

**Graceland University  
Institutional Policy and Procedure (HR-33)**

**SUBJECT:** Sexual Harassment Policy

**PURPOSE:** To protect students, employees, and other members of the Graceland community, and provide for the protections/safeguards afforded under the Campus SaVE Act, and Title IX.

Title IX is a clause of the 1972 Federal Education Amendments, signed into law on June 23, 1972, which stated that “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.” Of particular concern to this policy is the most recent amendment to Title IX regarding sexual harassment.

**POLICY:**

Graceland University (Graceland) affirms the importance of community. Graceland’s commitment to the value of community reflects a view of the worth and dignity of all persons. Graceland seeks to foster an environment of learning and work that encourages open, supportive, nonthreatening relationships among students, faculty, administration, and staff.

Since sexual harassment damages the possibility of a desirable environment, such behavior will not be tolerated at Graceland. All Graceland employees and students are personally responsible for their own actions and behaviors. **This Policy shall apply to all employees, adjunct faculty, faculty associates, independent contractors, and students.**

Graceland affirms its Title IX obligation to respond when 1) Graceland has actual knowledge of sexual harassment; 2) the alleged harassment occurred within Graceland’s education program or activities (both on and off campus); and 3) the alleged harassment happened against a person in the United States by establishing the reporting, investigation, and hearing procedures discussed in this Policy and outlined in Appendix A hereto: Procedures for Title IX Investigations of Sexual Harassment.

In addition to its Title IX obligations, Graceland is committed to ensuring that it investigates all instances of sexual harassment between its students and/or employees. When an instance of sexual harassment does not occur in a Graceland-sponsored educational program or activity in the United States, the investigation procedures and remedies for such instances of sexual harassment will be governed by Graceland’s Code of Conduct rather than the Title IX grievance procedures outlined in this Policy.

Graceland will appoint a Title IX Coordinator who will coordinate Graceland’s efforts to comply with Title IX responsibilities. Graceland will provide contact information for the Title IX Coordinator to students, employees, and applicants for admission and employment. Contact information will include the Title IX Coordinator’s name or title, office address, email address, and telephone number. Graceland will also prominently display the Title IX Coordinator’s contact information on its website.

As part of Graceland’s commitment to providing a working and learning environment free from sexual harassment, this policy shall be widely disseminated to the university community through

orientations, websites, handbooks, and other appropriate channels of communication. In addition, the university shall provide periodic awareness training for employees, students, as well as investigatory training for Title IX response team members. Training materials will be posted on Graceland's website. Prevention education and awareness campaigns will be offered to students throughout the year.

## DEFINITIONS

*Complainant(s)* – An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

*Consent* – Knowingly, willingly, voluntarily, and affirmatively giving permission to engage in an activity. Consent must be demonstrated through mutually understandable terms and/or clear, unambiguous actions that indicate a willingness to engage freely in the proposed activity. Consent must be obtained from the beginning and end of each instance and each form of activity. Consent for one form of activity does not mean consent is given for subsequent or alternative activity. Consent is not silent or passive. Consent may be withdrawn at any time. Consent cannot be given by an individual incapacitated for any reason including by drugs and/or alcohol, unconscious, asleep, a passed out individual, or on behalf of another person.

*Dating violence* – Violence committed by a person -

a. who is or has been in a social relationship of a romantic or intimate nature with the Complainant; AND

b. where the existence of such a relationship shall be determined based on a consideration of the following factors:

1. The length of the relationship.
2. The type of the relationship.
3. The frequency of interaction between the persons involved in the relationship.

This violence could be one act or a pattern of behavior. It may involve sexual violence, emotional violence, and/or economic abuse.

*Decision-Maker* – One or more individuals who have been assigned to handle the hearing in a particular Title IX Sexual Harassment investigation, make a decision, and notify the parties in writing reaching their decision. The Decision-Maker in any Title IX grievance process cannot be the investigator(s) or the Title IX Coordinator.

*Domestic violence* – Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the Complainant, by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

*Formal complaint* – A document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that Graceland investigate

the allegation of sexual harassment. When filed by a Complainant, the formal complaint must be a document or electronic submission, such as an email, that is physically or digitally signed by the Complainant.

*Report* – Information received verbally or in writing of potential harassment. In accordance with federal and state law, students may file confidential reports. Employees may not.

*Respondent* – An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

*Retaliation* – Any act or attempted act to seek retribution against a Complainant, Respondent, witnesses, or other person as a result of their involvement in any proceedings related to a complaint under this or any other policy. Retaliation can take many forms including but not limited to the following: firing, demoting, harassing, or otherwise treating an individual differently than before the involvement in the proceedings.

*Sexual assault* – Having or attempting to have sexual intercourse or sexual contact with another individual without consent. This includes sexual intercourse or sexual contact achieved by the use or threat of force or coercion.

*Sexual exploitation* – An act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage or any other non-legitimate purpose. Examples of sexual exploitation include but are not limited to: observing another individual's nudity or sexual activity without knowledge or consent of all parties involved; non-consensual streaming of images, photography, video or audio recordings of sexual activity or nudity without knowledge and consent of all parties involved; prostitution; exposing one's personal private areas in non-consensual circumstances, knowingly exposing another individual to a sexually transmitted disease or virus without knowledge; introducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

*Sexual harassment* – Any of three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect:

- A school employee conditioning an education benefit or service upon a person's participation in unwelcome sexual conduct (quid pro quo)
- 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 school's education program or activity
- Sexual assault, dating violence, domestic violence, or stalking

*Sexual violence* – Any physical sexual act perpetuated against a person's will or where the person is incapable of giving consent. Inability to give consent includes when a person is incapacitated or unconscious, including when a person is under the incapacitating influence of drugs or alcohol. Sexual violence includes, but is not limited to, rape, sexual assault, sexual battery, sexual coercion, fondling, incest, and statutory rape.

*Supportive measures* – Individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment. A list of the range of

supportive measures that may be implemented is provided in in Paragraph B of the Supportive Measures section of this Policy.

*Stalking* – A course of conduct (two or more times) whereby the alleged perpetrator maintains visual or physical proximity to a person without legitimate purpose; or conveys oral or written threats, implied or actual. This may include online behaviors. This course of conduct would cause a reasonable person to fear bodily injury or death to themselves or a third party, or suffer substantial emotional distress.

**NON-DISCRIMINATION STATEMENT:** Graceland University reaffirms its commitment to a safe and nondiscriminatory educational environment for all members of the community. Graceland does not discriminate on the basis of race, color, ethnicity, national origin, age, sex, gender, sexual orientation, gender identity or expression, marital status, veteran status, religion, physical or mental disability, creed, genetic status, or any other legally protected class. This statement applies to admission, employment, housing, athletics, and participation in programs, services, and activities. Graceland will not tolerate discrimination. All complaints will be investigated and dealt with according to the privacy statement below.

**PRIVACY STATEMENT:** Graceland is committed to protecting the privacy of all individuals in the Graceland community while complying with all notice requirements provided in Title IX regulations. In any report, investigation, or resolution under this policy, reasonable efforts will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review of the allegation(s). At all times, privacy of all parties will be respected and safeguarded. Information will only be shared with those University employees who need to know in order to assist in the review, investigation, or resolution of the complaint. All employees who are involved in Graceland's grievance process receive specific training and guidance about safeguarding private information. Records of any Title IX investigation (including matters related to the Violence Against Women Act) will be kept in a secure location, accessible only to the Title IX Coordinator and his/her designees. Records that are discarded will be discarded in a secure manner. To the extent such confidential information obtained by or in the possession of Graceland is shared with parties to a proceeding under this policy, such parties are responsible to maintain the confidential nature of such information/documents.

At Graceland, confidential assistance can be provided only by professionals who have a statutorily-protected confidentiality, including the Personal Counselors, Campus Health Services Professional(s), and/or the Campus Ministers. Employees (and students on the Independence, Missouri campus) may access confidential assistance through the Employee Assistance Program. Information shared with these confidential resources will not be shared with others without written consent unless required by law such as circumstances posing an imminent risk of harm to self or others. All other employees are required to report all incidences of sexual harassment to the Title IX Coordinator.

**NON-RETALIATION STATEMENT:** Graceland University will not tolerate any retaliation against any community member as a result of reporting allegations or being a Complainant, Respondent, or witness under this or any other Graceland policy. This includes retaliation against an individual, group or third party. Any perceived retaliation will be dealt with in accordance with the applicable disciplinary policy. Complaints of retaliation should be filed with any member of the Title IX response team.

**CONSENSUAL RELATIONSHIPS:** Faculty, staff, and others (including volunteers) who educate, supervise, evaluate, employ, counsel, coach, and/or otherwise guide students and/or employees should understand the power differential in the relationship they have with students and/or employees. Intimate or sexual relationships where there is a differential in power or authority produce risks for every member of the community, and such relationships undermine the professionalism of faculty and staff. Both faculty and staff members are expected to maintain professional, non-sexual relations with students.

When a member of the faculty or staff is in a position to evaluate and/or supervise a student, sexual relations are unconditionally unacceptable (with the exception of marital relationships wherein a faculty member may have a spouse as a student). When such a supervisory relationship is present, sexual relations are clearly detrimental to the educational process and to an environment free of favoritism and/or the appearance of favoritism.

Even when no supervisory relationship is present, sexual intimacy between a student and a member of the faculty or staff can be detrimental in a professional education environment. Although the initiator of a sexual relationship may be a student, it is the institutional responsibility of the faculty or staff member to deal with such a situation, at its inception, in a professional manner. In the event of a formal complaint and investigation, although credibility determinations will not be made based on the faculty or staff member's status as a Respondent, an objective evaluation of all relevant evidence may include a consideration of the difference in status between the persons involved in order to make a determination regarding the issue of consent.

**RESOURCES:** Graceland University is committed to respecting all members of the Graceland community and treating everyone with dignity. Graceland recognizes that the decision whether or not to make a report and choosing how to proceed can be difficult. We encourage any individual who has questions to seek the support of campus and community resources. These resources can provide guidance in making decisions, information about available resources and procedural options, and assistance to any party in the event that a report and/or resolution under this policy are pursued.

Graceland encourages university community members to make a prompt report of any alleged incident of sexual harassment to local law enforcement and Graceland's Title IX coordinator. For students who are not prepared to make a report but are still seeking information and support, there are confidential resources available, as designated below. These confidential resources will not share information with Graceland without the individual's consent. Employees may seek confidential resources by calling the Employee Assistance Program (EAP). Information about that benefit is available in My Graceland.

**On-Campus Confidential Resources**

Confidential Personal Counseling: Dee White Eye, MSW, LISW  
641-784-5463  
ddw1@graceland.edu  
Office: Room # 20 in Newcom Student Union

Confidential Campus Ministries: Mike Hoffman, Campus Minister  
641-784-5466  
[mhoffman@graceland.edu](mailto:mhoffman@graceland.edu)  
Office: Room# 19 in Newcom Student Union

In addition to the confidential resources, Graceland community members have access to various resources provided on campus. While not bound by confidentiality, these resources will maintain the privacy of an individual's information within the limited circle of those individuals who need to know such information.

**Other Campus Resources**

Campus Security: 641-784-5199

Title IX Coordinator: Dave Schaal      [dschaal@graceland.edu](mailto:dschaal@graceland.edu)  
641-784-5106  
1 University Place  
Lamoni, Iowa 50140  
Office: Room #27, Newcom Student Union

Dean of Students: Dave Schaal      [dschaal@graceland.edu](mailto:dschaal@graceland.edu)  
641-784-5106  
1 University Place  
Lamoni, Iowa 50140  
Office: Room #27, Newcom Student Union

Students, faculty, and staff may also access resources in the local community. These establishments can provide crisis intervention services, counseling, medical attention, and assistance in interfacing with the criminal justice system. All individuals are encouraged to use the resources that are suitable to their needs, whether on- or off-campus.

Graceland University maintains an excellent relationship with the Lamoni and Independence Police and Fire Departments to safeguard the campuses. Our Residence Life staff are also well-trained and ready to respond to emergencies of all kinds.

### **Off-Campus Confidential Resources**

Lamoni: Crisis Intervention & Advocacy Center 24 hour Crisis Line 1-800-400-4884  
Adel, IA 50003 Office: 515-993-4095

Lamoni: Decatur County Hospital (641) 446-4871  
1405 NW Church St, Leon, IA 50144

Lamoni: Community Health Centers of Southern Iowa (641) 784-3371  
802 E Ackerley St, Lamoni, IA 50140

Independence: Metropolitan Organization to Counter Sexual Assault (MOCSA)  
24 Hour Crisis Line: MO (816) 531- 0233, KS (913) 642-0233; [www.mocsa.org](http://www.mocsa.org)

Independence: CenterPoint Medical Center (816) 698-7000  
19600 E. 39<sup>th</sup> Street, Independence, MO 64057

Independence: [Missouri Sexual Abuse and Neglect Hotline](http://www.mocsa.org), 1-800-392-0210

### **Advocates**

**Lamoni:** Crisis Intervention & Advocacy Center 24 Hour Crisis Line  
1-800-400-4884 These advocates will come to Lamoni as needed.

**Independence:** New Directions Behavioral Health; <https://www.ndbh.com/> ;  
855-340-6487

**Independence:** Metropolitan Organization to Counter Sexual Assault (MOCSA)  
**24 Hour Crisis Line:** MO (816) 531- 0233; KS (913) 642-0233; [www.mocsa.org](http://www.mocsa.org)

## Community Resources --Lamoni

**Lamoni Police Department** (641) 784-8711  
135 S Linden St, Lamoni, IA 50140

**Crisis Intervention & Advocacy Center 24 hour Crisis Line** 1-800-400-4884  
Adel, IA 50003 Office: 515-993-4095

**Decatur County Hospital** (641) 446-4871  
1405 NW Church St, Leon, IA 50144

**Community Health Centers of Southern Iowa** (641) 784-3371  
802 E Ackerley St, Lamoni, IA 50140  
Any exams do not obligate you to file criminal charges; evidence is stored  
by the police to preserve the chain of evidence.

**Iowa Sexual Abuse Hotline** 1-800-284-7821

**National Coalition Against Domestic Violence**  
<http://www.ncadv.org>

**National Domestic Violence Hotline** 1-800-799-SAFE (7233)  
TTY: 1-800-787-3244  
<http://www.ndvh.org>

**National Sexual Violence Resource Center**  
<http://www.nsvrc.org>

**STD Hotline** 1-800-227-8922

## Community Resources--Independence

### **Independence Police Department**

(816) 325-7300  
223 N Memorial Drive, Independence, MO 64050

### **Jackson County Sheriff's Department**

4001 NE Lakewood Ct  
Lees Summit, MO 64064  
Phone: 816-524-4302  
Fax: 816-524-4340

### **Jackson County Health Department**

313 S Liberty St, Independence, MO 64050  
(816) 404-6416

### **Metropolitan Organization to Counter Sexual Assault (MOCSA)**

3100 Broadway, Ste. 400  
Kansas City, MO 64111  
Phone: 816-931-4527  
Crisis Line: 816-531-0233  
Fax: 816-931-4532  
Website: [www.mocsa.org](http://www.mocsa.org)  
(816) 931-4527

### **Kansas City Sexual Assault Nurse (SANE)**

Truman Medical Center  
2301 Holmes  
Kansas City, MO 64108  
Phone: 816-404-3675  
Fax: 816-404-1156

### **Kansas City Anti-Violence Project**

P O Box 411211  
Kansas City, MO 64141  
Phone: 816-348-3665  
Email: [info@kcavp.org](mailto:info@kcavp.org)  
Website: [www.kcavp.org](http://www.kcavp.org)

## REPORTING

Graceland is committed to providing a variety of welcoming and accessible ways for employees and students to voice concerns about instances of sexual harassment. Reporting an issue is the best way for the community to help an individual receive the resources, support, and accommodations available at Graceland. Not only does reporting help the individual, communication about issues related to sexual harassment can help prevent sexual harassment. The information reported can illuminate patterns of behavior, help identify immediate threats to the safety of the community, and systemic issues.

Any person may report an incident of alleged sexual harassment to the Title IX Coordinator at any time, including during non-business hours, by using the phone number, e-mail address, or mailing address listed above for the Title IX Coordinator. All Graceland employees, including faculty, staff, volunteers, and house presidents who have a responsibility for student welfare are required to share with the Title IX Coordinator any report of alleged sexual harassment they receive. Employees who have statutory confidentiality do not and will not report incidents without the permission of the reporter (unless the report involves a minor or imminent danger to the community). Any leader who knew about an incident that is reportable under this policy and took no action to stop it or failed to report it to the Title IX Coordinator may be subject to disciplinary action.

Upon receiving a report of alleged sexual harassment, the Title IX Coordinator will promptly contact the Complainant confidentially to discuss the availability of supportive measures with or without the filing of a formal complaint and will consider the Complainant's wishes regarding supportive measures. The Title IX Coordinator will also explain the process for filing a formal complaint.

At the time a report is made, a student Complainant does not have to decide whether or not to file a formal complaint. Choosing to make a report and deciding how to proceed after making the report can be a process that unfolds over time. The Title IX Coordinator will make reasonable efforts to respect an individual's autonomy in making these important decisions and to provide support that will assist each individual in making that determination. In some cases, the Title IX Coordinator may file a formal complaint over the wishes of a Complainant if it involves a minor or if such action is not unreasonable in light of known circumstances that would suggest that filing a formal complaint is necessary for the protection of the campus community. The University, as required by law, will take prompt remedial action when an employee makes a report.

#### **A. Emergency/Intermediate Reporting Options**

Graceland encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident of sexual harassment. This is the best option to ensure preservation of evidence and to begin a timely investigative and remedial response. Graceland will assist any of its community members to get to a safe place and will provide transportation to the hospital, coordination with law enforcement, and provide information about Graceland's resources and complaint processes.

Assistance is available 24 hours a day year-round by calling the Lamoni Police Department (911 for emergencies or 641-784-8711); or the Independence Police Department (911 for emergencies or 816-325-7980). Assistance is available from campus security (Lamoni) 24 hours a day on Saturday and Sunday and after 7:00 pm on weekdays by calling campus security (641-784-5199). Any individual may request that a member of Campus Security and/or the Lamoni / Independence Police Department respond and take a report. Any individual may also request to speak with a campus confidential resource or a member of the Title IX Response Team.

There is a limited window of time (typically 72 to 96 hours) following an incident of sexual assault to preserve physical and other forms of evidence. Taking the step to gather evidence immediately does not commit an individual to any course of action. The decision to seek medical attention and gather any evidence will remain confidential and preserve the full range of options to seek resolution through Graceland's grievance process and/or criminal action.

## **B. The Title IX Grievance Process**

This Title IX Grievance Process applies when 1) Graceland has actual knowledge of sexual harassment; 2) the alleged harassment occurred within the university's education program or activities, regardless of location (both on and off campus); and 3) the alleged harassment happened against a person in the United States.

If the allegations in a formal complaint did not occur in a Graceland-sponsored educational program or activity in the United States, then the allegations will be dismissed for purposes of the Title IX investigation only. The investigation and remedies for allegations of sexual harassment, as defined in this Policy, that do not meet the above requirements for the Title IX grievance process will be addressed through Graceland's Code of Conduct as appropriate.

Not every member of the Title IX team is involved in every issue; only those who "need to know" attend to the issue at hand.

Graceland's policy, definitions, and burden of proof may differ from Iowa or Missouri criminal law. A Complainant may seek resolution through the University's Title IX grievance process; Graceland's Code of Conduct (when a person has experienced sexual harassment, discrimination, or sexual misconduct that does not fall under Title IX's jurisdiction); and/or may pursue criminal action. Neither law enforcement's determination whether or not to prosecute a Respondent, nor the outcome of any criminal prosecution, are determinative of whether harassment, discrimination, or sexual misconduct under this policy has occurred. Proceedings under this Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

If the Complainant decides to file a formal report, the Title IX Coordinator will initiate the investigatory process as outlined in Appendix A: Procedures for Title IX Investigations of Sexual Harassment. This process will include a live hearing facilitated by the Decision-Maker who will permit cross-examination of all parties and witnesses.

The grievance process will be consistent and transparent. It will treat Complainants equitably by providing remedies any time a Respondent is found responsible. It will treat Respondents equitably by not imposing disciplinary sanctions without following the grievance process outlined in Appendix A: Procedures for Title IX Investigations of Sexual Harassment. The process will include objective evaluation of all relevant evidence, and will avoid credibility determinations based on a person's status as a Complainant, Respondent, or witness.

The grievance process requires all Title IX personnel to be free from conflicts of interest or bias for or against Complainants or Respondents. Training of Graceland's Title IX personnel will include the following: training on the definition of sexual harassment; the scope of Graceland's education program/activity; how to conduct an investigation and grievance process, including hearings and informal resolution processes; and how to serve impartially.

Throughout the grievance process, the Respondent shall be presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. If a Respondent is found to be responsible for the alleged conduct, then remedies must be prescribed. Remedies will be designed to maintain the Complainant's equal access to education and may include any of the individual supportive measures listed below.

Remedies may also include disciplinary action against the Respondent, as listed in Appendix A: Procedures for Title XI Investigations of Sexual Harassment.

Graceland's decision in all Title IX matters will be based on a preponderance of the evidence in determining the resolution.

### **C. False Reporting**

Graceland takes the validity of information very seriously, as a charge of sexual harassment may have severe consequences. A Complainant who makes a report that is later found to be intentionally false or made maliciously without regard for truth may be subject to disciplinary action including, but not limited to, expulsion, suspension, or termination of employment, as applicable. This provision does not apply to reports made in good faith, even if the allegations in the report are not substantiated through an investigation. Charging an individual with a Graceland Code of Conduct violation for making a materially false statement in bad faith in the course of a Title IX grievance proceeding does not constitute retaliation.

### **D. Reports Involving Minors**

In compliance with Iowa Code 261.9 (1)(h): Child Abuse Reporting Law, the University will report all suspected child abuse and neglect involving minors, including sexual assault, to law enforcement. See HR-12 - Child Abuse Reporting Policy for Graceland Locations in Iowa.

In compliance with Missouri Code 210.109-183: Child Abuse Reporting Law, the University will report all suspected child abuse and neglect involving minors, including sexual assault, to law enforcement.

## **SUPPORTIVE MEASURES**

### **A. Overview**

Upon receipt of a report of sexual harassment, Graceland will impose reasonable and appropriate supportive measures designed to provide equal educational access, protect safety, and deter sexual harassment. Graceland will maintain consistent contact with the parties to ensure that all safety, emotional and physical well-being concerns are being addressed. Any of the supportive measures listed below may be imposed regardless of whether a formal complaint is filed.

All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by supportive measures. Graceland will take immediate and responsive action to enforce a previously implemented measure.

### **B. Range of Supportive Measures**

Supportive measures will be implemented at the discretion of the University; however, supportive measures will be non-punitive, non-disciplinary, and not unreasonably burdensome to the other party prior to any written determination that Respondent is found responsible for an alleged sexual harassment. Potential measures that may be applied to the Complainant and/or the Respondent include:

- Access to counseling services and assistance in setting up initial appointment, both on and off campus

- Imposition of a campus No-Contact Order, which may include but are not limited to prohibiting one or more parties from having physical, phone, written, text, social media, or third party contact with one or more other parties.
- Rescheduling of exams and assignments
- Providing alternative course completion options
- A change in class schedule or transferring sections, including the ability to drop a course after the deadline to drop a course
- A change in work schedule or job assignment
- A change in student's University-owned residence
- Limiting an individual or organization's access to certain University facilities or activities pending resolution of the matter
- A voluntary leave of absence
- Providing academic support services, such as tutoring
- Any other remedy which can be tailored to the involved individuals to achieve the goals of this policy
- A change of office space

### **C. Interim Judicial Order**

An individual may also choose to pursue other interim measures separate from the Title IX Grievance Process outlined in this Policy, such as a judicial no contact, restraining or protective order. Various resource contacts may assist with such judicial or criminal orders. Such orders should be provided to the Dean of Students (for students), or Human Resources (HR) (for employees) for campus implementation.

### **D. Time Frames for Resolution**

Graceland seeks to resolve all reports of alleged harassment, discrimination, or sexual misconduct within 60 calendar days.

In general, a Complainant and Respondent can expect to receive periodic updates as to the status of the review or investigation. In the event that the investigation and resolution exceed this time frame, Graceland will notify all parties of the need for additional time, and best efforts will be made to complete the process in a timely manner while balancing principles of thoroughness and fundamental fairness with promptness.

### **E. Appeals**

Following the live hearing, both the Complainant and the Respondent will be notified of the hearing's outcome in a written determination issued by the Decision-Maker regarding responsibility with findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, any disciplinary sanctions imposed on the Respondent, and whether remedies will be provided to the Complainant. Both will be informed of the right to appeal the outcome of the hearing. All appeals must be in writing and must be

submitted within 14 days after receiving notification of the hearing's conclusion. Both Complainant and Respondent(s) will be provided with the name and contact information for the appellate officer/body.

The appellate officer will be the Vice President of Academic Affairs (VPAA), who will convene a Vice Presidents' Council which will hear the appeal, the Vice Presidents' Council consisting of the VPAA and one other vice president (other than the Vice President for Student Life).

All appeals must be based on one or more of the following: a) a procedural irregularity that affected the outcome of the matter; b) newly discovered evidence that could affect the outcome of the matter; or c) Title IX personnel having had a conflict of interest or bias that affected the outcome of the matter. The appealing party must provide evidence to substantiate the basis of the appeal. The consideration of appeals will be concluded within 21 days from the date the appeal was received by the VPAA.

**PROCEDURE:** See Appendix A: Procedures for Title XI Investigations of Sexual Harassment

**Approved:**

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Patricia Draves, Ph.D., President

June 3, 2021

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Date

<b>INDEX:</b> Sexual Harassment Policy	<b>Sponsor:</b>	<b>Number:</b> HR-33 and HR-33.A
Original: September 24, 2014 Revised: August 13, 2020 Revised: June 3, 2021	<i>List any Departments or Committees</i> Human Resources Student Life	Previous numbers (if any)
See also: HR-12 Child Abuse Reporting Policy		

**RATIONALE for this Version:** Changes in Title IX Regulations and update Title IX Coordinator contact information.

<b>Routing for this Version:</b>	<b>Dates:</b>
<i>List which committees, departments, persons reviewed this version</i>	
Dave Schaal, Katie Bash, David Siddall	08-13-2020
President Draves	06-03-2021