

Resolution to update the Faculty Handbook as appropriate for reorganization of the former Office of Institutional Equity

Professional Relations Committee

November 13, 2017

First Reading

Whereas the University has renamed and reorganized the former Office of Institutional Equity and renamed it,

Be it resolved that to maintain clarity whenever possible, the language of the Faculty Handbook be amended as follows

1. Where appropriate the **Office of Institutional Equity** will be replaced with **University Equity and Civil Rights Compliance (ECRC)**. Specifically, but not limited to

VII. E.1.b. The charge to the committee and a general description of the position to be filled will be given by the person responsible for making the appointment. In the case of deans and directors, the general description will be developed by the Provost in consultation with the members of the committee. The committee is responsible for ensuring that affirmative action principles are observed. It will meet with an officer of University Equity and Civil Rights Compliance (ECRC) early in its deliberations.

II. Q. Policy on Sexual Misconduct, Relationship Violence and Stalking

II.Q. 3. All Ohio University faculty and staff are responsible for compliance with [03.004](#) in the Policy and Procedures Manual and have an affirmative duty to report conduct inconsistent with this policy. Immediately upon learning of potential campus sexual misconduct, a faculty member who receives a complaint of sexual misconduct or who observes or learns of conduct that is reasonably believed to be in violation of this policy, is required to report the alleged conduct to University Equity and Civil Rights Compliance (ECRC), following the reporting guidelines as outlined in [03.004](#), section VII.A Duty to Report. University Equity and Civil Rights Compliance (ECRC) as the investigating office will respect the rights of all parties involved in the complaint in compliance with federal and state law.

4. In addition to the duty to report sexual misconduct to the University Equity and Civil Rights Compliance (ECRC) as identified above, in some circumstances there is a duty to report allegations of criminal conduct to law enforcement. Ohio law (Ohio Revised Code 2921.22) requires every person who knows that a felony has been or is being committed, to report it to law enforcement. It is a criminal offense to knowingly fail to make the report. If a faculty member suspects or has knowledge of criminal activity

occurring on university property, s/he has a duty to call the Ohio University Police Department at 740-593-1911 (in an emergency, please dial 911 immediately). Incidents that occur off campus or at a regional campus should be reported to local law enforcement.

5. A faculty member identified in a sexual misconduct complaint will be apprised of the facts involved by the Office of **University Equity and Civil Rights Compliance** (ECRC) and, as a part of the process, the faculty member will have the right to present any oral and written information relating to such a complaint before any action is taken.

6. Determinations made by **University Equity and Civil Rights Compliance** (ECRC) will be sent to the planning unit where, if appropriate, the complaint may be forwarded to the college or regional campus Professional Ethics Committee. A faculty member may appeal any action that might result from such a complaint following the procedures described in Section II.G. of the Faculty Handbook.

R. Policy on consensual and familial relationships in the instructional setting

1. A faculty member (or other person serving in an instructional role) shall not supervise, provide academic advising to, or grade the academic work of a student with whom s/he has or begins a consensual romantic or sexual relationship. Retaining such a supervisory role is a violation of Policy [03.004](#) ("Sexual Misconduct, Relationship Violence and Stalking"). Because such relationships may carry the potential for coercion, their consensual nature is inherently suspect. Furthermore, such a relationship may give other students in the same academic setting cause to believe that an unfair educational advantage accrues to the student in the relationship.
2. Familial instructional relationships may also confer unfair advantage on the student related to the faculty member or be so perceived. Thus, faculty shall not supervise, advise or grade the academic work of immediate family members. For purposes of this policy, immediate family is defined as in [Section II.C.7.a](#) and includes husband-wife, parent-child, domestic partner of the same or opposite sex, and sibling relationships.
3. An exception to the policy set forth in Items 1 and 2 may be permitted if safeguards are put into place by the faculty member's chair or, if the faculty member is the chair, by the dean of the college offering the course.
4. Specific concerns or complaints regarding consensual or familial relationships may be brought to the attention of the department chair, University Equity and Civil Rights Compliance (ECRC) , or the Office of the Ombudsperson. These three offices will assist the complainant in a timely fashion in an informal resolution of the complaint or direct the complainant to the appropriate grievance procedure. The investigating office will respect the rights of all parties involved in the complaint