



## Ohio Administrative Code

### Rule 3341-3-86 Ohio Public Policy on Racial, Religious, or Ethical Harassment and Intimidation.

Effective: February 16, 2026

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#### (A) Policy statement and purpose

Bowling Green State University (BGSU) is committed to maintaining a welcoming and safe campus community, free from unlawful discrimination and harassment in order to enable individuals to participate in its programs and activities. This policy serves to ensure compliance with the CAMPUS Act (Ohio Rev. Code § 3320.05), as well as relevant local, state, and federal laws and regulations that prohibit harassment and intimidation.

The purpose of this policy is to express BGSU's commitment to prevent and respond to allegations of racial, religious, or ethnic harassment or intimidation; clarify reporting and investigation procedures and subsequent recommendations; specify training requirements for all BGSU faculty, staff, and administrators; highlight best practices for collaboration with law enforcement; and define relevant concepts.

BGSU encourages anyone who believes that they have been subjected to racial, religious, or ethnic harassment or intimidation to report their concerns as set forth in this policy.

#### (B) Policy scope and administrator

This policy applies to the conduct of faculty, staff, students, volunteers, third parties such as visitors, as well as contractors and vendors in the performance of their contracts with the University.

The Office of State and Federal Compliance and Non-Discrimination is charged with the primary responsibility of ensuring that the conduct of any person within the scope of this policy complies with federal, state and local laws and University policies and procedures. If conduct by any person within the scope of this policy is alleged to be in violation of this policy, the Office of State and Federal Compliance and Non-Discrimination or designee will assess the complaint and determine the best course of action to address the concerns.



**(C) Policy on prohibited conduct; definitions**

The following forms of conduct are prohibited by this policy.

"Harassment," as described in Ohio Rev. Code § 3345.0211, is unwelcome conduct that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to any BGSU education program or activity.

"Intimidation" is the violation of ethnic intimidation as described in Ohio Rev. Code § 2927.12: aggravated menacing, menacing, criminal damaging or endangering, or criminal mischief, including via telecommunication, on the basis of race, color, religion, or national origin.

"Antisemitism," as defined by the International Holocaust Remembrance Alliance, is "a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

"Islamophobia," as defined by the United Nations, is "a fear, prejudice, and hatred of Muslims that leads to provocation, hostility, and intolerance by means of threatening, harassment, abuse, incitement, and intimidation of Muslims and non-Muslims, both in the online and offline world. Motivated by institutional, ideological, political and religious hostility that transcends into structural and cultural racism which targets the symbols and markers of a being a Muslim."

"Anti-Christian Discrimination" as defined by the Ohio Department of Higher Education, is "discrimination against any person on the basis of their Christian faith or their practice of Christianity. It encompasses any form of negative treatment, behavior, or policy that disadvantages individuals based on their Christian faith or beliefs."

**(D) Overview of procedures used**

Students who believe they are or have been subject to racial, religious, or ethnic harassment or intimidation are encouraged to file a complaint or allegation of that harassment or intimidation



through the See It. Hear It. Report It Harassment/Discrimination Report form, which provides an opportunity for anonymous complaints. Please note that anonymous reporting may limit the University's ability to conduct and complete an investigation. Additionally, during the course of an investigation, it may be possible to determine who made the report, even if the report excludes names or identifying information.

Upon receipt of a complaint, the Office of State and Federal Compliance and Non-Discrimination or designee will conduct a thorough review of the allegations in a fair and impartial manner with due respect to all parties involved.

The Office of State and Federal Compliance and Non-Discrimination will utilize the same procedures as covered in the Non-Discrimination in Education and Employment policy.

Each complaint will be handled on an individual, case-by-case basis, utilizing the preponderance of evidence or "more likely than not" evidentiary standard to determine responsibility when resolving complaints under this policy.

Information obtained during the investigation will remain as private as practicable. Complete confidentiality is not guaranteed as this information will be used to conduct the investigation, determine responsibility and take any remedial action if warranted, and comply with university policies and applicable laws.

Upon conclusion of the investigation, the Director of State and Federal Compliance and Non-Discrimination or designee will report the findings to the appropriate decisional authority for any necessary further proceedings and final determination. Complaints against students will be processed pursuant to the Student Code of Conduct, which sets forth potential disciplinary action for policy violation findings. Complaints against staff, faculty, and administrators who are found to be in violation of this policy are subject to discipline pursuant to any applicable Human Resources policy, Collective Bargaining Agreement, or employment contract.

**(E) Training**

BGSU will offer training to all University staff, faculty, and administrators on how to respond, at the



time of occurrence, to hate incidents or incidents of harassment that happen during a class or event held at the University. Additionally, there are online resources available here.

(F) Amnesty

Student health and safety as well as removing barriers that might prevent the reporting of conduct that endangers people or property are substantial University interests. Amnesty may be extended on a case-by-case basis for minor violations of the Code of Student Conduct.

(G) Retaliation

Retaliating against or taking adverse action toward any reporting party and/or person participating in an investigation or disciplinary proceeding is strictly prohibited.

(H) Nothing in this Policy or its enforcement shall be construed to diminish or infringe on any right or activity protected by the United States and Ohio Constitutions and laws, including freedoms related to speech, expression, or assembly. In addition, nothing in this Policy or its enforcement shall be interpreted as prohibiting the University from restricting expressive activities that the First Amendment of the U.S. Constitution or Article I, Sections 3 and 11 of the Ohio Constitution do not protect. Further, nothing in this Policy or its enforcement shall be interpreted as restricting or impairing the University's obligations under federal law including, but not limited to, Title IV of the Higher Education Act of 1965, Title VI of the Civil Rights Act of 1962, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans With Disabilities Act.