

Appropriate Sexual Behavior

POLICY STATEMENT: In order to provide a thoroughly Christian working, living, and discrimination-free learning environment, Welch College expects its employees, students, and visitors (while on campus) to behave responsibly and with Christian character and “in honor preferring one another.”

All members of the Welch College Christian community share common responsibility for providing leadership, encouraging through example, and providing information as to proper behavior between the sexes. They should also be engaged in discouraging, reporting, and cooperating in the investigating of any form of sexual harassment

RATIONALE/PROCEDURE:

1. Definitions:

- Sexual harassment – Any unwelcomed sexual advances, requests for sexual favors, verbal or physical contact of a sexual nature, when:
 - Submission and/or toleration is made either explicit or implicit a term of employment, living conditions including safety and satisfaction, student status, or evaluation,
 - Such conduct has the effect of unreasonably interfering with the person’s work or academic performance, or
 - An intimidating, hostile, demeaning, or offensive work, educational, or inappropriate personal/emotional/spiritual environment results.
- Inappropriate sexual behavior – Sexual behavior may involve persons of the opposite sex or of the same sex as evidenced by:
 - Repeated unwelcomed sexual propositions, suggestions, or flirtations occur,
 - Unwanted exposure to sexual expressions, comments about a person’s dress or body, visual or graphic displays, language, jokes, innuendos, insulting sounds, gestures, or body display,
 - Sexual graffiti including photographs whether physical or electronically-transmitted images, and
 - Unwanted and inappropriate petting, kissing, pinching, or brushing against the person in a sexual manner.
- Hostile environment –Determination of a hostile environment will be evidenced by:
 - The context in which the conduct occurred,
 - Relevant circumstances including but not limited to the frequency of the conduct, its severity, and it threatening or humiliating character,
 - Reasonable and expected behavior in a Bible College environment, and
 - Basic biblical principles for behavior between the sexes whether opposite sex or the same sex.
- Retaliation – Any adverse action against the complainant or the accused having reported, in good faith, an incident of perceived sexual harassment, or having served as a witness or participant, including hearing panel member, in any procedure regarding a complaint of sexual harassment.
- Complainant – The person against whom alleged sexual harassment has occurred.
- Accused – The person who is the alleged offender.

2. Procedures for reporting and processing reports are as follows:

- Any member of the campus family, visitor, or participant in an approved Welch College activity, whether on campus or not, who has been sexually harassed, should report this activity as soon as possible.
- Any college employee is required to report sexual harassment whether or not he/she has made a promise confidentiality.
- The Title IX and sexual harassment officer on this campus is the Vice President for Financial Affairs. All incidents of sexual harassment should be reported to him except as follows in the next section.
- Reports of inappropriate behavior on the part of administrative officers or board members:
 - Perceived and inappropriate behavior on the part of college administrative officers should be reported to the Vice President for Financial Affairs, or to the President, or to the Board in that order and as appropriate.
 - Reports of inappropriate behavior on the part of the President should be reported to the Board.
 - Reports of inappropriate behavior on the part of Board members should be reported to the Chairman of the Board or to the Board Vice Chair as appropriate.
- The investigating officer may make any immediate arrangements necessary to protect the complainant, to provide for their safety and security, and to immediately ensure that inappropriate behavior does not continue.
- Investigation of all reports will commence within one working day.
- It shall be the responsibility of the approved investigating officer (Vice President for Financial Affairs) and any panel he appoints to refer complaints to local law enforcement as he/they may deem appropriate.
- Should the complainant report to legal authorities this will in no way lessen the rights of either party under this policy.
- Complaints made against two or more persons will be handled as separate complaints.
- Any complaint made against an approved campus organization which is resolved in favor of the complainant will jeopardize approval of the organization to continue to operate on campus.
- All information pertaining to the complaint, the identity of the complainant or accused, and proceedings are to be considered as most secure:
 - These will not be shared with anyone (including family members), on or off campus, except those with a legally legitimate need-to-know, or as provided in a hearing or in response to a court order.
 - All parties who participate in any way in any proceeding including College officials knowledge of the accusations and who participate in any way explicitly or implicitly will be asked to sign statements of confidentiality.
 - All records of sexual harassment proceedings will be sealed and kept in the College safe or safety deposit box for no more than seven years at the end of which they will be destroyed, without further review, by shredding or burning.
- Anonymously submitted complaints, evidence, or witness testimony are not usually investigated and do not usually become a part of any hearings nor should they affect the rights of the accused in any manner. Should they be presented in any hearing by the complainant or College official, the accused will be furnished a complete photo copy of such and a description as to how it was obtained.

3. Rights and responsibilities of the complaint, accused, and other campus family

members:

- The complainant, panel members, all witnesses shall have the right to expect confidentiality and to be free from any and all inappropriate remarks or retaliation.
- The College will maintain all rights to a fair and speedy hearing, to ample time to prepare a defense, to a fair and impartial hearing and panel, to specification of accusations related to well-know and publicized rules of expected behavior, to face his/her accusers, ample opportunity to present a defense including calling witnesses and providing written documentation, to a timely appeal, and in the event the complaint is successful the right to expect appropriate punishment in character with similar complaints.
- Accused persons will have the right to a speedy appeal to the President through him and a committee who he appoints composed of no more than three senior administrators, and/or faculty, and/or staff members with no previous knowledge of the hearing or its outcome.

4. Discipline

- Inappropriate behavior and procedures:
 - Any member of the College family who is found to have made an intentionally false accusation of complaint or provided false information without personal knowledge of its accuracy is subject to discipline including dismissal from employment and/or enrolled status.
 - The College will strive to maintain proper decorum in all proceedings, however, in the event of an inappropriate complaint, further pursuit beyond the appeal for exoneration or damages by the accused must be private and through civil means.
 - Should the complainant desire to further pursue the complaint once a final decision has been made at the appellate stage then this, too, is beyond the scope of the College to adjudicate and must be between the complainant and the accused.
 - Retaliation against persons raising concerns about sexual harassment, against the accused, or participating in an inappropriate capacity in investigative procedures affecting either the complainant or the accused by any College family member may result in discipline including dismissal from employment and/or enrolled status.
- Discipline in the event the accused is found at fault
 - Members of the College community found in violation of this policy and procedures may be disciplined including discharging them from employment and/or enrolled student status as determined by investigating officer and the committee he appoints
 - Disciplined members of the College family, whether students, employees, or Board members, can be permanently barred from enrollment, employment, or service to the College in any manner.

RESPONSIBILITY: It shall be the responsibility of the Vice President for Financial Affairs (Title IX officer and staff), the Vice President for Student Services (students), Provost (faculty), one staff member selected by the staff, one faculty member selected by the faculty, and the secretary of the Student Council to provide continuous oversight of this policy. The Vice President for Financial Affairs shall select, convene, and chair any panel called for the purpose of revising this policy or hearing any and all complaints regarding sexual harassment. In the event an administrator is involved this officer may chair the panel at the discretion of the President. Should a complaint be made against the President or a Board member, the appropriate next highest ranking officer of the College will chair the panel.

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