Interim Title IX Sexual Harassment Policy
A Brief Overview

Final Rule
U.S. DEPARTMENT OF EDUCATION

The Interim Title IX Sexual Harassment Policy is developed in response to the U.S. Department of Education’s recent (May 2020) changes to the Title IX regulations. The Seminary is in the process of developing a permanent Non-Discrimination and Anti-Harassment Policy for the 2021-2022 academic year through a Revisions Committee.

Three Types of Misconduct
SEVERE, PERVERSIVE, AND OBJECTIVELY OFFENSIVE

The Interim Title IX Sexual Harassment shall be defined broadly, according to the “Final Rule” to include any of three types of misconduct on the basis of sex: Severe, Pervasive, and Objectively Offensive that it effectively denies a person equal access to the Seminary’s education program or activity:
- Quid Pro Quo Harassment
- Clery Act/VAWA offenses
- Sexual Assault (as defined in the Clery Act), dating violence, domestic violence, or stalking.

Formal Resolution
INVESTIGATION & LIVE HEARING

Formal complaints are investigated by the Title IX Office through External Investigators, then proceed to a “live” hearing, with a hearing panel comprised of trained Seminary personnel. Both complainant and respondent are allowed “advisors” for support through the process. Hearing Advisors are required for the “live” hearing for the purpose of cross-examination.

Alternative Resolution
MULTIPLE OPTIONS AVAILABLE

Alternative Resolution opportunities may be provided to both the Complainant & Respondent after a formal complaint form has been submitted. The alternative resolution process will only be used at the request and agreement of both the Complainant and Respondent and under the direction of the Title IX Coordinator(s). In order for the Alternative Resolution Process to be appropriate both parties must have an understanding and agree on the necessary elements of the process.

Additional Information
PROCESS & LOGISTICS

Standard of Evidence: The decision regarding a Respondent’s responsibility will be determined by a preponderance of the evidence. This means that the Hearing Panel will decide whether it is “more likely than not,” based upon all of the evidence, that the Respondent is responsible for the alleged violation(s).

Retaliation against an individual for raising an allegation of sexual harassment and other sexual misconduct, for cooperating in an investigation or hearing of such a complaint, or for opposing discriminatory practices prohibited by the interim policy.

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