

**Nondiscrimination Policy, 2.03**  
**Chapter 2: Personnel**

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**Responsible Office:** Human Resources  
**Applies to:** Faculty, Staff and Students  
**BOT Approved:** 03/21/2023

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**Policy:** James A Rhodes State College has a strong commitment to the principles of anti-harassment and nondiscrimination in all its forms, in its admission, educational, extra-curricular and employment practices, athletics, social programs, and activities. The College prohibits harassment, that is unwelcome conduct that is sufficiently severe, pervasive and objectively offensive that it effectively denies an individual equal access to the institution's education or employment programs or activities. The College does not discriminate on the basis of race, national origin, ethnicity, color, gender, gender identity or expression, genetic information, sexual orientation, religion, age, marital status, disability, military status (past, present or future), status as a parent (including, but not limited to, during pregnancy, immediately after the birth of a child, parent of a young child, and foster parent) and status as a nursing mother or any other basis prohibited by the Civil Rights Act of 1964, Title IX, 504 of the Rehabilitation Act, Title II of the Americans with Disability Act, State of Ohio Executive Order 2023-01D and applicable federal, state, or local laws and college policy. All inquiries can be directed to the Executive Director of Human Resources, at:

Andrea Goings  
Executive Director, Human Resources  
Title IX Coordinator  
Rhodes State College  
4240 Campus Drive – Public Service Building  
Lima, OH 45804  
419-995-8302  
[Goings.A@Rhodes.State.edu](mailto:Goings.A@Rhodes.State.edu)

**Guidelines:****I. Authority**

- a. The Executive Director of Human Resources will be responsible for the application and the administration of the College's Nondiscrimination Policy to all college personnel and operational policies and employment practices.

He/she will provide assistance to the College in the areas of:

- i. Instructional staff recruitment and employment
  - ii. Non-academic employee recruitment and employment
  - iii. Purchasing, contracting, and construction
- b. The Vice President of Enrollment Management will be responsible for the application and the administration of the College's Nondiscrimination Policy to all student programs and activities including student recruitment, admissions, and placement.

- c. The Executive Director of Human Resources and the Senior Vice President Academic and Student Affairs, Workforce Development (SVP) are the College's compliance officers for Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and The Americans with Disabilities Act of 1990. Employees or applicants for employment who believe that they have suffered discrimination, including sexual harassment, should contact the Executive Director of Human Resources; students with the same belief should contact the Senior Vice President.

## **II. Dissemination of Policy**

- a. The College's Nondiscrimination Policy will be published on the College's website and communicated to all employees and students through College publications and other available media. Examples include the Faculty Handbook, the Search Guidelines and Employment Procedure Manual, and postings in all campus buildings. This information, as it applies to students, will be communicated in the College catalog and other appropriate student publications.
- b. To ensure awareness, understanding, and positive meaningful and effective implementation, the subject of nondiscrimination and the College's commitments under state and federal laws will be assigned a high priority for discussion at appropriate management and supervisory meetings. Required reports will be made to the appropriate legislative and governing bodies.
- c. Community organizations, news media, secondary schools, colleges, and all recruiting sources will be informed when necessary about the College's Nondiscrimination Policy.

## **III. Faculty / Staff Recruitment**

- a. The College recruits on the basis of qualifications and demonstrated performance and does not discriminate on the basis of a protected class.
- b. The College will advise all sources of applicants including public and private employment agencies, professional recruiting firms, high schools and college placement offices, local churches, and community interest groups of the College's Nondiscrimination Policy.
- c. Appropriate notices setting forth the College's Nondiscrimination Policy will be included in all solicitations or advertisements for new employees. The identification feature, "An Equal Opportunity/ADA Employer, M/F V/D" will be used on all recruiting and other employment publications.

## **IV. Employment and Placement**

- a. The James A. Rhodes State College will base selection of personnel on the basis of qualifications including skill, ability, training, and demonstrated performance. The College will make every reasonable effort to fill available positions with the best qualified persons available.
- b. Applicants will be screened and referred for employment consideration without regard to immutable characteristics.
- c. Screening procedures such as interviewing and testing will be consistent with applicable laws and sound practices.
- d. Regular appointments and positions will use appropriate employment forms.

## **V. Compensation and Benefits**

The College does not and will not discriminate in the compensation received by any of its

employees. Compensation and benefit programs are administered solely on the basis of entitlements.

**VI. Construction**

The College will take necessary steps to be sure that all contractors on construction projects provide employment to any qualified worker without regard to protected class states, or labor union affiliation; and will insist that contractors are, in fact, equal opportunity employers. Such proof may include, but is not necessarily limited to, a firm commitment to affirmative action in employment. When applicable, the College will coordinate this policy with The Ohio State University.

The members of the Title IX Team are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against complainants and/or respondents, generally.

**VII. Facilities and Activities**

With the exception of those facilities that must be segregated on the basis of sex, all facilities and activities will continue to be open to all persons.

**VIII. Labor Relations**

- a. There will be no illegal interference with the right of employees to become or continue as members of organized labor.
- b. This Nondiscrimination Policy will be incorporated in any understanding or agreement between the College and any labor union.

**IX. Individual Responsibility**

- a. Each Vice President, Dean, Chairperson, Director, and Supervisor will be responsible within his/her area of jurisdiction to ensure full compliance to this policy.
- b. It is the obligation of each employee of the College to adhere to this policy.

**X. Grievance Resolution Process**

[\(see Nondiscrimination Grievance Procedure 2.03a\)](#)

**Compliance References:**

- Senate Bill 40: Forming Open and Robust University Minds (FORUM) Act
- State of Ohio Executive Order 2023-01D
- Civil Rights Act of 1964
- Title IX, 504 of the Rehabilitation Act
- Title II of the Americans with Disability Act

	<b>Date:</b>	<b>Reason:</b>
<b>Issued:</b>	11/17/2015	Original Policy 5.2 approved
<b>Issued:</b>	08/18/2020	Replaces Policy 5.2
<b>Revised:</b>	03/16/2021	Change in titles to align with organizational structure and added definition of harassment per Senate Bill 40
<b>Revised:</b>	03/21/2023	Change in definition of discrimination in response to Executive Order 2023-01D

*This policy and / or procedure provides operating principles for Human Resources issues at Rhodes State College. It supersedes any prior policy covering specific subject. This policy and / or procedure may be suspended, modified or cancelled as determined by the College. This policy and / or procedure does not create a contract of employment, nor is it a condition of employment between the College and its employees.*