



URSHAN UNIVERSITY

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Sexual Harassment Policy and Resolution Procedure Governing Students and Employees

Final Policy
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Table of Contents

Introduction.....	3
Jurisdiction and Reporting	3
How to Contact the Title IX Coordinator	4
Notice of Non-Discrimination & Notice of Coordination with Non-Discrimination Policy	5
Definitions.....	6
Advisor.....	6
Complainant.....	6
Respondent.....	6
Party	6
Investigator	6
Decision-Maker.....	6
Prohibited Conduct	6
A. Sexual Harassment	7
Quid Pro Quo Harassment	7
Hostile Environment	7
B. Sexual Assault: Four Forms	8
Non-Consensual Sexual Penetration.....	8
Non-Consensual Sexual Touching/Contact	8
Incest.....	8
Statutory Rape.....	8
C. Intimate Partner Violence: Two Forms	8
Dating Violence	8
Domestic Violence.....	9
D. Stalking	9
E. Retaliation.....	9
Definitions of Additional Key Terms	9
Affirmative Consent.....	10
Force	11
Intimidation.....	11
Coercion.....	11

- Incapacitation..... 11
- Consensual Relationships 12
- Privacy and Confidentiality 12
 - Privacy: 12
 - Confidentiality: 13
 - Employee Reporting Responsibilities 14
 - Request for Anonymity by a Complainant..... 14
- Law Enforcement Options 15
- Reporting Timeframes 16
- Preservation of Evidence and Medical Assistance..... 16
- Protection Orders & No Contact Orders 16
- Supportive Measures..... 17
- The Formal Grievance Process 18
 - Intake, Supportive Measures, and the Right to Sign a Formal Complaint..... 18
 - Signed Formal Complaint, Coordinator Signs Complaint, Notice of Investigation/Allegation Provided 18
 - Investigation..... 19
 - Preliminary Report, Feedback Period, Final Investigation Report, Notice to the Parties 19
 - The Live Hearing 20
 - Written Outcome and Determination of Sanctions, If Applicable 21
 - Right to Appeal Outcome 22
- Sanctions 22
 - Disciplinary Action for Employees..... 22
 - Disciplinary Action for Students..... 23
- Informal Resolution Process 23
- Timeline 24
- Coordination with Law Enforcement..... 24
- Obligation to Provide Truthful Information..... 24
- Recordkeeping 24
- Non-Retaliation Statement..... 24
- Annual Review..... 25

Introduction

Urshan University and Urshan Graduate School of Theology (herein “Urshan” or “the institution”) is owned by the United Pentecostal Church International (UPCI), and it is expected that employees and students will conduct themselves in accordance with Christian principles and teachings, both on and off campus. Personal misconduct either on or off the campus by anyone connected with Urshan detracts from the Christian witness the institution strives to present to the world and hinders full accomplishment of the Urshan program. While at Urshan, students and employees are expected to obey federal, state, and local laws and are also expected to obey rules and regulations established by the institution. In all cases of violation of Urshan’s rules and regulations, or of actions in violation of local, state, or federal laws, the institution reserves the right to proceed with its own disciplinary action independently of governmental charges or prosecution. There is no Urshan policy to await the outcome of governmental prosecution.

Urshan values a learning community in which all members feel secure, physically, and intellectually, and prohibits all forms of sex discrimination. This includes having an environment free from Prohibited Conduct as defined by this policy, which includes acts of sexual harassment. Sexual harassment means acts of sexual assault, the offenses of interpersonal violence (which include domestic and dating violence), and sex-based stalking. Acts of retaliation are also prohibited. As an educational institution, Urshan affirms by this policy statement that acts of sex discrimination, including acts of sexual harassment, are detrimental to the integrity of the institution and will not be tolerated.

This policy supersedes any conflicting information contained in previous Title IX policies with respect to the definitions or procedures relating to conduct prohibited by this policy.

Jurisdiction and Reporting

This policy governs the conduct of University students (regardless of enrollment status), faculty, staff, and third parties, including vendors, alumni, and visitors. Third parties are both protected by and subject to this policy. They may report violations committed by University members and may face restrictions, including permanent exclusion from campus, for failing to comply.

This policy applies to conduct occurring:

- On University property
- Off campus, when connected to University-sponsored programs or activities (e.g., travel, research, internships) or when the conduct creates a continuing adverse effect or hostile environment on campus.

Conduct via digital platforms, remote use of University-owned computing or email systems, or social media is considered on-campus conduct if it involves University resources. The University does not actively monitor online content but may respond to information brought to its attention if the conduct meets the definition of Prohibited Conduct. Free speech protections will be considered in all cases. Students and employees should consult the University’s Network Policy - Revision 1.0.5 and Employee Handbook.

To be eligible for Title IX grievance procedures, a complaint must:

- Alleged Prohibited Conduct as defined in this policy
- Involve conduct that occurred in the United States
- Occur on property owned or controlled by the University
- Involve parties who are University students, employees, or individuals seeking access to the University's education program
- Relate to conduct where the University had substantial control over the Respondent and the context of the misconduct

Complaints outside the jurisdiction of this policy may be addressed through other institutional processes at the discretion of the Title IX Coordinator.

Individuals are encouraged to report suspected violations promptly. Reports may be submitted at any time, regardless of when the incident occurred. If the Respondent is no longer affiliated with the University, disciplinary options may be limited. However, supportive measures may still be offered, and actions may be taken to end, prevent, or address the conduct.

Urshan has designated a Title IX Coordinator who is responsible for the oversight of this policy and any procedures related to it. The Title IX Coordinator is responsible for overseeing and resolving all Title IX complaints and identifying and addressing any patterns or systemic concerns that arise during the review of such reports. The Coordinator's responsibilities include oversight of a prompt, fair, equitable investigation, and resolution process for reports of sexual harassment at Urshan. The Title IX Coordinator also evaluates trends on campus by using information reported to them and makes recommendations for campus wide training and education programs and other remedial actions designed to eliminate sex discrimination.

The Executive Vice President shall serve as the designee for the Title IX Coordinator in cases where there is a conflict of interest that would prohibit the Title IX Coordinator from providing fair and impartial oversight.

How to Contact the Title IX Coordinator

Jereme Watson
Director of Student Services
Urshan University / Urshan Graduate School of Theology
Durr Administrative Building, Room 418
Office: (314) 838-8858, ext. 2123
Email: title9@urshan.edu

The U.S. Department of Education’s Office for Civil Rights (OCR) is responsible for overseeing institutional noncompliance with Title IX. To file a report directly with the U.S. Department of Education, use the contact information below.

The OCR office for Missouri is located at:	The OCR National Headquarters is located at:
Kansas City Office Office for Civil Rights U.S. Department of Education One Petticoat Lane 1010 Walnut Street, 3rd floor, Suite 320 Kansas City, MO 64106 Telephone: 816-268-0550 FAX: 816-268-0599; TDD: 800-877-8339 Email: OCR.KansasCity@ed.gov	U.S. Department of Education Office for Civil Rights Lyndon Baines Johnson Department of Education Bldg 400 Maryland Avenue, SW Washington, DC 20202-1100 Telephone: 800-421-3481 FAX: 202-453-6012; TDD: 800-877-8339 Email: OCR@ed.gov

Notice of Non-Discrimination & Notice of Coordination with Non-Discrimination Policy

Urshan is committed to maintaining an environment free from harassment and discrimination for everyone and does not discriminate on the basis of race, sex, national origin, or other protected status. This policy prohibits specific forms of behavior that may violate Title IX of the Education Amendments of 1972 (“Title IX”); relevant provisions of the Violence Against Women Reauthorization Act of 2013 (“VAWA”); Title VII of the Civil Rights Act of 1964 (“Title VII”); the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”); and relevant state law.

This policy and procedure apply only to acts of Prohibited Conduct as defined under this policy. Sex Discrimination or discrimination based on other protected statuses that does not fall under the jurisdiction of this policy will be resolved using *Student Conduct & Responsibilities SS.01.010*

With that in mind, Urshan recognizes that it is important to coordinate this policy with other existing policies related to harassment and discrimination knowing that harassment related to an individual’s sex can occur in conjunction with misconduct and harassment related to a person’s race, color, national origin, religion, age, disability, or other protected status. Therefore, when a report is made of sexual harassment as well as harassment or discrimination based on some other protected status, Urshan’s response will be governed by the procedures referenced in this policy in addition to other relevant policies in place at the institution. The status of the respondent will be used to determine which applicable policies attach. When a complaint alleges conduct by a student on employee or employee on student, more than one policy may be used to resolve the complaint.

Questions about which policy applies in a specific instance should be directed to the Title IX Coordinator or the Executive Vice President.

Definitions

Advisor

The complainant and the respondent each have the right to have an advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing in which the complainant or the respondent is required to be present. An advisor is a person who provides advice, support, or counsel to a party and may only consult, support, and advise his or her advisee, but not speak for the advisee at any meeting nor may the advisor direct questions to any administrator, party, or witness in the investigative stage. Should the advisor become disruptive during any meeting, the Title IX Coordinator or investigator may ask them to leave. For purposes of the live hearing, if a party does not have an advisor at the time when the Title IX Coordinator issues notice of the availability of the final investigative report, Urshan will appoint an advisor to the party. When Urshan appoints an advisor, the role of that advisor is limited to asking the questions a party wants asked in the live hearing, i.e., for the purposes of cross examination. Urshan will not charge a fee when they appoint an advisor.

Complainant

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute Prohibited Conduct.

Respondent

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute Prohibited Conduct.

Party

“Party” means either the complainant(s) or respondent(s) in an investigation or action relating to a report of Prohibited Conduct. “Parties” refers to the complainant and respondent collectively.

Investigator

The “Investigator” is the person assigned to conduct the investigation upon the signing of a complaint and a request for a formal resolution process. The Investigator may be a Title IX Coordinator, an employee, or a contracted service provider.

Decision-Maker

The “decision-maker” is the person who will make the determination of responsibility for emergency removal and after a formal resolution process or following an appeal. The decision-maker will provide the determination in writing and cannot be the same person as the Title IX Coordinator or the investigator on a case arising out of the same facts or circumstances. In the case of an appeal, the decision-maker will be different from the person(s) who made the initial determination. The decision-maker may be an employee or a contracted service provider. The University retains the right to establish a pool of cross-trained individuals who may serve as an investigator or one of the decision-makers; however, they would never hold more than one position during a particular complaint.

Prohibited Conduct is a broad term used by Urshan to identify a number of forms of harassment based on sex. Prohibited Conduct includes the following specifically defined forms of behavior: Sexual Harassment, Sexual

Assault, Domestic Violence, Dating Violence, and Stalking (regardless of if the stalking occurs in the context of an intimate relationship.). Retaliation is also prohibited under this policy and resolution procedure but will not be resolved using the procedures found in this policy. Complaints of retaliation will be resolved using the procedures found in the Student Code of Conduct or the Employee Handbook

A. Sexual Harassment

“Harassment” is conduct that creates an intimidating, offensive, or hostile working or living/learning environment or that unreasonably interferes with work or access to their educational program based on a person’s protected status, including sex. All such conduct is unlawful.

“Sexual Harassment” is any unwelcome sexual advance, request for sexual favors, or other unwelcome conduct of a sexual nature, whether verbal, physical, graphic, or otherwise.

Quid Pro Quo Harassment. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual’s participation in unwelcome sexual conduct.

Hostile Environment. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity.

Such conduct includes unwelcome conduct of a sexual nature and may include unwelcome conduct based on sex or sex stereotyping.

In evaluating whether the unwelcome conduct is so severe, pervasive, and objectively offensive that it effectively denies a person equal access, the University uses a reasonable person standard that takes into account the totality of known circumstances in a particular situation, including but not limited to:

- The frequency, nature, and severity of the conduct.
- The age, disability status, and other characteristics of the parties.
- Whether the conduct was physically threatening.
- The effect of the conduct on the Complainant’s mental or emotional state.
- Whether the conduct was directed at more than one person.
- Whether the conduct arose in the context of other discriminatory conduct.
- Whether the conduct unreasonably interfered with the Complainant’s educational or work performance and/or University programs or activities.

The term “effectively denies” does not require a Complainant to be entirely, physically excluded from educational opportunities and may also be established when the conduct so undermines and detracts from the Complainant’s work or school access so that such access is effectively denied.

This Policy is consistent with Urshan’s commitment to academic freedom and free speech¹. This commitment requires that Urshan protect community members’ expression of ideas in their teaching and learning including topics that may be controversial, provocative, or unpopular. This protection extends to the expression of ideas, however controversial, in the classroom, and other campus-related activities.

It must be recognized, however, that this protection has its limits. This Policy defines those limits and conduct which is found to be “harassing” is not consistent with Urshan’s commitment to academic freedom and free speech. No member of Urshan community may escape responsibility for engaging in harassing conduct merely by labeling the conduct as “speech” or other expressive activity.

B. Sexual Assault: Four Forms

Non-Consensual Sexual Penetration means 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 victim.

Non-Consensual Sexual Touching/Contact means the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity. Private body parts for purposes of this policy are breast, buttocks, and groin.

* For the purposes of the definition of non-consensual sexual penetration and non-consensual sexual touching/contact, the University will treat attempts to commit those forms of Prohibited Conduct as if those attempts were completed.

Incest means sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is sexual intercourse with a person who is under the statutory age of consent, which in Missouri is 17 years of age.

C. Intimate Partner Violence: Two Forms

“Intimate Partner Violence” includes any act of violence or threatened act of violence against a person who is, or has been involved in, a sexual, dating, spousal, domestic, or other intimate relationship with the Respondent. Urshan will not tolerate Intimate Partner Violence of any form.

Dating Violence

“Dating Violence” is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the person subjected to such violence. Whether there was such a relationship will be

¹ See page 40 of the UU and page 26 of the UGST Faculty Handbooks.

determined based on, among other factors, the parties' statements, and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the parties involved in the relationship.

Domestic Violence

“Domestic Violence” is a felony or misdemeanor crime of violence committed by: (1) a current or former spouse or intimate partner of the victim; (2) a person with whom the victim shares a child in common; (3) a person who is cohabiting with, or has cohabitated with, the victim as a spouse or intimate partner; (4) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Missouri; or (5) any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws in the State of Missouri.

D. Stalking

“Stalking” occurs when a person engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

A course of conduct consists of two or more acts, including, but not limited to, acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Cyber-stalking is a form of stalking in which electronic media such as the Internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used.

E. Retaliation

Retaliation means any adverse action taken against a person for making a good faith report of Prohibited Conduct or participating in any proceeding under this policy. Retaliation includes threatening, intimidating, harassing, coercing, or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Retaliation may be present even where there is a finding of “no responsibility” on the allegations of Prohibited Conduct. Retaliation does not include good faith complaints filed with the institution.

Definitions of Additional Key Terms

The inclusion of these terms, and their subsequent definitions, is not an endorsement by Urshan of any type of sexual activity outside Biblical marriage as defined in the UPCI's Articles of Faith and Position Papers. The institution is required by law to present the legal definitions for these terms within this policy to ensure federal compliance and mutual understanding for all members of the Urshan Community.

To provide clarity to all individuals as to the kinds of behavior which constitute Prohibited Conduct in a legal context, Urshan further defines key terms below which the institution will use in evaluating whether Prohibited Conduct has occurred.

Affirmative Consent

While Urshan in no way condones sexual activity outside of marriage or between anyone other than husband and wife, “Affirmative Consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity. Affirmative consent is required for any sexual activity to occur between individuals. It is the responsibility of each person involved in the sexual activity to ensure that the person has the affirmative consent of the other to engage in the sexual activity.

It shall not be a valid excuse to alleged lack of affirmative consent that the Respondent believed that the Complainant consented to the sexual activity under either of the following circumstances: (a) The Respondent’s belief in affirmative consent arose from the intoxication or recklessness of the Respondent, or (b) the Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented.

The following are essential elements of affirmative 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 a mutually unambiguous willingness to engage in sexual activity. Consent may not be inferred from silence, passivity, lack of resistance, previous participation, 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:* Affirmative consent must be ongoing throughout any activity. **Consent may be withdrawn by any party at any time.** Recognizing the dynamic nature of 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, uncertain, or is no longer a mutual participant. Once consent is withdrawn, the sexual activity must cease immediately, which means they must separate their bodies, 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.

- *Age:* The State of Missouri considers sexual intercourse with a person under the age of 17 to be unlawful. A person who engages in “unlawful” sexual intercourse as described in Missouri state law does so without affirmative consent as defined by Urshan’s Policy. Reports received that allege sexual contact with a person under the age of 17 will be reported to the City of Wentzville (MO) Police Department (or appropriate law enforcement agency if the act occurred outside of the Wentzville) as this conduct could constitute sexual abuse of children.

Force

“Force” is the use or threat of physical violence to overcome an individual’s freedom to choose whether to participate in sexual activity or provide consent. Consent obtained by force is not valid.

For the use of force to be demonstrated, there is no requirement that a Complainant resist the sexual advance or request. However, evidence of resistance by the Complainant will be viewed as a clear demonstration of a lack of consent.

Intimidation

“Intimidation” is the use of implied threats to overcome an individual’s freedom to choose whether to participate in sexual activity or provide consent. Consent obtained by intimidation is not valid.

Coercion

“Coercion” is the use of pressure to compel another individual to initiate or continue sexual activity against that individual’s will. Consent obtained through coercion is not valid. Coercion can include a wide range of behaviors, including unwanted pressure, intimidation, manipulation, threats, and extortion. A person’s words or conduct are sufficient to constitute coercion if they wrongfully impair another individual’s freedom of will and ability to choose whether to engage in sexual activity. Examples of coercion include continuously pressuring someone (“wearing them down” to engage in sexual activity) or threatening to harm oneself if the other party does not engage in the sexual activity. When someone indicates, verbally or physically, that they do not want to engage in a particular sexual activity, that they want to stop a particular activity, or that they do not want to go past a certain point of sexual interaction, continued activity or pressure to continue beyond that point can be coercive. Urshan will evaluate the following in determining whether or not coercion was used: (a) the frequency of the application of pressure, (b) the intensity of the pressure, (c) the degree of isolation of the person being pressured, and (4) the duration of the pressure.

Incapacitation

“Incapacitation” is a state where an individual cannot make an informed and rational decision to engage in sexual activity because of a lack of conscious understanding of the fact, nature, or extent of the act (e.g., to understand the who, what, when, where, why, or how of the sexual interaction) and/or is physically helpless. For example, an individual is incapacitated, and therefore unable to give consent, if the individual is asleep, unconscious, or otherwise unaware that sexual activity is occurring. An individual will also be considered incapacitated if the person cannot understand the nature of the activity or communicate due to a mental or physical condition, even if temporary.

Incapacitation may result from the use of alcohol, drugs, or other medication. 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: (1) decision-making ability; (2) awareness of consequences; (3) ability to make informed judgments; or (4) capacity to appreciate the nature and the quality of the act.

While Urshan does not condone the use of alcohol or drugs, if the Complainant was under the effects of such substances at the time of an alleged assault, Urshan has the right to provide amnesty for purposes of this policy to the Complainant, as well as any witnesses, to ensure that the offense can be properly investigated.

It shall not be a valid excuse that the Respondent believed that the Complainant affirmatively consented to the sexual activity if the Respondent knew or reasonably should have known that the Complainant was unable to consent to the sexual activity under any of the following circumstances: (a) the Complainant was asleep or unconscious; (b) the Complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the Complainant could not understand the fact, nature, or extent of the sexual activity; (c) the Complainant was unable to communicate due to a mental or physical condition.

Whether the Respondent reasonably should have known that the Complainant was incapacitated will be evaluated using an objective reasonable person standard. The fact that the Respondent was actually unaware of the Complainant's incapacity is irrelevant to this analysis, particularly where the Respondent's failure to appreciate the Complainant's incapacitation resulted from the Respondent's failure to take reasonable steps to determine the Complainant's incapacitation or where the Respondent's own capacity (from alcohol or drugs) caused the Respondent to misjudge the Complainant's incapacity.

Consensual Relationships

Sexual or romantic relationships between employees and students with whom they instruct, supervise, evaluate, or advise are strongly prohibited and against the values of the Urshan system.

Privacy and Confidentiality

Urshan is committed to protecting the privacy of all individuals involved in the investigation and resolution of a report under this policy. Urshan is also committed to assisting students, employees, and third parties to make informed choices. With respect to any report under this policy, the institution 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 assess the report and to take steps to eliminate Prohibited Conduct.

Privacy and confidentiality have distinct meanings under this policy.

Privacy: Privacy means that information related to a report of Prohibited Conduct will be shared with a limited circle of Urshan employees who "need to know" to assist in the assessment, investigation, and resolution of the report. All Employees who participate in Urshan's response to reports of Prohibited Conduct receive specific

training and guidance about sharing and safeguarding private information in accordance with state and federal law.

Further, the institution will maintain as private, any accommodations or protective measures provided to the parties to the extent that maintaining such confidentiality would not impair Urshan's ability to provide the accommodations or protective measures.

The privacy of student educational records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA")². All documentation related to a student's report, investigation, and resolution are protected by FERPA and will not be released, except as required by law. Non-identifying information about a report may be shared with certain Urshan officials to comply with the Clery Act. A complainant's name will never be published in connection with the institution's obligations under the Clery Act. In addition, the Urshan institution does not publish identifiable information regarding victims in Urshan's Daily Crime Log or online. Any person, including a victim of Prohibited Conduct, may request that her or his directory information on file be removed from public sources. Complainants may request that directory information on file be removed from public sources by contacting the Title IX Coordinator at (314) 848-8858, ext. 2123 or by calling the Registrar at (314) 848-8858, ext. 3000.

The privacy of an individual's medical and related records generally is protected by the Health Insurance Portability and Accountability Act ("HIPAA"), excepting health records protected by FERPA and by Missouri state statutes. Access to an employee's personnel records may be restricted in accordance with applicable Missouri law.

Confidentiality: Confidentiality exists in the context of laws that protect certain relationships, including with medical and clinical care providers (and those who provide administrative services related to the provision of medical and clinical care), mental health providers, counselors, and licensed and/or credentials pastors acting in that capacity, all of whom may engage in confidential communications under Missouri law.

When information is shared by an individual with a community professional with the same legal protections, the Confidential Employee (and/or such community professional) cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. For example, information may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is a concern that the individual will likely cause serious physical harm to self or others; (iii) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18; and/or (iv) the employee is identified as a Campus Security Authority under the Clery Act, in which case they would need to report non-identifying aggregate data about the incident to the reporting structure of the institution.

² The Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 C.F.R. Part 99.

Employee Reporting Responsibilities

Every faculty, staff, and volunteer on campus who has been identified as a responsible employee must immediately report to the Title IX Coordinator any Prohibited Conduct reported to them or observed by them, including the name of the complainant and respondent, if known. Urshan requires everyone in the campus community, including Confidential employees, to report the suspected abuse of children (those under the age of 18).

Public awareness events such as candlelight vigils, protests, “survivor speak outs,” or other forums in which students, staff, or faculty members disclose incidents of Prohibited Conduct, are not considered a report for purposes of triggering Urshan’s obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and Urshan will provide information about Title IX and Clery (VAWA) rights at these events. Similarly, information disclosed during a student’s participation as a subject in an Institutional Review Board-approved human subjects research protocol (“IRB Research”) is not considered a report of Prohibited Conduct for purposes of triggering the institution’s obligation to investigate any particular incident(s).

Request for Anonymity by a Complainant

Where the complainant requests that their identity not be shared with the respondent or that Urshan not pursue an investigation, the institution must balance this request with Urshan’s responsibility to provide a safe and non-discriminatory environment for all Urshan community members. Urshan, through the Title IX Coordinator, will take all reasonable steps to investigate and respond to the complaint consistent with the request not to share identifying information or pursue an investigation, but its ability to do so may be limited by the request. Under these circumstances, the complainant’s request will be balanced against the following factors:

- The seriousness of the conduct;
- The respective ages and roles of the complainant and respondent;
- Whether there have been other reports of Prohibited Conduct under this policy involving the respondent;
- Whether the circumstances suggest there is a risk of the respondent committing additional acts of Prohibited Conduct;
- Whether the respondent has a record indicating a history of violence;
- Whether the report indicates the respondent threatened further sexual violence or other violence against the complainant and/or other individuals involved;
- Whether the reported conduct was committed by multiple individuals;
- Whether the circumstances suggest there is a risk of future acts of Prohibited Conduct under similar circumstances;
- Whether the reported conduct was perpetrated with a weapon; and/or
- Whether Urshan possesses other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence).

Where Urshan is unable to act consistently with the request of the complainant, the Title IX Coordinator will inform the complainant about the chosen course of action, which may include Urshan's Title IX Coordinator signing the formal complaint and proceeding through the formal grievance process. In this case, the complainant still remains the complainant with all rights, including the right to participate or not participate, as well as all notice documents that would normally be provided to a complainant. i.e., the complainant retains standing, initiating the grievance process.

Law Enforcement Options

Complainants may simultaneously pursue criminal and Urshan disciplinary action. Urshan will support complainants in understanding and assessing their reporting options. Upon receipt of a report, Urshan will inform individuals of their right to file (or decline to file) a criminal report as well as the availability of medical, counseling and support services, and additional interim measures to prevent contact between a complainant and a respondent, such as housing, academic, transportation and working accommodations, if reasonably available (see Supportive Measures). Making a report to Urshan does not require participation in any subsequent proceedings, nor is a report required for a complainant to receive support or remedial measures.

Although the Urshan institution strongly encourages all members of its community to report violations of this policy to law enforcement, it is the complainant's choice whether to make such a report and victims have the right to decline involvement with the police.³ Urshan's Title IX Coordinator will assist any victim with notifying local police if they desire.

If the complainant would like to contact local law enforcement authorities, either of the following processes may be used:

- A complainant may choose NOT to have law enforcement contacted and no report filed BUT still may have an evidence kit collected. (Note: The complainant later may file a report and may pursue criminal charges.) (Important: Police will be called to the hospital when a sexual assault is reported. The party does not have to speak to them and may still have evidence collected from his or her body.)
- A complainant may file a police report and ask that the investigation and charges be pursued immediately. While the prosecuting attorney is still the decision-maker in whether the perpetrator is charged criminally, the complainant can cooperate and provide as much timely cooperation and information as may be possible.

Parties should be aware that a statute of limitations may apply to certain crimes in Missouri that may impact a criminal investigation separate from any institutional process.

³ The Title IX Coordinator is a "Responsible Employee" under Title IX and also a "Campus Security Authority" under the Clery Act. Statistical information not including the victim's identifying information will be provided to an Urshan official responsible for compiling Urshan's crime statistics for the annual security report, even if the victim chooses not to report to others.

Reporting Timeframes

Urshan encourages prompt reporting of Prohibited Conduct so that Urshan can respond promptly and equitably; however, the institution does not limit the timeframe for reporting. If the respondent is no longer affiliated with Urshan at the time the report is made, the institution will provide supportive measures, assist the complainant in identifying external reporting options, and take other reasonable steps to respond under Title IX.

Preservation of Evidence and Medical Assistance

After an incident of sexual assault or intimate partner violence involving physical force, the victim should consider seeking medical attention as soon as possible. Victims who agree to have forensic evidence collection conducted as part of their care can locate hospitals with such emergency rooms in the *Resources* section of this policy or by calling the City of Wentzville Police Department. SSM Health – St. Joseph Hospital, Wentzville, and SSM Health – St. Joseph Hospital, Lake Saint Louis can complete forensic evidence recovery and preserve evidence in case the complainant decides to file a police report.

It is important that a victim of sexual assault or physical violence from a dating violence or domestic violence incident not bathe, douche, smoke, change clothes or clean the bed/linen/area where the victim was assaulted if the offense occurred within the past 120 hours, so that evidence may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers still can treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of all forms of Prohibited Conduct are also encouraged to preserve evidence including saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other copies of documents, if they have any that may be useful to the institutional investigators or law enforcement.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a report regarding an incident, he or she nevertheless should consider speaking with the Title IX Coordinator or local law enforcement to preserve evidence if she or he changes her/his mind later.

Protection Orders & No Contact Orders

An order of protection is an order issued by a Missouri court pursuant to the Domestic Violence Act that restrains a person from abusing, stalking, sexually assaulting, or harassing another person. Unlike a restraining order, an order of protection carries criminal penalties for violation. An order of protection is valid in every state and should be upheld by law enforcement in every state. There are two types of orders of protection in the State of Missouri: an ex parte order of protection and a full order of protection. An ex parte order of protection is issued by the court before the person against whom the order is directed has received notice of the petition or an opportunity to be heard in court. It is a temporary order. A full order of protection is issued after a hearing on the record when the person against whom the order is directed has received notice of the proceedings and has had an opportunity to be heard.

The petition must be filed in the county where the petitioner resides, where the alleged incident of domestic violence, stalking, or sexual assault occurred or where the respondent may be served.

The circuit clerk's office will provide copies of the forms necessary for the presentation of the petition to the court. Clerks will aid in completing these forms without cost. The location of the office where a petition can be filed will be posted conspicuously in the court building. No filing fees, court costs, or bond will be assessed to the petitioner in a domestic violence/stalking/sexual assault action. An attorney is not needed to obtain an order of protection. Forms also can be found at www.courts.mo.gov by selecting Court Forms > Adult Abuse Forms.

The closest circuit court to campus is the St. Charles County Circuit Court. They are located at the Eleventh Judicial Circuit Court, 300 North 2nd Street, St Charles MO 63301, Main Number **636-949-3080**, Business Hours 8:00 to 5:00.

Supportive Measures

Under Title IX, *supportive measures* are non-disciplinary, non-punitive services offered to individuals involved in a report of sex discrimination or harassment. These measures are designed to restore or preserve equal access to education without unreasonably burdening either party. Supportive measures must be available to both the complainant and the respondent, and measures must be customized to the specific needs of the individuals involved. Parties have the right to decline participation in a grievance process while still receiving supportive measures and are free of charge.

Supportive measures aim to:

- Ensure safety and well-being
- Prevent further harassment or retaliation
- Maintain access to educational programs and activities

They can be implemented before, during, or after a formal complaint, and even if no formal complaint is filed.

Examples of Supportive Measures Under Title IX

- Extensions of deadlines
- Adjustments to class schedules
- Changes in classroom seating or assignments
- Increased campus security or monitoring
- Campus escort services
- Mutual no-contact orders
- Changes in housing assignments (e.g., different room or floor)
- Changes in work schedules or locations
- Professional counseling services
- Victim advocacy and confidential support
- Modifications to participation in clubs, sports, or other activities

- Adjustments to shared spaces or group projects
- Leave options
- Temporary leaves of absence for medical or emotional recovery

The Formal Grievance Process

All persons involved in the intake through the resolution of complaints of Prohibited Conduct are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and instructed on how to conduct effective investigations and administer a conduct process that protects the safety of victims and promotes accountability. In proceedings under this policy, the standard of proof used to determine whether a violation of this policy has occurred is a preponderance of evidence, which means it is more likely than not that Prohibited Conduct occurred.

Intake, Supportive Measures, and the Right to Sign a Formal Complaint

- Upon receiving a report (either verbally or in writing), the Title IX Coordinator will conduct an initial assessment of the complainant's immediate and ongoing safety and well-being; review the necessity for any supportive measures; give the Written Explanation of Rights and Options as required by the Clery Act and explain the process for filing a signed formal complaint.
- If the complainant only wants supportive measures and does not wish to sign a formal complaint at that time, the Title IX Coordinator will weigh the complainant's request not to proceed against their ability to provide a nondiscriminatory environment. The Title IX Coordinator will also consider the interest of the complainant and the complainant's expressed preference for manner of resolution in making a determination on course of action.

Signed Formal Complaint, Coordinator Signs Complaint, Notice of Investigation/Allegation Provided

- If the complainant does sign a formal complaint or the Title IX Coordinator signs the formal complaint on behalf of the institution to initiate the formal grievance process, then notice will be prepared and sent to the parties. *At no time does the institution become a complainant in the matter. If the Title IX Coordinator signs the formal complaint, the named complainant retains standing throughout the process and is entitled to all of the notice and opportunity they would have as if they signed the complaint themselves regardless of whether they choose to participate or not.
- Upon issuance of the notice to the parties and the delivery of supportive measures to the complainant, the Title IX Coordinator will conduct outreach to the respondent, answer any questions they may have, and offer supportive measures to the respondent. Supportive measures may not be disciplinary in nature nor deprive either party of their access to their education. The respondent is presumed not in violation of University policy unless and until the decision maker at the conclusion of the formal grievance process determines, using the preponderance of the evidence, that it is more likely than not that the respondent engaged in Prohibited Conduct.
- If the complainant proceeds with signing a formal complaint or the institution signs such a formal complaint to initiate the formal grievance process, Urshan may consider whether emergency removal of

the respondent is necessary. After conducting an individualized safety and risk analysis, Urshan may remove a respondent from an Urshan program or activity on an emergency basis, if it determines that a respondent poses an immediate threat to the physical health or safety of any individual arising from the allegations of Prohibited Conduct that justifies removal. The seriousness of the allegations themselves will be insufficient to initiate an emergency removal.

- If the University institutes emergency removal, the respondent will receive notice and an opportunity to challenge the decision immediately following their removal. For students, the emergency removal challenges process follows the Interim Suspension provisions and process set forth in the Student Code of Conduct. Employees will be placed on Administrative Leave rather than utilizing emergency removal.
- For employees, Administrative Leave may also be warranted when circumstances suggest the presence of respondent would significantly hinder the investigation.

Investigation

- Pursuant to notice, Urshan, through a trained investigator(s), will conduct an adequate, reliable, and impartial investigation into the facts of the case and will interview the complainant, respondent, witnesses, and/or others who may have relevant information. The investigation will also include the collection of evidence deemed relevant to the case including but not limited to electronic or other records of communications between the parties or witnesses (via voice-mail, text message, email and social media sites), photographs (including those stored on computers and smartphones), diagrams and medical records (subject to the consent and waiver of privilege of the applicable party).
- The sexual history of a complainant or respondent will never be used to prove character or reputation. Moreover, evidence related to the prior sexual history of the complainant is generally not relevant to the determination of a policy violation and will be considered only in very limited circumstances. For example, if the existence of consent is at issue, the sexual history between the parties may be relevant to help understand the manner and nature of communications between the parties and the context of the relationship, which may have a bearing on whether consent was sought and given during the incident in question. Urshan will provide the complainant and respondent timely and equal access to information that will be used during any informal and formal process.
- Urshan will provide the complainant and respondent an equal opportunity to participate in any process and to present evidence and/or witnesses.

Preliminary Report, Feedback Period, Final Investigation Report, Notice to the Parties

- At the conclusion of the investigation, the investigator will draft a Preliminary Report summarizing the fact-finding related to the case. In general, the investigator will not include information that is irrelevant, more prejudicial than probative, immaterial, or merely a personal opinion.
- The investigator will deliver the draft report to the Title IX Coordinator providing only the facts of the matter and not rendering any decision regarding whether Prohibited Conduct occurred. The Title IX Coordinator will issue notice of the draft report, provide a link to, or attach said report, and explain the

process to receive feedback prior to the finalization of the investigative process. The parties and their respective advisors are strictly prohibited from disseminating the report, including details from the report. Unauthorized dissemination will result in potential conduct charges.

- The parties will have ten business days to provide a response back to the Title IX Coordinator of the draft investigative report noting any inaccurate information or additional information or evidence they would like considered. The Title IX Coordinator will provide the feedback to the named investigator(s), who will review the feedback provided by the parties, determine what corrections should be made to the draft report, if any, and determine if based on the feedback received if further investigation is required. Once the investigator has completed those actions, the investigator will draft the final investigative report and add a section entitled “Summary of Relevant Evidence,” which will note the relevant evidence in the matter. The final report will be provided to the Title IX Coordinator, who will draft notice of the availability of the final report and send notice as well as the final report to the parties and their respective advisors.

The Live Hearing

- The Title IX Coordinator will also provide, within that notice or in a separate notice, information regarding the live hearing, including procedural information about the date, time, and format for the live hearing, as well as the name of the decision maker(s) who will preside over the hearing to the parties. The final report will then be sent to the decision maker. The live hearing may not be held less than 10 days from the date the parties and their advisors are provided with the final report. The parties will have three business days from the date of receiving the name of the decision maker to request an alternate decision maker. Requests for an alternate decision maker should be sent to the Title IX Coordinator via email and will only be considered if the party alleges bias or conflict of interest and provides supporting documentation as to why they believe the decision maker is biased or has a conflict of interest. The Title IX Coordinator is the final arbiter with regard to the replacement of a decision maker.
- If the parties wish to provide any response to the final report, they may direct said response to the Title IX Coordinator in advance of the live hearing, who will provide it to the named decision maker.
- The live hearing will be held. Urshan does not hold live hearings in person, but rather uses technology to allow the decision maker, the parties, their advisors, and any invited witnesses, to participate remotely in real time, with the ability to be seen and heard. The decision maker is responsible for conducting the hearing. The Title IX Coordinator may join the live hearing to function as the hearing coordinator managing hearing logistics, including providing parties with advance information of what to expect in the hearing and managing the virtual platform, including muting, or unmuting participants and allowing people in and out of waiting/break out rooms.
- Urshan uses a single decision maker process. The decision maker presides over the hearing, may ask questions of the parties and witnesses, listens to testimony provided, and will be the sole determiner with regard to whether or not a policy violation occurred. The decision maker may be an employee of Urshan, or a contractor retained by the institution. The decision maker will be a trained individual in accordance with the 2020 Title IX regulations and the Clery Act.

- A party may participate or not participate in the hearing. No inference with regard to responsibility will be made based solely on an individual's participation. If a party does not appear to be cross examined, prior statements made in the investigation may still be considered by the decision maker.
- In the live hearing, no party may directly examine the other party or any witness. The role of conducting cross examination is conducted by the advisor for the party. If a party does not have an advisor by the issuance of the final report, then Urshan will appoint an advisor strictly for the purposes of conducting cross examination. There is no fee or charge to a party to receive an Urshan-appointed advisor.
- The role of the advisor in the live hearing is to ask the questions of the other party and witnesses that their party requests they ask. The advisor may not object to questions asked of their party nor be disruptive in the proceeding. Opening and closing statements are not permitted in the live hearing. Any evidence introduced at the live hearing must be genuinely new—that is, it must not have been known or reasonably available during the investigation phase. The decision-maker may consider such evidence only if it meets this standard and is relevant to the allegations.
- The decision maker will complete the hearing and will not render a decision regarding responsibility at the immediate conclusion of the hearing. The decision maker has ten business days to issue the written determination regarding responsibility. The written determination of responsibility will be provided to the Title IX Coordinator.

Written Outcome and Determination of Sanctions, If Applicable

- If the respondent is determined, by the preponderance of the evidence, not to be in violation of University policy, then the Title IX Coordinator will issue notice of the outcome and provide the parties and their respective advisors with the determination letter and appeal rights.
- If the outcome letter determines that the respondent is in violation of University policy, then the process for determining sanctions depends on the role of the respondent. If the respondent is a student, the Dean of Students is responsible for determining the appropriate sanction. If the respondent is a faculty or staff member, that responsibility falls to the Executive Vice President. The decision on sanctions will be made upon notice that the respondent has been found in violation of University policy.
- The Title IX Coordinator communicates, simultaneously and in writing, the final determination of responsibility and any sanctions, if applicable, to the parties and their respective advisors. For student respondents, the Coordinator delivers this information directly. In cases involving faculty or staff, the Coordinator collaborates with the Executive Vice President to ensure that both the determination and any resulting sanctions are clearly conveyed.
- The complainant and the respondent and their respective advisors receive the outcome and if applicable, the associated sanctions. Communications are sent via Urshan's official email system. If a party no longer maintains an Urshan email account, the notice is sent via U.S. Mail. In certain cases, limited private information may be disclosed to relevant personnel, such as a Department Chair, Athletics, or the Registrar, but only to the extent necessary to implement the sanctions. Such disclosures are made at the

discretion of the Title IX Coordinator and are strictly limited to the purpose of fulfilling institutional responsibilities.

Right to Appeal Outcome

- Both the complainant and the respondent have an equal right to appeal the determination of responsibility. Appeals must be submitted in writing to the Title IX Coordinator within five (5) business days of receiving the notice of outcome. For timely and appropriate appeals, the appeal for student as the respondent cases will be reviewed by the Urshan Student Disciplinary Committee (minus the presence of a student representative). For employee cases, the appeal will be heard by the President of the University or its Senior Leadership Committee.

Grounds for appeal are limited to the following:

- A procedural irregularity that affected the outcome;
- The discovery of new evidence that was not reasonably available at the time of the determination and could affect the outcome;
- A conflict of interest or bias involving Title IX personnel that affected the outcome.

Sanctions imposed as a result of a Title IX determination will generally be stayed pending the outcome of any timely appeal. This means that disciplinary sanctions will not be implemented until the appeal process has concluded. However, the institution reserves the right to enforce certain sanctions immediately if a delay poses a threat to the safety or well-being of the campus community, interfere with the educational environment, or compromise the integrity of institutional operations. In such cases, the rationale for immediate enforcement will be documented and communicated to both parties.

Supportive measures may continue throughout the appeal process, regardless of whether sanctions are stayed.

Sanctions

The purpose of administering disciplinary action(s) is to hold members of institution accountable for their actions, promote the safety and well-being of all members of the Urshan community (not just the complainant) and ensure that unacceptable behavior does not occur.

Urshan has the right to determine the level of corrective action it deems suitable when addressing unacceptable, inappropriate, unethical, or illegal behavior. In determining the appropriate disciplinary action, the institution will attempt to fairly fit the action to the violation seen in total context.

For example, severe discipline may be imposed for a relatively minor violation, which has been repeated despite prior warning, more lenient discipline may be imposed for a relatively serious violation when extenuating circumstances have been demonstrated.

Disciplinary Action for Employees

Disciplinary actions for Urshan employees may include any combination of the following:

- Written apology to a person, or group, whose rights the respondent may have infringed.
- Mandatory educational programming, which could include alcohol/ drug abuse awareness, sexual harassment prevention training, or batterer intervention instruction.
- Paid or unpaid administrative leave.
- Demotion or reassignment.
- Written notice of unacceptable behavior that is placed in the employee’s permanent file.
- Termination of employment.
- Termination of employment with associated “no trespass” notification.

Disciplinary Action for Students

Disciplinary actions for Urshan students may include any combination of the following:

- Written apology to a person, or group, whose rights the respondent may have infringed.
- Mandatory educational programming, which could include alcohol/ drug abuse awareness, sexual harassment prevention training, or batterer intervention instruction.
- Change of class schedule or loss of special privileges.
- Student Life restriction/ probation.
- Residence hall suspension.
- Residence hall expulsion.
- Suspension from the University or seminary.
- Expulsion from the University or seminary.
- A suspension or expulsion from resident hall, University , or seminary with associated “no trespass” notification.

Informal Resolution Process

In accordance with the Title IX regulations issued in 2020, Urshan offers an Informal Resolution Process as a voluntary alternative to the formal grievance procedure for resolving allegations of sexual harassment. Informal resolution may include facilitated discussions, mediation, or restorative practices, and is only available after a signed formal complaint has been filed.

Participation in informal resolution is optional and requires the informed, written consent of both the complainant and the respondent. Prior to engaging in the process, parties will receive a written notice disclosing the allegations, the nature of the process, and any consequences that could result from resolving the matter informally (e.g., a mutually agreed-upon outcome).

Please note that informal resolution is not permitted where the allegations involve sexual harassment of a student by an employee. Either party may withdraw from the informal resolution at any time before a resolution is finalized, in which case the formal grievance process will resume.

As part of the informed notice, parties will also be advised of how any information disclosed during the informal resolution process will be maintained, recorded, or used by the institution, including limits on confidentiality and

access. No act in which alleged violence is threatened or engaged in will qualify for resolution under the Informal Resolution Process.

Timeline

Typically, the investigation under this policy will not exceed 60 days. This timeframe may be extended for good cause, which may exist if additional time is necessary to ensure the integrity and completeness of the investigation, to comply with a request by external law enforcement for temporary delay to gather evidence for a criminal investigation, to accommodate the availability of witnesses, to account for complexities of a case, including the number of witnesses and volume of information provided by the parties, or for other legitimate reasons. The investigator will notify the Coordinator who will then notify the parties in writing of any extension of this timeframe and the reason for such extension. The complainant and respondent will be notified, in writing, throughout the process by the Title IX Coordinator in regard to the major timeframes of the process to include the start of an investigation and the policy violation that is being alleged, any delay in the investigation, the conclusion of the investigation, and determination of the outcome resolution and any related appeals.

Coordination with Law Enforcement

At the request of law enforcement, the investigator may delay Urshan's investigation temporarily while an external law enforcement agency is gathering preliminary evidence. The Coordinator will promptly resume Urshan's investigation when notified that law enforcement has completed the evidence-gathering stage of its criminal investigation. Urshan will not wait for the conclusion of a criminal investigation to proceed with its' administrative investigation.

Obligation to Provide Truthful Information

Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of sexual misconduct or other forms of prohibited conduct is prohibited and subject to disciplinary sanctions under Urshan's related policies. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.

Recordkeeping

Urshan will retain all records related to reports of Prohibited Conduct under this policy in the office of the Title IX Coordinator for a period of seven (7) years, regardless of case outcome. Urshan's Title IX Coordinator will destroy all case records after the applicable retention period; however, a permanent record of "responsible finding" and the sanctions imposed as a result of an investigation will remain on a student's permanent record in the Registrar's Office.

Non-Retaliation Statement

It is unlawful under Title IX and a violation of Urshan policy to retaliate against any individual who has brought

a good-faith report of Prohibited Conduct or who has assisted in the investigation of a complaint. Retaliation, whether actual or threatened, destroys the sense of community and trust that is critical to a learning and work environment. Urshan considers acts or threats of retaliation in response to such disclosures or participation to constitute a serious violation of Urshan policy, which may result in disciplinary action, up to and including dismissal, against the individual responsible for retaliation.

Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Retaliation may be present even where there is a finding of “no responsibility” on the allegations of prohibited conduct.

NOTE: Adverse actions do not include petty slights and annoyances, such as stray negative comments in an otherwise positive or neutral evaluation, "snubbing" a colleague, not talking to a student, or negative comments that are justified by a student or employee's poor academic or work performance or history.

If you believe that you are being retaliated against because of making a report or assisting in an investigation in violation of this policy, you should promptly report your concerns to the Title IX Coordinator.

Annual Review

Urshan will review and update this policy as needed or as required by law. Urshan will evaluate, among other things, any changes in legal requirements, existing Urshan resources, and the resolution of cases from the preceding year (including, but not limited to, timeframes for completion and sanctions and remedies imposed). If there is a change in the law that is in conflict with this policy or procedure, then Urshan will comply with law and update this policy; however, when this occurs, Urshan may provide the updates to the parties in their respective notice documents while the policy is updated.