



# AIHC SCHOOL OF BIBLICAL STUDIES

*PREPARING TO SERVE.*

# *CODE OF STUDENT RIGHTS & RESPONSIBILITIES*

*AIHC School of Biblical Studies takes pride in preparing our students to share the gospel of Jesus Christ all over the world. Galatians 3:28 states, "There is neither Greek nor Jew, bond nor free, male nor female, for ye all one in Christ Jesus. All applicants are welcome to apply for admission at AIHC School of Biblical Studies regardless of race, color, national origin, religion, creed, disability, age, or sex. All applicants are given the rights and privileges generally made available to students at AIHC School of Biblical Studies.*

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# I. Institution Policy Statement

(1) Students enrolled at AIHC School of Biblical Studies are citizens of the academic community; thus, they are always expected to conduct themselves as law-abiding members of this school. Students admitted to this school are given special privileges as well as responsibilities that set them apart from non-students. The school and the academic community share a unique relationship; in that, it recognizes school officials (i.e. President) as authorized individuals to take necessary action to maintain safe conditions and preserve the integrity of the school and its educational environment. The staff and faculty at AIHC School of Biblical Studies are committed to the spiritual and academic development of the student body. The heart of this school is to prepare students to *re-pre-sent* Jesus Christ through a life of service to Him and others. As members of this school community, students are expected to actively engage in its academic life and to act with dignity and respect for others in promoting a learning environment conducive to the school's mission.

(2) In fulfillment of its duties to provide a safe and secure environment in which individuals can comfortably pursue their academic goals, AIHC School of Biblical Studies has established policies to govern student behavior. These policies were established from a compilation of resources; therefore, they were adopted and adjusted to fit the culture of the school. In addition, these policies are implemented with directives of the Trustee Board and are subject to Board approval. Students are subject to all federal, state, and local laws and ordinances, and to the Code of Student Rights and Responsibilities. AIHC School of Biblical Studies is entitled to enforce its own regulations if a student violates a law or ordinance that may disrupt or affect the school's pursuit of its educational objectives. Disciplinary action in carrying out these policies may be executed prior to, concurrent with, or following civil or criminal proceedings. Regardless of criminal or civil outcomes, there will be no modifications or alterations of the school's disciplinary outcomes.

(3) Disciplinary procedures at AIHC School of Biblical Studies are administered by the Dean of Students. The Director of the Office of Student Conduct is responsible for determining the most suitable form and method of disciplinary proceeding that is consistent with the school procedures. Implementation of policies and procedures for the administration of disciplinary investigations, hearings, and appeals is the duty of the Director of the Office of Student Accountability, Outreach and Support.

(4) The Code of Student Rights and Responsibilities and the student behavior process apply to the conduct of the student body and affiliated student organizations. An individual is classified as a student at AIHC School of Biblical Studies if he or she has been admitted to the school and has enrolled in the certification program or continuing education offered by the school. Also, the Code of Student Rights and Responsibilities is extended to those individuals who do not seek to receive a certificate but attends seminars or training sessions offered by the school.

(5) Students, who choose to take a leave of absence or withdraw from the school for any length of time during the academic period prior to graduation, are still held in compliance with the laws and by-laws of this school. A disciplinary hold may be placed on the student's ability to re-enroll until such time as the student follows all sanctions outline in the disciplinary resolution of the conduct in question. If a student violation was committed before graduation and the violation was discovered after graduation, AIHC School of Biblical Studies may rescind the involved student's certification or credential and/or place a hold on future enrollment.

(6) The Code of Student Rights and Responsibilities applies to behavior that takes place on the premises of AIHC School of Biblical Studies or at any off-campus school event where the school is represented. Below are the following behaviors in direct violation of the Code of Student Rights and Responsibilities.

- a. There is an alleged violation of a student regulation if the school property has been damaged or destroyed.
- b. There is an alleged violation of a student regulation if the conduct in question threaten the safety of any member of the school community or any school property.
- c. There is an alleged violation of a student regulation if the action in question disrupt the educational process and/or orderly operation of the school.
- d. There is an alleged violation of a student regulation if a federal, state or local law have been violated.

(7) The Code of Student Rights and Responsibilities may also apply to student behavior conducted online, via email or any form of social media. Also, please refer to the student handbook on page 9.

(8) Confidentiality of Discipline Process. Students' disciplinary files are considered "educational records" and are confidential based on Tennessee Open Records Act, T.C.A. 10-7-504 (a) (4).

## II. Disciplinary Offenses

### Definitions

For the purpose of the student disciplinary rules, the following definitions apply:

1. **School** refers to AIHC School of Biblical Studies.
2. **Student** in regard to student behavior, AIHC School of Biblical Studies considers an individual to be a student if he or she has been admitted to the school and has enrolled in the certification program or continuing education offered by the school. Also, the Code of Student Rights and Responsibilities is extended to those individuals who do not seek to receive a certificate but attends seminars or training sessions offered by the school.
3. **Faculty member, Instructor, or Professor** mean those persons employed at the school.
4. **Staff member** is any person employed by the school in a nonteaching or nonacademic capacity.
5. **Members of the school community** are considered the following: student body, faculty, staff, and school officials.
6. **School Official** includes any person employed by the school performing assigned academic, administrative, professional, or staff responsibilities
7. **Code** refers to AIHC School of Biblical Studies Code of Student Rights and Responsibilities.
8. **School Premises** is all land, buildings, facilities, and other property in the possession of or owned by the school.
9. **Student Organization,**” unless otherwise indicated, means any group that has complied with the formal requirements and been approved by the school.
10. **School Activity** means any activity sponsored by the school, which may be attended in part or whole by students, faculty members, staff members, or other members of the general public and conducted on or off school premises.
11. **Trustee Board** determines whether a student or organization has violated the Code of Student Rights and Responsibilities.

12. **Trustee Board** refers to any official or group authorized by the school to determine whether a student or organization has violated the Code of Student Rights and Responsibilities.
13. **Appeal Body** refers to any school official or group authorized by the Trustee Board to hear appeals of decisions implemented by a hearing body.
14. **Appellant** refers to a student or organization who is appealing the decision of a hearing body.
15. “**Shall,**” “**Should,**” “**Will,**” and “**Would**” are used in the imperative sense.
16. **May** is used in the permissive sense.
17. **Policy** is defined as the written regulations of the school as found in official school publications or other online documents but not limited to the Code of Student Rights and Responsibilities.
18. **Complainant** is defined as AIHC School of Biblical Studies or person making a referral to the Office of Student Accountability, Outreach and Support relevant to a person or group alleged to be in violation of the Code of Student Rights and Responsibilities.
19. **Respondent** is defined as the student or group alleged to have violated the school Code of Student Rights and Responsibilities.
20. **Trustee Board** refers to a hearing body’s authority to hear the facts of a case and take disciplinary action if a violation of University’s policy is determined to exist.
21. **Summary Discipline** refers to the authority of a faculty member to act when it is determined that a student has violated the University Academic Integrity Policy.

### Prohibited Conduct

- (1) The conditions where students are subject to disciplinary action include the following:
  - a. Students enrolled at AIHC School of Biblical Studies
  - b. Students who are not enrolled but do have an ongoing relationship with AIHC School of Biblical Studies (i.e. those individuals attending seminars or special training offered by the school)
  - c. Students who have been admitted to AIHC School of Biblical Studies
  - d. Organizations affiliated with AIHC School of Biblical Studies (i.e., alumni association)
- (2) The AIHC School of Biblical Studies considers the behavior below as inappropriate for students and organizations at the school. Any student or organization found to have

committed or to have attempted to commit the following behaviors is subject to disciplinary actions outlined in Section IV of this manual or the student handbook.

- a. Behaviors that are Dangerous to Others. Any behavior, or attempted behavior that endangers one's health, safety, or personal well-being, including, but not limited to, the following:
  1. Physical abuse which refers to those actions inflicting bodily harm to another person or engaging in irresponsible behaviors that causes harm to the health, safety and welfare of any person. Also, engaging in threatening/intimidating behavior which is so persistent, pervasive, or severe as to deny a person's ability to participate in the school community,
  2. Students engaged in verbal threats and/or attempts to intimidate other persons with the purpose of provoking conflict or causing a reasonable fear of a person's safety.
- b. Obstruction of or Interference with Institutional Activities or Facilities. Intentional interference with or obstruction of any institutional program, event, or facility committed by a person(s) include the following:
  1. Unauthorized to occupy the school facility or prevent access to or from such facility,
  2. Interference with another person's or authorized person right to gain access to any activity, program, or event sponsored or controlled by the school,
  3. Obstructing or delaying a campus security officer, public safety officer, police officer, firefighter, EMT, or school official from the premises of the school. Also, failure to comply with any directive issued by such person in the performance of his or her duty,
  4. Trying to deny, impede, obstruct, impair, or interfere with freedom of movement of any person by using force or violence after being instructed to depart the premises,
  5. Participation in a disruptive or coercive demonstration where the demonstration interferes with the daily operations of the school, rights of others, or takes place on premises or at times where students are not authorized to be.
- c. Misuse of or Damage to School Property. Anyone who misuses, vandalizes, defaces, disfigures, or causes malicious or unwarranted damage or destruction to another person's property or property belonging to the school. Also, this include anyone unauthorized to use property belonging to another person or the school.
- d. Theft, Misappropriation, or Unauthorized Possession of Property. Anyone who commits theft, misappropriation, or unauthorized possession of any property belonging to another person or the school.
- e. Misuse of Documents. Any person(s) who commits forgery, alteration of or unauthorized use of school's documents, forms, records which include providing false information or withholding necessary information (i.e. required documents for admission to the school)

- f. Firearms, Ammunition, and Other Dangerous Weapons. AIHC School of Biblical Studies prohibits the possession, transportation, and use of firearms and other dangerous weapons on its campus except authorized by law enforcement and/or the security team of the school. A person(s) is also prohibited from carrying a replica/toy weapons on the premises. Prohibited items include BB guns, pellet guns, paintball guns, water guns, cap guns, stun guns, tasers, toy knives or other items that imitate firearms or dangerous weapons.
- g. Explosives, Fireworks, and Flammable Materials. A person who is unauthorized to possess an explosive object or article which would cause damage by fire or other means to persons or the school.
- h. Financial Irresponsibility. Persons who fails to meet their financial responsibilities to the school (i.e. intentionally submitting a bad check or money order)
- i. Unacceptable Behavior in Disciplinary Proceedings. Any person who behaves with contempt or disrespect, or a person who exhibits threatening or disorderly behavior. The following conducts are prohibited:
  - 1. A person who fails to obey the commands specified by the disciplinary body or school official in the performance of their duties,
  - 2. A person who present false, distorted, or misrepresented information before a disciplinary body,
  - 3. A person who deliberately disrupt or interfere with the orderly conduct of a disciplinary proceeding,
  - 4. A person who purposely makes statements to the school's disciplinary body that are untrue.
  - 5. A person who attempts to influence the impartiality of a member of a disciplinary body prior to, or during, a disciplinary proceeding,
  - 6. A person who harasses or intimidates any person involved in the school's disciplinary proceedings.
- j. Failure to Cooperate with a School Official. A person who does not comply with the commands or directives given by school officials who are carrying out their job duties. Also, a person who provides false information or withhold important information from a school official performing his or her duties on campus.
- k. Alteration or Misuse of Identification Cards. The following behaviors are prohibited concerning student ID cards.
  - 1. A student who fails to provide his or her school ID to a faculty or staff member upon request.
  - 2. A student who allows others to use his or her school ID
  - 3. A student who presents an invalid school ID as valid to a school official or use this ID to attend school functions.



# III. Academic and Classroom Misconduct

## Disruptive Behavior in the Classroom

A student's behavior is disruptive to the learning environment if he or she behaves in a manner that disturbs others. (Examples: outburst that interferes with concentration on a subject, text messaging, phone use, or any electronic device)

## Academic Integrity Policy

1. Collaboration, Plagiarism, Cheating, or other forms of dishonesty are prohibited. Please see [student handbook](#) under Academic Integrity for more details.
2. If a professor/instructor believes a student is exhibiting behaviors of academic misconduct, he or she shall notify the student in writing of the basis for the belief. Students are allowed five business days to respond to the allegation. A student's response to the allegation should include a meeting scheduled with the professor/instructor to discuss the matter. After the meeting with the student to review and discuss the alleged misconduct, the professor /instructor may decide on the appropriate action. (e.g., a failing grade for the course or diminished grade on the assignment/examination). A professor/instructor also has the option of referring the student to the Academic Integrity Committee.  
The Academic Integrity Committee will act on behalf of the professor/instructor in scheduling a meeting with the involved parties and carrying out the appropriate disciplinary action (e.g., failing grade or diminished grade on the assignment or examination)
3. At the conclusion of the disciplinary process, all decisions regarding acts of academic misconduct will be communicated to the Trustee Board.
  - a. Once a student has been accused of an academic misconduct, he or she does not have the option to drop or withdraw from the class until the matter has been resolved. Nor can a student withdraw from the course to avoid being discipline after he or she is found responsible.
  - b. If more than one student is suspected of academic misconduct, each student's case will be handled separately.
4. If a student commits more than one act of academic misconduct, he or she may be subject to further disciplinary action including suspension or expulsion.

## Appeals of Academic Integrity Violations

1. If a student is found responsible by his or her professor/instructor for committing academic misconduct, he or she may request a review by the Academic Dean within five business days of receiving the notice of the professor/instructor decision. The involved parties will present their information to support their case. After a thorough review of the material presented, the Academic Dean will do the following:
  - a. Uphold the action taken by the professor/instructor
  - b. Modify the action taken by the professor/instructor

2. A student may request an appeal of the decision of the Academic Dean by submitting a letter of appeal in writing to the Academic Integrity Committee within five days of the Academic Dean's decision. The Trustee Board will then schedule an appeal hearing before the Academic Integrity Committee.
3. If a professor/instructor has deferred the disciplinary action to the Academic Integrity Committee, a student may appeal the decision of the Academic Integrity Committee by submitting a letter in writing to the Trustee Board within five business days of receiving the Academic Integrity Committee's decision.

## IV. Disciplinary Procedures

The following procedures will be followed when reports of incidents alleging violations of college policies or student and community life standards have surfaced: Two categories of violations based on the totality of the circumstances are minor infractions and major infractions.

1. Minor infractions
  - a. Reprimand- an oral statement to the student explaining that he/she has violated a student regulation and implies the student's behavior is inappropriate and is not to be overlooked.
  - b. Issuance of a White Slip- a white slip is a written communique' advising the student he/she has violated a college regulation.
  - c. Censure- an official written statement to the student explaining that he/she has violated a student regulation. It is intended to communicate most strongly both the disapproval and the reprimand of the college community.
  - d. In-Kind Restitution- (may include but is not limited to) the reimbursement of costs for damage to, or destruction of, college property or property of any person; restitution in the form of appropriate service to be completed by the student; or required attendance to the appropriate social service or educational program based on the circumstances of the case.
  - e. Social Probation- indicates the behavior exhibited is socially unacceptable. Therefore, a designated period is set, and a specific action plan is agreed upon for the student to take corrective action and adjust behavior to socially acceptable standards.
2. Major Infractions
  - a. Restriction of Privileges: The restriction of college privileges for a specified period. These restrictions may include, but are not limited to the following:
    1. Denial of the privilege to participate in any social events or activities
    2. Denial of the privilege to be elected or appointed as an officer for the student body or organization.
    3. Denial of the privilege to attend school functions on or off school campus.
    4. Denial of the privilege to vote in any school held elections.
  - b. Disciplinary Probation: A specified period of review and adjustment during which a student is under an official warning that his/her violation was very serious. While on disciplinary probation, a student will be "not in good standing" with the college and may face specific restrictions on his/her behavior and /or school privileges. Students

- involved in similar or additional disciplinary incidents while on probation may be recommended for immediate suspension or expulsion.
- c. **Disciplinary Suspension:** The denial of enrollment, attendance, and other privileges at the college for a specified period. In cases where a student is suspended for the duration of the school year, clearance for re-enrollment must be received from the Academic Dean. A student who has been issued a disciplinary suspension sanction may be prohibited from visiting on campus or attending all social functions and is deemed “not eligible to return” to the college during the suspension period. The suspension period will follow a period of disciplinary probation. A student may be allowed to reapply for admission upon the termination of the period with or without conditions/restrictions.
  - d. **Expulsion:** The dismissal of a student from the college without the ability to apply for re-enrollment. A student who has been expelled is deemed “not eligible to return” to the college for a period of one academic school year. Expulsion requires approval of the president and chancellor.

### Appeal Process

If the student(s) disputes the alleged charges or sanctions, he or she has the right to appeal. A student who appeals must submit it in writing to the Academic Dean. The appeal must include the basis for the appeal and must be received within 3 calendar days after a student has been notified of the imposed sanction. An appeal will be based on the following conditions:

1. The sanction imposed is grossly disproportionate to the offense.
2. The decision was not supported by substantial evidence.
3. New evidence has become available that would significantly alter the results.

## V. Sexual Misconduct Policy and Procedures

AIHC School of Biblical Studies will work to keep the academic community free from the devastating and detrimental consequences of sexual violence. Sexual harassment and misconduct will have adverse effects on a student's physical and psychological well-being as well as interfere with his or her academic performance. Thus, the school strictly prohibits any conduct which constitutes sexual misconduct. Any employee or student found guilty of violating this policy will be subject to disciplinary actions.

AIHC School of Biblical Studies' code of sexual misconduct has adopted the policy and procedures of Lancaster Bible College. It is intended to define the school's expectations with respect to the following conditions: a) to report incidents of sexual harassment or violence, b) to establish procedures to ensure fair, responsible, thorough and impartial investigations of such acts, and c) to discipline person(s) for violating this policy.

### BACKGROUND

This policy has been established based on the principles and mandates presented in Title IX of the Education Rights Act of 1972. According to Title IX, "no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under education program or activity receiving Federal financial assistance" (U. S. Department of Education, 2015). Title IX is obligated to protect individuals from sexual harassment which includes sexual violence, thus confirming its prohibition. The U. S. Department of Education, Office of Civil Rights enforces the provisions regarding sexual harassment set forth by Title IX.

Title IX Coordinator is appointed by the school to ensure that it follows Title IX. His or her responsibilities include overseeing all Title IX complaints and identifying and addressing any patterns or problems that arise during the review of such complaints.

### DEFINITIONS

#### 1. Definition of Sexual Harassment

Sexual harassment is a form of illegal sex discrimination. According to the EEOC (Equal Employment Opportunity Commission), it is against the law to harass a person (applicant or employee) because of that person's sex. It includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. There may be cases where the harassment may not be sexual in nature but can include offensive remarks about a person's sex (i.e., harassing a woman by making offensive comments about women in general).

The School's policy protects both men and women from harassment, which includes same-sex harassment. Sexual harassment can occur in any campus program or activity and can take place in school facilities, at school-sponsored events, or off-campus events sponsored by the School.

Examples of conduct or actions that may constitute sexual harassment include, but are not limited to the following:

- Offering or implying a reward (e.g., a promotion, raise, better grade, a letter of recommendation, assistance in obtaining grants or fellowships, or admission to any educational program or activity) in exchange for sexual favors or submission to sexual conduct;
- Threats or implications that a person's employment, wages, grade, promotional or other conditions of employment or education may be adversely affected by not submitting to sexual advances;
- Engaging in unwelcome sexual propositions, invitations and solicitations;
- Using unwelcome sexually degrading language, sexual jokes, innuendos, or gestures or making unwelcome suggestive or insulting sounds, such as whistling and cat calls;
- Displaying sexually suggestive objects, pictures, graffiti and/or any electronic visual images that are unrelated to an academic purpose;
- Displaying or transmitting sexually suggestive electronic content, including inappropriate e-mails, text messages, links to websites and social media postings, which includes cyberbullying;
- Repeatedly asking/pressuring someone for a date or a romantic or intimate relationship after the person has expressed disinterest;
- Making unnecessary and unwelcome physical contact, such as hugging and touching, ("non-consensual sexual contact");
- Commenting on a person's body, dress, appearance, gender, or sexual activities; or
- Engaging in sexual violence, including rape, sexual assault, sexual battery, or sexual coercion.

## 2. Definition of Sexual Violence or Assault

Another form of sexual harassment is sexual violence. Sexual violence is prohibited and is defined as any physical sexual act committed against a person's will or consent. It can also occur in situation where the person is incapable of giving consent due to use of drugs and/or alcohol, mental disorder, to an intellectual or other disability. The use of alcohol or other drugs will never function as a defense for any behavior that violates this policy. Some examples of sexual violence include the following: a) rape, b) sexual assault, sexual battery, sexual exploitation, and sexual coercion. Sexual coercion takes place when a person initiating the sex engages in sexually pressuring and/or oppressive behavior that causes the victim of the behavior to engage in unwanted sexual behavior.

Consent means clear, knowing and voluntary. Silence alone does not equal consent. Consent can be given by words or actions, if those words or actions create mutually understandable and clear permission regarding willingness of the parties to engage in sexual activity.

### 3. Sexual Assault of a Child/Minor

In Tennessee, a person has reached age of consent at 18 years old. The United States acknowledges a person, who reaches age of consent, legally old enough to consent to participation in sexual activity. Individuals under 18 are not legally able to consent to sexual activity, and such activity may result in prosecution for statutory rape.

Although AIHC School of Biblical Studies is an institution of adult learning, students may meet children in an official capacity (e.g., during practicum or volunteer hours).

#### REPORTING PROCEDURES

#### REPORTING PROCEDURES IF YOU SUSPECT A CHILD HAS BEEN SEXUALLY ASSAULTED OR ABUSED

If a faculty member, employee, or student, should witness, or learn of an assault from a victim, or someone other than the victim, they should carry out the following steps below. Anyone having knowledge of suspected assault or abuse is empowered to report it directly to the legal authorities without needing to go to a supervisor.

Please follow the procedures of reporting an incident of sexual assault or abuse on or off campus

1. Notify the local police department by dialing 911 immediately if there is an emergency or an immediate threat to an individual. To report an alleged incident that may have occurred in the past and there is no immediate threat to the individual, please notify the Department of Children's Services hotline (1-877-542-2873 or 1-877-237-0004). Reports of sexual abuse must be made immediately. Report forms available at: <https://reportabuse.state.tn.us/>.
2. Inform one of the college officials listed below.
  - a. Chancellor
  - b. President
  - c. Academic Dean
3. In every instance, whoever is making the initial report, must also notify the Department of Children's Services hotline.

#### REPORTING PROCEDURES (FACULTY, EMPLOYEE, AND STUDENT)

If a faculty member, employee, or student becomes a victim of sexual assault, please follow the steps below:

1. Dial 911 immediately
2. Inform one of the School officials
  - a. Chancellor
  - b. President
  - c. Academic Dean
3. A college official will then be responsible for providing notice of any situation affecting the safety of the community.

4. Never leave the victim alone.
5. Secure the crime scene (not touching or removing any evidence).
6. Notify the police. (The police will need to interview anyone who may have been involved)
7. If an ambulance is not necessary, please make sure the victim is transported to the hospital immediately after speaking to police. (Also, make sure the victim does not bathe or shower prior to being seen by a physician).
8. It is important that the victim is accompanied by a friend, family, or staff member.
9. The victim needs a change of clothes to the hospital. The person will be required to turn in his/her clothes for evidence.

### Emotional Assistance

1. Believe the person and offer to pray with the victim for grace and comfort.
2. Have a listening ear and don't press for details. Allow the victim to decide on how much information he/she feels comfortable saying.
3. Help to assure the victim that he/she is not guilty in anyway of being victimized.
4. Don't make comments about what could have been done to prevent the assault.
5. Be prepared to listen for as long as the victim needs support.
6. Encourage the victim to talk with school officials. Informed her/him that the school officials are likely to have access to resources (i.e., professional Christian counseling) if the situation warrants this response.
7. Don't promise 100% confidentiality but assure the victim that you will only inform individuals who need to know. Please respect and protect their right to privacy as much as possible.

### The Importance of Reporting Harassment and Sexual Misconduct

The School aims to provide a safe environment and take corrective action only when it becomes aware of problems. Thus, the School encourages individuals to be willing to voice complaints and seek assistance if they feel they have experienced any form of sexual harassment and misconduct. All faculty and employees are required to report instances of sexual misconduct. A person(s) who fails to follow the reporting guidelines of this policy, shall be subject to disciplinary action.

### Confidentiality Concerns

Although AIHC School of Biblical Studies strongly encourages individuals to file a report if they have been a victim of sexual misconduct, the school cannot guarantee your confidentiality, particularly if you want the perpetrator to be held accountable. Please know that you have a right to not only have your individual complaint addressed, but the campus community may benefit from the action taken by you.

Also, be advised, if a disciplinary proceeding is commenced, it's likely that you will have to disclose your identity. The accused can adequately respond and raise a defense to the charges against him/her.

If the victim is not willing to participate in the disciplinary proceeding, please be informed that the case presented against the suspect may be compromised and potential disciplinary action taken against the accused would be severely limited.

### Disciplinary Procedures

Please follow the disciplinary process and criminal procedures detailed in AIHC School of Biblical Studies' code of student rights and responsibilities and the student handbook.

Please be informed that if the victim wants to prosecute, evidence must be collected within 48 hours of assault.

In case of a sexual harassment, students/employees who believed they have been victimized, is encouraged to report to one of the school officials and file a formal complaint and incident report.

### Investigation Procedures

Investigation will occur promptly and thoroughly when a formal complaint is filed. Title IX coordinator (or her designee) will conduct the investigation. The complainant will be interviewed within three days of the report. An investigation will occur after there is an initial review of the complaint. It will include interviews and review of evidence, such as electronic and written material. The investigation may also involve information obtained during an investigation of local police. However, the school is obligated to take immediate steps to protect the health and welfare of the complainant and the campus community. Thus, after the commencement of an investigation, it will continue while waiting for the conclusion of criminal investigation or proceeding. The school may, however, briefly delay its fact-finding while the police gather evidence, but will promptly resume and complete its fact-finding once the gathering of evidence is completed.

The Title IX Coordinator and/or her designee(s) will prepare a report with their findings. A preponderance of the evidence standard will be used by the School in determining whether a violation occurred. Members of the School community are expected to cooperate in the School's investigations of alleged sexual harassment or misconduct. The investigation will still proceed regardless of lack of cooperation.

#### 1. Delay in Investigation

Circumstances may warrant an extended time period (e.g., complainant not available due to school breaks)

#### 2. Length of Investigation

Investigation is expected to be completed within 60 days of the report, depending on the complexity of the issues involved. If the investigation is not completed within the timeframe, the parties involved will be informed which will include an explanation of the delay and a new date of completion.



### 3. Outcome of Investigation

The parties involved will be notified as to the outcome (whether or not misconduct occurred) of the investigation any appeal process. Disciplinary actions will proceed if an individual has found to have violated this policy. Potential discipline includes, but not limited to: probation, suspension, expulsion (student) or termination (employee).

A complainant has the right to file a criminal complaint. No action taken by the School shall be construed to infringe upon the right. Please be aware that in a situation where the person accused of sexual misconduct is not a member of the School community, the reporter is only able to pursue charges through the criminal justice system and off-campus law enforcement.

#### Interim Measures

If necessary, interim measures (e.g., class schedule changes or “no contact” orders) may be made for the victim during investigatory proceedings. Other options for the student can be discussed with the Title IX Coordinator. These options may include School withdrawal, discreet course withdrawal, or change of section.

#### Harassment and Sexual Misconduct by a Third Party

Sexual harassment and misconduct by third parties toward members of the School community is prohibited. Any individual who is brought in by a student or employee is considered a third party and will not be subject to the same internal discipline procedures. However, the school will take prompt and corrective action to eliminate sexual harassment and will work to prevent its recurrence in those circumstances.

All reports of third party harassment should be made to the Title IX Coordinator, or her designee.

#### Retaliation for Filing a Complaint

Persons who complain about sexual harassment or misconduct, or who cooperate in the school’s investigation and handling of such reports or complaints, shall not be subject to retaliation for complaining or cooperating, even if the School finds that no sexual harassment or misconduct occurred. If a complainant or witness believes that she or he is being subjected to retaliation, she/he should promptly contact the Title IX Coordinator, or her designee.

#### Filing A False Complaint

Members of the School community are subject to disciplinary action (e.g., discharge for employees or student dismissal) if they commit either one of the following:

- a) intentionally files a false complaint of sexual harassment or misconduct
- b) intentionally provides false information
- c) knowingly misleads school officials who are investigating or reviewing a complaint of alleged sexual harassment or misconduct

### Investigations When No Complaint Has Been Made

The School will work to keep its commitment in providing a safe environment; therefore, the school reserves the right to investigate alleged incidents of sexual harassment or misconduct of which it becomes aware. The investigation will take place even if no formal complaint has been filed, the individual(s) involved is unwilling to pursue a complaint, or if an individual is not willing to cooperate in an investigation.

### Options If an Individual Does Not Wish to Proceed with a Complaint Through the School

Students may file complaints under Title IX with the Office for Civil Rights, U.S. Department of Education at 1-800-421-3481. Faculty and employees may file complaints under Title IX with the Office for Civil Rights, U.S. Department of Education in certain circumstances. The email contact address is [ocr@ed.gov](mailto:ocr@ed.gov). Further information may also be found on their website at <http://www2.ed.gov/about/offices/list/ocr/index.html>

A charge of discrimination must be filed within 180 days of alleged discriminatory act with the Tennessee Human Rights Commission or 300 days of the discriminatory act with the Equal Employment Opportunity Commission.

## Resources in Memphis Area

Shelby County Crime Victims Center------(901)-222-3850

1750 Madison Ave., Memphis, Tennessee 38104

<http://www.shelbycountyttn.gov/index.aspx?NID=239>

Shelby County Rape Crisis Center------(901)-222-4350

1750 Madison Ave., Suite 102, Memphis, Tennessee 38104

<http://www.shelbycountyttn.gov/index.aspx?NID=737>

Domestic Violence Intake Center (Protective Orders)

<http://www.tncourts.gov/programs/self-help-center/forms/order-protection-forms>

## National Resources

- National Sexual Assault Hotline - **Phone:** 1-800-656-4747
- National Domestic Violence Hotline - **Phone:** 1-800-799-7233
- Rape, Abuse & Incest National Network (RAINN) - **Phone:** 1-800-656-4673
- National Coalition Against Domestic Violence - **Phone:** 1-303-839-1852
- National Resource Center on Domestic Violence - **Phone:** 1-800-537-2238

## References

<https://students.lbc.edu/Assets/Student-Portal/PDFs/human-resources/title9-sexual-misconduct-violence-policy-procedures.pdf>

<https://www.memphis.edu/osa/pdfs/csrr.pdf>

[https://www.nashville.gov/Portals/0/SiteContent/MetroClerk/docs/records-management/Confidential\\_Information.pdf](https://www.nashville.gov/Portals/0/SiteContent/MetroClerk/docs/records-management/Confidential_Information.pdf)

<https://www.uab.edu/policies/content/Pages/UAB-HR-POL-0000257.aspx>