

**American Jewish University
Education and Resources on Title IX & VAWA**

INTRODUCTION

This guide is intended to help explain American Jewish University’s responsibility under Title IX and the Violence Against Women Act (VAWA). Additionally, this guide will:

- Provide you with specific resources available both on and off campus
- Provide you with details on available Supportive Measures
- Educate you on your right to an Advisor and how they can assist you throughout the process
- Inform you of Policy definitions that describe Prohibited Conduct
- Inform you of possible Sanctions for Policy Violations
- Provide you with common questions and answers asked by Parties (Complainants and Respondents)

IF YOU HAVE EXPERIENCED SEXUAL MISCONDUCT

If you are off campus and experiencing an emergency, you can call local police by dialing 911. You may also call the local police department’s non-emergency line:

- **West LA Community Police Station, Phone: 310-444-0701**
- **Beverly Hills Police Department, Phone: 310-550-4951**
- **Simi Valley Police Department, Phone: 805-583-6950**
- **Ventura County Sheriff’s Office, Phone: 805-654-2380**

1. Go to a safe location as soon as you are able.
2. Seek immediate medical attention if you are injured, believe you may have been exposed to the risk of an STI/STD, or pregnancy.
3. Contact any of the following for assistance:

Chart 1- Resources for Individuals Who Wish to Make a Report or Complaint

Resource	Role	Available to:	Level of Confidentiality
Meng “May” Zhang Email: titleix@aju.edu Phone: 310-440-1571	Title IX Coordinator	All AJU Community Members	Private to the extent practicable

<p>*AJU Human Resources Email: hr@aju.edu</p> <p>**Chairperson of AJU Board of Directors Email: chairperson@aju.edu</p>	<p>*To report alleged Sex Discrimination by the Title IX Coordinator</p> <p>** To report alleged Sex Discrimination by the AJU President</p>		
<p>Public Safety/Law Enforcement</p> <p>911 Emergency Services</p> <p>West LA Community Police Station 1663 Butler Avenue Los Angeles, CA 90025 Phone: 310-444-0701</p> <p>Beverly Hills Police Department 464 N Rexford Drive Beverly Hills, CA 90210 Phone: 310-550-4951</p> <p>Simi Valley Police Department 3901 Alamo Street Simi Valley, CA 93063 Phone: 805-583-6950</p> <p>Ventura County Sheriff's Office 800 S. Victoria Avenue Ventura, CA 93009 Tel: 805-654-2380</p> <p>Los Angeles County District Attorney's Office, Bureau of Victim Services 1000 South Fremont Avenue Unit 36, Bldg. A9E, Suite E9150 Alhambra, CA 91803 Phone: 626-514-1300 / 800-380-3811 Other Locations: https://da.lacounty.gov/vwap/locations</p>	<p>Provides law enforcement investigation and victim services for victims of crimes</p>	<p>Public Service for All</p>	<p>Laws protect certain aspects of victim reports including public disclosure of victim names</p>

Ventura County District Attorney's Office, Crime Victims' Assistance Unit 800 S. Victoria Avenue, Suite 314 Ventura, CA 93009 Phone: 805-654-3622			
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Chart 2- Confidential Employees at AJU

Confidential Employee	Available to:	Level of Confidentiality
Patricia Fenton Email: pfenton@aju.edu Phone: 310-440-1518	AJU Community Members at the Ziegler School of Rabbinic Studies	Confidential
Sherry Heyerly Email: sherry.heyerly@aju.edu Phone: 310-440-1535	AJU Community Members at the Familian Campus (Includes Maas Center and Masor School)	Confidential
Rusty Madison-Meyer Email: rmeyer@aju.edu Phone: 310-440-1287	AJU Community Members at the Brandeis Bardin Campus (Does Not Include Participants and Seasonal Staff of Camp Alonim)	Confidential
** Camp Alonim Health Center (Licensed Healthcare Professionals- Nurses, Doctors, and a Clinical Social Worker) Phone: 805-582-4454	Participants and Seasonal Staff of Camp Alonim	Confidential

** The Camp Alonim Health Center is operated seasonally when Camp Alonim is in session, typically during the months of June, July, and August of each year. The Health Center employs licensed healthcare professionals who provide health care to the participants and seasonal staff of camp programs when Camp Alonim is in session. These licensed healthcare professionals are Confidential Employees who do not have a duty to report to the Title IX Coordinator any potential Sex Discrimination that they may be informed of while they are performing their assigned job

duties, specifically the provision of medical or mental health treatment or counseling to camp participants and seasonal staff.

Chart 3- Confidential Resources Internal and External to AJU

Resource	Role	Available to:	Level of Confidentiality
<p>TimelyCare <i>(Vendor-contracted service)</i></p> <p>Students can access TimelyCare by logging into TimelyCare and/or by downloading the mobile app</p>	<p>Free, online mental health and wellness resources including 12-recurring mental health and wellness counseling sessions per year</p>	<p>Students enrolled in degree programs at Ziegler School of Rabbinic Studies and Masor School for Jewish Education and Leadership</p>	<p>Confidential</p>
<p>Employee Assistance Program <i>(Vendor-contracted service)</i></p> <p>Mutual of Omaha Phone: 800-316-2796</p>	<p>Free mental health and legal/financial resources including crisis counseling sessions and legal consultations</p>	<p>AJU Employees</p>	<p>Confidential</p>
<p>National Advocacy Programs</p> <p>National Sexual Assault Online Hotline Phone: 800-656-4673</p> <p>National Domestic Violence Hotline Phone: 800-799-7233</p>	<p>Provides information, support and advocacy to individuals who may be victims or survivors of crime, violence and/or abuse</p>	<p>Public Service for All</p>	<p>Confidential</p>
<p>Community Advocacy Programs- Los Angeles County</p> <p>UCLA Medical Center Rape Treatment Center 1250 16th St., Santa Monica, CA</p>	<p>Provides information, support and advocacy to individuals who may be victims</p>	<p>Public Service for All</p>	<p>Confidential</p>

<p>90404 Phone: 424-259-7208</p> <p>JFS Hope Jewish Family Services Domestic Violence Services Phone: 818-505-0900 / 323-681-2626</p> <p>Strength United CSUN Community Agency 24-Hour Support, Referral, and Crisis Response Line: 818-886-0453 / 661-253-0258</p> <p>Los Angeles LGBT Center Stop Violence Program Phone: 323-860-5806 Email: STOPviolence@lalgbtcenter.org Legal Advocacy Project for Survivors (LAPS) Phone: 323-993-7649 Email: LAPS@lalgbtcenter.org</p>	<p>or survivors of crime, violence and/or abuse</p>		
<p>Community Advocacy Programs- Ventura County</p> <p>Coalition for Family Harmony 24-Hour Bilingual Hotline: 800-300-2181 (Se habla Español) Email: Gethelp@thecoalition.org</p> <p>Interface Children and Family Services 24-Hour Hotline: 800-636-6738 Mental Health Intake Line: 805-485-6114, Option 2</p> <p>Ventura County Family Justice Center Phone: 805-652-7655 Text: 805-947-7981 Email: vcfjc.coop@ventura.org</p>	<p>Provides information, support and advocacy to individuals who may be victims or survivors of crime, violence and/or abuse</p>	<p>Public Service for All</p>	<p>Confidential</p>

4. Medical Attention: Evidence collection should be completed within approximately 120 hours of an assault, but fluids, hair samples and DNA can be collected for a long time thereafter. Even if you have washed or bathed, evidence can often still be obtained. After

120 hours, it may still be helpful to have medical attention, even if you are not trying to obtain evidence of an assault. Sexual assault nurse examiners are trained in the collection of forensic evidence and can check for injuries and exposure to sexually transmitted infections and diseases. If you are still wearing any clothes worn during the incident, wear them to the hospital, but bring a change of clothes, as the hospital will keep the clothes you are wearing as evidence. If you have changed clothes, bring the ones you were wearing during the incident to the hospital in a clean paper (not plastic) bag or wrapped in a clean bedsheet. Leave sheets/towels at the scene of the incident. Police will collect them. Typically, police will be called to the hospital to take custody of the forensic kit, but it is up to you whether you wish to speak with them or file a criminal complaint.

Choose how to proceed. You have options. You can: (1) do nothing until you are ready, (2) pursue resolution by AJU, and/or (3) initiate criminal proceedings, and/or (4) initiate a civil process against the perpetrator. You may pursue whichever combination of options is best for you. If you pursue resolution by AJU, your options can include a Formal Grievance Process, administrative resolution, Informal Resolution, and/or Supportive Measures. If you wish to have an incident investigated and resolved by AJU, you should contact the Title IX Coordinator. AJU's procedures will be explained and are summarized below. Those who wish incidents to be handled criminally should contact the police and have the right to be assisted by AJU in doing so.

CONFIDENTIALITY/PRIVACY/PRIVILEGE

To make informed choices, all members of the campus community should be aware of Confidentiality, Privacy, and Privilege considerations, as well as institutional mandatory reporting requirements.

Reporting to Confidential Employees: If a Complainant wishes to keep the details of an incident confidential, they could speak with a Confidential Employee who has been designated by the University to act in that role. Confidential Employees can be consulted confidentially by Students and Employees. Information on who is a Confidential Employee is provided in the chart listed above.

Other Confidential Resources: Local resources such as crisis centers are also confidential and have no duty to report disclosed information to AJU. Students enrolled in degree programs at Ziegler School of Rabbinic Studies and Masor School for Jewish Education and Leadership could also access TimelyCare, a vendor-contracted service, which provides free, online mental health and wellness resources including counseling sessions. Employees have access to the Employee Assistance Program, also a vendor-

contracted service, which provides free mental health counseling sessions and legal consultations.

Confidential Resources:

- Confidential Employees (designated by AJU)
- TimelyCare (vendor-contracted service)
- Employee Assistance Program (vendor-contracted service)
- Off-campus (**non-Employees and not affiliated with AJU**):
 - Licensed professional counselors and other medical providers
 - Local rape crisis counselors
 - Domestic violence resources
 - Local or state assistance agencies
 - Clergy/Chaplains
 - Attorneys

Required Reporting: All Employees not designated as confidential above are Responsible Employees who are required to report. This means they are required to share information that you have disclosed to them with the Title IX Coordinator, though that does not obligate you to any formal involvement. The Title IX Coordinator will simply reach out to you to offer Supportive Measures and the opportunity to file a Formal Complaint.

At the request of a Complainant, Notice may be given anonymously (i.e., without identification of the Complainant) to the Title IX Coordinator by a Responsible Employee. The Responsible Employee cannot remain anonymous themselves.

If a Complainant has requested that a Responsible Employee maintain the Complainant's anonymity, the Responsible Employee may do so unless it is reasonable to believe that a compelling threat to health or safety could exist. The Responsible Employee can consult with the Title IX Coordinator on that assessment without revealing personally identifiable information.

Anonymous Notice will be investigated by the University to the extent possible, both to assess the underlying allegation(s) and to determine if Supportive Measures or Remedies can be provided. However, anonymous Notice typically limits the University's ability to investigate, respond, and provide Supportive Measures or Remedies, depending on what information is shared.

When a Complainant has made a request for anonymity, the Complainant's personally identifiable information may be withheld by a Responsible Employee, but all other details must be shared with the Title IX Coordinator.

Anonymous Reporting: Individuals who are not Responsible Employees and who wish to make an anonymous Report could do so by using the reporting form on AJU's [Title IX webpage](#). When the anonymous Report lacks a Complainant or sufficient information for the University to act on, AJU's ability to investigate, respond, and provide Supportive Measures or Remedies is limited. On the other hand, AJU reserves the right to enact measures intended to protect the AJU community when reported allegations indicate a potential threat to the community.

The Title IX Coordinator's Role: The Title IX Coordinator has been designated as the official to institute Supportive Measures and respond to allegations of Prohibited Conduct. Giving the Title IX Coordinator Notice of an incident will result in the offering of Supportive Measures and options for Formal Grievance Process, administrative resolution, and Informal Resolution. If a Formal Complaint is filed with the Title IX Coordinator, and if it has been accepted for Investigation after undergoing an initial assessment, such incidents will be investigated and resolved in a prompt and equitable manner under AJU's resolution procedures, which are discussed later within this brochure.

You may request that the Title IX Coordinator provide you with Supportive Measures and resources without initiating a Formal Grievance Process or administrative resolution. If you wish to pursue a Formal Grievance Process or administrative resolution, the Title IX Coordinator will be unable to honor any request for anonymity or Confidentiality. The Respondent must be provided sufficient information, including the identity of the Complainant, to allow them to appropriately respond.

If AJU decides it is obligated to pursue a Formal Grievance Process or administrative resolution based on the Notice you have given, the Title IX Coordinator can initiate a Formal Complaint. You are not obligated to participate in the Resolution Process as Complainant. Regardless of whether you participate, you will have all the rights to which a Complainant is entitled, if you want them. AJU's ability to enforce its policy and procedures may be limited if you decide not to participate at all.

Duties with respect to minors (those under the age of 18) may require reporting to state agencies and/or local law enforcement. As a result, anonymity and Confidentiality cannot be guaranteed.

SEXUAL MISCONDUCT: RISK REDUCTION FOR INTIMATE PARTNER VIOLENCE, STALKING, SEXUAL HARASSMENT, AND SEXUAL ASSAULT

While victim-blaming is never appropriate and AJU fully recognizes that only those who commit sexual misconduct are responsible for their actions, AJU provides the suggestions that follow to help members of the campus community reduce their risk of being victimized and their risk of committing sex offenses.

REDUCING THE RISK OF VICTIMIZATION

- ✓ Make any limits and/or boundaries you may have known as early as possible.
- ✓ Tell a sexual aggressor “no,” as clearly and firmly as possible.
- ✓ Remove yourself, if possible, from an aggressor’s physical presence.
- ✓ Reach out for help, either from someone who is physically nearby or by calling someone. Bystanders around you may be waiting for a signal that you need help.
- ✓ Take affirmative responsibility for your alcohol and/or drug consumption, understanding that alcohol and drugs can increase your vulnerability to sexual victimization.
- ✓ Look out for your friends and ask them to look out for you. Respect them, and ask them to respect you, but be willing to challenge each other about high-risk choices.

REDUCE THE RISK OF BEING ACCUSED OF SEX MISCONDUCT

- ✓ Show your potential partner respect if you are in a position of initiating sexual behavior.
- ✓ If they say “no,” accept it and don’t push. If you want a yes, ask for it, and don't proceed without clear permission.
- ✓ Communicate your intentions to your potential sexual partner clearly and give that person a chance to share their intentions and/or boundaries with you.
- ✓ Respect personal boundaries. If you are unsure what’s okay in any interaction, ask.
- ✓ Avoid ambiguity. Just ask. Don’t make assumptions about Affirmative Consent, about whether someone is attracted to you, how far you can go with that person, or if the individual is physically and mentally able to give Affirmative Consent. If you have questions or are unclear, you *don’t* have Affirmative Consent.
- ✓ Don’t take advantage of the fact that someone may be under the influence of drugs or alcohol, even if that person chose to become that way. Their loss of control does not put you in control.

- ✓ Be on the lookout for mixed messages. That should be a clear indication to stop and talk about what your potential partner wants or doesn't want to happen. They may be undecided about how far to go with you, or you may have misread a previous signal.
- ✓ Respect the timeline for sexual behaviors with which others are comfortable and understand that everyone is entitled to change their minds.
- ✓ Recognize that even if you don't think you are intimidating in any way, your potential partner may be intimidated by or fearful of you, perhaps because of your sex, physical size, or a position of power or authority you may hold.
- ✓ Do not assume that someone's silence or passivity is an indication of Affirmative Consent. Pay attention to both verbal and non-verbal signals to avoid misreading intentions.
- ✓ Understand that Affirmative Consent to one type of sexual behavior does not automatically grant you consent to other types of sexual behaviors. If you are unsure, stop and ask.
- ✓ If your partner indicates a need to stop, or withdraws Affirmative Consent, respect them. Immediately.
- ✓ If you've had Affirmative Consent with your partner previously, still check in with them. Just because something was okay with them before doesn't mean it will be okay in the future.

A BRIEF SUMMARY OF TITLE IX

Title IX protects Students and Employees who are impacted by sexual harassment, sexual assault, domestic violence, dating violence, and stalking. When these behaviors occur, and a Formal Complaint is made, AJU is obligated to address and remedy the complaint to ensure that no one is denied effective access to AJU's Education Program or Activities. Schools have jurisdiction requirements that they must follow to determine whether a Complaint falls within Title IX or is to be addressed within other policies and procedures.

Complainants are well-protected by the regulations in terms of Supportive Measures that are offered by institutions to try to address the impact of sex offenses. Complainants and Respondents are each entitled to an Advisor of their choosing (who can be an attorney) throughout the Resolution Process.

To protect Respondents' due process rights, institutions are required to use a Formal Grievance Process for certain types of allegations. That formal process includes an Investigation, a live hearing, questioning of the parties through their Advisors, a determination by an objective Decision-maker, and an appeal.

WHEN DOES TITLE IX APPLY?

Title IX only applies when AJU has jurisdiction over the complaint. This happens when the Complainant is participating in (or attempting to participate) in the AJU's Education Program or Activities, AND the Respondent is a student or employee of the AJU, AND the behavior occurred within AJU's control in the United States (meaning not on private property, outside the scope of the Education Programs or Activities, etc.).

If it is unclear whether Title IX applies to your situation, contact the Title IX Coordinator for additional assistance. If Title IX does not apply to your situation, the conduct may still be addressable under other AJU policies. For such complaints involving Students, contact Student Affairs. For such complaints involving Employees, contact Human Resources.

A BRIEF SUMMARY OF VAWA

The Violence Against Women Act §304. VAWA was originally enacted in 1994 to address concerns with violent crimes and violence against women. The goals of VAWA are to prevent violent crimes, respond to the needs of crime victims, learn more about crime, and change public attitudes through a collaborative effort made by a variety of organizations and systems. Schools are responsible for reporting incidents deemed as criminal offenses under VAWA through annual reporting, and for providing training and education to Students and Employees, in addition to other requirements.

There are a lot of similarities between Title IX and VAWA compliance. Ultimately, both ensure Complainants and Respondents have a full understanding of their rights, the institution's responsibilities, and transparency with navigating the institution's process for resolving reported Sex-Based Harassment.

POLICY TERMINOLOGY AND SEX-BASED HARASSMENT DEFINITIONS

There is certain terminology used in both AJU's Policy and Procedures on Prohibition of Sex Discrimination that are important for you to know. Additionally, the Title IX Coordinator or designee will use these terms in their written and verbal communication. Below is a chart of the most common terminology used and its definition.

<i>Term</i>	<i>Definition</i>
<i>Knowledge</i>	When the University receives Notice of conduct that reasonably may constitute Prohibited Conduct.
<i>Complainant</i>	An individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a Protected Status; or Retaliation for engaging in a protected activity. (In certain cases, a person with the legal right to act on behalf of a Complainant or the Title IX Coordinator could make a complaint, but they do not become the Complainant.)
<i>Formal Complaint</i>	A document submitted or signed by a Complainant or by the Title IX Coordinator alleging a Respondent engaged in harassment or discrimination based on a Protected Status or Retaliation for engaging in a protected activity against a Respondent and requesting that the University investigate the allegation(s).
<i>Respondent</i>	An individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a Protected Status; or Retaliation for engaging in a protected activity.
<i>Formal Grievance Process</i>	“Process A”, a method of formal resolution designated by the University to address conduct that falls within this Policy, and which complies with the requirements of the Title IX regulations (34

	C.F.R. § 106.45) and the Violence Against Women Act § 304.
Process A	The Formal Grievance Process as detailed and defined within the Procedures affiliated with this Policy.
Process B	Administrative resolution procedures detailed in the Procedures affiliated with this Policy that only apply when Process A does not, as determined by the Title IX Coordinator.
Resolution Process	Umbrella term that is inclusive of Supportive Measures, Informal Resolution, Investigation, Hearing, Appeals, etc.
Informal Resolution	A complaint Resolution agreed to by the Parties and approved by the Title IX Coordinator that occurs prior to a formal Final Determination being reached. An Informal Resolution cannot be offered when the complaint includes allegations that an Employee sexually harassed a Student; or when such a process would conflict with federal, state, or local law.
Supportive Measures	Individualized measures offered as appropriate, when reasonably available, without unreasonably burdening a Complainant or Respondent, not for punitive or disciplinary reasons, and without fee or charge, to the Complainant or Respondent regardless of whether a complaint is filed. Supportive Measures are to: 1) restore or preserve equal access to the University's Education Program or Activity, or the workplace, including to protect the safety of all Parties or the

	educational or work environment; or 2) provide support during the complaint Resolution Process.
Advisor	An individual chosen by a Party to advise them on the complaint Resolution Process. The advisor can assist Parties with navigating and understanding the complaint Resolution Process, including providing support during the process and attending any meeting or interview that is associated with the process.
Confidential Employee	1) An Employee whose communications are privileged or confidential under federal or state law. The Employee’s confidential status, for purposes of this definition, is only with respect to information received while the Employee is functioning within the scope of their duties to which Privilege or Confidentiality applies; or 2) An Employee whom the University has designated as confidential under this Policy for the purpose of providing services to persons related to Sex Discrimination. If the Employee also has a duty not associated with providing those services, the Employee’s confidential status only applies with respect to information received about Sex Discrimination in connection with providing those services. A Confidential Employee is not required to report Notice of harassment, Discrimination, and/or Retaliation (irrespective of Clery Act Campus Security Authority status).
Decision-Maker	The person who hears evidence, determines relevance, makes the Final

	<p>Determination of whether this Policy has been violated, and then issues a decision and Sanctions where applicable. Under Process A, a Decision-Maker cannot be the same person as the Title IX Coordinator and/or the Investigator. Under Process B, a Decision-Maker may be the same person as the Title IX Coordinator and/or the Investigator</p>
<p><i>Investigator</i></p>	<p>The person authorized by the University to gather facts about an alleged violation of this Policy, assess relevance and credibility, synthesize the evidence, and compile this information into an Investigation Report of Relevant Evidence and a file of Directly Related Evidence. Under both Processes A and B, an Investigator may be the Title IX Coordinator or their designee including an external professional. Under Process A, an Investigator cannot serve as the Decision-Maker. Under Process B, an Investigator may serve as the Decision-Maker. An Investigator shall not have any conflicts of interest in the matter under Investigation.</p>
<p><i>Responsible Employee</i></p>	<p>An Employee who has the authority to take action to redress Sexual Harassment or provide Supportive Measures to students, or who has the duty to report Sexual Harassment to an appropriate school official who has that authority. All University Employees (including Student Employees), with the exception of Confidential Employees, are Responsible Employees who are obligated by this Policy to share Knowledge, Notice, and/or</p>

	Reports of Sex Discrimination with the Title IX Coordinator.
Notice	When an Employee, Student, or External party informs the Title IX Coordinator of the alleged occurrence of Prohibited Conduct.
Prohibited Conduct	All forms of discrimination or harassment on the basis of actual or perceived Sex, Sex Stereotypes, Pregnancy or Related Conditions, Parental, Marital, or Familial Status, Gender, Gender Identity, Gender Expression, Sexual Orientation, and status as a victim of Sexual Assault, Domestic Violence, or Stalking; All forms of Sex Discrimination, which includes- Discriminatory Harassment, Sexual Harassment (which is defined by Federal law to include Sexual Assault, Dating Violence, Domestic Violence, and Stalking), Sexual Violence, and Sexual Battery; Other civil rights offenses including Sexual Exploitation, Harm/Endangerment, Sex or Gender-Based Harassment, Sex or Gender-Based Discrimination, Intimidation, Sex or Gender-Based Hazing, Sex or Gender-Based Bullying, and Violation of No-Contact Directive or Supportive Measures; Certain consensual sexual and/or romantic relationships between Employees and Students, and between Employees where there is a power differential or imbalance; Retaliation against a person who reports, complains about, or who otherwise participates in good faith in any matter related to this Policy, and; Attempts of conduct that, if

	successful, would result in a Prohibited Conduct.
Parties	The Complainant(s) and Respondent(s), collectively

AJU’s Policy on Prohibition of Sex Discrimination (“Policy”) is intended to define expectations for appropriate conduct and outline Resolution Processes to address conduct that does not meet these expectations. You can review AJU’s full Policy [here](#).

Sex offenses, including Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking are violations of this Policy. A number of federal laws and regulations, including Title IX, VAWA, and the Clery Act, mandate how institutions of higher education must respond to sex offenses. Many types of sex offenses also constitute violations of California law.

Members of the campus community, guests, and visitors have a right to be free from sex offenses and to be protected by AJU’s Policy regardless of sex, sexual orientation, gender identity, or gender expression. All members of the campus community must conduct themselves in a way that does not infringe upon the rights of others. When individuals are found to have violated Policy, AJU will impose serious Sanctions, as noted in the Sanctions section of this document.

SEX OFFENSE DEFINITIONS

The following are the definitions of sex offenses prohibited by AJU’s Policy:

SEXUAL HARASSMENT:

Sexual Harassment, as an umbrella category includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking and is defined as:

- Unwelcome conduct on the basis of sex or that is sexual in nature that satisfies one or more of the following:

QUID PRO QUO:

- an employee of the College/University,
- conditioning the provision of an aid, benefit, or service of AJU,
- on an individual’s participation in unwelcome sexual conduct.

SEXUAL HARASSMENT (HOSTILE ENVIRONMENT):

- Unwelcome conduct,

- Determined by a reasonable person,
- To be so severe,
- pervasive, and
- objectively offensive
- that it effectively denies a person equal access to AJU's Education Program or Activity

SEXUAL ASSAULT, defined as:

- any sexual act directed against another person
- without the consent of the Complainant,
- including instances in which the Complainant is incapable of giving consent.
- Includes rape, nonconsensual sodomy, sexual assault with an object, nonconsensual fondling, incest, statutory rape.

DATING VIOLENCE, defined as:

- violence,
- on the basis of sex,
- committed by a person,
- who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
 - The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the person involved in the relationship. For the purposes of this definition-
 - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - Dating violence does not include acts covered under the definition of domestic violence.

DOMESTIC VIOLENCE, defined as:

- Violence,
- On the basis of sex,
- Committed by a current or former spouse or intimate partner of the Complainant,
- By a person with whom the Complainant shares a child in common, or
- By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- By a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of your state, or
- By any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of your state.

STALKING, defined as:

- Engaging in a course of conduct,
- On the basis of sex,
- Directed at a specific person, that would
 - Cause a reasonable person to fear for the person's safety, or the safety of others;
or
 - Suffer substantial emotional distress.

SEXUAL EXPLOITATION, defined as:

- One person taking non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses

AFFIRMATIVE CONSENT: Knowing, voluntary, and clear permission by word or action to engage in sexual activity.

In all sexual encounters, it is important that you obtain Affirmative Consent. Each of us is responsible for obtaining Affirmative Consent and has a right to choose to give Affirmative Consent or not give Affirmative Consent. Affirmative Consent is:

- Informed, knowing, and voluntary (freely given)
- Active (not passive)
- Affirmative, clear words or actions that create mutually understandable permission regarding the conditions of sexual or intimate activity
- Not something that can be given by someone who is known to be, or who should be known to be, mentally or physically incapacitated
- Not something that can be obtained by use of physical force, compelling threats, intimidating behavior, or coercion

If Affirmative Consent is withdrawn, sexual activity must stop reasonably immediately. Any party can place conditions on their willingness to consent, and those conditions must be respected.

People may experience the same interactions differently, therefore each party is responsible for making sure that their potential partner has provided ongoing, clear consent to engage in any sexual activity or contact.

Affirmative Consent to some forms of sexual activity (e.g., kissing, fondling, etc.) should not be construed as Affirmative Consent for other kinds of sexual activities (e.g., intercourse).

To legally give Affirmative Consent in California, individuals must be at least 18 years old.

Force: The use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., “Have sex with me or I’ll hit you,” which elicits the response, “Okay, don’t hit me, I’ll do what you want.”).

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

Coercion: Unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Incapacitation: This is defined as a state in which individuals are unable to make rational, reasonable decisions because they lack the capacity to understand the “who, what, when, where, why, or how” of a situation or interaction. Individuals cannot sexually consent if they are unable to understand what is happening, or if they are disoriented, helpless, asleep, or unconscious for any reason. That applies even if it is because they voluntarily consumed alcohol or drugs. Unless consent is “knowing,” it is not valid. Individuals engaging in sexual activity who know or should have known that the other party is incapacitated are engaging in sexual misconduct.

The fact that a Respondent was intoxicated and therefore did not realize that the Complainant was incapacitated does not excuse sexual assault.

RESOLUTION PROCESSES

AJU’s full Resolution Processes for sex offenses defined above and in accordance with the regulations can be accessed [here](#), in AJU’s Procedures on Prohibition of Sex Discrimination.

AJU treats Complainants and Respondents equitably by providing Remedies to a Complainant when a determination of responsibility for Prohibited Conduct has been made against the Respondent and by following a grievance process that complies with the Title IX regulations and VAWA.

Here is an overview of the major steps in the process:

STEP ONE: INTAKE

The Title IX Coordinator may assist the Complainant with understanding the Policy and Procedures, their options, and accessing resources. Assuming the Complainant chooses to file a Complaint and move forward with a Formal or Informal Resolution process, the next step is an Initial Assessment. If there is an anonymous Report, third-party Report, or an unidentified Complainant, the Title IX Coordinator will attempt to: (1) take appropriate action to determine who was impacted and/or involved in the reported behavior to offer them Supportive Measures and resources and explain their process options, and (2) take reasonable action to stop the behavior, remedy its effects on individuals and the campus community, and prevent it from recurring in the future.

All resolutions will be conducted by officials who receive annual training on issues related to sexual harassment, which includes domestic violence, dating violence, sexual assault, and stalking. The Title IX Coordinator, Investigators, Decision-Makers, and any person who facilitates an Informal Resolution process are required to be trained on: the definitions of sexual harassment; the scope of AJU's Education Program or Activity; how to conduct an Investigation and grievance process that includes hearings, appeals, and Informal Resolution processes, as applicable; and serving impartially, including by avoiding prejudgment of the facts at issue, identifying conflicts of interest, and bias.

Additionally, Decision-Makers must receive training on any technology used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant. Any materials used for training the Title IX team will not rely on sex stereotypes and will promote impartial investigations and adjudications of Formal Complainants of sexual harassment. You can view the training materials provided to the Title IX team at: <https://www.aju.edu/about-aju/diversity-statement/title-ix>. AJU's complaint Resolution Process is private. The institution will protect the Privacy of parties throughout the Resolution Process, consistent with the provisions of state and federal law. Any required release of information about a resolution will be accomplished without the inclusion of identifying information about the Complainant. Information about the Respondent will only be released to the extent permitted by law.

STEP TWO: INITIAL ASSESSMENT

An initial assessment of the allegations is made by the Title IX Coordinator to determine appropriate jurisdiction and applicable policies/procedures. Under the federal Title IX regulations, the Title IX Coordinator is required to dismiss any Formal Complaint if one or more of the following is true:

- The alleged conduct would not constitute sexual harassment as defined within the Policy, even if proved

- The alleged conduct did not occur in AJU’s Education Program or Activity
- The alleged conduct did not occur against a person in the United States
- The Complainant is not participating or attempting to participate in AJU’s Education Program or Activities at the time of filing the complaint.

Additionally, the Title IX Coordinator *may* dismiss any Formal Complaint if one or more of the following is true:

- At any time during the investigation or hearing a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal Complaint or any allegations therein
- The Respondent is no longer enrolled or employed by AJU
- Specific circumstances prevent AJU from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein

Upon a dismissal required or permitted under the federal Title IX regulations, the Title IX Coordinator will promptly send written notice of the dismissal and the rationale to the Parties simultaneously. The Parties (meaning the Complainant and Respondent) will have an opportunity to appeal this decision by following the appeal procedures located in the [Procedures](#) on Prohibition of Sex Discrimination.

If a dismissal occurs, the Title IX Coordinator may refer or reinstate the allegations for resolution under an alternative campus process, if appropriate.

AJU] recognizes that incidents which fall outside of the narrow scope of the Title IX regulations may also negatively impact access to the institution’s Education Programs or Activities and are counter to the mission and values of the institution. Therefore, AJU has also adopted administrative resolution procedures “Process B” to address other sex offenses that may fall outside the protections of Title IX. AJU’s jurisdiction and scope for Process B could be found in the [Procedures](#) on Prohibition of Sex Discrimination.

STEP THREE: CHOOSE AN ADVISOR (if you have not already)

The Parties are each entitled to an Advisor of their choice to accompany them to any and all meetings pertaining to the Complaint. An Advisor can be anyone, including but not limited to an attorney, friend, roommate, or parent. The Advisor may not be an Employee of the University or someone who could present a conflict of interest during the complaint Resolution Process. Advisors can be extremely helpful in assisting parties with navigating the Title IX Resolution Process, especially when it comes to the hearing. AJU is required to have a live hearing as part of its Formal Grievance Process. At the live hearing, the Decision-Maker must permit each party’s Advisor to ask the other party and any Witnesses all relevant questions and follow-up questions, including those challenging credibility.

For representation, Respondents may wish to contact organizations such as:

- FACE (<http://www.facecampusequality.org>)
- SAVE (<http://www.saveservices.org>).

Complainants may wish to contact organizations such as:

- The Victim Rights Law Center (<http://www.victimrights.org>),
- The National Center for Victims of Crime (<http://www.victimsofcrime.org>), which maintains the Crime Victim’s Bar Association.
- The Time’s Up Legal Defense Fund: <https://nwlc.org/times-up-legal-defense-fund/>

Victim Advocates

Complainants may want to choose an advocate as their Advisor, or to have access to an advocate for support. Advocates are individuals who are NOT employed by AJU for the purpose of providing confidential support and resources independent of or in conjunction with a sex- or gender-based discrimination or misconduct Resolution Process. Advocates are typically trained to provide crisis response services and connection to law enforcement, legal, health, and other emergency services. Advocates are often involved in assisting with the provision of supportive measures for Complainants such as academic adjustments, employment adjustments, housing relocation, and coordination of medical or mental health services.

Below is a list of community-based, and national advocacy services available:

Community Advocacy Services:

- [UCLA Medical Center Rape Treatment Center](#)
1250 16th St., Santa Monica, CA 90404
Phone: 424-259-7208
- [JFS Hope](#)
Jewish Family Services Domestic Violence Services
Phone: 818-505-0900 / 323-681-2626
- [Strength United](#)
CSUN Community Agency
24-Hour Support, Referral, and Crisis Response Line: 818-886-0453 /
661-253-0258
- [Los Angeles LGBT Center](#)
Stop Violence Program
Phone: 323-860-5806
Email: STOPviolence@lalgbtcenter.org
Legal Advocacy Project for Survivors (LAPS)
Phone: 323-993-7649
Email: LAPS@lalgbtcenter.org

- [Coalition for Family Harmony](#)
24-Hour Bilingual Hotline: 800-300-2181 (Se habla Español)
Email: Gethelp@thecoalition.org
- [Interface Children and Family Services](#)
24-Hour Hotline: 800-636-6738
Mental Health Intake Line: 805-485-6114, Option 2
- [Ventura County Family Justice Center](#)
Phone: 805-652-7655
Text: 805-947-7981
Email: vcfjc.coop@ventura.org

National Organizations Supporting Crime Victims :

- National Center for Injury Prevention and Control
- National Organization for Victim Assistance (NOVA)
- National Coalition of Anti-Violence Programs (NCAVP)

STEP FOUR: INVESTIGATION

Trained campus or external Investigators will conduct an investigation that is prompt, thorough, reliable, equitable, fair, and impartial. They will interview the parties and witnesses and prepare a report. Your Advisor can accompany you to all interviews. As part of the Investigation, Parties and their Advisors will be provided access to all relevant and directly related evidence collected and will be given an opportunity to review and comment upon it.

STEP FIVE: HEARING

AJU's Resolution Process provides for a neutral and independent Decision-Maker. The Decision-Maker will have the opportunity to question Investigators, Parties, and Witnesses during a hearing. Hearings are held in person, though any party may request to participate through videoconference. The Title IX Coordinator may also decide that the entire hearing should take place through videoconference. The Parties may make opening and closing statements. During the hearing, Parties' Advisors will have the opportunity to question the other party and Witnesses. If a party or witness chooses not to submit to questioning during the hearing, any prior statements made by that party or witness cannot be considered by the Decision-Maker.

Standard of Evidence: AJU uses a Preponderance of Evidence standard of evidence. This means that the Decision-Maker consider whether, given the available Relevant, credible evidence, it is more likely than not that a violation occurred.

Past History: Questions and evidence about the Complainant’s sexual predisposition cannot be asked. Questions about a Complainant’s prior sexual behavior cannot be asked unless:

- Such questions and evidence are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, OR
- The questions and evidence concern specific incidents of the Complainant’s prior sexual behavior with respect to the Respondent and are offered to prove consent.

STEP SIX: FINAL DETERMINATION

The Parties will be informed of the outcome of AJU’s resolution of a Complaint in writing, without significant delay between the notifications to each Party. This notice will include the Final Determination, any Sanctions imposed (that AJU is permitted to share according to state or federal law), a rationale for the Final Determination, the institution’s procedures for the parties to appeal, including the grounds for appeal, steps for appealing, and timeline for the appeal process.

STEP SEVEN: APPEAL OF DETERMINATION

All Parties involved in the Complaint resolution proceedings may appeal the Final Determination within five (5) Working Days on the basis of grounds permitted by AJU’s Procedures. All Parties are included in any appeal reconsideration and have equal rights of participation. All appeals are conducted by written exchange of materials. There is only one level of appeal. That decision is final. See AJU’s [Procedures](#) for further details on appeal of of determination procedures.

TIMELINES FOR RESOLUTION

AJU is committed to resolving Complaints within a reasonably prompt timeframe. AJU’s Policy and Procedures detail this timeline more specifically. Complaints typically take 90-120 Working Days to resolve. AJU’s process allows for the temporary delay of the Resolution Process or limited extensions of time frames for good cause with written notice to the Complainant and the Respondent. This notification will include specifics of the delay or extension with a reason for the action. Contact the Title IX Coordinator if you need a delay in the process, or an extension for an aspect of the process.

INFORMAL RESOLUTION PROCESS

To initiate an Informal Resolution process, a Complainant or Respondent may contact the Title IX Coordinator at any time prior to a Final Determination of responsibility or the Title IX Coordinator may offer the option to the Parties. Prior to proceeding with an Informal

Resolution, AJU will obtain voluntary, written confirmation that all Parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the Parties to participate in Informal Resolution.

Informal Resolution cannot be offered when the complaint includes allegations that an Employee sexually harassed a Student; or when such a process would conflict with federal, state, or local law.

The Parties may agree as a condition of engaging in Informal Resolution that statements made or evidence shared during the Informal Resolution process will not be considered in the Formal Grievance Process or administrative resolution process unless all Parties consent.

It is not necessary to pursue Informal Resolution first to pursue a Formal Grievance Process or administrative resolution process, and any party participating in Informal Resolution can stop the process at any time before it is finalized and begin or resume the Formal Grievance Process or administrative resolution process.

There are four main types of Informal Resolution:

- 1) **Supportive Resolution.** When the Title IX Coordinator resolves the matter informally by providing Supportive Measures (only) designed to remedy the situation.
- 2) **Accepted Responsibility.** When the Respondent is willing to accept responsibility for a Policy Violation and is willing to agree to actions that will be enforced similarly to sanctions, and the Complainant(s) and University are agreeable to the resolution terms.
- 3) **Alternative Resolution.** When the Parties agree to resolve the matter through an alternative resolution mechanism, which could include, but is not limited to, mediation, shuttle negotiation, restorative practices, or facilitated dialogue. Please note, mediation is prohibited to resolve allegations of Sexual Assault, Dating violence, Domestic violence, and Stalking, even on a voluntary basis.

Alternative Resolution Approaches

Alternative Resolution is an informal approach, including mediation, restorative practices, facilitated dialogue, etc. by which the parties reach a mutually agreed upon resolution of an allegation. All parties must consent to the use of an Alternative Resolution approach.

Mediation is not available to resolve allegations of Sexual Assault, Dating violence, Domestic violence, and Stalking, even on a voluntary basis.

The Title IX Coordinator may look to the following factors to assess whether Alternative Resolution is appropriate, or which form of Alternative Resolution may be most successful for the parties:

- The Parties' amenability to alternative resolution
- Likelihood of potential resolution, considering any power dynamics between the Parties
- The nature and severity of the alleged misconduct
- The Parties' motivation to participate
- Civility of the Parties
- Results of a violence risk assessment/ongoing risk analysis
- Disciplinary history of the Respondent
- Whether an emergency removal is needed
- Skill of the alternative resolution facilitator with this type of complaint
- Complaint complexity
- Emotional investment/capability of the Parties
- Rationality of the Parties
- Goals of the Parties
- Adequate resources to invest in alternative resolution (time, staff, etc.)

The ultimate determination of whether Alternative Resolution is available or successful is to be made by the Title IX Coordinator. The Title IX Coordinator is authorized to negotiate a resolution that is acceptable to all parties, and/or to accept a resolution that is proposed by the parties, usually through their Advisors. Alternative Resolution agreements are not subject to appeal once agreed upon by all parties.

Respondent Accepts Responsibility for Alleged Violations

The Respondent may accept responsibility for all or part of the alleged Policy Violations at any point during the Resolution Process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the Formal Grievance Process or administrative resolution process will be paused, and the Title IX Coordinator will determine whether Informal Resolution can be used according to the criteria above.

If Informal Resolution is applicable, the Title IX Coordinator will determine whether all Parties and AJU are able to agree on responsibility, Sanctions, and/or Remedies. If so, the Title IX Coordinator implements the accepted Finding that the Respondent is in violation of

AJU's Policy and implements agreed-upon Sanctions and/or Remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all Parties indicate their written assent to all agreed upon terms of Resolution. When the Parties cannot agree on all terms of Resolution, the Formal Grievance Process or administrative resolution process will resume at the same point where it was paused.

When a Resolution is accomplished, the appropriate Sanction or responsive actions are promptly implemented to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

SANCTIONS AND REMEDIES

There are several factors considered when determining a Sanction. Sanctions are imposed and enforced when the Respondent has been found in violation of AJU's Policy on Prohibition of Sex Discrimination. Some considerations for sanctioning include:

- The nature, severity of and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- The need for Sanctions/responsive actions to bring an end to the Policy Violation
- The need for Sanctions/responsive actions to prevent the future recurrence of the Policy Violation
- The need to remedy the effects of the Policy Violation on the Complainant and the community
- The impact on the Parties
- Any other information deemed relevant by the Decision-Maker(s)

Sanctions are typically implemented as soon as feasible, either upon the outcome of any appeal of determination or the expiration of the window to appeal when an appeal has not been requested.

Examples of Student Sanctions are:

- Disciplinary warning – verbal or written
- Required training or education
- Disciplinary probation
- Educational, interventional or restorative requirements
- Restricted access to University facilities or events
- Imposition or continuation of a no-contact order
- Suspension from education program or campus access (limited time or

- indefinite)
- Expulsion
- Withholding of degree or delayed awarding of a degree if enrolled in a University degree program
- Dismissal (expulsion)
- Revocation of degree
- Organizational Sanctions: Deactivation, loss of recognition or loss of some or all privileges for a specified period of time
- In addition to or in place of the above Sanctions, the University may assign any other Sanctions as deemed appropriate.

Examples of Employee Sanctions are:

- Disciplinary warning- verbal or written
- Required training or education
- Performance Improvement Plan
- Disciplinary probation
- Educational, interventional or restorative requirements
- Restricted access to University facilities or events
- Imposition or continuation of a no-contact order
- Loss of pay increase
- Loss of oversight or supervisory responsibilities
- Suspension, reduction, or loss of compensation
- Demotion
- Termination of employment, contract, appointment, and/or tenure
- Other Actions: In addition to or in place of the above Sanctions, the University may assign any other Sanctions as deemed appropriate.

Long-term Remedies/Other actions

Following the conclusion of the resolution process, and in addition to any Sanctions implemented, the Title IX Coordinator may implement Remedies or actions with respect to the Parties and/or the campus community that are intended to prevent reoccurrence of the Policy Violation and remedy the effects of the conduct.

PREVENTION AND AWARENESS PROGRAMS

The University has implemented comprehensive prevention and outreach programs to address issues of Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking. These programs include, but are not limited to, information about the University’s Policy and Procedures, rights and responsibilities, the practical implications of an affirmative consent standard, empowerment programming, awareness raising campaigns, primary prevention, bystander intervention, and risk reduction

programs. Prevention and outreach programs are included as part of incoming Student and new Employee orientation. In addition, all Employees must complete ongoing prevention and intervention training and education.

RIGHTS OF COMPLAINANTS AND RESPONDENTS

Throughout the resolution process described in the Policy and Procedures on Prohibition of Sex Discrimination, both the Complainant and Respondent have the following rights:

- The right to an equitable Investigation and Resolution of all credible allegations of Prohibited Conduct made in good faith to University officials.
- The right to timely written notice of all alleged violations, including the identity of the Parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible Sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated Policy Violations.
- The right to be informed in advance of any public release of information by the University regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released by the University to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by University officials.
- The right to have University Policy and these Procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

- The right not to be discouraged by University officials from reporting Sexual Harassment, Discrimination, and/or Retaliation to both on-campus and off-campus authorities.
- The right to be informed by University officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by the University in notifying such authorities, if the Party so chooses. This also includes the right not to be pressured to report.
- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by University officials.
- The right to be informed of available Supportive Measures, such as counseling; advocacy; health care; legal, student financial aid, visa, and immigration assistance; and/or other services, both on campus and in the community.
- The right to a University-implemented no-contact order or a no-trespass order against an External Party when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
- The right to be informed of available assistance in changing academic, and/or working situations after an alleged incident of Prohibited Conduct, if such changes are reasonably available. No formal Report, or Investigation, either institutional or criminal, needs to occur before this option is available. Such actions may include, but are not limited to:
 - Changing an Employee's work environment (e.g., reporting structure, office/workspace relocation)
 - Visa/immigration assistance
 - Exam, paper, and/or assignment rescheduling or adjustment
 - Receiving an incomplete in, or a withdrawal from, a class (may be retroactive)
 - Transferring class sections
 - Temporary withdrawal/leave of absence (may be retroactive)
 - Campus safety escorts
 - Alternative course completion options
- The right to have the University maintain such actions for as long as necessary and for Supportive Measures to remain private, provided Privacy does not impair the

University's ability to provide the supportive measures.

- The right to receive sufficiently advanced, written notice of any University meeting or interview involving another Party, when possible.
- The right to identify and have the Investigator, Advisors, and/or Decision-Maker question relevant available Witnesses, including expert witnesses.
- The right to provide the Investigator/Decision-Maker with a list of questions that, if deemed relevant by the Investigator/Decision-Maker, may be asked of any Party or Witness.
- The right to have inadmissible sexual predisposition/prior sexual history or irrelevant character evidence excluded by the Decision-Maker.
- The right to know the Relevant and Directly Related Evidence obtained and to respond to that evidence.
- The right to a fair opportunity to provide the Investigator with their account of the alleged misconduct and have that account be on the record.
- The right to receive a copy of all Relevant and Directly Related Evidence obtained during the Investigation, subject to Privacy limitations imposed by state and federal law, and a ten (10)-Working Days period to review and comment on the evidence.
- The right to receive a copy of the final Investigation Report, including all factual, policy, and/or credibility analyses performed, and to have at least ten (10) Working Days to review and comment on the report prior to the hearing.
- The right to be informed of the names of all Witnesses whose information will be used to make a Finding, in advance of that Finding, when relevant.
- The right to regular updates on the status of the Investigation and/or Resolution.
- The right to have Reports of alleged Policy Violations addressed by Investigator, Title IX Coordinator, and Decision-Maker who have received relevant annual training.
- The right to preservation of Confidentiality/Privacy, to the extent possible and permitted by law.

- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any University representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the Party in all meetings and/or interviews associated with the Resolution Process.
- The right to the use of Preponderance of the Evidence standard to make a Finding and Final Determination after an objective evaluation of all Relevant Evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any hearing.
- The right to have an impact and/or mitigation statement considered by the Decision-Maker following a determination of responsibility for any allegation, but prior to Sanctioning.
- The right to be promptly informed of the Finding(s) and Sanction(s) (if any) of the Resolution Process and a detailed rationale of the decision (including an explanation of how credibility was assessed) in a written Notice of Outcome letter delivered simultaneously (without undue delay) to the Parties.
- The right to be informed in writing of when a decision by the University is considered final and any changes to the Final Determination or Sanction(s) that occur post Notification of Outcome.
- The right to be informed of the opportunity to appeal the Finding(s) and Sanction(s) of the Resolution Process, and the procedures for doing so in accordance with the standards for appeal established by the University.
- The right to a fundamentally fair Resolution as defined in these Procedures.

FREQUENTLY ASKED QUESTIONS (FAQ)

1. Can an attorney be my Advisor?

Yes. You have the right to an Advisor of your choice, which can include an attorney.

2. Will my parents/guardians find out about this incident?

It depends. If you are a minor, AJU employees have certain mandatory reporting obligations, which may include notifying your parents/guardians of the incident.

If you are not a minor, this incident is a part of your education record, which is protected under the Family Educational Rights and Privacy Act (FERPA). This means that your education record cannot be shared with anyone with whom you have not given AJU permission to share.

3. Do I have to resolve this through a Formal Grievance Process?

No. You have options. If you are a Complainant and wish to resolve informally, you first make a Formal Complaint. Upon receipt of this Formal Complaint, the Title IX Coordinator will provide you with additional information. Any party who wishes to resolve the matter informally should contact the Title IX Coordinator. All parties must agree, in writing, to informally resolve for this to be an option.

4. Is there a time limit on when I can report?

There is no statute of limitations on when a Complaint can be filed however there are certain jurisdictional requirements that must be met to pursue a Formal Resolution process under Title IX.

5. Will I get in more trouble if I was drinking underage during the incident?

AJU maintains a policy of offering Parties and Witnesses amnesty from minor policy violations such as underage consumption of alcohol or the use of illicit drugs related to the incident.

6. What happens if the Respondent fails to comply with the Sanctions?

Respondents are expected to comply with the assigned Sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-Maker(s). Failure to abide by the Sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional Sanction(s)/action(s), including suspension, expulsion, and/or termination.

7. What happens if the Respondent transfers, leaves, or resigns prior to the conclusion of the formal resolution process?

If a Respondent permanently withdraws or resigns, the resolution process ends with a dismissal, as AJU no longer has disciplinary jurisdiction over the withdrawn student or former employee. However, AJU will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

8. What if law enforcement is involved?

AJU's action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced. AJU may undertake a delay in its investigation if circumstances require. Communication will be sent to the Parties explaining the reason(s) for the delay and the anticipated duration of the delay.

9. Do I have to be cross-examined during the hearing?

If you want the Decision-Maker to consider any prior statements made or evidence submitted by you, then yes, you must submit to cross-examination during the hearing. You have a choice not to, but your statements and evidence will not be considered by the Decision-Maker.

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