## **Athletics Training 2023**

## MOUNT VERSITY NAZARENE UNIVERSITY Office of CIVILRIGHTS Trust & Transparency



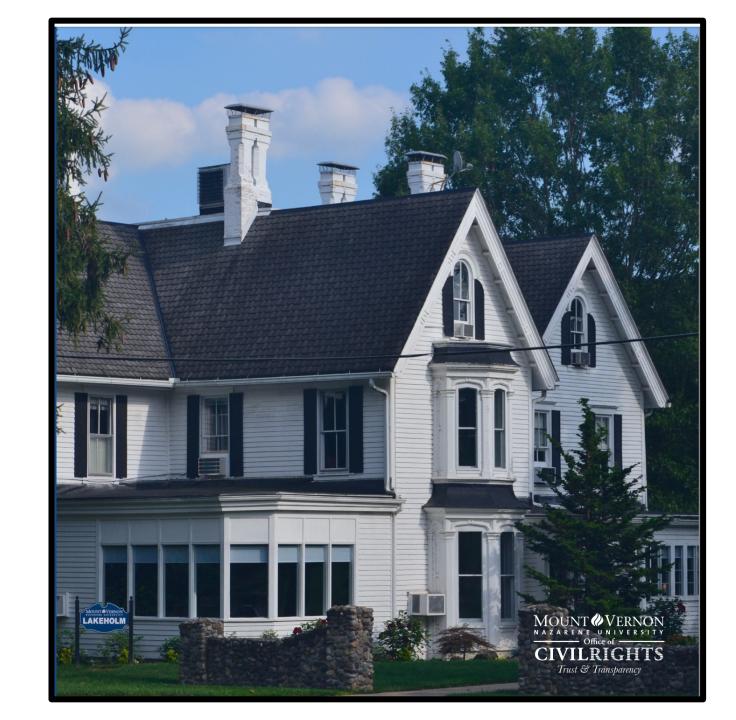


#### SEE |HEAR |KNOW |SAY SOMETHING





Civil Rights Director Christina Jones, J.D. Lakeholm 109 Katie Sherman, Deputy TIX Coordinator



## <u>Religious</u> <u>Expression</u>

## Who We Are and What We Believe



- Being of Wesleyan heritage, and a ministry of the Church of the Nazarene, we strive to be a learning community where grace is foundational, truth is pursued, and holiness is a way of life. Furthermore, we attempt to make all policies and decisions within the doctrinal and moral convictions of the Church of the Nazarene as articulated within the Manual of the Church of the Nazarene (e.g., Articles of Faith, Covenant of Christian Conduct including the Statement on Human Sexuality and Marriage, Covenant of Christian Character, and the agreed upon Statement on Discrimination, 915). We also strive to provide a learning and living environment that promotes safety, transparency, personal integrity, civility, mutual respect and freedom from unlawful discrimination.
- This integration of faith and learning is recognized by the United States and Ohio Constitutions and many state and federal laws. Therefore, it is a recognized right of religious educational institutions such as MVNU to incorporate religious beliefs into all aspects of university life and maintain faith-based standards of behavior which all community members voluntarily agree to follow.



Be a Good Neighbor

 MVNU seeks to recruit students of the Christian faith and to create an institutional environment conducive to their growth in Christ; however, we do not require that students be confessing Christians. We welcome and value students of every background and faith. As a Christian community, we expect that all of our students will respect the nature of our community, learn about our traditions and participate in our community practices. MVNU affirms that a Christian liberal arts education includes an understanding of and appreciation of the differences in faith, living, and practice.

# **Notice of Non-Discrimination**



Mount Vernon Nazarene University is committed to fostering a non-discriminatory campus environment in which community members can learn and work. MVNU prohibits discrimination on the basis of race, sex, age, color, national origin, disability, marital status, or military service in the operation of all University programs, activities, and services. As a faith-based institution, the University is exempted from certain laws and regulations concerning discrimination. The University maintains the right, with regard to its lifestyle covenant, employment, and other matters, to uphold and apply its **Christian beliefs** related to, among other issues, marriage, sex (gender), gender identity, sexual orientation, and sexual activity to the fullest extent permitted by law. Thus, MVNU attempts to make all policies and decisions within the doctrinal and moral convictions of the Church of the Nazarene (e.g., Articles of Faith, Covenant of Christian Conduct including the Statement on Human Sexuality and Marriage, Covenant of Christian Character, and the Statement on Discrimination, 915).



## Civil Rights Policies

- Discrimination, Harassment, Sexual Misconduct
- Pregnancy Accommodations and Related Conditions
- Resolving Complaints under ADA/Section 504 Find these at <u>www.mvnu.edu/titlei</u> X

MVNU is committed to <u>fostering a climate free from discrimination and harassment</u>, through clear and effective policies, a coordinated education and prevention program, and prompt and equitable procedures for resolution of reports of conduct prohibited under this policy. The University encourages all members of its community to participate in the process of <u>creating a safe, welcoming and respectful environment on campus.</u>

- Title VI, 42 U.S.C. § 2000d et seq., was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.
- Title VII, 42 U.S.C. § 2000e et seq., of the Civil Rights Act of 1964 helps protect individuals from discrimination in the workplace. It prohibits employment discrimination based upon race, color, national origin, sex and religion. Title VII also protects against harassment, which can be any physical or vocal conduct that creates an intimidating, hostile or offensive work environment. Conduct can be harassment if it interferes with a person's work performance.
- Title IX, 20 U.S.C. §1681 et seq., of the Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities that receive federal financial assistance.
- ADA (The Americans with Disabilities Act of 1990), 42 U.S.C. §12101 and the Rehabilitation Act of 1973, Section 504 is a civil rights law that prohibits discrimination against people with disabilities in programs that receive financial assistance



# Racial Discrimination

DIVERSITY AND UNITY At MVNU, we believe that embracing and celebrating diversity brings us all closer together.

SEE | HEAR | KNOW | SAY SOMETHING

At MVNU, we believe that God is the Creator of all people. As we are made in His image, we believe that embracing and celebrating diversity brings us all closer together. As a ministry of the Church of the Nazarene we renounce any form of racial and ethnic indifference, exclusion, subjugation, or oppression as a grave sin against God and <mark>our fellow human beings</mark> (Manual, 915). Our campus community benefits from the diversity of students, staff, and faculty. We are a community of individuals who seek to learn from, and about, one another. Diversity is expressed through racial, ethnic, age, ability, geographic, gender, cultural, and socioeconomic differences among the campus community. To such ends, MVNU will not tolerate violence, aggression or discrimination against members of its community on the basis of one's race, skin color, or national origin.



•Curiosity & Courage: Personal responsibility for getting to know one another and to be understood.

•Openness & Otherness: Holding multiple perspectives simultaneously and valuing them all.

•Respect & Reciprocity: Recognition of personal diversity and the fact that all peoples have equal value and merit.

•Equity & Empathy: Dispersion of power and equality of opportunity.



# What is Harassment?

• Harassment is threatening, insulting, and dehumanizing behavior that interferes with a student's learning environment. It doesn't matter if the person who engaged in such behavior was trying to be funny, or just being stupid, or didn't intend to offend anyone. In fact, harassment doesn't have to be directed at a specific target or involve multiple or repeated incidents.

This guy Chris is always using racial slurs like "gangster" or "ghetto" when referring to African Americans around friends. Last week I overheard him using these racial slurs in the dining hall, and I finally approached him. I asked him to stop using those kinds of words because they're offensive. Shortly after confronting him, I went back to my dorm room and found a noose on my door. Today I found a note on my door saying "the KKK was here."

## To this a hostile educational environment?



In my Biology class, these three students are always calling me "retarded" and "stupid" because of my ADHD. They even went so far as to accuse me of faking a learning disability to get out of doing work. They call me lazy.

They've kept me from working with their group and now no other lab groups want to work with me because of my "reputation" for being lazy. It's hurt my grade since I can't complete the lab work on my own.

# What Is Discriminatory Harassment?

 Discriminatory harassment can take many forms. It may be, but is not limited to: words, signs, jokes, pranks, intimidation, physical contact, or violence. It also may include harassment that is sexual in nature or directed at the gender of another (as in paywork hereogenerit)

in sexual harassment).

**Do NOT create a HOSTILE environment!** 

Harassment may also be constituted by nonverbal acts that would also be punishable as, for example, vandalism, physical assault, or destruction of property. Other examples of harassment include epithets or "jokes" referring to an individual's group-based attributes; placement of offensive written or visual material on another's work area; offensive messages sent through email; and undesired physical contact, physical violence, or threat of same.

- Is intended to insult or stigmatize an individual or an identifiable group?
- Is it addressed directly to or at (though not necessarily in the presence of) the individual or individuals whom it insults or stigmatizes
- Does it make use of words or nonverbal symbols that convey hatred or contempt for human beings on the basis of a protected characteristic?

## Title IX – Sexual Harassment

- Quid Pro Quo
- Unwelcome Conduct
- Sexual Assault
- Dating Violence
- Domestic Violence
- Stalking



For reported behavior to qualify as Prohibited Conduct under the Title IX- Sexual Harassment it must meet all of the following <u>threshold requirements</u>:

- ✤ The conduct must have occurred against a person in the United States.
- The conduct must have occurred within the University's education program or activity. For purposes of this provision, this means that the conduct must have occurred either (a) in a location, event, or circumstances over which MVNU exercised substantial control over both the respondent and the context in which the sexual harassment occurs or (b) in relation to a building owned or controlled by a student organization that is officially recognized by the MVNU.
- The <u>complainant must be participating in or attempting to participate in the education program or activity</u> of the University at the time the formal complaint is filed.

# What is Sexual Harassment?

 Inappropriate conduct or language that refers to or involves sex is considered sexual harassment. This can include solicitations for sex, jokes or comments, or inappropriate touching.

Joe hung up a couple of photos of nude women in his dorm suite. His roommates went off on him because they didn't want to see the photos every time they came home. He thinks they're more worried about what their girlfriends will think.

A group of male students sat together in the dining hall every day and "rated" female students' attractiveness on a scale of one to ten. They shouted out their opinions and comments, including boos and hisses, and help up their fingers to publicly indicate a young woman's numeric rating. They called out insults at some students, calling some "fat cows" and some "lesbos" or "dykes."

Female students were angered and disgusted and some found it threatening. Other students were humiliated and avoided coming to the dining hall.

 Ben breaks up with Jen after two years. Ben would describe the relationship as "abusive."
 The next day, Jen shows up outside Ben's class to talk. Ben declines.

3.As Ben walks across campus, Jen follows him.

4. Jen begins crying hysterically and pleading with him as he walks away.

5.Jen gets on her knees and follows him,

begging him to come back to her.

6.When Ben gets to his next class, Jen sits outside the door and waits for him.

7.After class is over, Ben tells Jen to go away, and Jen leaves.

8.In Ben's third class, Jen keeps walking back and forth past the classroom windows wearing a thick sweatshirt that Ben bought for her. It's eighty degrees outside.

9. Ben texts Jen to go away. Jen texts him back that she intends to "follow [Ben] to the ends of the earth" until he takes her back.

## To this sexual harassment?

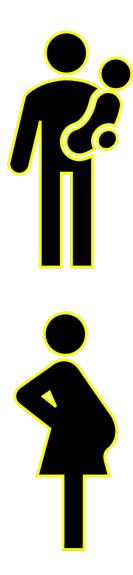


Be a Good Neighbor

PREGNANCY ACCOMMODATIONS AND RELATED CONDITIONS FOR STUDENTS AND EMPLOYEES

MVNU, through the Office of Civil Rights, supports pregnant students, faculty, and staff so they can achieve academic and work success while pregnant, recovering from birth of a child, caring for a newborn, and nursing an infant. The applicable federal laws pertaining to pregnancy at MNVU are stated below:

- Title IX
- Title VII
- ADA/Section 504)
- **Pregnancy Discrimination Act** prohibits discrimination on the basis of pregnancy, childbirth, or related medical conditions.





Be a Good Neighbor

PREGNANCY ACCOMMODATIONS AND RELATED **CONDITIONS FOR STUDENTS AND** EMPLOYEES

#### TITLE IX ADJUSTMENTS

Adjustments are time-limited for the period of the documented "medical necessity" per Title IX. They refer to options during and after pregnancy that provide for equitable access and ability to fully participate in academic programs, activities, practicums/field placements, and athletics.

Adjustments extend to parenting and primary caretaker of infant, and may include conditions arising from pregnancy, complicating pregnancy or resultant from pregnancy that might not otherwise be considered a disability/condition.

#### ADA/504 ACCOMMODATIONS

Accommodations require the presence of a "qualified" disability and/or condition per ADA/504. Pregnancy, alone, is not a disability. Pregnancy may be considered a temporary disability in certain circumstances under Section 504, or it may be considered a disability when one or more impairments related to pregnancy are present OR when a condition arising from pregnancy becomes longlasting (i.e.: postpartum depression or gestational diabetes that becomes Type II) under ADA.

#### **SUPPORTS**

Extended deadlines Flexible exam scheduling Excused absences Grades of incomplete Temporary parking in a closer location Breaks for nursing/pumping Job modifications, including reassignment to others of nonessential duties Modified work schedule Leave of absence Temporary assignment to a light duty position

ADA / Section 504

Accommodations are provided under the law. MVNU prohibits discrimination and harassment on the basis of disability.

It is covered in the Civil Rights Policy *Resolving Complaints under the Disabilities Act and the Rehabilitation Act of 1973.* 

- <u>STUDENTS</u>: Further information is available on MVNU's Accessibility Student Policy webpage.
- **EMPLOYEES:** Appropriate handbooks.

Grievance Procedures are found at www.mvnu.edu/titleix.







# Important Things to Know

- How to report?
- What to report?
- Who must report?
- What are supportive measures?
- What are the processes?
- What is consent?
- What is Bystander Intervention?

**ONLINE FORM OR IN PERSON PROHIBITED CONDUCT** MANDATED REPORTERS **NON-PUNITIVE SERVICES** FORMAL / INFORMAL CLEAR, KNOWING, VOLUNTARY **STAND UP & SPEAK UP** 

# CAMPUS POSTER

### **STOP**

Stop the discrimination or harassment

## **PREVENT**

Prevent the reoccurrence

## **REMEDY**

Remedy the effect

# <u>What Do YOU Report?</u>

Prohibited

Conduct

#### Title VI, Title VII, Title IX, ADA/504

Discrimination. Sexual Harassment. Sex/Gender Discrimination. Sexual Assault. Discriminitory Harassment. Domestic Violence. Dating Violence. Stalking.



## Need to Make a Civil Rights Report? Start Here.

#### **REPORT = SUPPORT**

Complainants decide what, if anything, will happen. Support and resources will always be available for complainants, even when formal resolution is not pursued.

#### **REPORTING OPTIONS**

CIVIL RIGHTS/TITLE IX OFFICE Christina Jones Lakeholm 109 Off Campus: 740-399-8250 On Campus: 740-399-9000, ext. 3250

EMERGENCY SERVICES Mount Vernon Police Department 740-397-2222 or in an Emergency, 911

CAMPUS SAFETY 740-399-8686 740-397-9000, ext. 8686 campus.safety@mvnu.edu

ONLINE REPORTS www.mvnu.edu/titleix/

PROCEDURAL FLOWCHART www.mvnu.edu/titleix/flowchart Campus Counseling Center 740-397-9000, Ext. 4610 counselingcenter@mvnu.edu

CONFIDENTIAL RESOURCES

Campus Pastor 740-397-9000, Ext. 4111

Associate Campus Pastor 740-397-9000 Ext. 4130

New Directions Domestic Abuse Shelter and Rape Crisis Center of Knox County 24/7 Hotline: 740-397-4357 newdirectionsshelter.org

Student Health Services 740-397-9000, Ext. 4632

Knox Community Hospital 740-393-9000

For more information on Civil Rights at MVNU, visit www.mvnu.edu/titleix/

SEE |HEAR KNOW |SAY SOMETHING

## Take a look at PROHIBITED CONDUCT under the policy.



# MANDATED REPORTER

All University employees, student employees, and affiliated individuals are **required** to disclose to the Civil Rights Office **any report of harassment or discrimination** of which they **are aware** to ensure the University is able to provide a prompt, thorough, and supportive response.

Confidential resources are exempt from this requirement.

Reports do not require that complainants take any specific course of action, or any action at all.

If YOU are a student leader or work at MVNU you are required to report an incident as soon as you know about it and as much as



you know.

**REPORT = SUPPORT** 

Amnesty for Personal Use of Alcohol or Other Drugs

The University seeks to remove barriers to reporting. MVNU will offer any student who reports or experiences Prohibited Conduct limited immunity from being charged for policy violations related to the personal ingestion of alcohol or other drugs, provided that any such violations did not and do not place the health and safety of any person at risk. However, we may pursue educational or therapeutic remedies for those individuals, rather than punishment. MVNU desires to encourage its community members to offer help to others in need.

# **Confidential Resources**

Directly access numbers from "How to Get Help" tab on webpage

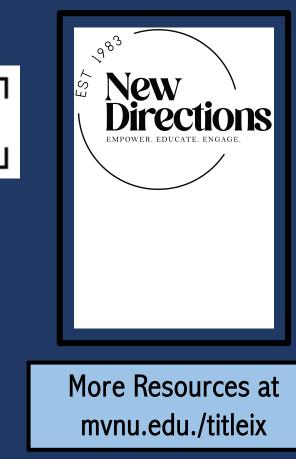
MVNU

## <u>On Campus</u>

Campus Counseling Center
 Campus Pastor and Associate Pastor
 Student Health Services

## Off Campus

New Directions Domestic Abuse & Rape Crisis Center
 Knox County Victim's Assistance
 National Domestic Violence Hotline
 Ohio Sexual Violence Domestic Violence Hotline
 Ohio Hispanic Coalition Domestic Violence Hotline



# SUPPORTIVE MEASURES

- Regardless of when, where or with whom the conduct occurred, the <u>University will offer resources and</u> <u>assistance</u> to any individual who has been affected by Prohibited Conduct.
- Non-disciplinary, non-punitive individualized services offered to both the <u>complainant and respondent</u> as appropriate, reasonably available, and without fee or charge.

## NON-PUNITIVE SERVICES

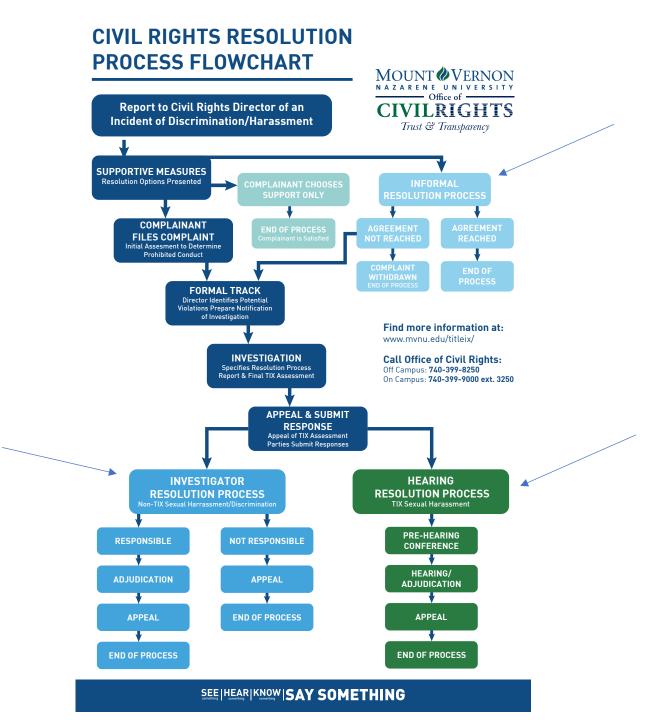
- $\Rightarrow$  Access to counseling and health services
- $\Rightarrow$  Mutual "no-contact order"
- $\Rightarrow$  Altering housing or work arrangements;
- $\Rightarrow$  Providing campus escorts;
- $\Rightarrow$  Providing transportation accommodations;
- ⇒ Offering adjustments to academic deadlines, course schedules, alternative course completion;
- ⇒ Limiting an individual's or organization's access to certain MVNU facilities or activities;
- $\Rightarrow$  Voluntary leave of absence;
- ⇒ Increased security and monitoring of certain areas of the campus;
- $\Rightarrow$  Providing academic support services, such as tutoring;
- $\Rightarrow$  MVNU-imposed administrative leave or separation;
- $\Rightarrow$  Other remedies that can reasonably be tailored to the involved individuals to achieve the goals of this policy.

There are three tracks that may be pursued if a formal complaint is lodged with the Civil Rights Office.

 Informal Resolution Process
 Investigator Resolution Process
 Hearing Resolution

Process





# **INFORMAL RESOLUTION PROCESS**





If you have filed a Formal Complaint about a community member, you may choose to proceed with an Informal Resolution Process. Both Complainant and Respondent must give voluntary, written consent. When the Informal Resolution Process is completed, the parties may not pursue Formal Resolution for the same matter.

Why would I choose to request an Informal Resolution?

The Informal Resolution Process provides a mechanism to resolve a Formal Complaint through the imposition of individual & community remedies designed to maintain or restore access to the educational, extracurricular, and employment activities at MVNU. Will I have to interact directly with the Respondent?

No, MVNU will not compel a Complainant to engage in mediation, to confront the Respondent directly, or to participate in any particular form of Informal Resolution. Can I switch to a Formal Resolution Process?

Yes, though any information collected in an Informal Resolution can be used in a Formal one.

MOUNT VERNON NAZARENE UNIVERSITY Office of CIVILRIGHTS Trust & Transparency When is an Informal Resolution Closed?

Once an Informal Resolution has been agreed upon by both parties and all requirements are completed the matter will generally be considered closed.

# Consent

Consent is a critical part of understanding and eliminating Sexual Misconduct



## How does consent work in real life?

When you're engaging in intimate activity, the **most important part of consent is communication**. Consent needs to happen every time and in every instance. Giving consent for one activity, one time, does not mean giving consent for increased or recurring sexual contact. For example, agreeing to kiss someone doesn't give that person permission to remove your clothes.

CONSENT EXAMPLE: Communicating when you change the type or degree of intimate activity with phrases like "Is this OK?" Always, clearly communicate with your partner that you are no longer comfortable with this activity and wish to stop.

NO CONSENT EXAMPLE: Assuming you have permission to engage in intimate behavior because you've done it in the past

- Must be informed, knowing and voluntary freely given through clear words or action
- Cannot use force, threats, intimidating behavior, or coercion (unreasonable/persistent pressure).
- It cannot be given by someone known to be or who should be known to be mentally or physically incapacitated.

# Consent requires the following conditions:

- 1. All parties are fully conscious.
- 2. All parties are equally free to act.
- 3. All parties have positively and clearly communicated their intent.



# Bystander Intervention



DELEGATE

"I'm calling for help."

"Can we walk you home?"

"Call 911."





Care for the victim afterwards "Hey, are you okay?" "is there anything I can do?"



# **ANTI-HAZING POLICY**



Collin's Law: New Hazing Bill Passed in Ohio How the State of Ohio Is Taking a Stand Against Hazing

## **Collin's Law (SB 126) Background**



- Named for Collin Wiant, a freshman student at Ohio University who died of asphyxiation in 2018 after inhaling nitrous oxide and collapsing at a fraternity house.
- Collin's parents worked with lawmakers to pass anti-hazing legislation, but those efforts failed.

## WHAT IS HAZING?

The **Ohio Revised Code**, Section 2903.31 defines hazing as: "doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization or any act to continue or reinstate membership in or affiliation with any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or a drug of abuse, as defined in section 3719.011 of the Revised Code.

# Hazing Penalties

#### **RECKLESS PARTICIPATION**

Prohibits administrators, employees, faculty members, teachers, consultants, alumni or volunteers from recklessly permitting the hazing of any person associated with an institutional organization.

#### **Collin's Law penalty**

Fourth degree misdemeanor

90 days in jail and/or fine of \$750

Prison sentence and/or fine of \$10,000

#### COERCEED CONSUMPTION

Prohibits hazing that involves "coerced consumption of alcohol or drugs of abuse resulting in serious physical harm to that person."

#### **Collin's Law penalty**

Third degree felony (for hazing participants and those who recklessly permitted)



Mental & **Psychological** Abuse Drugs

Forced Use of Alcohol or

Virtual Campus Tour Campus Life

**Campus Ministries** 

**Campus Services** 

Resources

INCIDENT

MANDATORY

**REPORTING DATA** 

**BIANNUAL ANTI-HAZING** 

**REPORT (JAN 23)** 

Life Beyond Campus

**REPORTING FORMS** 



**Public or Private** 

**Displays** of Humiliation

Check out the Webpage @ https://www.mv Ohio is one of 44 states with an anti-hazing law. Individuals may be held criminally Section 2903.31) prohibits any person from recklessly participating in the hazing of nu.edu/studentlif statute is a second-degree misdemeanor or a third-degree felony depending on the Code, Section 2903.31 defines hazing as: "doing any act or coercing another, includ e/campuslife/haz any student or other organization or any act to continue or reinstate membership i organization that causes or creates a substantial risk of causing mental or physical another to consume alcohol or a drug of abuse, as defined in section 3719.011 of t

#### **OUR POLICY**

ing MVNU considers hazing to be any act which endangers the mental or physical removes public or private property for the purpose of initiation, admission into, or affiliation with, or as continued membership in a group or organization, whether the person subjecting to such behavior participates willingly or no Hazing acts may be physical, mental, emotional or psychological, which subjects another, to anything which may abuse, mistreat, degrade, humiliate, ridicule, harm, or intimidate. This regulation applies to all members of the University community, including faculty, staff, students, volunteers, organizations, and groups, as well as visitors and other licensees and invitees regardless of if it occurs on or off campus

Listed below are a few of the activities we consider to be hazing. This list is not comprehensive

Listed below are a few of the activities we consider to be hazing. This list *is not* comprehensive.



**HAZING DEFINED** 

See our full policy on hazing here.

MVNU is committed to providing a safe and healthy campus where r the right to be free from hazing, and all members of the MVNU comm in a manner that supports a hazing-free environment.



**<b>'TRADITION**" DOESN'T CUT IT. HAZING **IS ABUSE** 

# OUGAR

## WHAT IS HAZING AT MVNU?

**MVNU** considers hazing to be any act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property for the purpose of initiation, admission into, or affiliation with, or as a condition for continued membership in a group or organization, whether the person subjecting to such behavior participates willingly or not.

Hazing acts may be physical, mental, emotional or psychological, which subjects another, to anything which may abuse, mistreat, degrade, humiliate, discomfort, ridicule, harm, or intimidate.

If a student does not complete this educational programming, they are **PROHIBITED** from participating in a recognized organization until the programming is completed.

# Report = Support

#### **STUDENT REPORTING**

- Student Life Office
- Campus Safety
  Anonymous reports via Hazing Reporting Form
   If an emergency call 911.

#### **EMPLOYEE REPORTING**

"Mandatory Reporter" – not anonymous

- (1) Employee of MVNU
- (2) Any volunteer acting in an official

capacity who advises or coaches

student organizations

## Athletics

#### **Concussion Awareness Collection**

Responding appropriately to concussions is a critical component of keeping athletes safe. This course collection takes a narrative approach to educate coaches, athletic staff, and student-athletes on how to recognize and respond to the symptoms of concussions.

#### **Concussion Awareness (Athletic Staff)**

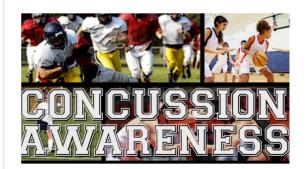


**Example 2** Faculty and Staff

#### **Concussion Awareness (Athletes)**



3 Students



#### **Recognize and Prevent Hazing**

Help students understand how to recognize and respond to incidents of hazing, and how to find your institution's hazing policies.





Click each image to learn more about hazing behaviors.







#### FERPA: Protecting Student Privacy

Learn when and when not to release student records to avoid violations of the Family Educational Rights and Privacy Act (FERPA), a federal law that protects the privacy of student educational records.



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15 minutes



**Available in Spanish** 

All educational institutions that receive federal funding must comply with this law.





# Scripture supports our training!

"You, my brothers and sisters, were called to be free. But do not use your freedom to indulge the flesh; rather, serve one another humbly in love. For the entire law is fulfilled in keeping this one command: "Love your neighbor as yourself." Gal. 5:13-14 (NIV) Be a Good Neighbor