



MULTNOMAH UNIVERSITY

TITLE IX NOTEBOOK OF POLICIES AND PROCEDURES

POLICY AGAINST SEXUAL HARASSMENT AND DISCRIMINATION; SEXUAL VIOLENCE AND ASSAULT;
DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING; AND PROCEDURES FOR ENFORCEMENT

TIXT Notebook (Version 3.2)
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1. Title IX: The Applicable Federal Law

This policy of Multnomah University ("Multnomah") addresses the requirements of Title IX of the Education Amendments of 1972 ("Title IX"), federal law prohibiting sex discrimination in federally-funded education programs and activities. Title IX states as follows:

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

Discrimination on the basis of sex includes sex discrimination, sexual harassment, sexual assault, sexual violence, and sexual exploitation/misconduct (see Section 4 of this policy document for further definition). Title IX prohibits sex discrimination in both the educational and employment settings. Furthermore, in its April 4, 2011 Dear Colleague Letter (DCL) issued by the Office for Civil Rights of the U.S. Department of Education (ED), ED explained that the requirements of Title IX cover sexual violence and that schools have responsibilities to take immediate and effective steps to respond to sexual violence in accordance with the requirements of Title IX.

The Violence Against Women Reauthorization Act ("VAWA"), which President Obama signed into law on March 7, imposed new obligations on colleges and universities under its Campus Sexual Violence Act ("SaVE Act") provision, Section 304. For the purpose of this document and Multnomah's handling of such cases, "Title IX" includes the concerns of the Campus SaVE Act. Under VAWA, colleges and universities are required to:

- Report domestic violence, dating violence, and stalking, beyond crime categories the Clery Act already mandates;
- Adopt certain student discipline procedures, such as for notifying purported victims of their rights; and
- Adopt certain institutional policies to address and prevent campus sexual violence, such as to train in particular respects pertinent institutional personnel.

Other forms of harassment and discrimination not of a sexual nature will be dealt with under the same policies and procedures outlined here. This policy document will be reviewed and updated periodically for currency and accuracy.

2. Multnomah University Statements

2.1 General Statements

Multnomah University does not discriminate on the basis of sex in its education programs, employment or activities that it operates, nor does it tolerate sexual harassment or sexual violence which are types of sex discrimination. The policies set forth in this document apply to conduct wherever it may occur, including off-campus, and they seek to protect the rights of our students, applicants, faculty, administrators, staff and visitors.

2.2 Non-Harassment Policy Statement

All forms of unlawful harassment, including sexual harassment, are absolutely prohibited at Multnomah University. Multnomah University strives maintain the university environment as a Christian community that provides a place for spiritual growth, work and study free of all forms of protected class harassment including sexual harassment, sexual violence, sexual intimidation and exploitation. No such conduct reflects accepted Christian attitudes or commitments, and all of it constitutes a violation of the University's spiritual and/or educational standards, objectives and goals. Sexual harassment committed by or against our students, faculty, administrators, staff and visitors will not be tolerated, and the university will take prompt and corrective action to remedy violations of this policy, including expulsion and discharge.

Sexual harassment is defined in Section 4.1, and can vary with particular circumstances. Generally, the hallmarks of sexual harassment are unwelcome or offensive sexual advances, requests for sexual favors, unwanted or uninvited verbal suggestions or comments of a sexual nature, or objectionable physical contact when: (a) it is implicitly or explicitly suggested that submission to or rejection of the conduct will be a factor in an academic or employment decision or is a term or condition of an individual's employment or education, or (b) it has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creates an intimidating, hostile or offensive educational or work environment.

Sexual violence is a form of sexual harassment and therefore is processed under the university's Title IX policy and in compliance with both federal law and Oregon laws. Sexual violence in violation of this policy includes sexual assault, domestic and dating violence, and stalking. For additional information and definitions on Sexual Violence please refer to section VII of this policy. For purposes of this policy, all references to sexual harassment include instances of sexual violence.

Under the direction of the appropriate administrator, Multnomah University will promptly, thoroughly and impartially investigate any conduct in violation of this policy against harassment, and will take whatever actions are deemed necessary to correct the effects of violations, prevent similar future violations, and generally maintain an environment free of harassment (including disciplining, expelling or discharging offending individuals). Certain violations of this policy also may result in individual legal liability for the perpetrator, under criminal and civil laws. Multnomah University strictly prohibits retaliation against anyone who reports a violation of this policy in good faith, or who participates in the investigation of any such report. Any person who engages in retaliation will be subject to discipline, up to and including expulsion and discharge.

2.3 Statement on Sexual Violence

Sexual violence is absolutely prohibited at Multnomah University. It violates the dignity of individuals, is inconsistent with Christian values, and violates our community standards. Sexual violence can be devastating to the person who experiences it directly and can be traumatic to the person's family, friends, and larger community as well.

Sexual violence is defined below in Sections 4.2 and 4.3, and can be perpetrated by men against women, women against men, or against a member of the same sex. Sexual assault is one type of sexual violence that is typically defined as engaging in sexual contact with any person without that person's consent. Consent requires participants who are fully conscious, are equally free to act, have clearly communicated their willingness, cooperation, or permission to participate, and are able to cease ongoing consensual activity at any time. Refusal to consent does not have to be verbal; it can be expressed with gestures, body language, or attitude. A prior sexual history between two people does not constitute consent. Other types of sexual violence include sex-based stalking and domestic/relationship violence, and subjecting others to certain sexual exploitation.

Sexual violence violations follow the aforementioned procedures outlined above in the Title IX discrimination and harassment section. The Title IX Coordinator/Deputy Coordinator will request Multnomah University Campus Safety to work in conjunction with the Deputy Coordinator in the investigation of all matters involving sexual violence.

The needs of someone who has been a victim of sexual violence vary from person to person and may vary over time. Multnomah University offers services and external resources, many of which may be accessed 24 hours a day, so that a person may choose what she or he would find most helpful and healing.

Multnomah University urges anyone who is a victim of sexual violence to seek professional support as soon as possible to minimize and treat physical harm, assist with processing the unique and complex emotional aftermath, and help preserve and understand options for legal recourse including criminal prosecution and/or civil litigation. Even if the victim does not wish to report the event to the police or pursue civil litigation or formal University action, seeking medical attention as soon as possible is important. At any point that an individual is ready to come forward, Multnomah is prepared to help her or him.

2.4 Statement of Compliance with Non-Discrimination Laws and Regulations

Multnomah University deplores the unfair treatment of individuals based on race, gender, socio-economic status, age, disability, cultural differences, and all legally-protected classes, regardless whether such treatment is intentional or simply resultant from careless or insensitive behavior. Rather, employees and members of the student body should embrace the expectation of Scripture to love God with all their being and their neighbors as themselves. In its statement of compliance, Multnomah University reaffirms commitment to its [institutional mission, vision, and core values](#), as well as its [policy statement on human sexuality](#).

Multnomah University operates in compliance with all applicable federal and state non-discrimination laws and regulations in conducting its programs and activities and in its employment and educational decisions. Multnomah University is exempted from certain provisions of these laws, for example, on the basis of religion in making certain decisions. If a community member feels discriminated against or observes actions that are discriminatory to others, such conduct should be reported immediately. See Section 5 of this policy document for information on reporting a complaint.

2.5 Title IX Statement

It is the policy of Multnomah University to comply with Title IX of the Education Amendments of 1972 and its implementing regulations, which prohibit discrimination based on sex in its educational programs and activities. Title IX and its implementing regulations also prohibit retaliation for asserting claims of sex discrimination (see Section 5.4). Multnomah University has designated a Title IX Senior Coordinator for the entire university system to coordinate its compliance with Title IX and to receive inquiries regarding Title IX, including complaints of sex discrimination. In addition to the Title IX Senior Coordinator, several Title IX Deputy Coordinators have been appointed to help facilitate the process and management of Title IX related complaints, investigations and overall adequate compliance. Any student, faculty, administrator or staff member can report or discuss any concerns or complaints with any of the Title IX Coordinators, but each have been given designation or jurisdiction over certain segments of the University. The names and contact information for the Title IX Senior Coordinator and the Title IX Deputy Coordinators are provided in Section 3 of this policy document.

3. Multnomah University Title IX Coordinators

As a recipient of federal financial assistance, Multnomah University complies with the Title IX implementing regulations. According to the Office for Civil Rights (OCR) of the United States Department of Education, “The Title IX implementing regulations at 34 C.F.R. § 106.8(a) require that each recipient designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX.” Furthermore, the coordinator’s responsibilities include investigating complaints communicated to the recipient alleging noncompliance with Title IX. Section 106.8(a) also requires the recipient to notify all students and employees of the name, address, and telephone number of the designated coordinator. Per VAWA mandates, institutional officials who conduct Title IX proceedings must be trained on how to investigate and conduct hearings in a manner that “protects the safety of victims” and “promotes accountability.”

At Multnomah University, the Title IX Senior Coordinator maintains authority over the compliance and adjudication of all Title IX complaints and all other complaints of unlawful discrimination under this procedure. In addition to the Title IX Senior Coordinator, Title IX Deputy Coordinators have been appointed to help facilitate the process and management of Title IX-related complaints, investigations, and overall adequate compliance. Together, the Senior Coordinator and Deputy Coordinators constitute Multnomah’s Title IX Team (TIXT). Any student, faculty or staff member can report or discuss any concerns or complaints with any of the following people, but each have been given designation or jurisdiction over certain segments of Multnomah University.

It is the responsibility of the Title IX Senior Coordinator to coordinate dissemination of information and education and training programs to: (1) assist members of the Multnomah community in understanding that sex discrimination, including sexual harassment are prohibited by this policy; (2) ensure that investigators are trained to respond to and investigate complaints of sex discrimination, including sexual harassment; and (3) ensure that faculty, staff, and students are aware of the procedures for reporting and addressing complaints of sex discrimination, including sexual harassment. The appropriate Deputy Coordinator is also responsible for implementing the Complaint Resolution Procedures (see Section 5 of this policy document).

Any inquiries regarding this policy should be directed to one or more of the coordinators identified below. These coordinators will be available to meet with Multnomah community members regarding issues relating to Title IX and this policy.

3.1 Senior Coordinator

The Title IX Senior Coordinator is responsible for implementing and monitoring compliance of the policy on behalf of the university. This includes responsibility for training, education, communication and administration of grievance procedures for the handling of complaints alleging violations of this policy.

- Kim Stave, M.Ed.
Dean of Students/Director of Student Life
Multnomah University, 8435 NE Glisan Street, Portland, OR 97220
503.251.5314 or kstave@multnomah.edu

3.2 Deputy Coordinators

Deputy Coordinators are responsible for implementing and monitoring policy compliance on behalf of the university, and administration of grievance procedures for the handling of complaints alleging violations of this policy. Deputy Coordinators are responsible for informing the Senior Coordinator of alleged violations and procedures to address those violations. Deputy Coordinators will assist alleged victims in making contact with law enforcement and in accessing an advocate, counseling or other resources available on campus or elsewhere (for more information, see Section 5.4 of this policy document). Throughout this policy document, the term “Title IX Coordinator” generally refers to the Deputy Coordinator, except where specified otherwise.

- For faculty, administration and staff: Director of Human Resources, Tracy Moreschi (Address: Human Resources, Multnomah University, 8435 NE Glisan St. Portland, OR 97220, (Sutcliffe Hall), Phone: x5309, E-mail: tmoreschi@multnomah.edu).
- For Athletics: Athletic Director, Lois Vos (Address: Multnomah University, 8435 NE Glisan St. Portland, OR 97220, (Lytle Gymnasium), Phone: x5396, E-mail: lvos@multnomah.edu).
- For safety or security: Director of Campus Safety, Josh Harper (Address: Multnomah University, 8435 NE Glisan St. Portland, OR 97220, (Campus Safety), x6498 E-mail: jharper@multnomah.edu).

3.3 Investigators

Title IX Investigators are specially trained individuals who may be called upon to assist in the investigation of an alleged violation of policy. Although not Title IX Coordinators, and therefore not necessarily members of the Title IX Team (TIXT), Investigators may assist the TIXT with the process of investigating complaints as members of the Investigation Team (see Section 5.5 of this policy document). Investigators will be notified by a Title IX Coordinator of a suspected or alleged violation of this policy and will conduct the investigation to determine if a violation occurred and recommend resolutions. Investigators will follow the procedures outlined in Section 5.5, while apprising a Title IX Coordinator of the status of their investigation. Investigators include:

- Rich Ward, M.A.
Associate Dean of Students
503.251.5313 or rward@multnomah.edu

3.4 Responsibilities of Others

It is the responsibility of deans, department chairs, directors, faculty and teaching staff, and university personnel responsible for the supervision of students in housing, athletics and other university offerings and programs to:

- Inform employees under their direction or supervision of this policy
- Notify a Title IX Coordinator promptly if they receive reports, witness, or otherwise learn of complaints of sex discrimination and sexual harassment
- Implement any corrective actions that are imposed as a result of findings of a violation of this policy

Additionally:

- It is the responsibility of all employees to review this policy and comply with it.
- It is the responsibility of all students to review this policy and comply with it.
- Any person with knowledge of a violation of this policy is encouraged to report it to a Title IX Coordinator.
- When Multnomah is aware that a member of its community may have been subjected to or affected by conduct that violates this policy, Multnomah University will take prompt action, including a review of the matter and, if necessary, an investigation and appropriate steps to stop and remedy the sex discrimination or sexual harassment. Multnomah University will act in accordance with its complaint-resolution procedures outlined in this policy document.

4. Definitions and Examples of Conduct Prohibited Under this Policy

4.1 Sexual Harassment

Definition of sexual harassment. Sexual harassment can vary with particular circumstances, but, generally, it is defined as unwelcome or offensive sexual advances, requests for sexual favors, unwanted or uninvited verbal suggestions or comments of a sexual nature, or objectionable physical contact. This includes sexual advances, requests for sexual favors, and other verbal, physical, or visual conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made or threatened to be made, either explicitly or implicitly, a term or condition of an individual's employment or education;
- Submission to or rejection of such conduct by an individual is used or threatened to be used as the basis for academic or employment decisions affecting that individual, or;
- Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating what a reasonable person would perceive as an intimidating, hostile, or offensive employment, education, or living environment.

Examples of sexual harassment. Some examples of sexual harassment include:

- Pressure for a dating, romantic, or intimate relationship
- Unwelcome touching, kissing, hugging, or massaging
- Pressure for sexual activity
- Unnecessary references to parts of the body
- Sexual innuendos or sexual humor
- Obscene gestures
- Sexual graffiti, pictures, or posters
- Sexually explicit profanity
- Asking about, or telling about, sexual acts or fantasies
- Email and Internet use that violates this policy
- Sexual violence (as defined below)

Further examples of sexual harassment may be found in the Frequently Asked Questions (see Section 8 of this policy document).

4.2 Sexual Harassment Includes Sexual Violence

Definition of sexual violence/assault. Sexual violence/assault is a form of prohibited sexual harassment. Sexual violence/assault includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent because of his or her temporary or permanent mental or physical incapacity or because of his or her youth.

Sexual assault violates the standards of this community and is unacceptable at Multnomah University; it also may constitute a crime. Sexual assault can be devastating to the person who experiences it directly and can be traumatic to the person's family, friends, and larger community as well. Sexual assault is defined generally as engaging in sexual contact with any person without that person's consent.

Examples of sexual violence/assault. Some examples of sexual violence/assault include:

- Sexual intercourse (anal, oral, or vaginal) by a man or woman upon a man or woman without consent
- Unwilling sexual penetration (anal, vaginal, or oral) with any object or body part that is committed by force, threat, intimidation, or without consent
- Sexual touching with an object or body part, by a man or woman upon a man or woman, without consent
- Sexual touching with an object or body part, by a man or woman upon a man or woman, committed by force, threat, intimidation, or without consent
- Knowingly transmitting a sexually transmitted disease to another

Further examples of sexual violence may be found in the Frequently Asked Questions (see Section 8 of this policy document).

Definition of “consent.” Lack of consent is a critical factor in determining whether sexual violence/assault has occurred. Consent is informed, freely given, and mutually understood. Consent requires an affirmative act or statement by each participant. Consent is not passive. Consent requires participants who are fully conscious, are equally free to act, have clearly communicated their willingness, cooperation, or permission to participate, and are able to cease ongoing consensual activity at any time. Refusal to consent does not have to be verbal; it can be expressed with gestures, body language, or attitude. A prior sexual history between two people does not constitute consent. Furthermore:

- If coercion, intimidation, threats, and/or physical force are used, there is no consent.
- If a person is mentally or physically incapacitated or impaired by alcohol or drugs such that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent.
- If a person is asleep or unconscious, there is no consent.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Consent can be withdrawn. A person who initially consents to sexual activity is deemed not to have consented to any sexual activity that occurs after he or she withdraws consent.

Sexual Violence /Domestic Violence, Dating Violence, and Stalking

Domestic violence, dating violence, and stalking can also constitute sexual harassment when motivated by a person’s sex. They also may constitute a crime. Such conduct, no matter the motivation behind them, are a violation of this policy.

Definition of domestic violence. “Domestic violence” includes violence committed by a current or former spouse or intimate partner of a victim, by a person with whom the victim shares a child in common, by a person who is co-habiting with or has co-habited with the victim as a spouse or intimate partner, by a person similarly situated to a spouse or the victim under the domestic or family violence laws of the jurisdiction, 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. For state law definitions covering domestic violence see [Oregon Revised Statutes \(ORS\) § 107.705](#).

Definition of dating violence. “Dating violence” means violence committed by a person: (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

For state law definitions covering dating violence see Oregon Revised Statutes ([ORS](#)) § 339.366.

Definition of stalking. “Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress. For state law definitions of stalking see Oregon Revised Statutes ([ORS](#)) § 163.732.

Definition of sexual exploitation. “Sexual Exploitation” means taking non-consensual or abusive sexual advantage of another for the perpetrator’s benefit; such behavior may not fit into one of the previously mentioned categories. Sexual exploitation is a form of sexual harassment and is strictly prohibited. Examples of sexual exploitation include prostituting a student or recording sexual acts without the other person’s consent.

5. Report of an Alleged Violation and Its Investigation

5.1 Alleged or Suspected Violations of this Policy

Multnomah University is committed to investigating all possible violations of this policy about which the school knows or reasonably should know (also referred to in this policy as "alleged or suspected violations of this policy"), regardless of whether a complaint alleging a violation of this policy has been filed and regardless of where the alleged conduct occurred. Multnomah's ability to investigate in a particular situation, or the extent of the investigation in any given situation, may be affected by any number of factors, including whether the complainant is willing to file a complaint or to consent to an investigation, the location where the alleged conduct occurred, and Multnomah's access to information relevant to the alleged or suspected violation of this policy. Multnomah is nonetheless committed to investigating all alleged and suspected violations of this policy to the fullest extent possible under the circumstances.

Students, faculty, administrators or staff who have a complaint against a student, faculty, staff member, visitor or other individual involving allegations of sexual discrimination, including harassment (and violence) should contact a Title IX Coordinator (see Section 3).

Additionally, individuals are strongly encouraged to report alleged incidents of sexual violence immediately to the department of Campus Safety and/or other local law enforcement. Campus Safety personnel will assist and advise regarding the importance of preserving evidence for the proof of a criminal offense and to whom the alleged offense should be reported. However, it is the individual's decision whether or not to file a police report or to pursue civil action against the alleged perpetrator. A Title IX Coordinator, or other responsible party, is obligated to contact the law enforcement agency with jurisdiction over the college when the victim has been exposed to bodily harm.

Individuals will have access to support and referral services on campus (see Section 5.4) regardless of whether or not s/he decides to report the incident to local law enforcement.

5.2 Initiating a Concern / Time Limitation

A student, faculty member or staff member who believes that another student, faculty, staff member, visitor or other individual violated this policy, including for retaliation, should contact a Title IX Coordinator (see Section 3).¹ Various university personnel are required to report any suspected violations of this policy (see Section 3.4).

The concern may be raised “informally” or “formally” by filing a Title IX Grievance Form. The informal process is not appropriate for cases involving certain alleged sexual violence.

In order for a formal complaint to be processed, the complaint must be filed within 120 days of the alleged unlawful discriminatory action or sexual harassment, or within 120 days of the complainant learning of the discriminatory action or sexual harassment unless unusual circumstances exist that would extend the time for the filing of such a complaint as determined by the Title IX Senior Coordinator. A copy of the formal complaint form is attached to the end of this policy, entitled Title IX Grievance Form (a “grievance” is another word for “complaint”).

5.3 Definitions Relating to the Formal Complaint Process. Throughout this policy’s complaint process at Multnomah University, the following terms may be used:

Complaint. A complaint is an allegation that a student, employee or applicant for admission or employment has been subjected to unlawful discrimination or harassment. The Title IX Grievance Form may be submitted to initiate the formal, written complaint-reporting process. So that Multnomah University has sufficient information to investigate a complaint, the complaint should include: (1) the date(s) and time(s) of the alleged conduct; (2) the names of all person(s) involved in the alleged conduct, including possible witnesses; (3) all details outlining what happened; and (4) contact information for the complainant so that the investigator can appropriately follow up.

Complainant. The complainant is an individual or group of individuals who believe that unlawful discrimination or harassment may have or has occurred. In addition to reporting violations to a Title IX Coordinator (see Section 3), complaints may be filed with the U.S. Department of Education’s Office for Civil Rights. All complainants will be provided access to this policy document.

Respondent. The respondent is an individual or group of individuals against whom an allegation of unlawful discrimination or harassment is made.

¹ A student wishing to file a complaint against another student or employee of Multnomah University that is not related to sex discrimination or harassment should contact the Dean of Students. A student may choose to have informal discussion or formally submit a complaint in writing. All formal complaints must be submitted in writing. Once the complaint has been submitted, the Dean will begin an investigation. If a violation of a community standard has occurred, the complaint may be used as evidence in a disciplinary hearing or may be shared with appropriate staff, faculty, or administrators to help bring resolution to the issue.

5.4 General Principles

Timing of the process. The timing of the process depends upon the formality, nature, and scope of the investigation.

Formal complaint. While the time it may take to investigate and resolve a Title IX matter will depend on a variety of factors, including the nature and scope of the allegations, a Title IX Coordinator will seek to resolve any formal complaint within 60 working days of receipt of the complaint. In cases involving a hearing (see Section 5.7), within seven (7) days of the conclusion of a grievance hearing, the complainant and respondent will be concurrently informed in writing by the Title IX Senior Coordinator of the outcome of the hearing, including the ruling of “violation” or “no violation” of the policy and any corrective actions/remedies that will be put into place (see Section 6). The hearing process will not exceed 30 days in length.

Informal process. The informal process to resolve concerns will ordinarily last up to thirty (30) calendar days.

Support and interim protective measures. Throughout the process there are available resources and support.

Crisis response. The needs of someone who has been sexually harassed vary from person to person and may vary over time. Multnomah University offers services and external resources to the campus community through Student Life and Campus Safety, many of which may be accessed 24 hours a day, so that a person may choose what s/he would find most helpful and healing.

Anyone who has experienced sexual violence should seek professional support as soon as possible to minimize and treat physical harm, assist with processing the unique and complex emotional aftermath, and help preserve and understand options for legal recourse including criminal prosecution and/or civil litigation. Even if the victim does not wish to report the event to the police or pursue civil litigation or formal action, seeking medical attention as soon as possible is important. At any point that an individual is ready to come forward, Multnomah is prepared to help her or him. Individuals will have access to support and referral services on-campus regardless of whether or not she/he decides to report the incident to local law enforcement.

Support person. During the investigation of a complaint, both the complainant and the respondent may have a friend or colleague present during the investigatory interview, someone to take notes and advise, but not otherwise participate. The support person cannot be a potential witness in the matter. In cases involving multiple complainants or respondents, the support person cannot be another complainant or respondent. The support person does not serve as an advocate on behalf of the complainant or respondent, may not be actively involved in any proceedings, and s/he must agree to maintain the confidentiality of the process. Witnesses to sex discrimination or sexual harassment and others involved in the investigation are not entitled to have a support person present during investigatory interviews.

Interim measures. Multnomah University reserves the right to suspend or place on immediate administrative leave any member of the campus community accused of violating this policy, or to take any other interim measures Multnomah deems appropriate, pending the outcome of an investigation and/or disciplinary proceedings. At any time during the investigation, a Title IX

Coordinator may determine that interim remedies or protections for the parties involved or witnesses are appropriate. Depending on the specific natures of the problem, such interim measures and remedies can include, but are not limited to:

- placing an employee on paid or unpaid administrative leave;
- removing a student from campus housing and/or current classes;
- separating the parties or placing limitations on contact between the parties;
- modifying course schedules or workplace arrangements, issuing a “no contact” order;
- suspension;
- providing an escort to ensure that the complainant can move safely between classes and activities;
- ensuring that the complainant and alleged perpetrator do not attend the same classes;
- moving the complainant or alleged perpetrator to a different residence hall;
- providing counseling services;
- providing medical services;
- providing academic support services, such as tutoring; arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant’s academic record; and
- reviewing any disciplinary actions taken against the complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the complainant being disciplined.

Pending criminal investigation. Some instances of sexual harassment or sexual violence may also constitute criminal conduct. In such instances, the complainant is strongly encouraged to report alleged incidents immediately to the department of Campus Safety and/or other local law enforcement. Campus Safety personnel will assist and advise regarding the importance of preserving evidence for the proof of a criminal offense and to whom the alleged offense should be reported. It is the individual's decision whether or not to file a police report or to pursue civil action against the alleged perpetrator, although the university may also have a reporting obligation.

Any pending criminal investigation or criminal proceeding may have some impact on the timing of the pertinent Title IX investigation, but Multnomah University will commence its own investigation as soon as is practicable under the circumstances. Multnomah reserves the right to commence and/or complete its own investigation prior to the completion of any criminal investigation or criminal proceeding.

Impartiality and fairness. Multnomah University is committed to fairness in its investigation and handling of alleged violations, and seeks to allow for the prompt and equitable resolution of all complaints. As such, the university commits to a process that seeks to fairly treat all parties involved in an investigation. This includes the elicitation of written statements from all parties.

As part of an investigation, an investigator of complaints will seek separate interviews with the complainant, the respondent and any witnesses to the greatest extent possible. To help ensure a prompt and thorough investigation, complainants are encouraged to provide as much of the following information as much as possible.

Additionally, in the interests of fairness, if the complainant or respondent is not satisfied with the results of the formal level administrative decision, the complainant or respondent may appeal the determination by submitting written objections to the Title IX Senior Coordinator within ten (10) calendar days of the receipt of the determination. (See Section 5.5 titled “Appeals”).

These procedures provide for prompt, fair, and impartial investigations and resolutions. A Title IX Coordinator shall discharge his or her obligations under these complaint-resolution procedures fairly and impartially. If a Title IX Coordinator determines that s/he cannot apply these procedures fairly and impartially because of the identity of a complainant, respondent, or witness, or due to any other conflict of interest, the Title IX Coordinator shall designate another individual to administer these procedures.

Privacy and confidentiality. Multnomah University will make reasonable and appropriate efforts to preserve the legitimate privacy and reputational interests of those involved and protect the confidentiality of information when investigating and resolving a complaint. Materials and information prepared or acquired under Title IX procedures will be shared only with those who have a legitimate need to know. However, because of laws relating to reporting and other state and federal laws, Multnomah cannot guarantee confidentiality to those who make complaints or participate in the investigation process.

In the event a complainant requests confidentiality or asks that a complaint not be investigated, Multnomah will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a complainant insists that his or her name not be disclosed to the alleged perpetrator, Multnomah’s ability to respond may be limited. Furthermore, Multnomah reserves the right to initiate an investigation despite a complainant’s request for confidentiality in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the Multnomah University community. Multnomah may pursue an allegation through internal disciplinary procedures without the cooperation of the complainant. In such instances, Multnomah will inform the complainant of its obligation to address the issue.

Disclosure of such information may also be made if it is permitted by law and a Title IX Coordinator determines: (a) that such disclosure is necessary to protect the health, safety, or well-being of members of the Multnomah community; or (b) that such disclosure advances the interests of those involved in the process and/or Multnomah University and outweighs the interest in confidentiality.

The degree to which confidentiality can be protected depends upon the professional role of the person being consulted. The professional being consulted should make these limits clear before any disclosure of facts. An individual can speak confidentially with certain persons in legally protected roles. They include counselors at the Multnomah University Counseling Center, medical clinicians, clergy and sexual assault counselors. Exceptions to maintaining confidentiality are set by law; for example, physicians and nurses who treat a physical injury sustained during sexual assault are required to report to law enforcement. Also, physicians, nurses, psychologists, psychiatrists, professional counselors, school employees, and social workers must report a sexual assault committed against a person under 18 years of age to a child protective agency. Information shared with other individuals is not legally protected from being disclosed.

Prohibition against retaliation. Retaliation exists when action is taken against a participant in the complaint process that adversely affects the individual's employment or academic status; and is motivated in whole or in part by the individual's participation, or lack thereof, in the complaint process. *Retaliation and threats of retaliation against any person, either for alleging discrimination prohibited by Title IX or for cooperating in a Title IX investigation or grievance, is strictly prohibited and should be reported to a Title IX Coordinator.*

Instances involving bodily harm. In compliance with ORS § 146.750(3), Multnomah must report physical injuries to an appropriate law-enforcement agency. Consequently, if a Title IX Coordinator receives a report of harassment or assault involving bodily harm, the Title IX Coordinator will contact the local law-enforcement agency with jurisdiction over Multnomah University.

A victim of sexual assault also may choose to file a criminal complaint against the alleged perpetrator. Any pending criminal investigation or criminal proceeding may have some impact on the timing of Multnomah's investigation, but it will commence its own investigation as soon as is practicable under the circumstances. Multnomah reserves the right to commence and/or complete its own investigation prior to the completion of any criminal investigation or criminal proceeding.

Relationship to academic freedom. While Multnomah University is committed to the principles of free inquiry and free expression, sex discrimination and sexual harassment are neither legally protected expression nor the proper exercise of academic freedom. As such, Multnomah University agrees with the [statement](#) of the American Association of University Professors (AAUP) that intimidation and harassment are inconsistent with the maintenance of academic freedom on campus. Consequently, it is the policy of Multnomah University that no member of the academic community may sexually harass another. Sexual advances, requests for sexual favors, and other conduct of a sexual nature constitute sexual harassment when:

- such advances or requests are made under circumstances implying that one's response might affect educational or personnel decisions that are subject to the influence of the person making the proposal; or
- such speech or conduct is directed against another and is either abusive or severely humiliating, or persists despite the objection of the person targeted by the speech or conduct; or
- such speech or conduct is reasonably regarded as offensive and substantially impairs the academic or work opportunity of students, colleagues, or co-workers. If it takes place in the teaching context, it must also be persistent, pervasive, and not germane to the subject matter. The academic setting is distinct from the workplace in that wide latitude is required for professional judgment in determining the appropriate content and presentation of academic material.

5.5 Investigation

Informal procedures of an investigation. In many instances, counseling, advice, or informal discussion may be useful in resolving concerns about allegations of discrimination prohibited by Title IX. In working to resolve the matter, a Title IX Coordinator ordinarily will interview the complainant and, as appropriate, others who may have knowledge of the facts underlying the grievance. At any point, including while the informal process is ongoing or afterward, the complainant may elect to end the informal process in favor of filing a formal grievance.

Multnomah University has established the following informal process to resolve charges of unlawful discrimination or harassment within thirty (30) calendar days. This informal procedure is not appropriate for cases involving alleged sexual violence. Whether or not the complainant files a formal complaint and/or the parties reach a resolution, if a Title IX Coordinator determines that circumstances so warrant, the Title IX Coordinator may initiate a formal investigation and take appropriate actions as necessary to fully remedy any harm that occurred as a result of unlawful discrimination or harassment and to prevent any further unlawful discrimination or sexual harassment.

The Title IX Coordinator shall meet with the concerned individual to:

- understand the nature of the concern;
- give to complainant a copy of the Multnomah University policy and procedure concerning unlawful discrimination and harassment and inform complainant of his or her rights under any relevant complaint procedure or policy;
- assist the individual in any way advisable.

If deemed appropriate, a Title IX Coordinator will meet with the respondent to inform him/her of the nature of the concern. If the parties agree to a proposed resolution that does not include disciplinary action, the resolution shall be implemented and the informal process shall be concluded. A letter summarizing the informal investigation and the resolution agreed upon shall be sent to the complainant and the respondent and kept as part of the record.

The Title IX Coordinator will keep a written log of discussions and a record of the resolution. This information shall become part of the official investigation file if the complainant initiates a formal complaint. A letter summarizing the informal investigation and the resolution agreed upon shall be sent to the complainant and the respondent and kept as part of the record. This process may be changed for reasons including, but not limited to, the following:

- Allegations of sexual violence will not be resolved by mediation.
- Either the complainant or the respondent may request, at any time during the investigation, that the case be resolved through the hearing process.
- The Title IX Coordinator determines the case is best resolved through the hearing process.

Formal procedures of an investigation. Where informal complaint procedures are not possible or appropriate or fail to satisfactorily resolve the matter, a Title IX Coordinator will first consider the formal written complaint, and may dismiss the complaint without further process or review if the Title IX Coordinator determines that the complaint on its face is frivolous, not credible, clearly without merit, or outside the scope of these procedures.

Standard of evidence. At Multnomah University, the standard used to determine whether this policy has been violated is whether it is more likely than not that the accused violated this policy. This is often referred to as a “Preponderance of Evidence” standard. As such, the Title IX Coordinator shall review allegations of discrimination prohibited by Title IX by applying a preponderance of the evidence standard.

Commencement of the investigation. As soon as practicable once a complaint is made, but not later than seven (7) days after the complaint is made, the appropriate Title IX Coordinator will begin an investigation, possibly in partnership with trained Investigators and/or other officials as deemed necessary by Multnomah University (such a group is elsewhere referred to as the “Investigation Team.”) In certain circumstances as set forth in the Department of Education, Office for Civil Rights’ April 4, 2011 Dear Colleague Letter, a Title IX Coordinator may commence an investigation even if the complainant requests that the matter not be pursued. In such a circumstance, the Title IX Coordinator will take all reasonable steps to investigate and respond to the matter in a manner that is informed by the complainant’s articulated concerns. The investigation phase will, in most cases, be completed within sixty (60) days of the filing of a complaint or the date on which Multnomah becomes aware of a suspected violation of this policy. Audio or video recording of any proceedings are prohibited by any party other than Multnomah University throughout this process.

Content of the investigation. As part of the investigation, the Investigation Team will seek separate interviews with the complainant, the respondent, and any witnesses to the greatest extent possible. To help ensure a prompt and thorough investigation, complainants are encouraged to provide as much of the following information as much as possible, including the following:

- The name, department, and position of the person or persons allegedly causing the discrimination, harassment or retaliation.
- A description of any relevant incident(s), including the date(s), location(s), and the presence of any witnesses.
- The alleged effect of the incident(s) on the complainant’s academic standing, educational benefits or opportunities, position of employment, salary, employee benefits, promotional opportunities, or other terms or conditions of employment.
- The names of other students or employees who might have been subject to the same or similar discrimination, harassment or retaliation.
- Any steps the complainant has taken to try and stop the discrimination, harassment, or retaliation.
- Any other information the complainant believes to be relevant to the alleged discrimination, harassment, or retaliation.

The respondent also is encouraged to provide as much information as possible in connection with the investigation. During the investigation, the complainant will have the opportunity to describe his or her allegations and present supporting witnesses or other evidence. The respondent will have the opportunity to respond to the allegations and present supporting witnesses or other evidence. The Investigation Team will review the evidence presented and, depending upon the circumstances, may interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. All parties and witnesses involved in the investigation are expected to cooperate and provide complete and truthful information.

The Investigation Team will conclude the investigation and submit to the Title IX Senior Coordinator a report of the investigation and a determination of “violation” or “no violation,” as well as a the recommended corrective actions and remedies appropriate for the determination if warranted. Unless the Title IX Senior Coordinator deems it necessary to question the report and determination or unless the recommendation determines a hearing is necessary, the Investigation Team’s report will stand as the resolution.

A Title IX Coordinator will, as necessary, take appropriate action to: (i) eliminate the policy violation, (ii) prevent the recurrence of the violation, and (iii) address the effects of the violation.

For example, the Title IX Coordinator may assure that appropriate changes to housing, academic programs or working conditions are implemented, and persons may be expelled or discharged from the university. While the action taken by the Title IX Coordinator may impact third parties, such action is not intended to be punitive (or constitute disciplinary penalty) with respect to these third parties.

The decision of the Title IX Coordinator is the final resolution of the complaint. If a complainant wishes to appeal the decisions of the Title IX Coordinator regarding remedial measures, s/he may make a written appeal according to the grievance procedures described in Section 5.5 (“Appeals”).

Rights of complainants and respondents. During the investigation and resolution of a complaint, the complainant and respondent shall have equal rights. They include:

- Equal opportunity to present witnesses and other relevant evidence
- Similar and timely access to all information considered by a Title IX Coordinator in resolving the complaint
- Equal opportunity to review any statements or evidence provided by the other party
- Equal access to review and comment upon any information independently developed by the Title IX Coordinator

Additionally, complainants and respondents shall be provided with the following in connection with any hearing or other proceeding used to reach a decision regarding whether any violation of this policy has occurred.

Rights of complainants:

- The opportunity/right to speak on one's own behalf;
- To be accompanied by an advisor or support person who may take notes and advise the complainant, but not otherwise participate;
- To present witnesses who can speak about the alleged conduct at issue;
- To present other evidence on one's own behalf;
- To attend the entire hearing or other proceedings, except for the deliberation phase;
- To review any written statement that will be offered by the accused at a hearing or proceeding prior to the time that it is offered (to the greatest extent possible and consistent with FERPA or other applicable law);
- To be informed of the outcome of the hearing or other proceeding;
- And to appeal the outcome of the hearing or other proceeding.

Rights of respondents:

- The right to a written explanation of the alleged violations of this policy;
- The opportunity/right to speak on one's own behalf;
- To be accompanied by an advisor or support person who may take notes and advise the accused, but not otherwise participate;
- To present witnesses who can speak about the alleged conduct at issue;
- To present other evidence on one's own behalf;
- To attend the entire hearing or other proceedings, except for the deliberation phase;
- To review any written statement that will be offered by the complainant at a hearing or proceeding prior to the time that it is offered (to the greatest extent possible and consistent with FERPA or other applicable law);
- To be informed of the outcome of the hearing or other proceeding;
- And to appeal the outcome of the hearing or other proceeding.

Hearing process. The hearing process applies (a) when either the complainant or the respondent so requests, (b) when investigators determine resolution is best served by a hearing, or (c) in any matter when Multnomah University deems appropriate. The hearing process is outlined below:

1. The hearing process will begin at the request of any party, complainant, respondent, or Investigation Team.
2. The hearing panel members will include a Title IX Coordinator and two other people from a predetermined pool of candidates of trained faculty and staff.
3. The complainant and the accused will both be requested to be present at the hearing to retell their version of the events in question. Accommodations may be made via telephone or videoconferencing to allow all parties to participate. The hearing will continue with or without the participation of all parties.
4. Multnomah will maintain documentation of all hearings or other proceedings, which can take various forms (e.g., notes, written findings of fact, transcripts, audio recordings, etc.).
5. Within seven (7) days of the conclusion of the hearing, both the complainant and the respondent will be informed in writing by the Title IX Coordinator of the outcome of the hearing. The letter will state the ruling of "violation" or "no violation" of the policy and any corrective actions/remedies that will be put into place. This written notice will be issued

concurrently to the complainant and to the accused. The hearing process will not exceed 30 days in length.

6. Multnomah may disclose to the complainant information about any corrective actions/remedies taken that relate directly to the complainant. In no event will the complainant be required to abide by a nondisclosure agreement that would prevent disclosure of the outcome.
7. If there is a finding of policy violation, appropriate, corrective action/remedies by Multnomah will be taken to: (a) eliminate the policy violation, (b) prevent the recurrence of the violation, and (c) address the effects of the violation.

Appeals. The Title IX Coordinator will not make a determination on or review a disciplinary proceeding's factual findings, conclusions, or imposed penalty. Any appeal rights in that regard which may exist are referenced in applicable student, faculty and staff policies and procedures. If a complainant wishes to appeal the decisions regarding remedial measures, s/he may make a written appeal according to the following Title IX appellate process.

Grounds of appeal. The complainant or respondent may appeal the resolution of a complaint only on the following grounds:

- The decision was contrary to the substantial weight of the evidence
- There is a substantial likelihood that newly discovered information, not available at the time evidence was presented to a Title IX Coordinator, would result in a different decision
- Demonstrated or evidence of bias or prejudice on the part of the Title IX Coordinator, or
- The punishment or the corrective action imposed is disproportionate to the offense
- Appeals must include relevant new information for consideration by the appellate official. This would include inadequate evidence or information that was unavailable at the time of the decision, concerns about procedural errors or concerns about the level of sanction imposed according to the policies of Multnomah University. An appeal is not fundamentally a reconsideration of factual evidence or a rehearing of witnesses, but a consideration of the fairness or due process of the original hearing. Therefore, disagreement with the findings of a hearing is not sufficient grounds for appeal.

Method of appeal. The complainant or respondent may appeal the determination by submitting written objections to the Title IX Senior Coordinator within ten (10) calendar days of the receipt of the determination. The appeal must be in writing and contain the following:

- Name of the complainant
- Name of the respondent
- A statement of the resolution of the complaint, including corrective action, if any
- A detailed statement of the basis for the appeal, including the specific facts, circumstances, and argument in support of it, and
- Requested action, if any.

The appellant may request a meeting with the appellate official, but the decision to grant a meeting is within the official's discretion. However, if a meeting is granted, then the other party will be granted a similar opportunity.

Appellate officials. The appeal shall be considered by a committee comprised of five (5) persons selected from a standing list of faculty, administrative staff and students available for such purpose (unless the matter involves only employees in which case only faculty and administrative staff may be committee members). The complainant and respondent shall each select one committee member. The two members so chosen shall select a faculty member (from the standing list) who shall be the third committee member. The appropriate vice president and the Title IX Coordinator involved in the matter shall each select one committee member. The committee members chosen shall select one member to be the voting chairperson for the committee.

Resolution of the appeal. Within thirty (30) calendar days of receiving the appeal, the committee shall consider the objections presented, review and evaluate the investigative report and findings of the appropriate vice president and any actions taken, and reach its conclusion (by majority vote) and communicate its conclusion in the form of an advisory recommendation to the president of Multnomah University. The president shall issue a decision in writing to the complainant and respondent within ten (10) calendar days of the receipt of the committee's recommendation, which shall be the final decision of Multnomah University in the matter.

6. Disciplinary/Corrective Actions and Sanctions for Violations of this Policy

At Multnomah University, the outcome of an investigation into a complaint will be determined based on the totality of the evidence using a preponderance of the evidence standard (see “Standard of Evidence” in Section 5.5). If the preponderance of the evidence does not support a finding that the incident occurred, then the complaint is resolved in favor of the respondent. If, however, the preponderance of the evidence supports that sex discrimination or sexual harassment occurred, the actions taken by Multnomah will include those necessary to maintain an environment free from discrimination and harassment and to protect the safety and well-being of the complainant and other members of the Multnomah community. Such actions will also include reasonable steps to correct the effects of such conduct on the complainant and others and to prevent the recurrence of discrimination, harassment, and retaliation. Examples of such action include: no-contact orders, classroom or housing reassignment, the provision of counseling or other support services, training, and discipline for the perpetrator, up to termination, expulsion, or other appropriate institutional sanctions.

Any violation of this policy involving students or faculty and staff of Multnomah University is subject to the policy and procedures as stated in this document and is not governed or preempted by any other employee or student handbook or policy. Multnomah will take reasonable steps to prevent the recurrence of any harassment or other discrimination and to remedy the discriminatory effects on the complainant (and others, if appropriate).

Examples of the range of potential sanctions/corrective actions that may be imposed with respect to students may be found in the current edition of the *Multnomah University Student Handbook*. Comparable information with respect to employees can be found in the *Faculty Handbook*, *Staff Handbook*, *Student Employment Handbook*, and in the human resources (HR) documents of Multnomah University. Multnomah also may take any other corrective action that it deems appropriate under the circumstances.

Guests and other third parties who are found to have violated this policy will be subject to corrective action deemed appropriate by Multnomah University, which may include removal from the campus(es) and termination of any applicable contractual or other arrangements.

In instances where Multnomah University is unable to take disciplinary action in response to an alleged violation of this policy because a complainant insists on confidentiality or for some other reason, Multnomah will nonetheless pursue other steps to limit the effects of conduct that violates this policy and prevent its recurrence.

7. Prevention, Intervention, and Educational Programming

Because Multnomah University recognizes that the prevention, intervention, and education related to sex discrimination, sexual harassment, and sexual violence/assault are important, it offers resources and educational programming to a variety of groups such as campus personnel, incoming students and new employees participating in orientation, and members of student organizations. Among other elements, Title IX training will cover relevant definitions, procedures, and sanctions; will provide safe and positive options for bystander intervention; and will provide risk reduction information, including recognizing warning signs of abusive behavior and how to avoid potential attacks. To learn more about Multnomah University education resources, please contact a Title IX Coordinator, Student Life, or Campus Safety.

As mentioned in Section 5.4, the needs of someone who has been a victim of sexual violence vary from person to person and may vary over time. Multnomah University offers services and external resources, many of which may be accessed 24 hours a day, so that a person may choose what she or he would find most helpful and healing. Multnomah University urges anyone who has been a victim of sexual violence to seek professional support as soon as possible to minimize and treat physical harm, assist with processing the unique and complex emotional aftermath, and help preserve and understand options for legal recourse including criminal prosecution and/or civil litigation. Even if the victim does not wish to report the event to the police or pursue civil litigation or formal University action, seeking medical attention as soon as possible is important. At any point that an individual is ready to come forward, Multnomah is prepared to help her or him.

Multnomah University primarily offers prevention and intervention resources to the campus community through its Student Life and Campus Safety departments. Additional community resources include:

Multnomah University Counseling Center, 503.251.5311
Joseph C. Aldrich Student Center, 2nd floor

Multnomah Campus Safety Department: x6499 Emergency Response Multnomah external emergency line: 503.251.6499

National Sexual Assault Hotline: 1-800-656-HOPE

Sexual Assault Resource Center
24-Hour Response Line: 503.640.5311

Local hospitals that have a SART (Sexual Assault Response Team):

Providence Medical Group
Portland Providence Access Triage
503-214-9235
4805 NE Glisan St.
Portland, OR 97213

In delivering its educational programming, Multnomah University recognizes obligations imposed by federal regulatory entities (see Section 1). Thus, in compliance with VAWA, Multnomah University's educational training programs include:

- A statement that the institution prohibits those offenses.
- The definition of those offenses in the applicable jurisdiction.
- The definition of consent, with reference to sexual offenses, in the applicable jurisdiction.
- "Safe and positive" options for bystander intervention an individual may take to "prevent harm or intervene" in risky situations.
- Recognition of signs of abusive behavior and how to avoid potential attacks.
- Ongoing prevention and awareness campaigns for students and faculty on all of the above.

Similarly, the Office for Civil Rights (OCR) of the U.S. Department of Education recommends developing or utilizing educational materials on sexual harassment and violence, which should be distributed to students during orientation and upon receipt of complaints, as well as widely posted throughout school buildings and residence halls, and which should include:

- what constitutes sexual harassment or violence
- what to do if a student has been the victim of sexual harassment or violence
- contact information for counseling and victim services on and off school grounds
- how to file a complaint with the school
- how to contact one of the school's Title IX Coordinators
- what the school will do to respond to allegations of sexual harassment or violence, including the interim measures that can be taken

Furthermore, OCR requires schools to create a committee of students and school officials to identify strategies for ensuring that students:

- know the school's prohibition against sex discrimination, including sexual harassment and violence
- recognize sex discrimination, sexual harassment, and sexual violence when they occur
- understand how and to whom to report any incidents
- know the connection between alcohol and drug abuse and sexual harassment or violence
- feel comfortable that school officials will respond promptly and equitably to reports of sexual harassment or violence.

Multnomah University desires that its students and campus be characterized as a safe place to grow in the Word of God. Effective and clear communication about expected behavior and consequences resulting from violations or prohibited activities is a crucial step in the process toward this goal. For more information about Multnomah's current schedule and offerings of trainings, please contact Student Life.

8. Frequently Asked Questions (FAQs)

1. How can I learn about the University's policy for handling matters of sex discrimination, sexual misconduct and other related conduct?

To view Multnomah University's official policy and disciplinary procedures regarding sex discrimination and sexual misconduct, see Section 2 and Section 5 of this policy document. You can also contact a Title IX Coordinator, who serves as the administrator of the policy and procedures (see Section 3).

2. What is sexual harassment? What is sex violence? What other related conduct is prohibited by the University?

Sexual harassment and other conduct prohibited under this policy are described in Section 4.

3. Can I file a sex discrimination or harassment complaint with the University against a student?

Yes. If you believe that a Multnomah University student has engaged in sex discrimination, including sexual harassment or any of the other prohibited conduct defined in Section 4, you are encouraged to report the matter to the University so that it can be pursued as a disciplinary case. For more information about filing a complaint, see Section 5.

4. Whom do I contact if I am considering filing a complaint or report of sexual misconduct or sex discrimination?

A student, faculty member, administrator or staff member who has a complaint against a student, faculty member, administrator, staff member, visitor or other individual involving a suspected violation of this policy or of retaliation should contact the appropriate Title IX Coordinator (see Section 3).

5. Is there a "statute of limitations" on filing a complaint of sexual misconduct with the University?

As described in Section 5.1, any person who believes s/he has been discriminated against or harassed, may file a complaint with a Title IX Coordinator. In order for a complaint to be processed, the complaint must be filed within 120 days of the alleged unlawful discriminatory action or sexual harassment, or within 120 days of the complainant learning of the discriminatory action or sexual harassment unless unusual circumstances exist that would extend the time for the filing of such a complaint as determined by the Title IX Senior Coordinator.

You are encouraged to come forward as soon as possible because it is often the case that the sooner an incident is reported, the more effectively it can be investigated. Furthermore, if the alleged respondent is no longer a student by the time the report is made, the University may not be able to take disciplinary action against that person, although the University will still endeavor to provide the complainant with support and service, put a stop to any ongoing misconduct, and address the effects of the misconduct.

Additionally, individuals are strongly encouraged to report alleged incidents of sexual violence immediately to the department of Campus Safety and/or other local law enforcement. Campus Safety personnel will assist and advise regarding the importance of preserving evidence for the proof of a criminal offense and to whom the alleged offense should be reported. However, it is the individual's decision whether or not to file a police report or to pursue civil action against the alleged perpetrator.

6. Will information about alleged sexual misconduct be confidential?

As described in Section 5.4 (“Privacy and Confidentiality”), the University will always try to use discretion in order to protect the privacy of individuals who are involved in alleged incidents of sexual misconduct or other types of sex discrimination. Because it has an obligation to try to investigate and address alleged incidents, however, the University cannot guarantee confidentiality. Only information shared with confidential resources is privileged and will not be shared with others.

Once an alleged incident has come to the University's attention, the appropriate Title IX Coordinator may notify residential college staff and other University employees of the existence of the complaint in order to address any concerns. While not bound by confidentiality, these individuals will be discreet and will respect the privacy of those involved in the process.

7. What if I want to remain anonymous?

If the complainant's identity is made known to the University, but the complainant asks to remain anonymous during the investigation, the Title IX Coordinator will consider how to proceed. Bear in mind that anonymous reporting may limit the University's ability to conduct an investigation. The Title IX coordinator will take into account the complainant's wishes, the University's commitment to provide a non-discriminatory environment, and the respondent's right to have specific notice of the allegations if the University were to take action that affects the respondent. In such circumstances, the Title IX Coordinator may arrange for limited fact-finding by an investigator to better understand the context of the complaint.

8. May I file a criminal complaint?

Yes. You may do so by contacting Multnomah University's Campus Safety Department (located in the Campus Support Services Building) by calling 503-251-6499 (or ext. 6499). You may also contact the Portland Police Bureau by calling 911 or 503-823-3333. The Campus Safety Department is available to explain the process to you (e.g., the importance of preserving physical evidence), and to assist you in filing a criminal complaint.

The criminal process is separate and distinct from the University's disciplinary process. You may invoke one or both processes. If you have filed a complaint with the University, the University's disciplinary process will proceed whether or not a criminal complaint is also filed, and without regard to the outcome of the criminal process.

9. What will happen if I file a complaint with the University alleging sex discrimination or sexual harassment?

As described in Section 5.5, a Title IX Coordinator will conduct an initial assessment by asking the reporting person and/or the complainant or some basic information. At the end of the initial assessment, the Title IX Coordinator will consider what support or accommodations may be appropriate to ensure the complainant's ability to fully enjoy their educational and residential life at Multnomah. The Title IX Coordinator will also decide to commence a formal or informal investigation of the complaint. The complainant can expect a confirmation and explanation of what steps will be taken next.

10. May I bring an adviser or support person to the interview or other meetings?

As described in Section 5.4, during the investigation of a complaint, both the complainant and the respondent may have a friend or colleague present during the investigatory interview, someone to take notes and advise, but not otherwise participate. The support person cannot be a potential witness in the matter. In cases involving multiple complainants or respondents, the support person cannot be another complainant or respondent. The support person does not serve as an advocate on behalf of the complainant or respondent, may not be actively involved in any proceedings, and s/he must agree to maintain the confidentiality of the process. Witnesses to sex discrimination or sexual harassment and others involved in the investigation are not entitled to have a support person present during investigatory interviews.

11. How does the grievance resolve?

As described in Section 5.5, following the investigation of allegations of discrimination prohibited by Title IX, even absent the filing of a formal grievance or its subsequent withdrawal, the appropriate Title IX Coordinator will (a) review documentary materials and take any other appropriate action to gather and consider relevant information, (b) prepare a written report as appropriate, and (c) take appropriate action to ensure that Multnomah University complies with Title IX. In most circumstances, the Title IX Coordinator will coordinate his/her activities with other Multnomah offices charged with responsibilities for student, faculty and staff conduct and discipline and for enforcing Multnomah's Title IX policies and procedures generally.

12. Who can appeal the decision? How does the appeal process work?

The complainant or respondent may appeal the resolution of a complaint according to specified grounds, methods, and protocol described in Section 5.5 ("Appeals").

13. How long will the whole disciplinary process take?

As described in Section 5.4 (“Timing of the Process”), Multnomah University strives for a prompt and timely response to Title IX complaints. Multnomah University encourages complainants to file complaints of sex discrimination and sexual harassment as soon as possible because late reporting may limit its ability to investigate and respond to the complaint. While the time it may take to investigate and resolve a Title IX matter will depend on a variety of factors, including the nature and scope of the allegations, the appropriate Title IX Coordinator will seek to resolve any grievance within 60 working days of receipt of the grievance. Throughout the process, the Title IX Coordinator will, as appropriate, keep the participants informed of the status of the process.

14. What resources are available on campus for those affected by sexual discrimination or harassment?

As described in Section 5.4 (“Support and Interim Protective Measures”), the University offers a variety of crisis support resources and protective measures, including counseling and education. Please contact the Student Life Department (503-251-5311) for more information.



Title IX Grievance Form

Please provide the following information:

Your name: _____

Address: _____

Telephone Number: _____ (home/office) _____ (cell)

Email: _____ Preferred method of contact: _____

Are you:

- Undergraduate Student
- Graduate Student
- Staff
- Faculty
- Other (please specify) _____

Date of the event(s): _____ Location of the event(s): _____

Describe in as much detail as possible the event(s) that occurred (attach additional sheets if necessary). Please also include:

- The name(s) of all parties involved
- The name(s) of any witnesses or individuals who may have knowledge of the event(s)

What action/remedy are you seeking?

Return to:

Title IX Team
Dept. of Student Life
Multnomah University
8435 NE Glisan Street
Portland, OR 97220

