

## **Equal Opportunity Policies**

### **Non-Discrimination Policy**

Bowling Green State University is committed to providing equal educational opportunity. The University provides access to educational programs and activities without regard to race, sex, sexual orientation, gender identity, gender expression, color, national origin, ancestry, genetic information, pregnancy, religion, age, disability, or status as a veteran. Any grievance regarding alleged discrimination due to race, sex, sexual orientation, gender identity, gender expression, color, national origin, ancestry, genetic information, pregnancy, religion, age, disability, or status as a veteran shall be reported to the Office of Human Resources, 1851 N. Research Drive, 419-372-8421. If both parties are students, complaints should be reported to the Office of the Dean of Students, 301 Bowen-Thompson Student Union, 419-372-2843.

### **Racial and Ethnic Harassment or Discrimination**

The policy of Bowling Green State University is that racial and ethnic harassment or any form of discrimination will not be condoned. Moreover, the University will use its influence to 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 and ethnic harassment of any form of discrimination.

#### **1. 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 due to his or her racial or ethnic affiliation.

## **Regulations**

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

#### **1. Responsibilities**

- a. On a University-wide basis, the Office of Human Resources is responsible for the coordination and implementation of Bowling Green State University's Discrimination and 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 adherence of this policy within his or her area of responsibility. Persons at this level are also responsible for referring reported unresolved incidents of racial and ethnic harassment to the Office of Human Resources.
- 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 which might result.

#### **4. Operating Procedures**

Operating procedures for processing complaints of sexual harassment, racial and ethnic harassment or other forms of discrimination prohibited by University policies are available and can be found on the University website for the Office of the Dean of Students ([www.bgsu.edu/offices/sa/deanofstudents](http://www.bgsu.edu/offices/sa/deanofstudents)) and for the Office of Human Resources ([www.bgsu.edu/equity-and-diversity.html](http://www.bgsu.edu/equity-and-diversity.html)). The procedures are designed to be an efficient and effective way of addressing a complaint from a student that some act or incident has abridged that student's right under University policies to live, learn and work in an environment that is free of harassment, discrimination and intimidation. Allegations of wrongdoing will be investigated fully, as warranted by the facts and circumstances, and every investigation will be conducted under procedures that give full recognition to the rights of all concerned parties. Students are urged to review our policies and procedures and to address any questions that they may have on these issues to the Office of the Dean of Students, 301 Bowen-Thompson Student Union, 419-372-2843, or the Office of Human Resources, 1851 N. Research Drive, 419-372-8421. The procedures outlined below are designed to provide sufficient flexibility in which to address the wide range of incidents that fall under the terms "unlawful harassment and discrimination." 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 harassed, ethnically harassed or sexually harassed should contact the Office of Human Resources. 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 that time, it will be determined if there is a basis for a formal investigation.
  2. The staff of the Office of Human Resources 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 Human Resources 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 formal investigative report of the complaint shall be submitted, in writing, to the appropriate decisional authority 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 Human Resources in accordance with University policy, and appropriate state laws regarding record retention.
  4. If the complainant is not satisfied with the action taken by the decisional authority, 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 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, Chief Human Resources Officer, and the appropriate decisional authority 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 Human Resources 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 formal investigative report of the complaint, which shall be submitted, in writing, to the appropriate decisional authority 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 Human Resources in accordance with University policy, and appropriate state laws regarding record retention.
  2. If the respondent is not satisfied with the action by the decisional authority, 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 decisional authority'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, Chief Human Resources Officer, and the appropriate decisional authority—concerning the disposition of the appeal. The decision of the President is final.
- C. Principles in investigating complaints of discrimination or harassment, the following principles will be adhered to:
1. Each complaint will be handled on an individual, case-by-case basis, considering the complete record and all relevant circumstances.
  2. Investigation will be conducted as fairly and expeditiously as possible.
  3. In investigating complaints of unlawful discrimination or harassment, 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 which 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 all forms of discrimination or harassment, and therefore it may not be used by a complainant to achieve personal goals not in conformity with the purpose of this policy.