

# **BST and Title IX**

Title IX refers to a section of the Education Amendments of 1972 law that prohibits sex discrimination in educational programs and activities at schools that receive federal financial assistance. Sex discrimination includes sexual harassment and sexual assault or violence, all of which are prohibited by the Berkeley School of Theology (BST).

## **BST Non-Discrimination Policy**

It is the policy of the Berkeley School of Theology not to discriminate on the basis of race, color, gender, creed, marital status, registered domestic partner status, age, sexual orientation, national origin or ancestry, physical or mental disability, medical condition, or any other consideration made unlawful by federal, state, or local laws in its educational programs, student activities, employment or admission policies, in the administration of its grant and loan programs, or in any other school-administered programs.

This policy complies with requirements of the Internal Revenue Service Procedure 321-1, Title VI of the Civil Rights Act, and Title IX of the 1972 Educational Amendments as amended. BST prohibits unlawful harassment, including sexual harassment and sexual violence and will respond to violations of Title IX by protecting the victim and conducting a prompt and thorough investigation.

As a community of scholars devoted to teaching, learning, and research, BST is committed to creating and maintaining an environment free of all forms of harassment, exploitation, and intimidation. Every member of the BST community should be aware that such behavior is prohibited by law and school policy. BST will not tolerate sexual misconduct or harassment in any form, including acquaintance or date rape or violence, sexual assault, stalking or domestic violence. BST will take appropriate action to prevent, correct, and discipline behavior that is found to violate school policy or laws proscribing such activity.

## **Title IX Coordinator**

BST has a Title IX Coordinator who is responsible for ensuring that BST complies with Title IX. The Title IX Coordinator is responsible for investigating complaints of harassment, discrimination, and other sex-based complaints from students, staff, and faculty. The Coordinator is also responsible for ensuring that BST community is properly trained on the importance of complying with Title IX.

The Title IX Coordinator has ultimate oversight responsibility for matters related to Title IX and has authority and the responsibility of ensuring that BST has policies and procedures in place that comply with the provisions of Title IX and other relevant laws and regulations.

Title IX Coordinator for BST:

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## **Sexual Misconduct and Harassment**

Sexual misconduct can include a wide range of behaviors, including sexual assault or harassment, partner violence, stalking, voyeurism, and other behaviors that have the effect of threatening another person. Not all misconduct involves sexual contact, as in the case of threatening speech or displaying photographs or other material of a sexual nature.

Many forms of sexual misconduct are also prohibited by federal law, including Title IX of the Higher Education Act of 1965, the Violence Against Women Reauthorization Act (VAWA) of 2013, and California State laws. Violation of these laws could result in criminal prosecution and civil liability in addition to disciplinary actions by BST.

If you have been sexually assaulted, you are encouraged to call 911 and report it to the Berkeley police Department. You should also report it to the Title IX Coordinator listed below.

## **How to File a Complaint**

If you have a Title IX complaint, BST encourages you to report it directly to BST's Title IX Coordinator or to an BST Administrator who will contact the Title IX Coordinator.

## **Confidentiality**

BST will make reasonable efforts to protect the privacy and confidentiality of the individuals involved in any report of alleged sexual misconduct or relationship violence to the extent possible and allowed by law. The Title IX Coordinator cannot guarantee confidentiality, however, and must evaluate any request for confidentiality in the context of the Seminary's responsibility to provide a safe and nondiscriminatory environment. In the event a victim requests confidentiality, BST's ability to respond to allegations may be limited.

## **Accommodations**

In the event an individual has been the victim of prohibited conduct, BST will take appropriate, reasonable, and feasible actions to ensure the safety of the victim. These accommodations could include class reassignments, no contact letters and directives, removal of the perpetrator from the BST

community, and changes to BST's policies, practices, procedures, and training to prevent sexual misconduct or discrimination.

## **Retaliation**

ASW prohibits retaliation against any person making a complaint of prohibited conduct, or against any person participating in the investigation of an allegation of prohibited conduct. Retaliation by any student, faculty, or staff member is grounds for disciplinary action, up to and including dismissal from BST and termination of employment.

## **Where to Get Help**

If you have been the victim of a sexual assault or rape, you are encouraged to get to a safe place and seek help immediately. BST does not maintain any on campus counseling services, but there are other options available to you:

- Contact your health care provider
- Call 911 and report it to Berkeley Police Department
- Contact BST Title IX Coordinator (510)841-1905 ext. 225
- Bay Area Women Against Rape, [www.bawar.org](http://www.bawar.org) (510) 845-7273
- Alameda County Medical Center, Highland Hospital Sexual Assault Center, (510) 437-4688
- National Domestic Violence Hotline, (800) 799-SAFE (7233)
- National Sexual Assault Hotline, (800)656-HOPE (4573)
- Stalking Resource Center, (202) 467-8700