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| SUPERSEDES: 09/08/2015 | SECTION: Administration |
| POLICY AND PROCEDURE MANUAL MERCY COLLEGE OF OHIO, TOLEDO, OHIO Signature on file Signature: Dr. Susan Wajert, President | CODE NO. 109 |
| | SUBJECT: Civil Rights/Nondiscrimination |
| | DATE ORIGINATED: 09/08/2015 |
| | DATE COMMITTEE BOARD APPROVED: 05/22/2018 |
| | DATE BOARD APPROVED: 06/12/2018 |
| | DATE OF NEXT REVIEW: 2021 April 1-30 |

Civil Rights/Nondiscrimination Policy

PURPOSE:

To commit to the practice of nondiscrimination on the bases of race, color, national and ethnic origin, sex, sexual orientation, disability, age, marital status, religion, pregnancy, genetic information, and any other legally-protected class in admissions and educational programs, services and activities, in accord with applicable federal and state law at Mercy College of Ohio (“the College”).

SCOPE:

This policy applies to all College employees, students, and third parties conducting business on behalf of the College.

POLICY:

Discrimination occurs when persons are excluded from participation in, or denied the benefits of, a College program or activity because of their status in a legally-protected class. Discrimination can involve subjecting someone to unwelcome conduct (i.e., harassment). To reflect its commitment to nondiscrimination, the College has adopted the following nondiscrimination statement.

Nondiscrimination Statement:

Mercy College of Ohio is committed to a policy of nondiscrimination on the bases of race, color, national and ethnic origin, sex, sexual orientation, disability, age, marital status, religion, pregnancy, genetic information, and any other legally-protected class in admissions and educational programs, services and activities, in accord with applicable federal and state law.

The College will promptly and thoroughly investigate all allegations of discrimination. If an individual is found to have violated the College’s nondiscrimination statement, the College will take appropriate action to redress the violation, up to and including dismissal. Any member of the College community who is a witness to or victim of discrimination should immediately notify the Director of Compliance and Risk Management, or any member of the College’s

administration, faculty, or staff. The College prohibits retaliation based upon reporting of violations of this policy.

The following policies and procedures are used by the College in addressing various forms of discrimination complaints:

- Title IX, Violence against Women, Campus SaVE Policy
- Accessibility Policy
- Hazing Policy
- Student Code of Conduct

Formal complaints of discrimination, harassment, including sexual harassment or retaliation, should be directed to the following:

- Questions or concerns regarding compliance with Title IX:
Director of Compliance and Risk Management
Title IX Coordinator
Leslie Erwin
419-251-1710
- Questions or concerns regarding compliance with ADA/Section 504:
Director of Accessibility and Testing Services
Christine Miller
419-251-1784
- Questions or concerns regarding any other types of discrimination:
Director of Compliance and Risk Management
Leslie Erwin
419-251-1710
- Inquiries regarding discrimination may also be addressed to:
Director, Office for Civil Rights, U.S. Department of Education
1350 Euclid Avenue, Suite 325
Cleveland, OH 44115-1812
Telephone (216) 522-4970
FAX: 216-522-2573; TDD: 800-877-8339
Email: OCR.Cleveland@ed.gov

Board Approved: 06/12/2018

Board Committee Approved: 05/22/2018

Reviewed: February 2018 (*Added scope, separated policy from procedure, changed point of contact to Director of Compliance and Risk Management*)

Board Approved: 09/08/2015

Board Committee Approved: 08/25/2015

PROCEDURE 109

1. Notification of possible discrimination or harassment should be provided in writing to the Director of Compliance and Risk Management, or any member of the College's administration, faculty, or staff.
2. The individual bringing the complaint will suffer no retaliation from the College. The College will take every precaution available to protect the safety and well-being of the complainant during the investigation.
3. The individual(s) accused of discrimination will be promptly contacted and given an opportunity to respond.
4. If the accused individual(s) is a student, they will be formally charged through the Student Code of Conduct if there is evidence of discrimination.
5. The accused student(s) will be notified in writing of any charges of discrimination, as well as the Student Code of Conduct process.
6. A student found responsible for participating in discriminatory acts, in accordance with the Student Code of Conduct, will be subject to appropriate disciplinary sanctions. These sanctions can range from a warning to dismissal depending on the severity of the incident.
7. If the accused individual(s) is a faculty member, the case of alleged discrimination will be handled through the faculty disciplinary process. If the accused individual(s) is a member of staff or administration, the case of alleged discrimination will be handled through Mercy Health's Right of Review Policy MHP-HR-1504.0. Any faculty, staff, or administrator found responsible for participating in discriminatory acts will be subject to appropriate disciplinary sanctions. The sanctions imposed will depend on the severity of the incident.
8. When it is determined that there is insufficient evidence of discrimination to warrant formal charges against the accused, the accuser(s) will be notified in writing of the specific reason(s) for this determination and of his/her right to pursue the matter with external enforcement agencies.