

3341-5-38 Sexual Harassment

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| Applicability | All University units |
| Responsible Office | Office of State and Federal Compliance and Non-Discrimination |
| Responsible Administrator | Chief State and Federal Compliance Officer |

(A) Policy Statement and Purpose

Bowling Green State University 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. In keeping with other policies and guidelines, BGSU adopts this policy to express its commitment to prevent and respond to allegations of sexual harassment.

BGSU encourages anyone who believes that they have been subjected to conduct that is in violation of BGSU policies and procedures to report their concerns so that the University has an opportunity to address prohibited conduct.

(B) Policy Scope and Responsible Administrators

- (1) This policy applies to the conduct of faculty, staff, volunteers, third parties such as visitors, as well as contractors and vendors in the performance of their contracts with the University.
- (2) Responsibility for Compliance.

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) Prohibited Conduct

(1) Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic pursuits,
- (b) Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual, or
- (c) Such conduct has the purpose or effect of unreasonably interfering with an individual's employment or academic performance or creating an intimidating, hostile or offensive working or educational environment.

(2) Retaliation

Retaliation against members of the Bowling Green State University community who exercise their right to file a complaint of discrimination or harassment is strictly prohibited by state and federal law and university policy. Retaliation is prohibited whether or not the charging party prevails in the original charge. It is also strictly prohibited to harass, coerce, intimidate, or discriminate against an individual for filing a complaint or participating in the complaint resolution process.

(D) Overview of Procedures Used

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 #3341-5-41](#).

Each complaint will be handled on an individual, case-by-case basis, utilizing preponderance of evidence or "more likely than not" evidentiary standard to determine culpability and 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.

The decisional authority will vary depending on classification of the respondent. For staff respondents, the Office of Human Resources will serve as the decision authority, for faculty respondents, the Provost Office or designee will serve as the decisional authority.

(E) Related Policies

(1) [3341-2-41 Title IX Sexual Harassment](#)

(2) [3341-5-41 Non-Discrimination in Employment and Education](#)

Registered Date: March 4, 2015

Amended Date: March 3, 2017, December 3, 2025