Conduct. Violations should be reported to an individual immediate supervisor (for staff) and/or Human Resources, the appropriate department chair or dean (for faculty), or Student Conduct (for students).

*For links to institutional policies and referenced resources, please see page [PAGE #].*

# Title IX: Sexual Misconduct

An Individual who is impacted by sex or gender-based discrimination (including sexual harassment, sexual assault, sexual orientation discrimination, discrimination based on gender identity or expression, sexual misconduct, including but not limited to dating violence, domestic violence, and stalking, may contact the Office of Institutional Equity to receive support, resources, and information even if they do not wish to file a complaint.

*Please see OCCC Policy 1012: Equal Opportunity, Harassment, and Nondiscrimination or contact the Office of Institutional Equity for additional information.*



# Reporting Obligations

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## **DISCRIMINATION AND HARASSMENT**

Employees play a vital role in helping address and rectify discriminatory practices, fostering a workplace that values equitable and inclusive processes. With the exception of confidential employees, all OCCC employees are mandated reported who are obligated to promptly report to the Office of Institutional Equity any incidents of discrimination or harassment of which they become aware of within the scope of their role.

## **TITLE IX: SEXUAL MISCONDUCT**

Individuals impacted by sexual misconduct may contact the Office of Institutional Equity to receive support, resources, and information even if they do not wish to move forward with the complaint resolution process. Please see OCCC Policy No. 1012 Equal Opportunities, Harassment, and Nondiscrimination.

## **HOW TO REPORT**

To file a report of discrimination or harassment electronically with the Office of Institutional Equity please visit:

**Harassment or Discrimination**  
[occc.edu/hr/harassment-discrimination](http://occc.edu/hr/harassment-discrimination)







## **HUMAN RESOURCES**

**MS. FAUSTINA LAYNE**  
*Interim Title IX Coordinator  
Director of Employee Relations*  
faustina.layne@occc.edu  
405-682-7823

## **OFFICE OF INSTITUTIONAL EQUITY**

**DR. CAROLYN EASTLIN**  
*Manager of Equity and  
Compliance*  
carolyn.i.eastlin@occc.edu  
405-682-7850

**MR. ASHFORD PERKINS**  
*Equity and Compliance  
Specialist*  
ashford.r.perkins@occc.edu  
(405) 682-7544

Should you need additional information or have questions, please contact the employees above.

# Complaint Resolution Process

## DISCRIMINATION, HARASSMENT, OR RETALIATION

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1. The Office of Institutional Equity receives a report of discrimination, harassment, and or retaliation.
2. An Office of Institutional Equity staff member reaches out to the individual who may have experienced discrimination, harassment, and or retaliation to provide support measures, resources, and extends an invitation to meet.
3. The person decides whether or not to meet with the Office of Institutional Equity.
  - a. The individual accepts the invitation to meet. The staff member reviews resources and options. The individual may request supportive measures and/or to proceed with resolution through investigation, educational response, or restorative resolution.
  - b. The individual declines to meet. The institution will typically honor that request.
4. The Office of Institutional Equity conducts an initial inquiry to determine appropriate next steps.
  - a. Where an investigation has been opened, an investigator from the Office of Institutional Equity will meet with the Complainant to gather information about the concern. The Complainant can suggest witnesses and provide evidence.<sup>2</sup>
5. The Office of Institutional Equity will serve the individual (Respondent) who is alleged to have committed the discrimination, harassment, and/or retaliation with a notice of allegations and investigations (NOIA) outlining the complaint, resolution process, and resources available to them.





- 6.** An investigator from the Office of Institutional Equity will meet with the Respondent to obtain information. The Respondent can suggest witnesses and provide evidence.
- 7.** The Complainant and Respondent will each have the opportunity to review the investigative report and provide additional information. In the event that new, relevant information is provided, the Complainant and Respondent will have a second opportunity to review the new information.
- 8.** When the investigation is completed, the Complainant and Respondent (the “Parties”) will receive a Notice of Outcome detailing the finding of fact and whether or not there has been a policy violation.
  - a. When a policy violation is found, and the Respondent is a student, the Office of Equity will determine sanctions and corrective active actions in accordance with the Code of Student conduct.
  - b. When a policy violation is found, and the Respondent is a staff member. The findings will be forwarded to Human Resources and the Respondent’s Manager. Any sanctions or corrective actions will be decided in accordance with the Staff Handbook.
  - c. When a policy violation is found, and the Respondent is a faculty member. The findings will be forwarded to Human Resources, Dean, and Department Chair. Any sanctions or corrective actions will be determined in accordance with the Faculty Handbook.
- 9.** Any Party may appeal a finding or sanction. Information on the grounds for an appeal and how to appeal will be included in the Notice of Outcome letter provided to the Parties.<sup>3</sup>

<sup>2</sup>Both Complainant and Respondent will have multiple opportunities to provide the investigator with evidence and or suggest witnesses.

<sup>3</sup>This flowchart is intended to provide a general overview of the complaint resolution process. A full explanation can be found in OCCC Policy No. 1012 Equal Opportunity, Harassment, and Nondiscrimination, “Process B”.



# Frequently Asked Questions

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## 1. What happens when the Office of Institutional Equity receives a report of behavior that might constitute as discrimination, harassment, and or retaliation?

The Office of Institutional Equity reaches out to the potentially impacted individual to provide information regarding policies, procedures, resources, and options including an invitation to have a meeting to discuss the situation. It is that individual's choice if they want to engage with the Office of Institutional Equity.

## 2. Do I have to make a complaint to get help?

No. The Office of Institutional Equity encourages all members of the OCCC community to reach out to us to learn more about supportive measures, resources, and options.

## 3. What happens if I want to make a complaint?

The Office of Institutional Equity will help individuals understand their options, the process, and will provide individuals with all options on how to proceed forward. These options can include educational response or formal resolution. More information regarding educational response and formal resolution can be found in OCCC Policy No. 1012 Equal Opportunity, Harassment, and Nondiscrimination.

## 4. How am I protected if I make a complaint?

Protected activity under OCCC No. 1012 Policy includes reporting in good faith an incident that may implicate this policy, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. OCCC will take all appropriate and available steps to protect individuals who fear that they may be subjected to retaliation.



OCCC and any member of OCCC's community are prohibited from taking or attempting to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

### **5. What if someone makes a complaint about me?**

As a Respondent, you feel confused and unsettled about the allegations. If you are the subject of a complaint of discrimination, harassment, and or retaliation, the Office of Institutional Equity will notify you of the allegation, your rights, and next steps. You and the Complainant will be provided several opportunities to provide your story, respond to allegations, and provide information, and suggest witnesses. The process for adjudicating formal complaints (investigation) is designed to be impartial, fair, and just to both parties.

### **6. What does an investigation look like?**

Typically, the timeframe for investigation ranges from 30-60 days but may vary depending on individual factors of a case.

OCCC investigates complaints by meeting with the Complainant with the complaint, Respondent, witnesses and review all relevant evidence. All participants within the complaint resolution process have the responsibility of being completely truthful with the information that they provide at all stages of the process.

The institution uses the preponderance of evidence standard, which means that if the evidence shows that it is more likely than not that discrimination, harassment, or retaliation occurred, the Respondent will be found responsible. Investigations are usually conducted by staff from the Office of Institutional Equity or members of the Title IX Team, who are trained in handling discrimination, harassment, and retaliation matters.

Violations of the OCCC Policy No. 1012 Equal Opportunity, Harassment, and Nondiscrimination may result in sanctions or corrective actions. Sanctions and corrective actions may include but not limited to required training through termination/expulsion (students). For more information, please consult the respective policy.





OKLAHOMA CITY  
COMMUNITY COLLEGE

*Student*  
**SUCCESS**  
*Community*  
**ENRICHMENT**

**STUDENT  
RESOURCES**

**COUNSELING SERVICES**

*Student Accessibility Support Services*

Main Building | 8 AM - 5 PM  
405.682.7520

**BetterMynd**

Online Counseling 24/7  
bettermynd.com

**FACULTY & STAFF  
RESOURCES**

**EMPLOYEE  
ASSISTANCE PROGRAM**

**SupportLinc**

supportlinc.com  
Group Code: OCCC  
888.881.5462

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occc.edu | 405.682.1611 | 7777 S May Avenue, Oklahoma City, OK 73159

GREATNESS WITHIN YOU. COMMUNITY AROUND YOU. SUCCESS AHEAD OF YOU.