

Northwest State Community College

Title IX Sexual Harassment Grievance Procedure

Effective: June 25, 2026

This grievance procedure implements Northwest State Community College's Title IX Sexual Harassment Policy and provides the process for receiving, assessing, investigating, adjudicating, and resolving reports and complaints covered by that policy.

PROCEDURE

1. Receipt of Report and Initial Assessment

1. The Title IX Coordinator or designee reviews all reports that reasonably may involve Title IX sexual harassment, retaliation, process abuse, or prohibited relationships connected to Title IX sexual harassment. Reports alleging sex discrimination that is not Title IX sexual harassment, or alleging other protected-class discrimination or harassment, will be referred to NSCC's nondiscrimination policy and procedure and/or another applicable College process.
2. The initial assessment may include outreach to the complainant; assessment of immediate safety risks; discussion of supportive measures; identification of confidential and non-confidential resources; clarification of the reported conduct; jurisdictional review; evaluation of whether the conduct, if true, may violate this policy; consideration of whether other College policies may apply; and determination of available resolution options.
3. The Title IX Coordinator may take preliminary steps to assess the report, including limited information gathering, consultation with Campus Police, Human Resources, Student Conduct, supervisors, or other offices, and review of available records.
4. If the respondent is not subject to College authority, the College response may be limited, but the College will still provide supportive measures and take other steps reasonably available to restore or preserve equal access and protect safety.
5. If the complainant requests that no investigation occur or no disciplinary action be taken, the Title IX Coordinator will evaluate the request in light of the College's obligation to provide a safe and nondiscriminatory environment. The College may proceed with a complaint or other resolution despite the request when required or appropriate.

2. Filing a Complaint or Title IX Formal Complaint

A complaint may be filed by a complainant or signed by the Title IX Coordinator or designee. A Title IX formal complaint must allege Title IX sexual harassment against a respondent and request that the College investigate the allegation. To be addressed under this Policy and the Title IX Sexual Harassment Grievance Procedure, the alleged conduct must have occurred in the United States, within the College's education program or activity, and in circumstances over which the College exercised substantial control over both the respondent and the context in which the alleged sexual harassment occurred. At the time of filing a Title IX formal complaint, the complainant must be participating in or attempting to participate in the College's education program or activity, unless otherwise provided by applicable Title IX regulations.

The Title IX Coordinator may sign a complaint when doing so is not clearly unreasonable in light of known circumstances, including when there is a risk to campus safety, a pattern of alleged misconduct, use of violence or weapons, multiple complainants, allegations involving a College employee, or other circumstances indicating a need for College action. When the Title IX Coordinator signs a complaint, the Title IX Coordinator does not become the complainant or a party.

3. Written Notice of Allegations

Upon the filing of a complaint and before any initial interview of a party, the College will provide written notice to known parties with sufficient time to prepare. The notice will include, as applicable:

- Information about the investigative resolution process and informal resolution options;
- The allegations potentially constituting a policy violation, including identities of the parties, conduct allegedly constituting the violation, and date and location of the alleged incident, if known;

- A statement that the respondent is presumed not responsible until a determination is made at the conclusion of the process;
- The right of each party to an advisor of choice, who may be an attorney, but is not required to be;
- The right to inspect and review evidence as provided in this procedure;
- The provisions prohibiting retaliation and process abuse, including knowingly making false statements or submitting false information;
- Information about supportive measures and resources;
- A statement that the College may amend the notice if additional allegations are accepted for investigation.

If the College decides to investigate allegations not included in the initial notice, it will provide written notice of the additional allegations to the known parties.

4. Dismissal and Referral

The College must dismiss a Title IX formal complaint for Title IX purposes if the alleged conduct, even if proven, would not constitute Title IX sexual harassment; did not occur in the College's education program or activity, including circumstances in which the College did not exercise substantial control over both the respondent and the context in which the alleged Title IX sexual harassment occurred; did not occur against a person in the United States; or was filed by a complainant who, at the time of filing, was not participating in or attempting to participate in the College's education program or activity, when required by applicable Title IX regulations.

The College may dismiss a Title IX formal complaint, or any allegations within it, if the complainant notifies the Title IX Coordinator in writing that the complainant wishes to withdraw the complaint or any allegations; the respondent is no longer enrolled in or employed by the College; specific circumstances prevent the College from gathering evidence sufficient to reach a determination; there is no reasonable basis to believe that a violation of the Policy may have occurred; or dismissal is otherwise permitted by law.

The College will promptly provide written notice of dismissal and the reason or reasons for dismissal to the parties, as required by applicable law and include the opportunity for timely appeal. A dismissed matter may still be referred, as appropriate, for supportive measures, educational measures, safety measures, Human Resources review, Student Conduct review, or another appropriate College process.

5. Consolidation

The College may consolidate complaints or allegations involving more than one complainant, more than one respondent, cross-complaints, or allegations arising out of the same facts or circumstances. Consolidation may apply to some or all phases of investigation, hearing, resolution, or appeal.

6. Advisors

Each party may be accompanied by an advisor of choice to meetings, interviews, hearings, and other proceedings. The College will not limit the choice or presence of an advisor, but may establish equal restrictions on advisor participation. Advisors may provide support and advice, but may not obstruct, disrupt, intimidate, harass, retaliate, answer for a party, or otherwise interfere with the process.

For Title IX hearings that require cross-examination by an advisor, the advisor conducts cross-examination and the parties may not personally cross-examine each other. If a party does not have an advisor for such a hearing, the College will provide an advisor of the College choice without fee or charge for the purpose of conducting cross-examination.

7. Investigation

The College will conduct a thorough, reliable, impartial, and equitable investigation. The burden of proof and burden of gathering evidence sufficient to reach a determination rest on the College and not on the parties.

The investigation may include interviews with parties and witnesses; collection and review of documents, electronic communications, photographs, video, audio, records, policies, and other evidence; site visits; consultation with experts; and other steps appropriate to the matter.

During the investigation, the College will:

- Provide equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence, except that parties remain prohibited from retaliation, intimidation, witness tampering, harassment, or unlawful disclosure;
- Provide written notice of the date, time, location, participants, and purpose of investigative interviews, hearings, meetings, or proceedings to a party whose participation is invited or expected, with sufficient time to prepare;
- Use investigators who are trained and free from conflicts of interest and bias for or against complainants or respondents generally or an individual party;
- Objectively evaluate relevant evidence, including evidence that tends to prove or disprove the allegations;
- Not make credibility determinations based on a person status as complainant, respondent, or witness;
- Not access, consider, disclose, or otherwise use privileged information or treatment records without voluntary written consent, unless otherwise permitted by law.

Evidence about a complainant sexual predisposition or prior sexual behavior is not relevant unless offered to prove that someone other than the respondent committed the alleged conduct, or where it concerns specific incidents of prior sexual behavior between the complainant and respondent and is offered to prove consent, as permitted by applicable law.

8. Evidence Review and Investigative Report

Before completion of the investigative report, the College will provide each party and the party advisor, if any, an equal opportunity to inspect and review evidence obtained as part of the investigation that is directly related to the allegations, including evidence upon which the College does not intend to rely. The College will provide the evidence in electronic format or another appropriate format.

The parties will have at least ten business days to submit a written response to the evidence, unless a different timeframe is permitted by law and communicated in writing. The investigator will consider timely written responses before completing the investigative report.

The investigator will prepare an investigative report that fairly summarizes relevant evidence. The report will be provided to each party and the party advisor, if any, for review and written response at least ten business days before a hearing or other time of determination regarding responsibility, unless a different timeframe is permitted by law and communicated in writing.

9. Hearings

A live hearing will be provided for Title IX sexual harassment matters when required by law. This procedure does not adjudicate sex discrimination that is not Title IX sexual harassment or other protected-class discrimination or harassment.

At a hearing:

- The decision-maker will preside and maintain order;
- The parties shall have advisors present;
- Relevant questions and follow-up questions, including those challenging credibility, may be asked as allowed by the applicable process;
- For Title IX matters requiring advisor-conducted cross-examination, cross-examination must be conducted by advisors and never by parties personally;
- Before a party or witness answers a question, the decision-maker will determine whether the question is relevant and explain verbally and on the record any decision to exclude a question as not relevant;
- The College will make evidence previously provided to the parties available for use at the hearing;
- The College will allow parties to participate from separate locations using technology that enables participants to see and hear each other simultaneously, as required by law;
- The decision-maker will not draw an inference about responsibility based solely on a party or witness absence from the hearing or refusal to answer questions.

10. Determination Regarding Responsibility

The decision-maker will issue a written determination using the preponderance of the evidence standard. The written determination will include, as applicable:

- Identification of the allegations potentially constituting a policy violation;
- Description of procedural steps taken from receipt of the complaint through determination, including notices, interviews, site visits, methods used to gather evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding application of policy to the facts;
- A statement of and rationale for the result as to each allegation, including a determination regarding responsibility;
- Any disciplinary sanctions imposed on the respondent and whether remedies designed to restore or preserve equal access will be provided to the complainant, as permitted by privacy law;
- Appeal procedures and bases for appeal.

The College will provide the written determination to the parties simultaneously. The determination becomes final on the date the College provides the written appeal decision, if an appeal is filed, or the date on which an appeal would no longer be timely, if no appeal is filed.

11. Corrective Action, Sanctions, and Remedies

When a respondent is found responsible, the College will determine sanctions, corrective action, and remedies in consultation with appropriate offices. Student sanctions may be implemented through Student Conduct or another designated office. Employee corrective action may be implemented by the employee's supervisor, Human Resources, or another appropriate administrator. Faculty, staff, student employees, vendors, contractors, volunteers, visitors, and program participants may be subject to appropriate action under applicable policies, procedures, contracts, and agreements.

The Title IX Coordinator is responsible for coordinating the effective implementation of remedies in Title IX matters. The written determination will be provided to the parties simultaneously and will include any disciplinary sanctions imposed on the respondent and whether remedies designed to restore or preserve the complainant's equal access to the College's education program or activity will be provided to the complainant. Remedies and supportive measures provided to a complainant will be communicated to the complainant as appropriate. Sanctions, corrective action, and remedies will be disclosed and implemented consistent with Title IX, FERPA, employment privacy, and other applicable law.

12. Appeals

Both parties may appeal a determination regarding responsibility or dismissal of a complaint or allegation. Appeals must be submitted in writing within the timeframe stated in the written determination or dismissal notice. Appeals are limited to the following bases unless additional bases are required by law or policy:

- Procedural irregularity that affected the outcome;
- New evidence that was not reasonably available at the time the determination or dismissal was made and that could affect the outcome;
- The Title IX Coordinator, investigator, decision-maker, or other person responsible for the process had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome.

The appeal officer will not be the investigator, decision-maker, Title IX Coordinator, or a person with a conflict of interest or bias. The College will notify the other party when an appeal is filed and will provide both parties a reasonable, equal opportunity to submit written statements in support of or challenging the outcome. The appeal officer will issue a written decision describing the result and rationale and will provide the decision simultaneously to the parties.

If an appeal does not identify an appeal basis with specific facts or information, the appeal may be denied. Vague, unsupported, or blanket assertions are insufficient.

13. Timeframes and Extensions

The College will seek to complete resolution processes within reasonably prompt timeframes. Timeframes may be extended temporarily for good cause with written notice to the parties. Good cause may include absence of a party, advisor, or witness; concurrent law enforcement activity; complexity of the matter; need for language assistance or accommodation; break periods; health or safety concerns; or other circumstances that justify delay.

14. Accommodations and Accessibility

A party, witness, or advisor who needs a disability accommodation, language assistance, or other reasonable modification to participate in a process should notify the Title IX Coordinator as soon as possible. The College will work with appropriate offices to provide reasonable accommodations consistent with law and College policy.

15. Parallel Criminal, Civil, or Other Proceedings

A College resolution process may proceed before, during, or after a criminal, civil, employment, or other process. The College may temporarily delay fact-gathering for good cause when requested by law enforcement, but will not delay supportive measures. The College does not determine whether criminal law was violated; it determines whether College policy was violated.

16. Records

The College will maintain records of reports, complaints, supportive measures, investigations, hearings, determinations, appeals, informal resolutions, remedies, sanctions, training, and other actions as required by law and College retention schedules. Records will be maintained in a manner that protects privacy and supports compliance review.

17. Responsibilities

Position or Office	Responsibilities
Title IX Coordinator	Coordinates Title IX compliance; receives reports and complaints; conducts or oversees initial assessments; coordinates supportive measures; signs complaints when appropriate; oversees investigations, informal resolutions, hearings, appeals, remedies, training, recordkeeping, and publication of required notices.
Deputy Title IX Coordinators	Receive reports and complaints; assist with supportive measures, outreach, resources, training, and process coordination as delegated by the Title IX Coordinator. May serve as a designee for the Title IX Coordinator in their absence.
Investigators	Conduct impartial investigations; gather and evaluate evidence; provide evidence review; prepare investigative reports; avoid conflicts of interest and bias. Investigators may be College employees or outsourced contractors.
Decision-makers/Hearing Officers	Conduct hearings or adjudications; determine relevance; evaluate evidence; issue written determinations; avoid conflicts of interest and bias.
Appeal Officers	Review appeals; provide equal opportunity for party submissions; issue written appeal decisions; avoid conflicts of interest and bias.
Informal Resolution Facilitators	Facilitate voluntary informal resolution when approved; provide required notices; avoid conflicts of interest and bias.
Human Resources	Assist with employee supportive measures, prohibited relationship disclosures, administrative leave, corrective action, training, and implementation of employee remedies or sanctions.
Student Conduct/Student Services	Assist with student supportive measures, interim measures, student conduct referrals, sanctions, remedies, and academic or student support.

Campus Police	Respond to safety concerns and criminal reports; assist with emergency response, escorts, safety planning, Clery obligations, and law enforcement coordination.
Employees	Report information as required; cooperate with College processes; maintain privacy; refrain from retaliation and process abuse; complete required training.
College Community Members	Comply with this policy; report Title IX sexual harassment concerns as required; participate honestly and respectfully when involved in a process; refrain from Title IX sexual harassment, retaliation, and process abuse.

18. Resources

The following resources should be listed in College publications and updated whenever contact information changes:

- Title IX website: northweststate.edu/title-ix/
- Non-Discrimination website: northweststate.edu/non-discrimination
- Confidential counseling services: 419-591-6487
- The Center for Child and Family Advocacy, Inc.: 419-591-6487
- Sexual Assault Hotline of Northwest Ohio: 1-800-782-8555
- Defiance County Family Justice Center: 419-782-1314
- Defiance County Victim Assistance: 419-782-0911
- Fulton County Family Justice Center: 419-592-0540
- Henry County Family Justice Center: 419-592-0540
- Paulding County Victim Assistance Unit: 419-399-4476
- Van Wert County Victim Services: 419-238-9800
- Williams County Victim Assistance: 419-636-6195
- Ohio Sexual Violence Helpline: 844-644-6435
- RAINN: rainn.org

19. Legal and Governance References

- Title IX of the Education Amendments of 1972 and implementing regulations
- Title VI of the Civil Rights Act of 1964
- Title VII of the Civil Rights Act of 1964
- Clery Act and Violence Against Women Act amendments
- Americans with Disabilities Act and Section 504 of the Rehabilitation Act
- Age Discrimination Act and Age Discrimination in Employment Act
- Genetic Information Nondiscrimination Act
- Pregnant Workers Fairness Act and pregnancy-related protections under applicable law
- Ohio Revised Code Chapter 4112 and other applicable Ohio law
- NSCC Student Code of Conduct, employment policies, records retention schedules, and Board policies, as applicable