

PROTOCOL FOR ADDRESSING CONCERNS OF DISCRIMINATION/HARASSMENT/RETALIATION

(1) INTRODUCTION AND DEFINITIONS

- (a) This protocol outlines the process the Compliance Office will follow when it receives notice of an allegation of discrimination, harassment and/or retaliation as defined by College Policy 3-43, “[Discrimination/Harassment/Retaliation](#).”
- (b) The *complainant* is the person who reports experiencing the alleged conduct.
- (c) The *respondent* is the person accused of the alleged conduct.
- (d) The standard used in reviewing, investigating and/or deciding a policy violation related to potential antisemitic acts shall take into consideration this definition:

Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.¹

(2) REPORTING DISCRIMINATION, HARASSMENT AND/OR RETALIATION

- (a) If an individual feels they are in immediate danger, they should call 911. If they are on the Columbus campus, calling 911 will alert the Columbus State Police Department.
- (b) The College’s preferred method for reporting behavior that may constitute discrimination, harassment and/or retaliation is through the College’s secure, online report form which is found here: [csc.edu/complianceconcern](https://www.csc.edu/complianceconcern). This form is automatically sent to staff in the Compliance Office. A representative from that Office will respond to electronically submitted reports within two (2) business days.
- (c) A report also can be made by contacting staff within the Compliance Office. Contact information is found here: <https://www.csc.edu/about/equity-compliance/>. Information about other forums to which discrimination, harassment and/or retaliation may be reported is found here: <https://www.csc.edu/services/title-ix/discrimination-harassment.shtml>.
- (d) A person who believes they have experienced discrimination, harassment and/or retaliation has the option to report anonymously through the online report form; however, the College’s investigation and response to anonymous complaints will be limited. If the anonymous report includes a crime, it will be counted in the College’s crime statistics as required by The Clery Act. Information about The Clery Act is found here: <https://www.csc.edu/services/title-ix/privacy-info.shtml>.

¹ International Holocaust Remembrance Alliance (IHRA) Working Definition.

- (e) To the extent permissible under law and in accordance with College policy, the College will use discretion related to the privacy of the person who experienced the alleged discrimination, harassment or retaliation. Privacy interests of the complainant are balanced with the College's legal obligations under state and federal law, College policy and procedure, the College's need to protect the College community and the College's requirement to ensure that appropriate sanction and disciplinary processes are implemented. Information on how the College will manage the privacy concerns of complainants and respondents and the sharing of information as appropriate and required by law is found here: <http://csc.edu/services/title-ix/privacy-info.shtml>. Complainants who desire complete confidentiality may speak with a licensed counselor. Information about this option is found at: <https://www.csc.edu/services/title-ix/resources.shtml>.

(3) INVESTIGATORY PROCESS

Initial Evaluation

- (a) The Compliance Supervisor or designee will perform an initial evaluation of the allegation(s) to determine if there is sufficient information to suggest that the allegation(s) is appropriate for further review and/or investigation by the Compliance Office. Once all necessary preliminary information related to a complaint has been obtained, every reasonable effort will be made to determine the appropriate disposition of the complaint within ten (10) business days.
- (b) If the allegation(s) is not based on a protected class or does not meet the criteria for retaliation found in College Policy 3-43, the Compliance Supervisor or designee will refer the information to the appropriate College department for follow-up.
- (c) If the respondent is not affiliated with the College as a student or employee, the College's response is limited because the College does not have authority over the respondent. In this situation, the College is unable to conduct a formal investigation, but the Compliance Office will take steps to enhance the complainant's safety and the safety of the College community by providing resources and collaborating with the appropriate College departments.

Interim Measures and Supports

The Compliance Supervisor or designee will perform an initial evaluation of the allegation(s) to determine whether sufficient information exists to warrant interim measures or supports on behalf of the complainant and/or College which are reasonably available and appropriate. If they are deemed reasonably available and appropriate, the specific interim measures or supports and the process for implementing them will vary depending on the facts of each case with an emphasis on minimizing the burden on the complainant and on limiting interactions between the complainant and respondent while the College is addressing the report. The Compliance Office will determine which interim measures or supports are appropriate and, if necessary, consult with the appropriate College departments in making this determination. Examples of interim measures and supports include, but are not limited to: referrals to counseling providers, exploring assignment extensions with supervisors (for employees) or faculty (for students),

modifications to work or class schedules, campus safety escort services and mutual restrictions on contact between parties.

Investigation

- (a) If the Compliance Supervisor or designee determines that the allegation(s) is appropriate for an administrative investigation and the complainant consents to participating or the College has a compelling reason to proceed without the complainant's participation, the Compliance Office will initiate a prompt, fair and impartial investigation.
- (b) The Compliance Office will make every reasonable effort to complete the investigation within 180 calendar days from the date when the decision was made to initiate an investigation; however, this timeline may vary based on the complexity of the complaint, the number and availability of witnesses and the amount, type and availability of relevant evidence. This timeline is exclusive of the Resolution and Sanctions processes.
- (c) The investigators will interview the parties to the complaint, interview witnesses and gather relevant evidence. The parties to the complaint will have the opportunity to furnish documentation and other evidence during the investigation.
- (d) The complainant(s) and respondent(s) are entitled to be accompanied to any related meeting or proceeding to address the allegation(s) by an advisor of their choice. The role of the advisor is to provide support to the complainant/respondent; the advisor does not otherwise participate in the meeting or proceeding. The Compliance Office must be informed of the name of the advisor at least two (2) business days prior to the meeting to ensure that the advisor also is not a potential witness, which would present a procedural conflict. If the Compliance Office determines that an advisor poses a potential procedural conflict, the party will be instructed to choose a different advisor. If the party does not inform the Compliance Office of the name of their advisor at least two (2) business days prior to the meeting and there is a potential conflict of interest, the party will be instructed to choose a different advisor and the meeting will be rescheduled, or the party, of their own volition, may choose to attend the meeting without the advisor.
- (e) As necessary, the investigators will provide periodic updates on the status of the investigation to the parties.
- (f) Upon completion of the information-gathering portion of the investigation, a report will be written summarizing the investigation. Using the preponderance of evidence standard, the investigator(s) will recommend whether a violation of College Policy 3-43 and/or another policy that falls within the scope of the Compliance Office occurred and submit the draft report to the Deputy General Counsel or designee for review and approval.
- (g) Upon approval of the final report, the parties will be informed in writing of the outcome of the investigation and of any referrals made for resolution, if applicable.
- (h) The process for investigating allegations of discrimination, harassment and/or retaliation is the same whether the respondent is an employee or student. The process diverges in the resolution phase depending on the role of the respondent because of the differing resolution procedures for students and employees.

RESOLUTION

(d) Student Respondents

If there is a recommendation of a violation, the case will be referred to the Office of Student Conduct for resolution pursuant to the Student Code of Conduct. The Student Code of Conduct is found here: <https://www.csc.c.edu/about/policies-procedures/7-10.pdf>
<https://www.csc.c.edu/about/policies-procedures/7-10G.pdf>

(e) Employee Respondents

If there is a recommendation of a violation, the case will be referred to Human Resources and appropriate area leadership for resolution pursuant to College policy, procedure, administrative guideline or applicable collective bargaining agreement. The disciplinary process for employees is in College Policy 3-32, *Disciplinary Action* and Procedure 3-32 (C), *Disciplinary Action* found here:
<https://www.csc.c.edu/about/policies-procedures/3-32.pdf>
<https://www.csc.c.edu/about/policies-procedures/3-32C.pdf>

(f) Third Party Respondents

A decision of whether the College will continue its relationship with a third party will be based on the initial evaluation of the allegation and/or after consultation with other College departments, as appropriate.

(4) SANCTIONS

Not every case of discrimination, harassment and/or retaliation is alike in severity; therefore, the College reserves the right to consider a range of reasonable sanctions. The range of sanctions for students is found here: <https://www.csc.c.edu/about/policies-procedures/7-10G.pdf>. The range of disciplinary actions for employees is found here: <https://www.csc.c.edu/about/policies-procedures/3-32C.pdf> or in the applicable collective bargaining agreement.