University of CINCINNATI	*Policy Title:* **Title VI Policy**	*Policy Number:* **10.1.6**
Category: Ethics, Compliance & Community Impact	**Effective Date:** 8/19/2025 (*minor revisions*) **Prior Effective Date:** 6/24/2025	**Policy Owner:** Ethics, Compliance & Community Impact
Policy applicable for: Faculty/Staff/ Students/Third-Parties	**Enabling Acts:** University Rule 10-13-01 Title VI of the Civil Rights Act of 1964 34 C.F.R. Part 100	**Responsible Office/Unit(s):** Office of Equal Opportunity Student Affairs Human Resources Office of the Provost

I. POLICY

The University of Cincinnati ("University") is committed to having an environment free from unlawful discrimination, including harassment, on the basis of race, color, or national origin, including actual or perceived shared ancestry or ethnic characteristics (each a "protected class"), and is committed to taking appropriate action to promptly and effectively address harassment that creates a hostile environment in a University program or activity of which the University receives actual or constructive notice, whether or not an individual has filed a complaint.

The University will assess each reported incident and determine whether the incident alone or as part of a pattern of incidents has created a hostile environment based on race, color, or national origin in a University program or activity.

University responses related to protests and demonstrations will be applied equitably and in a manner that complies with Title VI of the Civil Rights Act of 1964's ("Title VI") prohibition on discrimination. The University will not discourage students or prohibit students from entry into University facilities or attendance at University programs or activities based on their race, color, or national origin.

The University will administer this Policy in compliance with Title VI and accompanying regulations, and the First Amendment of the U.S. Constitution, and equivalent Ohio law.

II. SCOPE AND JURISDICTION

This Policy applies to discrimination, harassment, or retaliation (as defined herein) on the basis of race, color, or national origin, in any of the University's programs or activities, including all academic, extracurricular, and University-sponsored activities, whether or not the programs or activities are physically located on campus. Protection from race, color, or national origin discrimination extends to individuals who experience discrimination, including harassment, based on their actual or perceived: (i) shared ancestry or ethnic characteristics; or (ii) citizenship or residency in a country with a dominant religion or distinct religious identity.

This Policy applies to University employees, students, and third parties. This Policy will be administered by the University's Office of Equal Opportunity (OEO").

III. DEFINITIONS

Business Day	Any day in which normal University business operations are conducted, which are Monday through Friday from 9 a.m. to 5 p.m. local time and excludes weekends, holidays, and other office closures recognized by the University.
Complaint	A written and signed complaint submitted to OEO, or the appropriate office, seeking to initiate the formal grievance process against a student, employee, or third-party.
Complainant	An individual alleged to have been subjected to conduct that could constitute discrimination, harassment, and/or retaliation under this Policy.
Discrimination	Any unlawful distinction, preference, or adverse treatment of an individual or group of identifiable individuals based on their protected class or perceived protected class that is sufficiently serious to unreasonably interfere with or limit participation in, access to, or benefit from University education or employment programs or activities. This form of discrimination is identified as "adverse treatment" discrimination. Discrimination may also include facially neutral conduct that has the unjustifiable effect of disproportionately impacting individuals based on their protected class. This form of discrimination is identified as "adverse impact" discrimination.
Harassment	Unwelcome verbal or physical conduct based on a protected class or perceived protected class that interferes with, denies, or limits an individual's ability to participate in or benefit from the University's programs or activities.
Hostile Environment	Harassing conduct that is sufficiently severe, pervasive, or persistent so as to interfere with or limit the ability of an individual to participate in or benefit from the services, activities, and privileges provided by the University.
Party or Parties	Refers to either the complainant(s) or respondent(s). "Parties" refers to both the complainant(s) and the respondent(s).
Program or Activity	Includes locations, events, or circumstances over which the University exercises substantial control over both the respondent and the context in which the discrimination or harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the University. This includes conduct that occurs off campus, including on social media, if that conduct results in an individual being excluded from participating in, being denied the benefits of, or being subjected to discrimination under any University program or activity.

Report	A verbal or written account of an alleged or suspected violation of this Policy by any person and submitted pursuant to the reporting section set forth in this Policy.
Respondent	An individual who is alleged to have engaged in conduct that could constitute discrimination, harassment, and/or retaliation under this Policy.

IV. REPORTING

A. Making a Report

All individuals who are directly involved in, who observe, or who receive information that discrimination, harassment, or retaliation in violation of this Policy may have occurred can report such allegations. The University will assess each reported incident to determine whether the report falls under the jurisdiction of this Policy, including assessing whether the reported incident has created a hostile environment.

B. Where to Make a Report

1. *Office of Equal Opportunity ("OEO"):* Reports should be made to OEO by phone, email, or via the online reporting form:

Office of Equal Opportunity
(513) 556-3349
eooffice@uc.edu
Online Reporting Form

Any University unit or department that receives a report involving an alleged or suspected violation of this Policy should forward the report to OEO to oversee the University's response. OEO will determine whether, when, and how to involve other University colleges, departments, or units (e.g., Office of Student Conduct and Community Standards, Office of the Provost, and/or Human Resources) to address applicable University rules, policies, employment agreements, and/or collective bargaining agreements that may be applicable. However, this will not replace OEO's responsibility for investigating and responding to the report of discrimination, harassment, or retaliation and addressing any hostile environment.

2. Anonymous Reports: A report may be submitted anonymously via EthicsPoint by phone or the electronic submission form:

EthicsPoint Anonymous Reporting Hotline
(800) 889-1547
Electronic Submission Form

The University will review and take appropriate action on anonymous reports. 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 reporter excluded their name or other identifying information.

3. *Reports to Law Enforcement:* Reports may be made simultaneously to law enforcement and OEO. These processes are separate and distinct from one another but can run concurrently. Reports may be made by visiting UCPD in person or by phone:

University of Cincinnati Police Division
Three Edwards Center
51 West Corry Blvd.
Cincinnati, OH 45221-0215
Phone: (513) 556-1111

Any immediate safety concerns should be reported to law enforcement as soon as possible by dialing 911.

C. False Reporting

False reporting is making an intentionally inaccurate report or accusation in relation to this Policy. False reporting does not include a report or accusation, which, even if erroneous, is made in good faith. False reporting is a serious offense subject to appropriate disciplinary action ranging up to and including dismissal or termination.

V. SUPPORTIVE MEASURES

Supportive measures are available to individuals involved or affected by conduct reported under this Policy. Supportive measures are non-disciplinary, non-punitive, individualized services designed to restore or preserve equal access to the University's education program or activity, without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational or employment environment, or deter violations of this Policy. Supportive measures include, but are not limited to: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus safety escort services, mutual restrictions on contact between the parties and/or other parties ("mutual no contact orders"), changes in work or housing arrangements, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures.

Supportive measures are available upon receipt of a report of conduct alleged or suspected to be in violation of this Policy as reasonable and appropriate. Individuals who would like to request supportive measures should contact OEO.

Individuals who experience difficulty obtaining supportive measures that have been approved should contact OEO.

Supportive measures may continue to be available during an individual's enrollment/employment with the University. Individuals may elect to change or end their supportive measures at any time by providing written notice to OEO.

VI. CONFIDENTIALITY

The University recognizes the importance of confidentiality. To the extent possible, all information received in connection with the reporting, investigation, and resolution of conduct covered under this Policy will be treated as confidential except when necessary to conduct an appropriate investigation, to provide assistance and resources to University community members, to perform other appropriate University functions, or when the University is compelled to produce information

in accordance with applicable law and/or other controlling authority. Confidentiality is not the equivalent of anonymity and will be limited during the investigation and resolution process.

VII. PROHIBITION AGAINST RETALIATION

The University prohibits retaliation against an individual for reporting in good faith alleged or suspected violations of this Policy, for the individual's good faith participation in an investigation related to this Policy, or for otherwise asserting protected rights in good faith.

APPENDIX A

PROCEDURES – REPORT ONLY

I. Scope

This Appendix A sets forth the investigation procedures for reports of conduct alleged to be in violation of the University's Title VI Policy (the "Policy").

Appendix B sets forth the investigation procedures for complaints (as defined in the Policy). However, all reports must be investigated per the investigation procedures set forth in this Appendix A, regardless of whether a complaint has been filed.

II. Gathering of Evidence

OEO will review the report and any available and known information to identify all potentially involved and impacted individuals. OEO will send the identified individuals a written notice that an investigation has been initiated and invite them to participate in the investigation. Each involved or impacted individual shall have an opportunity to be interviewed, provide written statements, present witnesses, and provide other relevant evidence to the investigator. The investigator will review all the gathered evidence and determine whether there are additional witnesses or information needed to assess the report.

To provide a fair and impartial review of reports, it is expected that individuals who serve as witnesses will be cooperative, honest, and forthright. Cooperation includes providing accurate information and evidence, if requested. A student may choose not to participate as a witness in an investigation. For employees, if OEO determines that an employee's participation is necessary as part of its investigation, OEO may require the employee to participate in accordance with any applicable policies, employment agreements, and/or collective bargaining agreements. Any questions regarding an employee's obligations to participate in an investigation should be directed to the appropriate office (i.e., Human Resources for employees, the Office of the Provost for represented faculty).

III. Advisors

Individuals who are interviewed during an investigation may elect to have an advisor of their choice present. An advisor may consult with the individual verbally or in writing in a quiet, non-disruptive manner, however the advisor may not participate as a spokesperson or vocal advocate. Individuals are required to notify the investigator at least three (3) business days prior to any meeting if the advisor is an attorney. The investigation process will not be delayed to accommodate an advisor's schedule. Therefore, an individual should select an advisor whose schedule permits attendance at the scheduled date and time. Advisors may not be present for any individual who does not attend the meeting.

IV. Investigative Report

After the investigator has concluded the investigation, the investigator will prepare an investigative report with findings and conclusions as to whether there has been a violation of the Policy.

The investigative report will include findings and conclusions as to whether the incident alone or as part of a pattern of incidents has created a hostile environment in a University program or activity in violation of the Policy. The determination of whether an environment is "hostile" is based on a totality of circumstances. These circumstances may include context, nature, scope,

frequency, duration, location of the harassment, and the identity, number, age, and relationships of the persons involved. Harassing conduct need not always be targeted at a particular person to create a hostile environment. The conduct may be directed at anyone, and the harassment may also be based on association with others of a different protected class. A single complainant may experience a hostile environment when the conduct of multiple individuals, taken together, meets the definition above. A single or isolated incident of harassment may be severe enough to create a hostile environment. Minor slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of harassment.

OEO will distribute the investigative report to the appropriate department(s), unit(s), and/or individual(s), as determined by OEO.

V. Response and Prevention

If it is determined that an individual or individuals engaged in harassment in violation of the Policy, the University will take steps reasonably calculated to stop the harassment, to prevent its recurrence, and to address its effects on the affected individuals.

APPENDIX B

PROCEDURES – COMPLAINT FILED

I. Scope

This Appendix B sets forth the investigation procedures for complaints, as defined in the University's Title VI Policy (the "Policy"). This Appendix B should be read consistently with and does not circumvent any provisions of a relevant collective bargaining agreement or individual employment agreement, and for investigations relating to a respondent who is a student, investigations will commence in compliance with the Student Code of Conduct.

II. Presumption of Not Responsible and Equal Treatment

Complainants and respondents shall be treated equitably and credibility determinations may not be based on a person's status as a complainant, respondent, or witness. There is a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made pursuant to the Policy and this Appendix B.

III. Standard of Review

The standard of review to be used to determine if a violation of the Policy has occurred is the preponderance of the evidence standard. This standard does not preempt any differing standard set forth in any applicable collective bargaining agreement.

IV. Conflicts of Interest

No individual designated by the University as the investigator may have a conflict of interest or bias for or against complainants or respondents, generally or individually.

If either party believes that there is a conflict of interest or bias with the assigned investigator that may adversely impact an investigation, such concern should be submitted in writing to the Vice President of Ethics, Compliance & Community Impact, or designee. If the Vice President of Ethics, Compliance & Community Impact , or designee, determines there is no conflict of interest, the investigation will proceed without a change to the investigator. If a determination is made that a conflict of interest exists, the Vice President of Ethics, Compliance & Community Impact, or designee, shall appoint a different individual to conduct the investigation.

V. Advisors

Parties and witnesses may elect to have an advisor of their choice. An advisor may consult with a party/witness verbally or in writing in a quiet, non-disruptive manner, however, the advisor may not participate as a spokesperson or vocal advocate. Parties/witnesses are required to notify the investigator at least three (3) business days prior to any meeting if the advisor is an attorney. The investigation process will not be delayed to accommodate an advisor's schedule. Therefore, a party/witness should select an advisor whose schedule permits attendance at the scheduled date and time. Advisors may not be present without any party/witness who is not in attendance at the meeting.

VI. Notice

Written notice will be provided to both the complainant and respondent when an investigation is initiated. OEO will consult with other University offices, if necessary, to determine which office will provide the written notice to the complainant and respondent.

VII. Gathering of Evidence

After sending written notice to the parties, the investigator will begin the investigation process. Each party will have an opportunity to be interviewed, provide written statements, present witnesses, and provide other relevant evidence to the investigator. Each party should note that the investigator's ability to obtain relevant evidence may be limited by certain factors (e.g., the investigator cannot issue subpoenas). Therefore, the investigator relies on the parties to provide witness names and relevant evidence.

To provide a fair and impartial resolution of complaints, it is expected that individuals who serve as witnesses will be cooperative, honest, and forthright. Cooperation includes providing accurate information and evidence, if requested. A student may choose not to participate as a witness in an investigation. For employees, if a party requests that an employee participate in an investigation, participation is at the requested employee's discretion. However, if OEO determines that an employee's participation is necessary as part of its investigation, OEO may require the employee to participate in accordance with any applicable policies, employment agreements, and/or collective bargaining agreements. Any questions regarding an employee's obligations to participate in an investigation should be directed to the appropriate office (i.e., Human Resources for employees, the Office of the Provost for represented faculty).

VIII. Preliminary Investigative Report

Both parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The parties will be provided with this evidence in the preliminary investigative report, but not any time prior. The preliminary investigative report will be simultaneously distributed to the parties. The parties will have at least ten (10) business days to submit a written response, which the investigator will consider prior to completion of the investigation report.

IX. Final Investigative Report

OEO will distribute the final investigative report to all parties. Reports relating to a student respondent will not contain any findings or conclusions and will be forwarded to the Office of Student Conduct and Community Standards. Reports relating to an employee or third-party respondent will contain findings and conclusions and will be forwarded to the appropriate office (i.e., Human Resources, Office of the Provost).

X. Post-Report Process

Following distribution of the final investigative report, any additional process available shall be conducted in accordance with established University policies and procedures, the Student Code of Conduct, applicable collective bargaining agreement, or other applicable agreement.

XI. Sanctions

Students found to have engaged in discrimination, harassment, or retaliation in violation of the Policy are subject to a range of sanctions as set forth in the Student Code of Conduct.

Employees found to have engaged in discrimination, harassment, or retaliation in violation of the Policy may be subject to discipline as set forth in the University's Human Resources policies and procedures, applicable collective bargaining agreement, or any applicable individual employment agreement.

XII. Informal Resolution Process

Informal resolution is a voluntary process through which all parties, including the University, must consent to work toward resolution of a matter without going through the investigation process. Parties may agree to engage in informal resolution at any time prior to the adjudication of the complaint. An investigation may be deferred while the parties pursue informal resolution. The University reserves the right to end an informal resolution process if, in its discretion, there is not substantial progress toward resolution. Neither party, nor the University, shall be precluded from withdrawing their consent to participate in the informal resolution process at any time prior to reaching an agreed-upon informal resolution.