

3358:14-17-09: Racial, Religious, and Ethnic Harassment and Intimidation

Sections 3320.05 of the Ohio Revised Code requires each state and private for-profit college in Ohio to adopt a policy on Racial, Religious, and Ethnic Harassment and Intimidation that is consistent with the requirements that rest in the code. As such, NSCC puts forth this policy and associated procedures to comply with said requirements.

Statement of Prohibition on Racial, Religious, and Ethnic Harassment and Intimidation

Northwest State Community College ("NSCC" or "the College") is committed to maintaining a workplace and academic environment free of all forms of discrimination and harassment. Therefore, the College affirms in this policy the prohibition of discrimination or harassment on the basis of race, religion, and ethnic origin as well as other protected classes as identified in 3358: 14-3-19: Equal Opportunity and Non-Discrimination/Anti-Harassment. In addition to such acts being in violation of this policy, those acts may also constitute discrimination under Title VI of the Civil Rights Act of 1964 and/or under Title VII of the Civil Rights Act of 1964, as well as Ohio law.

The College prohibits discriminatory or harassing behavior by or against trustees, employees, vendors, customers, students, or other persons participating or attempting to participate in a College program or activity.

Definitions

"Harassment" means unwelcome conduct that is so severe, pervasive, and objectively offensive that it effectively denies an individual equal access to the individual's education program or activity.

"Intimidation" means:

- (A) Knowingly cause another to believe that the offender will cause serious physical harm to the person or property of the other person, the other person's unborn, or a member of the other person's immediate family. In addition to any other basis for the other person's belief that the offender will cause serious physical harm to the person or property of the other person, the other person's unborn, or a member of the other person's immediate family, the other person's belief may be based on words or conduct of the offender that are directed at or identify a corporation, association, or other organization that employs the other person or to which the other person belongs.
- (B) Knowingly, by any means; or Recklessly, by means of fire, explosion, flood, poison gas, poison, radioactive material, caustic or corrosive material, or other inherently dangerous agency or substance, cause, or create a substantial risk of physical harm to any property of another without the other person's consent.

- (C) Without privilege to do so, knowingly move, deface, damage, destroy, or otherwise improperly tamper with any of the following: (i) the property of another, or (ii) one's own property, when certain conditions are met, or (iii) the land, land markings, safety devices, boundary markers, monument, survey station, or other real or electronic (including computer, computer system, computer network, computer software, or the like)

"Ethnic Intimidation" means any act of "intimidation" as defined in this policy perpetrated because of the race, color, religion, or national origin of another person or group of persons.

Further, in accordance with the requirements of the Revised Ohio Code, NSCC:

- has created a campus task force on combating antisemitism, Islamophobia, anti-Christian discrimination, and hatred, harassment, bullying, or violence toward others on the basis of their actual religious identity or what is assumed to be their religious identity at the institution.
- shall provide training for all College administration, faculty, and staff, which shall include information on how to respond to hate incidents or incidents of harassment that occur during a class or event held at the institution at the time the incident occurs.
- shall require the NSCC Police Department to collaborate with local law enforcement, the state highway patrol, and student communities to provide security functions for institutionally sanctioned student organizations that face threats of terror attack or hate crimes.

Process to Resolve Allegations of Racial, Religious, and Ethnic Harassment and Intimidation

NSCC will accept and investigate allegations of racial, religious, or ethnic harassment or intimidation against any student, staff, or faculty member in accordance with the procedures set forth in 3358: 14-3-19 Equal Opportunity and Non-Discrimination/Anti-Harassment.

In accordance with the requirements of 3320.05 of the Ohio Revised Code, NSCC is required to list the potential disciplinary actions that may be taken after an investigation is conducted. Such actions include:

- a) Employees - any employee found to be in violation of this policy will be subject to disciplinary action, up to and including termination of employment.
- b) Students - any student found to be in violation of this policy will be subject to review and resolution in accordance with the Student Code of Conduct policy 3358:14-5-08 and may be subject to disciplinary action in accordance therewith.
- c) Non-NSCC Party-incidents that are reported to NSCC that do not involve a non-NSCC student or employee will be referred to law enforcement.

The College is required to submit an annual report to the Chancellor of Higher Education of all harassment and intimidation reports submitted to the federal government consistent with the federal Clery Act.

Reporting

Anyone who believes that they have witnessed or been the victim of behavior at NSCC or within an NSCC program or activity that constitutes discrimination, harassment, or threats on the basis of race, religion, or ethnic origin has a responsibility to report the behavior/action as soon as it is known so that the College may administer this policy.

Reports of harassment, discrimination, or threats on the basis of race, religion, or ethnicity should be made to:

Vice President – Human Resources & Leadership Development

419.267.1327

humanresources@northweststate.edu

OR

Campus Police

419.267.1452

police@northweststate.edu

Anonymous reports may be submitted by filing out [this form](#). Type “anonymous” in the name field. The full address to the form is as follows:

https://cm.maxient.com/reportingform.php?NorthwestStateCC&layout_id=0