

# Western Seminary Title IX Policy

- I. [Introduction](#)
- II. [Purpose and Scope](#)
- III. [Prohibited Conduct](#)
- IV. [Definitions](#)
- V. [Making a Report](#)
- VI. [Filing a Formal Complaint](#)
- VII. [Mandatory and Discretionary Dismissal](#)
- VIII. [Outreach and Initial Assessment](#)
- IX. [Resolution Methods](#)
  - [Informal Resolution](#)
  - [Investigation Procedures](#)
  - [Hearing Procedures](#)
- X. [Appeals](#)
- XI. [Rights, Expectations & Responsibilities](#)
- XII. [Resources](#)
- XIII. [Training Requirements](#)
- XIV. [Record Retention](#)

## **I. Introduction**

Consistent with Title IX of the Education Amendments Act of 1972, Western Seminary does not discriminate against students, faculty, or staff based on sex in any of its programs or activities, including but not limited to educational programs, employment, and admission. Sexual harassment, including sexual violence, is a kind of sex discrimination and is prohibited by Title IX and by Western Seminary.

Western Seminary is committed to federal and state compliance in a manner that is consistent with Western Seminary’s mission and values.

### **What is Title IX?**

Title IX is a federal civil rights law passed as part of the Education Amendments of 1972. This law protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

Title IX applies to any institution receiving federal financial assistance from the Department of Education, including state and local educational agencies. Educational programs and activities that receive federal funds from the Department of Education must operate in a nondiscriminatory manner. Also, a recipient may not retaliate against any person for opposing an unlawful educational practice or policy, or because a person made charges, testified, or participated in any complaint action under Title IX.

Western Seminary is committed to responding promptly and effectively when it learns of any form of possible discrimination based on sex or sexual misconduct. Western Seminary responds to reports of sexual harassment, including sexual violence, as part of its efforts to stop the harassment and prevent the recurrence of possible sex discrimination. An individual who has questions or concerns regarding possible discrimination based on sex should contact Western Seminary’s Title IX Coordinator at [apelouin@westernseminary.edu](mailto:apelouin@westernseminary.edu). An individual also may contact the U.S. Department of Education, Office for Civil Rights (“OCR”) to seek greater clarity.

## **II. Purpose and Scope**

Under the Department of Education’s Title IX Regulations, published May 19, 2020, the following procedures will apply **only** to a narrow category of cases. Those cases meeting the definitions and jurisdictional elements below will follow this policy. Those cases that do not fit within these new guidelines will be handled through Western Seminary’s Policy of Unresolved Difficulties which can be found within our Standard of Character and Conduct; this is not to suggest that any case is more or less important, but instead, a reflection of federal regulations that apply only to a specifically identified set of cases. Western Seminary will have the discretion to refer complaints of misconduct not covered by this Policy to any other appropriate office for handling under any other applicable Western Seminary policy or code.

**If you are unclear about any of the provisions below and would like to get more information, you may speak on a non-confidential basis with the Title IX Coordinator. If you would like to have more information, but prefer to speak with someone confidentially, you may speak with a confidential resource, as listed below in the resources section.**

Western Seminary is committed to a prompt and equitable process for the investigation and resolution of complaints covered by Title IX. This Policy applies to any incident that: (1) affects a student, faculty, or staff who is accessing or attempting to access Seminary programs or activities; (2) includes an allegation of prohibited conduct where the accused is a student, faculty, or staff over whom Western Seminary has substantial control, such as a student or employee; and (3) occurs on any Seminary-owned property in the United States or in connection with any Seminary program or activity, and in the United States.

This Policy also covers acts of Prohibited Conduct committed by third parties, including visitors, guests, vendors, and contractors who are affiliated with Western Seminary, or accessing, or attempting to access, a Seminary program or activity; complaints against such third parties may be handled under existing contracts and agreements, and third parties may not be eligible for the procedural protections provided within this Policy.

Individuals making a complaint to the Title IX Coordinator (“Complainant”) and individuals responding to a complaint (“Respondent”) each have rights throughout the complaint resolution and adjudication process and may expect a fair, neutral process that will follow this Policy. For a full list of the Rights, Expectations, and Responsibilities of the Complainant and the Respondent, see Section XI of this document.

### **III. Prohibited Conduct**

Prohibited Conduct as used throughout this Policy is defined to include any of the following acts when they occur in the United States and, either on campus, in a building controlled by an officially recognized Seminary organization, and/or in a Seminary program or activity.

**Dating Violence:** Violence committed by a person, who is in or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship will be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence:** Violence, on the basis of sex, committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, or by a person who is cohabitating with, or has cohabitated with the Complainant as a spouse or intimate partner, or by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Oregon and California, or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of California or Oregon (depending upon the location of the act(s) of violence). Allegations of child abuse under state law will also be referred to Children's Protective Services or local law enforcement.

**Sex-Based Stalking:** Engaging in a course of conduct on the basis of sex directed at a specific person, that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress.

For the purposes of this definition, "course of conduct" means two or more acts, including, but not limited to:

- Acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Sexual Harassment:** Conduct on the basis of sex committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved which is one of the following:

- When a Western Seminary employee conditions the provision of an educational benefit or service on an individual's participation in unwelcome sexual conduct (quid pro quo); or

- Unwelcome conduct<sup>1</sup> determined by a reasonable person to be so severe, pervasive, and objectively offensive, that it effectively denies a person equal access to an educational program or activity of Western Seminary.

Western Seminary recognizes community members' right to the free expression of ideas including those that may be controversial or unpopular. Nothing in this definition is intended to conflict with an individual's First Amendment rights. As a result, any conduct covered by those protections does not meet this definition of sexual harassment.

**Sexual Assault, Includes any of the following:**

- **Sexual Offenses, Forcible:** Any sexual act directed against another person without the consent of the Complainant, including instances in which the Complainant is incapable of giving consent:
  - Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.
  - Oral or anal sexual intercourse with another person, forcibly, and/or against that person's will (non-consensual), or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
  - The use of an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly, and/or against that person's will (non-consensually) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
  - The touching of the private body parts of another person (buttocks, groin, breasts), for the purpose of sexual gratification, forcibly, and/or against that person's will (non-consensually), or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- **Sex Offenses, Non-forcible, Includes Any of the following:**
  - **Incest:** Non-forcible sexual intercourse between persons who are related to each other, within the degrees wherein marriage is prohibited by Virginia Law.

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<sup>1</sup> Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is below the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

- **Statutory Rape:** Non-forcible sexual intercourse, with a person who is under the statutory age of consent, which in Oregon and California is 18 years of age.

## IV. Definitions

**Actual Knowledge:** Notice of Prohibited Conduct allegations to Western Seminary’s Title IX Coordinator or any Western Seminary official with authority to institute corrective measures on behalf of Western Seminary. Such officials are those in the following positions: Title IX Coordinator, Dean of Students, Vice President, or the President of Western Seminary. The individuals noted above, who receive a report of a potential violation in this Policy are required to inform the Title IX Coordinator about the information received. The mere ability or obligation to report Prohibited Conduct or to inform a student about how to report Prohibited Conduct, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of Western Seminary. Imputation of knowledge-based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only Western Seminary official with actual knowledge is the Respondent.

**Advisor:** All persons who are a Complainant or a Respondent are permitted to bring an Advisor of their choosing to any meeting or interview to provide support. The Advisor may be any person, including a family member, religious leader, a friend, or an attorney. The Advisor may accompany the Complainant or Respondent to any and all portions of the grievance process, including an Informal Resolution. The Advisor may not participate directly in, represent, or interfere with any proceeding, including an Informal Resolution or an investigation. Although reasonable attempts will be made to schedule proceedings consistent with an Advisor’s availability, the process will not be delayed to schedule the proceedings at the convenience of the Advisor. The Title IX Coordinator has the discretion to remove the Advisor from any proceeding if the Advisor interferes with the proceedings.

During the investigation and/or informal resolution process, each party may also have a support person present. The support person is available solely to support the party and may not participate in or interfere with any Western Seminary process. Parties do not have a right to a support person at a hearing.

During a hearing, a Complainant and a Respondent must have a [Hearing Advisor](#). The Hearing Advisor may be the same person who serves as the Advisor during the investigation process. Advisors and Support Persons may be required to sign an agreement that they will keep confidential any information learned as part of their participation in the investigation, hearing, informal resolution, and/or appeals processes.

**Complainant:** An individual who is the victim of, or alleged to be the victim of, conduct that may constitute Prohibited Conduct as defined in this Policy.

**Confidentiality and Privacy:** Confidentiality and privacy have distinct meanings under this Policy.

- **“Confidentiality”** generally means that information shared with a licensed confidential resource cannot be revealed to any other person or office unless written permission is granted by the individual to share their information.
- **“Privacy”** generally means that information related to a report of Prohibited Conduct will only be shared with a limited circle of individuals who “need to know” to assist in the assessment, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (“FERPA”), as outlined in Western Seminary’s FERPA policy. The privacy of an individual’s medical and related records may be protected by the Health Insurance Portability and Accountability Act (“HIPAA”), excepting health records protected by FERPA. Access to an employee’s personnel records may be restricted by applicable state and federal law.

While there are certain limitations on privacy, Western Seminary generally will not release the names of the Complainant or the Respondent to the general public without express written consent or absent another exception consistent with the law. The release of names will be guided by applicable law, including the Family Educational Rights and Privacy Act (FERPA) and the Clery Act.

In addition, no information will be released from a proceeding to enforce this Policy except as required or permitted by law and Seminary policy.

**Consent:** Consists of an affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity. The following are essential elements of effective consent:

- **Informed and reciprocal:** All parties must demonstrate a clear and mutual understanding of the nature and scope of the act to which they are consenting and a willingness to do the same thing, at the same time, in the same way.
- **Freely and actively given:** Consent cannot be obtained through the use of force, coercion, threats, intimidation, or pressure, or by taking advantage of the incapacitation of another individual.
- **Mutually understandable:** Communication regarding consent consists of mutually understandable words and/or actions that indicate an unambiguous willingness to engage in

sexual activity. In the absence of clear communication or outward demonstration, there is no consent. Consent may not be inferred from silence, passivity, lack of resistance, or lack of active response. An individual who does not physically resist or verbally refuse sexual activity is not necessarily giving consent. Relying solely upon non-verbal communication can lead to a false conclusion as to whether consent was sought or given.

- **Not indefinite:** Consent may be withdrawn by any party at any time. Recognizing the dynamic nature of the sexual activity, individuals choosing to engage in sexual activity must evaluate consent in an ongoing manner and communicate clearly throughout all stages of sexual activity. Withdrawal of consent can be an expressed “no” or can be based on an outward demonstration that conveys that an individual is hesitant, confused, and uncertain or is no longer a mutual participant. Once consent is withdrawn, the sexual activity must cease immediately, and all parties must obtain mutually expressed or clearly stated consent before continuing further sexual activity.
- **Not unlimited:** Consent to one form of sexual contact does not constitute consent to all forms of sexual contact, nor does consent to sexual activity with one person constitute consent to activity with any other person. Each participant in a sexual encounter must consent to each form of sexual contact with each participant.

Even in the context of a current or previous intimate relationship, each party must consent to each instance of sexual contact each time. The consent must be based on mutually understandable communication that clearly indicates a willingness to engage in sexual activity. The mere fact that there has been prior intimacy or sexual activity does not, by itself, imply consent to future acts.

**Days:** Any reference to days within this Policy should be counted as business days unless otherwise specified.

**Formal Complaint:** The term “Formal Complaint” has a very specific definition within this Policy, and whether one is filed does not depend on the label applied, but instead on whether certain specific elements are met. A Formal Complaint is an act that initiates a resolution process, including an investigation. A Formal Complaint must be filed and signed by a Complainant or signed by the Title IX Coordinator, alleging conduct that would constitute a violation of this Policy and requesting that Western Seminary initiate a resolution to the allegations(s). At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in, an education program or activity of Western Seminary. A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail (email). Individuals who would like more information about filing a Formal Complaint are invited to contact the Title IX Coordinator for additional information.

In the event that the Title IX Coordinator signs the Formal Complaint, this act does not make the Title IX Coordinator the “Complainant” for purposes of this Policy.

**Hearing Advisor:** During a hearing, a Complainant and Respondent must have a Hearing Advisor. The Hearing Advisor may be the same person who served as the [Advisor](#)



throughout the investigation. This person may be of the Complainant's or Respondent's choosing. If a Complainant or Respondent does not have a Hearing Advisor who can be present for the hearing, Western Seminary will provide a Hearing Advisor for the purpose of asking questions of the other party and witnesses. Other than asking questions at the hearing of the other Party or of witnesses, the Hearing Advisor may not participate directly in, represent, impede or interfere with the hearing proceedings.

**Incapacitation:** Incapacitation is a state where an individual cannot make an informed and rational decision to engage in sexual activity because s/he lacks conscious knowledge of the nature of the act (e.g., to understand the who, what, when, where, why, or how of the sexual interaction) and/or is physically helpless. An individual is incapacitated, and therefore unable to give consent if s/he is asleep, unconscious, or otherwise unaware that sexual activity is occurring.

- Incapacitation may result from the use of alcohol and/or drugs. Consumption of alcohol or other drugs alone is insufficient to establish incapacitation. The impact of alcohol and drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impacts an individual's:
  - Decision-making ability.
  - Awareness of consequences.
  - Ability to make informed judgments; or
  - Capacity to appreciate the nature and the quality of the act.
- Evaluating incapacitation also requires an assessment of whether a Respondent knew or should have known, that the Complainant was incapacitated.

**Party:** A Complainant or Respondent in a case.

**Preponderance of Evidence:** The standard of evidence used during the investigation to determine whether the alleged conduct occurred and whether this policy was violated. It means "more likely than not."

**Relevance:** Information included in an Investigation Report or questions asked during a hearing must be relevant to the allegations. This includes inculpatory and exculpatory evidence and refers to evidence that tends to make a material fact more or less probable than it would be without that evidence.

**Respondent:** An individual who is reported or alleged to have engaged in Prohibited Conduct.

**Standard of Evidence:** The decision regarding a Respondent's responsibility will be determined by a preponderance of the evidence, meaning "more likely than not."

**Supportive Measures:** Non-disciplinary, non-punitive, individualized services offered free of charge and equitably to a Complainant and/or the Respondent by Western Seminary as appropriate and

reasonably available. Such measures are designed to restore or preserve equal access to Western Seminary's education program or activity without unreasonably burdening the other Party.

Supportive measures are also available whether a [Formal Complaint](#) has been filed. Supportive measures may include, but are not limited to academic support, class and work schedule changes, a mutual ban on contact (no-contact directive), increased security, or other measures as determined on a case-by-case basis. Supportive measures may be offered to the Complainant or Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

*Note: Any supportive measures put in place will be kept confidential, except to the extent that doing so impairs the ability of the institution to provide the supportive measures.*

**Third-Party Reporter:** A person other than the Complainant who reports an incident or allegation of Prohibited Conduct.

**Title IX Coordinator:** Western Seminary official charged with ensuring Western Seminary's overall compliance with Title IX and related Western Seminary policies and procedures, including supportive measures.

## V. Making a Report

Western Seminary encourages individuals to report incidents involving [Prohibited Conduct](#) and other potential violations of this Policy. Western Seminary does not limit the timeframe for reporting an incident regardless of when the incident occurred. However, Western Seminary encourages individuals to report as soon as practical, as memories may fade, and evidence may be lost over time.

Individuals may also notify the Title IX Coordinator if they believe someone else may have experienced conduct that would be a violation of this Policy, in which case the Title IX Coordinator will reach out to the Complainant to gather additional information.

Reports of potential violations of this Policy may be made to the Title IX Coordinator, Andy Peloquin, [apeloquin@westernseminary.edu](mailto:apeloquin@westernseminary.edu).

Reports to the Title IX Coordinator of potential violations of this Policy will be kept private to the extent possible for Western Seminary to respond to the report, but reports made to the Title IX Coordinator are not confidential.

Upon being notified of a report the Title IX Coordinator will reach out to the Complainant to schedule an Intake Interview and will also provide the Complainant information regarding resources, rights, [Supportive Measures](#), and reporting options, and will explain that Supportive Measures are available without filing a [Formal Complaint](#).

**Anonymous Reports:** Any individual may make an anonymous report concerning an act of Prohibited Conduct. Depending on the extent of information available about the incident or the individuals involved, however, Western Seminary's ability to respond to an anonymous report may be limited. The Title IX Coordinator will receive the anonymous report and will determine any appropriate steps, including individual or community remedies as may be appropriate, and ensure compliance with all Clery Act obligations.

Please note that a Formal Complaint cannot be filed anonymously and is only considered to have been filed only when the complaint contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint.

**Required Referrals:** Western Seminary encourages all members of the Western Seminary community to make Western Seminary a safe and supportive environment for everyone. This includes calling 911 or campus security in an emergency or reporting a crime or other incident that poses a risk of harm to the Western Seminary community. However, Western Seminary employees have a particular duty to report safety or security concerns and crimes or Policy violations, including potential violations of this Policy. **Any** Western Seminary employee who is not a confidential resource under this Policy and who witnesses, is advised of, or learns about an alleged violation of this Policy **must promptly notify** the Title IX Coordinator of the incident by email, or telephone. The employee must report to Western Seminary's Title IX Coordinator all relevant details about the alleged misconduct known to the employee or shared with them so that the Title IX Coordinator can reach out to the Complainant to offer services and support and give them information about their rights and options.

**Amnesty:** A Complainant or Third Party who reports a violation of this Policy, or any participant in an investigation or hearing under this Policy will not be subject to Western's Policy concerning alcohol or drug use for actions that may have occurred at or near the time of Prohibited Conduct unless the action threatens the health or safety of another.

## **VI. Filing a [Formal Complaint](#)**

To proceed to a Resolution Method, a [Formal Complaint](#) must be filed and signed by either Complainant or the Title IX Coordinator.

It is an individual's choice to file a Formal Complaint. A Formal Complaint has a very specific definition under this Policy and differs from solely making a report to the Title IX Coordinator. Unless it is dismissed as set forth below, filing a Formal Complaint will result in written notification to the Respondent and the commencement of an investigation (unless an Informal Resolution is requested, as set forth below).

At the time of filing a Formal Complaint, the Complainant must be participating in or attempting to participate in a Seminary program or activity. A Formal Complaint may not be filed anonymously. Anyone who wishes to discuss their options with the Title IX Coordinator before filing a Formal Complaint is encouraged to do so.

A Formal Complaint may be made by emailing the Title IX Coordinator or a hard copy can be dropped off to the Title IX Coordinator in person.

Reports to the Title IX Coordinator of potential violations of this Policy will be kept private to the extent possible for Western Seminary to respond to the report, but reports made to the Title IX Coordinator are not confidential.

Upon being notified of a potential violation of this Policy, the Title IX Coordinator will reach out to the Complainant to schedule an Intake Interview and will also provide information regarding resources, rights, and reporting options.

A Formal Complaint must include:

- The Complainant's digital or physical signature, or an indication that the Complainant is the person filing the Formal Complaint.
- An allegation of [Prohibited Conduct](#) as defined under this Policy. This may include:
  - Where the incident(s) occurred,
  - What incident(s) occurred,
  - When the incident(s) occurred.
- Identity of Respondent, if known.
- A request for a resolution, whether a formal investigation or an informal resolution.

Formal Complaints may be made to the Title IX Coordinator by US Mail, email, or in-person:

**Title IX Coordinator:** Ashley Mitchell

**Address:** 5511 SE Hawthorne Blvd Portland, OR 97215

**Email:** amitchell@westernseminary.edu

If a complaint is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to confirm a Complainant's intent to file a Formal Complaint. Further, if the Formal Complaint does not have sufficient information to determine whether the conduct as alleged will fall under this Policy, the Title IX Coordinator will contact the Complainant to schedule an Intake Interview.

Upon receipt of a Formal Complaint, the Title IX Coordinator will promptly reach out to the Complainant to conduct an Intake Interview and to discuss and implement Supportive Measures. In the event that the Complainant declines to participate in an Intake Interview, and if the Formal Title

IX Complaint contains an allegation meeting all of the jurisdictional elements of this Policy, and the Formal Complaint is signed or includes an electronic submission from the Complainant, and requests an investigation, the Title IX Coordinator will, within 3 days, put the Respondent and Complainant on notice of the allegation and commence the investigation process.

## **VII. MANDATORY AND DISCRETIONARY DISMISSAL**

Western Seminary has the discretion to dismiss a complaint and in some cases an obligation to dismiss a complaint as follows:

**Mandatory Dismissal:** At any time before the commencement of a hearing, any case proceeding under this Policy will be dismissed if it is determined that the conduct at issue does not meet the definitional or jurisdictional requirements of this Policy. If the alleged conduct would, if true, support a finding that another Western Seminary policy or the Code has been violated, Western Seminary may, in its sole authority, transfer the case for further handling under the appropriate policy or the code. Western Seminary may use evidence already gathered during the Title IX process for the further handling of the complaint. Upon dismissal, both parties will be notified in writing of the decision and the rationale for the decision. The decision to dismiss is subject to [appeal](#). Both parties will be notified in writing of any determination made following the appeal.

**Discretionary Dismissal:** Western Seminary shall have the discretion to dismiss a case at any time, including during an investigation or hearing, any case when: a) Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations within the Formal Complaint; b) the Respondent is no longer enrolled or employed at Western Seminary, or c) circumstances prevent Western Seminary from gathering evidence sufficient to reach a determination. If the alleged conduct would, if true, support a finding that another Western Seminary policy or the Code has been violated, Western Seminary may, in its sole authority, transfer the case for further handling under the appropriate policy or the Code. Western Seminary may use evidence already gathered during the Title IX process for the further handling of the complaint. Upon dismissal, both parties will be notified in writing of the decision and the rationale for the decision. The decision to dismiss is subject to [appeal](#). Both parties will be notified in writing of any determination made following the appeal.

**Consolidation of Cases:** In the event that the allegations under this Policy also involve allegations of a violation of a separate Policy, the Title IX Coordinator will have sole discretion to consolidate those other allegations within one investigation and/or hearing. Allegations of a violation of a separate Policy are not required to be handled using the procedural requirements set forth in this Policy.

## **VIII. Outreach and Initial Assessment**

## Intake Interview

Upon receipt of information alleging a potential violation of this Policy, the Title IX Coordinator will reach out to the Complainant to schedule an intake or informational interview and provide a copy of this Policy and the following information:

- Availability of [Supportive Measures](#) with or without filing a Formal Complaint.
- How to file a [Formal Complaint](#);
- Right to notify law enforcement and the right not to notify law enforcement.
- Importance of preserving evidence.
- Resources for counseling, health care, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other available services; and,
- Right to an [Advisor](#) of choice.

The Title IX Coordinator will discuss the Complainant's rights and options, and will also assess for, and provide, appropriate [Supportive Measures](#), taking into consideration the Complainant's wishes, which are available with, or without, the filing of a Formal Complaint. If a Formal Complaint has not already been filed, the Title IX Coordinator will explain to the Complainant the process for filing a Formal Complaint.

A Complainant may choose to receive Supportive Measures only and not proceed with the filing of a Formal Complaint, or any other resolution process. A Complainant may also request an [informal resolution](#) or an [investigation](#) and hearing. If a Complainant chooses to pursue an investigation and hearing, a Formal Complaint is required.

For those Complainants who wish to proceed with a resolution process, the Title IX Coordinator will also assess the facts as presented to determine whether the information provided suggests a potential violation of this Policy.

In the event the allegation involves a sexual assault, dating or domestic violence, or stalking, within Clery geography, the Title IX Coordinator will also notify the Clery Coordinator of the allegations.

Complainants will also be provided with information about their right to file with law enforcement, their right to decline to do so, and, when applicable, information about seeking a personal protection order from the local courts.

If the complaint does not meet the required definitions of this Policy, then the Title IX Coordinator will not initiate the Resolution Process.

The Title IX Coordinator will have the discretion to sign a Formal Complaint and initiate an investigation when a Complainant's allegations involve violence, use of weapons, serial predation, multiple complainants, or similar factors. When the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator does not become the "Complainant" for purposes of this Policy.

## **Emergency Removal Provisions**

If at any time Western Seminary determines that the conduct, as alleged, poses a risk of physical harm to one or more members of the Western Seminary community or Western Seminary's educational environment, Western Seminary may instruct that a Respondent be suspended, on an interim basis, from specific programs or activities. Any such assessment will be made on a case-by-case basis, based on an individualized safety and risk analysis. If Western Seminary determines that an immediate physical threat to the health or safety of students or others justifies removal from campus, then a Respondent may be suspended on an interim basis. The decision to do so will be provided to the Respondent in writing.

Further, Western Seminary will have the authority to place any employee Respondent on an administrative leave of absence pending the outcome of an investigation and hearing.

The decision to place any Respondent on an interim suspension or administrative leave must not be considered as evidence that any determination has been made regarding potential responsibility for violating this Policy.

Opportunity to Challenge Decision to Suspend or Remove: A student Respondent will have an opportunity to challenge the decision of suspension or removal. To challenge suspension or removal, the Respondent should contact the Dean of Students, Rebekah Buchterkirchen, within 5 days of the interim suspension, who will explain Western Seminary's process for challenging the emergency removal.

## **IX. Resolution Methods**

A [Formal Complaint](#) is required in order to initiate either of the two methods to resolve a potential violation of this Policy: 1) Informal Resolution; 2) Investigation and Hearing.

### **Informal Resolution**

The Complainant may request, in writing, to proceed with an Informal Resolution. Participation in the Informal Resolution process is voluntary for the Complainant and the Respondent and both Parties and the Title IX Coordinator must agree to the use of Informal Resolution to resolve the complaint. If an Informal Resolution option is preferred, the Title IX Coordinator will assess whether the complaint is suitable for Informal Resolution and will then take steps to determine if the Respondent is also willing to engage in Informal Resolution. Both parties must agree, in writing, to an Informal Resolution.

Allegations that an employee has engaged in Prohibited Conduct toward a student will not be handled through the Informal Resolution process, and instead must be resolved through the Investigation and Hearing Process.

When the Complainant requests an Informal Resolution, the Title IX Coordinator will provide the Complainant and Respondent written notice that includes:

- The specific allegation and the specific conduct that is alleged to have occurred.
- The requirements of the Informal Resolution process include the circumstances under which it precludes the Parties from resuming a Formal Complaint arising from the same allegations.
- Any consequences resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared.
- A statement indicating that the decision to accept a complaint does not presume that the conduct at issue has occurred and that the Respondent is presumed not responsible, unless and until, at the conclusion of the formal investigation and adjudication processes, there is a determination of responsibility.
- An explanation that each Party may be accompanied by an [Advisor](#) and a support person of their choice, who may be a parent, clergy, friend, or attorney.
- The date and time of the initial meeting with the Title IX Coordinator, with a minimum of 2 days' notice.
- Information regarding [Supportive Measures](#), which are available equally to the Respondent and to the Complainant.

If either Party does not voluntarily agree in writing to pursue an Informal Resolution, or if the Complainant, Respondent, or Title IX Coordinator, at any time, determines that Informal Resolution is no longer appropriate, the Title IX Coordinator will promptly inform the Complainant and Respondent in writing that the complaint will proceed through the Investigation and Hearing Process. If an Informal Resolution process is ended prior to its completion, any information obtained will not be used in a subsequent investigation of the Formal Complaint.

Once the final terms of an Informal Resolution have been agreed upon by both parties, in writing, the matter will be considered closed, and no further action will be taken. Once agreed upon, the terms of any Informal Resolution are not subject to appeal.

The Informal Resolution process is generally expected to be completed within thirty (30) days and may be extended for good cause by the Title IX Coordinator. Both Parties will be notified, in writing, of any extension and the reason for the extension.

Records of any Informal Resolution will be maintained and can be shared with other offices as appropriate.

## **Investigation Process**

Western Seminary expects that all individuals who participate in the investigation process do so truthfully and that all who have a responsibility for carrying out one or more aspects of the investigation and hearing process do so fairly and without prejudice or bias.



### **Prohibition on False Evidence Provided During Title IX Process**

Each Party and every witness are expected to provide truthful information to the Investigator, Hearing Officer, and the appeals officer.

### **Notice of Investigation, and Investigation Process**

Within a reasonable period from the filing of a [Formal Complaint](#) and prior to the start of an investigation, the Respondent and Complainant will be provided, in writing, with a Notice of Investigation. Such notice will include:

- The specific allegation and the specific conduct that is alleged to have occurred.
- The identities of the Complainant and the Respondent.
- The date and location (if known) of the conduct that is alleged to have occurred.
- A copy of this Policy, which contains the process that will be followed, including an explanation that each Party will have the right to inspect and review all evidence before the completion of the investigation.
- A statement indicating that the decision to accept a complaint does not presume that the conduct at issue has occurred and that the Respondent is presumed not responsible, unless and until, at the conclusion of the process below, there is a determination of responsibility.
- An explanation that each Party may be accompanied by an [Advisor](#) of their choice, who may be a parent, friend, attorney, or union representative.
- The date and time of the initial interview with the Investigator, with a minimum of five (5) days' notice.
- Information regarding amnesty granted during this process.
- The name and contact information of the assigned Investigator.
- Notice of the formal complaint process.
- Information regarding [Supportive Measures](#).

Should additional allegations be brought forward, a revised Notice of Investigation will be provided to both parties, in writing.

### **Conflict of Interest or Bias**

After a Formal Notice of Investigation is issued to Complainant and Respondent, each Party may object to the Title IX Coordinator or designated Investigator on the grounds of a demonstrated bias or actual conflict of interest. Both Parties will have three (3) business days from the date of the Notice of Investigation to object to the selection of the Investigator or the Title IX Coordinator. Objections to the appointment of the Investigator will be made, in writing, to the Title IX Coordinator. Objections to the Title IX Coordinator must be made, in writing, to the Dean of Students, Rebekah Buchterkirchen. If the objection is substantiated as to either the Investigator or the Title IX Coordinator, that individual will be replaced.

A conflict of interest may include, for example, situations where an individual charged with a role in this process is a Party's family member, close friend, current or former faculty member, advisor, or has another similar relationship with a Party. The fact that an individual is of the same or different gender, race, etc. of a Party or individual involved in the process is not a conflict of interest.

### **Timeline**

Western Seminary strives to complete the investigation process, up to evidence review, within 45 days, which may be extended for good cause by the Title IX Coordinator. Both Parties will be notified, in writing, of any extension granted, the reason for the extension, and the new anticipated date of conclusion of the investigation.

### **Interviews**

The Investigator will interview all Parties and relevant witnesses and gather relevant documentary evidence provided by the Parties and any identified witnesses. Interviews may be conducted in person, or via video conference. The Investigator will take notes of the interview, and those notes will be made available to the person interviewed for review and will also be included with the evidence review (see below). Interviews may also be recorded by the Title IX Coordinator; the transcript of the recorded interview will be shared with the person interviewed and will also be included in the evidence review.

When reviewing interview notes, or a transcript, the interviewee will have three (3) days to correct or comment on any statements in the notes or transcript. The deadline may be extended for good cause, upon request to the Investigator. If the interviewee has corrections or comments to notes or transcripts, the interviewee may submit a written response within three (3) days reflecting any additions or changes that the interviewee believes are necessary to ensure the accuracy of the interviewee's statement. If no response is received from the interviewee by the deadline, the notes or summary shall be presumed to be accurate.

Each party will be provided with an opportunity to offer relevant witnesses and evidence. The Investigator will consider all relevant evidence, both inculpatory and exculpatory.

Information or evidence that is not provided to the Investigator will not be allowed during the hearing unless it can be clearly demonstrated that such information was not reasonably known to or available to the parties at the time of the investigation.

## **Evidence Review**

At the conclusion of all interviews and fact gathering, and when the evidence has been gathered, the Investigator will provide each party, and their Advisor, the opportunity to review all the evidence gathered that is directly related to the allegation(s). This will include both inculpatory and exculpatory evidence. Given the sensitive nature of the information provided, the information will be provided in a secure manner (e.g., by providing digital copies of the materials through a protected, "read-only" web portal). Neither the Complainant nor the Respondent (nor their Advisors) may copy, remove,

photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided. Any student or employee who fails to abide by this Policy may be subject to discipline. Any Advisor who fails to abide by this Policy may be subject to discipline and/or maybe excluded from further participation in the process.

Each Party may respond to the evidence gathered. Each Party will have ten (10) days in which to respond to the evidence. Each may provide a response in writing to the Investigator. The Investigator will incorporate any response provided by the Parties into the Summary of Evidence Report. Along with their response to the evidence, each Party may also submit a written request for additional investigation, such as a request for a follow-up interview(s) with existing witnesses to clarify or provide additional information, including offering questions to the Investigator to pose to witnesses or to the other Party. This response may include written, relevant questions that a Party would like the Investigator to ask of the other Party or any witness. If any of the questions posed will be excluded as not relevant, or not likely to lead to relevant information, the Investigator will explain to the Party who proposed the questions any decision to exclude a question as not relevant.

Upon receipt of each party's response to the evidence reviewed, the Investigator will determine if any additional investigation is needed.

In addition, either party may offer new witnesses or other new evidence. The Investigator will consider the responses provided, will pose questions to parties or witnesses as appropriate, interview new relevant witnesses, and accept new, relevant, evidence.

If new relevant evidence is provided by either party or gathered by the Investigator, the newly gathered evidence (including answers to clarifying questions) will be made available for review by each party. The length of time for this second period of review shall be determined by the Title IX Coordinator and based upon the quantity and complexity of the new evidence gathered. Each party may provide a response in writing to the Investigator. The Investigator will incorporate any written response provided by the parties into the Summary of Evidence Report.

Any evidence to be considered by the Hearing Officer must be provided to the Investigator. Information that was not provided to the Investigator will not be allowed during the hearing itself unless it can be clearly demonstrated that such information was not reasonably known to, or available to, the parties at the time of the investigation. Should new evidence be presented at the hearing, the Hearing Officer will have the authority to either exclude the evidence or to send the matter back for further, limited investigation.

#### **Exclusion of Questions Regarding Complainant's Past Sexual Behavior, or Predisposition**

Questions and evidence about the Complainant's sexual predisposition or prior sexual behaviors are not relevant and will not be permitted unless such questions and evidence about the Complainant's prior sexual behavior are offered for one of two reasons: (a) to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or (b) if the questions

and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

## **Investigation Report**

The Investigator will then prepare a written report summarizing all the relevant evidence gathered and all investigative steps taken to date. For those cases in which there are allegations of other Seminary policies, the Investigator will also make preliminary factual findings if requested to do so by the Title IX Coordinator. Each Party, as well as their Advisor, will be provided with a copy of the written report and will have 10 days to provide a response. This is not an opportunity to provide new evidence. The Investigator's report, together with any response(s) received, shall be forwarded to the Hearing Officer(s).

## **Conclusion of Investigation, Notice of Hearing**

Each party will be provided with a Notice of Hearing, which will include information regarding the date of the hearing, the identity of the Hearing Officer, and any deadlines for submission of evidence, names of witnesses, or questions to be reviewed by the Hearing Officer to ensure relevance. The hearing will be scheduled no less than 10 business days from the date of the Notice of Hearing.

Within three (3) days of receipt of the Notice of Hearing, either party may object to the Hearing Officer on the basis of a demonstrated bias or actual conflict of interest. Any objection is to be in writing and sent to Title IX Coordinator. Should the Title IX Coordinator determine that there is an actual bias or conflict of interest, the Title IX Coordinator will remove the Hearing Officer and appoint another.

## **Hearing Procedures**

### [Hearing Advisor](#)

Each party is entitled to one Advisor at the hearing who will be referred to as the Hearing Advisor. The role of the Hearing Advisor is to ask questions of the other party and of witnesses, but not to advocate for, or otherwise speak on behalf of, the advisee during the hearing. No party will be permitted to ask questions of the other party, or of a witness. A Hearing Advisor of Western Seminary's choosing will be provided for any party who does not have a Hearing Advisor.

There will be a pre-hearing meeting with each party at which time, should the Complainant or the Respondent not have a Hearing Advisor, one will be assigned.

### [Hearing](#)

Hearings may be conducted in person or via videoconferencing. At the request of either party, Western Seminary will provide separate rooms for individuals participating in the hearing process. If by videoconference, prior to the hearing, the Hearing Officer will have received instruction regarding

the operation of any audio-visual equipment for the hearing. The Hearing Officer will also provide the participants with instructions on how to participate in the video-conference hearing. No Complainant or Respondent or witness will be compelled to participate in the hearing. However, the Title IX Coordinator may choose to continue with the hearing in the absence of the Complainant, Respondent, or any witness. No party or witness is required to participate in the hearing. The Hearing Officer will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the hearing, nor on any party or witness's refusal to answer questions at the hearing.

Each hearing will be recorded by the Hearing Officer and this recording will be considered the only official recording of the hearing. No other individual is permitted to record while the hearing is taking place. The recording is the property of Western Seminary but will be available for listening by contacting the Title IX Coordinator.

The Complainant, the Respondent, and the Hearing Officer all have the right to call witnesses. The Hearing Officer will afford the highest weight relative to other testimony to firsthand testimony by parties and witnesses regarding their own memory of specific facts that occurred. No party will be permitted to call as a witness any one who was not interviewed by the Investigator as part of Western Seminary's investigation. Each party must submit to the Hearing Officer the names of witnesses they would like to call no less than five (5) days in advance.

Three days prior to the hearing, each party is asked to submit to the Hearing Officer a preliminary list of questions they wish to pose to the other party or a witness. If the Hearing Officer determines that any are not relevant, the Hearing Officer will explain the reason for the exclusion of the question at the hearing. Each party, through their Advisor, will also be permitted to ask additional relevant questions at the hearing. In the event that a party does not appear for the Hearing, the Advisor for that party is expected to appear and question the other party, and witnesses.

The Hearing Officer will have the authority to limit the time allotted to any phase of the hearing, and/or to limit the time allotted to the full hearing. Any such limitation will be communicated to the parties no later than three (3) days before the hearing.

The Hearing Officer has the authority to maintain order and decorum at the hearing. The Hearing Officer also has the authority to determine whether any questions are not relevant, abusive, intimidating, or disrespectful, and will not permit such questions. Any party or witness who is disruptive may, at the discretion of the Hearing Officer, be removed and directed to continue their participation via video conferencing. Any Advisor who is disruptive may be removed, and the Hearing Officer will appoint another Advisor for the remainder of the hearing.

Following the hearing, the Hearing Officer will then prepare a report. To the extent credibility determination needs to be made, such determinations will not be based on a person's status as a Complainant, a Respondent, or a witness.

The Hearing Officer's report will include:

- The allegations.
- Description of all procedural steps.
- Findings of fact.
- Conclusion of application of facts to the Policy; and
- Rationale for each allegation.

The Hearing Officer's report will be provided to the Title IX Coordinator within 14 days of completion of the hearing. If there is no finding of responsibility, the Title IX Coordinator will communicate the findings, along with a copy of the Hearing Officer's report, to the parties, together with [procedures for appeal](#).

If there is a finding of responsibility, the Title IX Coordinator will contact the appropriate sanctioning officer who will determine the sanction and notify the Title IX Coordinator of the sanctioning determination. The Title IX Coordinator will then simultaneously provide each party with the Hearing Officer's report, the determination of the appropriate sanction, and the [procedure for appeals](#). The Title IX Coordinator will also inform the Complainant of any appropriate remedies.

## **Sanctions and Remedies**

Upon conclusion of the adjudicating process, when there is a finding of responsibility, the Complainant will be offered such remedies designed to restore or preserve equal access to the institution's education program or activity. Some examples are tutoring, counseling, or other services described as Supportive Measures. The Title IX Coordinator is responsible for the implementation of remedies.

Anyone or more of the sanctions listed here may be imposed on a Respondent who is found responsible for a violation of Western Seminary's policies. Sanctions not listed here may be imposed in consultation with the Title IX Coordinator. Sanctions are assessed in response to the specific violation(s) and any prior discipline of the Respondent.

Possible sanctions include, but are not limited to:

- Warning
- Censure
- Behavioral Contract
- Demotion or Change in Employment Status
- Probation
- Restrictions on Access or Duties
- Termination of Employment
- Suspension
- Expulsion

- Withholding Degree
- Other: Other sanctions may be imposed instead of, or in addition to, those specified here. Service, education, or research projects may also be assigned.
- Multiple Disciplinary Actions: More than one of the actions listed above may be imposed for any single violation.

## **X. Appeals**

Appeals may be filed by either party. Appeals will be sent to the Title IX Coordinator, who will then send the appeal to the appeals officer. When an appeal is filed, the other party will be notified, in writing, within two business days, and will then have five (5) days to respond to the appeal with a written statement in support of, or challenging, the outcome. Any party's decision not to submit a reply to an appeal is not evidenced that the non-appealing party agreed with the appeal. Each party will be allowed to meet with the appeals officer.

The appeals officer will not have any actual conflict of interest or bias and will not be the same person as the hearing officer in the claim. Within three (3) days of the assigned Appeals Officer, either party may object to the appeals officer on the basis of an actual bias or conflict of interest. Any objection is to be in writing and sent to the Title IX Coordinator. Should the Title IX Coordinator determine that there is an actual bias or conflict of interest, the Title IX Coordinator will remove the appeals officer and appoint another.

### **Appeals May be Filed Only on the Following Three Grounds:**

- ***Procedural Error:*** A procedural error occurred that significantly impacted the outcome of the investigation or hearing. A description of the error and its impact on the outcome of the case must be included in the written appeal; or,
- ***New Evidence:*** New evidence or information has arisen that was not available or known to the party during the investigation or hearing, and that could significantly impact the findings. Information that was known to the Appellant during the investigation or hearing but which they chose not to present is not new information. A summary of this new evidence and its potential impact on the investigation findings must be included in the written appeal; or,
- ***Actual Conflict of Interest or Demonstrated Bias:*** The Title IX Coordinator, Investigator, or decision-maker had an actual conflict of interest or demonstrated bias for or against Complainants or Respondents generally, or the individual Complainant or Respondent, that affected the outcome of the matter.

The written appeals decision will be sent simultaneously to both parties which describe the result of the appeal and the rationale for the result.

If no appeal is filed, the determination regarding responsibility and the sanction will become final on the first day after the deadline to file an appeal has passed. If an appeal is filed, the determination regarding responsibility and the sanction will become final on the date that the decision regarding the appeal is communicated to the parties.

## **XI. Rights, Expectations & Responsibilities**

Individuals making a complaint to the Title IX Coordinator (“Complainant”) and individuals responding to a complaint (“Respondent”) each have rights throughout the complaint resolution and adjudication process and may expect a fair, neutral process that will follow this Policy.

### Complainant and Respondent Rights

- Be treated with respect by all Western Seminary officials throughout this process.
- Be informed of the available support resources or measures available.
- Be free of any form of retaliation and free to report such retaliation for disciplinary action.
- Obtain a mutual no-contact directive with the other party upon request.
- Be accompanied by one [Advisor](#) throughout the process, including at any interviews or hearings.
- An adequate, reliable, impartial, and prompt investigation of the allegations conducted within a reasonable period of time after a [Formal Complaint](#) is filed.
- Receive written notice of the date, time, and location of any interview scheduled with the Investigator.
- Be informed of the status of the investigation, to the extent possible.
- Review all evidence that is directly related to the allegations prior to the conclusion of the investigation.
- Meet with the Investigator and present information on their behalf, identify witnesses or other third parties who might have relevant information, and identify or provide relevant documents or other information that may be helpful to the investigation.
- Have past unrelated behavior excluded from the investigation process.
- Question the selection of the Investigator or Hearing Officer on the basis of an actual conflict of interest or demonstrated bias.
- Have a hearing Advisor of Western’s choosing provided, at no charge, for purposes of asking questions of the other party or witnesses during the hearing proceeding.
- Be notified of the hearing outcome and any sanctions applied, if applicable.
- Initiate and participate in an appeal process.
- Waive any of the rights contained herein.

### **Respecting Privacy**

Western Seminary is committed to protecting the privacy of all individuals involved in the investigation and resolution of reports under this Policy. Concerning any report under this Policy,



Western Seminary will make reasonable efforts to protect the privacy of participants, in accordance with applicable state and federal law, while balancing the need to gather information to take steps to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. All Seminary employees who are involved in Western Seminary's Title IX response receive specific instruction about respecting and safeguarding private information.

## **Retaliation**

Retaliation is prohibited under this Policy. Retaliation is defined as any materially adverse action against a person who reports, complains about, or who otherwise participates in good faith in any manner related to this Policy. Materially adverse action includes conduct that intimidates, threatens, coerces, discriminates against, harasses, or in any other way seeks to discourage participation in or activity under this Policy. Retaliation does not include good-faith actions lawfully pursued in response to a report of Prohibited Conduct.

The exercise of rights protected under the First Amendment does not constitute retaliation. Further, charging an individual with a code of conduct violation for making a materially false statement in bad faith as part of the adjudication process will not constitute retaliation. However, a determination that there is not enough evidence to support a finding will not, by itself, be sufficient to conclude that a party or a witness made a knowingly false material statement.

Any person who believes they have experienced retaliation under this Policy should contact the Title IX Coordinator.

## **No Conflict of Interest or Bias**

Any individual carrying out this Policy must be free from any actual conflict of interest or demonstrated bias that would impact the handling of this matter. Should the Title IX Coordinator have a conflict of interest, the Title IX Coordinator is to immediately notify the Dean of Students, Rebekah Buchterkirchen who will take the role of Acting Title IX Coordinator for purposes of carrying out the handling and finalization of the matter at issue. Should any Investigator, Hearing Officer, or Appeals Officer have a conflict of interest, the Investigator is to notify the Title IX Coordinator upon discovery of the conflict.

## **Presumption of Non-Responsibility**

The decision to proceed with an investigation is not in and of itself a determination that the Respondent has engaged in the conduct as alleged. Any Respondent is presumed not responsible for the conduct that is the subject of the investigation, unless and until a decision of responsibility has been made upon the completion of the adjudication process.

## **Requests for Delays, and Extensions of Time**

The Title IX Coordinator may extend any deadlines within this Policy, for good cause. The Complainant and Respondent will be notified in writing of any extension, the reasons for it, and projected new timelines.

## **XII. Resources**

- I. Confidential
  - Call for Safety (Formerly Portland Women’s Crisis Line)- 24-hour crisis line
    - 503.235.5333
    - [calltosafety.org](http://calltosafety.org)
  - Christ Centered Empowerment for Families
    - Linda Green 541.904.0619
    - [www.cceff.net](http://www.cceff.net)
  - Sexual Assault Resource Center
    - 24-hour crisis line- 503.640.5311
    - [www.sarcoregon.org](http://www.sarcoregon.org)
  - Multnomah County Crisis Line -503.988.4888
  - Clackamas Women’s Services
    - 24-hour crisis line (English and Spanish) 888-654-2288
    - <https://www.cwsor.org/>
  - Rape Victim Advocates 503.988.3222
  - First Image (formally Pregnancy Resource Center)
    - 503.777.7997 (SE Portland Center)
    - <http://first-image.org/pregnancy-resource-centers/>
  - A New Day Counseling Located on the Portland Campus; Able to provide ongoing counseling or referrals- A professor is only considered a confidential source if they are in a formal counseling setting.
    - 503.517.1895
    - <https://www.anewdaycounseling.org/>
  - YWCA- YWCA provides support and information related to situations of domestic violence.
    - 503.988.6400
    - [ywcapdx.org](http://ywcapdx.org)
  - [portlandoregon.gov/gatewaycenter](http://portlandoregon.gov/gatewaycenter)
  - Raphael House- Raphael House provides support and information related to situations of domestic violence.
    - 503.222.6507
    - [raphaelhouse.com](http://raphaelhouse.com)
- II. Non-Confidential: The following employees are obligated to report student disclosures to the Seminary if they receive information about potential prohibited conduct. Therefore, these employees are considered responsible employees. Students may choose to connect with these

offices and individuals if they want Western Seminary to engage its Title IX processes and policies.

If a campus administrator, faculty member, or staff member is not specifically designated as a Confidential Employee as described above, the individual has a duty to report information to the Title IX Office. Individuals on campus who have a duty to report are sometimes referred to as “Responsible Employees.”

- Title IX Office
  - 503.517.1815
  - [apeloquin@westernseminary.edu](mailto:apeloquin@westernseminary.edu)
- All Seminary Faculty, except for counseling faculty in a role of a formal counseling relationship
- All Seminary employees with any supervisory duties
- All Seminary employees with administrative and management duties

## **XIII. Training for Investigators, Hearing Officers, Hearing Panel, Appeals Officers, Title IX Coordinator**

All individuals involved in the Title IX response, investigation, hearing, and appeals process receive training in accordance with 34 C.F.R. §106.45(b)(10)(i)(D). This training may be viewed upon request to the Title IX Coordinator.

## **XIV. Record Retention**

The Office of the Title IX Coordinator will maintain all records relating to complaints and resolutions under this Policy for seven (7) years. These records shall include:

- The sexual Harassment investigation file
- Audio or audiovisual recordings or transcripts
- Disciplinary sanctions imposed
- Remedies provided to the Complainant
- Appeals
- Informal resolutions
- Training materials
- Supportive measures