

BGSU's Racial & Ethnic Harassment Policy

The policy of Bowling Green State University is that racial and ethnic harassment will not be condoned. Moreover, the University will use its influence and encourage the community-at-large to treat its students, faculty and staff and affiliated visitors in a manner consistent with the principles of this policy. The policy is in keeping with the spirit and intent of federal, state, municipal and University guidelines governing racial discrimination.

I. Definition

Racial and ethnic harassment constitutes any physical or verbal behavior that subjects an individual to an intimidating, hostile or offensive educational, employment or living environment. Such harassment:

- A) denigrates or stereotypes an individual because of his or her racial or ethnic affiliation;
- B) demeans or slurs an individual through pictorial illustrations, graffiti or written documents or material because of his or her racial or ethnic affiliation;
- C) makes unwarranted and disparaging references or innuendoes in attributing an individual's personal conduct, habit or lifestyle to his or her racial or ethnic affiliation.

II. Regulations

- A) It is a violation of University policy and the Student Code for any member of the faculty, administrative and classified staff or student body to engage in harassment, as is defined in Section I.
- B) It is a violation of University policy to retaliate against anyone bringing forth an honestly perceived complaint of racial or ethnic harassment.

III. Responsibilities

- A) On a University-wide basis, the Office of Equity & Diversity is responsible for the coordination and implementation of Bowling Green State University's Racial and Ethnic Harassment Policy. This office will serve as the resource with regard to all matters of this nature.
- B) Each dean, director, department chair, and administrative head of an operational unit is responsible for the dissemination and implementation of this policy within his or her area of responsibility. Persons at this level are also responsible for referring reported incidents of racial and ethnic harassment to the Office of Equity & Diversity.
- C) It is expected that each faculty member, administrative staff member and classified staff member will ensure adherence to this policy within his or her area of responsibility. Such efforts are largely a matter of good faith.

D) It is the responsibility of all members of the University community to discourage harassment, report such incidents and cooperate in any investigation that might result.

IV. Grievance Procedures

The procedures outlined below are designed to provide sufficient flexibility in which to deal with the wide range of incidents that fall under the terms "racial or ethnic harassment". They are intended to be responsive to the particular situation at hand and will be investigated as the allegations under review indicate.

A) Procedure for the Complainant

1. Any individual who believes that he or she has been racially or ethnically harassed should contact the Office of Equity & Diversity. Staff in this office will initially discuss the matter with the complainant to ascertain as fully as possible, the validity of the charges and the scope of the problem. At this time, it will be determined if there is an AA/EEO basis for investigation.

2. The staff of the Office of Equity & Diversity will, as a general practice, seek a written statement of the allegations from the complainant, but a written statement is not required.

3. The role of the Office of Equity & Diversity in the processing of the complaint will include, but is not limited to, the following:

a. consultation with the complainant,

b. discussion with appropriate persons suggested by the complainant who may have knowledge of the situation and can be of assistance in establishing the facts of the complaint,

c. preparation of a complete investigative report of the complaint, including any recommendations for resolution, which shall be submitted, in writing, to the President or appropriate Vice President for administrative action. Results of the investigation will also be communicated to the complainant, respondent, and other appropriate individuals.

4. If the complainant is not satisfied with the action taken by the Vice President, they may appeal, in writing, to the President of the University. The appeal must be filed within seven (7) calendar days of notification of the Vice President's decision. The President will review the appeal and respond, in writing, within ten (10) calendar days after receiving the appeal, to all parties - respondent, complainant, Director of Equity & Diversity, and the appropriate Vice President - concerning the disposition of the appeal. The decision of the President is final.

B) Procedure for the Respondent

1. The role of the Office of Equity & Diversity in the processing of the complaint will include, but is not limited to, the following:

a. consultation with the respondent,

b. discussion with appropriate persons suggested by respondent who may have knowledge of the situation and can be of assistance in establishing the facts of the complaint.

c. preparation of a complete investigative report of the complaint, including recommendations for resolution, which shall be submitted, in writing, to the President or appropriate Vice President for administrative action. Results of the investigation will also be communicated to the complainant, respondent, and other appropriate individuals. Records of all investigations are kept on file in the Office of Equity & Diversity in accordance with University policy, and appropriate state laws regarding record retention.

2. If the respondent is not satisfied with the action by the Vice President, the respondent may appeal, in writing, to the President of the University. The appeal must be filed within (7) calendar days of the notification of the Vice President's decision. The President will review the appeal and respond, in writing, within ten (10) calendar days after receiving the appeal, to all parties—respondent, complainant, Director of Equity & Diversity, and the appropriate Vice President—concerning the disposition of the appeal. The decision of the President is final.

C) Principles

In investigating complaints of unlawful racial or ethnic harassment, the following principles will be adhered to:

1. Each complaint will be handled on an individual, case-by-case basis, taking a look at the record as a whole and at the totality of circumstances.
2. The investigation will be conducted as fairly and expeditiously as possible.
3. In investigating complaints, every effort will be made to ensure confidentiality.
4. An individual bringing forth an honestly perceived complaint will not suffer any type of retaliation regardless of the outcome of the complaint.
5. The complaint will be resolved in a manner that is consistent with this policy and also fair and equitable to all parties concerned.
6. Nothing in this policy should be interpreted as interfering with the practice of academic freedom at Bowling Green State University.
7. The purpose of this policy is to end racial and ethnic harassment, and, therefore, it may not be used by a complainant to achieve personal goals not in conformity with the purpose of this policy.

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