

Sexual Harassment Policy

Below you'll find policies and resources for students related to Sexual Harassment at PSR. All active PSR students (registered or unregistered) are required to complete an online Sexual Harassment Training powered by CampusAnswers/WorkPlaceAnswers by the end of the calendar year in which they entered. For more information or to sign up for a training, contact registrar@psr.edu.

PSR Sexual Harassment Policy

Last updated July 2014

Pacific School of Religion (PSR) is committed to providing a work environment and educational community in which all persons who participate in PSR programs and activities can work and learn together in an environment free of all forms of harassment. Every member of the PSR community should be aware that such behavior is prohibited by law and institutional policy and that PSR will take appropriate action to prevent, correct, and discipline behavior that is found to violate this policy.

For PSR's disclosures and policies regarding the [Clery Report](#) which covers instances of domestic violence, dating violence, stalking, rape, and other instances of sexual violence, battery and assault, please refer to our [Clery Report](#), updated annually.

This policy applies to all students, faculty, staff, and others who participate in PSR programs and activities.

DEFINITION OF SEXUAL HARASSMENT

In general, sexual harassment is defined as inappropriate, unwelcome, or offensive conduct whether verbal, physical or otherwise where

- Submission or rejection to such conduct is made an explicit or implicit term or condition of employment or education
- Submission or rejection of such conduct is used as a basis for employment or educational decisions; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or education, or creating and intimidating, hostile or offensive working or educational environment.

For example, sexual harassment often involves unwelcome sexual advances, requests for sexual favors, or offensive sexual jokes.

Harassment that is not sexual in nature but based on gender, gender identity, gender expression, sex- or gender- stereotyping and/or sexual orientation is also prohibited by PSR's non-discrimination policies if it is sufficiently severe to deny or limit a person's ability to participate in or benefit from PSR's educational programs, employment, or services. While discrimination based on these factors may be distinguished from sexual harassment, these types of discriminations may contribute to a hostile work or educational environment and thus may be considered in cases regarding sexual harassment.

This policy covers unwelcome conduct of a sexual nature. For other cases involving harassment of a non-sexual nature please refer to PSR's harassment, student conduct, grievance, and/or non-discrimination policies.

REPORTING SEXUAL HARASSMENT

Employees or students who believe they are being harassed should promptly notify their supervisor or the PSR Title IX Coordinator or a Title IX Deputy. Investigation and resolution of complaints will be handled by personnel trained to investigate harassment allegations.

Supervisors, faculty members, staff, or any "first responder" who become aware of a sexual harassment situation, whether created by employees or non-employees, by students or non-students, should immediately notify the Title IX Coordinator. "First responders" may include but are not limited to the Director of Community Life and Spiritual Care, a faculty advisor, an administrator, building managers, the HR Director, or any individual who has direct access to personnel who has the authority to officially respond and take action on a sexual harassment case. These designated employees have an obligation to respond to reports of sexual harassment, even if the complainant requests that no action be taken.

Prompt reporting will enable PSR to investigate the facts, determine the situation, and provide an appropriate resolution or disciplinary action. PSR shall respond to reports of sexual harassment brought up to one calendar year from the time of the alleged incidence, taking into consideration the amount of time transpired since the alleged incident occurred.

Complainants are also reminded that they may file a report with law enforcement when applicable.

PSR shall respond to the greatest extent possible to reports of sexual harassment brought anonymously or brought by third parties not directly involved in the harassment, with the understanding that the response and investigation from such anonymous or third party reports may be significantly limited if information cannot be verified by direct parties.

COMPLAINT & RESOLUTION PROCEDURES

As your institution, Pacific School of Religion has adopted a firm policy against sexual harassment. Every reasonable step will be taken to prevent harassment from occurring. However, if you believe that you have been unlawfully harassed, we urge you to report the incident immediately so that your complaint can be resolved quickly and fairly

Procedures for Early Resolution

Early Resolution options may be recommended when the parties involved desire to resolve the situation cooperatively and/or when a more formal investigation or resolution procedure is less likely to lead to a satisfactory outcome. Early Resolution may involve an inquiry into facts, but typically does not involve a formal investigation. Options for Early Resolution may include but are not limited to:

- Mediating an agreement between the parties;
- Separating the parties
- Referring the parties to counseling program
- Negotiating an agreement for disciplinary actions
- Conducting targeted educational and training programs
- Providing remedies for the individuals harmed by the offense

The person(s) leading the Early Resolution may choose to schedule separate discussions with the parties involved, make recommendations for resolution, and/or conduct follow-up after a period of time the chosen response has been implemented.

All parties needing further advice or counseling on matters addressed by this policy are encouraged to contact the Title IX Coordinator, an appropriate designated Deputy, the HR director and/or the Director of Community Life and Spiritual Care.

Procedures for Formal Investigation

For cases in which Early Resolution may not be appropriate or lead to a satisfactory outcome, PSR may conduct a Formal Investigation. If the complainant does not want to pursue a Formal Investigation, then PSR's ability to investigate and respond will be limited. The following are the steps for a Formal Investigation:

1. Provide a written or oral complaint to the Title IX Coordinator or Deputy as soon as possible after the Incident. Include all details regarding the incident, names of individuals involved, and names of any witnesses
2. The Title IX Coordinator or Deputy will appoint an individual as Investigator who is well versed with the PSR Sexual Harassment Policy and trained in conducting investigations if the Coordinator/Deputy will not be leading the investigations themselves. The Investigator shall not be an individual for whom either party may hold a position of authority over.
3. The Investigator will undertake an effective, thorough, and objective investigation of the allegations. The Investigation will generally include interviews with each party, interviews with other witnesses as needed, and review of relevant documents. Disclosure of facts to parties and witnesses shall be limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation will be reminded that maintaining confidentiality is essential to protecting the integrity of the process.
4. Upon request, the complainant and the accused may each have one (1) representative present when they are interviewed.
5. At any time during the investigation, the Investigator may recommend interim protections or remedies for the complainant or witnesses to be provided by PSR. These interim protections may include but are not limited to placing limitations on contact between the parties, modifying work or housing arrangements, etc. Non-compliance of these interim protections may be considered violation of the Sexual Harassment Policy.
6. The investigation will be completed as soon as possible but at the latest within 60 working days of the filing of the complaint.
7. The investigation will result in a written report that will include at minimum: a statement of the allegations and issues, the positions of each party, a summary of the evidence, findings, and a determination by the Investigator as to whether the Sexual Harassment policy has been violated. The report also may contain a recommendation for actions to resolve the complaint including recommended

disciplinary measures. This report is kept in the office of the Title IX Coordinator and may be used as evidence in subsequent complaints or appeals.

8. The complainant and accused will be notified in writing when the investigation is completed. The notification will include the following information

- Whether the Sexual Harassment Policy was or was not violated
- Disciplinary actions or sanctions up to and including expulsion or termination

For the accused:

- All sanctions imposed

For the complainant & other related parties:

- Only sanctions imposed that directly relate to and affect the complainant and other related parties on a need-to-know basis
- The accused may give explicit written permission to disclose all sanctions to the complainant and related parties if they choose to

9. The complainant and the accused may request a copy of the Investigator's report.

Procedures for Appeal

In an unsatisfactory result occurs at the conclusion of the Formal Investigation, the complainant may file a Formal Grievance. Please refer to the PSR Grievance Policy and Procedure.

Sexual harassment is prohibited by state and federal law. In addition to the procedures above, individuals may pursue complaints directly with government agencies that deal with unlawful harassment such as the U.S. Equal Employment Opportunity Commission (EEOC) and the Office for Civil Rights (OCR).

Retaliation

This policy prohibits retaliation against persons who report sexual harassment, assists someone with reporting sexual harassment, or participates in any manner in an investigation or resolution of a sexual harassment case. Retaliation includes but is not limited to threats, intimidation, reprisals, and/or adverse actions related to employment or ability to participate in the educational program,

including on-campus housing, on-campus dining, or other non-academic programs that are part of the educational program PSR provides.

Intentionally false reports

Because sexual harassment frequently involves interactions between persons that are not witnessed by others, reports of sexual harassment cannot always be substantiated by additional evidence. Lack of corroborating evidence or “proof” should not discourage individuals from reporting sexual harassment under this policy. However, individuals who make reports that are later found to have been intentionally false or made maliciously without regard for truth may be subject to disciplinary action.

Conflict of Interest Related to Consensual Relationships

There may be special risks in any sexual or romantic relationship between individuals within the PSR community, and parties in such a relationship assume those risks. Even when both parties have consented at the outset to a romantic involvement, this past consent does not remove grounds for a charge based upon subsequent unwelcome conduct.

Where such a relationship exists, the person in the position of greater authority or power will bear the primary burden of accountability, and must ensure that they do not exercise any supervisory or evaluative function over the other person in the relationship. Where such a recusal is required, the recusing party must also notify their supervisor, dean, or HR Director so that they can exercise their responsibility to evaluate the adequacy of an alternative supervisory or evaluative arrangement to be put in place. The responsibility of recusal and notification lies with the person of greater authority or power.

In rare situations where it is not possible to provide alternative supervision or evaluation, the supervisor, dean, or HR Director must approve all evaluative and compensation actions and decisions.

PRIVACY & CONFIDENTIALITY

PSR protects the privacy of individuals involved in a report of sexual harassment to the extent required by law. In times when it may be required to disclose certain personal information, PSR will make every effort to redact records or remove identifiers when possible. Only sanctions that directly relate to or affect the complainant will be disclosed to the complainant or other relevant parties unless the accused gives written permission for all sanctions to be disclosed to the complainant or other relevant parties.

An individual's requests regarding confidentiality of reports of sexual harassment will be considered in determining an appropriate response. However, such requests will be considered along with context of campus and individual safety as well as the context of the institution's legal obligation to ensure a working and educational environment free from sexual harassment.

The Title IX Coordinator is responsible for maintaining records relating to sexual harassment reports, investigations, and resolutions. Records shall be maintained in accordance with PSR archiving and record-keeping policies, generally five years after the complaint is resolved. Records may be retained longer at the discretion of the Title IX Coordinator in cases where parties have a continuing affiliation with PSR.

SEXUAL HARASSMENT RESOURCES

The Title IX Coordinator for Pacific School of Religion is Patrick O'Leary (poleary@psr.edu)

The Coordinator's duties include:

- Training and supervision of Title IX Deputies who may function as the central sexual harassment officer in different contexts (example: deputy for student vs. student cases; deputy for staff vs. staff cases);
- Oversee, develop, and implement sexual harassment education and training programs in coordination with Human Resources and Student Services departments
- Update Sexual Harassment Policy and Procedures as federal and state regulations change
- Maintain records of reports of sexual harassment per PSR practices
- Prepare and submit an annual report to the Office of the President summarizing PSR sexual harassment complaint activity

Title IX Deputies are formally trained by the Coordinator to interpret and implement the policy in contexts that may be specific to the department, setting, or classification of individuals involved.

- The Registrar (registrar@psr.edu) for student vs. student cases
- Patrick O'Leary (poleary@psr.edu) for employee vs. employee cases

Office of Community Life and Spiritual Care Pacific School Religion

- Ann Jefferson (ajeffer@psr.edu) provides a safe space to initially discuss a possible sexual harassment case for individuals of all classifications (student, staff, faculty).

Office for Civil Rights

The Office for Civil Rights serves student populations facing discrimination and the advocates and institutions promoting systemic solutions to civil rights problems. An important responsibility is resolving complaints of discrimination. Agency-initiated cases, typically called compliance reviews, permit OCR to target resources on compliance problems that appear particularly acute. OCR also provides technical assistance to help institutions achieve voluntary compliance with the civil rights laws that OCR enforces. An important part of OCR's technical assistance is partnerships designed to develop creative approaches to preventing and addressing discrimination.

POLICY REVIEW AND EVALUATION

This policy is effective July 1, 2014. It is subject to periodic review and any comments or questions may be addressed to the Title IX Coordinator.

Sexual Harassment Prevention

[Title IX](#)

Sexual Violence and Assault

[Campus SaVE Act](#)

[PSR Clery Act](#)

Sexual Harassment resources

Bystander Intervention

[National Sexual Violence Resource Center](#)

[Catharsis Productions: And I'm Glad I Did It Bystander Intervention PSA 1](#) (1:10)

[Step Up-American University video](#) (5:25)

Step Up, is an award-winning bystander intervention program, adopted by American University, that uses five steps to teach students how to intervene in situations including sexual assault, alcohol abuse, mental health emergencies,

hazing, and more. This film has been created by American University's Office of University Communications and Marketing and the Office of Campus Life.

Organizations

[Faith Trust Institute](#): a national, multifaith, multicultural training and education organization with global reach working to end sexual and domestic violence.

[Love Is Respect](#): The Love Is Respect Website offers information on how to recognize dating violence and seek help.

[Office on Violence Against Women](#): Established by the Violence Against Women Act, the Office on Violence Against Women is designed to reduce violence against women and strengthen resources for all survivors of sexual assault, domestic violence, dating violence and stalking.

[National Domestic Violence Hotline](#): Established by the Violence Against Women Act, the National Domestic Violence Hotline provides twenty-four hour support for people facing domestic violence.

[Stalking Resource Center](#): Part of the National Center for Victims of Crime, the Stalking Resource Center provides assistance and guidance for those impacted by stalking.

[NotAlone.gov](#): This government-sponsored Website contains resources on responding to and preventing sexual assault in schools.

[Pandora's Project](#): Nonprofit organization dedicated to providing information, support, and resources to survivors of rape and sexual abuse and their friends and family since 1999.

[Rape, Abuse and Incest National Network \(RAINN\)](#): This nonprofit organization has a twenty-four-hour hotline for anonymous support for people dealing with sexual assault and their friends and families.

[The National Suicide Prevention Hotline](#): This nonprofit organization has a twenty-four-hour, toll-free confidential suicide prevention hotline.

[VAWnet](#): National online resource on Violence Against Women. A comprehensive and easily accessible online collection of full-text, searchable materials and resources on domestic/intimate partner violence, sexual violence and related issues.

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