



TITLE IX AND SEXUAL MISCONDUCT POLICY AND PROCEDURE

Revision Date: September 1, 2015
Responsible Office: Human Resource Office
Policy:

Applicable Federal Law

This policy addresses the requirements of Title IX of the Education Amendments of 1972 (“Title IX”), which is a federal law that prohibits 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 (i.e., sex discrimination) includes sexual harassment, sexual violence and sexual misconduct. Title IX prohibits sex discrimination in both the educational and employment settings. Title IX includes prohibiting discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from any of these conditions. For further information regarding pregnancy and parental accommodations, please see the [Pregnancy & Parenting Policy](#).

Policy Statements

God’s Bible School & College and its subsidiary Aldersgate Christian Academy (hereinafter referenced collectively as “GBSC”), will not tolerate any form of behavior that could be reasonably interpreted as sexual harassment, sexual discrimination, or sexual violence against or by any GBSC students, faculty, staff or visitors.

GBSC recognizes the importance of fostering a learning environment in which all individuals can thrive and are motivated to do their best, strengthened by their different backgrounds, perspectives, and life experiences. The college is committed to maintaining a learning environment that is free of sexual harassment, sexual discrimination, or sexual violence.

The College holds to the unchanging truth of the Bible that sexual intercourse is reserved for the marriage of one man and one woman as His gift and for the sake of families. The Bible condemns as sin premarital sex and the trivializing of God’s gift of sex in pornography, sexually suggestive behavior, or sexual harassment, as well as in homosexual acts.

It is the policy of the College to provide an educational, employment, and business environment free of all forms of sex discrimination, including but not limited to unwelcome sexual advances, requests for sexual favors, and other verbal, written or physical conduct or communications constituting sexual harassment, as defined in this policy and as otherwise prohibited by state and federal statutes. Sexual harassment, including acts of sexual assault and sexual misconduct, is a form of sex discrimination and is prohibited at the College. The sexual harassment of College students, faculty, and staff by non-College employees and guests doing business or providing services on campus (e.g., contractors and vendors) also is prohibited by this policy. This policy applies to all College students, faculty, and staff, to other members of the God's Bible School and College Community, and to contractors, consultants, and vendors doing business or providing services to the College.

I. Eligibility

All GBSC students, faculty, staff or visitors.

II. Responsibility

Every eligible individual at GBSC is expected to avoid any behavior or conduct that could reasonably be interpreted as sexual harassment. Every student and everyone who works at GBSC must also understand the importance of informing an individual whenever that individual's behavior is unwelcome, offensive or inappropriate.

All GBSC employees are mandated reporters, except for pastoral* or professional counselors acting within their role as counselor. However, if the victim is a minor, a report must be filed. Any employee who learns about a violation of this policy must promptly report it to the Title IX Coordinator or a Deputy Coordinator; crimes covered by the Clery Act must be reported to an appropriate Campus Security Authority (CSA). For a comprehensive list of CSA's, please visit our website. When an employee thinks that a student may be about to report an act covered by this policy, the employee should, if at all possible, tell the student that the College will maintain the privacy of the information, but the employee cannot maintain complete confidentiality and is required to report the act and may be required to reveal the names of the parties involved. If the student wishes to proceed, the employee should inform the student of the implications of sharing the names of the parties involved, which puts the College on notice and initiates investigation.

* A pastoral counselor, in accordance with [Ohio Code 4757.41\(4\)](#) is here defined as, "(4) Rabbis, priests, Christian science practitioners, clergy, or members of religious orders and other individuals participating with them in pastoral counseling when the counseling activities are within the scope of the performance of their regular or specialized ministerial duties and are performed under the auspices or sponsorship of an established and legally cognizable church, denomination, or sect or an integrated auxiliary of a church as defined in federal tax regulations, paragraph (g)(5) of 26 C.F.R. 1.6033-2 (1995), and when the individual rendering the service remains accountable to the

established authority of that church, denomination, sect, or integrated auxiliary;”

III. Definitions

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, electronic or physical conduct of a sexual nature when:

- such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive working or academic environment; or
- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic achievement or advancement; or
- submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individuals.

Sexual Assault

An offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. The terms includes: Forcible Rape, Forcible Sodomy, Sexual Assault/Sexual Misconduct With An Object, Forcible Fondling, Non-Forcible Sex Offenses, Dating Violence (42 U.S.C. 13925(a)), and/or Stalking (42 U.S.C. 13925(a) and [Ohio Revised Code §2903.211](#). More information may also be found [here](#).

The terms includes:

1. **Domestic Violence:** The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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. (42 U.S.C. 13925(a)).

Ohio Revised Code §2919.25 Domestic Violence*.

- No person shall knowingly cause or attempt to cause physical harm to a family or household member.
- No person shall recklessly cause serious physical harm to a family or household member.
- No person, by threat of force, shall knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member.

* The full text of Ohio Revised Code §2919.25 is available at:

<http://codes.ohio.gov/orc/2919.25>.

2. **Dating Violence:** The term “dating violence” means violence committed by a person:

- who is or has been in a social relationship of a romantic or intimate nature with the victim and

- where the existence of the relationship shall be determined based on a consideration of the following factors:
 - the length of the relationship;
 - the type of relationship; and
 - the frequency of interaction between the persons involved in the relationship. (42 U.S.C. 13925(a)).

3. **Stalking:** The term “stalking” means engaging in a course of conduct directed at a specific person that would: cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress. (42 U.S.C. 13925(a)).

Ohio Revised Code §2903.211 Menacing by Stalking.

(A)(1) No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or cause mental distress to the other person.

(A)(2) No person, through the use of any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, or computer system, shall post a message with purpose to urge or incite another to commit a violation of division (A)(1) of this section.

(A)(3) No person, with a sexual motivation, shall violate division (A)(1) or (2) of this section.

* The full text of Ohio Revised Code §2902.211 is at:

<http://codes.ohio.gov/orc/2903.211>.

Please note: Definitions of crimes may be legislatively modified at any time and specific crime elements may vary by jurisdiction. Additional offenses also may meet the defined elements of the crimes above (e.g. a trespass also may be considered stalking.)

4. **Effective Consent:** Consent is a key factor in determining sexual misconduct.

Consent implies words and/or actions that demonstrate a voluntary agreement to engage in mutually agreed upon sexual activity.

a. Both partners must clearly communicate their willingness and permission through mutually understandable words and/or actions. Consent is a “yes” through words and/or actions, not the absence of the word “no”. Failure to resist sexual advances, silence, and/or prior dating or sexual relationship does not constitute consent. Both partners have the right to revoke their consent at any time during the sexual activity by actively (verbally or non-verbally) communicating their desire to stop the activity. Consent to one form of sexual contact does not constitute consent to any other form of sexual contact, nor does consent to sexual contact with one person constitute consent to sexual contact with any other person. Additionally, consent to sexual contact on one occasion is not consent to engage in sexual contact on another occasion. There is no requirement that an individual verbally or physically resist unwelcome sexual contact for there to be a violation of this policy.

b. Both partners need to be fully conscious and aware of their actions. A person is unable to give consent if they are asleep, drugged, intoxicated, unconscious, a minor, mentally impaired or incapacitated. Signs that a person is intoxicated, incapacitated, or otherwise unable to give consent include (but are not limited to) slurred speech, loss of coordination, passing out, vomiting and a verbalized feeling of being nauseous.

c. Both partners must be equally free to act. The decision to be sexually intimate must be made without coercion. Consent cannot be obtained by coercion or force or by taking advantage of one's inability to give consent because of incapacitation or other circumstances. Coercion or force includes conduct, intimidation, and express or implied threats of physical or emotional harm, that would reasonably place an individual in fear of immediate or future harm and that is employed to persuade or compel someone to engage in sexual conduct.

Sexual Violence

Sexual violence is a broader term than sexual assault. The term encompasses sexual homicide, rape, incest, molestation, fondling, stalking, intimate partner violence, and verbal harassment of a sexual nature. Sexual violence includes creating an environment that feels unsafe based on sexual messages or images. Sexual violence is a sexual act that is completed or attempted against a victim's will or when a victim is unable to consent due to age, illness, disability, or the influence of alcohol or other drugs. The act may involve actual or threatened physical force, use of weapons, coercion, intimidation or pressure.

IV. Behaviors Addressed

Prohibited conduct includes all forms of sex discrimination and sexual harassment, as well as all types of sexual assault. Sexual harassment of students and employees, which includes sexual misconduct including assault or acts of sexual violence, is a form of sex discrimination. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape, sexual battery, sexual assault, sexual misconduct, domestic violence, dating violence, and stalking. All such acts of sexual violence are forms of sexual harassment covered under Title IX and referenced and addressed in the Clery Act and the Campus Violence Elimination Act (SaVE Act), passed as part of the Violence Against Women Reauthorization Act (VAWA). These recent amendments to the Clery Act do not alter the College's responsibility under Title IX to respond to and prevent sexual violence.

V. Non-Retaliation

Retaliation exists when action is taken against a complainant or participant in the complaint process that (i) adversely affects the individual's employment or academic status; and (ii) is motivated in whole or in part by the individual's participation in the complaint process.

No individual who makes a complaint alleging a violation of this policy or who participates in the investigation or resolution of such a complaint shall be subject to retaliation as a result of such activity or participation. Any acts of retaliation, as defined in this policy, shall be grounds for disciplinary action, up to and including expulsion/dismissal for students and termination/dismissal for faculty and staff.

VI. Reporting of Incidents

God's Bible School and College must be made aware of any infraction of this policy. Any student or guest who believes that she/he has been the victim of, or witness to, any type of sexual harassment or retaliation is encouraged to report the matter promptly to the Vice President for Student Affairs, the Dean of Men or the Dean of Women, all of whom serve as deputy Title IX Coordinators; individuals may also notify the Title IX Coordinator directly. Any GBSC employee who believes that she/he has been witness to, or has been recipient of a report of, any type of sexual harassment or retaliation is required to report the matter promptly to the Title IX Coordinator. An employee who believes she/he has been the victim of sexual harassment or retaliation is strongly encouraged to report the matter promptly to the Title IX Coordinator. Current contact information for these individuals is available online and from the Human Resources Office. If appropriate, the Title IX Coordinator will notify law enforcement with jurisdiction.

All personnel of God's Bible School and College are accountable for responding to sexual harassment complaints, including sexual harassment, sexual misconduct, sexual assault or acts of sexual violence, such as rape, sexual battery, domestic violence, dating violence, stalking, retaliatory behavior, and any other behavior or communication that can be reasonably understood as being sexual harassment or sexual discrimination.

Note: The College'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 the College's access to information relevant to the alleged or suspected violation of this policy. To help ensure a prompt and thorough investigation, complainants are encouraged to provide as much of the following information as possible:

- The name, department, and position of the person or persons allegedly causing the sex discrimination, sexual harassment, sexual assault, sexual misconduct 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 sex discrimination, sexual harassment, or retaliation.
- Any steps the complainant has taken to try to stop the discrimination, harassment, or retaliation.
- Any other information the complainant believes to be relevant to the alleged discrimination, harassment, or retaliation.

The accused also is encouraged to provide as much information as possible in connection

with the investigation.

VII. Confidentiality

To the extent permitted by law, the confidentiality of all parties involved in the resolution of alleged or suspected violations of this policy will be observed, provided that it does not interfere with the College's ability to conduct an investigation and take any corrective action deemed appropriate.

A reporting individual may be able to omit personally identifiable information in the initial report. This should be discussed with the Title IX Coordinator or a Deputy Coordinator. In all proceedings, the College seeks to give victims reasonable control over processes as much as possible.

VIII. Education, Prevention and Resources

God's Bible School and College takes several steps to meet the needs of its campus family regarding sexual discrimination.

Education

GBSC makes available to all employees and students an educational training tool called Campus Answers. This interactive course promotes the awareness and prevention of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking for those who take the course. The Campus SaVE Act/ Title IX course includes Federal and Ohio state specific definitions. All members of the Student Affairs staff, including Resident Assistants, receive additional training through Campus Answers. The training educates users to recognize sex discrimination, helps students and employees protect against sexual violence, sends a strong message that sex discrimination and violence are prohibited by the College, and explains the importance of reporting sex discrimination promptly. The key concepts of the training include defining sex discrimination and sexual violence, explaining prohibitions against intimate partner violence and stalking, and covers the grievance procedures available and employee rights by providing detailed coverage of Title IX, pertinent details of the Clery Act and Violence Against Women Act, and references to how sex discrimination and violence may be covered by other laws, including criminal laws.

Counseling

The GBSC Counseling Center provides confidential counseling for all college students at God's Bible School & College. Licensed professional counselors are trained to help victims of sexual discrimination process and recover from the abuse.

Health Services

In addition, a nurse is accessible in the GBSC Health Center with posted availability. Health-related questions regarding issues of sexual discrimination or

abuse may be addressed to a medical professional.

Materials

Materials regarding the prevention of sexual discrimination and harassment, as well as steps to take if an incident occurs, are also available in the Title IX Coordinator's office, as well as the Resident Directors offices in each of the residence halls.

IX. Investigation and Penalties

God's Bible School and College is committed to investigating all possible violations of this policy about which the College 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 conduct at issue occurred. As noted above, the College's ability to investigate a particular situation and that investigation's extent may be affected by various factors.

Investigation of allegations against a faculty or staff member by another faculty or staff member or a student, will be conducted by the Director of Human Resources in consultation with the appropriate administrative officer(s) and the Title IX Coordinator.

Investigation of allegations against a student by another student will be conducted by the Vice President of Student Affairs with the Resident Directors in consultation with the Title IX Coordinator.

The College's Title IX investigation is different from any law enforcement investigation, and a law enforcement investigation does not relieve the College of its independent Title IX obligation to investigate the conduct. In cases involving potential criminal conduct, GBSC personnel must determine, consistent with Federal, State and local law, whether appropriate law enforcement or other authorities should be notified. Conduct may constitute unlawful sexual harassment under Title IX even if law enforcement determines that it does not constitute a crime. All incidents of sexual misconduct involving students and employees that are reported to the any department will also be referred to the Title IX Coordinator and the Vice President for Student Affairs for follow up and investigation into whether it constitutes sexual harassment or discrimination in violation of this policy.

A. Informal Resolution

Note: Informal resolution is not considered appropriate to resolve sexual violence or assault complaints.

In appropriate circumstances, and with the approval of the complainant, the Title IX Coordinator, the Vice President of Student Affairs or the Director of Human Resources may attempt informal methods to resolve the alleged complaint without the need for additional proceedings. Pursuing informal resolution is voluntary and access to a formal investigation is available at all times to the complainant. Every effort will be made to resolve a complaint within sixty (60) days of the complaint using an

informal process.

The objective of the informal process will be to provide appropriate relief to the aggrieved party, sensitize the alleged harasser to the effects of such behavior, and resolve the complaint to the mutual satisfaction of both parties.

B. Formal Investigation & Resolution Procedures

The investigation will be completed within sixty (60) days of the filing of a complaint or the date on which the College becomes aware of a suspected violation of this policy unless the College determines in its discretion that more time is required to complete the investigation. Investigations involving student-student complaints will normally be conducted by Student Affairs staff who are Deputy Title IX Coordinators. Should there be a conflict of interest with these personnel, the Title IX Coordinator will appoint alternative investigator(s) who do not have a conflict of interest. If the conflict of interest involves the Title IX Coordinator, then the President will appoint an alternative Deputy Coordinator to oversee the resolution of the complaint. Investigations involving any staff/faculty member will normally be conducted by Student Affairs staff who are Deputy Title IX Coordinators. As part of the investigation, the investigating personnel will seek to interview the complainant, the accused, and any witnesses.

Within seven (7) days of the conclusion of the investigation, both the complainant and the accused will be informed in writing concurrently of the outcome of the investigation, including whether there has been a determination that this policy has been violated. This written notice will be issued concurrently to the complainant and the accused.

If, at any point during the informal or formal grievance procedure, it becomes known or apparent that the grievance or concern relates to the College's obligations under Section 504 of the Rehabilitation Act (e.g., to provide reasonable accommodations and physical access to students with disabilities), the grievance or concern will be promptly referred to the Director of Human Resources pursuant to the College's [American's with Disabilities Policy](#). In such cases, the College will conduct a single investigation pursuant to the applicable policy and procedures.

C. Penalties

Employees and/or students who are found to have violated this policy will be subject to disciplinary action, up to and including expulsion or dismissal in accordance with the provisions of any applicable Student Code of Conduct (or other comparable policy). Faculty and staff who are found to have violated this policy will be subject to disciplinary action, up to and including discharge or termination in accordance with any applicable policies or procedures governing disciplinary action against faculty and staff. Guests and other third parties who are found to have violated this policy will be subject to corrective action deemed appropriate by the College, which may include removal from the campus and termination of any applicable contractual or

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

D. Procedural Safeguards

- **Standard for Determining Responsibility.** 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 the evidence” standard.
- **Rights of Complainants and Accused Parties and Timing of Resolution.** Complainants and accused parties 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. The following items are not required in connection with any interviews or other meetings that are part of the investigation process but, rather, are required only in connection with a hearing or other proceeding convened for the purpose of determining whether a violation of this policy has occurred (whether before a committee, hearing panel, hearing board, or individual school representative). The College will endeavor to conclude any hearing or other proceeding and notify the parties of the outcome within thirty (30) days after the formal resolution process commences unless the College determines that more time is required.
 - Rights of Complainants
 - The opportunity to speak on one’s own behalf.
 - The opportunity to be accompanied by an advisor or support person.*
 - The opportunity to present witnesses who can speak about the alleged conduct at issue.
 - The opportunity to present other evidence on one’s own behalf.
 - The opportunity to attend the entire hearing or other proceeding, except for the deliberation phase.
 - The opportunity to testify on one’s own behalf.
 - The opportunity to review any information that will be offered by the alleged perpetrator 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 laws).
 - The right to be informed of the outcome of the hearing or other proceeding.
 - The right to be given timely and equal (both complainants and accused) access to information that will be used during informal and formal disciplinary meetings.
 - The right to be given timely notice of meetings.
 - The opportunity to appeal the outcome of the hearing or other proceeding.

o Rights of Accused Parties

- The right to a written explanation of the alleged violations of this policy.
- The opportunity to speak on one's own behalf.
- The opportunity to be accompanied by an advisor or support person.*
- The opportunity to present witnesses who can speak about the alleged conduct at issue.
- The opportunity to present other evidence on one's own behalf.
- The opportunity to attend the entire hearing or other proceeding, except for the deliberation phase.
- The opportunity to testify on one's own behalf.
- The opportunity to review any information 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).
- The right to be given timely and equal (both complainants and accused) access to information that will be used during informal and formal disciplinary meetings.
- The right to be informed of the outcome of the hearing or other proceeding.
- The right to be given timely notice of meetings.
- The opportunity to appeal the outcome of the hearing or other proceeding.

*In instances involving sexual violence, including but not limited to alleged domestic violence, dating violence, sexual assault or stalking, the complainant and respondent will be entitled to the same opportunity to have an advisor present during an internal disciplinary proceeding, including the opportunity to be accompanied to any related meeting by an advisor of their choice. An advisor or support person can be any person the complainant and respondent feels comfortable confiding in, and need not be affiliated with the College (i.e. a friend, a family member, a person from a support or advocacy agency). An advisor may accompany the student to any part of the formal investigation and resolution, including any meetings with the investigators and decision makers. The advisor does not actively participate in the process except to consult with the student verbally or in writing in a quiet, non-disruptive manner and, as such, will not be permitted to speak for the complainant or respondent, address investigators, nor can the advisor be a witness to the allegations in the complaint. Anyone who is actively involved in a complaint may not serve as an advisor or support person. An advisor or support person must agree to the limitations of the advisor role and to maintain the confidentiality of the process.

- **Sanctions and Corrective Actions.** The College will take reasonable steps to prevent the recurrence of any sexual harassment or other sex discrimination and to correct the discriminatory effects on the complainant (and others, if appropriate). Examples of the range of potential sanctions/corrective actions

are referred to in the College's catalog, Student Handbook and Employee Handbook. The College also may take any other corrective action that it deems appropriate under the circumstances.

If the College determines in its good faith discretion that any individual involved in an investigation of misconduct under this Policy has deliberately or knowingly provided false information to those investigating, the individual will be subject to discipline, up to and potentially including termination of employment, or suspension or dismissal from the College.

- **Notification of Outcome/Results of Hearings/Proceedings.** After the conclusion of the hearing or other proceeding, the College will provide written notification to the complainant party and the alleged perpetrator involved of the outcome (i.e., whether a violation of this policy has occurred) within seven (7) calendar days after the conclusion of any hearing or proceeding, unless the school determines that additional time is required. This notice shall be issued concurrently to both parties to the extent practicable. The College also may disclose to the complainant information about any sanctions or corrective actions taken that relate directly to the complainant (e.g., a “no contact” order). In no event will the complainant be required to abide by a nondisclosure agreement that would prevent disclosure of the outcome. The College will maintain documentation of all hearings or other proceedings, which can take various forms (e.g., notes, written findings of fact, transcripts, or audio recordings, etc.).
- **Right to Appeal.** Once written notification of the resolution has been provided, either the complainant or the alleged perpetrator will have the opportunity to appeal the outcome, including the issue of whether there is a policy violation and any sanction(s) imposed. Any appeal must be submitted in writing to the Title IX Coordinator or a Deputy Coordinator within seven (7) calendar days of being notified of the outcome and must set forth the grounds upon which the appeal is based. Appeals will be resolved in accordance with any applicable procedures found in the Student Handbook and Employee Handbook. Student Code of Conduct Policy or other applicable procedure regarding disciplinary actions taken against faculty and staff members. Both parties will be informed in writing of the outcome of any appeal within fourteen (14) days of the date by which all requested information is received unless the school determines that additional time is required.

Note:

Nothing in this process should be construed as impeding or prohibiting an employee or student from pursuing a criminal complaint with the appropriate internal or external law enforcement agency or in filing a sexual discrimination complaint with the appropriate external governmental agency. Although an employee or student with a concern or complaint is encouraged to attempt

to resolve his/her grievance within this procedure when appropriate, he/she has the right to file a grievance/charge directly with the Office of Civil Rights or the Ohio Civil Rights Commission.

Laws and regulations prohibiting discrimination, harassment and retaliation in institutions of higher education include Title VI and Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. The Campus Sexual Violence Elimination Act (SaVE Act) amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (known as the Clery Act). The Title IX Coordinator, in cooperation with the Vice President for Student Affairs and Director of Human Resources, is responsible for the coordination of efforts to comply with these responsibilities.