

**PRINCETON THEOLOGICAL SEMINARY  
TITLE IX AND SEXUAL HARASSMENT POLICY  
AND PROCEDURES**

*Approved by the Board of Trustees, January 2015*

---

On June 23, 1972, the President signed Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., into law. Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. The principal objective of Title IX is to avoid the use of federal money to support sex discrimination in education programs and to provide individual citizens effective protection against those practices. Title IX applies, with a few specific exceptions, to all aspects of federally funded education programs or activities. In addition to traditional educational institutions such as colleges, universities, and elementary and secondary schools, Title IX also applies to any education or training program operated by a recipient of federal financial assistance. The Department of Education has issued regulations on the requirements of Title IX, 34 C.F.R. § 106.1et seq. The Title IX common rule published on August 30, 2000 covers education program providers/recipients that are funded by other federal agencies.<sup>1</sup> Title IX and its implementing federal regulations prohibit discrimination on the basis of sex in its programs and activities.

Princeton Theological Seminary is committed to maintaining an educational, working, and living environment free from discrimination and harassment, and fostering an environment where all individuals may pursue their studies, work, careers and social interactions without being subjected to sexual misconduct. “Sexual misconduct” refers to a broad range of inappropriate sexual behaviors, including sexual harassment and sexual assault, which not only are prohibited by state and federal law but also are a violation of the Christian ethical vision that informs the life and mission of the Seminary and are incompatible with the church’s standards for its members and professional leaders. The Seminary regards acts of sexual misconduct as serious offenses, and as unacceptable conduct.

Sexual misconduct of any kind is not acceptable behavior. It is inconsistent with the commitment to excellence and Christian ethics that characterizes the Seminary’s activities. The Seminary will take such action as it deems appropriate to prevent, correct, and if necessary, discipline behavior constituting sexual misconduct. Sanctions that may be applied include, but are not limited to, warning, probation, suspension (with or without pay for employees), dismissal and expulsion. In addition, sexual misconduct by a vendor, contractor, or other third-party having an agreement or contract with the Seminary may be grounds for the abrogation of such agreement or contract.

---

<sup>1</sup><http://www.justice.gov/crt/about/cor/coord/titleix.php>

In adopting these policies and procedures, the Seminary seeks to ensure that all members of its community, including guests and visitors, have the right to learn and work in a safest possible community and environment, and to be free from all forms of sex-based misconduct, including sex discrimination, sexual harassment, hostile work environment, sexual violence, and gender-based harassment. All members of the Seminary community, visitors, and guests are expected to conduct themselves in a manner that does not infringe on the rights of others. In order to provide recourse for allegations of inappropriate treatment involving sex-based misconduct by other faculty, staff, or students, the following procedures will be used. The purpose of these Title IX and Sexual Harassment policies is to provide clear guidance regarding the Seminary's internal formal system of reporting, processing, and adjudicating complaints of sex-based misconduct.

When a student, faculty or staff member, or other participant in the Seminary's programs and activities feels that s/he has been subjected to discrimination or harassment on the basis of sex, she/he may use these procedures to bring concerns to the attention of the Seminary (be it through its Title IX Coordinator or through the procedures described hereafter) for the purpose of obtaining a prompt and equitable resolution.

These procedures are intended to be read and implemented in the context of the Seminary's broader Nondiscrimination/Anti-harassment Policy and Grievance Procedures, which generally advises the Seminary community of prohibited discriminatory and harassing conduct, as well as the resources and processes for addressing and resolving complaints of discrimination, harassment and/or violation of Seminary policy.

These Title IX and Sexual Harassment Policy and Procedures are separate from the Seminary's student disciplinary processes, by which the Seminary may bring a discipline charge against a student for violating Seminary policy according to the provisions found in the [Seminary Handbook](#).

### **COMPLAINTS OF SEXUAL ASSAULT**

If you have been sexually assaulted **YOU ARE NOT TO BLAME!** All people when confronted with sexual assault or rape do the best they can, given the situation. Nothing that you did can cause a sexual assault, including having an existing or prior relationship with the assailant or using alcohol/drugs. It is never the victim's fault. If you are the victim of rape or sexual assault, call 911 immediately to report the crime and to obtain medical attention. In addition, the following steps will help protect you and assist in prosecuting any crime that may have taken place:

- Get to a safe place as soon as you can and contact a close friend who can be with you as long as you need her/him. Your friend can accompany you to a medical exam, the police department or counseling services.
- Try to preserve all physical evidence: Do not bathe, douche, use the toilet (you can save a urine sample in a jar with a lid on it), brush your teeth, drink (especially soda pop or alcohol), wash your sheets or couch cushions, or change clothing (you can put your clothing in separate paper bags).
- Get medical attention as soon as possible. Go to a local [emergency room](#). A full physical exam will help assure that any injuries will be identified and treated, and concerns about possible pregnancy and sexually transmitted infections will be addressed. Forensic evidence can also be collected for potential use in criminal cases.

While victims of sexual assault are encouraged to report their assaults to the police, requests for adjudication through the Seminary's policies are not dependent on whether or not a police report is filed. The [Title IX Coordinator](#) or a [Designated Individual](#) can provide information and guidance regarding any or all of these options, and can assist in making decisions about what course of action to take is best for the victim.

Notwithstanding the remedies this policy may provide, if you have been sexually assaulted the Seminary urges you to seek help and report the incident to the [police](#) immediately. [PTS Security](#) or any designated individual are available to assist in this process. Your ability to prosecute a claim of sexual assault may be significantly hindered by the passage of time.

### **SEXUAL ASSAULT RESPONSE GUIDE**

## **I. GENERAL INFORMATION AND PROVISIONS**

### **A. What is Sexual Harassment?**

Sexual harassment is any threatening, demeaning, or offensive conduct or situation that unreasonably interferes with an individual's work setting or creates a hostile academic environment.

“Sexual harassment in education includes any unwanted and unwelcome sexual behavior that significantly interferes with an individual's access to educational opportunities. The Supreme Court has confirmed that schools have an obligation under Title IX to prevent and address harassment against students, regardless of whether the harassment is perpetrated by peers, teachers, or other school officials” (Title IX, 1972).

### **B. Who is covered by the Seminary's Title IX and Sexual Harassment Policy and Procedures?**

These policies apply to all of the Seminary's employees, students, faculty, family members, vendors and visitors. It applies at all times, and in all places, in any connection to the Seminary. These policies also apply to those who do business here. Compliance with these policies is a term and condition of employment and matriculation with the Seminary.

### **C. Privacy and 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 IX Coordinator, a Designated Individual and/or the Chair of the Sexual Harassment 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 IX 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.

#### D. Definitions

**Clery Act** - The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act") is a federal statute codified at 20 U.S.C. § 1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. 668.46. The Clery Act requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses.

**Complainant** – the student, employee, or third party who suffers sex discrimination, sexual harassment, sexual violence, sexual exploitation, gender-based harassment, or stalking by the conduct of another, and pursues a charge or charges against Respondent under this Policy.

**Consent** – Consent is clear, knowing, and voluntary. Consent is active, not passive; silence, in and of itself, cannot be interpreted as consent. Consent to any one form of sexual activity, a previous relationship, and/or prior consent does not imply consent to any other form or instance of sexual activity.

**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.

**Dating violence** is a form of Sexual Violence, and is abuse committed by a person who is or has been in a social or dating relationship of a romantic or intimate nature with the victim. This may include someone the victim just met; i.e., at a party, introduced through a friend, or on a social networking website. means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

**Designated Individuals** – Designated Individuals are members of the Seminary community specifically trained in handling matters related to the Sexual Harassment Policy. These Designated Individuals and their successors when duly appointed and qualified, are:

Director of Field Education: Chester Polk Jr.	<a href="mailto:chester.polk@ptsem.edu">chester.polk@ptsem.edu</a> 609.497.7970
Director of Campus Relations: Joicy R. Becker-Richards	<a href="mailto:joicy.becker@ptsem.edu">joicy.becker@ptsem.edu</a> 609.497.7901

Director of Housing and Auxiliary Services: Stephen Cardone	<a href="mailto:steve.cardone@ptsem.edu">steve.cardone@ptsem.edu</a> 609.497.7730
Director of Human Resources: Barbara Meccia	<a href="mailto:Barbara.meccia@ptsem.edu">Barbara.meccia@ptsem.edu</a> 609.497.7720
Associate Librarian: Julie Eng Dawson	<a href="mailto:Julie.dawson@ptsem.edu">Julie.dawson@ptsem.edu</a> 609.497.7944

**Domestic violence** - includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law. Domestic Violence is a form of Sexual Violence and is abuse committed against someone who is a current or former spouse, current or former cohabitant, someone with whom the abuser has a child, someone with whom the abuser has or had a dating or engagement relationship, or a person similarly situated under New Jersey domestic or family violence law.

- Cohabitant means two unrelated persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.

**Force** – the use of physical violence and/or otherwise physically imposing on another person to gain sexual access. Also includes threats, intimidation, implied threats, and coercion that overcome resistance or produce Consent.

**Gender-based Harassment** – Gender-based Harassment is a form of sexual harassment. Gender-based harassment includes acts of a verbal or nonverbal nature or physical aggression, intimidation, or hostility based upon sex or sex-stereotyping (even if those acts do not involve conduct of a sexual nature) that are sufficiently serious to limit or deny the ability to participate in or benefit from the Seminary's programs and activities or the terms and conditions of employment.

- Example: the repeated sabotaging of female graduate students' course materials by male students in the class.

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

**Retaliation** – taking any adverse or hostile act, engaging in harassment and/or making an adverse employment/academic decision because an employee/student/third party has utilized these policies or has testified, assisted or participated in an investigation, proceeding, or hearing arising under these policies.

**Sex-Based Misconduct** – one or more acts of sex discrimination, sexual harassment, sexual violence, or gender-based harassment.

**Sex Discrimination** – treating a person differently because of his/her sex in the terms and conditions of educational programs, activities, and/or employment.

- Example: A professor requires all male students in a class to do an extra assignment that is not required of female students.

**Sexual Harassment** – unwelcome, verbal, or physical conduct of a sexual nature (such as sexual advances or requests for sexual favors) sufficiently serious that it unreasonably interferes with or limits a person's ability to participate in or benefit from the Seminary's educational programs, activities, and/or employment. Sexual harassment may be based on a power differential, the creation of a hostile environment, or retaliation.

Sexual harassment can take many forms, occurs in a variety of circumstances and may be directed at an individual or group of individuals. It is not the intention of the harasser but the conduct itself and the impact on the recipient which determines what constitutes harassment. The impact of harassment can result in the recipient feeling discomfort or humiliation and/or may adversely affect the recipient's academic or job performance, undermine academic or job security or prospects or create a threatening or intimidating work or study environment. It can also provoke aggressive, retaliatory attitudes and actions. Certain behavior will be, by its nature or severity, unwelcome even on a single occasion.

Social interaction involving mutually acceptable behavior should be distinguished from harassment. However, it should be borne in mind that what is initially acceptable to some may be offensive to others, and what is acceptable between persons A and B may not be acceptable to person C. The key element to sexual harassment is that it is conduct that is unwanted, unreasonable and offensive to the recipient. Where harassment is unintended, but still has the effect of violating the dignity or creating a hostile environment for the recipient, the conduct would be considered as harassment only after consideration of all the circumstances, which will include the perception of the recipient.

Verbal expression or physical conduct need not be overtly sexual to constitute sexual harassment. Examples of sexual harassment include, but are not limited to, lewd or sexually suggestive comments; off-color language or jokes of a sexual nature; slurs, verbal or graphic expressions or physical conduct relating to an individual's sex; inappropriate or off-color email communication; or any public or unwelcome private display of sexually explicit pictures, greeting cards, articles, books, magazines, photographs, devices, toys or cartoons in the absence of a valid educational purpose.

Sexual Harassment also includes harassment of a sexual nature directed at gay or lesbian persons that is sufficiently serious to limit or deny the ability to participate in or benefit from the Seminary's educational and employment programs. Likewise, sexual harassment can occur where Claimant and Respondent are members of the same sex.

Examples:

- A professor insists that a student have sex with him/her in exchange for a good grade;
- A student repeatedly sends sexually oriented jokes in an email list s/he created, even when asked to stop, causing one recipient to avoid the sender on campus and in the residence hall in which they both live;
- A professor demands that students discuss their past sexual experiences, yet the conversation is not in any way germane to the class;
- A staff member repeatedly touches and makes sexually suggestive remarks to a student while the two are waiting at a stop for the school's shuttle bus, causing the student to walk long distances instead of taking the shuttle bus;
- Rape and/or other acts of Sexual Violence.
- A male student or a group of male students target a gay student for physical sexual advances.

**Sexual Assault** - Sexual assault is a crime punishable by both civil and criminal legal action and is a serious violation of Seminary's Life Together<sup>2</sup> as a community and its subsequent policy. Sexual assault is any type of sexual contact without Consent or permission. It can include touching of private body parts over or under the clothing or any form of penetration.

Sexual Assault occurs when the act is intentional and is committed either by:  
(a) physical force, violence, threat, or intimidation; (b) ignoring the objections of another person; (c) causing another's intoxication or impairment through the use of drugs or alcohol; or (d) taking advantage of another person's incapacitation (including voluntary incapacitation caused by the use of drugs or alcohol), state of intimidation, helplessness, or other inability to consent.

Conduct will be deemed sexual assault whether obtained by Force or threat of Force, and whether completed or attempted. Sexual exploitation (taking non-consensual or abusive sexual advantage of another for your own benefit) may also be considered a form of sexual assault, depending on the circumstances

Forced intercourse or other unwanted sexual contact may be rape or sexual assault whether the assailant is a stranger or an acquaintance of the Complainant. The Seminary also recognizes that while most victims are female and most assailants are male, a perpetrator or victim can be of either sex.

Examples of sexual assault include, but are not limited to, the following:

- a person uses his or her body size/weight to forcefully intimidate a victim into having sex;
- a person was too drunk to remember consenting to or even engaging in sexual activity, and there is evidence that non-consensual sexual activity occurred;
- coerced sex occurs in the context of an abusive relationship;
- the victim indicates a lack of consent but wonders if it was not "strong enough";
- the accused perpetrator is drinking and does not respond to the victim's resistance;
- someone gropes a victim over her or his clothes in a crowded room;
- the victim does not cry or scream for fear of escalating the assault or not being believed;
- both victim and perpetrator are the same sex;
- the victim invites the accused into her or his place of residence.

---

<sup>2</sup> See "Life Together at PTS"

These are only a few examples of possible sexual assault scenarios. Individuals who are not sure if their case meets the definition of sexual assault are strongly encouraged to promptly contact either a Designated Individual or the local police department by dialing 911.

**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 Title IX and Sexual Harassment Policy 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 Designated Individual. 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.

**Stalking** – repetitive and/or menacing pursuit, following, harassment, and/or interference with the peace and/or safety of a member of the Seminary community and/or any immediate family of members of the community. Stalking may be accomplished by physical act or electronic means, such as computer or cell phone. Stalking is a form of sexual harassment.

**[Violence Against Women’s Act \(VAWA\)](#)** – The Violence Against Women Act (VAWA) is a federal law aimed at ending violence against women and remedying the laws and social practices that have fostered and justified the history of violence against women. VAWA was first passed in 1994, as part of the Violent Crime Control and Law Enforcement Act of 1994, and it was reauthorized in 2000 and 2005. The current authorization expired in 2011 and on March 7, 2013, The President signed a bill reauthorizing the Violence Against Women Act for another 5 years.

E. **[The Seminary’s Title IX Coordinator](#)**

The Associate 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 IX of the Education Amendments of 1972, and serves as the Seminary's Title IX Coordinator. The Associate Dean of Student Life will serve as Deputy Title IX Coordinator and will confer closely with the Title IX Coordinator. For the purpose of these grievance procedures, "Seminary's Title IX Coordinator" shall mean the Seminary's Title IX Coordinator and/or designated Deputy Title IX Coordinator, unless otherwise specified. Where and when appropriate, these procedures may be modified or amended by the Seminary's Title IX Coordinator.

#### **F. Retaliation**

Retaliation against any person in the Seminary community either for alleging discrimination prohibited by Title IX or for cooperating in these procedures is strictly prohibited. Any person who is found to have retaliated against another for making a complaint under Title IX 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, depending on the circumstances, even if no responsibility is found for the alleged sex-based misconduct. Retaliation should be reported immediately to the Seminary's Title IX Coordinator.

#### **G. Multiple Complaints**

The Title IX Coordinator, either upon personally receiving a complaint or upon receipt of a report from a Designated Individual or the Chair 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 IX 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 IX 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 IX Coordinator or the Chair of the Sexual Misconduct Panel to commence an action directly against the Respondent pursuant to either, or both, of the procedures outlined below.

#### **H. 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.

#### **I. Relation to Other Policies, Rules, etc.**

These policies are designed to provide definitions and procedures for handling cases of sexual discrimination, sexual harassment and/or sexual 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 sexual discrimination, sexual harassment and/or sexual misconduct, unless those other procedures, rules, regulations, or terms or conditions of employment shall specifically provide to the contrary.

#### **J. Amendments**

The Title IX Coordinator and/or the Chair may, from time to time, recommend to the President of the Seminary amendments to the Title IX and Sexual Harassment Policies. 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 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.

#### **K. Standard of Evidence**

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

#### **L. Sanctions**

Not all forms of sex-based 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.

### **M. 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.

### **N. Additional Matters**

- 1) The Seminary believes it is important to be proactive in taking reasonable steps to identify and prevent sexual misconduct. If an individual in a supervisory capacity has direct knowledge of an incident of sexual misconduct on the part of a member of the Seminary community, that supervisor should bring the matter to the attention of the Title IX Coordinator or a Designated Individual. If after such notice is given it appears to the Title IX Coordinator or the Designated Individual that a potential violation of this sexual misconduct policy exists, that individual may serve as the Complainant in such matter and pursue the matter through the policies set forth herein.
- 2) 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 sexual misconduct 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.
- 3) A false accusation of sexual misconduct that is unreasonably made also constitutes sexual misconduct under these policies, and any such claim is subject to the provisions set forth herein.
- 4) The permanent records of the Title IX Coordinator and the Panel shall be maintained by Title IX 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 IX Coordinator.

## O. Reporting Outlets

Claims of sexual harassment and/or other violations of the Seminary's Title IX Policy should be promptly made, and when necessary, immediately made, to the following individual(s):

The Reverend Dr. Victor Aloyo, Jr.  
Associate Dean for Institutional Diversity and Community Engagement  
Title IX Coordinator  
Princeton Theological Seminary  
Director of Multicultural Relations  
201 Templeton Hall  
609-688-1943  
[TitleIX.Coordinator@ptsem.edu](mailto:TitleIX.Coordinator@ptsem.edu)

The Reverend Dr. Catherine Cook Davis  
Associate Dean of Student Life  
Deputy Title IX Coordinator  
Princeton Theological Seminary  
204 Templeton Hall  
609-497-7882  
[catherine.davis@ptsem.edu](mailto:catherine.davis@ptsem.edu)

### [Princeton Police Department](#)

Nicholas Sutter, Chief  
1 Valley Road  
Princeton New Jersey 08540  
Emergency: 911  
Non-emergency: 609-921-2100

### [West Windsor Police Department](#)

Joseph Pica, Jr., Chief  
20 Municipal Drive, Box 38  
West Windsor, NJ 08550  
Emergency: 911  
Non-emergency: 609-799-1222

### [Seminary Security](#)

609-497-7777

## II. SUBMISSION OF A COMPLAINT

- A. Who May Submit a Complaint. Any member of the Seminary community may file a complaint concerning sex-based misconduct in the treatment of students, employees, or third parties. A Complaint may also concern retaliation for filing a Complaint or participating in an investigation relating to such sex-based misconduct. The Seminary expects that all complaints will be filed in good faith.
- B. How to File a Complaint. A Complaint may be filed in one of two ways. First, the Complainant may contact either the Title IX Coordinator or a Designated Individual, at their discretion, for an appointment to discuss the Complaint. During this meeting, the Complainant should be prepared to discuss all factual circumstances and information upon which the Complaint is based. In the alternative, a [complaint](#) may be filed in writing by submitting said document to one of the persons noted above. If the Complainant needs assistance in writing a complaint, they may also request such assistance from the Title IX Coordinator or a Designated Individual. The Complainant may submit additional documents with her/his Complaint (*e.g.*, police report, e-mails), but is not required to do so.
- C. Timing of a Complaint. The Seminary strongly encourages those that believe they have been subjected to acts of others that violate this Title IX and Sexual Harassment Policy to report such acts promptly. As long as the individual being accused is a current member of the Seminary community, this policy can apply and the Seminary may investigate and take necessary action, if warranted. While the Seminary will take all complaints of violations of this policy seriously, its ability to pursue the complaint to conclusion may be significantly hindered by the passage of time. Accordingly, prompt reporting of a claim of sexual misconduct is crucial to help ensure that the Seminary can fully investigate complaints. A delay in reporting can adversely affect both the Informal and Formal procedures outlined below. In addition, in the event of sexual assault a delay in reporting the incident to the police can significantly impact the ability to prosecute a crime. Therefore, victims of sexual misconduct are strongly encouraged to report the misconduct as soon as possible.
- D. Confidentiality. While the Seminary will use discretion in connection with any complaint it receives under this policy, confidentiality cannot be guaranteed. Communications about sexual misconduct to a Title IX Coordinator or a Designated Individual who is an ordained minister will not be regarded as falling within any clergy-communicant privilege. Should a complainant desire to have a conversation about a particular issue that falls within the clergy-communicant privilege, the Title IX Coordinator or Designated Individual will refer the complainant to an appropriate counselor.

### **III. ADDRESSING THE COMPLAINT**

- A. Choice of Procedures. After a complaint is filed, the choice as to the manner in which to proceed under this Title IX and Sexual Harassment 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 IX Coordinator and/or a Designated Individual who will be available to assist the Complainant in making this decision.
- B. Options for Resolution. Individuals making reports of discrimination or sexual misconduct shall be informed about options for resolving potential violations of these policies which prohibit discrimination or sexual misconduct. These options include informal dispute resolution and/or formal investigation and hearing processes.
- C. Informal Resolution. 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 IX Coordinator or the Chair of the Sexual Harassment Panel. Furthermore, although the Seminary welcomes informal resolution of grievances when appropriate, it will not use mediation between a complainant and alleged perpetrator or any other informal resolution mechanism to resolve grievances pertaining to non-consensual sexual contact or non-consensual sexual penetration.

- D. Procedures for Informal Resolution. Any member of the Seminary community who believes that he or she is the victim of sexual misconduct by another member of the Seminary community is encouraged, but not obligated, to discuss the matter with the Title IX Coordinator, the Assistant Title IX 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 IX 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.

Should a complainant seek the assistance of a Title IX Coordinator or Designated Individual to informally resolve a complaint, they will offer the complainant the choice of two levels of assistance:

- 1) Provide advice to the parties in such a way that the identity of the complainant is not made known to the respondent (the individual against whom the complaint has been made), and try to craft a solution that will resolve the claim anonymously; or
- 2) Provide mediation between the parties, who shall be identified to each other.

The complainant, in consultation with the Title IX Coordinator or Designated Individual, will determine which level of assistance that person will offer. Once the course of action is determined, the Seminary's representative will take the steps that he or she deems necessary to resolve the complaint. If the situation is resolved through informal resolution, the terms of resolution will be documented, and will usually be subject to follow-up after a period of time to assure that resolution has been implemented effectively.

When a complaint is resolved by way of informal resolution, or when efforts at a resolution are in the judgment of the Title IX Coordinator or the Designated Individual concluded, the Seminary's representative will provide the Title IX 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 IX Coordinator, who shall maintain the report as part of the permanent records of the Seminary.

- E. Formal Resolution. An individual, preferably after consultation with the Title IX 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 IX and Sexual Harassment 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 such a formal complaint: (1) the Title IX Formal Grievance Procedure, and (2) the Hearing Committee Formal Procedure. The choice of which formal procedure to utilize lies solely with the Complainant. The Title IX 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.

F. Title IX Formal Grievance Procedure

Complainants who are considering bringing a formal grievance may at any time meet and pursue such a grievance through the Seminary Title IX Coordinator. Depending on the seriousness or nature of the charge, the Complainant and/or the Seminary's Title IX Coordinator may also file a criminal complaint with the appropriate law enforcement agency.

- 1) A formal grievance process is initiated when a complainant submits a written statement alleging discrimination prohibited by Title IX to the Seminary's Title IX 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 Victor Aloyo, Jr., Title IX Coordinator, Princeton Theological Seminary, 204 Templeton Hall, email: [TitleIX.Coordinator@ptsem.edu](mailto:TitleIX.Coordinator@ptsem.edu), phone: 609.688.1943
- 2) Every effort will be made to facilitate informal resolution of the complaint. The Seminary's Title IX Coordinator will consider the written grievance, and may dismiss the grievance without further process or review if the Seminary's Title IX Coordinator determines that the grievance on its face is frivolous, not credible, clearly without merit, or outside the scope of these grievance procedures.
- 3) If the grievance is not dismissed within three (3) days, the Seminary's Title IX Coordinator will interview the individual who submitted the written statement. Depending on the circumstances, the Seminary's Title IX 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.
- 4) The Seminary's Title IX Coordinator will determine whether the complainant was excluded from participation in, denied the benefits of, or subjected to discrimination on the basis of sex under any Seminary program or activity, using a preponderance of the evidence standard. The Seminary's Title IX Coordinator will consult with other Seminary offices as necessary in reaching a decision regarding the written grievance.

- 5) While the time it may take to investigate and resolve a Title IX grievance will depend on a variety of factors, including the nature and scope of the allegations, the Seminary's Title IX Coordinator will seek to resolve the grievance within 15 working days of receipt of the grievance. Throughout the process, the Seminary's Title IX Coordinator will, as appropriate, keep the participants informed of the status of the grievance process. In connection with this resolution, the Seminary's Title IX 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.
- 6) Following the issuance of the written report, the Title IX Coordinator will, as necessary, take appropriate action to ensure that the Seminary comes into compliance with Title IX in a manner which is prompt and equitable to the involved parties. For example, the Title IX Coordinator may assure that appropriate changes to housing, academic programs or working conditions are implemented. While the action taken by the Seminary's Title IX Coordinator may impact third parties, such action is not intended to be punitive (or constitute disciplinary penalty) with respect to these third parties.
- 7) The decision of the Seminary's Title IX Coordinator is the final resolution of the grievance. The Title IX Coordinator's written report concerning Student-on-Student Sexual Assault, Harassment and/or 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 IX Coordinator's written report shall be submitted to the appropriate member of the Executive Council. In addition, a copy of the Title IX Coordinator's written report shall also be provided to the President.
- 8) Within 14 days of the date that the Title IX Coordinator delivers the written report to the complainant and respondent, any party that wishes to appeal the decision of the Title IX Coordinator regarding remedial measures may do so by delivering a written appeal of such decision to the President.
- 9) Where a timely appeal of the Title IX 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 IX Coordinator regarding the claim.

The President's review shall be limited to two areas of consideration. First, the President will review the Title IX Coordinator's written report to determine if the

Title IX 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 IX Coordinator or a Designated Individual for further proceedings, or (ii) order a new investigation to be handled by the Chair. 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.

The purpose of the President's review of the Title IX Coordinator's written report is not to initiate a rehearing of substantive issues of fact or a new determination of guilt or innocence. 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 reduce any penalty recommended by the Title IX Coordinator, but shall not have the authority to increase any such recommended penalty.

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 IX 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.

Within thirty (30) days of the date of the delivery of the Title IX Coordinator's written report to him or her, the President shall communicate his or her final and binding decision to the Complainant, the Respondent, and the Title IX Coordinator. This decision shall also be placed in the permanent records of the Title IX Coordinator and a reference to the decision shall be placed in the file of both the Complainant and Respondent.

#### G. Hearing Committee Formal Procedure

Under the Hearing Committee Formal Procedure, the Complainant must deliver to the Chair a written complaint outlining the alleged incident(s) of sexual misconduct. The Complainant may ask the Title IX Coordinator or a Designated Individual for assistance in preparing this written complaint. The written complaint should set forth with specificity the circumstances and nature of the alleged sexual misconduct. 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.<sup>3</sup>

1. 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 Committee Formal Procedure has been commenced. At that time, the Chair will also provide the Respondent with a copy of the complaint.
2. 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 Designated Individual 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.
3. Within fourteen (14) days of receipt of the written complaint from the Complainant, the Chair will appoint from the Panel a presiding member and two additional members to constitute a Hearing Committee (“Committee”) 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 the Complainant and the Respondent belong to the same Constituency, the Chair may, but need not, appoint two Panel members from such Constituency. If no Panel member is able to serve from the Constituency of the Complainant or the Respondent, the Chair may appoint such other 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 Panel member from serving on the Committee, the Chair shall select a substitute from the Panel.
4. 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.

---

<sup>3</sup> A timeline and summary of the following Hearing Committee Formal Procedures is attached hereto as Appendix A.

5. 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 Panel. If the Chair does replace a member, steps 4 and 5 shall be repeated.
6. 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 Committee 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 Panel to determine if there are any previous complaints under this policy that have 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.
  - a) 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.
7. 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.
8. 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.

9. 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. 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.
  - a) 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.
  - b) 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.
10. 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.
11. The Complainant and the Respondent may each be accompanied by a personal adviser, other than a family member, selected from among the members of the Seminary community. 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.

12. 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 Vice President for Business Affairs or Director of Human Resources where the Respondent is a staff member.
13. 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 Panel in its permanent records.
14. 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.
15. 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.
16. 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.

17. 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.

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.

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 guilt or innocence. 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 reduce any penalty recommended by the Committee, but shall not have the authority to increase any such recommended penalty.

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.

18. Within thirty (30) 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 IX Coordinator and a reference to the decision shall be placed in the file of both the Complainant and Respondent.

**IV. Allegations of Student-on-Student Sexual Assault, Harassment and/or Discrimination.**

- A. Regardless of whether formal student disciplinary proceedings or a criminal charge are pending or being investigated pertaining to an allegation of student sexual misconduct, and irrespective of their outcome, Princeton Theological Seminary shall have the right to take steps to meet its responsibility to provide an environment where no member of its community is, on the basis of their alleged role in an incident, excluded from participation in, denied the benefits of, or subjected to discrimination under any education program or activity. In addition to the procedures described above, the following additional procedures apply in allegations of student-on-student sexual assault, harassment and/or discrimination.
- B. The Seminary's Title IX Coordinator shall be available as a resource to any dean or other faculty or staff member who receives an allegation of student-on-student sexual assault, harassment and/or discrimination, and the Seminary's Title IX Coordinator shall be promptly informed of any such allegation.
- C. As indicated above, following appropriate investigation and review, the Seminary's Title IX Coordinator and Deputy Title IX Coordinator shall determine and promptly implement any remedies that she/he believes are necessary to maintain an environment free from harassment and/or discrimination and to protect the safety and well-being of community members. Such remedies may include, but are not limited to, no-contact orders, academic accommodations, housing accommodations, counseling services, campus escorts, and educational or outreach initiatives. Adjustments to a student(s)' educational environment may be taken on an interim or permanent basis. Any adjustments in that regard would not be punitive, and, as such, would not appear on any student disciplinary record.
- D. At any point during an informal or formal Title IX grievance procedure, the Seminary's Title IX Coordinator may, at his/her discretion, inform other Seminary officials of the possibility that a violation of the Seminary's Title IX and Sexual Harassment Policy and/or disciplinary policies may have taken place.
- E. The Seminary's Title IX Coordinator has the authority to investigate allegations of discrimination prohibited by Title IX even absent the filing of a formal grievance, or its subsequent withdrawal. In addition, the Seminary's Title IX Coordinator may proceed with investigating a formal or informal grievance even if a complainant specifically requests that the matter not be pursued. In such a circumstance, the Seminary's Title IX Coordinator will take all reasonable steps to investigate and respond to the matter in a manner which is informed by the complainant's articulated concerns.

- F. These procedures do not replace the Seminary's student disciplinary processes, including the appeal processes specified therein. While the Seminary's Title IX Coordinator will review grievance claims as to whether the Seminary has fulfilled its obligations under Title IX, including whether student disciplinary processes were conducted in a manner free of discrimination, it is not the function of the Seminary's Title IX Coordinator to hear appeals from, rehear or otherwise resolve student discipline matters based on their content.

## APPENDIX A

### HEARING COMMITTEE FORMAL PROCEDURE TIMELINE

- 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 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.