

Heidelberg University

Non-Discrimination and Anti-Harassment Policy¹

I. PURPOSE AND STATEMENT OF POLICY

This policy is established in compliance with Title VI of the Civil Rights Act of 1964 and Ohio's Campus Accountability and Modernization to Protect University Students Act ("CAMPUS" Act) (Ohio Rev. Code §§ 3320.01, as enacted in Senate Bill 94), aimed, in part, at preventing racial and ethnic harassment and intimidation within private nonprofit institutions of higher education.

Heidelberg University is deeply committed to fostering a safe and inclusive environment free from discrimination or harassment on the basis of race, color, national origin, or religion.

This policy not only ensures adherence to federal and state law but also reflects the core values and mission of the Heidelberg community. While rooted in the legal framework of Title VI and Ohio's "CAMPUS" Act, this policy extends beyond these legal mandates. It serves as a comprehensive expression of Heidelberg University's academic, residential, and professional standards.

This policy applies to all members of the Heidelberg University community, including faculty, staff, and students. The University is dedicated to actively preventing any form of racial or ethnic harassment or intimidation, while promptly addressing any concerns or allegations of such conduct. The institution will take swift action to eliminate discriminatory behavior, prevent its recurrence, and provide fair and appropriate resolutions to complaints, in line with its legal obligations and community values.

Furthermore, Heidelberg University commits to offering support and counseling to students impacted by discrimination or harassment. The University aims to create a respectful and welcoming environment where diversity is celebrated, and all individuals are treated with dignity. Any conduct that violates Title VI or Ohio's "CAMPUS" Act, including actions or behaviors that foster a hostile, intimidating, or offensive environment, will not be tolerated.

¹ This Policy complies with Title VI of the Civil Rights Act of 1964 and Ohio's Campus Accountability and Modernization to Protect University Students Act ("CAMPUS" Act) (Ohio Rev. Code §§ 3320.01, as enacted in Senate Bill 94).

II. NOTICE OF NON-DISCRIMINATION

Heidelberg University is committed to maintaining an environment free from discrimination and harassment in all its educational programs and activities. The University does not discriminate on the basis of race, color, national origin, religion, or ethnicity. Additionally, Heidelberg prohibits discrimination based on sex, marital status, creed, disability, age, military or veteran status, sexual orientation, family relationship, and gender identity and expression. This commitment to non-discrimination applies to all areas of university operations, including, but not limited to: recruitment, admissions, educational programs and activities, housing, access to classes and academic resources, counseling services, financial aid, employment assistance, health and insurance benefits and services, and participation in athletics.

Pursuant to Title VI, the University has an obligation to address discrimination, including harassment, on the basis of race, color, and national origin. Title VI provides:

No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

More specifically, Title VI requires the University to eliminate hostile environment harassment and prevent the recurrence of such harassment, where the conduct is on the basis of race, color, and national origin. Guidance from the Department of Education clarifies that Title VI protects individuals on the basis of actual or perceived race, color, and national origin, including actual or perceived: (i) shared ancestry or ethnic characteristics; or (ii) citizenship or residence in a country with a dominant religion or distinct religious identity.²

In addition, Ohio's "CAMPUS" Act requires institutions of higher education to prevent and address incidents of racial and ethnic harassment and intimidation. Under this policy, Heidelberg University prohibits any actions that foster a hostile, intimidating, or offensive environment based on race, religion, or national origin. The University's policy reflects the broader values of respect upheld by the Heidelberg community.

² See U.S. Department of Education Office for Civil Rights (OCR), Dear Colleague Letter: Protecting Students from Discrimination, such as Harassment, Based on Race, Color, or National Origin, including Shared Ancestry or Ethnic Characteristics (May 2024).

Complaints regarding any form of racial or ethnic harassment and intimidation should be directed to the Incident Communication Form for an initial assessment. The University has established grievance procedures to ensure the prompt and appropriate resolution of complaints.

The following persons have been designated and authorized to handle inquiries of the non-discrimination policies regarding conduct prohibited by this policy:

For Students and student organizations

Reports of Discrimination and or harassment involving a respondent who reportedly engaged in the act in their role as a student or student organization typically will be referred to the Chair of the Conduct Taskforce, and a Designee(s) from the Conduct Taskforce for investigation and/or resolution.

For Faculty

Reports of Discrimination and or harassment involving a respondent who reportedly engaged in the act in their role as a faculty member typically will be referred to the Chair of the Conduct Taskforce, a representative from the Faculty Personnel Committee (FPC), Human Resources, and a Designee(s) from the Conduct Taskforce for investigation and/or resolution.

For Staff

Reports of Discrimination and or harassment involving a respondent who reportedly engaged in the act in their role as a Staff member typically will be referred to the Chair of the Conduct Taskforce, Human Resources, and a Designee(s) from the Conduct Taskforce for investigation and/or resolution.

For Third Parties

Reports of Discrimination and or harassment involving a respondent who reportedly engaged in the act in their role as a third-party affiliate of the institution typically will be referred to the Chair of the Conduct Taskforce, Human Resources, and a Designee(s) from the Conduct Taskforce for investigation and/or resolution.

III. SCOPE OF POLICY

This policy applies to all students, faculty, staff, and visitors at Heidelberg University, as well as all programs and activities, both on-campus and off-campus, that are sponsored by the institution. This includes academic programs, campus housing, student organizations, and events.

Reports of sexual harassment, interpersonal violence, or sex or gender discriminatory harassment should be reported to the Title IX Coordinator or a Deputy Title IX Coordinator for investigation and/or resolution consistent with the University's policies governing sexual harassment, interpersonal violence, or sex or gender discriminatory harassment.³

[Link to - Title IX Form](#)

Director of Campus Security and Compliance/Title IX

Jake McGraw

Campus Center 209

tix@heidelberg.edu

419-448-2048

IV. PROHIBITED CONDUCT

This Policy addresses a broad spectrum of behavior, all of which falls under the broad definition of Prohibited Conduct.

A. Hostile Environment (Title VI):

Title VI of the Civil Rights Act of 1964 protects people from discrimination based on race, color, and national origin in programs and activities receiving federal financial assistance.

Unwelcome conduct based on race, color, or national origin creates a hostile environment under Title VI when, based on the totality of the circumstances, it is: subjectively and objectively offensive; and so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity.

³ <https://inside.heidelberg.edu/sites/default/files/2024-08/sex-discrimination-policy.pdf>

B. "CAMPUS" Act Prohibited Conduct

1. Harassment

Unwelcome conduct on the basis of race or ethnicity that is so severe, pervasive, and objectively offensive that it effectively denies an individual equal access to the individual's education program or activity.

Under Ohio Rev. Code 3320.06(D), the CAMPUS Act requires Prohibited Conduct under A(1) to control and B(1) will be used for reporting requirements under Section V. To the extent that unwelcome conduct on the basis of race and/or ethnicity does not rise to the level of prohibited conduct as defined by the CAMPUS Act, the CAMPUS Act requires the University to evaluate all reports of discrimination and harassment pursuant to other applicable federal law, as well as the Notice of Non-Discrimination provisions within the Student, Faculty and Employee Handbooks.

2. Intimidation*

Committing the following acts by reason of the race, color, religion, or national origin of another person or group of persons:

- a. Aggravated menacing as defined by [Ohio Rev. Code 2903.21](#)
- b. Menacing as defined by [Ohio Rev. Code 2903.22](#)
- c. Criminal damaging or endangering as defined by [Ohio Rev. Code 2909.06](#)
- d. Criminal mischief as defined by [Ohio Rev. Code 2909.07](#)
- e. Telecommunications harassment as defined by [Ohio Rev. Code 2917.21\(A\)\(3\), \(4\), or \(5\)](#)

Under Ohio Rev. Code 3320.06(D), the CAMPUS Act requires Prohibited Conduct under A(1) to govern the University's obligation to prevent racial and ethnic harassment. The characteristics provided in B(2) (race, color, religion, or national origin) will govern the University's obligation to track and report on incidents of harassment and intimidation under Section V.⁴

C. Other Prohibited Discrimination & Harassment

1. Discrimination is an intentional adverse action taken based on someone's protected characteristic that results in an individual being treated in an adverse manner, compared to others who are similarly situated.
2. Harassment Unwelcome conduct based on a protected characteristic that is so severe, pervasive, or objectively offensive that it effectively denies an individual equal access to the individual's education program or activity.

⁴ For reporting purposes, the intimidation definition under the "CAMPUS" Act is different than the intimidation definition under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") 20 U.S.C. 1092(f). The definition of intimidation under CLERY is included in 34 C.F.R. § 668.46(c)(9)(iii).

D. Retaliation for Reporting

Any form of retaliation against individuals who report Prohibited Conduct incidents.

V. REPORTING

Heidelberg University encourages anyone who experiences, or has information about, alleged Prohibited Conduct to immediately make a report. Campus safety is our top priority, and the University takes all reports seriously. Prompt reporting enables campus officials to gather timely and relevant information to aid in investigations. A report can be made online using the [Harassment/Discrimination Incident Reporting Form](#). Such reports may be made at any time, including during non-business hours. A report can also be made anonymously, although reporting anonymously may limit the University's ability to investigate or obtain additional information.

Incident Communication Form

<https://heidelberg.guardianconduct.com/student-portal/new-report>

VI. REPORTING AND ACCOUNTABILITY

As mandated by the "CAMPUS" Act, Heidelberg University will submit an annual report to the chancellor of all harassment and intimidation reports submitted to the federal government consistent with the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act," 20 U.S.C. 1092(f).

VII. CAMPUS TASK FORCE AND PARTNERSHIPS

In accordance with the "CAMPUS" Act, the institution establishes a campus task force, the Conduct Taskforce, to combat antisemitism, Islamophobia, anti-Christian discrimination, and hatred, harassment, bullying, or violence toward others. This task force:

- Monitors reports of racial and ethnic discrimination, harassment, and intimidation incidents.
- Partners with law enforcement agencies and student organizations to ensure the safety of at-risk groups.
- Develops strategies to prevent hate crimes and terror attacks.
- Assist in the investigation and resolution of all reports of prohibited conduct under this Policy.

VIII. INVESTIGATION PROCESS

Complaints of Prohibited Conduct may be submitted to the Conduct Taskforce for students, faculty & staff or anonymously through the online reporting form found

[Anonymous Reporting Form](#)

Generally, the Conduct Task Force will:

- Conduct a preliminary assessment of the complaint to determine whether this policy applies.
- Notify the parties involved in the investigation process.
- Gather relevant information and documentation from all parties.
- Ensure confidentiality is maintained throughout the process, except when disclosure is necessary to conduct a proper investigation or required by law.
- The institution will accept complaints involving incidents that occur both on-campus and off-campus.
- At the conclusion of the investigation, the Chair of the Conduct Task Force will make a determination regarding whether the conduct violated the policy. If the Chair of the Conduct Task Force determines that conduct did/did not violate the policy, the parties shall have five days to appeal that decision to:(Faculty-FPC Student/Staff-Conduct Task Force, Third Party- Human Resources)
- At the conclusion of an investigation of Prohibited Conduct, mandatory communications will be sent to identified individuals who submit a complaint and individuals who are the subject of a complaint, regardless of whether disciplinary action is taken. These communications may include educational information on the institution's policy against racial and ethnic harassment and intimidation. These communications will be made in accordance with the following guidelines:
 - **Students and Student Organizations:** Violation of this policy involving a respondent who reportedly engaged in the act in their role as a student or student organization, will be communicated with the enforcement of possible disciplinary actions. All information, including but not limited to the findings of the investigation, will be communicated to the Dean of Student Affairs and or the student conduct coordinator.
 - **Staff:** Violation of this policy involving a respondent who reportedly engaged in the act in their role as a staff member at the University will be communicated to

the respondent. Enforcement of possible sanctions, and/or disciplinary actions will be communicated with HR in situations that limit the task force's ability to communicate with the respondent.

- **Faculty:** Violation of this policy involving a respondent who reportedly engaged in the act in their role as a faculty member at the University will be communicated to the respondent. Failure to adhere to and/or communicate with the task force will be communicated to the Dean of Academic Strategic Operations. Disciplinary actions will be sent to the Faculty Personnel Committee (FPC) for enforcement of possible sanctions and/or disciplinary actions.
- **Third Parties & Others:** Violation of this policy involving a respondent who reportedly engaged in the act in their role as a third party or volunteer of the University will be communicated to the appropriate University sponsor or University affiliate(which may include Human Resources, Heidelberg Campus Security, Dean of Student Affairs). While the University will take all reasonable steps to respond to all reports of Discrimination, Harassment, or Intimidation, the University may have limited or no direct control over the conduct of Third Parties.

- The University will take measures to end the harassment, eliminate the hostile environment and its effects, and prevent the harassment from recurring.

IX. REMEDIES AND SANCTIONS

If a violation is found, the university will take appropriate corrective action, which may include:

- Educational remedies (training, workshops).
- Disciplinary action which may include anything from a warning, up to and including suspension, expulsion, or termination.
- Other measures to prevent the recurrence of the violation and remedy the effects of discrimination.

X. RETALIATION

Retaliation against individuals who report Prohibited Conduct violations or participate in investigations is strictly prohibited. The University will take strong disciplinary actions against individuals found responsible for retaliatory behavior.

XI. STUDENT CONDUCT AND SAFETY

Students are expected to abide by the Student Handbook.

To the extent possible and as needed, the University's Office of Campus Safety and Security will collaborate with local law enforcement, the state highway patrol, and the student community to provide security for institutionally sanctioned student organizations (i.e., registered student organizations) that face threats of terror attack or hate crimes.

XII. EDUCATION AND TRAINING

Heidelberg University will provide mandatory training for all administration, faculty, and staff. Training will 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. This training may be provided online.

XIII. CONTACT INFORMATION

For more information on the policy, or to file a complaint, contact:

Aaron Nelson at 419-448-2159 or email anelson@heidelberg.edu.

XIV. CONFIDENTIAL RESOURCES

Stoner Health & Counseling Center (Confidential Resource)

The Director of Stoner Health & Counseling Services is a certified nurse-practitioner who can provide non-emergency medical treatment. The nurse practitioner can also provide a referral and coordinate care with a referral to off-campus agencies.

The Health & Counseling Center also has 3 licensed counselors and 2 counselor trainees to provide trauma-informed care. The counseling services on campus are free to all full-time students

(419) 448-2041 | counseling@heidelberg.edu