





application, hiring, student admissions, corrective action or discharge, promotions, job or educational opportunities, evaluation, employee compensation, or other terms and conditions of an individual's education and/or employment.

Harassment: unwelcome conduct that creates a hostile environment or otherwise results in individuals being denied equal opportunity in the terms and conditions of their employment or education that is based upon an individual's protected status, as defined above.

Harassment, including sexual harassment and sexual violence, as defined in this policy, is a form of discrimination under the law and under this policy. The University will investigate allegations of sexual violence pursuant to the Sexual Misconduct Policy

Sexual Harassment: a specific form of harassment that generally has been defined in two broad categories:

Quid Pro Quo: involves promises (for example, raises, promotions, high grades, etc.) based on an individual's willingness to submit to unwelcome behavior, including sexual favors or activities or relationships or other unwelcome attention based on the person's sexuality or gender. It also can involve threats (e.g. demotion, bad grades, corrective action, etc.) based on an individual's refusal to submit to unwelcome behavior, including being involved in a sexual or romantic relationship, granting sexual favors, or engaging in other sexual or unwelcome activities based on sexuality or gender. The promise or threat does





or retaliation in violation of this policy is encouraged to report the incident(s), even if you are uncertain whether what you are experiencing or witnessing constitutes a violation of this policy. Prompt reporting of incidents is critical to effective enforcement of this policy.

In addition, all persons aware of discrimination, harassment, or retaliation also are urged to report in the manner designated below.

<u>Aggrieved</u>	<u>Administrator</u>
Faculty	Provost
Staff	Vice President for Business Affairs
Student	Vice President for Student Affairs or Director of Student Conduct

**Note regarding students: For an incident in which the accused is a student, the investigative and enforcement procedures outlined within the Student Code of Conduct will apply. (See *Campus Life Handbook*)**

Duty to Act:

The reporting method described above is preferred. However, if you are uncomfortable speaking with the above personnel, you may report the inappropriate conduct to any supervisor or manager.



tolerated. No member of the Otterbein community may knowingly falsify a report of conduct, charge,



any other facts) that may assist the investigation. The investigator will continue to receive and review this information until the investigation is closed.

Conflicts: All parties shall identify any conflicts of interest as soon as possible in the process. If the Respondent would, under other circumstances, be a part of the investigation or appeal process, the President will appoint a substitute to stand in the place of that person. If there is an allegation that the President has violated this policy, the Chair of the Board of Trustees, working in consultation with the Director of Human Resources, will define a process for reviewing the allegation.

Confidentiality: The University encourages, but does not require, those involved in





*Records:* After any challenge to corrective action has concluded, and corrective action has been imposed, all records pertaining to the complaint and its resolution shall be maintained in the Office of Human Resources.

**104.12 Administration**

*Awareness:* The University will take appropriate steps to make faculty, staff,





- “Title II of the Genetic Information Nondiscrimination Act of 2008”: protects applicants and employees from discrimination based on genetic information;
- Ohio Civil Rights Act, Ohio Revised Code Chapter 4112;
- Ohio Fair Employment Practices Act: Ohio Revised Code 4112.01 et seq.

**104.14 Related Policies**

Sexual Misconduct; Workplace Violence; Whistleblower

**104.15 History**

Enacted: May 15, 2003

Revised: February 1, 2005; May 12, 2014