



## Ohio Administrative Code Rule 3341-5-38 Sexual harassment.

Effective: [March 3, 2017](#)

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### (A) Policy statement and purpose

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.

### (B) Policy

#### (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.



(b) Retaliation against members of the Bowling Green state university community who exercise their right to file charges of discrimination or harassment is strictly prohibited by state and federal law and university policy. Retaliation is prohibited whether or not the charging party prevails in the original charge. Subsequent to, or contemporaneous with the charge, no agent of the university may harass, coerce, intimidate, or discriminate against an individual who has filed a complaint or participated in the complaint resolution process. Charges of retaliation will be investigated by the office of human resources.

### (3) 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 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 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 sexual harassment, report such incidents, and cooperate in any investigation that might result.

### (4) Principles

In investigating complaints of unlawful harassment and discrimination, the following principles will be adhered to:

(a) 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.



- (b) The investigation will be conducted as fairly and expeditiously as possible.
  
- (c) In investigating complaints, every effort will be made to ensure confidentiality.
  
- (d) An individual bringing forth an honestly perceived complaint will not suffer any type of retaliation regardless of the outcome of the complaint.
  
- (e) The complaint will be resolved in a manner that is consistent with this policy and also fair and equitable to all parties concerned.