

**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 SEX-BASED HARASSMENT

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 |
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| Meng “May” Zhang Email: titleix@aju.edu Phone: 310-440-1571 | Title IX Coordinator *To report | All AJU Community Members | Private to the extent practicable |

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| <p>*AJU Human Resources Email: hr@aju.edu</p> <p>**Chairperson of AJU Board of Directors Email: chairperson@aju.edu</p> | <p>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>Ventura County District Attorney's Office, Crime Victims' Assistance Unit 800 S. Victoria Avenue, Suite 314</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> |

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| Ventura, CA 93009 | | | |
| Phone: 805-654-3622 | | | |

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.heylerly@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 |
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| <p>TimelyCare (Vendor-contracted service)</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 (Vendor-contracted service)</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 90404 Phone: 424-259-7208</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> |

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| <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>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 a 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 Resolution process, 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

Mandated Reporting: All Employees not designated as confidential above are Responsible Employees who are mandated 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 support and the opportunity to file a formal Complaint.

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 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 Resolution process. If you wish to pursue a Formal Resolution process, 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 Formal Resolution based on the Notice you have given, the Title IX Coordinator can initiate a 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.

SEX-BASED HARASSMENT: 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 Sex-Based Harassment 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 sexual 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 Sex-Based Harassment which includes 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-Based Harassment. Complainants and Respondents are each entitled to an Advisor of their choosing (who can be an attorney) throughout the resolution process.

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 behavior occurred in a context within AJU's control.

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.

| Term. | Definition. |
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| Knowledge. | When the University receives Notice of conduct that reasonably may constitute Prohibited Conduct. |
| Complainant. | 1) A Student or Employee who is alleged to have been subjected to conduct that could constitute Sex Discrimination under Title IX or other applicable federal and state laws or this Policy; or 2) A person other than a Student or Employee who is alleged to have been subjected to conduct that could constitute Sex Discrimination under Title IX and who was participating or attempting to participate in an University Education Program or Activity at the time of the alleged Sex Discrimination. (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.) |
| Complaint. | An oral or written report to the Title IX Coordinator that objectively can be understood as a request for the University to investigate and make a determination |

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| | <p>about alleged Sex Discrimination under Title IX or other applicable federal and state laws or this Policy. The Title IX Coordinator will respond to the Complaint in accordance with the established Policy and Procedures. A Complaint provides notice to the University that the Complainant would like to initiate an Investigation or other appropriate resolution procedures.</p> |
| <p>Respondent.</p> | <p>A person who is alleged to have violated AJU’s Policy on Prohibition of Sex Discrimination. A Respondent may include the University, a Student, Employee, Program Participant, or External Party.</p> |
| <p>Supportive.Measures.</p> | <p>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 Programs or Activities, 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.</p> |
| <p>Advisor.</p> | <p>An individual chosen by a Party to advise them on the Complaint resolution</p> |

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| | <p>process. The advisor can assist parties with navigating and understanding the Complaint resolution process, including providing support during the process and attend any meeting or interview that is associated with the process.</p> |
| <p>Confidential.Employee.</p> | <p>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 the Title IX 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; or 3) An Employee who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about Sex Discrimination. The Employee’s confidential status only applies with respect to information received while conducting the study.</p> |

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| Decision_Maker. | The person who reviews Investigation Reports and evidence, determines Relevance, makes the Final Determination of whether Policy has been violated, and then issues a decision and Sanctions where applicable. |
| Investigator. | The person authorized by the University with investigating a Complaint. An Investigator interviews the Parties and relevant Witnesses, reviews documents and physical evidence, analyzes information, makes credibility determinations in appropriate cases, and prepares reports summarizing their Findings and conclusions. The Investigator may be the Title IX Coordinator or their designee including an external consultant. An Investigator shall not have any conflicts of interest in the matter under Investigation. |
| Responsible.Employee. | All University Employee, including Student Employees, who are obligated by the Title IX Policy to share Knowledge, Notice, and/or 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. | Sex-based discrimination, sex-based harassment which includes- sexual |

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| | harassment, sexual assault, dating violence, domestic violence, and stalking, sexual exploitation, and consensual sexual and/or romantic relationships where there is a power differential or imbalance. Prohibited Conduct also includes retaliation against a person who reports, complains about, or who otherwise participates in good faith in any matter related to the Title IX Policy. |
| 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-Based Harassment, 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-Based Harassment. Many types of Sex-Based Harassment also constitute violations of California law.

Members of the campus community, guests, and visitors have a right to be free from sexual 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-BASED HARASSMENT DEFINITIONS

The following are the definitions of Sex-Based Harassment prohibited by AJU’s Policy:

| Source/ Applicability | Scope | Prohibited Conduct | Definition |
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| Title IX | Applies to all conduct that | Quid Pro Quo Sexual | Conduct on the basis of sex by which an Employee of the University conditions the provision of an aid, |

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| <p>Applies to Students, Employees, and program participants including applicants</p> | <p>is subject to the University's disciplinary authority</p> <p>Applies to conduct that occurs in any building owned by the University or controlled by a student organization that is officially recognized by AJU</p> | <p>Harassment</p> | <p>benefit, or service of the University on an individual's participation in unwelcome sexual conduct.</p> |
| <p>Title IX</p> <p>Applies to Students, Employees, and program participants including applicants</p> | <p>Applies to all conduct that is subject to the University's disciplinary authority</p> <p>Applies to conduct that occurs in any building owned by the University or controlled by a student organization that is officially recognized by AJU</p> | <p>Hostile Environment Sexual Harassment</p> | <p>Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the college's Education Program or Activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:</p> <ul style="list-style-type: none"> • The degree to which the conduct affected the Complainant's ability to access the college's Education Program or Activity; |

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| | | | <ul style="list-style-type: none"> • The type, frequency, and duration of the conduct; • The parties' ages, roles within the college's Education Program or Activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct; <p>The location of the conduct and the context in which the conduct occurred.</p> |
| <p>Title IX</p> <p>Applies to Students, Employees, and program participants including applicants</p> | <p>Applies to all conduct that is subject to the University's disciplinary authority</p> <p>Applies to conduct that occurs in any building owned by the University or controlled by a student organization that is officially recognized by AJU</p> | <p>Sexual Assault</p> | <p>Any sexual act directed against another person, without the Affirmative Consent of the Complainant, including instances where the Complainant is incapable of giving Affirmative Consent. Sexual Assault can occur either forcibly and/or non-forcibly.</p> <p>Sexual act includes, but is not limited to, touching or attempted touching of another person's breasts, buttocks, inner thighs, groin, anus, or genitalia, either directly or indirectly, or sexual penetration (however slight) of another person's oral, anal or genital opening.</p> <p>Sexual Assault includes Rape, Fondling, Incest, or Statutory Rape, defined as follows:</p> <ul style="list-style-type: none"> • Rape is the penetration, no matter how slight, of the vagina or anus with any body part or |

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| | | | <p>object, or oral-genital contact of another person without Affirmative Consent of the Complainant.</p> <ul style="list-style-type: none"> • Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without affirmative consent of the Complainant, including instances where the Complainant is incapable of giving Affirmative Consent because of their age or because of their temporary or permanent mental or physical incapacity. • Incest is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by California law. • Statutory Rape is non-forcible sexual intercourse with a person who is under the statutory age of consent in California- age of 18 years. • California law requires the University to describe how it will respond to instances of stranger and non-stranger Sexual Assault. AJU applies the same policies and sanctions for both stranger and non-stranger Sexual Assault. For the purposes of this Policy, a non- |
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| | | | <p>stranger is someone known to the Complainant, including via a casual meeting or via a longstanding dating or domestic relationship. A stranger is someone unknown to the Complainant at the time of the Sexual Assault.</p> |
| <p>Title IX</p> <p>Applies to Students, Employees, and program participants including applicants</p> | <p>Applies to all conduct that is subject to the University's disciplinary authority</p> <p>Applies to conduct that occurs in any building owned by the University or controlled by a student organization that is officially recognized by AJU</p> | <p>Domestic Violence</p> | <p>Violence committed:</p> <ul style="list-style-type: none"> • By a current or former spouse or intimate partner of the Complainant; • By a person with whom the Complainant shares a child in common; • By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner; • By a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or <p>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 the jurisdiction in which the crime of violence occurred.</p> |
| <p>Title IX</p> <p>Applies to Students,</p> | <p>Applies to all conduct that is subject to the</p> | <p>Dating Violence</p> | <p>Violence committed by a person:</p> <ol style="list-style-type: none"> a. Who is or has been in a social relationship of a |

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| <p>Employees, and program participants including applicants</p> | <p>University’s disciplinary authority</p> <p>Applies to conduct that occurs in any building owned by the University or controlled by a student organization that is officially recognized by AJU</p> | | <p>romantic or intimate nature with the Complainant; and</p> <p>b. The existence of such a relationship shall be determined based on a consideration of the following factors:</p> <ol style="list-style-type: none"> 1) The length of the relationship; 2) The type of relationship; and 3) The frequency of interaction between the persons involved in the relationship. <p>For the purposes of this definition—</p> <p>(A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.</p> <ul style="list-style-type: none"> • (B) Dating violence does not include acts covered under the definition of domestic violence. |
| <p>Title IX</p> <p>Applies to Students, Employees, and program participants including applicants</p> | <p>Applies to all conduct that is subject to the University’s disciplinary authority</p> <p>Applies to conduct that occurs in</p> | <p>Stalking</p> | <p>Conduct on the basis of sex that constitutes a course of conduct 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. For the purposes of this definition:</p> |

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| | <p>any building owned by the University or controlled by a student organization that is officially recognized by AJU</p> | | <ul style="list-style-type: none"> • Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent 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. • Reasonable person means a reasonable person under similar circumstances and with similar identities to the complainant. <ul style="list-style-type: none"> Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling. |
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AFFIRMATIVE CONSENT: An affirmative, conscious, and voluntary agreement to engage in sexual activity. Affirmative consent is required for any sexual activity to occur between two or more individuals. It is the responsibility of each person involved in the sexual activity to ensure that the person has the affirmative consent of the other(s) to engage in the sexual activity.

It will not be a valid excuse to allege lack of affirmative consent that the Respondent believed that the complainant consented to the sexual activity under either of the following circumstances: (a) The Respondent's belief in affirmative consent arose from the intoxication or recklessness of the Respondent, or (b) the Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the complainant affirmatively consented.

The following are essential elements of affirmative consent:

- Informed and reciprocal: All parties must demonstrate a clear and mutual understanding of the nature and scope of the act to which they are consenting and a willingness to do the same thing, at the same time, in the same way.
- Freely and actively given: Consent cannot be obtained through the use of Force, Coercion, threats, Intimidation or pressuring, or by taking advantage of the Incapacitation of another individual.
- Mutually understandable: Communication consists of mutually understandable words and/or actions that indicate a mutually unambiguous willingness to engage in sexual activity. Consent may not be inferred from silence, passivity, lack of resistance, or lack of active response. An individual who does not physically resist or verbally refuse sexual activity is not necessarily giving consent. Relying solely upon non-verbal communication can lead to a false conclusion as to whether consent was sought or given.
- Not indefinite: Affirmative consent must be ongoing throughout the activity. Consent may be withdrawn by any party at any time. Recognizing the dynamic nature of sexual activity, individuals choosing to engage in sexual activity must evaluate consenting to an ongoing manner and communicate clearly throughout all stages of sexual activity. Withdrawal of consent can be a verbally expressed “no” or “stop” or can be based on an outward demonstration that conveys that an individual is hesitant, confused, uncertain, or is no longer a mutual participant. Once consent is withdrawn, the sexual activity must cease immediately, and all parties must obtain mutually expressed or clearly stated consent before continuing further sexual activity.
- Not unlimited: Consent to one form of sexual contact does not constitute consent to all forms of sexual contact, nor does consent to sexual activity with one person constitute consent to activity with any other person. Each participant in a sexual encounter must consent to each form of sexual contact with each participant. Even in the context of a current or previous intimate relationship, each party must consent to each instance of sexual contact each time. The consent must be based on mutually understandable communication that clearly indicates a willingness to engage in sexual activity. The mere fact that there has been prior intimacy or sexual activity does not, by itself, imply consent to future acts.

In evaluating whether consent has been freely sought and given, the University will consider all relevant facts and circumstances, including, but not limited to, the ages of the parties; the presence of any Force, threat of Force, Intimidation, or Coercion; whether the

Complainant had the capacity to give consent; and, whether the communication (through words and/or actions) between the parties would be interpreted by a reasonable person (under similar circumstances and with similar identities) as a willingness to engage in a particular sexual act.

Force: The use or threat of physical violence to overcome an individual's freedom of will to choose whether or not to participate in sexual activity or provide Affirmative Consent. Affirmative Consent obtained by Force is not valid. For the use of Force to be demonstrated, there is no requirement that a Complainant resist the sexual advance or request. However, evidence of resistance by the Complainant will be viewed as a clear demonstration of a lack of Affirmative Consent. **Coercion:** Coercion is 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: A state where an individual cannot make an informed and rational decision to engage in sexual activity because of a lack of conscious understanding of the fact, nature, or extent of the act (e.g., to understand the who, what, when, where, why, or how of the sexual interaction) and/or is physically helpless. For example, an individual is incapacitated, and therefore, unable to give consent, if the individual is asleep, unconscious, or otherwise unaware that sexual activity is occurring. An individual will also be considered incapacitated if the person cannot understand the nature of the activity or communicate due to mental or physical condition.

Incapacitation may result from the use of alcohol, drugs, or other medication.

Consumption of alcohol or other drugs alone is insufficient to establish Incapacitation. The impact of alcohol and drugs varies from person to person, and evaluating Incapacitation requires an assessment of how the consumption of alcohol and/or drugs impacts an individual's: (1) decision-making ability; (2) awareness of consequences; (3) ability to make informed judgments; or (4) capacity to appreciate the nature and the quality of the act.

It will not be a valid excuse that the Respondent believed that the Complainant affirmatively consented to the sexual activity if the Respondent knew or reasonably should have known that the Complainant was unable to consent to the sexual activity under any of the following circumstances: (a) the Complainant was asleep or unconscious; (b) the Complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the Complainant could not understand the fact, nature, or extent of the sexual activity; (c) the Complainant was unable to communicate due to a mental or physical condition.

Whether the Respondent reasonably should have known that the Complainant was incapacitated will be evaluated using an objectively reasonable person standard. The fact that the Respondent was actually unaware of the Complainant's incapacity is irrelevant to this analysis, particularly where the Respondent's failure to appreciate the Complainant's Incapacitation resulted from the Respondent's failure to take reasonable steps to determine the Complainant's Incapacitation or where the Respondent's own Incapacitation (from alcohol or drugs) caused the Respondent to misjudge the Complainant's incapacity. It is the responsibility of each party to be aware of the intoxication level of the other party before engaging in sexual activity.

In general, sexual activity while under the influence of alcohol or other drugs poses a risk to all parties. If there is any doubt as to the level or extent of the other individual's intoxication, it is safest to forgo or cease any sexual contact or activity. Being intoxicated by drugs or alcohol is no defense to any violation of this Policy and does not diminish one's responsibility to obtain consent.

RESOLUTION PROCESS AND GRIEVANCE PROCEDURES

AJU's full resolution process and grievance procedures for Sex-Based Harassment 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.

The Title IX Coordinator will promote impartial Investigations and adjudications of formal Complaints of sexual offense. All resolutions will be conducted by officials who receive appropriate training on issues related to Sexual Harassment, Domestic Violence, Dating Violence, Sexual Assault, and Stalking. Officials responsible for administering various proceedings identified in the Procedures (e.g. Informal Resolution, Investigation, Final Determination, appeals review, etc.) also receive additional training on the requirements of the Title IX regulations, the Policy and Procedures, the definition of relevance, and how to serve impartially.

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.

During the initial assessment, if it is determined that the reported conduct may not reasonably constitute a Policy Violation, the matter is typically dismissed from this process. It may then be referred to another process, if applicable. Similarly, if it is determined that the reported conduct is not within the scope and jurisdiction of the Policy, the matter is typically dismissed from this process. If applicable, the conduct will be referred to the appropriate University office for resolution.

Additionally, the Title IX Coordinator may dismiss any formal complaint if one or more of the following is true:

- The University is unable to identify the Respondent after taking reasonable steps to do so;
- The respondent is no longer enrolled or employed by the University;
- The Complainant voluntarily withdraws any or all of the allegations in the Complaint, the Title IX Coordinator declines to initiate a Complaint, and the University determines that, without the Complainant's withdrawn allegations, the conduct alleged in the Complaint would not constitute Sex Discrimination even if proven; or
- The University determines the conduct alleged in the Complaint would not constitute a Policy Violation, even if proven. Complaints that are dismissed on this ground may be referred to another process or University office for review under other potentially applicable policies.

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 in the Procedures.

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

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.

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: Decision-Maker Questioning Meeting

AJU's resolution process provides for an impartial Decision-Maker. The Decision-Maker(s) will have the opportunity to question Parties and Witnesses separately during Questioning Meetings. The Questioning Meetings could be held in person, or through videoconference. During the Questioning Meetings, The Decision-Maker will ask the Parties and Witnesses to answer questions posed by the Decision-maker, as well as the questions proposed by the Parties that have been deemed Relevant and not duplicative. Questions intended to assess credibility may be posed as well. These meetings will be recorded and transcribed. For any question deemed not Relevant or is duplicative, the Decision-Maker will provide a rationale for not asking the question, either during the recorded meeting, or in writing.

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

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. Below is a chart that will keep you informed of the timeline for your incident. AJU’s process allows for the temporary delay of the grievance 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.

| Stage | Timeframe for Completion |
|---|--|
| Initial Assessment (Is the alleged conduct outside the scope and jurisdiction of the Policy? Would it constitute a Policy Violation?) | Within 10 Working Days after receipt of Notice/Report/Complaint/Knowledge of alleged Prohibited Conduct. |

| Stage | Timeframe for Completion |
|---|--|
| Complaint accepted or not accepted (i.e. Complaint dismissed) for investigation | Within 10 Working Days after intake or receipt of a request for Investigation (whichever is later) |
| Appeal of Dismissal Submission | Within 5 Working Days after notice of dismissal is sent to Complainant or Parties |
| Appeal of Dismissal Decision | Within 15 Working Days after receipt of the written appeal |
| Investigation | Within 90 Working Days between when Notice of Investigation is sent to Parties and when Evidence Review begins |
| Investigation – Evidence Review and Response Submission | Within 10 Working Days after Investigation Report is sent to Parties |
| Decision-Maker Questioning Meetings | Within 15 Working Days after Evidence Review period ends |
| Final Determination | Within 7 Working Days after final Decision-Maker Questioning Meeting concludes |
| Final Investigation Report and Notice of Investigation Outcome | Within 5 Working Days after Final Determination concludes |
| Appeal of Determination Submission | Within 5 Working Days after Notice of Investigation Outcome is sent to Parties |

| Stage | Timeframe for Completion |
|----------------------------------|--|
| Appeal of Determination Decision | Within 20 Working Days after receipt of the written appeal |

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.

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 unless all Parties consent.

It is not necessary to pursue Informal Resolution first to pursue a Formal 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 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) **Educational Conversation.** When the Title IX Coordinator resolves the matter informally by having a conversation with the Respondent to discuss the Complainant’s concerns and institutional expectations. Sometimes a Complainant may choose to confront the conduct by participating in this discussion.
- 3) **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.

4) **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.

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 Complaint resolution process and waive further process. The Respondent must accept responsibility in writing. The Decision-Maker is authorized to accept that admission, adopt it as their Finding/Final Determination, and administer Sanction(s). This would also waive all rights for the Respondent to appeal on the Finding.

The Parties may appeal the Sanction(s), only on the basis that the Sanction(s) was objectively unreasonable or subjective based on the Policy Violation for which Respondent accepted responsibility. The appeal process is outlined the Appeal of Determination section of the Procedures.

When the Respondent admits responsibility for some but not all of the charged Policy Violations, the Investigation and adjudication process will continue unless the Complaint is otherwise resolved through Informal Resolution.

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
- Previous allegation(s) involving similar conduct
- 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.

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

AJU provides education and prevention programs on sexual offense conduct to Students and Employees.

Students enrolled in academic degree-granting programs are expected to complete mandatory sexual offense prevention training annually. Students enrolled in non-academic programs and youth programs are informed of behavior that is prohibited by the Policy, and how to report such behavior to the University.

All faculty and staff must complete ongoing sexual offense prevention and intervention training every two years as required by federal and state laws.

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:

1. If a crime is alleged, the right to be notified by University officials of options to notify proper law enforcement authorities, including local police, and the option(s) to be assisted by University authorities in notifying such authorities if the Party so chooses. This also includes the right to not report.
2. The right to meet with the Title IX Coordinator to be provided options under these Policy and Procedures.
3. The right to an equitable Investigation and resolution of all credible allegations of Sex Discrimination made in good faith to University.
4. The right to timely written notification of all alleged violations, including the identity of the Parties involved (if known), the misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures and possible Sanctions.
5. The right to timely written notification 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.
6. The right to be treated with respect, including awareness of the sensitive nature of allegations.
7. The right to be informed in advance of any public release of information regarding

the allegation(s) or underlying incident(s), whenever possible.

8. The right to have any personally identifiable information protected from being released to the public by the University without consent provided, except to the extent permitted by law.
9. The right not to be pressured to mediate or otherwise informally resolve any reported Prohibited Conduct involving violence, including sexual violence.
10. The right to be informed of possible interim actions and Supportive Measures and then to make a request for such action or Supportive Measure.
11. The right to have periodic updates on the status of the Investigation and/or resolution.
12. The right to have the University use Preponderance of the Evidence, to make a Finding after an objective evaluation of all Relevant evidence.
13. The right not to have irrelevant prior sexual history admitted as evidence.
14. The right to provide the Investigator(s) with their account of the alleged misconduct.
15. The right to receive a copy of or access to the Investigation Report, including all factual, policy and/or credibility analyses performed; the identification of the Witnesses; and all Relevant evidence available and used to produce the Investigation Report, subject to the Privacy limitations imposed by state and federal law. The right to receive a copy of or access to the other Party's response to the Investigation Report (if any).
16. The right to petition that any University representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
17. The right to have an Advisor of their choice to accompany and assist the Party in all meetings and/or interviews associated with the Formal Resolution process or Informal Resolution.
18. If there is a Decision-Maker questioning meeting, the right to provide suggested questions for Parties and Witnesses, and to have these questions asked at the questioning meeting by the Decision-Maker, if deemed Relevant and helpful in assessing whether a Policy Violation occurred.
19. If there is a Decision-Maker questioning meeting, the right to be present, including via remote technology.
20. The right to be promptly informed in a written Notice of Investigation Outcome letter of the Finding(s) and Sanction(s) of the Formal Resolution process and a detailed

rationale (including an explanation of how credibility was assessed), delivered simultaneously (without undue delay) to the Parties.

21. The right to appeal.

22. The right to be informed in writing of when a decision by the University is considered final.

FREQUENTLY ASKED QUESTIONS (FAQ)

Can an attorney be my Advisor?

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

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.

Do I have to resolve this through a Formal Resolution process?

No. You have options. If you are a Complainant and wish to resolve informally, you must let the Title IX Coordinator know. 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.

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.

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.

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.

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 Formal Resolution process may continue, or the Title IX Coordinator may exercise their discretion to dismiss the Complaint, as the University no longer has disciplinary jurisdiction over the withdrawn or resigned Respondent. 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 Prohibited Conduct.

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.