



Moody Distance Learning

Title IX - Things You Need To Know

The Moody Bible Institute of Chicago (Moody) wishes for all students and employees who either have been involved or are currently involved in sexual harassment, sexual violence or other gender-based harassment or discrimination to be aware of their rights and options under the Title IX federal law.

Sexual harassment, sexual violence and other gender-based harassment or discrimination (hereafter referred to as Sex-Based Misconduct) occurring in the college setting implicates a federal law called Title IX of the Higher Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs or activities and which triggers certain responsibilities on the part of an institute. Moody has a Title IX Team whose members can help explain Moody's responsibilities in these cases. For their contact information, see www.moody.edu/TitleIX.

Moody is committed to maintaining a positive learning, working and living environment. Moody will not tolerate Sex-Based Misconduct or related retaliation against or by any employee or student. When Sex-Based Misconduct has occurred and is brought to the attention of Moody personnel, the Title IX Coordinator will take steps to end the harassment, discrimination and/or violence, prevent its reoccurrence, and address its effects. For more information, see Moody's Title IX policy found at www.moody.edu/TitleIX.

Amnesty for Student Misconduct

Moody's primary concern is student safety and encouraging students to report information about Sex-Based Misconduct. Therefore, in order to facilitate reporting and resolution of Sex-Based Misconduct, Moody will extend immunity for any violation of Moody's student conduct policies, including policies concerning drug or alcohol possession or consumption or sexual activity, for conduct in which any victim or witness of Sex-Based Misconduct might have engaged in connection with the reported Title IX incident. Immunity will not be applied if Moody determines that the violation was egregious, including without limitation an action that is illegal or actions that did, do, or may place the health or safety of any other person at risk.

Reporting Rights, Resources, and Roles

Within Moody's Title IX Policy, the person making the allegation is referred to as the *Reporter*. The person who is the alleged victim is referred to as the *Complainant*. The person who the allegations have been made against is referred to as the *Respondent*.

Any person who has been the victim of Sex-Based Misconduct has the right to report or not report the alleged incident. There are a number of reporting options available. It is important to understand that choosing one option does not preclude you from pursuing another option now or in the future

A person who wishes to report Sex-Based Misconduct may report directly to any or all of the following:

- **Any Moody employee, including faculty**
All Moody employees must refer reports of Sex-Based Misconduct to the Title IX Coordinator. No staff or faculty member can provide a person with confidentiality when a report is made known to them about Sex-Based Misconduct. Any staff or faculty member can help a person report Sex-Based Misconduct to the Title IX Coordinator.
- **Moody's Public Safety Officers**

Public Safety can assist Reporters and/or Complainants in making reports to law enforcement and to the Title IX Coordinator.

- **Any Title IX Member**
- **Title IX Coordinator**
- **Local law enforcement**

Moody's process is completely separate from the police and courts. Moody's Title IX process and the criminal process may be pursued simultaneously.

- **Office of Civil Rights of the U.S. Department of Education**

A person who wishes to **confidentially** report Sex-Based Misconduct may report directly to any or all of the following:

- **Any confidential resource**

This includes on-campus and off-campus counselors and healthcare professionals, crisis centers, etc. See Resource Page for more information.

- **Confidential Advisor**

This is a contracted position with Meier Clinic and is not a Moody employee. See Resource Page for more information.

Complaint Resolution Procedures

Reporting Complaints and Preliminary Investigation

When Moody personnel become aware of Sex-Based Misconduct, the Title IX Coordinator will begin the Formal Process by conducting a Preliminary Investigation in order to determine Title IX jurisdiction. Complainants have the right to request that the Formal Process begin promptly and proceed in a timely manner. If the alleged misconduct doesn't fall under Title IX's jurisdiction, the incident will be referred to the appropriate department. If the alleged misconduct does fall under Title IX's jurisdiction, a Formal Investigation will commence. A Complainant may choose not to participate in the Title IX process. While a Complainant is not required to participate, this may limit Moody's ability to respond to the incident. In some cases, the Title IX Coordinator may have an obligation to proceed with an investigation, regardless of a Complainant's wishes, in order to ensure campus safety. If the Complainant wishes to remain unidentified during the investigation, the Title IX Coordinator will consider the request in light of the context of Moody's responsibility to provide a safe and nondiscriminatory environment. In most cases, information including the Complainant's name may be shared with the Respondent, witnesses, and with Moody officials who have been assigned to process the case information. Beyond that, the Title IX Coordinator will take steps to protect the identities of both the Complainant and Respondent as well as the identities of all individuals involved.

Interim Measures

The Title IX Coordinator will make interim protective measures and accommodations for the Complainant while the case is pending. Depending on the case and the Complainant's request, these measures may include arranging for changes in class schedules, issuing and enforcing a no-contact order, modifying test schedules or other class requirements temporarily, and honoring an order of protection or no-contact order entered by a State civil or criminal court, if such measure are applicable and reasonably available. Moody may temporarily reassign or place on administrative leave an employee Respondent alleged to have violated the Title IX policy. Any adjustments made will be designed to minimize the burden on the Complainant's educational or work experience. Some of these actions may also be remedies in those cases resulting in a finding of a policy violation.

Formal Investigation

At the start of the Formal Investigation, both the Complainant and Respondent will receive notice of the Investigators and, if applicable, the Discipline Authority involved in resolving the complaint, before being contacted by such persons. The Complainant and Respondent will have the opportunity to request a substitution of an Investigator(s) or Discipline

Authority if that person's participation in the Formal Process poses a conflict of interest. A detailed explanation of the suggested conflict of interest must be submitted to the Title IX Coordinator in writing. The Title IX Coordinator will consider the request and make a substitution if deemed necessary. The Title IX Investigator(s) will review the allegations and determine an appropriate course of action. All investigations will be conducted in a thorough and neutral manner.

An advisor may accompany both the Complainant and Respondent during any meeting. The advisor may be an attorney or any support person. In Moody's process, the Complainant and Respondent will not be permitted to directly question each other and are not required to be present together at any point. Both the Complainant and the Respondent have the right to identify witnesses and provide other information relevant to the Formal Investigation. The Title IX Coordinator will decide the case based on a preponderance of the evidence gathered through the investigation whether or not it is more likely than not that the alleged Sex-Based Misconduct occurred.

In the event that a police report has also been filed, the Investigators will not wait until a criminal case is resolved before proceeding with the Title IX case. In addition, if a Moody personnel has a reasonable belief that a crime has been committed, she or he may be obligated to report that to law enforcement if police have not already been notified. In cases where a police investigation has been conducted or is being conducted, law enforcement may be able to provide some information to the Title IX Coordinator with the victim's consent. The formal investigation may be delayed for a short period of time upon a request from law enforcement, but we will promptly resume the investigation as soon as possible.

Most Sex-Based Misconduct investigations conducted through the Title IX process take up to 60 days to be resolved, depending on the complexity of the case and the number of parties involved. The Investigators will keep the Complainant and the Respondent advised as to the status of the case as the Complainant and the Respondent desires and as is reasonable. The Complainant and the Respondent will be informed of the outcome of the case, simultaneously, in writing.

Petition for Appeal

The Complainant or Respondent may file a Petition for Appeal in writing within 48 hours of receiving the notification of the final outcome of the Investigation. The appeal must clearly state the grounds that justify reconsideration. General dissatisfaction with the outcome of the Investigation or related proceedings is not a basis for appeal.

Retaliation

Moody has a policy which prohibits retaliation against any employee or student who reports an incident of alleged Sex-Based Misconduct, or any employee or student who testifies, assists or participates in a proceeding, investigation or hearing relating to these allegations. Respondents are informed of this provision, and any retaliation should be reported immediately to the Title IX Coordinator.

Examples which may be policy violations include the following: an instructor suggests that a higher grade might be given to a student if the student submits to sexual advances; a supervisor implicitly or explicitly threatens termination if a subordinate refuses the supervisor's sexual advances; a student repeatedly sends sexually explicit messages to the instructor's voicemail or email; a student or employee touches an individual in an unwelcome, sexual manner without consent; a student or employee repeatedly makes unwelcome comments about an individual's body in person, on the phone, or in any other way; a student or employee records a person's engagement in sexual activity without consent; a student or employee exposes their sexual organs to an individual without consent and in an unwelcome manner.

For a thorough explanation of Moody's Title IX policy and incident report procedure, please see our website at www.moody.edu/TitleIX or contact a Title IX Officer.

Resources

Moody can provide assistance to any person who requests help with accessing or navigating campus and local health and mental health services, counseling, and advocacy services.

On-campus resources that may be helpful for MDL students

- **Student Experience**

John Engelkemier

john.engelkemier@moody.edu

(312) 329-2145

- **Student Development**

Tim Arens

timothy.arens@moody.edu

(312) 329-4191

- **Human Resources – Employees**

Debbie Zelinski

debbie.zelinski@moody.edu

(312) 329-4231

Serene Hudson

serene.hudson@moody.edu

(312) 329-4296

Online resources that may be helpful include:

- **Local Hospital**

- **Domestic Violence Resources (confidential session available)**

U.S. National Domestic Violence Hotline

(800) 799-SAFE (7233)

www.thehotline.org

Safe Horizon

(800) 621-HOPE (4673)

www.safehorizon.org

- **Civil Rights Resource**

U.S. Department of Education

400 Maryland Avenue, SW

Washington, D.C. 20202

(800) 421-3481

ocr@ed.gov

www.ed.gov

- **Local Police Department**

In cases of emergency, please find a phone and dial 911.

- **Legal Service Resources (confidential session available)**

probono.net

Regional Sites

www.probono.net

- **Equal Employment Opportunity Resources – Employees**

Equal Employment Opportunity Resources Commission

www.eeoc.gov

- **National Sexual Assault Crisis Centers (confidential session available)**

National Sexual Violence Resource Center

123 North Enola Drive

Enola, PA 17025

(717) 909-0710

www.nsvrc.org/

Rape, Abuse & Incest National Network

National Sexual Assault Hotline available 24/7

800-656-HOPE (4673)

www.rainn.org/

Online chat: online.rainn.org

Español: rainn.org/es