

Sexual Harassment Policy for BGSU

It is the policy of Bowling Green State University that sexual harassment will not be condoned. This policy applies equally to faculty, administrative and classified staff, and students and is in keeping with the spirit and intent of guidelines on discrimination because of sex.

I. Definition

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

A. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic pursuits,

B. submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual, or

C. such conduct has the purpose or effect of unreasonably interfering with an individual's employment or academic performance or creating an intimidating, hostile or offensive working or educational environment.

II. Regulations

A. It is a violation of University policy for any member of the faculty, administrative and classified staff, or student body to engage in sexual harassment, as defined in Section I.

B. It is a violation of University policy to retaliate against anyone bringing forth an honestly perceived complaint of sexual 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 sexual 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 sexual 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 sexual 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 term “sexual 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 Complainant

1. Any individual who believes that he or she has been sexually 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 a 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 individual(s).

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 appropriate 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 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 taken by the Vice President, the respondent may appeal, in writing, to the President of the University. The appeal must be filed within seven (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 harassment and discrimination, 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.

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