

POLICY

Ocean County College is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination based on protected characteristics, harassment, and retaliation for engaging in protected activity.

The College values and upholds the equal dignity of all members of its community and strives to balance the rights of the Parties in the resolution process during what is often a difficult time for all involved.

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 education program or activity, Ocean County College has developed policies and procedures that provide for prompt, fair, and impartial resolution of allegations of protected characteristic discrimination, harassment or allegations of retaliation.

Notice of Nondiscrimination

Ocean County College adheres to all federal and state civil rights laws and regulations prohibiting discrimination in public institutions of higher education.

Ocean County College does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of actual or perceived: race, religion, hearing status, personal appearance, color, sex, pregnancy or related conditions, political belief or affiliation, source of income, place of business, residence, ethnicity, national origin (including ancestry), citizenship status, physical or mental disability (including perceived disability), age, marital status, family responsibilities, sexual orientation, gender identity, gender expression, genetic information (including family medical history), veteran or military status (including disabled veteran, recently separated veteran, active duty wartime or campaign badge veteran, and Armed Forces Service Medal veteran), domestic violence victim status, height, weight or any other protected category under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any grievance process within the institution, with the Equal Employment Opportunity Commission, or other human/civil rights agencies.

This policy covers nondiscrimination in both employment and access to educational opportunities. Therefore, any member of the Ocean County College community whose acts deny, deprive, unreasonably interfere with or limit the educational, employment or social access, benefits, and/or opportunities of any member of the Ocean County College community, guest, or visitor on the basis of that person's actual or perceived protected characteristic(s) is in violation of the Ocean County College policy on nondiscrimination.

Ocean County College is committed to maintaining compliance with the following laws:

New Jersey Law Against Discrimination - N.J.S.A. 10:5-1 et seq.
New Jersey State Wage and Hour Law - N.J.S.A 34:11-56a et seq.
Age Discrimination in Employment Act of 1967 - 29 U.S.C. 621-634
Americans with Disabilities Act of 1990 - 42 U.S.C 12101 et seq.
Civil Rights Act of 1966 - 42 U.S.C 1981
Title VI Civil Rights Act of 1964 - 42 U.S.C. 2000d
Title VI Civil Rights Act of 1964 - 42 U.S.C. 2000e

Civil Rights Act of 1991 - 29 U.S.C. 621 et seq. - 42 U.S.C. 1981, 1989, 2000e, 12101 et seq.
Equal Pay Act of 1963 - 29 U.S.C. 206 (d)
Executive Order 11246 - 30 Fed. Reg. 12319
Fair Labor Standards Act of 1968 - 29 U.S.C 201-219
Title IX Higher Education Act of 1965 (as amended by the Education Amendments of 1972, Title IX),
20 U.S.C. 1681-1686
Occupational Safety and Health Act of 1970, 29 U.S.C 651-678
Rehabilitation Act of 1973 - 29 U.S.C. 701-796i, 793-794, Section 503, and Section 504.
Revenue Sharing act of 1972 - 31 U.S.C. 6716-6722
Vietnam Era Veterans' Readjustment Act of 1974 - 38 U.S.C. 2011-2012

The College is also committed to maintaining compliance with any modification of existing antidiscrimination laws or new anti-discrimination laws which apply to Ocean County College.

Treatment of Complaints

Ocean County College will promptly and effectively address any such discrimination of which it has Knowledge/Notice using the appropriate resolution process(es) associated with this policy and/or others referenced in the procedure including the Progressive Discipline policy (Policy #3006), the Formal Student Complaint policy (Policy #5230), and/or the Student Discipline policy (Policy #5247).

Retaliation

It is prohibited for Ocean County College or any member of Ocean County College's community (in collusion with or on a party's behalf) 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 the policy. In accordance with Federal Title IX law, the College can and may require staff and faculty to participate in any Title IX investigation in which they are named a complainant, respondent, or witness.

Protected activity under this policy includes reporting an incident that may implicate this policy, participating in the complaint 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 of this policy.

Adopted: December 9, 1991
Revised: June 23, 2003
Revised: April 28, 2022
Revised: November 3, 2022
Revised: June 27, 2024

PROCEDURE

The Title IX and ADA/504 Coordinator has been designated as the Ocean County College administrator responsible for overseeing efforts to comply with discrimination laws based on sex, pregnancy or related conditions, physical or mental disability (including perceived disability), sexual orientation, gender identity, gender expression, domestic violence victim status including responding to complaints and coordinating and/or conducting investigations of any allegation of noncompliance of these laws.

Complaints related to sex/gender-based harassment or discrimination will be addressed using the procedures identified in the Title IX Complaint Report and Response Procedure Manual (for incidents occurring on or after August 1, 2024) or The Nondiscrimination, Equal Opportunity, and Harassment Grievance Procedure manual (for incidents occurring August 14, 2020 through July 31, 2024). A copy of the governing manual may be obtained from the office of the Title IX and ADA/504 Coordinator or may be viewed online.

Complaints alleging discriminatory treatment based on disability status and/or in the accommodations process will be addressed using the procedures identified in the ADA/504 Complaint Report and Response Procedure. A copy of this procedure may be obtained from the office of the Title IX and ADA/504 Coordinator or may be viewed online at https://www.ocean.edu/admission_and_aid/nondiscrimination/.

Ocean County College encourages faculty, staff, and students who have questions about Title IX or ADA/504 compliance or who want to report an incident of discrimination including sex/gender-based harassment/discrimination and or disability status to contact the Title IX and ADA/504 Coordinator via one of the following methods:

- For Title IX Complaints: By submitting the online [Title IX Violation Report](#)
- For Complaints based on Disability Status: By submitting the online [Harassment, Discrimination \(not sex/gender-based\), ADA/504, and Retaliation Complaint Form](#)
- By visiting the Title IX and ADA/504 Coordinator's office located in the Administration Building (#1), Suite 112
- By contacting: Eileen Buckle, Title IX and ADA/504 Coordinator
 - Phone: (732) 255-0400 extension 2944
 - E-mail: TitleIXCoordinator@ocean.edu or ebuckle@ocean.edu
 - Postal Mail:
 - Ocean County College
 - Office of Human Resources, Attn: Title IX and ADA/504 Coordinator
 - PO Box 2001
 - Toms River, NJ 08754

The Assistant Vice President of Facilities has been designated as the administrator responsible for overseeing efforts to comply with Title II of the ADA relating to grounds and facilities. Questions or concerns regarding accessibility of grounds or facilities may be submitted to the AVP as follows:

- In person by appointment (call or e-mail to request an appointment)
 - Phone: (732) 255-0400 extension 2066
 - Email: jcalamia@ocean.edu

- By postal mail:
Ocean County College
Attn: AVP, Facilities
PO Box 2001
Toms River, NJ 08754

The College's procedures for responding to all other forms of discrimination and harassment vary depending on whether the respondent is a student, faculty member, or staff member.

- Review of complaints against students will be guided by the Ocean County College Code of Student Conduct ([Policy #5247](#))
- Complaints made by students against employees will be addressed through the Formal Student Complaint policy ([Policy #5230](#)) its associated procedures, and/or other policies governing employee discipline when warranted.
- Complaints made by employees against other faculty or staff will be addressed as follows:
 - For employees covered by a bargaining agreement, the contractual process governing disciplinary action will be utilized ([Policy #3006](#)).
 - For employees not covered by a bargaining agreement, the process in the applicable employee handbook will be utilized ([Policy #3006](#)).

ADOPTED: December 17, 1991

Revised: April 30, 1996

Revised: April 25, 2000

Revised: November 21, 2000

Revised: June 24, 2003

Revised: February 14, 2007

Revised: April 28, 2022

Revised: June 27, 2024