

NON-DISCRIMINATION POLICY

Diversity is one of the strengths of our society as well as one of the hallmarks of a great university. The University supports diversity and is committed to maintaining employment, educational, and health care settings that are multicultural, multiracial, multiethnic, and all-inclusive. Respecting differences is one of the University's missions.

The University does not discriminate or permit discrimination by any member of its community against any individual based on the individual's race, color, religion, political beliefs, national origin (including actual or perceived shared ancestry or ethnic characteristics), age (40 or older), sex (<https://www.rsu.edu/campus-life/student-resources/gender-based-misconduct/>), sexual orientation, genetic information, gender identity, gender expression, disability, or veteran status in matters of admissions, employment, financial aid, housing, services in educational programs or activities, or health care services that the University operates or provides.

University policy prohibits retaliation against a person for filing a complaint of discrimination or harassment under this policy or other applicable federal, state, or local laws. This policy also prohibits retaliation against any person who assists someone with a complaint of discrimination or harassment or who participates in any manner in an investigation or resolution of a complaint of discrimination or harassment.

1. **Discrimination:** Discrimination, including harassment, is defined as conduct directed at a specific individual or group of identifiable individuals that subjects the individual or group to treatment that adversely affects their employment, education, health care, or access to institutional benefits on account of the individual's or group's race, color, religion, political beliefs, national origin (including actual or perceived shared ancestry or ethnic characteristics), age (40 or older), sex (see Sexual Misconduct, Discrimination and Harassment policy (<https://www.rsu.edu/campus-life/student-resources/gender-based-misconduct/policies-procedures/>), sexual orientation, genetic information, gender identity, gender expression, disability, or veteran status.
2. **Harassment:** Harassment as a form of discrimination is defined as verbal or physical conduct that is directed at an individual or a group on account of the individual's or group's race, color, sex (see Sexual Misconduct, Discrimination and Harassment policy (<https://www.rsu.edu/campus-life/student-resources/gender-based-misconduct/policies-procedures/>), sexual orientation, genetic information, gender identity, gender expression, religion, political beliefs, national origin (including actual or perceived shared ancestry or ethnic characteristics), age (40 or older), disability, or veteran status when such conduct is sufficiently severe, pervasive, and objectively offensive so as to have the purpose or effect of unreasonably interfering with an individual's or group's academic or work performance or ability to receive health care services or of creating a hostile academic, work, or health care environment viewed by examining a totality of the circumstances from the standpoint of a reasonable person with the same characteristics as the purported recipient of the harassing conduct.
3. **Reasonable Accommodation/Accessibility and Other Assistance:**
 1. Reasonable accommodation with respect to employment matters should be coordinated with the Office of Human Resources and the disabled individual (<https://www.rsu.edu/about/offices-services/human-resources>).
 2. Reasonable accommodation with respect to faculty employment should be referred to the Office of the Academic Vice President.

3. Students and visitors with questions regarding accommodations during pregnancy are encouraged to contact the Accessibility and Disability Resource Center (<https://www.rsu.edu/campus-life/student-resources/disability-services/>).
4. For individuals seeking or receiving health care from the University: The department providing services will make available, at no cost to the individual, aids such as qualified sign-language interpreters, assistive devices, and alternate format materials (large print, audio, accessible electronic formats) to individuals who need such assistance and who are receiving health care from the University at no cost to the individual. For individuals whose primary language is not English and who are receiving health care from the University, language interpretation and translation services will be made available. (See Policy and Procedures for Communication with Patients with Limited English Proficiency and Auxiliary Aids and Services for Patients with Disabilities Policy)
4. **Retaliation:** Retaliation includes attempting to penalize or taking any form of adverse action against a person because of his or her filing of a complaint of discrimination or harassment and/or participating or assisting in any manner with an investigation or resolution of a complaint of discrimination or harassment. Adverse action includes, but is not limited to, making threats, intimidation, reprisals or any other adverse action relating to employment, academic, health care, or institutional benefits.

II. Education and Training

The University provides an anti-discrimination training course to employees upon request or as needed. Employees may be required to participate in anti-discrimination training as needed. Requests for training should be directed to the Office of Human Resources or Office of Student Affairs.

III. Intentionally False Reports

Individuals who make reports that are later found to have been intentionally false or misleading or made maliciously and without regard for truth may be subject to disciplinary action up to and including termination or expulsion. This provision does not apply to reports made in good faith, even if the facts alleged in the report cannot be substantiated by an investigation.

IV. Free Speech and Academic Freedom

Members of the University community enjoy significant free speech protections guaranteed by the First Amendment of the United States Constitution. This policy is intended to protect members of the University community from discrimination, not to regulate protected speech. No provision of this policy shall be interpreted to prohibit conduct that is legitimately related to course content, teaching methods, scholarship, or public commentary of an individual or faculty member or the educational, political, artistic or literary expression of students in classrooms and public forums. However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or state anti-discrimination laws.

V. Complaints

Any individual who at the time of the actions complained of was employed by the University, was an applicant for University employment, was enrolled as a student or an applicant for admission at the University, or who was seeking or receiving health care services from the University may file a

complaint with the Equal Office of Student Affairs for review and investigation regarding complaints of discrimination or harassment against University students, faculty, staff, those third parties utilizing University services, or third parties on University premises

The University will make appropriate arrangements to ensure that individuals with disabilities and/or limited English proficiency are provided with services or language assistance needed to file a complaint. The Office of Student Affairs will be responsible for making such arrangements.

Such complaints must be brought within 365 calendar days of the alleged discriminatory event.

The University investigates complaints consistent with the Investigative Process for Internal Complaints Under the Non-Discrimination Policy, which is available at <https://www.rsu.edu/campus-life/student-resources/gender-based-misconduct/policies-procedures/>.

VI. Additional Avenues of Recourse

In addition to filing a complaint under the University's Non-Discrimination Policy, individuals may have additional reporting and legal options depending on the circumstances.

Examples of other potential avenues of redress include:

- Equal Employment Opportunity Commission (www.eeoc.gov)
- U.S. Department of Justice (www.justice.gov)
- U.S. Department of Education, Office of Civil Rights (www2.ed.gov/ocr)
- Oklahoma Human Rights Commission (www.ok.gov/ohrc/)
- Local law enforcement including the Rogers State University Claremore Campus Police, 918-343-7624, police@rsu.edu

Filing internal complaints does not satisfy any potential timing and reporting requirements otherwise required by the above entities or by law.

Effective August 1, 2024