

OAKLAND UNIVERSITY

ADMINISTRATIVE POLICIES AND PROCEDURES

710 ADMINISTRATIVE GUIDELINES PROHIBITING DISCRIMINATION

SUBJECT: ADMINISTRATIVE GUIDELINES PROHIBITING DISCRIMINATION
NUMBER: 710
AUTHORIZING BODY: BOARD OF TRUSTEES
RESPONSIBLE OFFICE: OFFICE OF DIVERSITY, EQUITY AND INCLUSION
DATE ISSUED: APRIL 1989
LAST UPDATE: JANUARY 2002

RATIONALE: Oakland University is committed to equality of opportunity for all persons. In a society that relies on an informed, educated citizenry, no one should be denied the opportunity to attain his or her fullest potential. The University strives to build a community that welcomes and honors all persons and that provides equal opportunity in education and employment.

POLICY:

1. **Statement:** The Board of Trustees approved an Equal Opportunity Policy ("Policy") that provides that there shall be no unlawful discrimination against any person on the basis of race, sex, sexual orientation, age, height, weight, disability, color, religion, creed, national origin or ancestry, marital status, familial status, or veteran status. The University affirmatively follows the provisions of applicable State and Federal anti-discrimination legislation in all of its activities in this area. The Policy is applied co-extensively with such laws, and neither it nor this document shall be interpreted as creating any rights, contractual or otherwise, that are greater than exist under those laws.

To the extent that the Policy conflicts with first amendment or other legal rights as members of the University community, such other relevant legal provision shall control. Furthermore, the Policy shall not be interpreted to modify eligibility criteria for student and employment benefits or modify the legal definition of the

terms "spouse" or "dependent."

Harassment based on a person's race, sex, sexual orientation, age, height, weight, disability, color, religion, creed, national origin or ancestry, marital status, familial status, or veteran status is generally prohibited by law and, therefore, is a form of discrimination prohibited by the Policy. Sexual harassment also includes conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an individual's work, academic performance, or use of University services, or which creates an intimidating, hostile, or offensive working, educational or service environment. Examples of sexual harassment include, but are not limited to, sexual assault and unwelcome: sexual propositions, sexually graphic comments about a person's body, touching, patting, pinching, leering, persistent sexual jokes or comments, and displays of sexually graphic pictures.

The University prohibits retaliation against persons who lodge discrimination complaints under the OU AP&P #711 Guidelines for Handling Discrimination Complaints and persons who serve as witnesses or otherwise cooperate with University discrimination investigations. This is true regardless of whether the University finds that unlawful discrimination occurred.

2. **Disciplinary Action:** Faculty, staff and students who engage in discrimination or retaliation may be disciplined, up to and including termination of employment or expulsion. The applicable grievance/disciplinary procedure, if any, will apply. Faculty, staff and students must contact Diversity, Equity & Inclusion ("DEI") for clarification if they do not understand what conduct is prohibited by the Policy. Discipline will not be reduced if a faculty member, staff member or student claims s/he did not understand that his/her behavior was prohibited by policy. Persons who are not members of the University community who violate this Policy while on campus may be prohibited from coming onto part or all of the campus.
3. **Responsibility of Higher Management:** Each Vice President, Dean, director, and each supervisor with authority to hire, fire and discipline subordinates (collectively referred to as "Higher Management") is responsible for ensuring that their subordinates are aware of and adhere to this Policy.
4. **Mandatory Reporting by Higher Management:** Higher Management must refer complaints or reports of discrimination or retaliation to DEI, if it concerns an employee, the Dean of Students, or a student.
5. **How to Report Perceived Discrimination:** Members of the University community are strongly encouraged to report incidents of discrimination and retaliation. The process for lodging complaints with the University is described in OU AP&P #711 Guidelines for Handling Discrimination Complaints.
6. **Speaking Confidentially:** The University acknowledges that there may be times when faculty, staff and students want to speak confidentially about what they are

experiencing with confidence that the matter will not be referred for investigation. The University's Counseling Service, OU Counseling Center, (248) 370-3465, is available to students and employees for that purpose.

SCOPE AND APPLICABILITY:

DEFINITIONS:

PROCEDURES:

RELATED POLICIES AND FORMS:

OU AP&P #711 Guidelines for Handling Discrimination Complaints

APPENDIX: