



## Ohio Administrative Code

### Rule 3357:10-1-47 Combating harassment and intimidation.

Effective: April 7, 2025

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(A) Marion technical college is committed to fostering a campus environment free from racial, religious, and ethnic harassment and intimidation, and providing a safe and supportive place for all to learn and grow.

(B) "Harassment," within the context of this rule, is defined as unwelcome conduct that is so severe, pervasive, and objectively offensive that it effectively denies an individual access to the individual's education program or activity.

(C) "Intimidation," within the context of this rule, is also known as ethnic intimidation as defined by section 2927.12 of the Revised Code.

(D) In accordance with section 3320.05 of the Revised Code, Marion technical college will review and respond to reports of racial, religious, or ethnic harassment or intimidation. Nothing in this rule shall be construed to diminish or infringe upon any right protected under the First Amendment of the United States Constitution, Article I, sections 3 and 11 of the Ohio Constitution, or noncommercial expressive activity as defined in section 3345.0212 of the Revised Code.

(E) Students and employees may submit an incident report via the college's website to report an incident of racial, religious, or ethnic harassment or intimidation. Depending on the parties involved in the incident, the incident report will be adjudicated through the related complaint process established in college policy:

(1) Student reporter - "AP 440 - Student Complaints."

(2) Employee reporter - "AP 373 - Employee Complaints."

(F) Reports may also be accepted by an anonymous reporter. If an anonymous report is received, the president's office will review the report and determine which of the above policies will be utilized to



adjudicate the incident.

(G) In the event a referral is needed to law enforcement, Marion technical college will make the referral to the appropriate law enforcement agency.

(H) Reports that have been adjudicated may result in disciplinary action for an individual or individuals. Disciplinary action will be handled through the related disciplinary action process following established college policies:

(1) Student disciplinary action - "AP 420 - Student Code of Conduct & Disciplinary Action."

(2) Employee disciplinary action - "AP 306 - Disciplinary Action."

(I) Regardless of the outcome of an investigation, Marion technical college will provide communication to the involved parties on the college's policy against racial, religious, and ethnic harassment and intimidation.

(J) Marion technical college will provide annual training to employees on how to respond to incidents of harassment or intimidation, as well as how to report such incidents to the college.