

# Respect for Authority (CODE OF CONDUCT)

Central Christian College of the Bible exists to develop servant-leaders for the church. As a traditional undergraduate Bible college, Central Christian College of the Bible equips men and women for national and international leadership in the Kingdom of God (See 1.1-2). The purpose of Central's Student Conduct Code is to cultivate leadership development and to maintain a campus environment conducive to learning, spiritual growth, and academic excellence. The community life standards listed in the Student Handbook support the mission of the College to develop servant-leaders for the church. When rules are violated, appropriate intervention seeks to restore personal and group alignment with expectations, to produce personal growth, and to restore the highest level of the campus community.

## Heritage & Authority

The college seeks to foster the practice of responsible Christian freedom. This freedom requires thoughtful, biblically guided choices in everyday matters of behavior and interpersonal relationships. We recognize that varying standards, mixed with different backgrounds and cultures, lead to diverse expressions of that freedom. In an attempt to place other's needs before our own, the following community guidelines have been adopted out of respect and courtesy. All students, including off-campus and married students, are to follow these guidelines.

**Respectful Behavior.** All students are expected to be respectful of authority, officials of the college, individuals in the community (both on and off campus); instances of disrespect will be dealt with through the discipline process. This includes classroom decorum in addressing fellow students and faculty.

## Code of Conduct

Central is a Bible college with the specific mission of training up servant leaders for the Lord's church. In doing so, the focus of the college's programs and community requires that we hold students to a higher standard than other colleges and universities. These standards include rules that govern lifestyle and style choices that may be foreign to some of our students. We promote sobriety (both from drugs and alcohol), purity (outside of marriage), and substance-free living. These rules apply to all students, regardless of age, part-time or full-time status, residential, online, commuter students, and graduate students.

## Student Code Authority

1. The Vice President of Student Development shall determine the composition of Student Conduct Boards and Appellate Boards and determine which Student Conduct Board, Student Conduct Administrator, and Appellate Board shall be authorized to hear each matter.
  2. The Vice President of Student Development shall develop policies for the administration of the student conduct system and procedural rules for the conduct of Student Conduct Board Hearings that are not inconsistent with the provisions of the Student Code.
  3. Decisions made by the Student Conduct Board and/or Student Conduct Administrator shall be final, pending the normal appeal process.
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1. **General Premises and Chain of Command.** Residence Assistants have the authority to report and correct minor infractions in the campus community. Residence Directors have the authority to report, correct, and discipline a variety of infractions that pertain to residence life. The Dean of Students investigates and adjudicates infractions and/or violations of the student code at any level, and may seek to include the Director of Student Services or other Executive Team members to determine discipline.

RAs report to RDs. RDs report to the Dean of Student Conduct. Dean of Student Conduct reports to the Vice President of Student Development. The Vice President of Student Development reports to the Executive Team (including the President and the Board).

The CCL Center in Florence Kentucky currently houses the Elliot Library, The Russell School of Ministry, The Church Leadership Network and the extension site for CCCB's undergraduate and graduate programs. The Academic Dean and Site Director, should both be considered student authorities who can guide student expectations and hold students to the standards set forth in this handbook.

## Proscribed Conduct

Any student found to have committed or to have attempted to commit the following misconduct is subject to disciplinary sanctions. The list of misconduct includes, but is not limited to, the following:

- **Abuse of Student Conduct Code.** The abuse of the Student Conduct Code, including, but not limited to: failure to obey the notice from College officials to appear for a meeting or hearing as part of discipline process; falsification, distortion, or misrepresentation of information before a College official; disruption or interference with the orderly conduct of discipline proceedings; attempting to discourage an individual's proper participation in, or use of, the student conduct process; attempting to influence the impartiality of a member of the student conduct team before, during or proceeding the process; harassment (written, verbal, and/or physical) and/or intimidation of a member of the discipline process; failure to comply with the sanction(s) imposed under the discipline process; influencing or attempting to influence another person to commit an abuse of the student conduct code system and process.
- **Abuse of person(s).** Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the health or safety of any person. This includes all instances in person or using the technology of any kind, including social media (specific acts are outlined in the Gender-based Misconduct policy as Title IX violations).
- **Acts of Dishonesty.** Cheating, plagiarism, or other forms of academic dishonesty; furnishing false information to any College official, faculty member, or office; forgery, alteration, or misuse of any College document, record, or instrument of identification.
- **Alcohol.** Use, possession, manufacturing, or distribution of alcoholic beverages, or intoxication. (Any age)
- **Computer, Media and Network Misuse.** Theft or other abuse of computer facilities and resources, including but not limited to: unauthorized entry to a file, to use, read, or change the contents, or for any other purpose; unauthorized transfer of a file; use of another individual's identification and/or password; Attempting to circumvent the restrictions associated with your computer account. Attempting to access files for which you do not have authorization or attempting to monitor others' network traffic without authorization. Copying files or data belonging to the college without authorization. Use of computing facilities and resources to interfere with the work of another student, faculty member, or college official; use of computing facilities and resources to send obscene or abusive messages; computing facilities and resources to interfere with the regular operation of the college computing system; use of computing facilities and resources in violation of copyright laws, and or College Computer Use Policy. Other offenses include, but are not limited to, using the network to harass others, the use of anonymous or forged email, spam, and other unsolicited messages; port scanning of systems (campus or Internet) is prohibited and considered harassment. **Posting vulgar, profane, libelous, false, or malicious statements on social media, in discussion groups, or other online forums.**
- **Disorderly Conduct.** Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on the College premises or at functions sponsored by, or participated in by members of the academic community; disorderly conduct includes but is not limited to: any unauthorized use of electronic or other devices to make an audio or video record of any person while on College premises without his/her prior knowledge, or with his/her effective consent when such recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, dorm room, or restroom.
- **Disruption of Procedures.** Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other College activities, including its public service functions on or off-campus, or of other authorized non-College activities when the conduct occurs on College premises.
- **Drugs.** Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, prescription drugs, or other controlled substances. This includes vaping CBD oil. Regardless of the state and federal regulations regarding the use of marijuana, any and all use is prohibited while a student at CCCB (on or off campus).
- **Failure to Comply.** A student's failure to comply with the direction of College officials or law enforcement officers acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- **Federal, State, or Local Law.** Violating any public law.

- **Good Citizenship and Social Conduct.** Students are required to engage in responsible social conduct that reflects credit upon the college community and to model good citizenship in any community.
- **Hazing.** As Defined by the Missouri Hazing Law (Section 578.360), any activity which recklessly endangers the mental or physical health or safety of a student for initiation or admission into or continued membership in any organization or group, to the extent that such person is knowingly placed at probable risk of the loss of life or probable bodily or psychological harm. Acts of hazing include but are not limited to: physical brutality, whipping, beating, branding, exposure to the elements, forced drinking or consumption of any food, liquor, drug, or any other substance or forced smoking or chewing of tobacco products; or any activity which recklessly endangers the mental health of the student, including but not limited to: sleep deprivation, physical confinement, or other extreme stress-inducing activity; or any activity which requires the student to perform a duty or task which is a violation of the criminal laws of this state; a student's apathy or acquiescence in the presence of hazing is not considered by the college as a neutral act. Hazing is a class A misdemeanor unless the act creates a substantial risk of life, in which case it is a class C felony. Consent is not a defense to hazing. (Missouri Hazing Law, Section 578.365).
- **Misuse of Keys and/or Keycards.** Any unauthorized possession, duplication or use of keys or keycards to any College premises or unauthorized entry to or use on the campus. Lending your key or keycard is not permitted. Allowing your keys or keycard to be used by others is a punishable disciplinary offense.
- **Obstruction.** Obstruction of the free flow of pedestrian or vehicular traffic on campus or at college-sponsored or supervised functions (i.e., roadblocks).
- **Riots or Demonstrations.** Participating in an on-campus or off-campus protest, riot or activity that disrupts the normal operations of the college and/or infringes on the rights of other members of the college community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or on the property.
- **Sexual Misconduct.** Sexual intercourse, no matter how slight the penetration or contact, with any object, involving vaginal or anal penetration, and oral copulation (mouth to genital contact or genital to mouth contact); video or audio taping of self or others involving nudity, sexually suggestive activity, or sexual activity; intentional sexual touching, no matter how slight, with any object, with/of/by breasts, buttocks, groin, genitals, mouth or other orifices; any communication of a sexual nature (written or spoken); influencing or attempting to influence another person to commit sexual misconduct; possession, use, manufacture, or distribution of pornography; acts outlined in the Gender-based Misconduct policy of Title IX).

**IF YOU BELIEVE THAT YOU HAVE EXPERIENCED AND/OR WITNESSED SEXUAL HARASSMENT, NON-CONSENSUAL SEXUAL CONTACT (OR ATTEMPTS TO COMMIT THE SAME), NON-CONSENSUAL SEXUAL INTERCOURSE (OR ATTEMPTS TO COMMIT THE SAME), OR SEXUAL EXPLOITATION – PLEASE REPORT IT IMMEDIATELY TO COLLEGE PERSONNEL, SPECIFICALLY, LOCAL CAMPUS AUTHORITIES, DEAN OF STUDENTS, THE VICE PRESIDENT OF STUDENT DEVELOPMENT OR ONE OF THE TITLE IX COORDINATORS.**

- **Theft.** Attempted or actual theft of and/or damage to property of the College or property of a member of the Campus Community or other personal or public property, on or off-campus.
- **Tobacco.** Any form of tobacco is prohibited. Vaping and e-cigarettes are not permitted.
- **Weapons.** Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals is prohibited on campus; use of any weapon to threaten, harm, or to cause fear. Pocket knives must be no longer than the bottom of palm to tips of fingers (opened); knives must have locking blades (no blade, switchblade, straight razor, or bowie style knives are allowed). Creating weapons or using other objects as a weapon is not allowed.

## Violation of Law and College Discipline

College disciplinary proceedings may be enacted against a student charged with conduct that potentially violates both the criminal law and the Student Code of Conduct (that is, if both possible violations result from the same factual situation). This action may be independent of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under the Code of Conduct may be carried out before, simultaneously with, or following civil or criminal proceedings off-campus at the discretion of the Vice President of Student Development. Determinations made or sanctions imposed under the Code of Conduct shall not be subject to change because criminal charges arising out of the same facts giving rise to a violation of the College rules were dismissed, reduced, or resolved in favor or against the criminal law defendant.

When a student is charged by federal, state, or local authorities with a violation of the law, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also being processed under the Student Code, the College may advise off-campus authorities of the existence of the Student Code and of how such matters are typically handled within the College community. The College will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions). Individual students and other members of the College community, acting in their capacities, remain free to interact with governmental representatives as they deem appropriate.

Students coming to the college with previous arrest records and/or probationary restrictions are required to report this on their application and directly to Student Development. Such circumstances do not automatically prevent students from attending college. Student confidentiality will be maintained in accordance with the law.

## Student Conduct Code Discipline Procedures -- RESTORATIVE DISCIPLINE PROCESS

**Purpose and goal of discipline.** The purpose of Central's Student Conduct Code is to cultivate leadership development and to maintain a campus environment conducive to learning, spiritual growth, and academic excellence. The community life standards listed in the Student Handbook support the mission of the College to develop servant-leaders for the church. When standards are violated, appropriate intervention seeks to restore personal and group alignment with expectations, to produce personal growth, and to restore the highest level of the campus community.

The goal of discipline is Biblically defined as "the peaceful fruit of righteousness" (Hebrews 12:11 NASB). Such fruit includes: holy behavior, responsibility, self-control, blamelessness, maturity, orderliness, respect, mutual submission, harmony, love, and unity. In short, our discipline policy is intended to be restorative in nature. The core of every disciplinary action is restoration with the understanding that we must also protect our community.

**Discipline process.** Any member of the college community may file charges against a student for violations of the Code of Conduct. Reports of violations can be received through various mediums (word of mouth, email, texts, Google doc intervention form, etc.) and should be directed to local campus authorities, Dean of Students, or the Vice President of Student Development. Any charge should be submitted as soon as possible after the event takes place.

Every effort should be made to preserve documentation of the charges, including text messages, photos (including screenshots), video recordings, or any other evidence that might be used in the disciplinary process and subsequent investigation(s). All evidence should be presented along with the official report to the office of the Dean of Students in a timely fashion.

The Dean of Students may need to investigate to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Vice President of Student Development. Such disposition shall be final, and there shall be no subsequent proceedings. For all discipline issues, (including Title IX violations/investigations) the Dean of Students will work with an **INVESTIGATIVE TEAM** comprised of school personnel to aid him in his efforts.

### **General Discipline Process:**

When a report is received, the Dean of Student Conduct, with appropriate assistance from the Investigative Team, may, when necessary, investigate allegations to determine if charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved.

All charges and subsequent sanctions, along with an explanation of the discipline, will be presented to the Accused Student in written form.

**\*If the student accepts the decision and any subsequent consequences as determined by the Dean of Students, then the matter is considered concluded.**

**\*If the charges are not admitted and/or cannot be disposed of by mutual consent,** the Dean of Students and the Investigative Team may conduct a more thorough investigation of the allegations. This investigation will include interviews with those accused, complainant, witnesses, and any other documentation or evidence pertaining to the allegations. Upon review of the evidence gathered from the investigation, the Dean of Students will issue an official determination of guilt or innocence, along with appropriate sanctions. With the support of the Investigative Team and the approval of the Vice President of Student Development, the Dean of Students will issue the determination and sanctions to the student in writing.

**\*If the student does not accept the decision** issued by the Dean of Students, they must submit, in writing, a letter of appeal to the Vice President of Student Development within five (5) calendar days. The Vice President will determine a date and time for the Student Conduct Board to meet and will communicate all dates and times to the complainants and accused. A hearing will take place at the appointed time and place. The Student Conduct Board will then vote whether or not to uphold the decision of the Dean of Students (majority vote would require three of the five members). All decisions made by the Student Conduct Board are final and will be communicated in writing.

**\*If the student(s) admits to or accepts responsibility for violating institutional rules but disagrees with the imposed sanctions or the discipline process,** they may request a Student Conduct Board Hearing by written appeal to the Vice President of Student Development. This request must be received within five (5) calendar days of the last decision notice. The Vice President of Student Development sets the scheduling of the Student Conduct Board Hearing. This hearing would serve to determine whether or not the sanctions were appropriate and/or that the discipline process was followed.

**Appeals.** A decision reached by the Dean of Students and/or the Student Conduct Board or any sanction imposed by said Dean of Students or the Vice President of Student Development may be appealed by the Accused Student(s) or Complainant(s) within five (5) calendar days of the decision. Such appeals shall be in writing and shall be delivered to the Vice President of Student Development or his or her designee.

The Student Conduct Board will hear testimony and review supporting documents for one or more of the following purposes:

1. To determine whether the Dean of Students and the Investigative Team conducted fair proceedings and sanctions in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present information that the Student Code was violated, and giving the Accused Student Code a reasonable

opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.

2. To determine whether the decision reached regarding the Accused Student was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the Student Code occurred.
3. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code, which the student was found to have committed.
4. To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the initial Student Conduct Board Hearing.

If an appeal is upheld by the Student Conduct Board, the matter shall be returned to the Dean of Students to allow reconsideration of the initial determination and/or sanction(s). If an appeal is not upheld, the matter shall be considered final and binding upon all involved. Appeals are either upheld or not upheld by a minimum 3/5 majority vote. Only members of the Student Conduct Board may be present during this vote. Decisions will be delivered to all parties via the Vice President of Student Development. In most cases the decision will be reported in the same day, but may take as many as five (5) calendar days after the vote.

Any question of interpretation or application of the Student Code shall be referred to the Vice President of Student Development or his or her designee for final determination. The Student Code shall be reviewed at least every three years under the direction of the Vice President of Student Development or his or her designee.

**Student Conduct Board and Hearing Procedures.**

The Student Conduct Board is selected by the Vice President of Student Development and is comprised of no more or no less than five people. This Board will be comprised of one student (preferably a member of Student Council), one faculty member, one staff member, one person who deals with campus mental health services, and the Vice President of Student Development. This Board Hearing will be conducted according to the following guidelines:

- Student Conduct Board Hearings typically shall be conducted in private.
- The Complainant, Accused Student and their advisors, if any, shall be allowed to attend the entire portion of the Student Conduct Board Hearing at which information is received (excluding deliberations and final vote and decisions). Admission of any other person to the Student Conduct Board Hearing shall be at the discretion of the Student Conduct Board.
- In Student Conduct Board Hearings involving more than one Accused Student, the Student Conduct Administrator, in his or her discretion, may permit the Student Conduct Board Hearings concerning each student to be conducted either separately or jointly.
- The Complainant and the Accused Student have the right to be assisted by an advisor they choose, at their own expense. The Complainant and/or the Accused Student are responsible for presenting his or her pertinent information. **Per the new standards implemented by the DOE in 2020, advisors may address the Student Conduct Board Hearing.** A student should select as an advisor, a person whose schedule allows attendance at the scheduled date and time for the Student Conduct Board Hearing because delays will not usually be allowed due to the scheduling conflicts of an advisor.
- The Complainant, the Accused Student, and the Student Conduct Board may arrange for witnesses to present pertinent information to the Student Conduct Board. The College will try to arrange the attendance of possible witnesses who are members of the College community, if reasonably possible, and who are identified by the Complainant and/or Accused Student at least two (2) calendar days before the Student Conduct Board Hearing.
- Witnesses will provide information to and answer questions from the Student Conduct Board. Questions may be suggested by the Accused Student and/or Complainant to then be answered by each other or by other

witnesses. Questioning will be conducted by the Student Conduct Board, with such questions directed to the Vice President of Student Development, rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid the creation of an adversarial environment. Questions of whether potential information will be received shall be resolved at the discretion of the Vice President of Student Development

- Pertinent records, exhibits, and written statements (including Student Impact Statements and other official documents) may be accepted as information for consideration by a Student Conduct Board at the discretion of the Vice President of Student Development.
- All procedural questions are subject to the final decision of the Vice President of Student Development with input or comment from the Student Conduct Board members.
- After the portion of the Student Conduct Board Hearing concludes in which all pertinent information has been received, the Student Conduct Board shall meet alone (without outside participants, including complainants and accused and their advisors). At that time, the Student Conduct Board will determine (by majority 3/5 vote) whether the Accused Student has violated each section of the Student Code which the student is charged with violating, and if the process used, and the sanctions issued by the Investigative Team was justified.

Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Code proceedings. The goal is to provide both the accused and the victim access to due process, the ability to state their cases and to provide defense. However, these proceedings do not carry the same weight or responsibilities of a court of law and should not be treated as such.

*Judgments are made within the "clear and convincing" description as given in the DOE Title IX guidelines.*

There shall be a single verbatim record, such as a tape recording, of all Student Conduct Board Hearings before a Student Conduct Board (not including deliberations). Deliberations shall not be recorded by anyone other than the Student Conduct Board. **The record shall be the property of the College and will be protected under FERPA and confidentiality guidelines.**

If an Accused Student, with notice, does not appear before a Student Conduct Board Hearing, the information in support of the charges shall be presented and considered even if the Accused Student is not present.

The Student Conduct Board may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Complainant, Accused Student, and/or another witness during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed-circuit television, video conferencing, videotape, audiotape, written statement, or other means, were determined in the sole judgment of the Vice President of Student Development to be appropriate.

The Vice President of Student Development is informed if there is a major violation which could include suspension or expulsion or if there is a possible Title IX violation. The Vice President of Student Development gives final approval for all recommendations for discipline made by the Dean of Student Conduct & Investigative Team. All students are given instructions regarding the appeals process, which will be handled directly by the Vice President of Student Development.

### **Self-Reporting.**

Students who self-report violations are expedited through the discipline process; depending on the type of violation, a plan will be put into place by the Dean of Students (or the Vice President of Student Development) to assist the student in being restored to the community. Student Development is committed to treating each student with respect and dignity. Every effort is made to be clear and consistent with all consequences or discipline. However, discipline will be decided on a case by case basis as not all consequences are effective in every situation, for every student. *This policy has been reviewed and approved for the 2021-2022 Student Handbook on 6/10/2020.*

**Sanctions.** The Dean of Students is charged with the responsibility of deciding what sanctions would be appropriate to restore the student into good standing with the community. Possible sanctions include but are not limited to the following:

- **College Expulsion** - Permanent separation of the student from the College.
- **College Suspension** - Separation of the student from the College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- **Discretionary Sanctions** - Work assignments, essays, service to the College, or other related discretionary tasks may be given to the offending student.
- **Fines** - Previously established and published fines may be imposed.
- **Loss of Privileges** - Denial of specified privileges (ex: leading chapel, athletics participation, campus job, et. al.) for a designated period of time.
- **Mentor oversight** - Many times, connecting a student with other college personnel can be a positive move in the discipline process.
- **Probation** - A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period.
- **Restitution** - Compensation for loss, damage, or injury. Restitution may take the form of appropriate service and/or monetary or material replacement.
- **Revocation of Admission and/or Degree** - Admission to or a degree awarded from the College may be revoked for fraud, misrepresentation, or other violation of College standards in obtaining the degree, or for other serious violations committed by a student before graduation.
- **Warning** - A notice in writing to the student that the student is violating or has violated institutional regulations.
- **Withholding Degree** - The College may withhold awarding a degree otherwise earned until the completion of the process outlined in this Student Conduct Code, including the completion of all sanctions imposed, if any.

This list is not comprehensive. Consequences are designed to create an opportunity for the offender to be restored to community. More than one of the sanctions listed above may be imposed for any single violation.

**Interim Suspension.** Interim suspension may be imposed only: (a) to ensure the safety and well-being of members of the College community or preservation of College property; (b) to ensure the student's own physical or emotional safety and welfare; or (c) if the student poses an ongoing threat of disruption of, or interference with, the normal operation of the College.

During the interim suspension, a student shall be denied access to college facilities (including classes) and/or all other College activities or privileges for which the student might otherwise be eligible, as the Vice President of Student Development may determine to be appropriate.

The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a Student Conduct Board Hearing, if required.

**Student Records.** Other than College expulsion or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become a part of the student's disciplinary record. Upon graduation, the student's disciplinary record may be expunged of disciplinary actions other than residence hall expulsion, college suspension, College expulsion, revocation or withholding of a degree, or those included in the College's annual Disclosure of Campus Crime and Fire Safety Statistics upon application to the Student Conduct Administrator. Cases involving the imposition of sanctions other than residence hall expulsion, College suspension, College expulsion, or revocation or withholding of a degree shall be expunged from the student's confidential record seven years after final disposition of the case. In situations involving both an Accused Student(s) (or group or organization) and a student(s) claiming to be the victim of another student's conduct, the records of the process and the sanctions imposed, if any, shall be considered to be the education records of both the Accused Student(s) and the student(s) claiming to be the victim because the educational career and chances of success in the academic community of each may be impacted.

All sanctions will be written up in a formal letter to the student. Students may be offered a copy to sign, stating that they have received the letter (not necessarily to agree with the sanctions imposed). The signed copy is placed in Student Development's file (which is not combined with any other departmental file), and a copy is given to the student for their records.

## Specific Policies Regarding Alcohol, Drugs, and Tobacco

**Alcohol Policy.** Central students, regardless of age, agree that they will **NOT** drink alcoholic beverages. The unlawful manufacture, distribution, dispensation, possession, or use of alcohol by Central Christian College of the Bible's students is prohibited.

**Drug Policy.** Central is committed to a drug-free environment. The use, distribution, or possession of illegal drugs by Central's students is strictly prohibited. Because of the detrimental effects that illicit drug use has on our physical, mental, and spiritual health, it is the policy that no student or staff member will be allowed to use illegal drugs on- or off-campus. The unlawful possession, use, or distribution of illicit drugs or alcohol by students or employees on or off the school property is prohibited and can be considered criminal.

If it is determined that such use or distribution has occurred, or is occurring, the student will be dismissed and urged, if necessary, to find a counselor or treatment center through the American Association of Christian Counselors (<http://www.aacc.net/references/treatment-centers/>).

In addition, local, state, and federal laws also prohibit the unlawful possession, use, distribution, and sale of alcohol and illicit drugs. Criminal penalties for violation of such laws range from fines up to \$20,000 to imprisonment for terms up to and including life.

If, at a later time, the person wishes again to become a student at Central Christian College, an investigation will be conducted by the Vice President of Student Development to determine if any drug problem still exists. If there is sufficient evidence that the student no longer is using illegal substances, he or she may, if all other requirements are met, re-enter the school. However, the student will be on disciplinary probation for the first semester of study following re-entry and may be required to pass a drug test.



Additionally, non-prescription (recreational) drugs will not be permitted. Prescription drugs must be taken per the advice of a doctor and should only be legally obtained, and used by the person whose name appears on the prescription. Do not share your medications with others and take only as prescribed.

**Tobacco Policy.** All Central facilities are smoke-free. Students are prohibited from using tobacco in any form, on or off-campus. Vaping or E-cigarettes, nicotine gum and patches are all prohibited without the expressed permission of the Vice President of Student Development.

**Athletics Drug Policy.** Student athletes are held to a higher standard, thus they must follow the guidelines given in the Athletic Handbook. These rules and regulations are in accordance with the NCAA and NAIA guidelines, as part of the NCCAA and MCCC. Random drug testing will be given each semester.

Student-athletes may be sent for drug testing whenever a coach or member of the disciplinary team requires it. A comprehensive list of banned substances is also found in the Athletic Handbook.

**Parent Notification.** Central retains the right to notify parents or legal guardians of any student under twenty-one years of age who has committed a disciplinary violation governing the use or possession of alcohol or a controlled substance. Any student whose past experiences with substance usage are a strong temptation to participate is urged to pursue accountability through the Dean of Student Conduct.

**Prevention.** Central Christian College of the Bible's Drug and Alcohol Prevention Program is comprised of the following components. The program consists of the distribution of policies of the College and is given to each student each year during registration through the distribution of the Student Handbook. Included in the handbook are the College's expectations of its students and staff to maintain a drug and alcohol-free environment and the consequences if a violation occurs. An informational piece, "Winning the

Battle Against Drugs" (published by the Missouri State Highway Patrol's Public Information and Educational Division), is made available to the students and staff each year during the registration period at the beginning of each semester. This piece provides information on preventing drug and alcohol abuse and the associated health risks and is available at <http://www.mshp.dps.missouri.gov/MSHPWeb/Publications/Brochures/documents/SHP-553.pdf>

Students who struggle with drug, alcohol, and tobacco use are encouraged to speak with their RA and/or RD, or with the Director of Student Services, one of the Deans, or the Vice President of Student Development for advice and options for assistance. We encourage our students to be proactive in setting up an appropriate support structure to prevent relapses.

## Gender-based Misconduct (Title IX)

Members of the college community, guests, and visitors have the right to be free from sexual violence. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others, conforms to Biblical purity, and expresses godly love that does no wrong to others.

**Central Christian College of the Bible believes in a zero-tolerance policy for gender-based misconduct.** When an allegation of misconduct is brought to an appropriate administration's attention, and a respondent is found to have violated this policy, serious sanctions will be used to ensure that such actions are never repeated reasonably. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and to establish a mechanism for determining when those expectations have been violated.

This policy uses as a guide and template Sokolow, B. A. (J.D), Lewis, S. W. (J.D.), & Schuster, S. K. (J.D.). (2011). *NCHERM model Title IX compliance policy, grievance process, and civil rights investigation protocol* with yearly updates to comply with federal regulations through the DOE and other authorities.

**THE DESCRIPTIONS AND CONDITIONS BELOW ARE IN ACCORDANCE WITH THE DEPARTMENT OF EDUCATION AND REGULATIONS REGARDING TITLE IX. CCCB'S STUDENTS ARE HELD TO A MUCH HIGHER STANDARD. OUR RULES AND REGULATIONS DO NOT PERMIT SEXUAL ACTIVITY IN ANY FORM OUTSIDE OF**

**MARRIAGE BETWEEN ONE MAN AND ONE WOMAN. WITH THIS IN MIND, STUDENTS MAY BE FOUND INNOCENT OF TITLE IX CHARGES, BUT STILL FACE CONSEQUENCES FOR VIOLATING CENTRAL'S POLICIES AS FOUND IN THE CODE OF CONDUCT IN THE STUDENT HANDBOOK. ADDED 6/5/2020**

**Overview of Policy Expectations with respect to PHYSICAL SEXUAL MISCONDUCT.** Central students are expected to conduct themselves with sexual purity and guard against even the appearance of sexual impropriety. The Word of God is clear: "among you, there must not be even a hint of sexual immorality ... because these are improper for God's holy people" (Ephesians 5:3, NIV). Therefore students are expected to abstain from sexual intimacy between people who are not legally married (as defined in the State of Missouri) to each other. More information about Central's expectation of sexual purity may be found in the Student Handbook.

*Title IX of the Education Amendment of 1972* prohibits discrimination on the basis of sex in educational programs or activities operated by recipients of Federal financial aid. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. 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 any intellectual or other disability. The National Institute of Justice found that about 1 in 5 women and 6.1 percent of males are victims of completed or attempted sexual assault in college.

Sexual harassment and sexual violence are unacceptable – especially among a campus community of spiritually-minded students seeking to become equipped for vocational church leadership and volunteer Christian ministry. In cases of sexual harassment and sexual violence, the college endorses the obligations mandated by the Department of Education to prevent and respond to sexual harassment and sexual violence.

Title IX requires the college to provide a notice of nondiscrimination, notice of the college's Title IX coordinator, and notice of grievance procedures. These are found in this document (Gender-Based Misconduct Policy).

The expectations of our community regarding sexual harassment and sexual violence can be summarized as follows: In order for individuals to engage in sexual activity of any type with each other, there must be clear knowing and voluntary consent prior to and during sexual activity. Consent is sexual permission. Consent can be given by word or action, but non-verbal consent is not as explicit as talking about what you want sexually and what you don't. Consent to some form of sexual activity cannot be automatically taken as consent to any other kind of sexual activity. Silence – without actions demonstrating permission – cannot be assumed to show consent or approval.

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means

"No," and "Yes" may not always mean "Yes." Anything but a clear, knowing, and voluntary consent to any sexual activity is equivalent to a "no."

**Overview of Policy Expectations with respect to CONSENSUAL RELATIONSHIPS.** There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as teacher and student, supervisor, and employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and previously welcome conduct may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable sections of the faculty/staff handbooks. The college does not wish to interfere with

individual choices regarding personal relationships when these relationships do not interfere with the goals and policies of the college. For the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student, administrator-student) are generally discouraged.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor, and will likely result in the necessity to remove the employee from the supervisory or evaluative responsibilities or shift the student out of being supervised or evaluated by someone with whom they have established a consensual relationship. This includes RA's and students over whom they have direct responsibility. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee.

**Sexual Violence – Risk Reduction.** The following tips are presented with the following caveat. The college expects all students to adhere to the limits of sexual conduct and alcohol and drug policy established in the Student Handbook and Student Code. The choice to exceed the college's limits of sexual conduct and use of alcohol or drugs never makes the victim at fault for sexual violence.

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame, and with the recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless help you to reduce your risk of experiencing a non-consensual sexual act. Below, suggestions to avoid committing a non-consensual sexual act are also offered.

- Make your limits known as early as possible.
- Tell a sexual aggressor “NO” clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

If you find yourself in a position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk of being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to relate their intentions to you clearly.
- Understand and respect personal boundaries.
- **DON'T MAKE ASSUMPTIONS** about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity, then you **DO NOT** have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual

tension, and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.

- Don't take advantage of someone's drunkenness or drugged state, even if they did it to themselves.
- Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don't abuse that power.
- Understand that consent to some form of sexual behavior does not automatically imply consent to any other form(s) of sexual behavior.
- Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

In campus hearings, legal terms like “guilt,” “innocence,” and “burdens of proof” are not applicable, but the college never assumes a student violates college policy. Campus investigations and student conduct hearings are conducted to take into account the totality of all evidence available, from all relevant sources. **The 2020 DOE regulations require that we provide “clear and convincing” evidence and that due process be followed throughout conduct investigations and conduct board hearings.**

The college reserves the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct to protect students' rights and personal safety. Such measures include, but are not limited to, modification of living arrangements, interim suspension from campus pending a hearing, and reporting the matter to the local police.

Not all forms of sexual misconduct will be deemed to be equally serious offenses, and the college reserves the right to impose different sanctions, ranging from a verbal warning to expulsion, depending upon the severity of the offense. The college will consider the concerns and rights of both the complainant and the person accused of sexual misconduct.

*Sexual Misconduct Offenses covered by this Policy include, but are not limited to:*

1. **SEXUAL HARASSMENT.** According to the DOE's 2020 definition, Sexual Harassment is: "*any unwelcome conduct that a reasonable person would find so severe, pervasive and objectively offensive that it denies a person equal educational access.*"
  - unwelcome, gender-based verbal or physical conduct that is,
  - sufficiently severe, pervasive and objectively offensive that it,
  - unreasonably interferes with, limits or deprives someone of the ability to participate in or benefit from the college's educational program and/or activities, and is
  - based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.

Examples include an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwelcome sexual attention; to punish a refusal to comply with a sexual-based request; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence, stalking; gender-based bullying.

2. **NON-CONSENSUAL SEXUAL CONTACT.** Non-Consensual Sexual Contact is:
  - any intentional sexual touching or making another touch you or themselves,
  - however slight,
  - with any object or body part,
  - by a man or a woman upon a man or a woman,
  - that is without consent and/or by force.

If you are unsure if you have experienced Non-Consensual Sexual Contact, you may find more information by contacting the Director of Student Services.

3. **NON-CONSENSUAL SEXUAL INTERCOURSE.** Non-Consensual Sexual Intercourse is:
  - any sexual intercourse
  - however slight,
  - with any object or body part,
  - by a man or woman upon a man or a woman,
  - that is without consent and/or by force.

If you are unsure if you have experienced Non-Consensual Sexual Intercourse, you may find more information by contacting the Director of Student Services.

4. **SEXUAL EXPLOITATION.** Sexual Exploitation occurs when a student takes a non-consensual or abusive sexual advantage of another for his/her advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.

Examples of sexual exploitation include, but are not limited to:

- invasion of sexual privacy;
- prostituting another student;
- non-consensual video or audio-taping of sexual activity;
- going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- engaging in voyeurism;
- knowingly transmitting an STI or HIV to another student;
- exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;
- sexually-based stalking and/or bullying may also be forms of sexual exploitation.

### **Additional Applicable Definitions.**

**CONSENT:** Clear, knowing, and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable explicit permission regarding willingness to engage in (and the conditions of) sexual activity.

- Consent to any one form of sexual activity cannot automatically imply consent to any other form of sexual activity.
- Previous relationships or prior consent cannot imply consent to future sexual acts.

**FORCE:** The use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion\* that overcome resistance or produce consent (“Have sex with me, or I’ll hit you.” “Okay, don’t hit me, I’ll do what you want.”).

- \*Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
- NOTE: There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not, by definition, forced.
- To give effective consent, one must be of legal age.
- Sexual activity with someone who one should know to be – or based on the circumstances should reasonably have known to be – mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), constitutes a violation of this policy.
  - Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction).
  - This policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org>.
- The use of alcohol or other drugs will never function as a defense for any behavior that violates this policy.

The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegations under this policy. For reference to the pertinent state statutes on sex offenses, please see the Director of Student Services.

### **Sanction Statement.**

- Any student found responsible for violating the policy on Non-Consensual or Forced Sexual Contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous campus code violations.\*
- Any student found responsible for violating the policy on Non-Consensual or Forced Sexual Intercourse will likely face a recommended sanction of suspension or expulsion.\*
- Any student found responsible for violating the policy on sexual exploitation, or sexual harassment will likely receive a recommended sanction ranging from a warning to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.\*

\*The conduct body (Dean of Student Conduct and/or Vice President of Student Development) reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Neither the initial hearing officers nor any appeals body or officer will deviate from the range of recommended sanctions unless compelling justification exists to do so.

### **Other Misconduct Offenses (That fall under TITLE IX whengender-based):**

1. Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person (also known as “sexual assault”);
2. Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities based on gender;
3. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
4. Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the college community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the hazing policy found in the Student Handbook);
5. Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally.
6. Violence between those in an intimate or dating relationship to each other (sometimes referred to as “domestic violence” or “dating violence”)
7. Stalking, defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the community; or the safety of any of the immediate family of members of the community.

**The 2020 DOE requirements state that reports of *sexual assault, dating violence, domestic violence, and stalking* do not need to meet the description of “severe, pervasive, and objectively offensive.”**

**Privacy and Reporting Policy.** Institutions must clearly articulate who are “responsible employees” under Title IX for purposes of initiating notice and/or investigation, and those who have more discretion on how they act in response to the notice of gender-based discrimination. Different people on campus have different reporting responsibilities and different abilities to maintain confidentiality, depending on their roles at the college and upon college policy. **According to the 2020 DOE Title IX update, the institution can designate certain college officials NOT to be mandated reporters. A list of these non-mandated reporters is provided to students through Student Development and listed alongside information about Title IX Coordinators. This list of non-mandated or “confidential” reporters includes the Director of Student Services, Mental Health professionals on campus, and anyone designated as a Campus Minister. This list can change upon approval of the Vice President of Student Development, and changes will be communicated and posted.**

When consulting campus resources, all parties should be aware of confidentiality, privacy, and mandatory reporting, to make informed choices. On the campus, some resources can offer you confidentiality, sharing options and advice without any obligation to tell anyone unless you want them to. Other resources are expressly there for you to report crimes and policy violations, and they will take action when you report your victimization to them. Most resources on campus fall in the middle of these two extremes. Neither the college nor the law requires them to divulge private information that is shared with them except in certain circumstances, some of which are described below. A victim may seek assistance from these college officials without starting a formal process that is beyond the victim’s control or violates her/his privacy.

**To report confidentially.** If one desires that details of the incident be kept confidential, they should feel free to speak with on- and off-campus mental health counselors, the Director of Student Services, health service providers, or rape crisis resources who can maintain confidentiality. Additionally, you may speak on- and off-campus with members of the clergy and chaplains, who will also keep reports made to them confidential. **If you are unsure of someone’s duties and ability to maintain your privacy, ask them before you talk to them.**

**Reporting to those who can maintain the privacy of what you share.** You can seek **advice** from certain resources that are not required to tell anyone else your private, personally identifiable information **unless there is cause for fear for your safety or the safety of others.** These are individuals who the college has not specifically designated as “responsible employees” for purposes of putting the institution on notice and for whom mandatory reporting is required, other than in the stated limited circumstances. These resources include those without supervisory responsibility or remedial authority to address sexual misconduct, such as RAs, faculty members, counseling interns, admissions officers, student activities personnel, and others. If you are unsure of someone’s duties and ability to maintain your privacy, ask them before you talk to them. **They will be able to tell you & help you make decisions about who can help you best.**

Some of these resources, such as RAs, are instructed to share incident reports with their supervisors. Still, they will not share any personally identifiable information about your report unless you give permission, except in the rare event

that the incident reveals a need to protect you or other members of the community. If a student's personally identifiable information is shared, it will only be shared as necessary with as few people as possible, and all efforts will be made to protect your privacy.

**Non-confidential reporting options.** You are encouraged to speak to officials of the institution to make formal reports of incidents (Title IX Coordinator(s), Residence Directors and Residence Assistants, Dean of Student Conduct, Vice President of Student Development, or other administrators, staff and faculty with supervisory responsibilities, including Human Resources). The college considers these people to be "responsible employees." Notice to them is official notice to the institution. You have the right and can expect to have incidents of sexual misconduct to be taken seriously by the institution when formally reported and to have those incidents investigated and properly resolved through administrative procedures. **Formal reporting means that only people who need to know will be told, and information will be shared only as necessary with investigators, witnesses, and the accused individual.**

**Federal statistical reporting obligations.** Certain campus officials have a duty to report sexual misconduct for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to campus administration regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the annual Campus Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety.

Mandated federal reports include but are not limited to directors, deans, department heads, faculty, staff, advisors to students and student organizations, residence hall directors, residence assistants, athletic coaches, and local law enforcement agencies. The information that they share includes the date, the location of the incident (using Clery Act location categories), and the Clery Act crime category. **EVERYONE ON CAMPUS MUST REPORT INCIDENTS, BUT NOT EVERYONE HAS TO GIVE THE NAME OF THOSE INVOLVED**

**(See the list of mandated reporters). This reporting protects the identity of the victim and may be done anonymously.**

**Timely Federal warning reporting obligations.** Victims of sexual misconduct should also be aware that college administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The college will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. The reporters for timely warning purposes are the same as detailed at the end of the above paragraph.

**Common Questions and Answers.** Commonly asked questions regarding the college's sexual misconduct policy and procedures:

***Does the information about a complaint remain private?***

The privacy of all parties to a complaint of sexual misconduct must be respected, except insofar as it interferes with the college's obligation to investigate allegations of sexual misconduct thoroughly. Where privacy is not strictly kept, it will still be tightly controlled on a need-to-know basis. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted. Violations of the privacy of the complainant or the accused student may lead to conduct action by the college.

In all complaints of sexual misconduct, all parties will be informed of the outcome. In some instances, the administration also may choose to make a brief public announcement of the nature of the violation and the action taken, without using the name or identifiable information of the alleged victim. Certain college administrators are informed of the outcome within the bounds of student privacy (e.g., the President of the college, the Title IX Coordinator(s), and Vice President of Student Development & Enrollment). If there is a report of an act of alleged sexual misconduct to a conduct officer of the college and there is evidence that a felony has occurred, local police may be notified. This does not mean charges will be automatically filed or that a victim must speak with the police, but the institution may be legally required to notify law enforcement authorities. The institution must statistically report the occurrence on campus of major violent crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

***Will my parents be told?***

No, not unless you tell them. Whether you are the complainant or the accused student, the college's primary relationship is to the student and not to the parent. However, in the event of major medical, disciplinary, or academic jeopardy, students are strongly encouraged to inform their parents. College officials will directly notify parents when requested to do so by a student, in a life-threatening situation, or if an accused student has signed the permission form at registration, which allows such communication.

***Will the accused student know my identity?***

Yes, if you file a formal complaint. Sexual misconduct is a serious offense, and the accused student has the right to know the identity of the complainant/alleged victim. If there is a hearing, the college does provide options for questioning without confrontation, Skype, or using a room divider.

***Do I have to name the perpetrator?***

Yes, if you want formal disciplinary action to be taken against the alleged perpetrator. No, if you choose to respond informally and do not file a formal complaint (but you should consult the complete confidentiality policy above to better understand the college's legal obligations depending on what information you share with different college officials). Victims should be aware that not identifying the perpetrator may limit the institution's ability to respond comprehensively.

***What do I do if I am accused of sexual misconduct?***

DO NOT contact the alleged victim. You may immediately want to contact someone in the campus community who can act as your advisor. You may also contact the Student Conduct Office, which can explain the college's procedures for addressing sexual misconduct complaints. You may also want to talk to a confidential counselor or seek other community assistance. See below regarding legal representation.

***Will I (as a victim) have to pay for counseling/or medical care?***

The college does not provide these services. When accessing community services, payment for these will be subject to state/local laws, insurance requirements, etc. For assistance in identifying and accessing community services, please see the Director of Student Services.

***What about legal advice?***

Victims of criminal sexual assault need not retain a private attorney to pursue prosecution because the District Attorney's office will handle representation. You may want to retain an attorney if you are the accused student or are considering filing a civil action. The accused student may retain counsel at their own expense if they determine that they need legal advice about criminal prosecution and/or the campus conduct proceeding.

***What about changing the residence hall rooms?***

If you want to move, you may request a room change. Room changes under these circumstances are considered emergencies. It is typically institutional policy that in emergency room changes, the student is moved to the first available suitable room. If you want the accused student to move, and believe that you have been the victim of sexual misconduct, you must be willing to pursue a formal or informal college complaint. No contact orders can be imposed, and room changes for the accused student can usually be arranged quickly.

Other accommodations available to you might include:

- Assistance from college support staff in completing the relocation;
- Arranging to dissolve a housing contract and pro-rating a refund;
- Assistance with or rescheduling an academic assignment (paper, exams, etc.);
- Taking an incomplete in a class;
- Assistance with transferring class sections;
- Temporary withdrawal;
- Assistance with alternative course completion options;
- Academic support services such as tutoring;
- Other accommodations for safety as necessary.



### ***What should I do about preserving evidence of a sexual assault?***

Police are in the best position to secure evidence of a crime. Physical evidence of a criminal sexual assault must be collected from the alleged victim's person within 120 hours. However, evidence can often be obtained from towels, sheets, clothes, etc. for much more extended periods of time. If you believe you have been a victim of a criminal sexual assault, you should go to the Hospital Emergency Room, before washing yourself or your clothing. Some hospitals have a Sexual Assault Nurse Examiner (SANE: a specially trained nurse) at the hospital who is usually on call 24 hours a day, seven days a week (call the Emergency Room if you first want to speak to the nurse; ER will refer you). The college may be able to help identify someone who can accompany you to the hospital and law enforcement and provide transportation. If a victim goes to the hospital, local police may be called, but she/he is not obligated to talk to the police or to pursue prosecution. Having the evidence collected in this manner will help to keep all options available to a victim, but will not obligation him or her to any course of action. Collecting evidence can assist the authorities in pursuing criminal charges, should the victim decide later to exercise it.

**For the Victim:** The hospital staff will collect evidence, check for injuries, address pregnancy concerns, and address the possibility of exposure to sexually transmitted infections. If you have changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe, and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital, if possible, as they will likely keep the clothes you are wearing as evidence. You can take a support person with you to the hospital, and they can accompany you through the exam if you want. Do not disturb the crime scene—leave all sheets, towels, etc. that may bear evidence for the police to collect.

### ***Will a victim be sanctioned when reporting a sexual misconduct policy violation if he/she has illegally used drugs or alcohol?***

The college's primary concern is for your safety. Any other rules violations will be addressed separately from the sexual violence allegation. The use of alcohol or drugs never makes the victim at fault for sexual violence. The severity of the infraction will determine the nature of the college's response. Still, whenever possible, the college will respond educationally rather than punitively to the use of drugs and/or alcohol. The seriousness of sexual misconduct is a significant concern, and the college does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of sexual misconduct.

### ***Will the use of drugs or alcohol affect the outcome of a sexual misconduct complaint?***

The use of alcohol and/or drugs by either party will not diminish the accused student's responsibility. On the other hand, alcohol and/or drug use is likely to affect the complainant's memory and, therefore, may affect the outcome of the complaint. A person bringing an allegation of sexual misconduct must either remember the alleged incident or have sufficient circumstantial evidence, physical evidence, and/or witnesses to prove his/her complaint. If the complainant does not remember the circumstances of the alleged incident, it may not be possible to impose sanctions on the accused without further corroborating information. The use of alcohol and/or other drugs will never excuse a violation by an accused student.

### ***Will either party's prior use of drugs and/or alcohol be a factor when reporting sexual misconduct?***

Not unless there is a compelling reason to believe that prior use or abuse is relevant to the present complaint.

### ***What should I do if I am uncertain about what happened?***

If you believe that you have experienced sexual misconduct, but are unsure of whether it was a violation of the institution's sexual misconduct policy, you should contact the Director of Student Service who can help you to define and clarify the event(s), and advise you of your options.

**Clery Act, VAWA & SAVE.** Information regarding laws and policies adopted at the federal and state levels is given in writing during freshmen orientation. It is made available to any student through the Student Services office. The safety and security of our students from physical, psychological, and sexual violence is a top priority, and any incident will be investigated to the best of our abilities.