

Faculty Assembly Review 2023



MOUNT VERNON
NAZARENE UNIVERSITY

Office of
CIVIL RIGHTS

Trust & Transparency



Be a Good Neighbor

SEE | HEAR | KNOW | SAY SOMETHING
something something something



**Civil Rights Director
Christina Jones, J.D.
Lakeholm 109**



**Katie Sherman,
Deputy TIX
Coordinator**



Religious Expression

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 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.

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).*

The RIPPLE Effect of Harassment



Just like a stone thrown into a pond, small actions can create ripples that spread out far beyond the first splash. With harassment, we often think about that first splash: the harsh confrontation, the initial hurt feelings, or even the physical wounds. We seldom see how that first splash might reverberate out in surprising ways.

Disrespectful behavior can have negative academic, emotional, social, and health consequences for all involved. And, without intervention, those consequences can spread and grow.

- United Educators



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The University encourages all members of its community to participate in the process of creating a safe, welcoming and respectful environment on campus.



To address harassment, you have to be able to recognize harassment: Harassment can occur in many ways and many different places, and it can be perpetuated by a wide range of individuals.

The problems is real: All occurrences are serious and unacceptable. Every student has the right to a respectful educational environment and every employee has the right a respectful work environment that is free from discrimination and harassment.

You play a vital role in preventing and stopping harassment: Whether you are standing up for yourself, supporting someone else, or simply not joining in, you set the example for others.

- United Educators

Report = Support



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Civil Rights Policies

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

X

Why Does Harassment Take Place?

Chalk it up to human nature: power imbalances, biases, and human impulses all play a part, even in the best environments.

Your campus is more than just a workplace, it's a community, and communities work better when there's an atmosphere of respect and civility. Harassment and discrimination poison that ecosystem and hurt us all.



Retaliation

Retaliation is any action that could deter a reasonable person from making a harassment complaint—or from supporting a coworker who made a complaint. Employees who bring harassment complaints or act in support of others, such as being a witness, are protected from retaliation.



Title VI
Title VII
Title IX
ADA/504

**Applies to all
students & employees**

The Civil Rights Office is a policy driven entity and is designed to ensure that all its community members are free from discrimination and harassment as required by law and the University policies. The Policy prohibits specific forms of behavior, which the Policy collectively refers to as "Prohibited Conduct."

Golden Rule

.....
"Do unto others as you would have them do unto you"

Matt. 7:12

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 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 **threshold requirements**:*

- ❖ *In US*
- ❖ *Within the University's education program or activity*
- ❖ *Complainant must be participating in or attempting to participate in the education program or activity*

TITLE IX
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V

TITLE IX
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Conduct that does not meet these threshold requirements is subject to a Title IX Dismissal but may still be resolved as a **Non-Title IX Sexual Misconduct.**

- Non-Title IX Sexual Assault
- Sexual and Gender-Based Harassment
- Sexual Exploitation
- Non-Title IX Domestic Violence
- Non-Title IX Dating Violence
- Non-Title IX Stalking



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PREGNANCY ACCOMMODATIONS AND RELATED CONDITIONS FOR STUDENTS AND EMPLOYEES



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U.S. Department of Education Office for Civil Rights

October 2022

Discrimination and exclusion

Schools must not discriminate against any student, or exclude any student from their education program or activity, including any class or extracurricular activity, based on a student's **pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery** therefrom. 34 C.F.R. § 106.40(b)(1). A school also must not discriminate against or exclude from employment any employee or employment applicant on these bases. 34 C.F.R. § 106.57(b).

Leave policy

If a school does not have a leave policy for students, or the student does not otherwise qualify for leave under the policy, **a school must provide leave to a student for pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery** therefrom, for as long as the student's physician deems medically necessary. After that leave, the student must be reinstated to the status the student held when the leave began. 34 C.F.R. § 106.40(b)(5).

- ✓ A school must ensure that teachers' policies and practices do not discriminate against students because of pregnancy and related conditions. For example, a teacher may not refuse to allow a student to submit work after missing a deadline because of absences due to pregnancy or childbirth. Additionally, if a teacher's grading is based in part on class attendance or participation, the student should be allowed to earn the missed credits and be reinstated to the student's pre-leave status. OCR Pamphlet at 11.



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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.

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 long-lasting (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 non-essential duties
Modified work schedule
Leave of absence
Temporary assignment to a light duty position

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ADA / Section 504

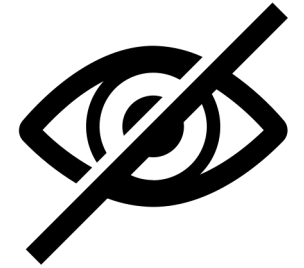
*Accommodations
are provided under
the law.*

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.*

- **STUDENTS:** 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?
- Who are confidential resources?
- What are supportive measures?
- What are the processes?
- What is consent?
- What is Bystander Intervention?



ONLINE FORM OR IN PERSON

PROHIBITED CONDUCT

MANDATED REPORTERS

YOU

CAMPUS PASTORS, NURSE, COUNSELORS

NON-PUNITIVE SERVICES

FORMAL / INFORMAL

CLEAR, KNOWING, VOLUNTARY

STAND UP & SPEAK UP

Responding to Disclosure

- Clarify role as a Mandated Reporter.
- Remind them that you must report to the Civil Rights Director, but talking to the CRD is *optional*.
- The CRD will keep the disclosure private.
- Do NOT investigate! Do NOT mediate!
- Listen. Support. Refer. Measures. Document.



Writing an Incident Report



- Use the Incident Report Form online
- Fill out the rest of the form to the best of your ability. As a mandated reporter you cannot report anonymously.
- Be clear. Use first/last names. Avoid pronouns.

Report versus Formal Complaint

Complainants decide what, if anything, will happen.

OFFICE OF CIVIL RIGHTS

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WEBPAGE:
mvnu.edu/titleix/

Offices and Services / [Office of Civil Rights](#)



[Civil Rights Brochure](#)

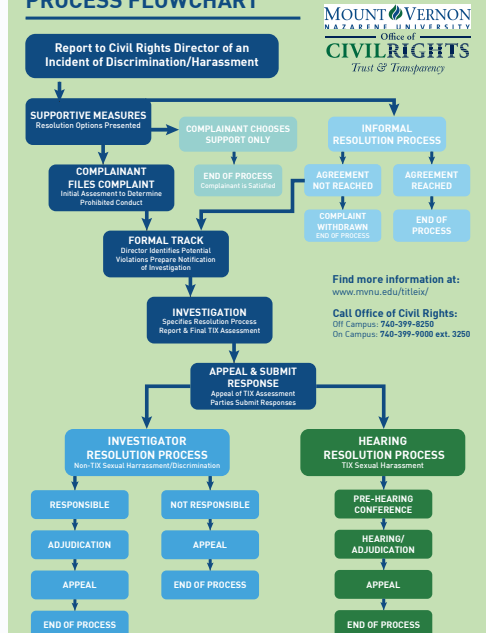
[Civil Rights Poster](#)

[Civil Rights Flowchart](#)

Mount Vernon Nazarene University (MVNU) is committed to fostering a climate free from discrimination and harassment, through clear and effective policies, a coordinated education and prevention program, and prompt and equitable procedures for

INCIDENT REPORTING

CIVIL RIGHTS RESOLUTION PROCESS FLOWCHART



SEE | HEAR | KNOW | SAY SOMETHING

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.



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, 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*

Hazing Penalties

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

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)

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

Virtual Campus Tour

Campus Life

Campus Ministries

Campus Services

Life Beyond Campus

Resources

INCIDENT REPORTING FORMS

STUDENT REPORT FORM

EMPLOYEE/VOLUNTEER REPORT FORM

MANDATORY REPORTING DATA

BIANNUAL ANTI-HAZING REPORT (JAN 23)

HAZING DEFINED

See our full policy on hazing here.

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

THE LAW

Ohio is one of 44 states with an anti-hazing law. Individuals may be held criminally liable. Section 2903.31 prohibits any person from recklessly participating in the hazing of another. Statute is a second-degree misdemeanor or a third-degree felony depending on the severity. Code, Section 2903.31 defines hazing as: "doing any act or coercing another, including any student or other organization or any act to continue or reinstate membership in an organization that causes or creates a substantial risk of causing mental or physical harm to another to consume alcohol or a drug of abuse, as defined in section 3719.011 of the Revised Code."

OUR POLICY

MVNU considers hazing to be any act which endangers the mental or physical health of another 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, 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.

Check out the Webpage @ <https://www.mvnu.edu/studentlife/campuslife/hazing>

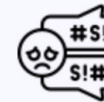
Listed below are a few of the activities we consider to be hazing. This list is *not* comprehensive.



Mental & Psychological Abuse



Forced Use of Alcohol or Drugs



Yelled/Cursed At by Team/Group Members



Running Errands & Menial Tasks



Public or Private Displays of Humiliation

"TRADITION" DOESN'T CUT IT. HAZING IS ABUSE





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