Equal Opportunity and Diversity 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, marital status, 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, marital status, disability, or status as a veteran shall be reported to the Office of Equity and Diversity, 140 McFall Center, 419-372-8476. If the respondent is a student, complaints should be reported to the Office of the Dean of Students, 301 Bowen-Thompson Student Union, 419-372-2843.

Procedures for Filing Allegations of Discrimination and Sexual Harassment
Bowling Green State University strives to create and maintain a positive academic and social environment both on-campus and in the greater community. There are times, however, when members of our community may feel that others have engaged in actions that diminish either the environment or disrespect the individual. In these instances, members of the community have the right to file a complaint with the University. The procedures outlined below address how and where a complaint involving discrimination or harassment in any form should be documented and filed with the University, as well as the procedures utilized by the University to investigate and resolve the complaint. Questions regarding any step of the process should be directed to either the Office of Equity and Diversity (419-372-8476) or the Office of the Dean of Students (419-372-2843).

Racial and Ethnic Harassment
The policy of Bowling Green State University is that racial and ethnic harassment 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 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.

2. 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 above.
   b. It is a violation of University policy to retaliate against anyone bringing forth an honestly perceived complaint of racial or ethnic harassment.

3. Responsibilities
   a. On a University-wide basis, the Office of Equity and Diversity (140 McFall Center) 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 unresolved incidents of racial and ethnic harassment to the Office of Equity and 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 which might result.

4. Grievance Operating Procedures
Operating procedures for processing complaints of racial and ethnic harassment or other forms of discrimination prohibited by University policies are available in the Office of Equity and Diversity (140 McFall Center) and the Office of the Dean of Students (301 Bowen-Thompson Student Union). These procedures may also be found on the University website for the Office of the Dean of Students (www.bgsu.edu/offices/SA/deanofstudents) and for the Office of Equity and Diversity (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 Equity and Diversity, 140 McFall Center, 419-372-8476. 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 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, Chief Equity Officer, 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 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 racial or ethnic 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 racial or ethnic 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 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.

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

Policy Guidelines
1. 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.
2. 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 1.
   b. It is a violation of University policy to retaliate against anyone for filing or bringing forth a good faith complaint of sexual harassment.

3. Responsibilities
   a. On a University-wide basis, the Office of Equity and Diversity (140 McFall Center) 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 and 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 which might result.

4. Grievance Operating Procedures
   A. Operating procedures for processing complaints of sexual harassment or other forms of discrimination prohibited by University policies are available in the Office of Equity and Diversity (140 McFall Center) and the Office of the Dean of Students (301 Bowen-Thompson Student Union). These procedures may also be found on the University website for the Office the Dean of Students (http://www.bgsu.edu/dean-of-students/student-conduct/report-an-incident.html) and for the Office of Equity and Diversity (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 Equity and Diversity, 204 University Hall, 419-372-6476.

   The procedures outlined below are designed to provide sufficient flexibility in which to deal with the wide range of incidents which 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.

   B. 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, Chief Equity Officer, and the appropriate Vice President—concerning the disposition of the appeal. The decision of the President is final.

   C. 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, Chief Equity Officer, and the appropriate Vice President concerning the disposition of the appeal. The decision of the President is final.

D. Principles

In investigating complaints of sexual 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 which is consistent with this policy and also fair and equitable to all parties concerned.

Student with Disabilities

It is the policy of Bowling Green State University that discrimination or harassment on the basis of disability 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 disability. Bowling Green State University has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Americans with Disabilities Act (ADA) and the regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794). Section 504 states, in part, that “no otherwise qualified handicapped individual…shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance…."

Complete information for students, faculty, staff and visitors with Disabilities, including grievance procedures, is available in the Office of Disability Services, 38 College Park Office Building, or the Office of Student Affairs.

Title IX Policies

Title IX of the Education Amendment of 1972 prohibits discrimination on the basis of a person’s gender in educational programs or activities operated by recipients of federal financial assistance. Title IX protects all students, employees, and visitors to campus from gender discrimination. All forms of gender discrimination is strictly prohibited by federal and state laws, and BGSU policy.

BGSU’s compliance with Title IX is managed by a Title IX coordinator, with the assistance of six deputy coordinators. Any student, faculty, or staff member with a concern or question about Title IX and/or a potential violation may seek the assistance of the Title IX Coordinator or a Deputy Coordinator. A coordinator is available to help you understand your options. If you think you may have experienced or witnessed any of the following, but not limited to:

- Sexual harassment
- Sexual assault
- Sexual misconduct
- Stalking
- Intimate partner and relationship violence
- Intimidation or harassment, including bullying or cyber-bullying

Contact the Office of Equity and Diversity for additional information regarding Title IX compliance and reporting at BGSU: www.bgsu.edu/equity-and-diversity.html

Prohibition against retaliation

Retaliation against members of the BGSU community who exercise their right to file charges of discrimination or harassment is strictly prohibited by state and federal law and University policy. No person at the University may harass, coerce, intimidate or discriminate against an individual who has filed a complaint or participated in a complaint resolution process. Charges of retaliation related to a Title IX incident will be investigated by the Office of Equity and Diversity.

Confidentiality

As a public institution, BGSU cannot promise complete confidentiality. Each situation is handled as discreetly as possible. The university will treat all individuals with respect, and maintain confidentiality to the extent that the state and federal law permits.

Under Title IX, whether an individual is obligated to report incidents of alleged sexual violence generally depends on whether the individual is a responsible employee of the school. A responsible employee must report incidents of sexual violence to the Title IX coordinator or other appropriate school designee, subject to the exemption for school counseling employees. BGSU is obligated to address sexual violence that a responsible employee knew or should have known about.

The responsible employee will make every effort to ensure that the student understands: (i) the employee’s obligation to report the names of the alleged perpetrator and student involved in the alleged sexual violence, as well as relevant facts regarding the alleged incident (including the date, time, and location), to the Title IX coordinator or other appropriate school officials, (ii) the student’s option to request that the school maintain his or her confidentiality, which the school will consider, and (iii) the student’s ability to share the information confidentially with counseling, advocacy, health, mental health, or sexual assault related services. (e.g., sexual assault resource centers, campus health centers, pastoral counselors, and campus mental health centers). Please note, however, that if someone presents a danger to themselves or others, medical/health professionals may break confidentiality to ensure safety.