

## Oak Hills Christian College

### Policy on Sexual Harassment, Assault, Unwelcome Conduct on the Basis of Sex

#### July 2020 Revision [in light of Dept. of Education Final Title IX Rules]

Oak Hills Christian College will not tolerate any physical or verbal threats, intimidation, hazing, assault, or violence against another person *on the basis of race, color, national or ethnic origin, sex, disability, age, status with regard to public assistance or other applicable protected class status*. Such conduct is grounds for immediate disciplinary action, including dismissal, termination, fines, or arrest.

This policy outlines the philosophy and standards practiced by Oak Hills Christian College in regards to sexual discrimination, harassment, assault and any other unwelcome conduct based on sex. It includes definitions, responding to cases of harassment, filing a complaint, grievance procedures, investigations, and hearings.

This policy complies with the federal Department of Education 2020 Final Title IX Rules. In the event that the final result of the formal grievance process determines that a complaint does not constitute sexual discrimination or harassment under Title IX rules, Oak Hills Christian College maintains the right to further action based upon provisions in the college's code of conduct for students and employees. The Title IX framework is applicable to both students and employees.

#### DEFINITIONS

##### SEXUAL HARASSMENT

Sexual harassment by any member of the Oak Hills community (this includes all students, staff, faculty, or any other person who is part of the OHF programs or activities) will not be tolerated.

Sexual harassment under Title IX covers three categories of conduct:

- a) Quid pro quo sexual harassment by employees Defining
  - Misconduct on the basis of sex that jeopardizes a student's right to or deprives a student of equal access to education
  - Misconduct using the submission to or rejection of sexual advances, requests, or demands by an individual as a basis for academic decisions
  - Misconduct on the basis of sex that explicitly or implicitly makes submission to such conduct a term or condition of an individual's employment/student status.
- b) Sexual assault, dating violence, domestic violence, and stalking as defined by the Clery Act. [See definitions at the U.S. Department of Education, Campus Safety and Security site <https://ope.ed.gov/campusafety/#/> under Dictionary.]
- c) Any other "unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it denies a person access to the college's education program or activity (hostile environment)".

This includes acts such as sexual advances, requests, humor, or demands for sexual favors, as well as other physical, verbal, or visual conduct of a sexual nature that creates an intimidating, hostile, or offensive work, living, or learning environment.

## **ADDITIONAL DEFINITIONS**

**Sexual assault** means an actual, attempted or threatened sexual act with another person without that person's consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law.

Sexual assault includes, but is not limited to:

- Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as "date rape" or "acquaintance rape." This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.
- Involvement in any sexual act when the victim is unable to give consent.
- The intentional touching or coercing, forcing, or attempting to coerce or force another to touch an unwilling person's intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast).
- Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

**Dating Violence** is committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party'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 the purposes of 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** is a felony or misdemeanor crime of violence committed-

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from

that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking** is conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause a reasonable person to fear for her or his safety or the safety of others or to suffer substantial emotional distress.

**Consent** is informed, freely given and mutually understood.

- If coercion, intimidation, threats, and/or physical force are used, there is no consent.
- If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, and the condition was known or would be known to a reasonable person, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious.
- Under Clery, no particular definition of consent with respect to sexual assault is required.

**Non-forcible** acts include unlawful sexual acts with an individual under the statutory age of consent, as defined by Minnesota law, or between persons who are related to each other within degrees wherein marriage is prohibited by law (incest).

**OHF property** means the facilities and land owned, leased, or under the primary control of Oak Hills Christian College, Camp Oak Hills, and Mokahum Ministry Center.

**Education program or activity:** refers to locations, events, or circumstances over which Oak Hills Christian College exercises substantial control over the person/persons accused of committing sexual harassment and the context in which the harassment occurs.

- This includes any OHF property
- This includes off-campus conduct that is part of OHCC 'operations'

**Employee:** refers to any individual employed by OHF including student workers.

**Student:** The term "student" includes all persons who are enrolled in one or more courses, either credit or noncredit through the college.

## **SEXUAL ASSAULT AND THE LAW**

Sexual Assault is a felony and carries substantial penalties under Minnesota Law.

[\[https://www.house.leg.state.mn.us/hrd/pubs/ss/ssovrcsc.pdf\]](https://www.house.leg.state.mn.us/hrd/pubs/ss/ssovrcsc.pdf)

In addition, the Minnesota Criminal Sexual Conduct Law:

- Classifies criminal sexual conduct into four degrees depending on the degree of force, whether or not there has been penetration, and the nature and extent of injury to the victim.
- Stipulates that the victim's testimony need not be corroborated.
- Provides that the victim need not prove resistance.

- Provides the medical costs arising from examining the victim for purposes of gathering evidence be paid by the county in which the offense was committed.
- Provides that, as a general rule, evidence of the victim's prior sexual behavior is not admissible in court.

## WHAT TO DO IF YOU HAVE EXPERIENCED HARASSMENT OR ASSAULT

- a) ***Talk to someone you trust for support.*** The Sexual Assault Program in Bemidji (Support Within Reach) is also available to assist victims of such crimes (218-444-9524 or 1-800-708-2727)). They will immediately provide an advocate who will offer emotional support and assist you with questions and decisions to be made.
- b) ***Notify the Title IX Coordinator and/or the Dean of Students.*** A report to the Title IX Coordinator and/or the Dean of Students may be made at any time, 24/7, using office or cell phone (posted on campus and on the website), email, text, and any means of written or verbal report. The Title IX Coordinator, the Dean of Students, and the President are the sole persons with authority to institute corrective measures.

Any employee, student or person engaged in the college programs and activities (e.g. residing or present on OHF locations) with knowledge of a sexual discrimination or harassment of any nature must notify the Title IX Coordinator or the Dean of Students (if student involvement).

The Title IX Coordinator will respond promptly, will meet with you confidentially to discuss supportive measures, will arrange to provide these supportive measures and will discuss with you information regarding further actions which may be taken. [Notifying the Title IX Coordinator does not constitute a formal complaint against the individual who has been reported to have committed harassment. The process initiated by a formal complaint is explained below.]

A report to the Title IX Coordinator who has authority to act on behalf of the college is the basis upon which the college has official knowledge of harassment and the responsibility to respond and support the student or employee who reportedly has experienced harassment. Confidentiality will be maintained as long as it does not impair the ability of the college to provide measures.

It should be noted that no disciplinary or punitive actions can be taken against an alleged perpetrator of harassment or assault without following the grievance process documented below. It should also be noted that the college reserves the right to independently initiate a formal grievance process as documented below and will do so when the safety of other persons may be at risk.

Upon the student's/employee's request, the Title IX Coordinator will insure provision of assistance and support throughout any further actions.

In the case of an assault, some of the choices that face a victim of assault include:

1. Reporting the assault with local law enforcement (we recommend doing this). This does not obligate you to press charges. Call the Law Enforcement Center (218-333-9111).
2. Having a medical examination. A medical person will conduct a physical examination for your protection and health, and to determine the presence of physical injury, sexually transmitted diseases or pregnancy. They are also equipped to conduct the proper collection of physical evidence.
3. Preserving evidence. It is of utmost importance to preserve physical evidence in a sexual assault investigation. Do not bathe, shower, douche, use the toilet or change clothing. If the assault occurred on a bed or other area with bedclothes, or loose fabrics, do not discard or wash them.
4. Calling your RA or close friend, or other trusted person who can be with you for support. You do not need to go through this alone.
5. Further assistance in any way possible. Potential options are crisis counseling services, medical treatment, safe-shelter options, and assistance with legal issues.
6. Participating in prosecution (if pressing criminal charges).
7. Make a formal complaint to Title IX Coordinator.

## **MAKING A FORMAL COMPLAINT AND THE GRIEVANCE PROCESS**

### **Formal Complaint Process**

A formal complaint is made by the submission in writing of complete documentation of an alleged sexual harassment incident(s) to the Title IX Coordinator. Documentation must include:

- date(s) and time(s) of the alleged incident(s)
- location and people involved in the alleged incident(s)
- specific details of what happened and resulting effects related to the incident(s)
- any action taken following the incident(s)
- physical or digital signature of the complainant (No complaint may be filed anonymously. The grievance process requires that the complainant's identity be disclosed to the accused person – the respondent.)

When it is clear that the complaint involves an incident within the confines of an education program or activity of the college (within the USA), the Title IX Coordinator will initiate the

grievance process in order to provide a prompt and equitable resolution of student and employee complaints.

In circumstances where the safety and equitable access to the college's programs and activities of other students or employees is determined to be at risk or where the alleged harassment by an employee is determined to significantly put at risk the integrity of the institution, the Title IX Coordinator may sign a formal complaint and initiate a grievance process. The Title IX Coordinator is not a complainant or a party during grievance process and must be free from conflicts or bias.

### **Informal Resolution**

Oak Hills Christian College is committed to quick resolution of any incident that involves sexual harassment and/or assault. The Title IX Coordinator may offer an informal resolution process in certain circumstances.

1. No informal resolution process may be offered if it is alleged that an employee sexually harassed a student.
2. An informal resolution process is never required and does not constitute a requirement for continued enrollment (student) or employment of the parties involved.
3. All parties involved must voluntarily give written consent to an informal process.
4. At any time prior to a final resolution, any of the involved parties have the right to withdraw from the informal resolution process, resulting in the resumption of the formal grievance process.
5. At any point in a formal grievance process, with the consent of all parties, and informal resolution may be requested and pursued, if agreed in writing by all parties.
6. Records of an informal resolution process will be maintained and shared between all parties.

This process may include several steps, but is not limited to proceed in the order listed

- Mediation
- Arbitration
- Accountability

Examples of options to be considered for victim may include such things as:

- Academic: different class schedule, online class, waive classroom attendance policy
- Residential: offer additional housing options, new room, off campus housing
- No contact orders

### **DEFINITIONS WITHIN THE FORMAL GRIEVANCE PROCESS**

***Complainant:*** For the purpose of reference, the person(s) filing the complaint will be referred to as "the complainant(s)."

**Respondent:** The person(s) named in the complaint who is/are alleged to have been involved in unacceptable behavior occurring in specific incident(s) and/or by specific action(s) will be referred to as “the respondent(s)”.

Both the complainant and respondent parties are expected to participate in and cooperate with all designated persons involved in the grievance process. This will include requests for written information regarding the allegations, written responses, attendance at meetings involving each party, attendance at the hearing, and responding to any appeal initiated.

Failure to cooperate will be considered a serious matter and may be grounds for disciplinary action.

**Title IX Coordinator:** This is the designated person with authority to oversee the grievance process and insure that equitable, non-biased treatment of all parties. The Title IX Coordinator must not have a conflict of interest or bias toward either the complainant or the respondent. This person insures the integrity of the process.

**Investigator(s):** A team of two or more persons appointed by the Title IX Coordinator, in consultation with the Dean of Student Life or the President, to investigate the complaint. The investigation team is comprised of appropriate persons, representative of both genders. The choice of investigators of an alleged harassment complaint will depend upon who is involved in the alleged harassment. The Title IX Coordinator may function as an investigator when deemed appropriate. The Dean of Student Life functions as the lead investigator on teams when a student is involved, unless there is a conflict of interest or possibility of bias.

- If an incident involves an employee, the investigators will include the Title IX Coordinator or an appointed member from the College Leadership Team and other employees as appropriate.
- If an incident involves a student, the investigators will include the Dean of Students or an appointed member from Student Life/Student Success. Appointments may include academic personnel, faculty or other employees as appropriate.
- If the alleged incident involves both students and employees, investigators will be appointed from Student Life and from employees.

Care will be given in all cases to avoid bias or conflict of interest.

A leader for the investigation team will be determined and given the responsibility to assemble the team and oversee the investigation process. The leader is responsible to insure documentation of all processes and evidence collected in the investigation.

**Advisors:** Both the complainant and the respondent have the right to choose a member of the OHF community to serve as an advisor for them. The following considerations are recommended in the selection of an advisor: a colleague or peer who is well acquainted with the person and/or incident in question, a trusted friend or colleague, a person who is able to

appropriately handle confidential information; a person who is able to accompany the individual at meetings requested by the investigation team.

Advisors are contact/support persons for the complainant and the respondent. These persons will be requested to be available to accompany the designated party at meetings, provide information and updates regarding the process as directed, and communicate any questions, concerns or requests to the lead investigator throughout the process of the investigation.

The advisors may or may not be asked to: participate in discussion at meetings or provide information in writing on behalf of the person they represent. An advisor may decline from making a statement in a meeting or in writing. An advisor will not be included in a meeting with an individual if deemed inappropriate by the investigation team for reasons of confidentiality.

**Witnesses:** Both the complainant and the respondent are permitted to request that members of the Oak Hills community serve as witnesses on their behalf. A witness should be selected based upon their knowledge of the person or of the incident. Witnesses may be requested to document information in writing and submit this information to the investigation team or to verify the accuracy of written notes regarding their testimony.

**Decision-maker:** The decision-maker is a designated person who has been trained to assess evidence, who leads the live hearing part of the grievance process (involving the use of technology and issues of relevance of questions and evidence), and who make a final written determination of responsibility and resolution measures regarding the complaint. The decision-maker may not be the Title IX Coordinator or a member of the investigative team.

**Investigation:** The investigation team assumes the burden of gathering evidence and producing a complete investigative report. The college will use a clear and convincing standard of evidence. "Clear and convincing" means that the evidence is highly and substantially more likely to be true than untrue; the fact finder must be convinced that the contention is highly probable.

**Live Hearing:** After review of the investigative report and response time given to all parties, a live hearing is conducted under the conditions documented in the grievance process, led by the decision-maker, whereby the advisors of the complainant and respondent (who are present, possibly in separate rooms) are allowed to ask relevant questions and cross-examine the other party and witnesses.

**Appeal:** Following the determination of the decision-maker, both complainant and respondent have the opportunity to make an appeal based on procedural irregularities, new evidence, or any bias or conflict of interest on the part of the Title IX Coordinator, the investigators, or the decision-maker.

## THE GRIEVANCE PROCESS

## The Investigation

1. An investigation team is appointed and will review the formal complaint.
2. The Title IX Coordinator or the investigation team leader will provide information as needed and insure that the complainant has a chosen advisor who will be with the complainant throughout the process.
3. The Title IX Coordinator or the investigation team leader will inform the respondent that a formal complaint has been filed and provide information about the grievance process. They will insure that the respondent has a chosen advisor who will be with the respondent throughout the process.
4. The investigation team will request in writing or in person to meet with the complainant and advisor within a reasonable timeframe (generally within 1–5 working days). The team will meet with the complainant and advisor and will review the content of the filed complaint. The team reserves the right at this time to remove any sensitive or compromising information regarding others (i.e. students, employees) prior to continuing the process.
5. The investigation team will forward a copy of the written complaint on to the respondent within a reasonable timeframe after the team meets with the complainant (generally within 1–5 working days).
6. Upon receiving the complaint, the respondent will have a maximum of three (3) working days from his/her receipt of the complaint to submit a written response addressing all allegations in the complaint to the investigation team. A shorter response time may be required in appropriate circumstances. A cover letter from the investigation team leader will provide information on the response deadline and to whom the respondent should deliver his/her response. Failure to respond will be considered a neglect of responsibility and disciplinary action may be recommended. The respondent is presumed not responsible for the alleged harassment prior to the conclusion of the grievance process.
7. After assessing the risk and if determining that the respondent may pose an immediate risk to the safety and health of a student or other individual, the investigation team will inform the Title IX Coordinator who may initiate a suspension of a student respondent or place on administrative leave a respondent employee. The respondent shall be informed and have an opportunity to respond.
8. When the respondent has submitted a written response to the complaint, the investigation team will meet with the respondent within a reasonable timeframe (generally within 1–5 working days) to discuss the written complaint and the written response. Informal discussions will be an integral part of this phase and will continue throughout the process.
9. The complainant and the respondent will communicate in writing to the investigation team leader a list of the names of individuals they request to bear testimony on their behalf. The complainant and respondent have the right to ask any member of the Oak

Hills Fellowship community to be witnesses, based on their knowledge of the individual and direct knowledge of the alleged harassment.

10. The investigation team will investigate the complaint as appropriate and, unless more time is warranted and appropriate, will conclude the investigation within a reasonable timeframe (generally within 5–10 working days.) Any delay in the timeline of the investigation will be communicated in writing to all parties, with an explanation of the reasons for the delay.

- An objective evaluation of all relevant evidence (inculpatory or exculpatory) will be conducted.
- Prior consent (voluntary) will be sought prior to any access of professional medical treatment information or information protected under legally recognized privilege.
- The respondent is presumed non-responsible during the investigation stage.
- The investigation team may not restrict either party from discussing the allegations or from gathering and presenting relevant evidence.
- The investigation may be terminate and the complaint dismissed if the complainant withdraws the complaint, if the respondent is no longer a student or employee of the institution, or if circumstances prevent the investigation team from gathering sufficient evidence toward reaching a determination.
- At any point in the investigation, if both parties agree in writing, an inform resolution to the complaint may be sought.

11. The investigation will produce a report and provide electronic or hard copy access to both parties for review and response. The investigation report and any responses will be given to the decision-maker for the continuation of the grievance process. Ten days will be allowed for response prior to scheduling the hearing phase.

### **The Hearing**

1. The decision-maker will schedule a live hearing to allow advisors for both parties to ask relevant questions and cross-examine the other party and witnesses. Written notice will be sent to all parties.

- The hearing will allow each party to be in separate rooms and will use technology for the purposes of conducting the hearing. Any or all parties, other than the complainant, respondent and their advisors may appear at the hearing virtually with technology enabling participants to see and hear each other.
- Only advisors may ask questions. If a student does not have an advisor for the hearing, the college will appoint one of its choice.
- The decision-maker will determine the relevance of each question before a response is given. If determined to be not relevant, a reason will be given.
- If a party does not submit to cross-examination, no statement of that party or witness may be taken into consideration by the decision-maker in determining

the responsibility of the respondent; nor can the decision-maker draw any inference based solely on the absence of a party or witness from the hearing.

- A recording of the live hearing will be made and will be available to the parties.
2. The decision-maker must issue a written determination regarding responsibility of the respondent for the allegation(s) in the complaint. The determination will include:
    - Identification of the allegations potentially constituting sexual harassment
    - Procedural steps since the complaint (supplied by the Title IX Coordinator and investigation team leader).
    - Statement of and rationale for the result to each allegation.
      - Determination of responsibility
      - Any disciplinary sanctions imposed on the respondent
      - Any remedies to be provided to the complaint (including but not limited to supportive measure established earlier in the process)
    - Information on how to appeal the determination
  3. The decision-maker will deliver the report simultaneously to the Title IX Coordinator and each party.
  4. The determination will be final on the second day after the report is received, after which time an appeal will be considered no longer timely.

**Guidelines for appropriate responses include:**

1. Dismiss the complaint as being without merit.
2. Conclude that the respondent did act in violation of the policy on harassment and thus recommend disciplinary action. Disciplinary action may include termination of employment (employee), living arrangement or enrollment status (student).
3. Conclude that it is not possible to conclude that the respondent did act in violation of the policy on harassment. In such cases, the decision-maker will determine an appropriate response to both parties in consideration of the evidence presented and any other pertinent information available.

The findings of the decision-maker will become the decision of college, and the decision-maker will determine what appropriate disciplinary action will be taken. The implementation of such action will take place without delay.

**Appeal**

1. If one or both of the parties (complainant or accused) is not in agreement with the final determination of the decision-maker, that party may submit written comments to the Title IX Coordinator within two (2) working days from receipt of the decision. The following constitute the sole bases for making an appeal:
  - Procedural irregularity that affected the outcome of the grievance process
  - New evidence not reasonably available during the investigation and hearing that could affect the outcome of the grievance process.

- Alleged conflict of interest or bias on the part of the Title IX Coordinator, investigation team, or decision-maker toward either party or in general toward complainants or respondents (ie. bias toward the process of filing a grievance).
- 2. The Title IX Coordinator will establish a review board within a reasonable timeframe (generally within 1–5 working days). The review board will be made up of four members of Oak Hills Fellowship, representing both genders equally. The members of the investigation team, witnesses for either party, the Title IX Coordinator, the Dean of Student Life, and the decision-maker may not participate in the review board.
- 3. The review board will meet within a reasonable timeframe (generally within 5–10 working days after receiving review request). The review board will reviewing the report(s), response(s), and findings of the investigation and live hearing to determine whether they support the determination of the decision-maker or if a modified or alternate conclusion is warranted.
  - If the review board concurs with the original recommendation, the recommendation of the decision-maker will be upheld.
  - Because the review board reviews the process and not the complaint, there will be no need to meet with either the complainant or the respondent.
  - The final decision of the review board will be communicated in writing to all parties involved within a reasonable period of time.

### **Conclusion of the Grievance Process / Miscellaneous**

1. Upon resolution of the complaint, the Title IX Coordinator will maintain a separate, confidential file to include a copy of the written complaint, a copy of the written response provided by the respondent, the report from the investigation team, the final determination report of the decision-maker, the written appeal (if any), the findings of the appeal review board (if any) and copies of any agreements signed by the involved parties. The confidential file will be kept in an appropriate place as directed by Title IX Coordinator. Such a file shall be treated as confidential information and will not be revealed to anyone unless it is necessary in connection with any legal or administrative proceedings.
2. In the event that law enforcement authorities conduct an investigation of an assault incident, Oak Hills Fellowship authorities will cooperate fully and assist with obtaining, securing and maintaining evidence under the direction of the law enforcement authorities.
3. In regards to OHF employees, this investigation procedure does not alter the at-will employment status.
4. **CRIME DEFINITIONS FROM THE UNIFORM CRIME REPORTING HANDBOOK**  
The definitions to be used for reporting the crimes are recorded by the Federal Bureau of Investigation Uniform Crime Reporting/National Incident-Based Reporting System Crime Definitions as Excerpted from the Implementing Regulations of the Campus Security Act Federal Register, April 29, 1994, Vol. 59, No. 82.

## **Retaliation**

1. No retaliatory action will be taken against any person who in good faith reports conduct that he or she believes may violate this policy.
2. No retaliatory action will be taken against any individual for assisting or participating in an investigation, proceeding or hearing related to a harassment complaint.
3. Any person who violates these provisions may be subject to discipline, up to and including termination of employment or student status.

## **WHAT RIGHTS DOES ONE HAVE?**

1. The respondent has a right to receive a copy of the original complaint, a right to respond to it in writing by a determined deadline, a right to be interviewed by the investigation team, a right to request witness testimony, a right to concur or disagree in writing with any final decision or actions, and a right to know what records are being kept in what office, for what duration.
2. Both the complainant and the respondent have the right to have an advisor. The complainant and the respondent have the right to request that the advisor attend all meetings for support. If either party chooses to not have an advisor, the college may assign a member of the college community as an advocate.
3. Both the complainant and the respondent have the right to have any member of the OHF community bear testimony for them before the investigation team or during the live hearing.
4. Justice requires that the rights and concerns of both parties be fully assured. The college shall make every effort to assure and protect these rights, and shall undertake no action that threatens or compromises them.
6. Suggested time frames are provided throughout the policy to assure a thorough yet efficient investigation that treats each incident with the attention it deserves. In some circumstances (e.g. allowing for college breaks, scheduling challenges, etc.) the time-lines may have to be adjusted.
7. The complainant has a right to request to review the written response submitted by the accused, a right to be interviewed by the investigation team, a right to request witness testimony, a right to concur or disagree in writing with the determination of the decision-maker and resultant actions, and a right to know what records are being kept in what office, for what duration.
8. The college reserves the right to modify or alter this policy. The college retains the sole discretion to interpret the provisions of this policy. The provisions of this policy supersede the provisions of all such previous policies, and all such previous policies are expressly revoked.

## **Local Resources**

<u>On Campus</u>	<u>218-751-8670</u>
Title IX Coordinator	218-333-1959
Dean of Student Life	218-407-3865
Associate Dean of Student Life	218-760-2821
Men's Resident Director	405-274-3550

Security Director	218-556-1224
Port-O-Wild's Security Services	218-759-7615 or 218-766-9614
<u>Off Campus</u>	
Bemidji Police Department	911
Bemidji Police Non-Emergency	218-333-9111
Sanford Regional Hospital	218-751-5430
Support Within Reach	218-444-9524 or 1-800-708-2727
Evergreen Community Services	218-751-8223

**Education/Training/Prevention**

1. Distribute this document annually to staff/faculty/students
2. Annual Student Engagement Team training
3. New Student Orientation
4. Annual Staff Training of Employees
5. Community awareness: Chapel presentation by *Support Within Reach*

**Standing Investigators:**

Title IX Coordinator:	Sue Glidden
Dean of Student Life:	Ron Maixner

**Reference Documents**

Federal Register/Vol. 85, No. 97/Tuesday, May 19, 2020/Rules and Regulations. Accessed July 18, 2020 at <https://www.govinfo.gov/content/pkg/FR-2020-05-19/pdf/2020-10512.pdf>

Summary of Major Provisions of the Department of Education's Title IX Final Rule, pp. 1-9. Accessed July 15-20 at <https://www2.ed.gov/about/offices/list/ocr/docs/titleix-summary.pdf>

National Association of Independent Colleges and Universities (NAICU) Executive Summary of Final Title IX Rules. PDF. Accessible at <http://www.naicu.edu/issues-advocacy/title-ix-regulations-update>

National Association of Independent Colleges and Universities (NAICU) Technical Summary of Final Title IX Rules, May 11, 2020. PDF. Accessible at <http://www.naicu.edu/issues-advocacy/title-ix-regulations-update>

Nash, Kathryn and Emily Mawer. Webinar from trainED (Lathrop GPM), Minnesota Office of Higher Education Title IX Training. June 2020.