

SEXUAL HARRASSMENT POLICY

Effective date: Prior to FY12
Last update: April 15, 2016
Responsible officer: Thom Skinner, Vice President for Advancement
Policy owner: Vice President for Advancement
Policy contact: Vice President for Advancement

POLICY STATEMENT

Biblical Seminary is committed to a policy that is both flexible and fair and that does not interfere with the right of an individual to seek legal counsel or representation.

PURPOSE

The purpose of Biblical's sexual harassment policy is to reinforce the importance of trust and integrity in the seminary community. Our desire is not only to define the policy, but to lay out procedures that are fair and redemptive.

Our hope is that the policy and procedures reflect the biblical principles of repentance, forgiveness, redemption, and change. Biblical is committed to a policy that is flexible and fair and that does not interfere with the right of an individual to seek legal counsel or representation.

Biblical Seminary, through its president, has appointed the vice president for student advancement and the director of the counseling program as sexual harassment mediators. The role of a mediator is to act as a neutral party.

A copy of the complete policy is posted on our website or is available from the student advancement office.

PROCEDURES

Speak to a mediator immediately. Biblical Seminary, through its President, has appointed the following sexual harassment mediators: Lisa Mutch in the Advancement Unit and Philip Monroe, Director of the GSOC. The role of a mediator is to act as a neutral party.

Listen: The mediator will provide immediate support by listening to and discussing the case with the complainant.

Advise: The mediator will outline for the complainant all the possible courses of action open to him or her and the possible consequences of taking these actions. Depending upon the circumstances, the mediator may help the complainant confront the subject of the complaint and ask that the behavior be

stopped. The goal of the mediator is to facilitate clear communication between the parties with the intent that the behavior in question will cease.

Accompany: The mediator may accompany the complainant, if requested, through the institution's complaint procedure. A mediator may also be called upon by the accused to accompany him or her through the investigation process.

Report: Biblical Seminary takes complaints of sexual harassment very seriously and as such, mediators will be required to consult with the President regarding your complaint in order to properly weigh whether any action should be taken against the alleged harasser. Said action may be anything from an informal counseling session to disciplinary proceedings, up to and including termination.

The mediator will present the following options to the individual making the complaint. That individual has the right to decide which option is most appropriate. Whether or not a person consults with a seminary official or one of these mediators, he or she has the option of filing a complaint according to the procedures outlined in this policy.

Whatever option the complainant chooses, he or she is advised first to do the following:

Respond immediately to the offender, if you feel comfortable, or to a mediator to indicate that the behavior or remark is not acceptable.

Keep a written record of the harassment. Include the date, time, place, witnesses, and any other relevant circumstances. Record your response to the harassment as well. Keep all relevant correspondence such as letters, memos, or notes.

Option # 1: Informal Complaint

The individual making the complaint may make it directly to the individual allegedly responsible for the harassment. This complaint could either be in person or in writing.

The mediator may also offer to accompany the complainant.

If the informal option is chosen and a successful resolution is reached, the matter will be considered closed. If there is no resolution, the complaint may be made formal (see below).

Option #2: Formal Complaint

The complainant may wish to have the complaint investigated and decided. He or she will be asked to submit a written complaint to the mediator.

The President of the seminary will be notified that a formal complaint has been submitted and that an investigation has been requested.

The President will appoint an investigator (who may be one of the mediators) to conduct a careful examination of the alleged event or events.

The investigator will meet with the complainant and other witnesses to obtain an understanding of the nature of the complaint and to explain the nature of the investigative process. Then the investigator will meet with the alleged offender. He or she may acknowledge or deny the validity of the complaint in whole or in part, provide new information, or propose a resolution.

The investigator will then prepare a written report to the President indicating whether or not, in her or his opinion, the facts of the case support the recorded complaint. After discussing the report with the investigator, the President will take such disciplinary or remedial measures as he considers appropriate.

Appeals

Both the complainant and the individual charged with sexual harassment have the right of appeal to the board of Biblical Theological Seminary.

General Provisions

Any person whose willful actions obstruct the application of these procedures will be subject to disciplinary action.

No one shall suffer reprisal for bringing forward a complaint in good faith. Threats of any kind should be reported immediately either to the mediator or investigator.

False accusations, unreasonably made, also constitute unacceptable conduct and will be subject to discipline.

All members of the seminary community involved in the case are expected to maintain strict confidentiality. Confidentiality is not, however, the same as anonymity. Except in extraordinary circumstances, for a complaint to go forward, both the identity of the person making the complaint and the details of the complaint will be released to the mediator, the investigator, the individual charged with sexual harassment, the President, and in the case of an appeal, to the board, as may be necessary to investigate the claim.

Indemnification

Members of the seminary community who hold formal responsibilities for the enforcement of this policy are considered, in the exercise of those responsibilities, to be acting as agents of the seminary, and accordingly to the extent permitted by law shall be defended legally by the seminary for all such actions taken in good faith, even if mistaken.

Relation to Other Policies

This policy is designed to provide definitions and procedures for handling cases of sexual harassment. If a conflict should arise between the provisions of this policy and other seminary procedures, rules, regulations, or terms or conditions of employment, the provisions of this policy shall govern and control

in cases of sexual harassment, unless those other procedures, rules, regulations, or terms or conditions of employment shall specifically provide to the contrary.

Amendments

The president of the seminary in consultation with the board of the seminary may make amendments to the sexual harassment policy.

DEFINITIONS

Any unwelcome sexual advance, request for sexual favor, inappropriate behavior of a sexual nature, and other written, verbal, or physical conduct of a sexually intimidating or offensive nature constitute sexual harassment when: submission to, or rejection of, such conduct is used as the basis or condition of employment, advancement, academic decisions, matriculation, or evaluation; or such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating residential, work, or educational environment. Examples of sexual harassment include but are not limited to the following:

- Verbal: sexual innuendo or taunting, requesting sexual favors, proposals of physical intimacy, persistent following, letters, texts, or phone calls discussing sexual matters, and repeated unwelcome requests for dates.
- Physical: displaying offensive, sexually oriented visual materials except for the purposes of instruction; cornering, pinching, leaning over, touching, leering, or patting.

FORMS

None

HISTORY

Amended date: 12/8/2015, 4/15/2016

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