

The Moody Bible Institute of Chicago Title IX Policy and Complaint Procedure (as of August 1, 2016)

Overview

This Title IX Policy (this “Policy”) and Complaint Procedure (“Complaint Procedure”) provides an avenue for those who have been the target of or who witness Sex-Based Misconduct (see “Definition” section below) to report such Sex-Based Misconduct, without fear of Retaliation (see “Definition” section below).

I. Policy Statement

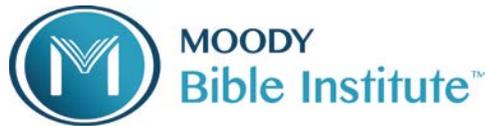
As a Christian institution of higher learning, The Moody Bible Institute of Chicago (“Moody”) seeks to foster interactions that encourage an atmosphere of respect for all members of the Moody community and an educational and work environment free from Sex-Based Misconduct. To this end, Moody expects members of the Moody community to comply with legal requirements as well as higher standards of conduct consistent with our belief in Jesus Christ which elevates our view of human worth, dignity and interpersonal communication. Moody prohibits Sex-Based Misconduct as well as Retaliation against any individual who reports a Title IX Complaint (see “Definition” section below).

II. Application of Policy

This Policy applies to all members of the Moody community—students, faculty, administrators, and staff; and vendors, contractors, and third parties who visit Moody’s campus with respect to all conduct in any academic, educational, extra-curricular, athletic, or other Moody program or activity (collectively, “Moody programs and activities”) on the Moody campus and Moody programs and activities occurring off-campus, including Moody programs and activities outside the United States. This Policy also applies to persons conducting business with or visiting Moody.

III. Amnesty for Student Misconduct

Moody recognizes that victims and individuals with information about Sex-Based Misconduct may hesitate to come forward out of fear that their own actions are violations of Moody’s student conduct policies, including without limitation policies related to the use of drugs and alcohol and/or sexual activity. While Moody does not condone violations of such policies, it considers reporting incidents of Sex-Based Misconduct to be of paramount importance. 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 without limitation 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; provided, however, that such immunity will not be extended to the extent Moody determines that the violation of Moody’s student conduct policies was egregious, involved any illegal activity, or involved violations that did, do, or may place the health or safety of any other person at risk.



IV. Reporting Title IX Complaints

Moody students or employees who experience Sex-Based Misconduct of any kind are likely to have concerns and questions, including what options are available for reporting and responding to Sex-Based Misconduct. 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. Title IX Complaints by or against Moody students, Moody employees, or third parties, can be filed with Moody's Title IX Coordinator. To discuss the various reporting options that are available to you, please contact Moody's Title IX Coordinator or any member of the Title IX team. Contact information for the Title IX Coordinator and the entire Title IX team is available at <http://www.moody.edu/titleIX/>.

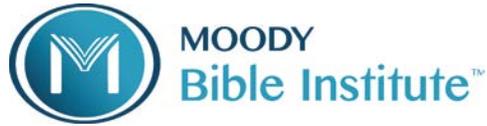
Victims or witnesses of Sex-Based Misconduct or Retaliation should immediately report the misconduct. They should not wait to report the Sex-Based Misconduct until it becomes sufficiently serious (*i.e.*, severe, pervasive, or persistent) to create a Hostile Environment (see "Definitions" section below). The Title IX Coordinator and Title IX Investigators (see "Definitions" section below) can take proactive steps to prevent Sex-Based Misconduct or Retaliation from continuing and/or escalating, and protect or otherwise assist the persons involved. The Title IX Coordinator and/or Title IX Investigators will also provide Complainants with concise information, written in plain language, concerning the Complainant's rights and resources when dealing with Sex-Based Misconduct.

Victims or witnesses of Sex-Based Misconduct or Retaliation who wish to file a Title IX Complaint should do so as soon as possible after an incident. The Title IX Coordinator coordinates and tracks all Title IX Complaints. There are several avenues available for submitting a Title IX Complaint:

- Send a private email to the Title IX Coordinator (TitleIX@moody.edu)
- Mail a letter to the Title IX Coordinator (for mailing address please visit www.moody.edu/titleIX)
- Visit the Title IX Coordinator (for location information please visit www.moody.edu/titleIX)
- Report to another trusted Moody official, including any Title IX team member, Resident Supervisor, Public Safety officer, coach, Faculty Advisor, or Human Resources employee, who will provide information as required under the policy to the Title IX Coordinator

If there is a Title IX Complaint about the Title IX Coordinator, or if a direct report of the Title IX Coordinator would like to submit a Title IX Complaint, that Title IX Complaint should be filed with the President of Moody by either delivering or mailing a letter to the President of Moody. The President will appoint another trained individual to take the place of the Title IX Coordinator for purposes of the Title IX Complaint.

- A. Students.** A student who has experienced and/or witnessed what he or she believes is a form of Sex-Based Misconduct is encouraged to: (1) File a formal Title IX Complaint; and/or (2) file a police report; and/or (3) seek confidential counseling and/or assistance as described in Section XI below.



B. Employees. All Moody employees are required to report to the Title IX Coordinator all relevant details about any alleged Sex-Based Misconduct that a student or another person has shared with such employee, unless such employee is statutorily prohibited from reporting such information, such as counseling and health care professionals. Relevant information includes the name of the alleged perpetrator (the “Respondent;” see “Definitions” section below) (if known), the student or other person who experienced the alleged Sex-Based Misconduct, any others involved in the Sex-Based Misconduct, as well as relevant facts, including the date, time, and location of the Sex-Based Misconduct.

Employees who hear about an incident of Sex-Based Misconduct should not promise confidentiality to the person who shares this information with the employee. Employees should tell the person sharing the information that: (1) the employee has an obligation to report the name of the Respondent and persons involved in the alleged Sex-Based Misconduct, as well as any relevant facts regarding the incident (including date, time, and location), to the Title IX Coordinator; (2) that the person has an option to request that Moody maintain his or her confidentiality, which the Title IX Coordinator will consider; (3) that the person may share the information confidentially with the confidential resources described later in this policy; (4) that the person has a right to file a Title IX Complaint with Moody; and (5) that the person has a right to report a crime to local law enforcement.

Important: Please note that all Moody employees must report suspected or known child abuse* (including any suspected Sex-Based Misconduct perpetrated against those under the age of 18) to the applicable state children and family services department:

Illinois

Illinois Department of Children and Family Services (DCFS).
Hotline: 800-252-2873

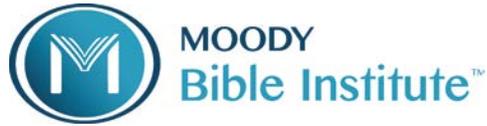
*All employees are mandated reporters under the Illinois Abused and Neglected Child Reporting Act and are thus required to report suspected or known child abuse to DCFS.

Michigan

Michigan Department of Human Services (DHS).
For report of child abuse or neglect, call 855-444-3911.

Washington

Washington State Department of Social and Health Services.
For reports of child abuse or neglect, call 866-363-4276.



V. Reporting to Law Enforcement Authorities

Please call 911 as soon as possible if someone is in immediate danger or needs immediate medical attention.

If you believe that you have experienced or witnessed Sex-Based Misconduct, you may file a police report directly with your local police department, you may seek assistance from Moody's Public Safety Department or Title IX Coordinator to make a police report, or you may decline to notify authorities. Moody's Public Safety Department may be reached by calling 312-329-4357 (HELP), by emailing public.safety@moody.edu, or in person in the Crowell Lower Level. A police report may be filed utilizing the contact information listed below:

Chicago, Illinois Campus

Chicago Police Department
18th District
1160 N. Larrabee St.
Chicago, IL 60610
312-742-5870
Call 911 for Emergencies
Call 311 for Non-Emergencies

Plymouth, Michigan Campus

Plymouth Police Department
City Hall
201 S Main
Plymouth, MI 48170
734-453-1234 ext 219
Call 911 for Emergencies
Call 734-453-8600 for Non-Emergencies

Spokane, Washington Campus

Spokane C.O.P.S.
1100 West Mallon Avenue
Spokane, WA 99260
509-835-4572
Call 911 for Emergencies
Call Crime Check at 509-456-2233 for Non-Emergencies

Some forms of Sex-Based Misconduct may also be crimes. For example, Sexual Assault (see "Definitions" section below) and Stalking (see "Definitions" section below) are crimes. Please contact local law enforcement if you would like to pursue criminal charges. Local law enforcement can help a victim obtain emergency and non-emergency medical care; get immediate law enforcement response for the victim's protection; understand how to provide assistance in a situation that may escalate to more serious criminal behavior; arrange a meeting with victim advocate services; find counseling support; initiate a criminal investigation; and answer questions about the criminal process.

VI. Anonymous Reporting

The Title IX Coordinator accepts anonymous reports of Sex-Based Misconduct and will follow up on such reports. The individual making the report is encouraged to provide as much detailed information as possible to the Title IX Coordinator. The Title IX Coordinator may be limited in the ability to investigate and respond to an anonymous report unless sufficient information is furnished to enable the conduct of a meaningful and fair investigation.

VII. Confidentiality

To the extent permitted under applicable laws, the Title IX Coordinator will keep confidential the Title IX Complaint, written reports, witness statements, and any other information provided by the Complainant (see “Definitions” section below), the Respondent, or the witnesses, and will disclose this information only to the Complainant, Respondent, witnesses, or to Moody personnel and counsel as necessary to give fair notice of the allegations and to conduct the investigation; to law enforcement consistent with state and federal law; to Moody officials as necessary for coordinating interim measures; for health, welfare, and safety reasons; and to government agencies who review Moody’s compliance with federal law. The factual findings (“Findings”) and recommendation for Sanctions (“Recommendations”) from the Title IX Coordinator may be disclosed only to the Complainant, Respondent, and Moody officials as necessary to determine whether Sanctions are necessary, and to prepare for any subsequent proceedings (e.g., committee handling appeals). These Moody officials have the same strict obligations to keep all information they learn confidential, subject to the limited exceptions that they may reveal such information when necessary to protect health, welfare, or safety. Information about Title IX Complaints and reports, absent personally identifiable information, may be reported to Moody officials and external entities for statistical and analysis purposes pursuant to federal and state law and Moody policy.

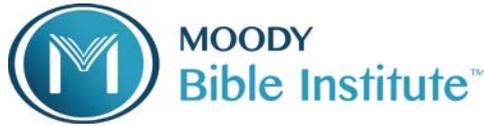
VIII. Preservation of Evidence

It is important for victims or witnesses of Sex-Based Misconduct to preserve evidence as may be necessary to the proof of the Sex-Based Misconduct. Because some evidence, particularly evidence that may be located on the body, dissipates quickly (within 48-96 hours), victims of Sexual Violence who wish to preserve evidence should go to a hospital or medical facility immediately to seek a medical examination and/or forensic evidence collection. The closest hospital to each Moody campus is as follows:

Chicago, Illinois Campus

Northwestern Memorial Hospital
251 E. Huron Street
Chicago, Illinois 60611
312-926-2000

(Note: Illinois law provides that any cost for an emergency medical or forensic examination for a victim of sexual violence that is not covered by private insurance or Illinois Public Aid will be covered by the Illinois Department of Healthcare and Family Services, and should not be billed to the patient. Northwestern Memorial Hospital has a plan to provide hospital emergency services to sexual assault survivors approved by the Illinois Department of Public Health in compliance with the Sexual Assault Survivors Emergency Treatment Act.)



Plymouth, Michigan Campus

St. Marry Mercy Hospital
36475 5 Mile Road
Livonia, MI 48154
734-655-4800

Spokane, Washington Campus

Deaconess Hospital
800 W 5th Avenue
Spokane, WA 99204
509-473-5800

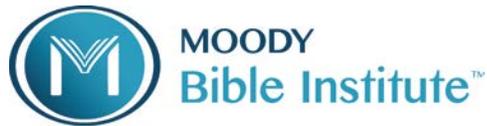
IX. Immediate Action and Interim Measures

Moody, as it may determine necessary in Moody's sole discretion, may take interim measures to assist or protect the safety of the Moody community or ensure the integrity of the Investigation during the Formal Process (described in Section X below). Such measures for a student Complainant may include arranging for changes in class schedules, living, dining, or transportation arrangements, issuing and enforcing a no-contact order, obtaining counseling, 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 measures are applicable and reasonably available. For an employee Complainant, Moody may temporarily reassign or place on administrative leave an employee alleged to have violated this Policy.

X. Resolution through the Formal Process

After a Title IX Complaint is filed, the following process ("Formal Process") will be followed. The Formal Process is designed to provide a prompt, fair, and impartial investigation and resolution and protect the safety of victims and promote accountability. Complainants have the right to request that the Formal Process begin promptly and proceed in a timely manner. The Formal Process will be conducted by Moody employees ("Title IX Investigators" or "Investigators") who receive a minimum of eight (8) to ten (10) hours annual training on issues related to Sex-Based Misconduct and how to conduct this Formal Process, in addition to annual survivor-centered and trauma-informed response training.

Fairness to all individuals involved with a Title IX Complaint is a priority. Both the Complainant and Respondent will be given a copy of this Policy and Complaint Procedure and have the opportunity to respond to all allegations. The Complainant and Respondent will also receive notice of the Investigators, Discipline Authority (defined below) and Appeals Committee members (defined below) before being contacted by such persons (or, in the case of the Discipline Authority and Appeals Committee members, before the Discipline Authority determines appropriate Sanctions or the Appeals Committee renders a written decision on appeal), and will have the opportunity to request substitution of Investigator(s), the Discipline Authority or Appeals Committee member(s) if any such person's participation in the Formal Process poses a conflict of interest. Such request for substitution must be accompanied by a detailed explanation of the basis for the purported conflict of interest. The Title IX Coordinator will consider any



substitution request in good faith, and if the Title IX Coordinator determines a conflict of interest exists, will make such substitutions of Investigators, Discipline Authorities or Appeals Committee members as the Title IX Coordinator determines is necessary. Moody shall maintain a sufficient number of Investigators, Discipline Authorities and Appeals Committee members so that a substitution can occur in the event of a conflict of interest or recusal, and so that no Appeals Committee member will be involved in the Formal Process for a Title IX Complaint prior to the appeal of such Title IX Complaint.

Both the Complainant and Respondent will have the option to be accompanied to any meeting or proceeding related to the Formal Process by an advisor of their choice. The role of the advisor is to provide support and counsel to the advisee in the Investigation, determination, and appeals processes; the advisor does not act as a representative of his or her advisee, does not have a voice in the processes, and may not actively participate in those processes. If the advisor violates the foregoing rules or engages in behavior or advocacy that harasses, abuses, or intimidates the other party, a witness, or an individual resolving the Title IX Complaint, that advisor may be prohibited from further participation in the Formal Process.

Maintaining the privacy of all individuals involved with a Title IX Complaint, including participating parties and witnesses, is also a priority, and any proceeding or meeting held to resolve a Title IX Complaint shall protect the privacy of such individuals. Specifically, Moody will not disclose the identity of the Complainant or Respondent, except as necessary to resolve the Title IX Complaint, to implement interim measure in accordance with Section X(A) below, or to comply with State or federal law.

A. Step 1-Implementation of Interim Measures and Preliminary Investigation:

After a Title IX Complaint is filed, a Title IX Investigator will consider whether immediate or interim measures or involvement of other Moody offices is appropriate. The Title IX Coordinator or an Investigator then will conduct a preliminary investigation in order to determine whether the Title IX office has jurisdiction over the matter. The Title IX office only has jurisdiction to investigate Title IX Complaints alleging Sex-Based Misconduct and Retaliation. The findings of the preliminary investigation are then reviewed by the Title IX Coordinator.

No Title IX Jurisdiction: If the Title IX Coordinator determines that there is no jurisdiction based on the preliminary investigation findings, the Formal Process concludes and the Title IX Coordinator or a Title IX Investigator may offer to assist the Complainant and, as appropriate, the Respondent, in finding appropriate campus and off-campus resources for addressing the issue of concern.

Title IX Jurisdiction: If the Title IX Coordinator determines that there is jurisdiction based on the preliminary investigation findings, the parties will proceed to Step 2 below.

B. Step 2-Formal Investigation:

As described above, if there is a finding of Title IX jurisdiction, the Title IX Coordinator will appoint one or more of the Title IX Investigators to conduct a fair and impartial Investigation (“Formal Investigation”) of the alleged Sex-Based Misconduct or Retaliation. Only Investigators who receive annual training on issues related to Sex-Based Misconduct will conduct a Formal Investigation. The Title IX Coordinator is responsible for the oversight and coordination of a prompt and equitable investigation.

The Complainant and Respondent may each have one adviser of their own choosing present for support and consultation during the investigation at any time the respective party is meeting with the Title IX Coordinator or the Investigators.

At the start of the Formal Investigation, the Complainant and Respondent may each have a meeting with the Title IX Coordinator and/or Investigator(s) during which the Formal Process and tentative timeline for the Formal Investigation will be explained and any preliminary questions answered.

As part of the Formal Investigation, Investigators will make reasonable efforts to interview the Complainant and the Respondent, and to identify, locate, and interview any witnesses of the alleged Sex-Based Misconduct or Retaliation identified to Moody by the Complainant or Respondent.

Typically, a Formal Investigation will be completed within sixty (60) calendar days of receipt of the Title IX Coordinator’s receipt of the Title IX Complaint, unless there are extenuating circumstances (*i.e.*, uncooperative witness, break periods and periods when Moody is closed). If it becomes necessary to extend the process, both parties will be notified of a revised expected resolution timeframe. During the Formal Investigation, the Complainant and Respondent will have the opportunity to review and respond to the evidence presented and to present evidence and witnesses on their behalf. The Complainant and Respondent may not cross-examine one another, but may, at the discretion and direction of the Investigator(s), suggest questions to be posed to each other by the Investigator(s). The rules of evidence used in civil or criminal trials are not applicable to these Complaint Procedures.

To the extent permitted by applicable law, the Title IX Coordinator will comply with law enforcement requests for cooperation and such cooperation may require the Title IX Coordinator to temporarily suspend the fact-finding aspect of the Investigation while law enforcement is in the process of gathering evidence. Moody promptly will resume its Formal Investigation as soon as it is notified by the law enforcement agency that it has completed the evidence gathering process.

C. Step 3-Determination:

The Investigator will determine whether there is a preponderance of the evidence to believe that the Respondent engaged in Sex-Based Misconduct or Retaliation. This means that a Respondent is presumed not to have engaged in the alleged Sex-Based Misconduct or Retaliation unless a “preponderance of the evidence” supports a finding that such misconduct has occurred. This “preponderance of the evidence” standard requires that the evidence

supporting each finding be more convincing than the evidence in opposition to it. The Investigator(s) will prepare a report (“Final Report”) to the Title IX Coordinator documenting their Findings and Recommendations, if applicable.

No Finding of Sex-Based Misconduct or Retaliation: If following completion of the Investigation the Title IX Coordinator or the Investigator finds (the “Findings”) that Sex-Based Misconduct or Retaliation did not occur, the Formal Process concludes. The Findings and notice of the termination of the Formal Process are communicated simultaneously and in writing to the Complainant, Respondent, and Moody administrators as determined necessary by the Title IX Coordinator within seven (7) days after the Findings are reached. Email is an acceptable form of delivery. In this case the Complainant may appeal the Findings in accordance with Section X(E) below.

Finding of Sex-Based Misconduct or Retaliation: If the Title IX Coordinator makes a Finding that Sex-Based Misconduct or Retaliation did occur, the Final Report will include suggested steps to take to prevent recurrence of any such violation, and as appropriate, Remedies (described in Section X(D) below) for the Complainant. The Findings are communicated to the Complainant and Respondent simultaneously and in writing, as is any information concerning when the Findings become Final. The Final Report will be provided to the Discipline Authority (described below) for a determination of appropriate Sanctions (defined below). Once the Discipline Authority, in consultation with the Title IX Coordinator, decides upon an appropriate Sanction, the Title IX Coordinator will notify the Complainant and Respondent simultaneously and in writing of the final outcome of the Investigation within seven (7) days after such final outcome is decided. The notification shall include a summary of the Findings, the Sanction(s) to be imposed, and each party’s right to appeal and the procedures for appeal (discussed below in Section X(E)). Except as provided herein, the form of notice and manner of delivery shall be at the sole discretion of the Title IX Coordinator and shall be that which is determined by the Title IX Coordinator to be the most expedient and reliable method of informing the parties, which may include, without limitation, email notification.

i. Sanctions

The following will guide the Discipline Authority in determining sanctions (collectively, “Sanctions”) and provide notice to the Moody community of the possible Sanctions for an individual found responsible for a violation of this Policy. The discussion below only provides guidance and is not meant to be exclusive as to the other Sanctions that can be imposed.

Except in the event of a substitution, the Vice President and Dean of Student Life or his or her designated campus representative is the Discipline Authority charged with imposing sanctions on students who are found to have violated this Policy. Sanctions include eviction from campus housing, dismissal, expulsion, disciplinary probation(s), warning(s), community service, fines, formal reprimand, warning status, withdrawal, loss of privilege, restitution/reconciliation, developmental/educational assignments, or referral for counseling and/or assessment.

Except in the event of a substitution, the Vice President of Human Resources is the Discipline Authority charged with imposing sanctions on employees who are found to have violated this Policy. Sanctions include a letter of warning, official reprimand, probation, referral to a required

counseling program, suspension from employment with pay, suspension from employment without pay, termination from employment, or training on Sex-Based Misconduct.

Except in the event of a substitution, the Chief Operating Officer is the Discipline Authority charged with imposing sanctions on any third party (visitor, guest, contractor, subcontractor, vendor, partner, or business affiliate) found responsible for violating this Policy. Sanctions may range from a written warning to being banned from any Moody property, activities, and/or programs, including the termination of any business contract with Moody.

Any Sanction(s) imposed may be suspended during the appeal process described in Section X(E) below.

D. Remedies

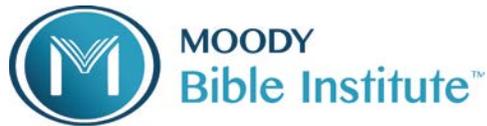
One or more of the following remedies may be provided, if reasonably available and requested by the Complainant, at the conclusion of the Formal Process for which there is Title IX jurisdiction whether or not a Respondent is found to be responsible, and whether or not the Complainant chooses to report the alleged Sex-Based Misconduct to local law enforcement:

- Providing an effective escort to ensure that the Complainant can move safely between classes and activities
- Ensuring that the Complainant and Respondent do not share classes, extracurricular activities or work space
- Moving the Respondent or the Complainant (if the Complainant requests to be moved) to a different residence hall
- Referring the Complainant to medical, counseling and academic support services, such as tutoring
- Arranging for the Complainant to have extra time to complete or re-take a class or withdraw from a class without an academic or financial penalty
- Training or retraining Moody employees on responsibilities concerning allegations of Sex-Based Misconduct, and
- Any other remedy that the Title IX Coordinator may consider appropriate

E. Appeals

A party aggrieved by a decision of the Title IX Coordinator or by the Sanctions imposed may file a Petition for Appeal within three (3) business days of notification of the final outcome of the Investigation. The appeal must be in writing and state clearly the grounds that justify reconsideration. The appeal must be received by the Title IX Coordinator within three (3) business days of notification of the final outcome of the Investigation. General dissatisfaction with the outcome of the Investigation or related proceedings is not a basis for appeal. The written appeal may be made only on one or more of the following grounds:

- There was a significant procedural error of a nature sufficient to have materially and detrimentally affected the outcome.
- There is significant new evidence that was previously unknown to the appellant, which the appellant could not have discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially and detrimentally affected



the outcome and substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included with the notice of appeal.

- The Sanctions imposed are grossly disproportionate to the violations found to have occurred and would result in substantial injustice.

An appeal which is not based on one of these criteria will be dismissed without further consideration.

If no appeal is received by the Title IX Coordinator within the three (3) business day period, the findings, conclusions of the Title IX Coordinator and/or any sanctions imposed by the Discipline Authority will be final.

If the appeal is received within the three (3) business day period, the Title IX Coordinator will select and notify an appeals committee (the "Appeals Committee"). The Appeals Committee will then review the Investigator's Findings, the conclusions of the Title IX Coordinator, and/or any Sanctions imposed, and obtain any additional information deemed necessary by the Appeals Committee for resolution of the appeal. No member of the Appeals Committee will have participated previously in the Formal Process or have a conflict of interest with either the Complainant or Respondent.

Within twenty-one (21) business days of the date of the filing of the appeal and within seven (7) days after concluding its review of the applicable Findings and/or Sanctions, unless there are extenuating circumstances (*i.e.*, unavailability of Appeals Committee member(s), uncooperative witness, school break periods and periods when Moody is closed), the Appeals Committee will render a written decision on appeal, which will be communicated to the Complainant and Respondent simultaneously and in writing. The Appeals Committee's decision on all appeal requests is final.

The submission of an appeal does not by itself prevent or defer implementation of the Sanctions imposed. However, at the request of the Appellant, the applicable Discipline Authority may, in his or her sole discretion and for good cause, defer implementation of some or all of those consequences during the pendency of the appeal.

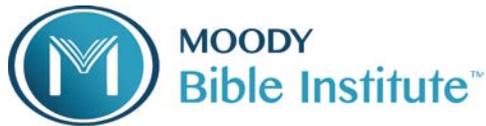
XI. Confidential Resources and Confidential Advisors

If you have suffered or witnessed Sex-Based Misconduct, you may wish to speak with someone confidentially about what happened to you. The resources listed below can provide confidential counseling and support, and, except in limited circumstances, will not share information with either law enforcement or Moody without an individual's consent. These resources are permitted by the nature of their profession to maintain your confidentiality. A Title IX Complaint or police report is not necessary to utilize these resources.

A. Confidential Resources

Chicago, Illinois Campus

On-campus resources for students:
Health Services



Smith 2nd Floor
312-329-4417

healthservice@moody.edu

Off-campus resources for everyone include:

Domestic Violence Legal Clinic
555 W Harrison Street
Suite 1900
Chicago, IL 60607
312-325-9155

<http://www.dvlcchicago.org/>

Cook County Domestic Violence Resources

Richard Dales Center, Room 1001
50 West Washington Street
Chicago, IL 60602
312-603-5031

www.cookcountyclerkofcourt.org

Plymouth, Michigan Campus

On-campus resources include:

Intersessions Counseling Clinic
Jamie McNally, Assistant Clinic Manager
41550 E Ann Arbor Trail
Plymouth, MI 48170
734-207-5207
434-207-9581 x328

Spokane, Washington Campus

Off-campus resources include:

Genesis Institute
1220 N. Howard St.
Spokane, WA 99201
Tel: 509-467-7913

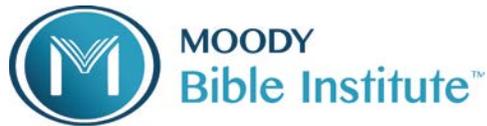
<http://genesisinstitute.org/>

In addition to the resources above, community services are available, even if a Title IX Complaint is not made. Moody strongly encourages anyone who feels he or she is, or has been, the victim of Sex-Based Misconduct to seek assistance to care for himself or herself emotionally and physically through confidential crisis intervention, healthcare, and/or counseling.

Chicago, Illinois Campus

Off campus resources include:

Clerk of the Circuit Court-Cook County
555 West Harrison
Chicago, IL 60607



312-325-9500 or 312-325-9467

Additional/Specific Resources found online:

www.cookcountyclerkofcourt.org/?section=SERVRESPage&SERVRESPage

Cook County Domestic Violence Resources

Richard Daley Center, Room 1001
50 West Washington Street
Chicago, IL 60602
312-603-5031

www.cookcountyclerkofcourt.org

Domestic Violence Legal Clinic

555 W. Harrison Street
Suite 1900
Chicago, IL 60607
312-325-9155

www.dvlcchicago.org

US National Domestic Violence Hotline

800-799-7233

Plymouth, Michigan Campus

Off-campus resources that may be helpful include:

WC SAFE (Wayne County Sexual assault Forensic Examiners Program)

2727 Second Avenue, Suite 120
Detroit, Michigan 48201
Office: 313-964-9701
Crisis Pager: 313-430-8000

US National Domestic Violence Hotline

800-799-7233

First Step (Sexual Assault Services, Domestic Violence Services)

44567 Pinetree Drive
Plymouth, MI 48170

<http://www.firststep-mi.org>

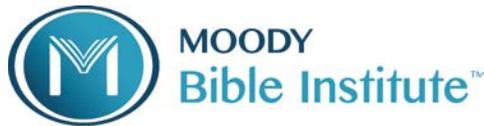
Primary Crisis Line: 888-453-5900

Plymouth Police Department

201 S. Main
Plymouth, MI 48170
734-453-1234

St. Mary Mercy Hospital

36475 Five Mile Road
Livonia, MI 48154



734-655-4800

Spokane, Washington Campus

Off-campus resources that may be helpful include:
Sexual Assault & Family Trauma (SAFeT) Response Center
24hr Hotline: (509) 624-7273
Office: (509) 747-8224
<http://www.lcsnw.org/spokane/SAFeT.html>

US National Domestic Violence Hotline
800-799-7233

B. Confidential Advisors

As provided by the Illinois Preventing Sexual Violence in Higher Education Act, 110 ILCS 155 et seq. (the "Illinois Preventing Sexual Violence Act"), Moody also provides students in Illinois who are survivors of Sexual Violence with access to confidential advisors meeting the statutory requirements of the Illinois Preventing Sexual Violence Act to provide emergency or ongoing support to such students. To speak to a confidential advisor, please contact Counseling Services at 312-329-4194 or by email at counselingservices@moody.edu. You can also consult the Counseling Services website by clicking the following link for additional information: <http://www.moody.edu/counseling-services/>.

XII. External Agencies

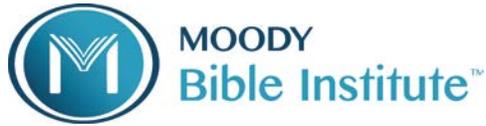
At any time during the pendency of the above-described Investigation and/or appeal, students and employees with questions about Title IX or those who believe they have been subject to Sex-Based Misconduct or Retaliation may file a Title IX Complaint with the Office for Civil Rights (OCR):

Chicago, Illinois Campus:

Chicago Office
Office for Civil Rights
U.S. Department of Education
Citigroup Center
500 W. Madison Street, Suite 1475
Chicago, IL 60661-4544
Telephone: 312-730-1560
FAX: 312-730-1576; TDD: 877-521-2172
Email: OCR.Chicago@ed.gov
<http://www.ed.gov/>

Plymouth, Michigan Campus:

Cleveland Office
Office for Civil Rights
U.S. Department of Education
1350 Euclid Avenue, Suite 325
Cleveland, OH 44115-1812
Telephone: 216-522-4970



FAX: 216-522-2573; TDD: 800-877-8339
Email: OCR.Cleveland@ed.gov

Spokane, Washington Campus:

Seattle Office
Office for Civil Rights
U.S. Department of Education
915 Second Avenue Room 3310
Seattle, WA 98174-1099
Telephone: 206-607-1600
FAX: 206-607-1601; TDD: 800-877-8339
Email: OCR.Seattle@ed.gov

Likewise, at any time during the pendency of the above-described Investigation and/or appeal, employees who believe they have been subject to Sex-Based Misconduct or Retaliation in violation of Title VII of the Civil Rights Act, 42 U.S.C. § 2000e et seq., may file a complaint with the applicable state agency listed below or the appropriate Equal Employment Opportunity Commission ("EEOC") office:

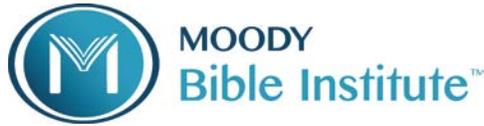
Chicago, Illinois Campus:

Equal Employment Opportunity Commission
Chicago District Office
500 West Madison Street, Suite 2000
Chicago, Illinois 60661
312-353-2713
TTY: 312-353-2421
www.eeoc.gov

Illinois Department of Human Rights
James R. Thompson Center
100 W. Randolph Street, Suite 10-100
Chicago, Illinois 60601
Phone Number: 312-814-6200
TDD: 312-263-1579
www.state.il.us/dhr

Plymouth, Michigan Campus:

Equal Employment Opportunity Commission
Detroit Field Office
Patrick V. McNamara Building
477 Michigan Avenue
Room 865
Detroit, MI 48226
Phone Number: 800-669-4000
Fax: 313-226-4610



Michigan Department of Civil Rights
Detroit Executive Office
Cadillac Place
3054 West Grand Boulevard, Suite 3-600
Detroit, MI 48202
Phone: 313-456-3700
Fax: 313-456-3791

Spokane, Washington Campus:

Equal Employment Opportunity Commission
Seattle Field Office
810 3rd Ave., Ste. 750
Seattle, WA 98104-1627
Phone Number: 206-684-4500
Fax: 206-684-0332

Washington State Human Rights Commission (FEPA)
711 South Capitol Way, Suite 402
P.O. Box 42490
Olympia, WA 98504-2490
Phone Number: 360-753-6770
Fax: 360-586-2282

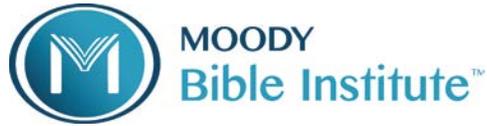
XIII. Definitions

- A. Appellant:** A Complainant or Respondent who is aggrieved by a decision of the Title IX Coordinator or by the sanctions imposed during the Formal Process and files an Appeal.
- B. Complainant:** The student, employee, or third party who suffers Sex-Based Misconduct by the conduct of another.
- C. Consent:** The freely given agreement evidenced by actual words or conduct to the act of sexual penetration or the sexual conduct in question. There is no Consent if force or coercion is used to accomplish the sexual penetration or sexual conduct or if the Respondent knows or has reason to know that the Complainant is mentally incapable, mentally incapacitated, or physically helpless. Lack of verbal or physical resistance or submission by the Complainant resulting from the use of force or threat of force by the Respondent shall not constitute Consent. The manner of dress of the Complainant at the time of the offense shall not constitute Consent. Consent to sexual penetration or sexual conduct may be withdrawn at any time, and a person who initially Consents to sexual penetration or sexual conduct is not deemed to have Consented to any sexual penetration or sexual conduct that occurs after he or she withdraws Consent during the course of that sexual penetration or sexual conduct. A person's Consent to sexual penetration or sexual conduct with one person does not constitute Consent to engage in such activity with another person. A person cannot Consent to sexual penetration or sexual conduct if that person is unable to understand the nature of the activity or give knowing Consent due to the circumstances, including without limitation the following:

the person is incapacitated due to the use or influence of alcohol or drugs; the person is asleep or unconscious; the person is under age; or the person is incapacitated due to a mental disability.

- D. Dating Violence:** (1) Threats to use physical, mental, or emotional abuse to control another person who is in a Dating Relationship with the person; or (2) Behavior by which a person uses or threatens to use Sexual Violence against another person who is in a Dating Relationship with the person; or (3) Behavior by which a person uses physical violence against another person who is in a Dating Relationship with the person. Dating Violence does not include acts of Domestic Violence.
- E. Dating or Dating Relationship:** An ongoing social relationship of a romantic or intimate nature between 2 persons. The existence of such a relationship shall be determined based upon the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating or Dating Relationship does not include a casual relationship or ordinary fraternization between 2 persons in a business or social context.
- F. Domestic Violence:** The occurrence of any of the following acts against a family or household member ("Family or Household Member"), which includes spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, and persons who share or allegedly share a blood relationship through a child by a person that is not an act of self-defense: (1) causing or attempting to cause physical or mental harm to a Family or Household Member; (2) interference with personal liberty or willful deprivation of a Family or Household Member; (3) placing a Family or Household Member in fear of physical or mental harm; (4) causing or attempting to cause a Family or Household Member to engage in involuntary sexual activity by force, threat of force, or duress; or (5) engaging in activity toward a Family or Household Member that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested.
- G. Hostile Environment:** A Hostile Environment is created if the Sex Based Misconduct is sufficiently serious that it denies or limits a student or employee's ability to participate in or benefit from Moody's programs, services, or activities; or has the purpose or effect of unreasonably interfering with an individual's employment.
- H. Hostile Environment Sexual Harassment:** A type of Sexual Harassment that is (A) sufficiently serious (*i.e.*, severe, pervasive, or persistent) and objectively offensive so as to deny or limit a person's ability to participate in or benefit from Moody's programs, services, or activities; or (B) has the purpose or effect of unreasonably interfering with an individual's employment.
- I. Quid Pro Quo Sexual Harassment:** A type of Sexual Harassment that conditions the terms or conditions of employment, educational benefits, academic grades, living environment, or participation in Moody's activities, either explicitly or implicitly, on submission to or rejection of unwelcome sexual advances or requests for sexual favors.

- J. **Respondent:** The person alleged to have engaged in Sex-Based Misconduct.
- K. **Retaliation:** Taking any adverse or hostile act, engaging in harassment, or making an adverse employment or academic decision against a Moody employee or student or a third party because that employee, student, or third party has opposed a violation of this Policy, filed a Title IX Complaint, assisted or participated in a Title IX Investigation, proceeding, or hearing.
- L. **Sex-Based Misconduct:** One or more acts of Sexual Harassment, Dating Violence, Domestic Violence, Sexual Assault, Sexual Violence, and Stalking.
- M. **Sexual Assault:** (1) An act of sexual penetration by the use of force or threat of force; or (2) an act of sexual penetration where the Respondent knew that the Complainant was unable to understand the nature of the act or was unable to give knowing Consent; or (3) an act of sexual penetration with a Complainant who was under 18 years of age when the act was committed and the Respondent was a family member; or (4) an act of sexual penetration with a Complainant who was at least 13 years of age but less than 18 years of age when the act was committed and the Respondent was 17 years of age or over and held a position of trust, authority, or supervision in relation to the Complainant.
- N. **Sexual Harassment:** Unwelcome conduct of a sexual nature that can include unwelcome sexual advance, request for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, such as Sexual Assault or acts of Sexual Violence. Sexual Harassment includes, but is not limited to: Quid Pro Quo Sexual Harassment and Hostile Environment Sexual Harassment.
- O. **Sexual Violence:** Physical sexual acts perpetrated against a person's will or where a person is incapable of giving Consent (*e.g.*, due to the Complainant's age, use of drugs or alcohol, or a disability that prevents the Complainant from having the capacity to give Consent). Conduct will be deemed Sexual Violence whether obtained by force or threat of force and whether completed or attempted. Sexual exploitation (taking non-consensual or abusive sexual advantage of another for your own benefit) may also be considered a form of Sexual Violence, depending on the circumstances.
- P. **Stalking:** (1) Knowingly engaging in a course of conduct directed at a specific person where this course of conduct would cause a reasonable person to fear for his or her safety or the safety of a third person or suffer other emotional distress; or (2) Knowingly and without lawful justification, on at least 2 separate occasions, following another person or placing the person under surveillance or any combination thereof and (a) at any time transmitting a threat of immediate or future bodily harm, Sexual Assault, confinement, or restraint to that person or a family member of that person; or (b) placing that person in reasonable apprehension of immediate or future bodily harm, Sexual Assault, confinement, or restraint to or of that person or a family member of that person; or (3) when, having been previously convicted of stalking another person, knowingly and without lawful justification on one occasion (a) following that same person or placing that same person under surveillance; and (b) transmitting a threat of immediate or future bodily harm, Sexual Assault, confinement, or



restraint to that person or a family member of that person. Stalking may be accomplished by physical acts or electronic means, such as through computer or cell phone.

- Q. Title IX Complaint:** Complaints of Sex-Based Misconduct by or against Moody students, Moody employees, or third parties in any Moody programs and activities both on and off Moody's campus.

- R. Title IX Investigators:** Title IX Investigators consist of Moody administration and staff employees that receive a minimum of eight (8) to ten (10) hours annual training related to their responsibilities investigating complaints or reports of Sex-Based Misconduct and on issues related to Sex-Based Misconduct. The Title IX Investigators may also advise students, who wish to make a Title IX Complaint under this Policy and those who have been accused, of their rights and resources when dealing with Sex-Based Misconduct.