

Oklahoma Christian University

Policy and Procedures Addressing Sexual Harassment

Title IX of the Education Amendments of 1972

Effective: September 25, 2025

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I. Preamble

Oklahoma Christian University is a Kingdom University operating in a Kingdom culture shaped by Kingdom values of humility, kindness, respect, joy and trust (Ephesians 4:2). With regard to all who choose to be a part of this Kingdom culture, agreeing to join through assent to the tenets of the OC Covenant and Statement of Beliefs, Oklahoma Christian University works for their good and speaks for their welfare (Esther 10:3(b)).

This means that Oklahoma Christian University, out of fidelity to its mission to educate, mentor, and inspire learners to fulfill their God-given potential, chooses to do things differently than the prevailing secular culture in which we operate. Oklahoma Christian University intentionally chooses to operate and act within a secular culture in ways that further the Kingdom culture on this campus. We look first to God, to his Word as revealed in scripture, the person and deity of Jesus, guidance of the Holy Spirit living within us, and God's creation, to understand as best we can (Eph. 5:10) what God expects of us as we do our best to model our policies, practices, procedures, and actions on His character and unconditional and everlasting love for his entire creation.

Because of these Spiritual commitments grounded deeply in our belief in scripture and God's claim to all we do, we intentionally choose a manner of implementing Title IX and the regulations around it that complies with our dictates of conscience, our understanding of the nature of God, and our sincerely held religious beliefs about how a community of believers in Christ should conduct themselves in all matters, including matters of sexuality and unwanted conduct of a sexual nature.

In Mark 12:30-31, a curious scribe, impressed with Jesus' answers to the Sadducees question about the resurrection, asked Jesus, "What is the most important commandment?" Jesus told him, "**Love the Lord your God with all your heart, soul, mind, and strength, and the second is like it, love your neighbor as yourself.**"

Further, in Matthew 7:12 Jesus said in everything then **do to others as you would have them do to you.**

James 2 provides the context in which Oklahoma Christian University will apply its process and procedures. Fairness for all will permeate the process, **without favoritism.**

II. Overview

Title IX of the Education Amendments of 1972 (Title IX) prohibits discrimination based on sex in education programs and activities that receive federal financial assistance. Title IX

states, “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.” All federal agencies that provide grants of financial assistance are required to enforce Title IX’s nondiscrimination mandate.

The elimination of sexual harassment in federally assisted education programs is a high priority for the Office for Civil Rights because it can interfere with a student’s academic performance and emotional and physical well-being. It is also a high priority for Oklahoma Christian University. The university is required to have a sexual harassment policy that substantially complies with Title IX’s federal regulations, however, Congress has further said that Title IX does not apply to religious educational institutions like Oklahoma Christian University, to the extent application of the regulations would not comply with the organization’s religious beliefs. (20 U.S.C. § 1681(a)(3)).

III. Definitions

1. **Actual Knowledge** of an allegation of sexual harassment occurs when a Complainant informs either (1) the Title IX Coordinator, or (2) an official with authority to institute corrective measures on behalf of OC, of the allegation of sexual harassment covered under Title IX. When OC has actual knowledge, on such a basis, its response obligations are triggered.
2. **Acceptance of Responsibility** occurs when a Respondent voluntarily, after being fully informed of all the allegations in a formal written complaint and potential sanctions that may be implemented, assents to the allegations contained in the written complaint, in a written statement, signed and dated by the Respondent, and witnessed by the Title IX Coordinator.
3. **Advisor** is an individual chosen by a Complainant or a Respondent to assist them in the Title IX process. Advisors will be instructed regarding their role during the procedures and will be required to sign a non-disclosure agreement. The advisor may be but need not be an attorney. If the advisor is an attorney, the attorney must inform OC’s legal counsel prior to being allowed to participate in any phase of the grievance procedures. Attorneys will be instructed in the limited scope of their involvement in the process and will be required to sign an affidavit of participation.
4. **Amnesty** involves the university’s voluntary nonenforcement of other student code of conduct violations, against a Complainant or witness which occur or are related to the factual circumstances surrounding an alleged instance of unwanted conduct of a sexual nature described in the complaint.
5. **Appeal** of a Title IX decision can occur on the following basis (1) a procedural irregularity that affected the outcome of the matter (2) new evidence that was not reasonably available at the time the determination regarding responsibility was made, that could affect the outcome of the matter; and (3) the Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or objective bias for or

against Complainants or Respondents generally, or the individual Complainant or Respondent specifically, that affected the outcome of the matter.

6. **Clery Act** (“The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990”) is a comprehensive crime reporting statute with implementing regulations providing specific uniform definitions of certain crimes.
7. **Complaint (Formal)** is a written document or electronic submission signed and filed by a Complainant, or in limited circumstances signed by the Title IX Coordinator, alleging sexual harassment against a Respondent, in which the Complainant requests the university investigate the allegation contained in the complaint. The filing of the formal complaint triggers the university’s grievance procedures outlined below.
8. **Complainant** is an individual who is alleged to be a victim of conduct that could constitute sexual harassment and who has filed a formal complaint.
9. **Consent means** the affirmative, unambiguous and voluntary agreement to engage in a specific sexual activity during a sexual encounter which can be revoked at any time. Consent cannot be:
 - a. Given by an individual who:
 - i. is asleep or is mentally or physically incapacitated either through the effect of drugs or alcohol or for any other reason, or
 - ii. is under duress, threat, coercion or force; or
 - b. Inferred under circumstances in which consent is not clear including, but not limited to:
 - i. the absence of an individual saying "no" or "stop", or
 - ii. the existence of a prior or current relationship or sexual activity.
10. **Dating Violence** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the reporting party’s (Complainant) statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
11. **Day** refers to a business day (Monday through Friday) and does not include days when the university is officially closed.
12. **Decision-maker(s)** evaluate evidence and determine responsibility for Title IX sexual harassment complaints.
13. **Deliberate Indifference** is if the university’s response to sexual harassment is clearly unreasonable in the light of the actually known circumstances.
14. **Disciplinary Sanctions** are punitive actions taken by the university against a Respondent who has been determined, through a formal hearing on the investigative report, to have engaged in unwanted conduct of a sexual nature. Such sanctions may include but are not limited to, dismissal, fine, suspension, expulsion, removal from campus, or other steps intended to be punitive in nature.
15. **Domestic Violence** is a crime of violence committed by a current or former spouse or intimate partner of the victim (Complainant); by a person with whom the victim (Complainant) shares a child in common; by a person who is cohabitating with or has cohabitated with the victim (Complainant) as a spouse or intimate partner; by a person similarly situated to a spouse of the victim (Complainant) under the domestic or family

violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

16. **Education Program or Activity** are locations, events, or circumstances over which the university exercises substantial control over both the Respondent and the context in which the sexual harassment occurred and is against a person in the United States.
17. **Emergency Removal** (or "interim suspension") removes a student who poses an imminent threat to any person's physical health or safety, prior to the conclusion of a grievance process, or if necessary, even when no grievance process is pending, when the threat arises out of a sexual harassment allegation.
18. **Evidence (Clear and Convincing)** is a fact, inference, statement, or occurrence, that leaves one with a firm belief or conviction that the fact, inference, statement, or occurrence is highly probable, that the factual contentions of the claim or defense are true. This is a higher standard of proof than proof by a preponderance of the evidence, but it does not require proof beyond a reasonable doubt.
19. **Evidence (Directly Related)** includes all inculpatory or exculpatory evidence relating to the allegations under investigation. Directly related evidence, nonetheless, may be inadmissible based on relevancy.
20. **Evidence (Relevant)** is information provided by a party, or witness, or discovered during the investigation of a Title IX complaint that has the tendency to make the existence of a fact, issue, statement, or occurrence more or less probable.
21. **Evidence (Standard of)** is the relevant degree of satisfaction required in order to determine whether a fact, finding, or evidence is true. The standard of proof in all matters involving sexual harassment or sexual assault will be the clear and convincing evidence standard. The clear and convincing standard is having confidence that a conclusion is based on facts that are highly probable to be true.
22. **Family Education Rights and Privacy Act ("FERPA")** is a statute designed to protect the privacy rights of students in the education records. FERPA defines the term "education record" broadly to generally include any information directly related to a student that is maintained by the university.
23. **Informal Resolution** is a process for resolving complaints of sexual harassment, that is other than the hearing format of a Formal Resolution, outlined below. Informal resolution is always voluntary and mediated by a trained individual. Informal resolution can only proceed after a Formal Complaint has been filed, and only if both parties voluntarily consent to informal resolution and the Title IX Coordinator agrees. Informal resolution cannot be offered to resolve allegations of an employee sexually harassing a student but is available for complaints involving only employees, only students, or an employee Complainant alleging sexual harassment by a student.
24. **Investigations** are a deliberate methodical process undertaken by trained volunteer OC employees, designed to gather facts and relevant evidence from the Complainant, Respondent, and any of their witnesses, in order to assist a decision-maker(s) in assessment of whether the complaint is based on facts that are highly probable to be true (i.e. by the clear and convincing standard of the evidence).

25. **Officials with Authority** to implement corrective measures are those OC employees granted either express or positional authority to ensure corrective measures are implemented after having received a report of an allegation of sexual harassment as defined in this policy. These officers are the Title IX Coordinator and generally include the President, Provost, Vice Presidents, Senior Executives, Senior Academic Leadership, Director of Student Life, and the Athletic Director.
26. **Party(ies)** as used in this policy only refers to Complainants and Respondents.
27. **Relevant Question** during the investigation or hearing on the investigative report, means a question that is directly related to the ultimate question before the trier of fact, or has the tendency to make the truthfulness or existence of a fact, issue, statement, or occurrence that is directly related to the ultimate issue before the trier of fact more or less probable.
28. **Religious Exemption** is a congressionally provided recognition that the Constitution of the United States of America, Amendment I, requires certain aspects of Title IX shall not apply to religious universities, like Oklahoma Christian University, when application of that aspect would violate a sincerely held religious belief of the university.
29. **Remedies** are restorative actions taken by the university for the benefit of a Complainant against whom sexual harassment has been determined to occur during a formal hearing on the investigative report or through an informal resolution. Remedies are designed to restore or preserve equal access to the university's education program or activity.
30. **Report** of a potential Title IX sexual harassment violation occurs when the Title IX Coordinator has actual knowledge of an allegation of a violation of Title IX. The Title IX Coordinator will inquire about a report when he or she has actual knowledge of the report and will provide supportive measures as necessary.
31. **Respondent** is the alleged perpetrator of conduct that may constitute sexual harassment.
32. **Retaliation** occurs when the university or other individual intimidates, threatens, coerces, or discriminates against any individual for the purpose of interfering with any rights or privileges secured by Title IX.
33. **Sexual Assault (VAWA)** is any type of sexual contact or behavior that occurs without consent. The definition includes sexual activity such as forced sexual intercourse, sodomy, molestation, incest, fondling, and attempted rape. It includes sexual acts against people who are unable to consent either due to age or lack of capacity, and it specifically includes the crimes of dating violence, domestic violence, and stalking.
34. **Sexual Harassment (Title IX)** means conduct on the basis of sex that satisfies one or more of the following: (1) "quid pro quo"¹ sexual harassment by an employee; or (2) unwelcome conduct, determined by a reasonable person, to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the university's education program or activities; or (3) Sexual assault, dating violence, domestic violence or stalking as defined in the "Clery Act" and the "VAWA". Sexual assault (VAWA) including dating violence, domestic violence or stalking are forbidden under VAWA and will be addressed in compliance with VAWA's requirements, using these grievance procedures.

¹ A school employee conditioning education benefits on participation in unwelcome sexual conduct.

35. **Stalking** is engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. A reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
36. **Supportive Measures** offered to the Complainant and Respondent are free individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party, designed to mutually provide or preserve equal educational access, protect safety, or deter sexual harassment, and are implemented as soon as practicable after the Title IX Coordinator has actual knowledge of a report of an alleged violation of Title IX.
37. **Title IX Coordinator** is the person appointed by the university to oversee the application and compliance of its Title IX program.
38. **Violence Against Women Reauthorization Act of 2013 ("VAWA")** is a federal statute providing certain definitions related to violent acts against women in various settings. Certain definitions found in VAWA amend definitions found in the Clery Act by reference. The definitions in this policy applying to dating violence, domestic violence, and stalking are Clery Act definitions amended by VAWA.

IV. Grievance Procedures

Oklahoma Christian University's grievance procedures reflect our core Christian values of respect, humility, kindness and trust (Eph. 4:2). We draw heavily on Jesus' promise to his children who are in conflict that "where two or three gather in my name, there I am with them." (Matt. 18:20). Our hearing process involves a prayerful review and sober discussion by the decision-makers regarding the factual and relevant evidence and allegations provided by the parties and witnesses during the very deliberate, methodical, written investigative report, in which both parties participate and give final approval as to content. We base this on the fact that for Christians, Jesus instructs us in Matthew 18, that out of respect, humility, and kindness, even to the one who has done wrong, to go to that person privately, in small numbers, in order to hopefully determine truth and appropriate responses, under the guidance of the Holy Spirit (See Matthew 18:15-20).

The grievance procedure always begins with a written complaint.

1. **Complaint:** Oklahoma Christian University's Title IX grievance procedures begin by the filing of a signed formal written complaint, delivered by a Complainant to the Title IX Coordinator. Signed complaints can be submitted in person, by mail, or through an electronic submission such as email or OC's online student complaint portal. OC must

dismiss a complaint that alleges conduct that (1) is not covered in the regulation's definition of sexual harassment, or (2) did not occur in the university's academic program or activities, or (3) is not against a person in the United States. This mandatory dismissal is only regarding Title IX. If a complaint must be dismissed as a Title IX complaint, other university disciplinary procedures may apply. In these circumstances the university may determine to use the same procedures, or a modified version, of the procedures listed below in this policy.

The university may but is not required to dismiss a formal complaint if: (1) the Complainant informs the Title IX Coordinator, in writing, that the Complainant desires to withdraw the formal complaint; (2) if the Respondent is no longer enrolled in or employed by the university; or (3) if specific circumstances prevent the university from gathering sufficient evidence to make a determination. If the university dismisses a complaint, it will provide written notice of the dismissal to both parties concurrently.

If appropriate, the Respondent may, at any time, elect to resolve the formal complaint process by **accepting responsibility** for the prohibited conduct. In that event, OC's Title IX Coordinator will: (1) refer the matter for imposition of disciplinary sanction(s) to a three-person hearing panel; or (2) if both parties agree, a one person determination made by an appropriate decisional officer from among the Dean of Students, the Provost, or The Senior Vice President for Administration; or (3) if both parties and the Title IX Coordinator agree, move to an informal resolution process.

Either party may appeal against any final decisional matter made during the Title IX process, including the Title IX Coordinator's decision that a complaint either must be or may be dismissed based on the preceding reasons.

When a formal complaint is not submitted but the Title IX Coordinator is aware of either (1) a repeated pattern of sexual harassment by an individual(s); or (2) a single instance of sexual harassment by an individual(s) that is so severe or violent that immediate response is warranted, the Title IX Coordinator may initiate the grievance procedure through a written complaint signed by the Title IX Coordinator.

2. **Advisors:** Each party is allowed to have an advisor of their choosing present with them during each stage of the formal process or informal process. An advisor may, but need not be, an attorney. Attorneys serving as advisors must register with the university's legal counsel prior to participation in any phase of any resolution process. The university can provide an advisor if a party requests it. The university provided advisor will not be an attorney.

The Title IX Coordinator will immediately implement supportive measures when necessary to ensure equal access to OC programs.

3. **Supportive Measures:** The Title IX Coordinator must offer to implement supportive measures as soon as practicable, when necessary or requested, which are designed to ensure equal access to Oklahoma Christian University's academic programs and benefits. These measures are non-punitive and non-disciplinary.

The Title IX Coordinator then provides contemporaneous notice of the complaint and enough detail to provide the Complainant and Respondent with the ability to participate meaningfully in the first interview. (See the *Informal Resolution* section below for complaints where both parties agree to an informal resolution and meet the required criteria.)

4. **Notice:** The Title IX Coordinator will notify both parties contemporaneously of the allegations contained in the written complaint, with enough specificity for each party to understand the complaint, the relevant parties, and to be able to prepare for the first interview with the investigators. Respondents are presumed not responsible until the finding of responsibility under this policy states otherwise.

The Title IX Coordinator will prepare an investigatory plan and assign investigators to begin the collection of facts and evidence.

5. **Investigation:** The Title IX Coordinator will create a written investigation plan and assign investigators to gather relevant facts and information in an unbiased and fair manner from the Complainant, Respondent, their witnesses, and other individuals with potentially relevant facts or evidence related to the complaint. Each party may provide inculpatory and exculpatory evidence and fact witnesses to the investigators. The burden for gathering evidence and substantiating the burden of proof lies with the university, not the parties. Interviews may be electronically recorded at the sole discretion of the investigators. During the investigation, the university will not access treatment records without the voluntary written consent of the party. The university will protect the privacy of the party supplying its treatment record, as best as is possible, without unfairly jeopardizing the unbiased nature of the investigation. If the treatment record is relevant to the ultimate issue in the investigation, the other party will be provided with access to the record, just like all other relevant evidence.

Prior to issuing the final investigative report the Title IX Coordinator will concurrently provide each party with access to the evidence being considered, and each party shall have at least ten (10) days in which to provide the Title IX Coordinator with a written response to the evidence. The Title IX Coordinator will provide the responses, if any, to the investigators who shall consider the parties' written responses prior to issuing the final written investigative report.

The investigation will result in a final written investigative report summarizing the evidence and the process employed to gather the evidence. The Title IX Coordinator will provide the final written investigative report to each party at least ten (10) days prior to

the hearing. Either party may respond to the final investigative report in writing provided to the Title IX Coordinator prior to the expiration of this ten (10) day period. The Title IX Coordinator will provide the written response, if any, to the other Party and Hearing Panel before the Hearing commences.

The Title IX Coordinator will appoint a trained decision-maker(s) during the investigation process to conduct the hearing.

6. **Decision-maker(s):** At the conclusion of the investigation, the Title IX Coordinator will provide the decision-maker(s) with the investigative report, relevant evidence, and the parties' response to the report, if any. The Title IX Coordinator may also facilitate the creation of a timeframe and/or communicate with the parties on behalf of the decision-maker(s) regarding the determination process and meeting times.

Using the clear and convincing standard of evidence, it is the responsibility of the decision-maker(s) to determine if the evidence in the allegation[s] of sexual harassment meet the standard of evidence and if so, determine the disciplinary sanctions for the Respondent and the remedies, if any, for the Complainant.

Generally, a three (3) person panel of people trained in the Title IX grievance procedure will be the decision-maker(s) but if appropriate the decision-maker(s) could be one (1) or two (2) trained persons.

7. **Hearing:** A hearing will be held at the conclusion of the investigation before a determination is made by the decision-makers(s). The hearing is a time of sober reflection on the facts, allegations, and determinations made during the investigation. Matthew 18:15-20 sets the tone for the hearing. Relying on Jesus's presence and the Holy Spirit, the hearing is bathed in prayer.
 - a. **Hearing Panel:** Another term for the decision-maker(s) whose role is to determine whether it is substantially more likely than not that the facts and evidence in the complaint are either true or false (i.e. having confidence that a conclusion is based on facts that are highly probable to be true).
 - b. **Hearing Process:** The hearing panel will meet to review the investigative report, relevant evidence, and responses by the parties. During this time, each party has the right to meet separately with the hearing panel to make a statement and/or answer questions regarding the investigation report and relevant evidence. A party's refusal to meet with the panel at the hearing will not be used by the decision-maker(s) to make an inference, positive or negative, about that party's credibility.
 - c. **Decorum:** All participants in the hearing will be required to maintain appropriate decorum with civility and avoidance of outbursts and raised voices, abiding by the directions and determinations of the hearing panel's chair.
 - d. **Recording and Privacy:** Statements by the parties may be recorded electronically. The hearing will be closed to the public.

- e. **Move to an Informal Resolution:** At any time during the grievance process, prior to a determination of responsibility, if both parties and the Title IX Coordinator agree, an informal resolution process can be facilitated. However, this decision precludes the parties from resuming the grievance procedures arising from the same allegations.

After the decision-maker(s) make a determination, each party will be contemporaneously informed by the Title IX Coordinator of the panel's decision.

8. **Determination:** At the conclusion of the hearing, the panel will convene in private to make a prayerful determination of whether it is substantially more likely than not, based on the totality of the evidence presented (i.e. having confidence that a conclusion is based on facts that are highly probable to be true), that the conduct complained of happened in accordance with the facts alleged in the complaint, and if so, whether the conduct violates Title IX. The decision-maker(s) determination will be in writing and will be communicated to the Title IX Coordinator within ten (10) days after the hearing. The Title IX Coordinator will concurrently communicate the decision-maker(s) written determination to the Complainant and the Respondent, generally within two (2) days after receiving the determination. The written determination will articulate findings of fact, conclusions on the ultimate matter, its rationale as to each allegation contained in the complaint, the disciplinary sanctions imposed by the panel, whether remedies are available to the Complainant, and procedures and permissible bases for appeal. The Title IX Coordinator is responsible and empowered to ensure that the decision-maker(s) sanctions are implemented.

If during the hearing, a party provides new relevant evidence that was not reasonably available during the investigation, that information will be provided to the other party by the hearing chair before a determination is made. The party will have two (2) days to respond to the hearing chair regarding the new relevant evidence and the response will be provided to both parties within (1) day by the hearing chair. The hearing panel will reconvene within five (5) days to make a determination factoring in the new relevant evidence and the parties' responses.

Either party may appeal the decision.

9. **Appeal:** The three bases for an appeal are found in the definition of appeal above. Either party may appeal the decision of the hearing panel, on one of these three bases. The appeal must be made in writing and presented to the Title IX Coordinator within ten (10) days of the date on which the determination has been communicated to the parties. Both parties can submit a written statement to the appellate officer supporting or challenging the determination within five (5) days of being informed of the filing of the appeal. If the decision involves an employee, and employment sanctions are involved, then the Vice President of Human Resources shall be the appellate review officer. If the appeal involves only students, then the Dean of Students shall be the appellate officer. If either appellate officer has a conflict of interest in the outcome of the appeal then the

Senior Vice President for Administration shall be the appellate officer for students and the Chief Legal Officer for employees. Within ten (10) days after receiving the written appeal, the appellate officer shall simultaneously deliver a written response to the appeal to both parties, and the Title IX Coordinator.

Generally, after the appeal decision has been contemporaneously communicated, appropriate sanctions will be implemented against a Respondent who has been determined to have violated Title IX. In some circumstances it may be necessary to implement disciplinary sanctions immediately, even though the decision is still appealable, but this is rare.

10. **Sanctions:** The hearing panel will assess sanctions. Prior to assigning sanctions, the panel may consult with the Dean of Students regarding appropriate sanctions for students. Prior to assigning sanctions for an employee, the panel may consult with the Associate Vice President of Human Resources.

Student sanctions include but are not limited to (1) withdrawal of a right or privilege, (2) mandatory training, (3) mediated restitution, if appropriate, (4) fine or other penalty (5) removal from campus housing, without expulsion (6) suspension for a time, (7) expulsion for a semester, or (8) permanent expulsion as a student at OC.

Employment sanctions may include but are not limited to (1) mandatory training, (2) mediated restitution, if appropriate (3) loss of a right or privilege of employment (4) altered work schedule (5) temporary paid or unpaid suspension (6) any combination of the preceding, or (7) termination of employment.

The Title IX Coordinator will assist the Complainant by implementing remedies designed to allow the Complainant to continue receiving benefits and services at Oklahoma Christian University.

11. **Remedies:** The Title IX Coordinator will work with the Complainant through an interactive process to determine how or which of the offered remedies, determined by the hearing panel, the Complainant wants to implement in order for the Complainant to continue accessing the academic programs and benefits provided by Oklahoma Christian University.

V. Informal Resolution, if applicable.

The Title IX Coordinator receives a written complaint.

1. **Complaint:** The Title IX procedures for Informal Resolution begin by the filing of a formal written complaint, by a Complainant with the Title IX Coordinator. OC must dismiss a complaint that alleges conduct that (1) is not covered in the regulation's definition of sexual harassment, or (2) did not occur in the university's academic program or

activities, or (3) is not against a person in the United States. This mandatory dismissal is only regarding Title IX. If a complaint must be dismissed as a Title IX complaint, other university disciplinary procedures may apply. In these circumstances the university may determine to use the same procedures, or a modified version, of the procedures listed in this policy.

The university may but is not required to dismiss a complaint if: (1) the Complainant informs the Title IX Coordinator, in writing, that the Complainant desires to withdraw the complaint; (2) if the Respondent is no longer enrolled in or employed by the university; or (3) if specific circumstances prevent the university from gathering sufficient evidence to make a determination. If the university dismisses a complaint, it will provide written notice of the dismissal to both parties concurrently.

The Title IX Coordinator will immediately implement supportive measures when necessary to ensure equal access to OC programs.

2. **Supportive Measures:** The Title IX Coordinator must implement supportive measures as soon as practicable after receiving a report of sexual harassment. Supportive measures are designed to ensure equal access to Oklahoma Christian University's academic programs and benefits. These measures are non-punitive and non-disciplinary.

The Title IX Coordinator then provides contemporaneous notice of the complaint and enough detail to provide both parties with the ability to participate meaningfully in the process.

3. **Notice:** The Title IX Coordinator will notify both parties contemporaneously of the allegations contained in the complaint, with enough specificity for each party to understand the complaint, the relevant parties, and to be able to prepare for the first interview with the investigators for facilitator(s).

Both parties may agree, after giving informed written consent to the Title IX Coordinator, to participate in an informal resolution process not involving a hearing panel.

4. **Informal Resolution Methods and Requirements:** Following the filing of a formal complaint, if both parties (1) meet the criteria for an informal resolution; (2) each party agrees through an informed written consent to participate in an informal resolution process; and (3) the Title IX Coordinator agrees the Title IX Coordinator may invoke the informal resolution processes which may involve a mediated resolution, restorative processes, acceptance of responsibility by the Respondent, or other informal means, especially processes that mirror the tone and steps in the Gospel of Matthew Chapter 18. The parties' advisors may participate with them in the informal resolution process, however, generally advisors will not be allowed to speak during informal resolution processes.

5. **Revocation of Consent to Participate:** Prior to the resolution agreement either party may withdraw from the informal resolution process, and the formal resolution process will commence. All information provided or gleaned during the informal resolution process may be included in the file and provided to investigators in the formal resolution process. A facilitator involved with the informal resolution process cannot be a witness or a participant in the formal resolution process.

VI. General Provisions

1. **Retaliation** against any individual for participation in a Title IX complaint, allegation, or procedure, or for enforcing any right protected by Title IX is strictly prohibited. Retaliation by an individual against another individual is a separate violation of the student conduct code or employee conduct expectations and such individual will be subject to sanctions in addition to any appropriate sanction or remedy assessed under this Title IX policy. Charging an individual with a code of conduct violation not involving sexual harassment that arises out of the same facts or circumstances contained in a report of sexual harassment, for the purpose of interfering with a right or privilege protected by Title IX, is retaliation. Notwithstanding, enforcing disciplinary student code of conduct violations or applicable policies in the Employee Manual against a party or witness who makes a materially false statement, in bad faith, during a Title IX grievance process is not retaliation.
2. **Amnesty** is provided to student Complainants and witnesses for other related student code of conduct violations occurring as a part of the factual circumstances surrounding or derived from the alleged unwanted conduct of a sexual nature described in the complaint. The purpose of this privilege is to remove barriers to the reporting of incidents of sexual harassment.
3. **Privacy** of the Complainant, Respondent, and witnesses will be protected as best as is possible considering the nature of the complaint and the university's need to conduct a full and complete investigation and determine the matter. FERPA applies to proceedings, reports, investigations, and all communications related to the processing of a Title IX complaint.
4. **Reporting** a potential violation of Title IX occurs when an allegation of sexual harassment is communicated to the Title IX Coordinator or another employee with the authority to redress instances of sexual harassment (Officials with Authority). Simply reporting the potential violation is not a formal (official) complaint. A formal complaint is a document or electronic submission with a physical or digital signature of the Complainant.

- a. **Confidential Reporting:** A Complainant may also wish to discuss the circumstances confidentially. The following employees are sources for confidential reporting of allegations:
 - i. Sheldon Adkins, OC Counselor (405) 425-5250
 - ii. Brenda Gunter, OC Counselor (405) 425-5250
 - iii. Counselors or counseling interns working under the supervision of Sheldon Adkins or Brenda Gunter in the OC Counseling Center,
 - iv. Faculty and therapists operating in a clinical capacity for the university's Human Sciences Therapy Clinic.
 - v. Scott Young, Campus Minister (405) 425-5919

- b. **Criminal Conduct:** A Complainant should immediately report any potential instance of criminal sexual assault or sexual harassment to the **Oklahoma Christian University Police Department (405) 425-5500**, or the Oklahoma City Police Department by dialing 911. It is important that the Complainant take immediate steps to preserve potential evidence. Reporting to the police does not commit a victim to proceed with prosecution, but will allow the gathering of information and evidence, which can preserve future options regarding criminal prosecution, member university conduct/grievance actions, and/or civil actions against the perpetrator. Criminal sexual assault and sexual harassment include:
 - i. Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - ii. Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age and/or because of his/her temporary or permanent mental incapacity.
 - iii. Incest: Non forcible sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.
 - iv. Statutory Rape: Non forcible sexual intercourse with a person who is under the statutory age of consent.
 - v. Stalking: ongoing conduct that could cause a reasonable person to fear for the safety of themselves or others, or suffer emotional distress (e.g., following, monitoring, threatening, communicating to or about the victim, or interfering with a victim's property)
 - vi. Intimidation: words or conduct that place the victim in reasonable fear of bodily harm (does not include use of a weapon)
 - vii. Dating Violence: threats or actual sexual or physical abuse in a dating relationship
 - viii. Domestic Violence: crime of violence committed by former spouse, cohabiting partner, or someone with whom you share a child

- ix. Sexual Assault: rape (oral, anal or vaginal), fondling, incest, or statutory rape
 - x. Certain Hate Crimes involving the sexual harassment listed above when motivated by a perpetrator's bias against the victim based on the victim's race, gender, gender identity, sexual orientation, ethnicity, national origin, or disability.
- c. OC employees must immediately report concerns regarding suspected or known sexual harassment by an OC student or employee towards an OC student or employee to the Title IX Coordinator. **Mandatory reporters** are officials with the authority to implement corrective measures and include the:
- i. Title IX Coordinator
 - ii. President
 - iii. Provost
 - iv. Vice Presidents
 - v. Senior Executives
 - vi. Senior Academic Leadership
 - vii. Director of Residence Life
 - viii. Athletic Director
- d. Individuals who have experienced or are experiencing sexual harassment have the right to file a grievance with the OC Title IX Coordinator and/or the US Department of Education's Office for Civil Rights:

Oklahoma Christian University
Ms. Tamie Willis
Title IX Coordinator
PO Box 11000
Oklahoma City, OK 73136-1100
Phone: (405) 425-6463
Email: titleIX@oc.edu

Office for Civil Rights (OCR)
U.S Department of Education
One Petticoat Lane
1010 Walnut Street, Suite 320
Kansas City, MO 64106
Phone: (816) 268-0559
Fax: (816) 268-0559
Email: OCR.KansasCity@ed.gov
Web: <http://www.ed.gov/ocr>

VII. Nondiscrimination Policy

Oklahoma Christian University does not unlawfully discriminate on the basis of sex and prohibits unlawful discrimination based on sex, in any education program or activity that

it operates, as required by Title IX, including admission and employment. Notwithstanding, Oklahoma Christian University reserves all rights to the fullest extent allowed by the Constitution of the United States of America, Amendment I, and any statutory or regulatory exemption from such nondiscrimination laws, based upon the University's sincerely held religious beliefs.

[end of policy]