



Title IX Policy

Title IX Policy and Procedures for Sex Discrimination, Sexual Harassment, Sexual Assault, Sexual Violence, Stalking, Sexual Misconduct, and Domestic/Dating Violence Complaints

I. Non-Discrimination Policy; Designated Title IX Coordinator

Ohio Christian University (OCU) is an academic institution that, in accordance and full compliance with federal, state, and local laws, does not discriminate on the basis of sex. OCU does not knowingly support or patronize any organization that engages in unlawful discrimination on the basis of sex.

This policy is strictly enforced by OCU, and alleged violations receive prompt attention and appropriate corrective action. OCU takes steps to eliminate sex discrimination, including sexual harassment, sexual assault, stalking, and intimate partner (domestic/dating) violence, to prevent the recurrence of these behaviors, and to address the effects of discrimination, as appropriate. In this Policy, non-consensual sexual intercourse and non-consensual sexual contact are considered forms of sexual assault. All forms of Prohibited Conduct are explained in greater detail, below.

This Policy applies to all forms of Prohibited Conduct that occur in relation to OCU academic, educational, extracurricular, athletic, and other programs or in relation to employment with the University. OCU maintains jurisdiction over Prohibited Conduct that occurs on campus, that occurs off-campus in the context of any OCU education or employment activities or programs, or that occurs off-campus and has a continuing effect on campus or on any member of the OCU community. OCU addresses Prohibited Conduct through this Policy even if law enforcement or other external authorities are investigating the same or related allegations.

Complaints regarding Prohibited Conduct under this Policy should be brought to the Title IX Coordinator. The Title IX Coordinator has also been designated to handle inquiries regarding this Policy:

Ronda Baldwin
Title IX Coordinator

Location: Ohio Christian University
Graham Administration Building

Address: 1476 Lancaster Pike
Circleville, Ohio 43113

Phone Number: 740-477-7741
Fax Number: 740-477-7848
Title IX Email: TitleIX@ohiochristian.edu

For further information on Title IX or other non-discrimination laws, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area, or call 1-800-421-3481.

II. Who May Use These Grievance Procedures

These procedures provide for the prompt and equitable resolution of complaints by all members of the OCU community, including students, employees, consultants, vendors, independent contractors, applicants for admission or employment, guests, visitors, and third parties, alleging any form of Prohibited Conduct as defined by this Policy.

III. Prohibited Conduct Covered by These Grievance Procedures

A. Sexual Discrimination is when an individual is, on the basis of sex:

- Treated differently in determining whether such person satisfies any requirement or condition for the provision of any aid, benefit or service;
- Provided different aid, benefits or services;
- Provided aid, benefits, or services in a different manner;
- Denied any aid, benefit, or service;
- Subjected to separate or different rules of behavior, sanctions, or other treatment;
- Treated differently concerning the domicile or residence of a student or applicant, including eligibility for in-state fees and tuition;
- Discriminated against by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit, or service to students or employees;
- Otherwise limited in the enjoyment of any right, privilege, advantage, or opportunity with regards to aid, benefits, or services; or
- Treated differently with regard to terms, conditions, or benefits of employment, or in the recruitment, consideration, or selection therefor.

Note that discrimination on the basis of sex in employment is permissible in situations where sex is a bona fide occupational qualification reasonably necessary to the normal operation of OCU.

Sex Discrimination includes non-sexual harassment on the basis of one's sex when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or grade in a program, course, or activity;

- Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting an individual; or
- Such conduct is sufficiently pervasive, offensive, or abusive to have the purpose or reasonable effect of interfering with an individual's work or educational performance, or creating an intimidating, hostile, or offensive work or educational environment, under both an objective and subjective standard. A single incident may create a hostile environment if the incident is sufficiently severe.

The determination of whether a hostile environment exists will be based on the totality of the circumstances, including but not limited to:

- The nature and severity of the conduct;
- The type, frequency, and duration of the conduct;
- The identity of and relationship between the respondent and the complainant;
- The number of individuals involved;
- The age and maturity levels of the respondent and complainant; and
- The location of the conduct and the context in which it occurred.

Examples of conduct that may form the basis of a Sex Discrimination complaint include, but are not limited to:

- Offering higher academic grades to students of a particular sex;
- Silencing students of a particular sex in classroom discussion;
- Referring to members of a particular sex by a derogatory name related to their sex.

B. Sexual Harassment is defined as unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, evaluation of academic work, or any aspect of a University program, course, or activity;
- Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting an individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, i.e. that it is sufficiently serious, pervasive, or persistent as to create an intimidating, hostile, or offensive work or educational environment, under both an objective and subjective standard. A single incident may create a hostile environment if the incident is sufficiently severe.

The determination of whether a hostile environment exists will be based on the totality of the circumstances, including but not limited to:

- The nature and severity of the conduct;
- The type, frequency, and duration of the conduct;
- The identity of and relationship between the respondent and the complainant;
- The number of individuals involved;
- The age and maturity levels of the respondent and complainant; and
- The location of the conduct and the context in which it occurred.

Examples of conduct that may form the basis of a Sexual Harassment complaint include, but are not limited to:

- Making sexual propositions or pressuring for sexual favors;
- Touching of a sexual nature;
- Writing graffiti of a sexual nature;
- Displaying or distributing sexually explicit drawings, pictures, videos, or other materials;
- Performing sexual gestures or touching oneself sexually in front of others;
- Spreading sexual rumors or rating other students or employees as to sexual activity or performance;
- Circulating or showing e-mails or Web sites of a sexual nature;
- Direct or implied threats that submission to sexual advances is a condition of employment, promotion, good grades, recommendations, etc.;
- Sexually explicit jokes or statements, questions, or remarks about sexual activity or experience; and
- Physical assault of a sexual nature.

C. Non-Consensual Sexual Intercourse is the penetration, no matter how slight, of the sex organs, anus, or mouth of another person without that person's consent.

For purposes of this Policy, Consent is defined as clear verbal or non-verbal communication, freely and actively given, that is mutually understood as willingness to participate in a sexual activity and the conditions of that sexual activity. An individual may withdraw consent for further sexual activity at any time with clear communication to the other party. An individual's consent to one sexual activity cannot be seen as consent to other sexual activity. Consent cannot be given by a person who has not reached an age under state law by which they are permitted to consent, by individuals with a developmental or cognitive disability that prevents them from having the capacity to consent, and by individuals who are Incapacitated. If Consent cannot be given by an individual, sexual activity with that individual is considered to be without Consent, even if the person appears to have given Consent. Silence or failure to resist does not constitute consent. Consent cannot be obtained through force, threat of force, fraud, or coercion. Consent for previous sexual activity between the parties does not constitute Consent for future sexual activity.

For purposes of this Policy, Incapacitation is the state of being unconscious, asleep, or under the influence of drugs and/or alcohol to such an extent that the person cannot

appreciate the nature or consequences of their actions. Incapacitated individuals cannot give Consent. Note that Incapacitation is not a defense to Prohibited Conduct.

- D. Non-Consensual Sexual Contact is the intentional touching of the intimate parts of another, causing another to touch one's intimate parts, or the disrobing or exposure of another individual's intimate parts, without the other person's Consent. Intimate parts include the breasts, genitals, buttocks, groin, mouth, or any other part of the body touched in a sexual manner. Sexual Contact may be over the clothes, or skin-to-skin. For the definition of Consent and the related definition of Incapacitation, see Paragraph III(C), above.
- E. Stalking is a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress.

For purposes of the definition of Stalking under this Policy:

- A "course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- A "reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.
- "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

- F. Intimate Partner Violence is domestic violence or dating violence.

Domestic violence is violence that is committed against a current or former spouse or intimate partner, a person with whom the perpetrator shares a child in common, or a family member, roommate, or household member.

Dating violence is violence committed against a person with whom the perpetrator is or has been in a social relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the reporting party'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.

- G. Sexual Exploitation is taking advantage of another's sexuality in a non-consensual manner for any purpose. Examples of Sexual Exploitation include the non-consensual viewing of nudity of another, the non-consensual streaming of images of sexual activity, the non-consensual sharing or posting of nude images of another, the non-consensual recording of individuals in locations in which they have a reasonable expectation of privacy (such as restrooms or locker rooms) even if the images do not capture nudity, intentionally exposing one's genitals to another person in non-consensual circumstances,

or inducing incapacitation of another via drugs and/or alcohol for purposes of making that person vulnerable to non-consensual sexual intercourse or non-consensual sexual contact.

IV. Retaliation Prohibited

Retaliation is defined as an attempt to interfere with or deter the filing of a complaint or the participation in an investigation or resolution under this Policy, an attempt to take an adverse action against a participant in an investigation or resolution under this Policy, or an attempt to seek retribution from a participant in an investigation or resolution under this Policy. Retaliation can take many forms, including violence, threats, or intimidation, or more subtle actions such as the refusal to allow an individual to access a benefit. Any member of the OCU community who commits retaliation will be subject to prompt and appropriate disciplinary action.

An individual who brings a complaint under this Policy in good faith, even if it may be erroneous, will not be subject to discipline. However, the use of this policy for false, malicious, or frivolous purposes is strictly prohibited. Any student, faculty, or staff member who brings a false, malicious, or frivolous charge against another member of the OCU community under this Policy may be subject to disciplinary action.

V. Resources for Assistance

Individuals who believe they have experienced Prohibited Conduct under this Policy have multiple resources available to assist them with their needs, both on and off campus. Some resources are confidential, in that they are not required to report Prohibited Conduct to anyone, including OCU or law enforcement. Other resources may have an obligation to report to OCU or law enforcement. More information on available resources is below.

A. Confidential Resources

Confidential resources are those resources that are not required to report information about Prohibited Conduct to OCU. Confidential resources include individuals who are clergy and who are acting in that role, persons providing medical or psychological treatment, and counselors. Rape crisis counselors are also considered confidential resources. For on-campus confidential assistance, the Office of Student Development's Chaplain may be contacted. (Student chaplains are not considered confidential resources.)

Off-campus confidential resources include the following:

- National Sexual Assault Hotline – 1-800-656-HOPE (4673)
- National Domestic Violence Hotline – 1-800-799-7233
- Ohio Sexual Violence Helpline – 1-844-OHIOHELP (1-844-644-6435)
- Ohio Hispanic Coalition Domestic Violence 24 Hour Hotline (614) 746-3534 (Spanish and English)

- Haven House of Pickaway County –(740) 477-9113
- Medical care options in your community, including:
 - Berger Health in Circleville, Ohio – (740) 474-2126
- Counseling Services

Seeking medical care quickly after a sexual assault may help to preserve forensic evidence that may be unavailable if there is a delay of more than a few days. While an individual may not wish to make a criminal report at that time, the evidence would then be available should the individual choose to pursue criminal charges in the future. Medical information is not available to OCU without a release from the patient.

Note that there are limits to confidentiality. Confidential resources are required to report child abuse or neglect to Children’s Services or local law enforcement. Medical professionals may also have certain legally mandated reporting responsibilities in certain serious cases, although depending on state law, the reporting requirement may only require that the professional share the date, general time, and general location of the incident. Mental health professionals are required to disclose information where there is an imminent threat of harm to self or others. Finally, pursuant to the Clery Act, anonymous statistical information for certain offenses that have been reported as occurring at campus locations must be shared with Campus Security. The information does not include the names or any other identifying information about the persons involved in such incidents.

B. Other Resources

All OCU employees other than the Chaplain are required to report information about suspected Prohibited Conduct to the Title IX Coordinator, who will contact the reporter to offer the opportunity to discuss the matter, seek interim protective measures, and ensure they understand their options under this Policy. While most OCU employees are not able to keep information confidential, they do keep information private and share only with those who need to know the information.

Note that under Ohio law, all individuals have the obligation to report felonies to law enforcement. (This does not include the confidential resources listed above.) More information on involvement with law enforcement can be found below.

The following non-confidential resources are available on campus:

Ronda Baldwin
 Title IX Coordinator
 (740) 477-7713 or TitleIX@ohiochristian.edu

Campus Security
 (740) 412-5337 or security@ohiochristian.edu

In addition to providing information about this Policy, the Title IX Coordinator can provide information on existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for individuals as appropriate, regardless of where the Prohibited Conduct occurred. The Title IX Coordinator can also arrange for off-campus counseling at OCU's expense.

C. Law Enforcement

Any individual who believes that they have been the victim of criminal activity may contact Campus Security at (740) 412-5337 to contact the appropriate local law enforcement agency. In an emergency, individuals should dial 911 before contacting Campus Security. Contacting law enforcement does not require that the individual press criminal charges.

Law enforcement is not a confidential resource. Reports filed by law enforcement may constitute public records that must be released under state law. However, reports made to law enforcement may help to preserve evidence, particularly in cases of sexual assault, that would therefore be available if an individual should choose to pursue criminal charges at a later time. Law enforcement may also encourage a medical examination and/or the collection of a "rape kit" to preserve relevant evidence for an investigation.

An individual may choose whether to pursue criminal charges, to seek assistance through this Policy, both, or neither. OCU will cooperate with investigations by law enforcement and may, at the request of law enforcement, briefly delay any concurrent investigation by OCU. However, OCU does not defer to law enforcement's findings in lieu of administering this Policy.

VI. Grievance Process

All tasks assigned to the Title IX Coordinator under this Policy may be delegated to a designee.

Individuals who require reasonable accommodations due to a disability should consult with the Title IX Coordinator regarding appropriate accommodations for participation in the process.

A. Reporting

1. Individuals who believe they may have witnessed or been subjected to Prohibited Conduct are encouraged to make a report with the Title IX Coordinator. Students will be offered amnesty for alcohol and drug violations that are incidental to a good faith report so as not to discourage reporting of Prohibited Misconduct.

All employees of OCU that become aware of Prohibited Conduct are required to make a report to the Title IX Coordinator. The person who may have been subjected to Prohibited Conduct is referred to as the Complainant. The person who may have committed Prohibited Conduct is referred to as the Respondent.

OCU recognizes that members of its community may experience sexual misconduct in situations outside of OCU's jurisdiction. In these cases, OCU will provide assistance to the reporter, such as assisting them in contacting law enforcement, identifying medical and/or counseling providers, and offering accommodations as appropriate.

2. An initial discussion will give the Complainant the opportunity to recount what has taken place and discuss how best to proceed. The Complainant will be permitted to have an advisor of their choice during this discussion. The Title IX Coordinator will review the University's procedures for both informal and formal resolution, the rights of the Complainant, potential interim measures of protection, information relating to law enforcement reporting if appropriate, and available medical and/or counseling resources as appropriate. Options for, and available assistance in, changing academic and living situations can be discussed and provided if so requested, and if such changes are reasonably available. It is at all times the Complainant's decision whether they will seek interim measures of protection, informal resolution, and/or formal resolution. As a result of this meeting, depending on the nature of the allegations, the Title IX Coordinator may be obligated to report the incident to law enforcement pursuant to state law.

If the Complainant requests confidentiality or asks that the complaint not be pursued, OCU will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a Complainant insists that their name or other identifiable information not be disclosed to the alleged perpetrator, OCU will inform the Complainant that its ability to respond may be limited.

In certain serious circumstances and despite a Complainant's request for confidentiality, OCU may determine that it is necessary to address the complaint in order to provide a safe and nondiscriminatory environment for all students, including the Complainant. Factors that OCU will consider include:

- Circumstances that suggest there is an increased risk of the alleged perpetrator committing additional acts of sexual violence or other violence (e.g., whether there have been other sexual violence complaints about the same alleged perpetrator, whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence, whether the alleged perpetrator threatened further sexual violence or other violence against the student or others, and whether the sexual violence was committed by multiple perpetrators);
- Circumstances that suggest there is an increased risk of future acts of sexual violence under similar circumstances (e.g. whether the student's report reveals a pattern of perpetration at a given location by a particular group);
- Whether the sexual violence was perpetrated with a weapon;
- The age of the individual subjected to the sexual violence; and

- Whether OCU possess other means to obtain relevant evidence (e.g. security cameras or personnel, physical evidence).

If OCU determines it is necessary to disclose a Complainant's identity to a Respondent, it will inform the Complainant prior to the disclosure.

3. Initial Assessment and Interim Measures of Protection

Upon receiving a report of Prohibited Conduct, the Title IX Coordinator may conduct an initial assessment to evaluate whether the complaint alleges sufficient information to suggest that Prohibited Conduct may have occurred, determine the most appropriate manner of resolution under this Policy, and evaluate potential interim measures of protection.

Interim measures of protection are those measures taken to protect the Complainant, the Respondent, and the community while a complaint is being resolved. Interim measures that may be appropriate include, but are not limited to:

- “No Contact” Order;
- Interim Restrictions – Restrictions on behavior, movement on campus, access to residence halls, or participation in campus activities;
- Interim Suspension – Removal from campus in situations when, given the nature of the allegations, remaining on campus may be threatening or potentially injurious to the well-being or property of members of the OCU community; Interim Suspensions are not disciplinary in nature and are not reflected on a student's transcript. For employees, such suspensions may be with or without pay;
- Changes in residence arrangements;
- Access to counseling resources;
- Rescheduling of exams or other academic assignments;
- Providing alternative course completion options;
- Changes in class scheduling; and
- Changes in work scheduling.

The Title IX Coordinator is responsible for determining appropriate interim measures and shall consult with appropriate supervisors as necessary. Interim suspensions of students must be done in consultation with the Chief Student Development Officer and/or the University President.

B. Informal Resolution

Except in cases involving sexual violence (which are not permitted to be resolved informally pursuant to federal guidance), Complainants may discuss their concerns with the Title IX Coordinator and choose to pursue action through an informal resolution process. This process involves informal consultation to find an acceptable resolution for

both parties without invoking the formal investigative process described below. The informal process may include counseling the Complainant on ways to address the Respondent directly regarding their behavior if the Complainant is comfortable doing so, counseling of the Respondent by the Title IX Coordinator on changing their behavior, a facilitated discussion between the Complainant and Respondent, a mediated agreement between the Complainant and Respondent, or any other informal process that is appropriate under the circumstances.

The informal resolution process is voluntary, and either party may withdraw from participation at any time. The Complainant may choose to pursue a formal resolution and end the informal resolution process at any time.

The Complainant and Respondent are permitted to bring an advisor of their choosing to any discussions as part of the informal resolution process. The advisor may offer their assistance to the Complainant or Respondent, but may not speak for them during the process.

C. Formal Investigation and Decision

A Complainant may choose to resolve a complaint through the formal investigation process, provided that the initial assessment demonstrates that the information available suggests that Prohibited Conduct may have occurred. OCU may also choose to move forward with a formal resolution of a complaint.

Each party will have the right to bring an advisor of their choosing to any meetings or discussions relating to the formal resolution process, except that the advisor may not be a witness or have a conflicting role in the process. The advisor may advise the party directly and ask clarifying questions, but may not speak for the party or disrupt the investigation.

1. Investigative Report

Once it is determined that a formal resolution is appropriate, an investigator will be assigned to begin the investigation and gather evidence and testimony regarding the allegations. The investigator may be an employee of OCU or may be a third party. The investigator will be trained in investigative techniques and will not have a conflict of interest that precludes impartiality. The investigation will be adequate, reliable, and impartial. The investigator will keep information confidential except to the extent necessary to conduct the investigation or to ensure the safety of members of the OCU community.

The Title IX Coordinator will prepare a written notice of the charges to be investigated, which shall be given to each party and the investigator. The charges may include violations of other OCU policies aside from this Policy, where such charges are related to the Prohibited Conduct under investigation. During the course of the investigation, the investigator may propose additional charges for the Title IX

Coordinator's consideration. Both parties must be provided with written notice and an opportunity to respond to such additional charges before the investigator's report is distributed.

Both parties will have an equal opportunity to suggest witnesses and provide information and other evidence to the investigator. The investigator will attempt to speak with the Complainant and the Respondent (on separate occasions) and interview witnesses as appropriate. The investigator may use their discretion to determine which witnesses are likely to have the most relevant information to the charges.

The Title IX Coordinator shall continue to consult with the parties as appropriate to determine that the investigation is proceeding in an equitable manner. The Title IX Coordinator will also confer with the investigator and provide updates to the parties regarding the status of the investigation.

After conducting an initial investigation, the investigator shall prepare a report that summarizes the relevant evidence that has been collected. The following evidence will not be included in the report:

- Testimony on the character of an individual;
- Information regarding the Complainant's sexual history with anyone other than the Respondent, unless necessary explain the presence of a physical injury to help resolve another question raised by the investigation;
- Information that is more prejudicial than probative; and
- Information regarding any mediation that may have occurred between the parties during attempts at informal resolution.

Both parties will be permitted to review the report with their respective advisor. A copy of the report will also be provided to the Title IX Coordinator. The investigator shall provide a copy of relevant information to the Title IX Coordinator at the conclusion of the investigation.

2. Hearing

Two options are available for the hearing portion of this process. The Title IX Coordinator will determine the best method for moving forward.

Option One/Paper Hearing:

The Investigator would provide the preliminary report to the Title IX Coordinator for review and modification, if necessary. The Title IX Coordinator would distribute the findings to the parties. The parties would each be provided with an opportunity to review the information and submit any additional statements, suggest additional witnesses, and offer questions for consideration by the investigator to ask the other party or other witnesses. Written notice from the parties should be submitted to the

Title IX Coordinator within three (3) business days from the date the report is provided to the parties. The investigator would then be asked to conduct any follow-up investigation, finalize the findings, and make a determination as to whether the University's policies were violated. The Title IX Coordinator would then determine sanctions or a hearing officer could be assigned to review the file and determine sanctions.

Option Two/In Person Hearing:

Once the investigative report has been distributed, the Title IX Coordinator will report the findings to a hearing officer for a determination, by a preponderance of the evidence, as to whether a violation of this Policy occurred. When the Respondent is a student, the hearing officer shall be the Chief Student Development Officer or designee. When the Respondent is a non-faculty employee, the hearing officer shall be the Area Vice President. When the Respondent is a faculty member, the hearing officer shall be the Chief Academic Officer. When the Respondent is a third party, the Chief Financial Officer shall be the hearing officer. The hearing officer shall be impartial and have no significant conflict of interest with regard to the case. All hearing officers shall be appropriately trained before hearing a case under this Policy.

Both parties shall be provided with at least three (3) business days' notice in writing of the hearing. At the hearing, all parties will have equal opportunity to present relevant witnesses and other evidence and to challenge the information in the investigator's report. Advisors may advise their respective party but may not speak for their party, act as an advocate, or disrupt the hearing. The hearing officer typically asks the questions during the hearing but has the discretion to allow the parties to directly question and/or cross-examine witnesses, except that the parties shall not be permitted to question or cross-examine each other, but instead shall be permitted to submit questions in writing for the hearing officer to consider.

The hearing officer shall make a determination, by a preponderance of the evidence, as to whether the Respondent is responsible for each of the charged policy violations. The decision shall be communicated simultaneously to each party in writing within three (3) business days of the hearing. If the Respondent is found responsible for any violation, appropriate sanctions will be imposed and communicated in the decision letter. The letter must also include the rationale for the result and any sanctions, as well as the appeal rights of the parties.

Sanctions that may be imposed include:

- Continuing "no contact" orders;
- Trespass order prohibiting presence on campus, at OCU-owned facilities, and/or at campus activities or events;
- Fines/work detail;
- Required counseling;
- Alcohol/drug assessment;

- Restitution/Restoration, where property has been damaged/stolen or funds have been misappropriated;
- Campus Restriction on behavior, access to certain campus facilities, participation in campus activities, housing restrictions, and/or scheduling restrictions;
- Social Probation;
- Suspension of student;
- Dismissal;
- Written warning of employee;
- Suspension of employee, with or without pay;
- Termination of employment; and
- Cancellation of third-party contract.

OCU will promptly resolve formal complaints by issuing a decision within sixty (60) days of the determination to proceed with a formal complaint, but this period may be extended for good cause with written notice to the parties of the delay and the reason for the delay. Good cause may be based on factors such as the complexity of the investigation, the severity and extent of the alleged conduct, a parallel criminal investigation, school breaks, witness availability, or the time necessary to receive requested medical records.

3. Appeal

Either party may request an appeal of the hearing officer's decision by submitting a written notice of appeal to the Title IX Coordinator within five (5) business days from the date of the written decision. The written notice of appeal must outline the reasons for the appeal and must be based on at least one of the following:

- New evidence that was unavailable at the time of the original hearing;
- Evidence of non-adherence to this Policy that substantially affected the outcome of the case;
- Evidence that the sanction received as grossly disproportionate to the conduct for which the party was found responsible.

Dissatisfaction with the outcome of the case is not a permissible ground for appeal. If the written notice of appeal is not based on at least one of the three reasons for an appeal, the Title IX Coordinator may reject the appeal with written notice to the appealing party. The party may then submit a revised written notice of appeal within the original timeline.

If the written notice of appeal is deemed by the Title IX Coordinator to be sufficient, the other party will be provided with a copy of the written notice of appeal and will be provided with three (3) business days to provide a written response to the Title IX Coordinator. The Title IX Coordinator will provide a copy of the response to the appellant, but no further reply will be permitted.

The Title IX Coordinator will facilitate the appeal by choosing a trained impartial senior staff member or another appropriate administrator to hear the appeal. The appeals officer will independently review information relevant to the appeal. The appeals officer shall be permitted to ask questions of the investigator, hearing officer, and Title IX Coordinator, but speaking with parties or other witnesses is not permitted. The appeals officer may:

- Affirm the original decision and sanctions, if any;
- Reverse original decision and remove or add sanctions as appropriate;
- Affirm the original decision but revise the sanctions; or
- Request that additional steps be taken.

The appeals officer shall issue a written decision simultaneously to both parties and include the rationale for the decision. The decision of the appeals officer shall be final.