

 <p><b>Category:</b> Equity &amp; Inclusion</p> <p><b>Policy applicable for:</b> Faculty/Staff &amp; Students</p>	<p><i>Policy Title:</i> <b>Policy on Harassment</b></p> <p><b>Effective Date:</b> March 24, 2021</p> <p><b>Enabling Acts:</b> R.C. 3345.0212</p>	<p><i>Policy Number:</i> <b>10.1.2</b></p> <p><b>Policy Owner:</b> Equity, Inclusion &amp; Community Impact Human Resources Student Affairs General Counsel</p> <p><b>Responsible Office(s):</b> Human Resources Student Affairs</p>
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**PURPOSE:**

This Policy applies to University of Cincinnati (“University”) students, student groups, and employees.

Ohio Revised Code 3345.0212 requires each public university in Ohio to adopt a policy on harassment that is consistent with and adheres strictly to the definition of harassment in section 3345.0211 of the Ohio Revised Code.

**POLICY:**

The University believes that the right of expression is as necessary as the right of inquiry and that both must be preserved as essential to the pursuit and dissemination of knowledge and truth. However, the University’s commitment to freedom of expression does not extend to harassment. Under section 3345.0211, harassment is defined as conduct and/or expression that is not protected by the First Amendment to the United States Constitution or Article I of the Ohio Constitution because it is:

1. unwelcome; and
2. so severe, pervasive, and objectively offensive that it effectively denies an individual equal access to the individual's education program or activity.

Expression (either in person, in writing, or by telecommunication) must meet this definition to constitute harassment and be actionable under this Policy. This Policy applies to alleged harassment that takes place on University property (owned, leased, or controlled premises), at University-sponsored events, and/or in connection with a University-recognized program or activity.

Reports involving an alleged violation of this Policy by a student should be reported to the Office of Student Conduct and Community Standards. Reports involving an alleged

violation of this Policy by an employee should be reported to the employee's immediate supervisor or appropriate administrator (generally the immediate supervisor's supervisor).

This Policy shall not be construed to impair any right or activity, including speech, protest, or assembly protected by the U.S. Constitution.

Nothing within this Policy shall be interpreted as preventing 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 does not protect. Further, nothing in this Policy 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, Title II of the Americans With Disabilities Act, Age Discrimination in Employment Act, and the Age Discrimination Act of 1975 as addressed through its non-discrimination and Title IX policies.