

## **Sexual Assault Policy**

Sexual assault is a non-consensual sexual act involving force, manipulation, or coercion; it is an act of aggression, violence and power. The perpetrator can be a stranger, relative, acquaintance, or date. Grace School of Theology is committed to providing a working and learning environment free from sexual assault. Sexual assault is a criminal act that can devastate victims physically, violate their sense of safety and trust, and interfere with personal and educational goals; as such, it can damage the educational atmosphere for the entire seminary community. Grace School of Theology has a zero tolerance for sexual assaults, as it is a serious and flagrant violation of seminary rules of conduct for faculty, staff, and students. The seminary will vigorously investigate all allegations of sexual assault; it will treat victims with respect, make their legal rights and options clear, and fully cooperate with them in their exercising of those rights. Procedures protecting the rights of sexual assault victims and those accused of sexual assault have been established, are readily available, and will be enforced rigorously.

### Article 1: Definition

A stranger or acquaintance commits sexual assault through forcible sodomy, forcible sexual penetration, however slight, of another person's mouth, anal or genital opening with any object. These acts must be committed without the victim's consent either by force, threat of force or violence, intimidation or through the use of the victim's mental or physical helplessness of which the accused was aware or should have been aware. Sexual assault also includes the touching of an unwilling person's intimate parts (defined as genitalia, groin, breast or breasts, or buttocks or clothing covering them) or forcing an unwilling person to touch another's intimate parts. These acts must be committed either by force, threat, and intimidation or through the use of the victim's mental or physical helplessness of which the accused was aware or should have been aware. Rape is a form of sexual assault involving sexual intercourse without the victim's consent. It includes being coerced through force or threats of force, or having sexual intercourse with someone who is unconscious or incapable of giving consent.

### Article 2: Comments and Statutory References

Sexual assault is non-consensual acts involving psychological manipulation, physical force, or coercion. It is an act of aggression and violence, and a crime punishable under the laws of the State of Texas by fines and incarceration up to 20 years of confinement. Grace School of Theology definition of sexual assault captures the essence of the Texas criminal definition, found in Section 22.011 of the Texas Penal Code. The perpetrator can be a stranger, relative, acquaintance, or a date. Sexual assault is not limited to non-consensual sexual intercourse, but involves touching of various body parts without consent. Under the definition sexual assault has occurred if there is not consent. Voluntary undressing could indicate consent, but even such consent does not deprive the person of the right to change his or her mind and halt the activity; failure to acquiesce to the expressed desire to stop would constitute a sexual assault. Sexual misconduct without physical contacts as defined above is not deemed sexual assault but may violate seminary regulations and state criminal laws. Similarly, sexual misconduct which is lewd, exhibitionistic, voyeuristic, or similar such conduct which does not involve physical contact may violate seminary student life policies or state and seminary prohibitions against sexual harassment.

## 2.01 If you are Sexually Assaulted

- GET TO A SAFE PLACE AS SOON AS POSSIBLE.
- TRY TO PRESERVE ALL PHYSICAL EVIDENCE
- SEEK MEDICAL ATTENTION as soon as possible. It is important to seek immediate and follow-up medical attention for several reasons: a. to assess and treat any physical injuries you may have sustained; b. to determine the risk of sexually transmitted diseases, HIV, Hepatitis B or pregnancy and to take appropriate medical measures; and c. to gather evidence which would aid criminal prosecution. Physical evidence should be collected immediately, ideally within the first 24 hours. It may be collected later than this, but the quality and quantity of evidence may be diminished.
- SEEK COUNSELING by calling the Rape Crisis Center at 713-528-RAPE, 528-7373 or the Houston Area Women's Center at 713-528-6798. Counselors will maintain confidentiality, help explain your options, give information, and provide emotional support.
- CONTACT THE OFFICE GENERAL COUNCIL. This office has staff specially trained in how to advise victims of sexual misconduct.
- CONTACT SOMEONE YOU TRUST to be with you for support. *If you are Accused of Sexual Assault Consider the Following Options* • CONTACT AN ATTORNEY. Accusations of sexual assault can invoke criminal and administrative processes that can lead to criminal confinement, fine and administrative sanctions including expulsion from the seminary. Thus, a person accused of sexual assault should contact his or her attorney. If the accused has no attorney, referrals can be received from the Houston Bar Association Lawyer Referral Service at 713-237-9429. • DO NOT TALK TO SEMINARY STAFF ABOUT THE FACTS SURROUNDING THE ALLEGATIONS until you have fully considered the fact that those staff persons can all be forced to testify as to what you said should there be a criminal prosecution. • DO LEARN ABOUT THE SEMINARY PROCEDURES for handling allegations of sexual assault on campus through campus disciplinary procedures.

### Article 3: Sexual Assault Complaint Procedure

Grace School of Theology provides procedures by which victims may file a complaint and seek administrative sanctions against an accused perpetrator. These procedures apply where the accused is a Grace School of Theology student, faculty or staff member. Sexual assault complaints directed to the Office of General Council will be addressed utilizing the sexual harassment procedures. The sexual harassment procedures are outlined below. Allegations of student-to-student sexual assault should be directed to the Vice President of Student Services. Student-to-student sexual assault complaints will be adjudicated via the Student Disciplinary Policies and Procedures. The Vice President of Student Services will inform and consult with the General Council regarding student-to-student sexual assault complaints. Sexual assault complaints may defer, if necessary, to any criminal investigations.

## **Sexual Harassment Policy**

Grace School of Theology is committed to providing a professional working and learning environment free from sexual harassment. Sexual harassment is a form of sex

discrimination and is illegal. Sexual harassment on a campus most often exploits a relationship between individuals of unequal power and authority (as, for example, between an employee and supervisor or between a student and teacher), but may also occur between student peers or employees of equal rank. At a Seminary, sexual harassment also constitutes unprofessional conduct that compromises the Seminary's commitment to the integrity of the learning process. As such, Grace School of Theology will not tolerate any form of sexual harassment. The Seminary is prepared to take preventive and corrective action in the case of sexual harassment; any individual who engages in such misconduct and/or retaliation will be subject to appropriate disciplinary action, up to and including termination of employment or expulsion from the Seminary. Failure to investigate allegations of sexual harassment or failure to take timely corrective action is considered a violation of the Seminary's sexual harassment policy and may also violate federal and state laws.

#### Article 1: Definition

Sexual harassment consists of the following: 1. unwelcome sexual advances, 2. requests for sexual favors, 3. verbal and written comments of a sexual nature, 4. and/or physical conduct of a sexual nature; when such conduct:

- Is made, either explicitly or implicitly, a term or condition of instruction, employment, or participation in a seminary activity; or
- Is used to be a basis for evaluation in making academic or personnel decisions affecting an individual; or
- Has the effect of creating an intimidating, hostile, or offensive seminary environment; or has the purpose or effect of substantially interfering with an individual's employment or learning. In relation to the foregoing statements, sexually harassing behavior may include, but is not limited to, the following:
  - Unwelcome sexual flirtations, advances, propositions, or leering; favoritism based on a sexual relationship (or adverse impact on other members of a group);
  - Verbal remarks of a sexual nature whether directed to an individual or a group, or in the guise of humor, including sexually explicit derogatory remarks, suggestive comments, demands, or jokes found to be offensive or objectionable to the recipient;
  - Use of sexually oriented photos, posters, cartoons, materials, or themes unrelated to instruction and/or the pursuit of knowledge;
  - Graphic or degrading verbal, written, or electronic comments of a sexual nature about an individual or the individual's appearance;
  - Any suggestive or unwelcome physical contact; any aggressiveness such as touching, pinching, or patting; or
  - Actual or threatened physical assault. Sexual harassment, it must be understood, is not limited by gender of either party, nor by superior-subordinate relationships. The fact that the parties may have had a previous consensual sexual relationship shall not be a defense against a complaint based on subsequent unwelcome sexually harassing behavior.

Grace School of Theology's Sexual Harassment Policy does not proscribe all conduct of a sexual nature on the campus; thus, it is important to clearly define sexual harassment: only unwelcome sexual conduct constitutes a violation. Conduct is unwelcome if the recipient did not solicit or incite it and regarded the conduct as undesirable or offensive.

In other words, it is not the intent behind the sexual behavior that controls rather; it is the impact on the recipient, i.e., the unwelcomeness of the behavior that matters.

#### Article 2: Seminary Action

The Seminary is prepared to take preventive and corrective action in cases of sexual harassment; individuals who engage in such misconduct and/or retaliation are subject to appropriate disciplinary action, up to and including termination of employment, and/ or the expulsion from the Seminary.

#### Article 3: Responsibility of Seminary Employees

Seminary policy commits the institution to preventing and eliminating sexual harassment in the seminary community. Seminary supervisors, administrators, and faculty have the responsibility of preventing and eliminating sexual harassment within the areas they oversee.

In addition, the Seminary may be legally liable if a person with supervisory responsibility knows or should have known about the sexual harassment and fails to take any action to stop it. Seminary procedures do not require a grievant to file a formal complaint in order to trigger the Seminary's responsibility to take some kind of action. Seminary supervisors, administrators, and faculty must report immediately any and all incidents or complaints of sexual harassment to an administrative officer or to the Office of General Council, even if such complaints or incidents have been resolved within the department. Seminary employees are encouraged to report immediately any and all incidents of sexual harassment to an administrative officer or to the Office of General Council.

#### Article 4: References

Harassment on the basis of sex may be discrimination in violation of title VII of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000e, and Title IX of the Educational Amendments of 1972, 20 U.S.C. Sec. 1681. In addition, sexual harassment by a public servant may be a criminal offense under Texas Penal Code Sec. 39.02, and sexual harassment by any individual may constitute assault, sexual assault, public lewdness, or indecent exposure under Chapters 21 and 22 of the Texas Penal Code or sexual assault under Grace School of Theology's Sexual Assault Policy.

Additional avenues for filing a complaint at any time before, during, or after use of the Seminary Sexual Harassment Procedures, but within time limits required by law, include but are not limited to, the Equal Employment Opportunity Commission; the Texas Workforce Commission Civil Rights Division, the Office of Federal Contract Compliance Programs and, for students, the Office of Civil Rights, and the U.S. Department of Education.

## **Student Disciplinary Policies and Procedures**

Grace School of Theology, as an educational institution, has a special set of interests and purposes essential to its effective functioning. These include (a) the opportunity for students to attain their educational objectives, (b) the creation and maintenance of an intellectual and educational atmosphere throughout the Seminary, and (c) the protection

of the health, safety, welfare, property, and the property of the seminary itself. The Seminary has a clear responsibility in the area of student conduct to protect and promote the pursuit of its goals. The Student Disciplinary Policies and Procedures emphasize the Seminary's obligation to promote the personal freedom, maturity, and responsibility of students.

The Student Disciplinary Policies and Procedures set forth those acts that constitute unacceptable conduct for students of the Seminary. All alleged violations of the Student Disciplinary Policies and Procedures might result in referral to the Vice President of Student Services. The Seminary does, in addition, reserve the right, for educational purposes, to review any action taken by civil authorities regarding students. It also has the obligation to introduce counseling and/or disciplinary action if the student's conduct has interfered with the Seminary's exercise of its educational objectives or responsibilities to its members. Disciplinary action taken on this basis shall conform to the terms of the Student Disciplinary Policies and Procedures.

Grace School of Theology supports the concept of educational discipline. When a student is not a danger to the seminary community, or when a repetition of misconduct is unlikely, the Seminary will make an effort to educate the student through a sanction; but should the student demonstrate unwillingness to obey the rules governing conduct, s/he will be treated in the same manner as one who has failed academically. Students are expected to adhere, and will be held accountable for adhering, to all federal, state, and local laws in addition to all seminary policies and regulations not mentioned herein.

A student admitted to Grace School of Theology accepts the responsibility to conform to all Grace School of Theology rules and regulations. Proven failure to meet this obligation will justify appropriate disciplinary actions including, but not limited to, expulsion, suspension, disciplinary probation, or reprimand. Although the Seminary will make every reasonable effort to make the rules and regulations available, students are responsible for becoming familiar with them.

Grace School of Theology Judicial System is the responsibility of the Vice President of Student Services Office.

#### **Article 1: Gender of Pronouns**

Whenever appearing, the pronouns, "he," "his," or "himself " shall be considered gender neutral and shall refer to persons of both genders.

#### **Article 2: Definitions**

- "Vice President for Student Services" means the Vice President for Student Services. "Board" means Seminary Hearing Board
- "Code" refers to this Disciplinary Code.
- "Handbook" means the Official Student Handbook.
- "Hazing" means those activities defined in the Texas Education Code Sec. 37.151 et seq.
- "Hearing Authorities" include the Vice President for Student Services and Hearing Board.
- "Notice" means correspondence delivered to addressee by mail or in person.
- "Policy" means the Student Disciplinary Policies and Procedures.
- "Preponderance of the evidence" means that the proof need only show that the

- facts are more likely to be so than not so.
- “Record” means all documents, forms, copies, reports, statements, tape recordings, or tangible evidence presented in a disciplinary hearing or conference.
  - “Referral Notice” refers to the notice initiating disciplinary action. • “Respondent” means accused student. • “Sanction” means penalty for violation of Disciplinary Code. • “Seminary” means Grace School of Theology.
  - “Seminary officials” means those persons who have been given the authority and the responsibility by the appropriate agency or person, including regents, officers, faculty, and administrative staff.
  - “Seminary grounds” means property owned, controlled, used, or occupied by the Seminary including property physically removed from campus.
  - “Will” and “shall” are used in the imperative sense.

### **Article 3: Violations**

#### *3.01 Unauthorized Use of Seminary Keys*

Unauthorized use, distribution, duplication, or possession of any key(s) issued for any building, facility, room, or other seminary property.

*3.02 False Report of Emergency* Causing, making, or circulating a false report or warning of a fire, explosion, crime, or other catastrophe.

*3.03 Misuse of Safety Equipment* Unauthorized use or alteration of fire fighting equipment, safety devices, or other emergency equipment.

*3.04 Possession of Dangerous Weapons* Unauthorized possession of a firearm, weapon, dangerous chemicals, or any explosive device of any description (including compressed-air guns, pellet guns, BB guns, shotguns, or illegal knives) or the ammunition of any firearm or other dangerous weapon or explosive device on Seminary grounds. (A weapon in your vehicle constitutes possession.)

*3.05 Manufacture, Distribution, Sale, Offer for Sale, or Possession of Controlled Substances or Drug Paraphernalia* The manufacture, distribution, sale, offer for sale, or possession of any controlled substances, including but not limited to, barbiturates, hallucinogens, amphetamines, cocaine, opium, heroin, or marijuana. Controlled Substances and Drug Paraphernalia are defined by Texas law.

*3.06 Unauthorized Use of Alcoholic Beverages* a. Possession, distribution, or consumption of alcoholic beverages and/ or failure to comply with state or seminary regulations regarding the use or sale of alcoholic beverages. b. Public Intoxication- Presenting a threat to oneself or others due to being under the influence of alcoholic beverages.

*3.07 Failure to Comply or Identify* Failure to comply with directions of seminary officials, police, or any other law enforcement officers acting in the performance of their duties, or failing to identify oneself to these persons when requested to do so.

*3.08 Failure to Appear* Failing to appear at the request of any hearing authorities or failure to schedule an appearance with a hearing authority as directed by police or any other seminary official.

*3.09 Misuse or Abuse of Computers* Unauthorized use or misuse of any computer, computer system, service, program, data, network, cable television network, or communication network.

*3.10 Falsification of Records* Altering, tampering, forging, or knowingly using falsified documents or records of the Seminary; being party to falsification; giving or providing false statements, written or oral; and/or providing false information during any seminary proceeding or to any seminary official.

*3.11 Misuse of Identification* Transferring, lending, or borrowing seminary identification.

*3.12 Violation of Established Seminary Policies and Procedures* Violation of seminary policies and procedures as established in the Grace School of Theology Student Handbook, and other policies that relate to student behavior.

*3.13 Violation of Criminal Law* Alleged violation of any criminal law where the student's conduct interferes with the Seminary's exercise of its educational objectives or responsibilities to its members.

*3.14 Aiding and Abetting* Assisting, hiring, or encouraging another person to engage in a Code violation.

#### **Article 4: Disciplinary Code**

The following acts are defined by the seminary to be unacceptable. Being under the influence of drugs and/or alcohol does not diminish or excuse a violation of the Disciplinary Code. The list may not be all-inclusive.

*4.01 Violation of Probation* Violation of the code while on probation, or violation of the terms of that probation.

#### *4.02 Disruption/Obstruction*

Obstructing or interfering with seminary functions or any seminary activity. Disturbing the peace and good order of the Seminary by, among other things, fighting, quarreling, disruptive behavior or excessive noise, including but not limited to, a disruption by the use of all types of cameras, cell phones, and/or communication devices.

*4.03 Mental or Bodily Harm* a. Intentionally inflicting mental or bodily harm upon any person; b. Taking any action for the purpose of inflicting mental or bodily harm upon any person; c. Taking any reckless, but not accidental action from which mental or bodily harm could result to any person; d. Engaging in conduct (including, but not limited to stalking) that causes a person to believe that the offender may cause mental or bodily harm; e. Any act that demeans, degrades, or disgraces any person. "Any person" as used in this section may include oneself.

*4.04 Discrimination* Intentional discrimination against a person on the basis of race, color, religion, national origin, sex, age, disability, veteran status, except where such distinction is allowed by law.

*4.05 Destruction of Property* Intentionally or recklessly damaging, destroying, defacing, or tampering with seminary property or the property of any person or business on

campus.

**4.06 Theft** Theft, or attempted theft, of property or services from any person or any business on seminary property.

**4.07 Possession of Stolen Property** Possessing property known to the possessor to be stolen and that may be identified as property of the seminary or any other person or business.

**4.08 Forcible Entry or Trespass** Forcible or unauthorized entry to any building, structure, or facility and/or unauthorized entry to or use of seminary grounds.

**4.09 Unauthorized Use of Property or Service** Unauthorized use of property or services or unauthorized possession of seminary property or the property of any other person or business.

#### **Article 5: Disciplinary Action Initiated**

Any person may bring charges under this code, and that person may be required to supply information pertinent to the case.

#### **Article 6: Notification and Procedural Interview**

**6.01** A procedural interview will be scheduled with the Vice President of Student Services within three business days after the respondent is notified in writing of an alleged violation of the policy.

**6.02** Failure to appear at the procedural interview shall constitute a separate violation of this code and may result in further disciplinary action.

**6.03** Copies of the following documents will be made available to the student at the time of the interview: a. A copy of the Student Disciplinary Policies and Procedures. b. A copy of the referral notice. c. A copy of the Students' Rights and Responsibilities form from the Student Disciplinary Code Review and Standards Committee.

**6.04** Within five business days of the procedural interview the student is required to choose either a hearing before the Hearing Board or a disciplinary conference with the Vice President of Student Services. The student shall indicate his choice in writing.

**6.05** The Vice President for Student Services shall notify the student of the time, date, and place of the disciplinary conference or hearing.

#### **Article 7: Disciplinary Conference**

Students electing to participate in a disciplinary conference with the Vice President for Student Services are afforded the following procedural protections:

- Written notice of the alleged violations at least three business days prior to the scheduled conference.
- The right to be accompanied and assisted by an advisor as provided herein.
- The right to have access to the case file prior to and during the conference.

The Vice President for Student Services will investigate the complaint, including interviewing witnesses. Before a decision is rendered, the respondent will be given an opportunity to respond to the information obtained by the Vice President for Student Services.

The Vice President for Student Services will advise the student in writing of the decision within 10 business days from the close of the investigation. At the same time, will make a copy thereof available to the respondent in the Vice President for Student Services' Office.

### **Article 8: Seminary Hearing Board**

*8.01* A Hearing Board shall be composed of two students appointed by the President, two faculty members appointed by the Vice President for Student Services, and two staff members appointed by President.

*8.02* There will be one alternate appointed by the President.

*8.03* A quorum shall consist of four persons, at least one of which shall be a student and one shall be faculty or staff. If quorum is not met and at least three people are present with one being a student, the respondent can request the hearing proceed with those in attendance.

*8.04* The Chair will be selected by the board members to serve for an academic year.

*8.05* The Vice President for Student Services may remove a board member for justifiable cause.

*8.06* If a board member resigns, cannot serve, or is removed from office, the Vice President for Student Services will select one of the alternates to fill the vacancy.

### **Article 9: Hearing Procedures**

The following procedural guidelines shall be applicable in disciplinary hearings:

1. Three business days prior to the hearing, the Vice President for Student Services will make available, to the respondents, copies of documents relevant to the case and a list of witnesses and a summary of their expected testimony.
2. The respondent is entitled to an advisor, who may be an attorney, but who sits in an advisory capacity and who addresses the board only upon permission from the Chair. Respondents who wish to have an attorney attend the hearing as their advisor shall notify the Vice President for Student Services of the attorney's name and phone number three business days prior to the hearing. Advisors may not appear in lieu of respondents.
3. In the event that the Seminary chooses to proceed through legal counsel, the respondent will be notified three business days prior to the hearing and shall also have the right to proceed through counsel. Counsel may not appear in lieu of the respondent.
4. Hearings will be closed to the public except when the respondent requests an open hearing. This request must be made in writing to the Vice

President for Student Services at least three business days prior to the hearing.

5. If a respondent fails to appear, the hearing may proceed without him/her.

The Vice President for Student Services or his designate may present the case for the Seminary or the complainant. Prospective witnesses, other than the complainant and respondent, may be excluded from the hearing during the testimony of other witnesses. All participants shall be excluded during board deliberations. The hearing will be held in two parts: Determination of violation; Determination of sanction.

9.01 The Chair will exercise control over the proceedings. Any person disrupting a hearing or who fails to adhere to the rulings of the Chair may be excluded from the proceedings

9.02 Any party may challenge a board member on the ground of personal bias.

9.03 The burden of proof shall be on the complainant or Seminary, whichever is applicable, to prove the case by a preponderance of the evidence.

9.04 The Chair shall determine what evidence is admissible. Formal rules of evidence shall not apply.

9.05 Respondent, complainant, and board members may examine the written evidence offered and may question all witnesses.

9.06 Respondent, complainant, and witnesses may speak on their own behalf; however, they will not be forced to testify against themselves and their silence shall not be used to their detriment.

9.07 Individuals referred to in the statements of respondent, complainant, and witnesses have a right to respond briefly.

9.08 Individuals wanting to exercise this privilege during the hearing must direct their request in writing or orally to the Vice President for Student Services in attendance who shall notify the hearing Chair. The hearing Chair shall determine the length of the response and when it shall be heard during the hearing.

9.09 At the conclusion of the presentations, the board shall deliberate in closed session. After deliberation and a vote, the decision of the board will be announced to the participants.

9.10 The board may hear evidence concerning the appropriate sanction if the respondent is found to have violated a student life policy. The board may consider the respondent's prior disciplinary record only in order to recommend an appropriate sanction.

9.11 Decisions by the board shall be by majority vote. In the event of a tie, the Chair will vote to break the tie.

9.12 Hearings will be recorded and, upon request, the respondent will be afforded the opportunity to listen to and review the recording in preparation for an appeal. The only

recording devices allowed in the hearing are those provided by the Vice President for Student Services' Office. Any violation of this section will be deemed a new and additional violation.

9.13 The board's recommendation will be forwarded to the Vice President for Student Services for further action. The Vice President for Student Services will advise the respondent of his decision in writing within seven business days of the hearing and, at the same time, will make a copy thereof available to the respondent in the Vice President for Student Services' Office.

#### **Article 10: Sanctions**

Factors to be taken into consideration when issuing sanctions include, but are not limited to: the respondent's motivation for displaying the behavior; the respondent's disciplinary history; the extent to which the behavior jeopardizes the safety and security of Grace School of Theology community; and, the likelihood of the behavior occurring again. One or more of the following sanctions may be imposed:

- Expulsion prohibits the student from ever attending the Seminary and from being present without permission on seminary property. Expulsion will be noted on the student's permanent record.
- Suspension prohibits the student from attending the Seminary and from being present without permission on seminary property for the duration of the sanction, which shall not exceed a period of more than one calendar year following its effective date. The Vice President for Student Services will determine the effective date.
- Disciplinary Probation indicates to a student that his behavior has resulted in a sanction close to suspension. Any further misconduct while on probation may result in expulsion from the Seminary. It is imposed for a definite period of time.
- Other sanctions may include, but are not limited to, restrictions from participating extracurricular activities, restitution, monetary fines, and community service. Students may also be required to meet periodically with a person designated by the Vice President for Student Services.
- Reprimand is an official written notification to the student that his behavior has been unacceptable.
- Verbal Reprimand is used to advise/counsel a student about his behavior.

#### **Article 11: Interim Suspension**

11.01 The Vice President for Student Services or his designate may in the interim suspend a student prior to a hearing if the student's conduct presents a danger to himself or the seminary community.

11.02 The Vice President for Student Services will immediately notify the student(s) of his interim suspension. This notice will include a statement of the regulations that the student allegedly violated, a specific statement of the facts constituting the alleged violation, the time and place of the hearing, and a copy of the Seminary Student Disciplinary Policies and Procedures.

11.03 An extension may be granted to either party by the assistant Vice President for

Student Services for good cause. If either party fails to appear at a scheduled hearing without a cause, the hearing may proceed in his absence.

*11.04* The hearing shall be conducted according to the procedures set forth in Article 8 and 9 above.

*11.05* The student may appeal the decision as provided for in Article 16.

*11.06* If the decision is to suspend or expel the student, the sanction takes effect from the onset of the Vice President for Student Services interim suspension.

*11.07* In the event a lesser sanction is imposed, the interim suspension will not become part of the permanent record.

### **Article 12: Counseling Referrals**

The Vice President for Student Services may refer any student who exhibits behavior that interferes with the student's normal functioning for counseling with a person designated by the Vice President for Student Services. This person, with written permission of the student, may discuss the results of the referral with the Vice President for Student Services. The student may refuse to submit to a conference without penalty at which time the disciplinary process will continue as if no referral were made.

### **Article 13: Reporting at the Request of Vice President for Student Services**

A request to meet with the Vice President for Student Services or designate shall be heeded by the students at the time and place set and shall have priority over other duties unless arrangements are made because of extraordinary circumstances.

### **Article 14: Seminary Hearing Board Appearances**

The Chair of the Seminary Hearing Board shall have the authority to require a student to appear before the board at a designated time and place when the student's presence is necessary to resolve a question, which is before the board. The Chair shall have the authority to require the student to produce such items as are relevant to the adjudication.

### **Article 15: Official Withdrawal from Grace School of Theology**

*15.01* The Vice President of Student Services may place a disciplinary hold on the records of any student who withdraws prior to the resolution of pending disciplinary action.

*15.02* The Vice President for Student Services may also place a notation on the student's official transcript indicating "disciplinary proceedings are pending at Grace School of Theology."

### **Article 16: Appeals**

Respondents may appeal the decision of the Vice President for Student Services by filing a written notice, a detailed explanation of the reason for the appeal, with the Executive Team within 15 business days from the date of the receipt of the letter notifying the respondent of the sanction.

### **Article 17: Student Organization Discipline and Organizational Responsibility for Violations**

Registered student organizations may be charged with violations of this Disciplinary Code or Seminary Policy. An organization violates a Disciplinary Code or Seminary Policy, when:

- One or more of its officers or authorized representatives acting in the scope of their organizational capacities commit(s) the violation;
- One or more of its members commit(s) the violation after the action that constitutes the violation was approved by majority vote of the organization present and voting members;
- One or more members of a committee of the organization commit(s) the violation while acting in the scope of the committee's assignment;
- A member of an organization acting with apparent authority of the organization commits the violation; • one or more members of an organization or its officers permit, encourage, aid, or assist any of its members in committing a violation;
- One or more members of an organization or its officers, under circumstances where such persons knew or should have known that an action constituting a violation was occurring or about to occur, fail(s) to prevent that action; or
- One or more members of an organization fail(s) to promptly report to appropriate Seminary or civil authorities their knowledge or any reasonable information about a violation.

#### *17.01 Disciplinary Procedure*

When the Vice President of Student Services' Office receives a Student life Referral indicating that an organization has allegedly violated a Disciplinary Code or Seminary Policy, the Vice President of Student Services shall follow the Disciplinary Procedures set forth in Articles 4-15. - Notwithstanding any other provision of this chapter, Vice President of Student Services or Executive Vice President and General Council may take immediate disciplinary action, pending a disciplinary conference or hearing, against an organization that violates a Disciplinary Code or Seminary Policy when, in the opinion of the Vice President of Student Services or Executive Vice President, the interest of the Seminary would be served by interim action. See procedures set forth in Article 10 and 11. A student may be disciplined for a violation under the Student Disciplinary Code even if the organization of which the student is a member is penalized under these procedures for the same violation.

#### *17.02 Disciplinary Sanctions*

The Vice President for Student Services may impose one or more of the following sanctions on the organization for violation of a Disciplinary Code or Seminary Policy. Failure to meet the conditions of the sanction imposed may be considered an additional violation:

1. Letter of Reprimand;
2. Social Probation;
3. Require restitution, educational seminars, and/or community service; • Suspend or cancel the organization's registration for a defined period of time; • Bar future registration of the organization; • Deferred suspension/cancellation of the organization's registration
4. Suspend the organization's right to do one or more of the following: - publicly post signs; - set up a table or exhibit; - publicly raise funds or make a solicitation; - reserve the use of Seminary rooms or spaces; or -

hold events for a defined period of time

*17.03 Notice*

The Vice President for Student Services shall notify the President of the accused organization by letter of his or her decision. The letter may be sent to Seminary Advisors, Chapter Advisors, the National Headquarters and the governing council of the organization if applicable.

**Article 18: General Procedures for Appeal**

An organization may only appeal to the Vice President of Student Services. See procedures set forth in Section 16. The Vice President for Student Services may uphold, overturn or modify the decision in question. The decision of the Vice President of Student Services shall be final. However, the Vice President of Student Services may refer the matter to the Executive Vice President and General Council.

**Article 19: Status of Students Suspended for Disciplinary Reasons**

Students under disciplinary suspension are required to disassociate themselves from the Seminary except for appointments that have been made to conduct official seminary business approved in advance by the Vice President of Student Services or his designate.