



You have options.
Garrett can help.

Resource Guide on Sexual Misconduct and Title IX



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GARRETT-EVANGELICAL THEOLOGICAL SEMINARY TITLE IX POLICY

Sexual misconduct is unacceptable and will not be tolerated at Garrett-Evangelical Theological Seminary ("Seminary"). The Seminary prohibits discrimination based on sex in its educational programs and activities. Accordingly, the Seminary urges an individual to make a formal report if that individual is the victim of sexual misconduct, has knowledge of another person being the victim of sexual misconduct, or believes in good faith that he/she has witnessed a possible warning sign of sexual misconduct. A report of sexual misconduct will be dealt with promptly. Confidentiality will be maintained to the greatest extent possible. Individuals found responsible for violating this policy will be subject to disciplinary action that may include termination, expulsion, suspension, removal from campus, cancellation of contract, other appropriate institutional sanctions, or any other means necessary to address the behavior. Prosecution by civil or criminal authorities may also occur.

Scope of Policy

This policy applies to all members of the Garrett-Evangelical Theological Seminary community, including but not limited to students, faculty, adjunct faculty, staff, administrators, and independent contractors, as well as Seminary visitors, volunteers, guests, and third parties.

DEFINITIONS

Garrett-Evangelical Theological Seminary is committed to a safe and healthy environment and, as such, does not tolerate sexual misconduct in any form, including but not limited to:

- **Sexual assault:** sexual penetration without consent, sexual contact without consent, or statutory rape
- **Sexual exploitation:** taking sexual advantage of another person or violating the sexual privacy of another without consent (e.g., voyeurism, indecent exposure, recording intimate activity)
- **Sexual harassment:** unwelcome conduct of a sexual nature that creates a hostile environment or is a condition of employment, academic standing, or participation in a Seminary program or activity
- **Dating/domestic violence:** any violence between two people who are or have been in a romantic or intimate relationship
- **Stalking:** knowingly engaging in a course of conduct directed at a specific person that one knows or should know would cause a reasonable person to fear for their safety or suffer emotional distress (e.g., threats, following, monitoring, communication)
- **Gender-based harassment:** verbal, non-verbal and physical acts of aggression, intimidation, or hostility, based on gender, sex and/or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.
- **Sexual-orientation based harassment:** verbal, non-verbal, and physical acts of aggression, intimidation, or hostility, based on an individual's actual or perceived heterosexuality, homosexuality, bisexuality, transsexuality, or other sexual orientation.
- **Discrimination based on pregnancy or prenatal status:** comments that could constitute prohibited harassment include making sexual comments or jokes about a individual's pregnancy, calling the individual sexually charged names, spreading rumors about the individual's sexual activity, and making sexual propositions or gestures.

The full definitions of these terms can be found in Garrett-Evangelical Theological Seminary's Sexual Misconduct Policy online at, <http://www.garrett.edu/sexual-misconduct-and-title-ix>.

CONSENT

Sexual activity requires consent, which is defined as informed, voluntary, and a mutual agreement between the participants engaging in a specific sexual activity. Consent must be acquired prior to or contemporaneously with sexual activity and may be withdrawn at any time from any participant. A person who is not of legal age (17 years old in Illinois) cannot consent to sexual activity. Consent is present when clearly understandable words or actions manifest a knowing, active, voluntary, and present and ongoing agreement to engage in a specific sexual or intimate contact. Consent is not present when an individual does not have the capacity to give consent due to age, alcohol, drugs, sleep, or other physical condition or disability.

IF YOU BELIEVE YOU HAVE EXPERIENCED SEXUAL MISCONDUCT, YOU HAVE OPTIONS

Speak with a confidential resource about your options, on or off campus.

On-Campus Student Chaplain

The Seminary has a full-time Student Chaplain, Rev. Dr. Karen Mosby. Rev. Mosby is located in Stead Hall Office 306, 847.866.3982, via email at karen.mosby@garrett.edu.

Off-Campus Counseling (Chicagoland Area)

The Seminary offers several free counseling sessions to current students who may be in emotional crisis. For more information about seeing a pastoral counselor, located throughout the Chicagoland area, please log into MyGETS at www.mygets.garrett.edu. Click on Student Services, located at the bar on the top of the page. On the left hand side a list of offices will appear, click on the Office of Student Life. Then on the left hand side of the page, click on the Pastoral Care and Counseling link. This will take you to the Pastoral Care and Counseling page where additional information may be found regarding counselors and their locations, how to apply for counseling, and counseling guidelines.

For further information regarding the Seminary counseling program, please contact Benjamin Reynolds, Dean of Students, located in room 306 of the Main Building, 847.866.3936, via email benjamin.reynolds@garrett.edu.

Additional Off-Campus Confidential Resources

Evanston Hospital

2650 Ridge Ave
Evanston, IL 60201
847.570.2000

YWCA Evanston/North Shore

1215 Church Street
Evanston, IL 60201
847.864.8445
www.ywca-ens.org

Rape Victims Advocates

180 N. Michigan Ave, Suite 600
Chicago, IL 60601
312.443.9603
www.rapevictimagadvocates.org

Porchlight Counseling Services

(Free counseling for sexual and/or domestic/dating violence)
773.750.7077
www.porchlightcounseling.org

Seek medical attention to treat any injuries, test for sexually transmitted infections, obtain emergency contraception (if needed), and/or perform a rape evidence collection procedure. A medical forensic exam can be performed up to seven days after an incident but is most effective if performed sooner.

**Contact the police to file a report.
Dial 911 for an emergency.**

Evanston Police Department

1454 Elmwood Ave
Evanston, IL 60201
847-866-5000

www.cityofevanston.org/government/departments/police/victim-youth-services

Evanston Hospital

2650 Ridge Ave
Evanston, IL 60201
847-570-2000

AMITA Health Saint Francis Hospital

Evanston
355 Ridge Ave
Evanston, IL 60202
847-316-4000

Contact the Title IX Coordinator or a Deputy Title IX Coordinator to report the incident to the Seminary.

All alleged violations of this Policy should be directed to one of the following:

Erin Moore, Assistant Vice President of Human Resources and Employee Engagement
2121 Sheridan Road, Room 118, Evanston, Illinois 60201
847.866.3918 | titlenine@garrett.edu

The Title IX Coordinator is responsible for monitoring and oversight of overall implementation of Title IX compliance and the prevention of harassment and discrimination at the Seminary, including coordination of training, education, communications, and administration of grievance procedures for faculty, staff, students, and other members of the Seminary community. If you have questions or concerns related to Title IX, you should contact the Seminary's Title IX Coordinator.

Staff Complaints: Title IX Coordinator, Erin Moore, Asst. VP for Human Resources and Employee Engagement, Main building in room 118, 2121 Sheridan Road, Evanston, IL 60201, 847.866.3918, or email titlenine@garrett.edu.

Faculty Complaints: Title IX Deputy Coordinator, Mai-Anh Le Tran, Academic Dean, Pfeiffer 300 building office 333, 2121 Sheridan Road Evanston, IL 60201, 847.866.3863, or email maianh.tran@garrett.edu.

Student Complaints: Title IX Deputy Coordinator, Benjamin Reynolds, Dean of Students, Main building in room 306, 2121 Sheridan Road, Evanston, IL 60201, 847.866.3936, or email benjamin.reynolds@garrett.edu .

A report may also be submitted online at
www.garrett.edu/sexual-misconduct-and-title-ix

Preserve any physical evidence you have in case you decide to report the incident at a later date.

The Seminary encourages individuals who have experienced sexual misconduct to preserve evidence to the greatest extent possible as this will preserve more options for them in the future. Some suggestions include the following:

- Preserve evidence of electronic communications, such as text messages, pictures, and/or social networking pages, by saving them and/or taking screen shots.
- If there is suspicion that a drink may have been drugged, inform a medical assistance provider and/or police as soon as possible so they can collect evidence (e.g., from the drink, through urine or blood sample).
- Because evidence that may be located on the body can dissipate quickly, consider going to a hospital or medical facility immediately to seek a medical exam. If possible, do not shower, brush teeth, use the bathroom, or eat before going to the hospital or seeking medical attention. Do not wash clothes or bedding.

THE SEMINARY CAN HELP YOU

Interim measures and support services

Interim measures are individualized services offered to parties involved in incidents of sexual misconduct. Interim measures may include:

- academic assistance
- housing or workspace relocation
- time off from class or work
- transportation arrangements
- no-contact directives
- safety planning

Contact the Title IX Coordinator or Deputy Title IX Coordinators to request interim measures. Such measures will be kept confidential to the extent possible.

REPORTING

About reporting

You may choose whether to report sexual misconduct to the Seminary, law enforcement, both, or neither. Campus sexual misconduct investigations can occur at the same time as police investigations.

The Seminary can help you file a police report.

Reporting to police does not obligate you to testify in court.

To encourage reporting, an individual who makes a good-faith report of sexual misconduct that was directed at them or another person will not be subject to disciplinary action by the Seminary for a conduct or policy violation that is related to and revealed in the sexual misconduct report or investigation, unless the Seminary determines that the violation was serious and/or placed the health or safety of others at risk.

There is no time limit for reporting an incident. Reports should be made as soon as possible, as the passing of time makes a review of the evidence more difficult and the memories of involved parties may become less reliable.

Reporting options

You may report an incident to the Seminary and request interim measures and/or a Seminary investigation by contacting a Title IX Coordinator. See list on page four for contact information.

You may also report sexual misconduct electronically:
www.garrett.edu/sexual-misconduct-and-title-ix

While anonymous reports are accepted and will be reviewed, the Seminary's ability to address alleged sexual misconduct reported by anonymous sources is significantly limited. You may report an incident to law enforcement and request a police investigation. See page three for Evanston police contact information.

Reporting obligation

All Seminary employees (including student employees) and students with teaching or supervisory authority are obligated to promptly report sexual misconduct of which they become aware in the scope of their work for the Seminary to the Title IX Coordinator, unless they are a resource not obligated to report as identified in the Sexual Misconduct Policy.

Confidentiality

The Seminary handles sexual misconduct reports discreetly, with information shared only with those who need to know in order to investigate and resolve the matter. Parties in investigations of sexual misconduct are asked to keep the information related to the investigation private, to the extent consistent with applicable law.

Witnesses and advisors will be asked to keep confidential any information learned in an investigation meeting, to the extent consistent with applicable law.

When a person does not want the Seminary to investigate or wants to remain anonymous

In cases where an individual reporting sexual misconduct requests anonymity or does not wish to proceed with an investigation, the Seminary will attempt to honor that request, but, in some cases, the Title IX Coordinator may determine that the Seminary needs to proceed with an investigation based on concern for the safety or well-being of the broader Seminary community. The Seminary reserves the right to take appropriate action in such circumstances, including in cases when the individual reporting the misconduct chooses not to proceed; however, the Seminary will not compel an individual to participate. If you are unsure about whether you want to make a report or proceed with an investigation, a confidential resource can help you explore your options and provide additional resources, support, and information. See page three for a list of confidential resources.

INVESTIGATIONS

Complaint investigation and resolution

The Seminary typically investigates complaints by meeting with the complainant, respondent, and witnesses and reviewing relevant evidence. The Seminary uses the preponderance of the evidence standard, which means that if the evidence shows that it is more likely than not that sexual misconduct occurred, the respondent will be found responsible.

Investigations are usually conducted by administrator(s) or other trained investigator(s) designated by the Title IX Coordinator. Violations of the Policy on Sexual Misconduct may result in sanctions and corrective actions. Individuals found responsible for violating this policy will be subject to disciplinary action that may include termination, expulsion, suspension, removal from campus, cancellation of contract, other appropriate institutional sanctions, or any other means necessary to address the behavior. Prosecution by civil or criminal authorities may also occur.

Advisor/legal counsel

An advisor is a person who is present to provide support to a complainant or respondent throughout an investigation and any sanctioning process. Complainants and respondents may be accompanied by one advisor throughout the investigation and any sanctioning process, provided that the involvement of the advisor does not result in an undue delay of the process. It is the responsibility of each party to coordinate scheduling with their advisor for any meetings.

The Title IX Coordinator must be notified at least 72 hours prior that an advisor will be present and only one advisor may be present. An advisor may not speak, write, or otherwise communicate with an investigator on behalf of the complainant or respondent. While the advisor may be legal counsel by profession, the advisor may not function as legal counsel during the Title IX hearing process. Advisors who do not abide by these guidelines may be excluded from the process. The Seminary may have its legal counsel attend any proceeding where an attorney serving as an advisor is present.

Timeline

Though the Seminary strives to resolve all cases in a prompt and timely manner, the timeline varies based on the circumstances of the case. Additionally, the timeline for a case may be affected by breaks in the academic calendar, availability of the parties and witnesses (including due to leave of absence), scope of the investigation, need for interim actions, and unforeseen or exigent circumstances.

Barring the circumstances referenced above or other unforeseen circumstances, the investigation process, including any formal proceedings that occur, shall take no more than 90 calendar days from the time a formal complaint is initiated, not including any appeals. If the investigation extends beyond 90 calendar days, the Seminary will explain the reason for the delay to both parties and keep them apprised of the modified timeline.

In cases where there is a simultaneous law enforcement investigation, the Seminary may need to temporarily delay its investigation while law enforcement gathers evidence. However, the Seminary will generally proceed with its investigation and resolution of a complaint during any law enforcement investigation.

Truthfulness

All participants have the responsibility to be completely truthful with the information they share at all stages of the process.

Retaliation

The Seminary strictly prohibits retaliation against any person making a complaint of sexual misconduct or against any person cooperating in the investigation of any charge of sexual misconduct. This includes threatening, intimidating, interfering with, coercing or taking any adverse action against any participant (complainant, respondent, or witness), that: 1) reports sexual misconduct; 2) seeks advice concerning sexual misconduct; 3) assists or supports another individual or group that reports sexual misconduct; or 4) participates in the investigation of a sexual misconduct report.

The Seminary will take immediate action to any report of retaliation. Any individuals who engaged in such actions are subject to disciplinary or remedial action, which can include expulsion from the Seminary, termination of employment, and may also be subject to criminal and/or civil action. Anyone who is aware of possible retaliation or has other concerns regarding the response to a complaint of sexual misconduct should report such concerns to the Title IX Coordinator.

The full investigation process is outlined in Garrett-Evangelical Theological Seminary's Sexual Misconduct Policy online at, www.garrett.edu/sexual-misconduct-and-title-ix.

HOW TO HELP SOMEONE WHO TELLS YOU ABOUT AN INCIDENT OF SEXUAL MISCONDUCT



Individuals who have experienced sexual misconduct often respond in a variety of ways, including anger, sadness, confusion, or withdrawal.

Listen: Give the survivor your complete attention. Try not to interrupt or discuss your personal history.

Support: Survivors are often met with skepticism or disbelief. Offering nonjudgmental support and acknowledging the feelings of the survivor can help create a safe space for them to process the next steps.

Refer: You do not have to have all of the answers, and it is not your responsibility to fix the problem or determine what occurred. An important part of being helpful to a survivor is providing them with information about options and resources. Please refer survivors to the confidential resources and other options in this brochure.

If required under the Reporting Obligation section on page six, be sure to report to the Title IX Coordinator.



DO

- Tell the survivor: This was not your fault. You have options.
- Give the survivor options: To sit or stand; To share or be silent; To call the Student Chaplain or other confidential resources or to have you facilitate the connection
- Say that the survivor is not alone.
- Tell the survivor that resources are available to help.
- Take care of yourself. Get support if you need it.



DON'T

- Say that you know what the survivor is going through.
- Ask questions that suggest blame, such as "Why were you drinking?" or "Why didn't you get help sooner?"
- Question whether the survivor is telling the truth.
- Touch the survivor in any way without permission.
- Panic. Take a deep breath and focus on the survivor.



**Garrett-Evangelical
Theological Seminary**

Office of Human Resources

2121 Sheridan Road
Evanston, Illinois 60201