

Title IX



NELSON
UNIVERSITY

Prevention Training for Sex Discrimination and Hazing

Welcome!

Thank you for beginning your Title IX Training. As a Nelson University employee, you are fully required to complete this training.

In this program, you will learn about our Title IX policy, including what Title IX is, how to recognize violations, and where to report violations.

Nelson University's Expectations

As an affiliate with the Assemblies of God, Nelson University expects all employees to follow high Christian standards in conduct and conversation.

Our duty is to serve students in accordance with God's word intellectually and spiritually. Any and all sexual misconduct or discrimination will be not be tolerated.



What Is Title IX?

**Title IX is a federal civil rights law that was created in 1972.
Title IX prohibits discrimination based on sex in educational programs or activities that receive federal funding of any kind.**

The law states 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 subject to discrimination (including sexual violence and sexual harassment) under any educational program or activity receiving Federal financial assistance."

ADDITIONAL LAWS

**Clery Act & Violence
Against Woman Act**



The Clery Act

Established through the US Department of Education, the Clery Act requires campuses to provide crime statistics and campus safety policies for the public to view. It aims to provide transparency around campus crime policy and statistics. All public and private institutions of postsecondary education participating in federal student aid programs must comply with the Clery Act.

The Violence Against Women Act

Established through the US Department of Justice, the Violence Against Women Act (VAWA) addresses the following specific areas of sex discrimination including sexual assault, dating violence, domestic violence, and stalking.

Biblical Perspective



Biblical Perspective

The Scriptures specifically speak out against sexual misconduct such as sexual harassment, assault, and violence as sinful. - **Galatians 5:19-21**

As Christians, we are expected to avoid all sexual harassment, unclean comments, and even crude joking. We are to use our voices instead to give thanks to God. - **Ephesians 5:3-4**

God offers healing to anyone dealing with the effects of sexual assault and broken relationships.

Psalms 34:18

The Bible encourages us to stand up for those who cannot stand up for themselves, which is why reporting sexual misconduct is necessary -

Proverbs 31:8-9



DEFINITIONS

Learn the definitions of each term to better protect yourself and others from discrimination.

Sex Discrimination

Sex Discrimination is a general term that includes, but is not limited to, acts of **sexual assault**, **sexual violence**, and **sexual harassment**. Sex discrimination occurs when conduct or a policy has the purpose or effect of restricting or denying access to opportunities, programs, or resources **in relation to sex** in a manner that interferes with an individual's ability to participate in a University education program or activity.

How to Recognize: Sex Discrimination

Sexual Harassment

Any unwelcome and inappropriate sexual remarks or physical advances in a workplace, other professional, or social situation.

Sexual Assault

Any sexual contact or behavior, where explicit consent is not given. This can be as simple as unwanted physical contact or attempts at further sexual activity.

Dating Violence

Violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.

Nelson University's Definition of Consent

Consent is a free and active agreement, given equally by both parties, to engage in a specific activity. Giving in is not the same as giving consent. Consensual sexual activity involves the presence of the word “yes” without the influence or incapacitation of alcohol or other drugs, pressure, force, threat, or intimidation. **Nelson employees are not the decision-makers of what constitutes consent; therefore, any report of sexuality to a Nelson employee must be reported to the VP for Student Development or Director of Human Resources (Nelson Title IX officers) with no promises of confidentiality. Other than providing the information to Nelson Title IX officers, all information should be kept confidential.**

Stalking

Stalking means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.



Rights of Individuals

The University strives to provide a prompt and fair process for investigating and resolving complaints related to sexual assault or other sex-related misconduct.

Throughout this process, both the complainant and respondent have the following rights, many of which are described in greater detail in the Nelson University Title IX policy www.sagu.edu/audiences/titleix/.

You have the right...

- To be treated with respect and dignity.
- To receive assistance from Nelson University in reporting to law enforcement at any stage of the process.
- To receive information about the process the University will employ for conducting the investigation, hearing, determination, & appeal.
- To receive information about support available from University or community resources.
- To privacy to the extent possible consistent with applicable law and University policy.
- To have an advisor present throughout the process.

- To choose whether or not to participate in the investigation process.
- To a prompt and thorough investigation of the allegations.
- To have a reasonable time to provide information, including any oral or written statement, to the investigator.
- To raise any question regarding a possible conflict of interest on the part of any person involved in the investigation or determination.
- To appeal the decision and any sanctions made by the investigators.
- To notification, in writing, of the case resolution, including the outcome of any appeal.

Commonly Asked Questions

What if the alleged victim doesn't want his/her name released?

An alleged victim may request confidentiality, and the University will try to honor this request if possible. However, the alleged victim should be informed that this may limit the ability of the school to respond to the complaint. If the school can not ensure confidentiality, it must inform the complainant. An alleged victim may request that his/her complaint not be pursued; however, the institution must evaluate that request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. The institution may still be obligated to limit the effects of the alleged harassment and prevent its recurrence.

Does the alleged victim require immediate medical attention?

If yes, campus authorities will decide how to transport the individual to a hospital.

Does physical evidence need to be preserved?

If yes, contact campus security. However, if the alleged victim does not want the police contacted, then the collection of evidence may be impaired. Staff members should not attempt to collect evidence from what may be a crime scene. Strongly encourage the alleged victim to allow the police to assist. Otherwise, have the alleged victim gather up any sheets or clothing he/she might want to preserve should he/she decide later to file criminal charges. However, please advise the alleged victim that this could impair a criminal investigation later.

Did the incident occur on or off campus?

Knowing where the incident occurred can impact which law enforcement agency responds and whether or not the incident is reportable under the Clery Act.

Because students often experience the continuing effects of the off-campus sexual harassment in the educational setting, the university will consider the effects when evaluating whether there is a hostile environment on campus. One of the university's designated officials will work with the alleged victim to assess what supportive measures might need to be implemented.

Alleged victims will be informed of...

- The importance of preserving evidence.
- Their right to pursue a criminal investigation through the appropriate law enforcement agency depending on where the violation occurred.
- Available resources on the Nelson campus (Campus Counseling Center in Bridges) and in Waxahachie (Baylor Scott & White Hospital) as well as clinics in the area.
- Their right to file a complaint with the University.
- The right to have representation or an advocate.

Resources

Nelson Campus Security

(972) 923-5400
security@nelson.edu

Nelson Counseling Services

(972) 825-4721
counselingcenter@nelson.edu

Waxahachie PD

911 or
(469) 309-4400

Ellis County Sheriff's Office

911 or
(972) 937-6060

TITLE IX REPORTING



Where can you
report violations?

Nelson University's Title IX Officers

Title IX Coordinator

Dr. Lance Meche

Vice President for Student Development

(972) 825-4747

lmeche@nelson.edu

Deputy Title IX Coordinator

Director Ruth Roberts

Human Resources Department

(972) 825-4656

rroberts@nelson.edu

TITLE IX Online Reporting Form

You can find an online Title IX Reporting form on the Nelson University website through this link:

[Title IX Complaint Form](#)

Victims/survivors can report an act of sexual violence at any time.

They are free from pressure to either report or not report.

They are entitled to have their report taken seriously and will be provided access to counseling services.

An employee who witnesses or receives information regarding an incident that the employee reasonably believes constitutes sexual harassment, sexual assault, dating violence, or stalking, which was allegedly committed by or against a student enrolled at or an employee of the institution at the time of the incident must promptly report the incident to the Title IX Coordinator (or Deputy Title IX Coordinator). Failure to make a report or making a false report to a Title IX Coordinator or Deputy Coordinator is a Class B misdemeanor, according to SB 212. If intent to conceal an incident is found in trial, it is a Class A misdemeanor. Either may include jail time and/or fines.

Termination of employment is mandatory.

It is a violation of institutional policy to discipline or otherwise discriminate against an employee who, in good faith, makes a mandatory report or cooperates with an investigation, disciplinary process, or judicial proceeding relating to a mandatory report of sexual harassment, sexual assault, dating violence, or stalking.

This information is pulled from Nelson University's IPM

Guidelines to Follow



Do believe the person reporting the incident!

It is important for the person making the report to feel that you will support him/her in getting referred to the appropriate resources.

Do not try to investigate.

It is the job of others, who have been trained, to investigate to see if the evidence supports the alleged incident.

All NELSON employees are Designated Reporters with the *exception of the Counseling Center Counseling Staff* due to the nature of their role with counselor-client relationships.

- **Do inform the person reporting the incident:**
- Resources are available for the person reporting: Nelson Counseling Services in Bridges Hall, Campus Security, "Not Alone" website <https://www.notalone.gov/schools/>, Clery Act Handbook <http://www2.ed.gov/admins/lead/safety/handbook.pdf>
- Nelson University Title IX webpage: sagu.edu/audiences/titleix/

Things to remember:

- **Provide support to the alleged victim by knowing whom you should contact for assistance.**
It is important for the person making the report to feel that you will support him/her in getting referred to the appropriate resources.
- **A reported incident is an "allegation" and the accused also has rights.**
It is the job of others, who have been trained, to investigate to see if the evidence supports the alleged incident.
- **Do keep the information confidential**, with the exception of telling your supervisor and/or the Title IX Coordinator. Confidentiality honors the rights of both the accused and alleged victim.



What Is Hazing?

Hazing

Hazing means “any **intentional, knowing, or reckless** act, occurring **on or off the campus** of an educational institution, by one person alone or acting with others, directed against a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining **membership in an organization** if the act:

- is “any type of physical brutality” such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;

Hazing (continued)

- Any type of physical activity such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
- Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance which subjects the student to an unreasonable risk or harm or which adversely affects the mental or physical health or safety of the student

Hazing (continued)

- Any activity that intimidates or threatens the student with ostracism that subjects the student to extreme mental stress, shame, humiliation, or that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described in this subsection; and
- Any activity that induces, causes or requires the student to perform a duty or task which involves a violation of the Penal Code or Student Handbook.

Failure to Report Hazing

A person commits a Class B Misdemeanor if the person:

- engages in hazing;
- solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing;
- recklessly permits hazing to occur; or has firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution, or has firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report that knowledge in writing to the VP for Student Development or other appropriate officials of the institution.

Mandatory Reporting



As a Nelson University employee, you are **REQUIRED** to report any and all possible Hazing violations immediately. Failure to report with knowledge of an incident is against Nelson University policy and against the law.

Hazing Online Reporting Form

You can find an online Title IX Reporting form on the Nelson University website through this link:
<https://www.cognitoforms.com/SAGU1/HazingIncidentReportingForm>

Nelson University's Non-Discrimination Policy

Title VII of the Civil Rights Act of 1964 prohibits discrimination in employment on the basis of race, color, sex, or ethnic origin; the Age Discrimination in Employment Act (ADEA) prohibits discrimination against employees 40 years and older; and the Americans with Disabilities Act (ADA) prohibits discrimination in employment on the basis of disabilities and requires that employers reasonably accommodate individuals with disabilities who can otherwise perform a job. As with other labor standards, independent contractors generally would not be covered by anti-discrimination laws.

Nelson University does not discriminate based on race, color, national origin, gender, disability, age, veteran status, or any other protected legal status in matters of admissions, employment, housing, educational programs, or activities, except as granted by waiver from the US Department of Education. The University operates in compliance with federal non-discrimination laws, including:

Nelson University's Non-Discrimination Policy (continued)

- Title IX of the Education Amendments of 1972. (The US Department of Education has granted Nelson University an exemption from specific elements of Title IX).
- Title VI and Title IX of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973.
- The Age Discrimination Act of 1975.

As a religious institution, the University is exempt from certain provisions and retains the right to make legitimate employment, admission, and educational decisions on the basis of religious tenets, consistent with applicable laws (Title IX statute, 1st Amendment, and Religious Freedom Restoration Act). Because of its affiliation with the General Council of the Assemblies of God and the North Texas District Council of the Assemblies of God, Nelson University qualifies for the religious exemption under 20 U.S.C § 1681(a)(3) and 34 C.F.R. § 106.12.

Please fill out the QR code link to complete your attendance for Nelson University's Title IX and Hazing Training for Employees



**Thank you for supporting
our Lions!**

