
Non- Discrimination Policy & Procedures

Princeton Theological
Seminary

Title VI Policies & Procedures

Princeton Theological Seminary
 Non-Discrimination Policy and Procedures
 Table of Contents

Section	Item	Page
I	Living Together at Princeton Seminary	2
II	Policy	2
	A. Persons with disabilities	
III	Policy Guiding Principles	3
IV	Overview of Title VI	4
V	Definitions	5
VI	Protocols	8
VII	Reporting Outlets	10
VIII	Reporting Procedures	10
IX	Responsibilities	12
X	Resolution Procedures	12
	Step 1: Charges of Discrimination	12
	Step 2: Meeting with the Complainant	12
	Step 3: Clarification of Procedures	13
	Step 4: Addressing the Complaint	15
	A) Informal Resolution Procedures	15
	B) Formal Resolution Procedures	16
	1) Formal Grievance Procedure through the Seminary’s Title VI Coordinator	16
	2) Hearing Panel Formal Procedure	18
XI	Princeton Seminary as Complainant	22
XII	Preventive and Awareness Training	23
Appendix A	Timeline for Title VI Hearing Committee	24

I. Living Together at Princeton Seminary

“Princeton Theological Seminary prepares women and men to serve Jesus Christ in ministries marked by faith, integrity, scholarship, competence, compassion, and joy, equipping them for leadership worldwide in congregations and the larger church, in classrooms and the academy, and in the public arena . . . In response to Christ’s call for the unity of the church, the seminary embraces in its life and work a rich racial and ethnic diversity and the breadth of communions represented in the worldwide church.”¹

Because God creates and loves all human beings and has acted in Jesus Christ to reconcile people to God and to each other, we, the people of God, are called to embody reconciliation in the community that is Princeton Theological Seminary. We rejoice in the gifts which particular ethnic histories and cultures bring to our total life, and we recognize as departure from God every attitude and action that is based on the assumption that one racial or ethnic group is innately superior to others. In Christ, diversity is understood as a gift to be celebrated rather than as a problem to be solved. We need those who are different from ourselves in order to experience wholeness in Christ.

As part of our agreement of living together at Princeton Theological Seminary we promise to practice hospitality and seek understanding and integrity in our relationships. With graciousness and generosity of spirit, we will seek out God’s gifts in our neighbors. We will engage in unceasing prayer for the reconciliation of differences and for mutual edification through honest encounters with those who are different.²

We also agree to not overlook or tolerate harassment and discrimination. We pledge to speak up and speak out when a sister or brother is belittled or when the behavior of a community member fails to reflect the reconciliation and acceptance we know in Christ. We ask God to grant us wisdom and courage to confront these situations and our sins, and the failures of our community, in love and with a spirit of humility and compassion.

Members of the seminary community are entitled to freedom from harassment, intimidation, and violence or threats of violence. This freedom is attained by respecting members of the seminary community individually and collectively, treating one another fairly, listening well, and doing no harm.³

II. Policy

The Seminary complies with the requirements of numerous federal laws in the administration of its mission and programs. These laws include Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and the Rehabilitation Act of 1973. It is the policy of Princeton Theological Seminary not to discriminate on the basis of race, color, ancestry, age, gender, gender identity or expression, marital status, civil union status, military status, national origin, religious affiliation (except as religion may be a bona fide qualification), disability, sexual or affectional orientation, atypical hereditary cellular or blood trait of an individual, or any other characteristic protected by law. Seminary policy is committed to equal employment opportunity under law in

¹ Princeton Theological Seminary Mission Statement, Seminary Handbook pp. 1; 1.1 – 1.3

² Living Together Statement as found in the Seminary Handbook, Section 3, pp. 2

³ Seminary Handbook pp.2

employment of women, members from underrepresented population groups, or physical capability. Discrimination or harassment by an administrator, faculty member, staff or student will not be tolerated. The Seminary strongly advocates the elimination of discrimination and strives to achieve equality through fair policies and practices. All decisions concerning admissions and access to educational programs are based upon personal qualifications necessary for the successful performance in the program, without regard to race, color, ancestry, age, gender, gender identity or expression, marital status, civil union status, military status, national origin, religious affiliation (except as religion may be a bona fide qualification), disability, sexual or affectional orientation, atypical hereditary cellular or blood trait of an individual, or any other characteristic protected by law. For the seminary's policy on the Americans with Disabilities Act (ADA), see 10.1 of the Seminary Handbook, pp. 69. The following is an excerpt of the policy:

A. Persons with disabilities

The seminary welcomes those with disabilities and strives to provide an environment in which all students have equal access to educational opportunities and to the campus community. It accords appropriate and reasonable academic accommodations to those with a documented, permanent disability that results in a substantial, material, and irreversible impairment of a major function.

Required documentation of a disability and of need for an accommodation includes:

1. A diagnosis of a current impairment, ordinarily within one year
2. The basis for the diagnosis
3. Indication how a major life activity is affected by the impairment
4. Suggested modifications and accommodations
5. Indications how the disability relates to a requested modification or accommodation
6. The qualifications of the person preparing the documentation
7. A sign release form

III. Policy Guiding Principles

- A. Princeton Theological Seminary is committed to creating an environment free of unlawful discrimination and harassment for all its employees, students, families, overall Seminary community and to fostering a nurturing and vibrant community founded upon the fundamental dignity and worth of all its members.
- B. Unlawful discrimination occurs when a person is harassed or treated arbitrarily or differently because of the person's real or implied membership in a "protected category" such as race; color; national or ethnic origin; age; religion; disability; sex; sexual orientation; gender; gender identity and expression; including a transgender identity; veteran status; genetics; retaliation; and any other characteristic protected under applicable federal or state law.
- C. Accordingly, acts of discrimination or harassment based on an individual's gender, race, ethnicity, national origin, age, disability, religion, sexual orientation, gender identity and expression, military status or any other legally protected status will not be tolerated by the Seminary. The Seminary will provide employees and students who feel that they are victims of discrimination or harassment with mechanisms for seeking redress.

- D. Discrimination as a result of belonging to a protected class may constitute a violation of Title VII of the U.S. Civil Rights Act of 1964, a violation of Title IX of the Educational Amendments of 1972, a violation of the New Jersey Law Against Discrimination, other applicable federal and state laws/regulations, and/or Seminary policy.
- E. In the employment context, discrimination may begin with an adverse employment action, which is something an employer has done that is unfair to an employee (for example: terminating the employee or not selecting him or her for hire or a promotion, harassing the employee, denying the employee's request for a reasonable accommodation, etc.). If the Title VI Coordinator with the Office of Human Resources determines, through fact-finding, that the employee or applicant's membership in a protected category was the reason for the adverse employment action, this may lead to a policy violation of the non-discrimination policy and/or any other policy herein. Personality differences or conflicts, general mistreatment not based on the above protected categories, or a response to poor performance are usually employee relations issues, not discrimination matters.
- F. All students and applicants for admission are protected from coercion, intimidation, interference, or retaliation for filing a complaint or assisting in an investigation under any of the applicable policies and laws. For further information, contact The Reverend Victor Aloyo, Jr., Chief Diversity Administrator and Director of the Office of Multicultural Relations, Templeton Hall, suite 201, 64 Mercer Street, Princeton, NJ 08542, 609.688.1943.
- G. This policy applies to faculty, staff, students, and third parties (including vendors and community members).

IV. Overview of Title VI of the Civil Rights Act of 1964

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. If a recipient of federal assistance is found to have discriminated and voluntary compliance cannot be achieved, the federal agency providing the assistance should either initiate fund termination proceedings or refer the matter to the Department of Justice for appropriate legal action. Aggrieved individuals may file administrative complaints with the federal agency that provides funds to a recipient, or the individuals may file suit for appropriate relief in federal court. Title VI itself prohibits intentional discrimination. However, most funding agencies have regulations implementing Title VI that prohibit recipient practices that have the effect of discrimination on the basis of race, color, or national origin.

The Associate Dean for Institutional Diversity and Community Engagement who serves as the Chief Diversity Administrator and Director of Multicultural Relations is responsible for coordinating the Seminary's compliance with Title VI of the Civil Rights Act of 1964, and serves as the Seminary's Title VI Coordinator. The Associate Dean of Student Life will serve as Deputy Title VI Coordinator and will confer closely with the Title VI Coordinator. For the purpose of these grievance procedures, "Seminary's Title VI Coordinator" shall mean the Seminary's Title VI Coordinator and/or designated Deputy Title VI Coordinator, unless otherwise specified. Where and when appropriate, these procedures may be modified or amended by the Seminary's Title VI Coordinator.

V. Definitions

Discrimination is defined as an adverse employment or education related action or decision that is based on or motivated by an individual's race, color, creed, religion, ethnicity, national origin, gender, age, disability, sexual orientation, gender identity, marital status, pregnancy or veteran status or any other characteristics protected by law.

Discriminatory harassment is defined as substantially interfering with an individual's educational experience by subjecting him or her to severe or threatening conduct or to repeated humiliating or abusive conduct, based on his or her membership in a protected class which also includes sexual harassment⁴.

Racial Prejudice: A preconceived negative judgment about the characteristics or behavior of a racial group, or about the character of an individual, based on that person's membership in a racial group. Racial prejudices may be held by anyone.

Racial Discrimination: Any action against a person or group based on racial prejudice. Such actions may include, but are not limited to, failure to admit, hire, or promote on the basis of race; spoken or written insults and racial slurs; and nonverbal gestures that convey or reflect racial prejudice (especially when such behavior has been met with clear rebuke). Racial discrimination may be practiced by anyone.

Systemic Racism: Racial prejudice that has behind it institutional or societal power to carry out acts of racial discrimination. This results in the systemic exclusion of a racial group from power, influence, resources, or the development of their potential.

"A person with a disability" means any person who: (1) has a physical or mental impairment which substantially limits one or more of such person's major life activities; (2) has a record of such impairment; (3) is regarded as having such an impairment; or (4) is otherwise deemed disabled under applicable federal or state law.

Age Discrimination refers to actions prohibited by the Age Discrimination in Employment of Act of 1967, which protects individuals who are 40 years of age or older from employment discrimination based on age.

Complainant refers to the student, employee, or third party who suffers discrimination on the basis of age, ethnicity, race, color gender, sexual orientation, disability, military status, national or ethnic origin, or on the basis of sexual orientation or gender identity or expression by the conduct of another, and pursues a charge or charges against a Respondent under this Policy.

False Accusations Anyone who knowingly makes a false or bad faith accusation of discrimination, harassment or retaliation will be subject to appropriate sanctions. However, failure to prove a claim of discrimination, harassment or retaliation does not, in and of itself, constitute proof of a knowingly false accusation. Yet, anyone who knowingly incurs an act of false accusation, he/she will

⁴ See Princeton Theological Seminary Title IX and Sexual Harassment Policy

be subject to appropriate interim measures or sanctions as determined by the Title VI Coordinator and affirmed by the President of the Seminary.

Gender Identity means “. . . each person’s deeply felt internal and individual experience of gender, which may or may not correspond with sex assigned at birth, including the person’s sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other experiences of gender, including dress, speech and mannerism”⁵

Gender Expression refers to all of the external characteristics and behaviors that are socially defined as either masculine or feminine, such as dress, grooming, mannerisms, speech patterns and social interactions. Social or cultural norms can vary widely and some characteristics that may be accepted as masculine, feminine or neutral in one culture may not be assessed similarly in another.

Genetic Information includes information about an individual’s genetic tests and the genetic tests of an individual’s family members, as well as information about any disease, disorder, or condition of an individual’s family members (*i.e.*, an individual’s family medical history). Family medical history is included in the definition of genetic information because it is often used to determine whether someone has an increased risk of getting a disease, disorder, or condition in the future.

Harassment is a form of behavior that is characterized by conduct: (1) based on an individual’s race, color, creed, religion, ethnicity, national origin, gender, age, disability, sexual orientation, gender identity, marital status, pregnancy or veteran status or any other characteristics protected by law which is unwelcome; AND (2) if sufficiently severe, persistent or pervasive could reasonably be expected to create an intimidating, hostile or offensive working or learning environment.

Civil Status “means being single, married, separated, divorced, widowed, in a civil partnership within the meaning of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 or being a former civil partner in a civil partnership that has ended by death or been dissolved or being or having been a cohabitant or qualified cohabitant within the meaning of Section 172 of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010”.

Other covered veteran means a veteran who served in active duty during a war or in a campaign or expedition for which a campaign badge has been authorized; veterans who, while serving on active duty in the Armed Forces, participated in a United States military action for which an Armed Forces service medal was awarded pursuant to Executive Order No. 12985 (61 Fed. Reg. 1209); and recently separated veterans.

Respondent means the alleged offender/accused individual; a person alleged to have engaged in any of the conduct prohibited by this Policy.

Retaliation against any person in the Seminary community either for alleging discrimination prohibited by Title VI or for cooperating in these procedures is strictly prohibited. Any person who is

⁵ Current proposed wording for revision to the Employment Equality Act of 1998

found to have retaliated against another for making a complaint under Title VI or these policies, being a witness for purposes of any such investigation, or being otherwise involved in the complaint and/or investigative process, will be subject to discipline, up to and including termination or expulsion. Retaliation should be reported immediately to the Seminary's Title VI Coordinator. Any member of the seminary community has the right to raise concerns or make a complaint regarding discrimination or harassment under this policy without fear of retaliation.

Sexual orientation is the preferred term used when referring to an individual's physical and/or emotional attraction to the same and/or opposite gender. "Gay," "lesbian," "bisexual" and "straight" are all examples of sexual orientations. A person's sexual orientation is distinct from a person's gender identity and expression.

Constituencies – For the purpose of these policies, the four constituencies (“Constituencies”) of the Seminary community are: (1) the ranked faculty and other instructional personnel, (2) the exempt administrative and professional/technical staff, (3) the nonexempt staff, and (4) the students.

Non-Discrimination and Sexual Misconduct Panel – The Non-Discrimination and Sexual Misconduct Panel (“Panel”), from which hearing committees are drawn to handle complaints filed under the Non-Discrimination and Sexual Harassment Policies and which performs related functions described below, is appointed by the President of the Seminary. The Panel consists of eleven persons from the Constituencies of the Seminary community as follows: three members of the ranked faculty, two members of the exempt administrative staff, two members of the nonexempt staff, and four students (two Ph.D. candidates and two candidates from the M.Div. and/or M.A. programs). The President shall appoint the Panel members, and shall select from its members a chair (“Chair”) who may be from any of the Constituencies. Student members shall serve for one year terms and may be reappointed to a second one year term. Panel members who are not students shall be appointed for three (3) year overlapping terms such that two or three new members are appointed each year after the initial appointments. The identity of the Chair will be maintained in the office of each Mediation Advocate. The service address of the Panel and the permanent location of its records shall be the office of the Assistant to the President of the Seminary and the Office of Multicultural Relations.

Mediation - Mediation is a form of Alternative Dispute Resolution (ADR) that is offered by the Office of Multicultural Relations (OMR) as an alternative to the traditional investigative or litigation process. Mediation is an *informal process* in which a neutral third party assists the opposing parties to reach a voluntary, negotiated resolution of a charge of discrimination. Mediation gives the parties the opportunity to discuss the issues raised in the charge, clear up misunderstandings, determine the underlying interests or concerns, find areas of agreement and, ultimately, to incorporate those areas of agreements into solutions. A mediator does not impose a decision on the parties. Instead, the mediator helps the parties to agree on a mutually acceptable resolution.

Designated Individuals – Designated Individuals are appointed by the Seminary President are members of the Seminary community specifically trained in handling matters related to discrimination and discriminatory harassment and non-discrimination policies. Mediation Advocates are not authorized to conduct formal investigations. Their role is to provide guidance to the complainant and/or the respondent in navigating the non-discrimination process.

VI. Protocols

The Seminary will actively and expeditiously investigate any allegation of discrimination or discriminatory harassment. Any person who believes that he or she has been subject of discrimination or discriminatory harassment may initially choose to deal with the alleged offender directly. The Seminary also offers several options for those seeking the intervention of the offices and individuals who are authorized to respond to their complaints. These include informal counseling, mediation, and formal processes for having their complaints reviewed. The Seminary encourages anyone who has knowledge of discrimination on campus to report alleged violations of this policy.

A. Multiple Complaints

The Title VI Coordinator, either upon personally receiving a complaint or upon receipt of a report from a Designated Individual regarding either the resolution of a complaint under the ADR Procedure or the filing of a complaint under the Hearing Committee Formal Procedure, shall keep a record of any and all such complaints. Upon the receipt of a new complaint, the Title VI Coordinator shall review the record of filed complaints to determine if there are any previous complaints under these policies that have been filed against the Respondent. In the event that there has been one or more previous complaints filed against the Respondent, the Title VI Coordinator shall immediately refer the matter to the President for review. In this circumstance, and notwithstanding this policy, the Respondent may be subject to immediate disciplinary action if, in the sole discretion of the President, such discipline is warranted. In addition, the President will also have the option, in his or her sole discretion, to permit the new complaint to proceed under the policy without taking further action, or to instruct the Title VI Coordinator or the Chair of the Non-Discrimination and Sexual Misconduct Panel to commence an action directly against the Respondent pursuant to either, or both, of the procedures outlined below.

B. Indemnification

Members of the Seminary community who hold formal responsibilities for the enforcement of these policies will, to the extent permitted by law, be defended legally by the Seminary for all actions taken by them in good faith, even if mistaken, in seeking to enforce these policies.

C. Relation to Other Policies, Rules, etc.

These policies are designed to provide definitions and procedures for handling cases of racial and disabilities discrimination, harassment and/or misconduct. If a conflict should arise between the provisions of these policies and other Seminary procedures, rules, regulations, or terms or conditions of employment, the provisions of these policies shall govern and control in cases of racial and disabilities discrimination, harassment and/or misconduct, unless those other procedures, rules, regulations, or terms or conditions of employment shall specifically provide to the contrary.

D. Amendments

The Title VI Coordinator and/or the Chair of the Panel may, from time to time, recommend to the President of the Seminary amendments to the Title VI Non-Discrimination Policy and Procedures. To the extent authorized by the Board of Trustees, the President may then either approve the recommended amendments and put them into effect or reject them. In the alternative, the President may refer them to the Board of Trustees for disposition. The Board of

Trustees reserves to itself the right, on its own initiative, to repeal, amend, or replace these policies if in its judgment the interests of the Seminary so require.

E. Standard of Evidence

The Seminary’s review of allegations of discrimination under this policy shall be made by applying a preponderance of the evidence standard⁶.

F. Sanctions

Not all forms of racial and disability discrimination and misconduct will be deemed to be equally serious offenses, and the Seminary reserves the right to impose different sanctions depending, without limitation, on the severity of the offense and/or offender history, up to and including termination or expulsion.

G. Interim Measures

The Seminary reserves the absolute right to take whatever interim measures it deems necessary to protect the rights and personal safety of its community members. Such measures include, but are not limited to, providing an escort between classes, no-contact orders, modification of class or living arrangements, and interim suspension from campus pending a hearing.

H. Additional Matters

The Seminary believes it is important to be proactive in taking reasonable steps to identify and prevent incidents of discrimination. If an individual in a supervisory capacity has direct knowledge of an incident of racial discrimination and/or misconduct on the part of a member of the Seminary community, that supervisor should bring the matter to the attention of the Title VI Coordinator. If after such notice is given it appears to the Title VI Coordinator or the Designated Individual that a potential violation of this non-discrimination misconduct policy exists, that individual may serve as the Complainant in such matter and pursue the matter through the policies set forth herein.

In an emergency, where the health or well-being of a member of the Seminary community or the well-being of the Seminary as an institution is threatened, any individual with knowledge of a situation involving racial discrimination, misconduct and/or harassment should promptly inform the President of the Seminary of that circumstance. The President, or someone designated to act on the President’s behalf, is authorized to take any immediate steps as may be necessary and appropriate under the circumstances to ensure the well-being of the Seminary community and the Seminary as an institution. Office of the President, Princeton Theological Seminary, Administration Building, 64 Mercer Street, Princeton, NJ 08542, 609.497.7800.

The permanent records of the Title VI Coordinator and the Panel shall be maintained by Title VI Coordinator for a minimum period of seven years, and shall include, without limitation, all documents related to the investigation and /or resolution of a particular claim. These records may be kept in paper or digital form, in the sole discretion of the Title VI Coordinator.

⁶ Preponderance of the Evidence - A standard of proof that must be met by a complainant or respondent to prove his/her complaint.

VII. Reporting Outlets

Because discriminatory harassment interferes with the Seminary educational mission and may be unlawful, anyone who becomes aware of discrimination or discriminatory harassment committed by a member of the faculty, staff, administration, student body, a vendor, a contractor, guest or patron on campus, is encouraged to report the harassment to the Title VI coordinator. Seminary faculty, administrators and supervisors are to immediately report any employment complaints they receive or incidents of discrimination or discriminatory harassment they witness to one of the following outlets:

The Reverend Dr. Victor Aloyo, Jr.
Associate Dean for Institutional Diversity and Community Engagement
Title VI & IX Coordinator
Princeton Theological Seminary
201 Templeton Hall
609-688-1943
TitleIX.Coordinator@ptsem.edu.

The Reverend Dr. Catherine Cook Davis
Associate Dean of Student Life
Deputy Title VI & IX Coordinator
Princeton Theological Seminary
204 Templeton Hall
609-497-7882
catherine.davis@ptsem.edu

Campus Conduct Hotline
866-943-5787

VIII. Reporting Procedures

A. Informal Complaint Procedures

1. *Guidance and Counseling*

The Seminary has identified and trained certain individuals for those who wish to approach a knowledgeable person for advice or to solicit feedback regarding their interpretation of events. Students who wish to take advantage of this option may contact the Title VI Coordinator, the Deputy Title VI Coordinator and/or any Designated Individual.

- *Confidential Sanctuary Reporting*

The Seminary has identified two individuals with whom those who wish to discuss a situation with complete confidentiality may approach to discuss issues, both related to this policy and otherwise. These “Sanctuary Confidants” are Nancy Schongalla-Bowman, Director of Student Counseling, and Janice Smith Ammon, Bryant M. Kirkland Minister of the Chapel. Any discussion between an individual and a Sanctuary Confidant will be kept confidential, but will not be considered a complaint or a report under any provision of this Non-Discrimination

Policy. Accordingly, any individual who wishes to commence a procedure under this policy should follow the procedures outlined herein notwithstanding any discussions or contact with a Sanctuary Confidant.

2. *Mediation and Reconciliation*

Students may choose to resolve their complaints through mediation by the Office of Multicultural Relations, the Office of Student Relations and Senior Placement, or the Office of Student Counseling. Mediation is an informal, voluntary, and confidential process whereby parties can participate in a search for a fair and workable solution.

B. Formal Complaint Procedures

1. *Confidentiality*

All activities under these procedures shall be conducted with due regard for any legitimate privacy and reputational interests of those involved. It is expected that any materials and information prepared or acquired under these procedures will be shared only with those who have a legitimate need to know. Disclosure of such information may also be made if it is permitted by law and the Title VI Coordinator, a Designated Individual and/or the Chair of the Non-Discrimination Hearing Panel determines in his or her judgment: (1) that such disclosure is necessary to protect the health, safety, or well-being of members of the Princeton Theological Seminary community; or (2) that such disclosure advances the interests of those involved in the process and/or the Seminary and outweighs the interest in confidentiality. While the individual who is handling a claim under these policies will take into account any requests made by a complainant for confidentiality or that a grievance not be investigated, said individual must take appropriate steps to respond to the grievance consistent with the requirements of Title VI and the law. Accordingly, while the Seminary will take all reasonable steps to protect anonymity and confidentiality, it cannot, and does not, guarantee that all claims and details of such claims will be kept completely confidential.

2. *Disciplinary Actions*

If it is determined that discrimination has occurred, the Seminary will take appropriate disciplinary action. An employee found to have engaged in misconduct constituting discrimination will be disciplined. Disciplinary actions could include: verbal warning, written reprimand, a requirement to attend counseling or training, suspension, or dismissal. A student found to have engaged in misconduct constituting discrimination will be disciplined, which in practice may take various forms, including, without limitation, verbal warning, written reprimand, a requirement to attend counseling or training, suspension or dismissal.

3. *Off-Campus Vendor*

Further, if a Princeton Seminary student is discriminated against by an off-campus vendor, the aggrieved party is encouraged to report the misconduct to the Office of the Dean of Student Life. If a Princeton Seminary employee is discriminated against by an off-campus vendor, the aggrieved party is encouraged to report the misconduct to the Office of Human Resources. If a Princeton Seminary faculty member is discriminated against by an off-campus vendor, the aggrieved party is encouraged to report the misconduct to the Associate Dean of Curricula and Director of Academic Administration. All of these parties are required to inform the Title VI Coordinator of an incident and may consult him/her in pursuing appropriate mediation and/or adjudication.

IX. Responsibilities

Each dean, department chairperson, and/or administrative supervisor is responsible within his/her respective area for the implementation, dissemination, and explanation of this policy. Assistance in accomplishing these tasks may be obtained by contacting the Office of Multicultural Relations and/or the Seminary's General Council. It is the obligation of each student, faculty member, and staff member to adhere to this policy. This policy applies to all employees and applicants for employment, students, and individuals who have a contractual relationship with Princeton Theological Seminary, including, but not limited to, vendors and contractors.

X. Resolution Procedures

STEP 1: All charges of discrimination should be referred to the Title VI Coordinator at the Office of Multicultural Relations.

In order to ensure the effective handling of all incidents of discrimination, this policy requires that all such reports be directed to the same office on campus, namely the Office of Multicultural Relations. In the statement, the complainant is encouraged to request any relief sought from the Seminary. Prompt submission of formal grievances is encouraged. Complaints should be addressed to: The Reverend Dr. Victor Aloyo, Jr., Title VI Coordinator, Princeton Theological Seminary, 204 Templeton Hall, email: TitleVI.Coordinator@ptsem.edu, phone: 609.688.1943 A written complaint shall be submitted promptly, but no later than 12 months from the last date of the alleged discriminatory act.

- a. At this first stage of the procedure, the individual or individuals who alert(s) the Office of Multicultural Relations of a possible discrimination incident might not be the actual aggrieved party.
- b. Both the complainant and the respondent may be accompanied by an advisor of their choice (including an attorney if they desire), who may or may not be a member of the campus community, when meeting with the Title VI Coordinator.
- c. A potentially aggrieved party may bring a complaint of discrimination to a supervisor, department chair or dean, who, in turn, shall refer the complainant to the Office of Multicultural Relations.

- d. In the event there are two or more complainants and/or two or more persons (respondents) charged with discrimination in the same set of circumstances, the Title VI Coordinator or his/her designee, will decide whether the complaint will be handled jointly or separately. For purposes of this document, the phrases “the complainant” and/or “the respondent” may be plural.
- e. The role of the Title VI Coordinator, or his/her designee, in this procedure is to serve as a mediator and/or fact finder. The Title VI Coordinator, or his/her designee, must act in such a manner as to ensure that all parties to a discrimination complaint are protected by appropriate due process and confidentiality. Should the Title VI Coordinator, or his/her designee, be accused of discrimination, the Senior Vice President will act in his/her place.

STEP 2: The complainant meets with the Title VI Coordinator at the Office of Multicultural Relations.

The purpose of this meeting is to discuss the complaint and to gather information. At this initial meeting, the Title VI Coordinator, or his/her designee, clarifies for the complainant whether or not the allegations may constitute discrimination. The Title VI Coordinator, or his/her designee, then reviews the appropriate complaint procedure for the benefit of the complainant. At this step the Complainants are *not* required to file a written discrimination complaint.

STEP 3: The complainant will receive additional clarification regarding Seminary procedures.

Regarding the alleged discrimination and general information regarding counseling. If requested by the complainant, the Title VI Coordinator, or his/her designee, will provide general guidance for the complainant in order to:

- a. Clarify the nature of the alleged discrimination.
- b. Review the Seminary’s complaint procedure.
- c. Review the complainant’s responsibilities of filing a written complaint.
- d. Give guidelines for what a written complaint should contain, in the event the complainant chooses to file his/her complaint in writing.
- e. Apprise the complainant of counseling services offered through the Seminary’s counseling network; Office of Student Counseling for a student complainant or the State Employee’s Assistance Program for an employee complainant.
- f. Based on the complainant’s written account of alleged discrimination, the Title VI Coordinator, or his/her designee, determines there is insufficient reason to proceed with a complaint and counsels the complainant regarding this decision. In this case, the investigation would stop at this point and the complainant would be notified of the decision of the Office of Multicultural Relations.
- g. Based on the complainant’s account of alleged discrimination and a finding of sufficient reason to proceed, the Title VI Coordinator, or his/her designee, will promptly initiate an impartial fact-finding investigation of the reported discrimination. The Options for Resolution will then be discussed with the Complainant.

- h. *Options for Resolution.* Individuals making reports of discrimination shall be informed about options for resolving potential violations of these policies which prohibit discrimination. After a complaint is filed, the choice as to the manner in which to proceed under this Title VI Non-Discrimination Policy is at the discretion of the Complainant. The options how to proceed contained herein offer different remedies and pathways to relief. Because the circumstances of every claim are unique, the Seminary believes that the Complainant is in the best position to decide what procedure works best for her or him. Prior to proceeding under any given policy, the Complainant may consult with the Title VI Coordinator and/or a Mediation Advocate who will be available to assist the Complainant in making this decision. The options include *informal dispute resolution, formal investigation* and/or *hearing process*.
- i. The Seminary Procedures (informal, formal and/or hearing) will then be initiated with the proviso that the Seminary reserves the absolute right to take whatever interim measures it deems necessary to protect the rights and personal safety of its community members.
- j. Assurance of Fair Treatment. The complainant, the respondent, and any other parties to proceedings under this policy are to be treated fairly. This may involve the making of special arrangements, two examples of which are described below;
- Where the complainant at the time of making a complaint is either a student or instructor of the respondent, the Seminary may, in appropriate circumstances, after the respondent has been informed that a complaint has been made, and after receiving recommendations from the Title VI Coordinator, make arrangements with the appropriate administrator for certain work and examinations of the student to be supervised and evaluated by a disinterested party.
 - Where the complainant is a staff member whose performance is normally evaluated by the respondent, the complainant is to receive fair employment treatment and protection from adverse employment-related consequences during the procedures of this policy.
- k. The Seminary will take every precaution to protect the complainant and any witnesses from retaliatory action by the respondent. In fact, the respondent will be informed he/she is not to retaliate against the complainant in any way nor against any other person connected to the complaint as that action may result in a separate disciplinary action. Further, the respondent will be informed he/she is not to communicate directly with the complainant regarding the claim of discrimination as this may be perceived as an attempt to discourage the complainant from pursuing the complaint. The Title VI Coordinator, or his/her designee, will attempt to resolve the complaint informally. If the complaint is not resolved informally, a formal investigative process will follow.

STEP 4: Addressing the Complaint

A) Informal Resolution Procedures.

The Seminary encourages informal resolution options when the parties desire to resolve the situation cooperatively, or when inappropriate behavior does not rise to the level of violation of the Seminary's policies, but nonetheless is adversely affecting the workplace or educational environment. Informal resolution may include an inquiry into the facts, but may not always rise to the level of an investigation.

Informal resolution includes, but is not limited to, options that involve mediation, separation of the parties, referral of the parties to counseling programs, or conducting targeted educational and training programs. Some reports of discrimination or sexual misconduct may not be appropriate for informal resolution, but may require a formal investigation at the discretion of the Title VI Coordinator or the Chair of the Non-Discrimination and Sexual Misconduct Panel. Furthermore, although the Seminary welcomes informal resolution of grievances when appropriate, it will not use mediation between a complainant and alleged respondent or any other informal resolution mechanism to resolve grievances pertaining to grievous acts of racial discrimination, harassment, and matters of disability marginalization.

- a. *Procedures for Informal Resolution.* Any member of the Seminary community who believes that he or she is the victim of discrimination on the basis of age, ethnicity, race, color gender, sexual orientation, disability, military status, or national or ethnic origin; by another member of the Seminary community is encouraged, but not obligated, to discuss the matter with the Title VI Coordinator, the Assistant Title VI Coordinator or one of the Designated Individuals. These persons are available to provide the Complainant with information, answer questions, and if so requested, to attempt a resolution of the matter through informal discussion with the parties involved. The Title VI Coordinators or the Designated Individuals shall not serve as an advocate for any party to the matter, but shall instead serve in an impartial role to assist the parties in reaching a mutually acceptable resolution of the situation. Any discussion between an individual bringing a complaint and these persons shall be treated with the maximum possible degree of confidentiality, although the Seminary reserves the right to disclose or act upon information it receives when, in its judgment, it is necessary to do so to protect the safety or well-being of an individual or the Seminary, or as required by law.
- b. *Resolution through Informal Resolution.* When a complaint is resolved by way of informal resolution, or when efforts at a resolution are in the judgment of the Title VI Coordinator or his/her designee concluded, the Seminary's representative will provide the Title VI Coordinator with a brief written report of the resolution, in which both the complainant and the respondent will be identified. The written report will then be filed by the Title VI Coordinator, who shall maintain the report as part of the permanent records of the Seminary.

B) Formal Resolution Procedures.

An individual, preferably after consultation with the Title VI Coordinator or a Designated Individual, may file a formal complaint against a member of the Seminary community alleging a violation of the Seminary's Title VI and Non-Discrimination Policy. A complainant may proceed directly with filing a formal complaint regardless of whether she/he utilizes the informal resolution procedure set forth above.

There are two procedures by which a Complainant may pursue a formal complaint:

- Formal Grievance Procedure through the Seminary's Title VI Coordinator
- Hearing Panel Formal Procedure.

The choice of which formal procedure to utilize lies solely with the Complainant. The Title VI Coordinator or Designated Individual with whom the Complainant is working can provide the Complainant with information to assist her/him in making the choice as to which formal procedure to proceed under. The Complainant may only make this choice once, however, and once a formal procedure has commenced the Complainant waives the right to proceed under the other formal procedure.

1) Formal Grievance Procedure through the Seminary's Title VI Coordinator.

- a. A formal grievance process through the Seminary's Title VI Coordinator is initiated when a complainant submits a written statement alleging discrimination prohibited by Title VI to the Seminary's Title VI Coordinator. In the statement, the complainant is encouraged to request any relief sought from the Seminary. Prompt submission of formal grievances is encouraged. Complaints should be addressed to: The Reverend Dr. Victor Aloyo, Jr., Title VI Coordinator, Princeton Theological Seminary, Templeton Hall, Suite 201 email: TitleIX.Coordinator@ptsem.edu, phone: 609.688.1943. In the event that the Title VI Coordinator has served as the representative of the Seminary in the informal process, the formal grievance should instead be submitted to the Deputy Title VI Coordinator.
- b. If the grievance is not voluntarily dismissed within three (3) days, the Seminary's Title VI Coordinator will interview the individual who submitted the written statement. Depending on the circumstances, the Seminary's Title VI Coordinator also may interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the grievance.
- c. The Seminary's Title VI Coordinator will determine whether the complainant was excluded from participation in, denied the benefits of, or subjected to discrimination on the basis of age, ethnicity, race, color gender, sexual orientation, disability, military status, or national or ethnic origin, sexual orientation or gender identity or expression, using a preponderance of the evidence standard. The Seminary's Title VI Coordinator will consult with other Seminary offices as necessary in reaching a decision regarding the written grievance.

- d. The respondent is notified of the complaint. Absent unusual circumstances, within 5 calendar days of a complaint being filed, the Office of Multicultural Relations will notify the respondent that a complaint of discrimination has been filed against him/her. The respondent shall be provided with a copy of the complaint, disclosure of all material facts relevant to the complaint, and an opportunity to respond orally or in writing to the written complaint. The respondent is to be provided with ongoing disclosure of the particulars of the complaint as they become known. No information regarding the complaint will be given to any party unless the respondent has been notified of the complaint.
- e. For reasons of confidentiality, the notification will be mailed to the respondent's home address by certified mail so that only the respondent can sign for it personally, unless the respondent is a student who resides on campus.
- f. While the time it may take to investigate and resolve a Title VI grievance will depend on a variety of factors, including the nature and scope of the allegations, the Seminary's Title VI Coordinator will seek to resolve the grievance within 15 working days of receipt of the grievance. Throughout the process, the Seminary's Title VI Coordinator will, as appropriate, keep the participants informed of the status of the grievance process. In connection with this resolution, the Seminary's Title VI Coordinator will prepare a written report setting forth findings, conclusions, and actions to be taken, if any, will deliver it to the complainant and respondent, and will also determine with whom else to share the report.
- g. Following the issuance of the written report, the Title VI Coordinator will, if warranted and needed, take appropriate action to ensure that the Seminary comes into compliance with Title VI in a manner which is prompt and equitable to the involved parties. For example, the Title VI Coordinator may assure that appropriate changes to housing, academic programs or working conditions are implemented. While the action taken by the Seminary's Title VI Coordinator may impact third parties, such action is not intended to be punitive (or constitute disciplinary penalty) with respect to these third parties.
- h. The decision of the Seminary's Title VI Coordinator is the final resolution of the grievance. The Title VI Coordinator's written report concerning Student-on-Student Discrimination shall be submitted to the Vice President of Student Relations and Dean of Student Life. When final resolution concerns other members of the Seminary community such as administration, support staff, and/or faculty, the Title VI Coordinator's written report shall be submitted to the appropriate member of the Executive Council. In addition, a copy of the Title VI Coordinator's written report shall also be provided to the President.
- i. Within 14 days of the date that the Title VI Coordinator delivers the written report to the complainant and respondent, any party that wishes to appeal the decision of the Title VI Coordinator regarding remedial measures may do so by delivering a written appeal of such decision to the President.
- j. Where a timely appeal of the Title VI Coordinator's decision is made to the President, the President will review the written report, as well as any written responses to the report provided

by the parties. During this review, the President, in his or her sole discretion, may also consult with the Title VI Coordinator regarding the claim.

- k. The President's review shall be limited to two areas of consideration. First, the President will review the Title VI Coordinator's written report to determine if the Title VI Coordinator exhibited bias against one of the parties during the hearing, or if the procedures established by this policy were violated in any material respect during the hearing. In the event that the President finds bias or a violation of the procedures established in this policy, the President may, in his sole discretion, vacate the recommendations in the report and either (i) remand the case to a different Title VI Coordinator or a Mediation Advocate for further proceedings, or (ii) order a new investigation to be handled by the Chair of the Hearing Panel. Second, the President will also review any recommended penalty that might be contained in the written report under appeal in the context of any special circumstances raised by either party that the President believes are relevant to the recommended penalty that included in the report.
- l. The purpose of the President's review of the Title VI Coordinator's written report is not to initiate a rehearing of substantive issues of fact or a new determination of responsibility. Rather, the President's review will be limited to the issues of bias and procedure as set forth above. Furthermore, the President shall have the authority to modify, at the President's sole discretion, any penalty recommended by the Title VI Coordinator.
- m. After the President has completed this review process, the President shall render a final and binding decision in writing in connection with the complaint. This decision shall be based upon the President's review of the record; the recommendations, findings, and conclusions of the Title VI Coordinator; the responses of the Complainant and the Respondent; any prior history of complaints against the Respondent; pertinent Seminary policies, regulations, and procedures; and applicable law.
- n. Within fourteen (14) days of the date of the delivery of the Title VI Coordinator's written report to him or her, the President shall communicate in writing his or her final and binding decision to the Complainant, the Respondent, and the Title VI Coordinator. This decision shall also be placed in the permanent records of the Title VI Coordinator and a reference to the decision shall be placed in the file of both the Complainant and Respondent.

2) **Hearing Panel Formal Procedure.**

- a. Under the Hearing Panel Formal Procedure, the Complainant must deliver to the Chair a written complaint outlining the alleged incident(s) of discrimination. The Complainant may ask the Title VI Coordinator or a Mediation Advocate for assistance in preparing this written complaint. The written complaint should set forth with specificity the circumstances and nature of the alleged discrimination. It is important that the complaint be as specific and detailed as possible under the circumstances, as it will constitute the grounds upon which a subsequent investigation and hearing will be conducted.

Once the written complaint is delivered to the Chair, the following steps will ensue. The Chair may increase any of the deadlines which follow due to the timing of the complaint in the academic year or for other good cause.⁷

- b. Within five (5) days of receipt of the written complaint from the Complainant, the Chair will advise the Respondent that a proceeding against him or her pursuant to the Hearing Panel Formal Procedure has been commenced. At that time, the Chair will also provide the Respondent with a copy of the complaint.
- c. Within seven (7) days of receipt of the written complaint from the Chair, the Respondent may provide a written response to the Chair. The Respondent may ask a Mediation Advocate for assistance in preparing this response. The Respondent is not required to provide the Chair with a written response to the complaint. In the event that a written response is provided, however, the Chair will, within five (5) days of its receipt, provide a copy of the response to the Complainant.
- d. Within fourteen (14) days of receipt of the written complaint from the Complainant, the Chair will appoint from the Non-Discrimination and Sexual Misconduct Panel a presiding member and two additional members to constitute a Hearing Committee Panel to hear the matter. If possible, the Chair will appoint to the Committee one member from each Constituency to which the Complainant and the Respondent belong. If no Hearing Committee Panel member is able to serve from the Constituency of the Complainant or the Respondent, the Chair may appoint such other Hearing Committee Panel member or members as the Chair deems appropriate to serve on the Committee. The presiding member of the Committee will be chosen by the Chair and may be from any Constituency. If a conflict of interest or other valid reason prevents a Hearing Committee Panel member from serving on the Committee, the Chair shall select a substitute from the Hearing Committee Panel.
- e. Within five (5) days of the appointment of the Committee, the Chair will provide the Complainant and the Respondent with written notification of the names of the persons serving on the Committee.
- f. Within five (5) days of receipt of notice of the composition of the Committee, the Complainant and/or the Respondent may file a written objection with the Chair regarding the service of any Committee member. Any such objection must set forth the specific reason(s) that the objection is being made. After reviewing such objection, the Chair may or may not, at his or her sole discretion, replace any member of the Committee with another member of the Hearing Committee Panel. If the Chair does replace a member, steps 4 and 5 shall be repeated.
- g. Following receipt of the written complaint and any response that might be submitted, the Chair will conduct an investigation of the allegations that have been made and will gather information to be used by the Hearing Committee Panel during the hearing procedure. In the course of investigating the allegations and gathering information, the Chair shall interview the Complainant and the Respondent, and shall review the permanent file of the Hearing Committee Panel to determine if there are any previous complaints under this policy that have

⁷ A timeline and summary of the following Hearing Committee Formal Procedures is attached hereto as Appendix A.

been filed against the Respondent. In addition, the Chair may interview any other person whom the Chair believes might be in possession of relevant information; may consult Seminary records bearing on the matter; and may gather such other statements, documents, or material as he or she may deem appropriate. The Chair shall make every effort to complete this investigation and to submit a written report containing his or her factual findings to the Committee within thirty (30) days of the Chair's receipt of the written complaint from the Complainant.

- h. The Complainant and the Respondent are expected to cooperate with the Chair in this investigation to the extent of answering pertinent questions and supplying or authorizing the release of relevant information when so requested. When this cooperation is denied, the Chair shall so inform the Committee, providing where possible his or her understanding of the reasons therefor. Furthermore, should either the Complainant or the Respondent refuse to participate and/or cooperate with the Chair's investigation, the Committee shall have the right, in its sole discretion, to bar that party from presenting testimony or evidence at the hearing.
- i. Every effort shall be made to have the Committee schedule a hearing in connection with the matter within thirty (30) days after the Chair has submitted his or her investigative report and supporting documentation to the Committee.
- j. At the hearing, the Complainant and the Respondent shall present their respective positions without reference to any prior proceeding, including, without limitation, any prior proceedings related to this complaint under this policy, and no reference to the discussions, findings, or recommendations related to any prior proceeding shall be introduced to the Committee by the Complainant and/or the Respondent.
- k. In conducting the hearing, the Committee is not required to adhere strictly to the rules of evidence. The Committee shall receive and review the complaint, the response, the report of the Chair, and other pertinent statements and documents. As set forth above, the Committee may also review information that it receives from the Chair related to materials contained in the permanent file of the Hearing Committee Panel related to any previous complaints under this policy that have been filed by or against the Complainant and/or Respondent, and the Committee may, at its sole discretion, ask questions of either party that include references to such information. The Committee shall also interview the Complainant, the Respondent, as well as any other witnesses it deems relevant and necessary. The parties shall be afforded an opportunity to respond to one another's statements and to present witnesses and evidence on their own behalf.
- l. Separation of Complainant and Respondent – The Complainant and the Respondent will not be required to give their statements in the physical presence of each other, and will not be required to appear together at the hearing.
- m. Right to Hear Proceedings – Both the Complainant and the Respondent have the right to listen to all testimony provided during the hearing from a separate location. The Seminary shall provide the parties with sufficient facilities to listen to such proceedings via electronic means including, without limitation, telephone, speaker phone, internet broadcast or any other means that the Hearing Committee, in its sole discretion, deems reasonable.

- n. The Complainant and the Respondent are expected to cooperate with the Committee in conducting the hearing. Such cooperation shall include, without limitation, appearing before the Committee to give testimony and answer questions that the Committee might have. When this cooperation is denied, the Committee shall have the right, in its sole discretion, to disregard the written statements of the party that has refused to cooperate with the Committee in reaching its conclusions in connection with the claim.
- o. The Complainant and the Respondent may each be accompanied by a personal adviser, other than a family member, of their choosing. The Hearing Committee Formal Procedure is designed with the intent that legal counsel need not be involved with the hearing. Should any party decide to retain legal counsel for this purpose, however, he or she shall notify the Chair at least fourteen (14) days before the hearing so that the other party may take this fact into account when making his or her plans. Legal counsel at the hearing may confer with their clients but will not be permitted to address the Committee or others.
- p. When, in the sole judgment of the Committee, the Complainant and the Respondent have been fully heard, the parties and witnesses shall be excused and the Committee shall deliberate and reach a conclusion by majority vote. In determining whether or not a complaint of sexual misconduct has been sustained, the Committee shall look at the totality of the circumstances, including the nature of the action and the context in which the alleged misconduct occurred. The determination of a suitable penalty shall be made on a case-by-case basis in light of all relevant facts and circumstances, which may include, without limitation, any prior history of complaints against the Respondent. The Committee may consult with the following relevant Seminary officials when devising an appropriate penalty or resolution: the Dean of Student Affairs where the Respondent is a student; the Dean of Academic Affairs where the Respondent is a faculty member; or the Senior Vice President or Director of Human Resources where the Respondent is a staff member.
- q. Within fourteen (14) days of the conclusion of the hearing, the Committee shall issue a written report of the hearing, consisting of the Committee's findings of fact, conclusions, and recommended disposition based on the record ("Hearing Report"). In determining its recommended disposition, the Committee will consider, by way of example and not limitation, the facts of the particular claim, any prior history of complaints against the Respondent, pertinent Seminary policies, regulations, and procedures, and applicable law. Once issued, the Hearing Report will be maintained by the Hearing Committee Panel in its permanent records.
- r. Within five (5) days of issuance of the Hearing Report, the Committee shall deliver a copy of the Hearing Report to the Complainant and to the Respondent. The parties shall then have fourteen (14) days to give the presiding member of the Committee written notice that they do or do not accept the Committee's recommendations.
- s. Within twenty-one (21) days of the date of issuance of the Hearing Report, the presiding member of the Committee will present the Hearing Report, together with the Complainant's and the Respondent's written responses, if any, to the President.

- t. If neither the Complainant nor the Respondent has filed written responses to the Hearing Report, the President shall render a final and binding decision in writing implementing the recommendations of the Hearing Committee contained in the Hearing Report.
- u. If either the Complainant or the Respondent has filed a timely written response to the Hearing Report, upon receipt of all materials from the presiding member of the Committee the President will review the Hearing Report, as well as any written responses to the report provided by the parties. During this review, the President, in his or her sole discretion, may also consult with the Chair and/or the presiding member of the Committee regarding the claim.
- v. The President's review shall be limited to two areas of consideration. First, the President will review the Hearing Report to determine if the Committee exhibited bias against one of the parties during the hearing, or if the procedures established by this policy were violated in any material respect during the hearing. In the event that the President finds bias or a violation of the procedures established in this policy, the President may, in his sole discretion, vacate the Committee's recommendations and either (i) remand the case to the Committee for further proceedings, or (ii) order a new hearing before a new Committee. Second, the President will also review any recommended penalty that might be contained in the Hearing Report in the context of any special circumstances raised by either party that the President believes are relevant to the recommended penalty that the Committee has included in the Hearing Report.
- w. The purpose of the President's review of the Hearing Report is not to initiate a rehearing of substantive issues of fact or a new determination of responsibility. Rather, the President's review will be limited to the issues of bias and procedure as set forth above. Furthermore, the President shall have the authority to modify, at the President's sole discretion, any penalty recommended by the Committee. After the President has completed this review process, the President shall render a final and binding decision in writing in connection with the complaint. This decision shall be based upon the President's review of the record; the recommendations, findings, and conclusions of the Committee; the responses of the Complainant and the Respondent; any prior history of complaints against the Respondent; pertinent Seminary policies, regulations, and procedures; and applicable law.
- x. Within fourteen (14) days of the date of the delivery of the Hearing Report to him or her, the President shall communicate his or her final and binding decision to the Complainant, the Respondent, the presiding member of the Committee that heard the complaint, and the Chair. This decision shall also be placed in the permanent records of the Title VI Coordinator and a reference to the decision shall be placed in the file of both the Complainant and Respondent.

XI. Princeton Seminary as Complainant

If the Title VI Coordinator becomes aware of a single egregious offense, or receives repeated allegations of offenses against the same person but each of the persons making allegations is unwilling to file a written complaint and appear as complainant, and if circumstances are considered by the Title VI Coordinator to be such that a complaint should be lodged, the Title VI Coordinator, in his or her sole discretion, may inform the appropriate Vice-President or member of the Executive Council, or in the case of conflict of interest, the President.

The Title VI Coordinator shall communicate with persons drawn from the pertinent notes/records who might provide evidence of discrimination or harassment to determine their willingness to provide testimony if the Seminary were to proceed as a complainant against the alleged offender. The Title VI Coordinator shall not communicate the contents of the notes to such persons in either written or verbal form.

The Title VI Coordinator shall provide to the appropriate Vice-President(s) or corresponding member of the Executive Council the names of witnesses who agree to testify, the name of the alleged respondent, and copies of any written complaints and responses submitted to the Officer relating to alleged offense(s) by the respondent.

The appropriate Vice-President or member of the Executive Council shall communicate with witnesses and the alleged respondent, review all information and decide (as soon as possible but no later than four weeks from the date of receiving the information) whether to initiate formal procedures against the respondent. The Title VI Coordinator shall be informed in writing of the Vice-President's or Executive Council's decision. If the Vice-President or corresponding Executive Council member decides to initiate formal proceedings against the respondent, such proceedings normally should be initiated within one week of making the decision [See Section X, Step 6]

XII. Preventive and Awareness Training

Employee training as to the contents of this policy shall occur yearly. Additionally, Princeton Seminary employees are required to participate in this training within thirty (30) days of hiring and at least every year thereafter through collaboration coordination with various offices and departments including Human Resources, Office of Multicultural Relations, Academic Affairs and Student Affairs. Students at all levels are required to receive preventive and awareness training on matters of race, racial reconciliation, etc. during orientation and at least once every academic year through the Seminary's signature *Navigating the Waters* Initiative.

A current copy of this policy will be posted on the Office of Multicultural Relations webpage. Hardcopies of this policy may be obtained from the Office of Multicultural Relations.

APPENDIX A
TIMELINE FOR TITLE VI HEARING COMMITTEE FORMAL PROCEDURES

- 1) A written complaint is filed by the Complainant with the Chair.
- 2) Within **five (5) days** after receiving the complaint, the Chair will advise the Respondent that a proceeding against them has been commenced and will also provide the Respondent with a copy of the complaint.
- 3) Within **seven (7) days** of receipt of the written complaint, the Respondent may provide a written response to the Chair.
 - a. In the event that the Respondent provides the Chair with a written response, the Chair will, within **five (5) days** of its receipt, provide a copy of the response to the Complainant.
- 4) Within **fourteen (14) days** of filing of the written complaint, the Chair will appoint from the Non-Discrimination and Sexual Misconduct Panel the three members of the Committee that will hear the matter.
- 5) Within **five (5) days** of the appointment of the Committee, the Chair will provide the Complainant and the Respondent with the names of the persons serving on the Committee.
- 6) Within **five (5) days** of receipt of notice of the composition of the Committee, the Complainant and/or the Respondent may file a written objection with the Chair regarding the service of any Committee member.
- 7) The Chair will use his or her best efforts to investigate the complaint and submit a written report containing his or her factual findings to the Committee within **thirty (30) days** of the Chair's receipt of the written complaint.
- 8) The Committee will use its best efforts to schedule a hearing in connection with the complaint within **thirty (30) days** after the Chair has submitted his or her investigative report and supporting documentation to the Committee.
- 9) If any party decides to retain legal counsel to assist it in connection with the hearing, he or she shall notify the Chair of this fact at least **fourteen (14) days** prior to the hearing date.
- 10) Within **fourteen (14) days** of the conclusion of the hearing, the Committee shall issue the Hearing Report.
- 11) Within **five (5) days** of issuance of the Hearing Report, the Committee shall deliver a copy of the Hearing Report to the Complainant and to the Respondent.
- 12) After receiving the Hearing Report, the parties shall have **fourteen (14) days** to give the presiding member of the Committee written notice that they do or do not accept the Committee's recommendations.
- 13) Within **twenty-one (21) days** of the date of issuance of the Hearing Report, the presiding member of the Committee will present the Hearing Report, together with the Complainant's and the Respondent's written responses to the Hearing Report, to the President.
- 14) Within **thirty (30) days** of the date of delivery of the Hearing Report to him or her, the President shall communicate his or her decision to the Complainant, the Respondent, the presiding member of the Committee that heard the complaint, and the Chair.

APPENDIX B

Title IX and Sexual Harassment – Title VI and Non-Discrimination

Responsible Employees: Guidance for Faculty, Administration and Professional Staff

This document is intended to outline Princeton Seminary's policy regarding mandated reporting of concerning behaviors, discrimination, harassment and crimes by employees, students, and individuals providing services to and with the Seminary. The following explains briefly the meaning and purpose of “responsible employees,” and articulates a straightforward set of guidelines for all employees to follow.

Responsible Employees: What and Why?

The Seminary has defined all employees, both faculty and professional staff, as “responsible employees” with the exception of the Minister of the Chapel and the Director of Student Counseling who are deemed as “confidential outlets.”

- If a “responsible employee” learns about sexual harassment, discrimination or sexual assault, you are expected to promptly contact the campus Title IX/VI Coordinator, Victor Aloyo, Jr., or the Deputy Title IX/VI Coordinator, Catherine Davis. The information you share will be treated as confidentially as possible, but the Title IX/VI Coordinator may need to consult with other administrators; at times, the Title IX/VI Coordinator will need to take action in the interest of safety. In planning any response, the wishes of the complainant are given full consideration.
- All concerning and disruptive behaviors must be timely reported to the Title IX/VI Coordinator in person or by using the online [incident reporting form](#).

Alternatively, the employee may call the Title IX/VI Coordinator and then follow-up by filing the form.

- According to the [Office of Civil Rights of the Department of Education](#) when reporting sexual harassment or discrimination or sexual assault, a Seminary's employee cannot omit personally identifiable information (the name of the victim, the name of the accused individual, and other identifying details about witnesses, location, etc.).
- Subsequent to an initial report, campus officials may need additional information in order to fulfill the Seminary's obligations under Title IX and Title VI. In taking these subsequent actions, the Seminary will always be guided by the goals of empowering the victim and allowing the victim to retain as much control over the process as possible, but no employee (other than the Office of Student Counseling and Minister of the Chapel) can or should promise confidentiality with the appropriate proviso as noted above.

Guidance and FAQs

How should I respond to someone who comes to me with an account of sexual misconduct or discrimination?

Feel free to call a [Title IX/VI coordinator](#) or a designated individual for assistance during the meeting, or in advance if you anticipate a disclosure. We can answer questions, identify options, and help the discussion go smoothly. For more information please refer to the [Title IX](#) or [Title VI](#) Policy & Procedures. .

How do I report the information?

You should call or email a Title IX/VI coordinator as soon as possible to report the information confidentially. The list of Title IX

coordinators is available at <http://titleix.ptsem.edu/whom-can-i-call/>. Victor Aloyo, Jr., the Seminary's Title IX Coordinator, is available at titleixcoordinator@ptsem.edu or at 609.688.1943.

What details do I need to provide?

You must share whatever information has been shared with you, including the name(s) of any individuals involved, the details of the incident, and the complainant's wishes regarding next steps.

What kinds of sexual misconduct or discrimination do I need to report?

You need to report any incident that might fall within Princeton Seminary's definition of sexual misconduct or anti-discrimination. For more details, see [Title IX and Sexual Harassment Policy and Procedures](#) and [Title VI Discrimination Policy](#). Please note: you do not need to be certain that an incident constitutes misconduct, nor that it is sufficiently serious to warrant action. You must make a report for anything that might. The Title IX coordinator will assess the information and determine the appropriate next steps.

Do I need to report if the information I hear is second-hand, a rumor, or vague? What if the offender or victim is not a member of our community? What if the incident took place away from campus or when school was not in session?

Yes. When in doubt, report. Even partial information may be helpful, as we work to ensure that people have access to resources and that our community is safe.

What happens after I file a report?

A [Title IX/VI coordinator](#) will assess the information you have provided, and take appropriate action. In all cases, the Title IX/VI coordinators will confer the information and

proceed with a responsible plan of action. If your report includes names or other identifying details, a Title IX/VI coordinator will likely reach out to make sure that anyone who has experienced sexual misconduct or racial discrimination or any other form of discrimination has access to accommodations, support, and options for taking action. The Title IX/VI coordinator will not contact any individuals accused of committing sexual misconduct or racial discrimination or discrimination of any kind until a complaint has been filed or an investigation initiated.

Once I have filed my report with a Title IX/VI coordinator, do I have other responsibilities?

No. Once you file a report, your reporting obligation is complete. You should preserve any notes you may have taken, or give them to the Title IX/VI coordinator.

Will the Title IX/VI coordinator update me on what happens?

No. You may be involved in some of the next steps—helping to arrange an accommodation, for example, or speaking with a fact finder. It is understandable that you may wish to know more, but it is critical to protect the privacy of the parties involved and the confidentiality of Princeton Seminary's sexual misconduct and non-discrimination response system.

RESOURCES

[Here's How We Respond](#)
[Office of Civil Right - Facts & Questions](#)
[Dear Colleague Letter – April 2015](#)