

# Wittenberg University

## Title VI Policy & Ohio “CAMPUS” Act

### I. PURPOSE AND STATEMENT OF POLICY

This policy is established in compliance with Title VI of the Civil Rights Act of 1964 and Ohio’s Campus Accountability and Modernization to Protect University Students Act (“CAMPUS” Act) (Ohio Rev. Code §§ 3320.01 et seq., as enacted in Senate Bill 94), aimed, in part, at preventing racial and ethnic harassment and intimidation within private nonprofit institutions of higher education.

Wittenberg University is deeply committed to fostering a safe, inclusive, and equitable environment free from discrimination or harassment on the basis of race, color, national origin, or religion.

This policy not only ensures adherence to federal and state law but also reflects the core values and mission of the Wittenberg community. While rooted in the legal framework of Title VI and Ohio’s “CAMPUS” Act, this policy extends beyond these legal mandates. It serves as a comprehensive expression of Wittenberg University’s academic, residential, and professional standards.

This policy applies to all members of the Wittenberg University community, including faculty, staff, and students. The University is dedicated to actively preventing any form of racial, religious, or ethnic harassment or intimidation, while promptly addressing any concerns or allegations of such conduct. The institution will take swift action to eliminate discriminatory behavior, prevent its recurrence, and provide fair and equitable resolutions to complaints, in line with its legal obligations and community values.

Furthermore, Wittenberg University commits to offering support and counseling to students impacted by discrimination or harassment. The University aims to create a respectful and welcoming environment where diversity is celebrated, and all individuals are treated with dignity. Any conduct that violates Title VI or Ohio’s “CAMPUS” Act, including actions or behaviors that foster a hostile, intimidating, or offensive environment, will not be tolerated.

### II. NOTICE OF NON-DISCRIMINATION

As an institution that values the dignity of all, the University adheres to all federal and state civil rights laws banning discrimination in private institutions of higher education. Wittenberg

University does not discriminate on the basis of age, race, color, creed, religion, ancestry, national or ethnic origin, sex/gender, sexual orientation, gender identity, disability, genetic information, military status, veteran status, familial status or any other protected category under applicable local, state or federal law, ordinance or regulation. This includes protections for those opposing discrimination or participating in any complaint process on campus or within the Equal Employment Opportunity Commission, Ohio Civil Rights Commission or other human rights agencies, as well as in the planning and administration of its admissions policies, educational programs, scholarships, loans, and other financial aid, athletic and other school-administered programs, services, and activities, or in employment. Sexual harassment, which includes acts of sexual violence, is a type of sex discrimination.

The University does not tolerate discrimination, harassment, or retaliation on these bases and takes steps to ensure that students, faculty, staff members, and third parties are not subject to a hostile environment in university programs or activities. Protective measures are available during an investigation into allegations, and where harassment or discrimination is found to have occurred, the University will take appropriate steps to eliminate such harassment or discrimination, prevent its recurrence, and address its effects.

Pursuant to Title VI, the University has an obligation to address discrimination, including harassment, on the basis of race, color, and national origin. Title VI provides:

*No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.*

More specifically, Title VI requires the University to eliminate hostile environment harassment and prevent the recurrence of such harassment, where the conduct is on the basis of race, color, and national origin. Guidance from the Department of Education clarifies that Title VI protects individuals on the basis of actual or perceived race, color, and national origin, including actual or perceived: (i) shared ancestry or ethnic characteristics; or (ii) citizenship or residence in a country with a dominant religion or distinct religious identity.<sup>1</sup>

In addition, Ohio's "CAMPUS" Act requires institutions of higher education to prevent and address incidents of racial, religious, and ethnic harassment and intimidation. Under this policy, Wittenberg University prohibits any actions that foster a hostile, intimidating, or offensive

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<sup>1</sup> See U.S. Department of Education Office for Civil Rights (OCR), Dear Colleague Letter: Protecting Students from Discrimination, such as Harassment, Based on Race, Color, or National Origin, including Shared Ancestry or Ethnic Characteristics (May 2024).

environment based on race, religion, or national origin. The University's policy reflects the broader values of respect, inclusion, and equity upheld by the Wittenberg community.

Complaints regarding any form of racial, religious, ethnic harassment and intimidation should be directed to the Office of Student Conduct (Students) or the Office of Human Resources (Faculty/Staff) for an initial assessment. The University has established grievance procedures to ensure the prompt and equitable resolution of complaints.

The following persons have been designated and authorized to handle inquiries of the non-discrimination policies regarding racial, religious, and ethnic harassment and intimidation:

*For Students*

Kristina Bryant

Director of Student Conduct and Deputy Title IX Coordinator

Co-Chair of Bias Incident & Education Response Team (BERT)

737 Fountain Ave., 101 Shouplin Center

937-327-7804

bryantk1@wittenberg.edu

Joi Garrett Scales

Assistant Dean of Students for Diversity, Inclusion, & Belonging

Director of the McClain Center for Diversity & Womyn's Center

Co-Chair of Bias Incident & Education Response Team (BERT)

825 Woodlawn Ave

937-327-6163scalesj@wittenberg.edu

*For Faculty & Staff*

Carol Nickoson

Director of Human Resources

Recitation Hall

(937) 327-7517

nickosonc@wittenberg.edu

### III. SCOPE OF POLICY

This policy applies to all students, faculty, staff, and visitors at Wittenberg University, as well as all programs and activities, both on-campus and off-campus, that are sponsored by the institution. This includes academic programs, campus housing, student organizations, and events.

## IV. PROHIBITED CONDUCT

This Policy addresses a broad spectrum of behavior, all of which falls under the broad definition of Prohibited Conduct.

### A. Hostile Environment (Title VI):

Title VI of the Civil Rights Act of 1964 protects people from discrimination based on race, color, and national origin in programs and activities receiving federal financial assistance.

Unwelcome conduct based on race, color, or national origin creates a hostile environment under Title VI when, based on the totality of the circumstances, it is: subjectively and objectively offensive; and so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity.

### B. "CAMPUS" Act Prohibited Conduct

#### 1. Harassment

Unwelcome conduct on the basis of race or ethnicity that is so severe, pervasive, and objectively offensive that it effectively denies an individual equal access to the individual's education program or activity.

Under Ohio Rev. Code 3320.06(D), the CAMPUS Act requires Prohibited Conduct under A(1) to control and B(1) will be used for reporting requirements under Section V. To the extent that unwelcome conduct on the basis of race and/or ethnicity does not rise to the level of prohibited conduct as defined by the CAMPUS Act, the CAMPUS Act requires the University to evaluate all reports of discrimination and harassment pursuant to other applicable federal law, as well as the Notice of Non-Discrimination provisions within the Student, Faculty and Employee Handbooks.

#### 2. Intimidation

Committing the following acts by reason of the race, color, religion, or national origin of another person or group of persons:

- a. Aggravated menacing as defined by [Ohio Rev. Code 2903.21](#)
- b. Menacing as defined by [Ohio Rev. Code 2903.22](#)
- c. Criminal damaging or endangering as defined by [Ohio Rev. Code 2909.06](#)
- d. Criminal mischief as defined by [Ohio Rev. Code 2909.07](#)
- e. Telecommunications harassment as defined by [Ohio Rev. Code 2917.21\(A\)\(3\), \(4\), or \(5\)](#)

Under Ohio Rev. Code 3320.06(D), the CAMPUS Act requires Prohibited Conduct under A(1) to control and B(2) will be used for reporting requirements under Section V.<sup>2</sup>

### **C. Retaliation for Reporting**

Any form of retaliation against individuals who report Prohibited Conduct incidents.

## **V. REPORTING**

Wittenberg University encourages anyone who experiences, or has information about, alleged Prohibited Conduct to immediately make a report. Campus safety is our top priority, and the University takes all reports seriously. Prompt reporting enables campus officials to gather timely and relevant information to aid in investigations. A report can be made in person, by telephone, by email, online using the [Incident Reporting Form](#) or by any other means that results in one of the offices listed below receiving the report. Such reports may be made at any time, including during non-business hours. A report can also be made anonymously, although reporting anonymously may limit the University's ability to investigate or obtain additional information.

Any person may contact the following offices or individuals:

#### **Office of Campus Safety**

Emergency: 911 or 937-327-6363

Non-Emergency: 937-327-6231

#### **Office of Student Conduct**

Kristina Bryant

Director of Student Conduct and Deputy Title IX Coordinator

937-327-7804

bryantk1@wittenberg.edu

#### **Office of Human Resources**

Carol Nickoson

Director of Human Resources

937-327-7527

nickosonc@wittenberg.edu

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<sup>2</sup> For reporting purposes, the intimidation definition under the "CAMPUS" Act is different than the intimidation definition under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") 20 U.S.C. 1092(f). The definition of intimidation under the Clery Act is included in 668.46(c)(9)(iii).

## VI. REPORTING AND ACCOUNTABILITY

As mandated by the "CAMPUS" Act, Wittenberg University will submit an annual report to the chancellor of all harassment and intimidation reports submitted to the federal government consistent with the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act," 20 U.S.C. 1092(f).

## VII. CAMPUS TASK FORCE AND PARTNERSHIPS

In accordance with the "CAMPUS" Act, the institution establishes a campus task force, Bias Incident & Education Response Team (BERT), to combat antisemitism, Islamophobia, anti-Christian discrimination, and hatred, harassment, bullying, or violence toward others. This task force:

- Monitors reports of racial, religious, and ethnic discrimination, harassment, and intimidation incidents.
- Partner with law enforcement agencies and student organizations to ensure the safety of at-risk groups.
- Develop strategies to prevent hate crimes and terror attacks.

## VIII. INVESTIGATION PROCESS

Complaints of Prohibited Conduct may be submitted to the Office of Student Conduct for students or to the Office of Human Resources for faculty & staff or anonymously through the online reporting form found on the Wittenberg website. All processes will follow the Student Code of Conduct as outlined in the Student Handbook starting with Section 6 or the Employee Handbook.

At the conclusion of an investigation of "CAMPUS" Act Prohibited Conduct, mandatory communications will be sent to identified individuals who submit a complaint and individuals who are the subject of a complaint, regardless of whether disciplinary action is taken. These communications may include educational information on the institution's policy against racial, religious, and ethnic harassment and intimidation.

## IX. REMEDIES AND SANCTIONS

If a violation of is found, the university will take appropriate corrective action, which may include:

- Educational remedies (training, workshops).
- Disciplinary action up to and including suspension, expulsion, or termination.

- Other measures to prevent recurrence of the violation and remedy the effects of discrimination.

#### X. RETALIATION

Retaliation against individuals who report Prohibited Conduct violations or participate in investigations is strictly prohibited. The university will take strong disciplinary actions against individuals found responsible for retaliatory behavior.

#### XI. STUDENT CONDUCT AND SAFETY

Students are expected to abide by the Dissent and Disorder Policy in the Student Handbook.

To the extent possible and as needed, the University's Office of Campus Safety will collaborate with local law enforcement, the state highway patrol, and the student community to provide security for institutionally sanctioned student organizations (i.e., registered student organizations) that face threats of terror attack or hate crimes.

#### XII. EDUCATION AND TRAINING

Wittenberg University will provide mandatory training for all administration, faculty, and staff. Training will include information on how to respond to hate incidents or incidents of harassment that occur during a class or event held at the institution at the time the incident occurs. This training may be provided online.

#### XIII. CONTACT INFORMATION

For more information on the policy, or to file a complaint, contact:

Kristina Bryant  
Director of Student Conduct and Deputy Title IX Coordinator  
Co-Chair of Bias Incident & Education Response Team (BERT)  
737 Fountain Ave., 101 Shouplin Center  
937-327-7804  
bryantk1@wittenberg.edu

Joi Garrett Scales  
Assistant Dean of Students for Diversity, Inclusion, & Belonging

Director of the McClain Center for Diversity & Womyn's Center  
Co-Chair of Bias Incident & Education Response Team (BERT)  
825 Woodlawn Ave  
937-327-6163  
scalesj@wittenberg.edu

Carol Nickoson  
Director of Human Resources  
Recitation Hall  
937-327-7527  
nickosonc@wittenberg.edu

You can also report anonymously online- [Report Form](#)