

**Safe and Healthy Community:  
Policies and Procedures to Address  
Discrimination, Harassment, and Retaliation<sup>1</sup>**

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<sup>1</sup> This policy is adapted, with permission, from “Safer Spaces: Policies and Procedures to Address Discrimination, Harassment, and Retaliation,” a policy of Calvin College, Grand Rapids, MI.

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## I. Purpose and Scope of Policy

### I.A. Introduction

As a community of disciples who belong –  
body and soul, in life and in death –  
to our faithful Savior Jesus Christ,  
Calvin Seminary will provide a safe, healthy learning environment  
for all of our students and their families.  
Calvin Seminary will support students in their formation for ministry.  
Students will live as mature believers with integrity in accordance with biblical standards.  
We will show hospitality and compassion to one another  
while avoiding behavior that undermines community  
or that violates civil law or professional ethics.  
We will hold one another accountable as we live and learn together,  
always seeking restoration and reconciliation in matters of offense.

Discrimination, harassment, and retaliation of any form are a violation of a person’s rights, dignity, and integrity. Such acts debase the integrity of the educational process and are contrary to the mission and values of Calvin Seminary. In response to any reported misconduct, the Seminary will take appropriate steps to eliminate the misconduct, prevent its recurrence, and address its effects. The Seminary will review and investigate all reports, and provide for fair and impartial evaluation and resolution. Retaliation is prohibited against a person who makes a report of discrimination or harassment.

### I. B. Purpose of Policy

The purpose of this policy is to provide the Calvin Seminary community with a set of behavioral standards, common understanding of definitions and key concepts, descriptions of prohibited conduct, and processes for submitting, investigating and resolving complaints. The policy is intended to protect and guide those who have been affected by discrimination and harassment whether as a complainant, a respondent, or a third party.

This policy also identifies resources and support for all members of the Seminary community, identifies appropriate administrators and describes their roles, provides information about how to make a report, and provides information about how a report will be evaluated and resolved.

### I. C. Scope

The policies below are subject to resolution using the Seminary's complaint resolution process. Regardless of the status of the parties involved, the resolution process is available to students and their spouses and children, student organizations, staff, faculty, administrators, trustees, volunteers, visitors, contractors, and vendors. This policy also extends to the Seminary the right to act on incidents occurring on-campus, at Seminary-sponsored events and programs, off-campus, and online conduct when the Seminary determines that such conduct affects substantial Seminary interests.

### I. D. Inquiries

The Chief Financial and Operating Officer at Calvin Seminary serves as the Seminary's Safe and Healthy Community Administrator and will oversee the implementation of all civil rights policies and claims, including those arising under Title IX, related to discrimination and harassment. The Safe and Healthy Community Administrator is charged with directing the Seminary's efforts to end alleged discrimination, prevent its recurrence, and remedy its effects on individuals and the Seminary community. Reports of discrimination, harassment and/or retaliation should be promptly reported to the Safe and Healthy Community Administrator or one of the Seminary's Safe and Healthy Community Coordinators.

Inquiries about these policies and procedures may be made internally to:

Dr. Margaret Mwenda  
Chief Operating Officer  
Calvin Seminary  
3233 Burton SE  
Grand Rapids, MI 49546

616-957-6046  
margaretmwenda@calvinseminary.edu

The Safe and Healthy Community Administrator is supported by several Safe and Healthy Community Coordinators from staff and faculty. Coordinators, assigned by appointment or as part of their position, carry out training, education, and climate checks on campus. They provide oversight of procedures that promptly and equitably eliminate discrimination and harassment, prevent its recurrence, and address its effects on individuals and the Seminary community. Finally, the Coordinators organize and direct the review, inquiry, and resolution of reports and ensure that all appropriate interim measures are implemented.

An up-to-date list of Safe and Healthy Community Coordinators for students, staff, and faculty can be found on [the Student Life Semlink page](#).

Complaints alleging discrimination, harassment, and retaliation should be directed to the Safe and Healthy Community Administrator or one of the Coordinators. The process for submitting complaints is covered elsewhere, below, in this Policy.

## II. Seminary Policies related to Safe and Healthy Community

### II. A. Discrimination and Harassment

Several Federal, State and local laws prohibit discrimination and harassment in employment on the basis of legally protected characteristics. In addition, Title IX of the Federal Civil Rights Act, and the Federal Clery Act, prohibit discrimination, including harassment and violence, on the basis of gender and sex in federally funded educational programs and activities.

In employment, in access to educational opportunities, and in all other areas of Seminary life, Calvin Seminary prohibits unlawful discrimination and harassment on the basis of race, ethnicity, color, national origin, age, religion, disability, gender, marital status, veteran status, family status, height, weight, sexual orientation and any other characteristics protected by federal, state or local statute or ordinance.<sup>2</sup>

In addition, there are other forms of discrimination and harassment, based on characteristics that are not protected by these statutes. It is the policy of Calvin Seminary that, although the law may not expressly prohibit such behaviors, such behaviors nevertheless have no place here, they violate this policy, and will be subject to disciplinary action. Illustrative examples include discrimination or harassment based upon physical appearance or social or economic status.

### II. B. Accommodation of Disabilities

In addition to prohibiting discrimination on the basis of disability, the Seminary is committed to fulfilling its legal obligations to provide accommodation.

A disability is a physical or mental substantial impairment that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking or caring for oneself.

a. **Students with Disabilities.** Calvin Seminary is committed to providing qualified students with disabilities with reasonable accommodations and support needed to ensure equal access to the academic programs and activities of the Seminary. Requests for an accommodation should be directed to the Academic Office (currently the Associate Academic Dean).

b. **Employees with Disabilities.** Calvin Seminary is committed to providing reasonable accommodation(s) to all qualified employees with known disabilities, where their disability affects the performance of their essential job functions, except where doing so would result in undue hardship to

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<sup>2</sup> First Amendment Considerations: Because Calvin Seminary is a Christian institution, the Seminary may, under the Free Exercise Clause of the First Amendment to the Constitution of the United States and various relevant statutes, lawfully discriminate on the basis of religious and confessional criteria in its employment and educational practices. One example is the Seminary's use of religious faith, confessional commitments and church membership as conditions of employment for faculty and administrators with faculty status. Another example relates to sexual conduct. Though it is the Seminary's policy to assure equal opportunity in its hiring, personnel practices and admissions without regard to marital status or sexual orientation, sexual relations outside of marriage are proscribed. Marriage, as understood by the Christian Reformed Church in North America, is a covenantal union between a man and a woman.

the Seminary. An employee with a disability who needs an accommodation to perform the essential functions of his/her job should contact the Human Resources Office to make such a request.

### III. Prohibited Conduct

This policy recognizes that Christians seek to live their lives out of the positive law of love in obedience to God's commandments. As a community that prepares students for Christian service, we expect students to exhibit integrity, honesty, and other behavior that is in keeping with a follower of Jesus Christ. As an institution of higher learning, we sometimes engage difficult, controversial, and potentially offensive issues. We strive to address these issues in ways that are respectful, appropriate, and give the least offense to others. As the seminary of the Christian Reformed Church in North America (CRCNA), we are guided by [the values and ethical standards of the CRCNA](#). Because our love is often feeble, fragmentary, and deficient, this policy seeks to assist the community by proscribing the following conduct. This list is not exhaustive by any means, but is meant to illustrate the types of conduct which are not acceptable.

#### III. A. Discrimination and Harassment.

Discrimination is defined as unequal, adverse treatment of an individual because of his or her protected legal status, such as race, age, or gender. For instance, different treatment of two similar individuals with respect to pay, opportunity for advancement, or educational opportunity constitutes discrimination if the reason for the different treatment is the protected status of one of the individuals.

A common and insidious form of discrimination is harassment. Although commonly thought of as "sexual harassment" (see below), this policy also prohibits harassment based on race, age, disability, appearance, sexual orientation or any other characteristic protected by law or by Seminary policy.

Harassment is defined as unwelcome verbal or physical conduct that is sufficiently severe, persistent or pervasive such that it unreasonably interferes with, denies, or limits someone's employment access, benefits or opportunities, and/or the ability to participate in or benefit from the Seminary's educational program and/or activities, and is based on power differentials (*quid pro quo*), creates a hostile environment, or constitutes retaliation.

Examples of harassment based on actual or perceived membership of a protected characteristic, whether race, ethnicity, gender, age, or any other protected characteristic include, but are not limited to:

- epithets, slurs, denigrating jokes or negative stereotyping;
- threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers health or safety;
- written or graphic material that degrades or shows hostility or aversion;
- pranks or horseplay intended to embarrass or humiliate;
- imposing submission to unwelcome verbal or physical conduct;
- stalking, bullying, hazing;
- any other action that is motivated by the actual or perceived membership of the victim in a protected class.

### III. B. Sexual Misconduct

Although many acts of sexual misconduct can be addressed within a general nondiscrimination and harassment policy, federal regulations require institutions of higher education who receive federal funding to address with specificity sexual misconduct. Sexual misconduct includes, but is not limited to, the following prohibited conduct: sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, and consensual romantic and sexual relationships between people of unequal power. Definitions and examples of this conduct are found in Appendix B of this policy.

### III. C. Retaliation

Retaliation, also called retaliatory harassment, is any adverse employment or educational action taken against a person because of the person's participation in a complaint or investigation of discrimination or harassment of any kind. Retaliation against an individual for alleging harassment, for supporting a complainant or for assisting in providing information relevant to a claim of harassment is a serious violation of Calvin Seminary policy. Individuals who engage in such actions are subject to discipline up to and including suspension or dismissal from the Seminary, consistent with the Seminary's procedures. Acts of alleged retaliation should be reported immediately to the Safe and Healthy Community Administrator or one of the Safe and Healthy Community Coordinators and will be promptly investigated. Calvin Seminary is prepared to take appropriate steps to protect individuals who fear they may be subjected to retaliation.

## IV. Reporting of Offenses under This Policy

### IV. A. Reporting is Vital

Violations of this Policy, including gender and sex-based harassment and discrimination, must be reported under Federal law. Whoever receives such reports or observes such behavior is required to report all violations. The Seminary's commitment to an environment free from discrimination and harassment calls on every member of the Seminary community to be vigilant in deterring and reporting all violations.

### IV. B. Guidance and Counseling to Support the Reporter

Reporting may pose concerns about confidentiality, the effect on the reporter or on other persons. Or a reporter may wonder whether the observed offense is serious enough to report. To assist and support the reporter, the following resources are available:

- The Safe and Healthy Community Administrator or Safe and Healthy Community Coordinators
- Professor of Pastoral Care
- Off-Campus local and state assistance agencies
- Counselors recommended by the Dean of Students' Office

#### IV. C. Confidentiality

Confidentiality and privacy for the reporter are valued. In working with reporters, the Seminary will be guided by the goals of empowering the victim and allowing the victim to retain as much control over the process as the case allows, but no Seminary employee (other than clergy, under certain circumstances) can or may promise confidentiality over the course of the process. When the investigation and/or resolution process requires disclosure of certain information, the Seminary will keep the reporter informed, and protected to the extent permitted by the circumstances.

#### IV. D. Filing a Complaint

This Policy provides several choices for filing a complaint. Any member of the Seminary community or any visitor to the community who believes that the Safe and Healthy Community policy has been violated is encouraged to contact the Safe and Healthy Community Administrator or one of the Safe and Healthy Community coordinators. It is also possible for employees to notify a supervisor, or for students to notify an administrator or faculty member. Members of the Seminary community also may contact Campus Safety. These individuals will in turn notify the Safe and Healthy Community Administrator promptly, generally within twenty-four hours or less.

In addition to reporting acts of discrimination, harassment and retaliation internally to the Safe and Healthy Community Administrator, students, faculty, and staff are also encouraged to report any and all suspected and/or actual criminal activity (accurately and promptly), to the office of campus safety or local law enforcement authorities.

#### IV. E. Complaint Intake

Following receipt of notice or a complaint, the Safe and Healthy Community Administrator or designated coordinator will promptly assign a Seminary Safe and Healthy Community Coordinator to work as an advisor to the person who reported the complaint; alternatively the complainant may choose from the Safe and Healthy Community Coordinators pool or choose a non-trained advisor from within the Seminary community, if preferred, or proceed without an advisor. The Safe and Healthy Community Administrator or Coordinator will complete an initial assessment and make an initial determination whether a policy violation may have occurred and/or whether conflict resolution might be appropriate. If the complaint does not appear to allege a policy violation or if conflict resolution is desired by the complainant, and appears appropriate given the nature of the alleged behavior, then the complaint does not proceed to investigation.

A full investigation will be pursued if there is evidence of a serious violation, a pattern of misconduct, a perceived threat of further harm to the community or any of its members, or the complainant desires further action. Calvin Seminary aims to complete all investigations within a 60 business day time period, which can be extended as necessary for appropriate cause by the Safe and Healthy Community Administrator or Safe and Healthy Community coordinators with notice to the parties.

#### IV. F. Amnesty for Reporting Prohibited Misconduct

Calvin Seminary encourages reporting of all violations of this policy, even by those who may have themselves violated the policy. Calvin Seminary seeks to remove any barriers to reporting by making

the procedures for reporting transparent and straightforward. The Seminary recognizes that an individual who may be in violation of another part of the Student Conduct Code at the time of an incident may be hesitant to make a report because of potential consequences for his/her own conduct.

An individual who reports misconduct, either as a complainant or a third party witness, will not be subject to disciplinary action by the Seminary for his/her own violation of another lesser part of the Student Conduct Code at or near the time of the incident, provided that the specific incident has not come to the Seminary's attention via normal reporting channels, and/or any such violations did not and do not harm or place the health or safety of any other person at risk. (For example, if a student attending a party where alcohol is consumed is sexually assaulted, the victim or a witness who reports the assault would not be subject to discipline for use of alcohol or intoxication.) The Seminary may, however, initiate an educational discussion or pursue other educational remedies regarding the other Code violation.

#### IV. G. Bystander Intervention

Calvin Seminary expects all community members to take reasonable and prudent actions to prevent or stop an act of misconduct. Taking action may include direct non-violent intervention, calling law enforcement, and seeking assistance from a person in authority. Community members who choose to exercise this positive moral obligation in good faith and a reasonable manner will be supported by the Seminary and protected from retaliation.

#### IV. H. False Complaints

Calvin Seminary will seriously investigate all complaints. However, it also recognizes that false complaints are likely to cause significant damage to the person and reputation of an individual who is wrongfully accused. Individuals found to have knowingly made false complaints will be subject to disciplinary action. A complaint that is erroneous but made in good faith will not be subject to disciplinary action.

### V. Investigation

The Complaint will be referred to one or more Safe and Healthy Community Coordinators properly trained to do investigations. The investigation will be conducted with no pre-disposition position towards any particular finding or result. The investigation will be a fair, objective, impartial and thorough inquiry into the allegations of the Complaint, the responses and defenses raised by the respondent, and other relevant issues. Complainants and respondents, as well as other witnesses, will be respected and their suggestions and input concerning the scope and focus of the investigation will be given due regard. When appropriate or needed, the Safe and Healthy Community Administrator may utilize outside assistance in conducting an investigation.

The Safe and Healthy Community Administrator will notify the President and appropriate administrators (Academic Deans, Deans of Students, and/or Human Resources Manager) when an investigation begins and update them as needed throughout the process.

Please note: Membership of the Seminary Safe and Healthy Community Committee is communicated annually to campus members, prospective students, their parents, and prospective employees. The list of Safe and Healthy Community Coordinators members can be found on [the Student Life Semlink page](#). The Safe and Healthy Community Administrator, in consultation with the Faculty Status and Development Committee, recommends faculty Safe and Healthy Community Coordinator appointments to the President. The Safe and Healthy Community Administrator, in consultation with the Seminary Staff Council, recommends staff Safe and Healthy Community Coordinator appointments to the President.

Safe and Healthy Community Coordinators are trained in all aspects of the resolution process and can serve as investigators and as members of Seminary hearing panel. Safe and Healthy Community Coordinators, once trained, are required to attend annual refresher trainings.

## VI. Results of Investigation

The Safe and Healthy Community Administrator will review the results of the investigation to confirm that the investigation has been fair, objective, impartial, and thorough and that Seminary policies have been followed. The investigators will prepare a Report of Results of Investigation. The format and degree of detail of the Report of Results of Investigation will be appropriate to the Complaint Resolution process that is likely to be, or has been, selected by the Safe and Healthy Community Administrator. The Safe and Healthy Community Administrator may direct that the Report of Results of Investigation be expanded or otherwise changed if the Complaint Resolution Process is changed or additional investigation has been requested.

When a Hearing is selected as the Complaint Resolution Process, the Report of Results of Investigation will be the primary evidence that is submitted at the hearing and upon which the decision will be based. Accordingly, the Report of Results of Investigation in all cases involving formal hearing must be sufficiently detailed and thorough to support the hearing process and to provide fairness to all participants.

## VII. Complaint Resolution

Based on the results of investigation the Safe and Healthy Community Administrator or designated coordinator, will decide on the next step(s) which may include:

- a. No further action or investigation
- b. Additional investigation
- c. Education, counseling or other informal remedial actions
- d. Referral to Conflict Resolution – see below
- e. Resolution Without a Hearing – see below
- f. Hearing – see below

Conflict Resolution – this process may be selected by the Safe and Healthy Community Administrator when all parties are willing and when consistent with the nature of the issue; conflict resolution may not be used in cases of sexual assault or other violent behavior.

Resolution Without a Hearing – this process ordinarily will be based on a presentation of the results of the investigation to the respondent, acceptance of responsibility by the respondent and agreement between the Safe and Healthy Community Administrator and the respondent on findings, sanctions and remedies. The complainant is also informed of the outcome of a resolution without a hearing and may ask the Safe and Healthy Community Administrator to reconsider decisions made or may request a hearing.

## VIII. Hearing

a. Seminary Hearing Panel - The Safe and Healthy Community Administrator will appoint a Chair and two additional Safe and Healthy Community Coordinators, none of whom have been previously involved with the complaint, to serve on the hearing panel. The Safe and Healthy Community Administrator will consider the roles and functions of hearing panel members to ensure the panel has the necessary expertise to make sound judgments.

b. Written charges – charges will be made in writing by the Safe and Healthy Community Administrator and will include the following:

- A list of the policies allegedly violated
- The Report of Results of Investigation, which will include all relevant evidence produced in the investigation including evidence that tends to support the charges and evidence that tends to refute the charges, and will be written so as to correlate the results of investigation to each alleged policy violation

A copy of the written charges are sent to the complainant, the respondent, and the President. In the case of a faculty member, the Faculty Status and Development Committee will be notified that a formal hearing is commencing.

c. Fair Hearing Rights

All parties are entitled to a fair hearing that will include the following opportunities and rights:

- To be treated with respect by Seminary officials;
- To have an advisor from the Seminary community (faculty, staff, or student) during the process;
- To respond to all evidence, specifically including the opportunity to review and respond to the contents of the Report of Results of Investigation;
- To a decision by the Seminary Hearing Panel that is based solely on evidence that is reviewed by all parties;
- To request “Resolution without a Hearing” or “Conflict Resolution” at any stage during the hearing; the Seminary Hearing Panel may confer with the Safe and Healthy Community Administrator regarding such request, the request should not be allowed to delay or distract the hearing process.

## IX. Interim Actions and Remedies

At any stage of the process the Safe and Healthy Community Administrator, ordinarily in consultation with the Academic Deans and/or others, may issue interim remedies.

The remedy must be reasonably designed to:

- Protect the safety and well-being of participants in the process or other persons in the Seminary community;
- Support the Complaint and Investigation Process;
- Otherwise support the goals, objectives and best interests of the Seminary and its policies.

The remedies may include:

- Counseling or other support services;
- Altering housing, work assignments and schedules, academic assignments and/or responsibilities;
- Escorts, other security arrangements;
- Suspensions with pay of employees (staff or faculty);
- Suspension of students or student organizations;
- Regular – other actions appropriate to the circumstances.

Violations of interim remedies are forbidden and such violations may result in additional charges and may subject the violator to expulsion or termination of employment or other serious sanctions.

## X. Seminary Hearing Panel’s Recommendation, Findings and Sanctions

The hearing panel will conduct its deliberations in closed session and will base its Recommended Findings and Sanctions solely on the evidence. The hearing panel will prepare its written Recommended Findings and Sanctions based on the “preponderance of evidence” (“more likely than not”) standard. The Recommended Findings and Sanctions will address each of the alleged policy violations and will list recommended sanctions. The Recommended Findings and Sanctions will be provided in writing to the Safe and Healthy Community Administrator, who will determine and confirm that the hearing procedure and the Recommended Findings and Sanctions is consistent with and has followed Seminary policies. Once the Safe and Healthy Community Administrator has endorsed the Recommended Findings and Sanctions as following proper procedures, the Safe and Healthy Community Administrator will distribute the Recommended Findings and Sanctions to the following: The complainant, the respondent, the appropriate administrators (Academic Deans, Deans of Students, and/or Human Resources Manager), and the President. If the respondent is a faculty member, the Recommended Findings and Sanctions should also be provided to the Faculty Status and Development Committee.

## XI. Appeals

All requests for appeal considerations must be submitted in writing to the Safe and Healthy Community Administrator.

Any party may appeal, but appeals are limited to the following:

- A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.).
- To consider new evidence, unknown or unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.
- The imposed sanctions are substantially disproportionate to the severity of the violation

An appeals officer, appointed by the Safe and Healthy Community Administrator from the Safe and Healthy Community Coordinators, who was not involved in the complaint previously, will consider all appeal requests. Once an appeal is decided, the outcome is final and binding: further appeals are not permitted.

## XII. President's Review

The Safe and Healthy Community Administrator will provide the president with the Recommended Findings and Sanctions and confirmation of the fairness of the process. If the president wishes to change and/or remand the findings and/or sanctions, the president will do so in consultation with the Safe and Healthy Community Administrator and others such as the Academic Deans and Faculty Status and Development Committee.

## XIII. Process for Revisions

The Safe and Healthy Community Administrator has permission to change policy language in those cases where the federal government and/or the Office for Civil Rights changes its preferred language for certain kinds of behavior and when the description of the processes described here can be made clearer. The changes will be published to the Seminary community and also communicated for information to the Faculty and the Board of Trustees.

This policy shall be reviewed every three years under the direction of the Chief Financial and Operating Officer.

## APPENDIX A STATEMENT ON RACIAL HARASSMENT

While the *Safe and Healthy Community* policy generally prohibits discrimination and harassment in employment and in access to educational opportunities on the basis of legally protected characteristics (see page 2), this statement on racial harassment is intended to stipulate the Seminary's position prohibiting racial, ethnic, and cultural harassment within the Calvin Seminary community. Therefore, this statement shall be interpreted in its broadest sense, and not specifically limited to an exhaustive list of situations. However, this policy is not intended to discourage or impede serious and responsible attention to issues of race, ethnicity, or other markers of cultural differences. Rather, it is expected that this policy will guide the Seminary's efforts of becoming a safe environment for students, staff, faculty, and guests of the Seminary.

### A. DEFINITIONS

No member of the Calvin Seminary community shall engage in racial, ethnic, or cultural harassment. Harassment includes, but is not limited to:

1. Harassing remarks or actions serving no scholarly, artistic, or educational purpose that are made directly or indirectly toward individuals or groups due to their race, ethnicity, or culture.
2. Intimidating, hostile, humiliating, or demeaning remarks or actions based on race, ethnicity, or culture which, whether intentional or unintentional, interfere with or threaten an individual's or group's participation in the life of the Seminary, including academic or co-curricular activities. This may include actions or public displays of material that serve no scholarly, artistic, or educational purpose.

### B. INTERPRETIVE GUIDELINES

Examples of racial, ethnic, or cultural harassment include, but are not limited to: racial epithets, derogatory comments, jokes, or ridicule directed to a specific person or persons about their race, ethnicity, or culture; threats of or actual violence based upon race or ethnicity or culture of the victim; defacement of property based on race, ethnicity, or culture of the owner; remarks or conduct based on race, ethnicity, or culture, even if it is not directed at a specific person or persons, which unreasonably affects the ability of persons to participate in Seminary programs.

In determining whether an act constitutes racial or ethnic harassment, the totality of the circumstances that pertain to any given incident in its context must be carefully reviewed and due consideration must be given to the protection of individual rights, freedom of speech, academic freedom, and advocacy.

### C. REPORTING OF OFFENSES

1. For guidance and counseling to support the reporter, refer to section IV.B;
2. For confidentiality guidelines, refer to section IV.C);
3. For procedures for filing a complaint, refer to section IV.D;  
[Students, staff, and faculty may report incidents of racial, ethnic, and cultural harassment to any Safe and Healthy Community Coordinator. The Coordinator

will report the incident to the Safe and Healthy Community Administrator who will recommend next steps.]

4. For the Seminary's policy on false complaints, see section IV.H.

#### D. COMPLAINT RESOLUTION

See section VII for information on complaint resolution options.

## APPENDIX B      SEXUAL MISCONDUCT

Prohibited sexual misconduct includes, but is not limited to, the following prohibited conduct: sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, and consensual romantic and sexual relationship between people of unequal power.

### A.      Sexual Harassment.

Sexual harassment is defined as unwelcome gender-based verbal or physical conduct that is sufficiently severe, persistent, or pervasive such that it unreasonably interferes with, denies, or limits someone's employment access, benefits or opportunities, and/or the ability to participate in or benefit from the Seminary's educational program and/or activities, and is based on power differentials (*quid pro quo*), the creation of a hostile environment, or retaliation.

### B.      Non-Consensual Sexual Contact.

Non-consensual sexual contact is defined as any intentional sexual touching, however slight, with any object, by one person upon another that is without consent and/or by force.

Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

### C.      Non-Consensual Sexual Intercourse.

Non-consensual sexual intercourse is defined as any sexual intercourse, however slight, with any object, by one person upon another that is without consent and/or by force.

Intercourse includes vaginal or anal penetration by a penis, object, tongue or finger, or oral copulation.

### D.      Sexual Exploitation.

Sexual exploitation refers to a situation in which a person takes non-consensual or abusive sexual advantage of another, and situations in which the conduct does not fall within the definitions of sexual harassment, non-consensual sexual intercourse or non-consensual sexual contact.

### E.      Romantic and/or Sexual Consensual Relationships between People with Unequal Power.

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (e.g., faculty and student, supervisor and employee). The unequal power inherent in such relationships, even if consensual, heightens the vulnerability of the person with less power and heightens the potential for coercion and abuse. In addition, these relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable sections of this policy. Such relationships can also create a hostile learning and work environment for others.

Examples of the kinds of relationships prohibited by this policy include:

- Faculty and students. The decision to become a faculty member at the Seminary presumes an educational and mentoring relationship with any student and precludes engaging in such a romantic relationship with any student.
- Staff or volunteers who have mentoring or supervisory relationships with students. The decision to become a staff member or a volunteer in a position that is defined by mentoring or supervision precludes engaging in such a romantic relationship with any student.
- Supervisors and subordinates. Romantic relationships are not allowed between employees of Calvin Seminary when a supervisory relationship is involved. This applies to all employees and their supervisors. The power differential makes such relationships open to abuse and to charges of sexual harassment or unprofessional conduct. Such relationships can also create a hostile work environment for others. Should romantic relationships develop, the supervisor should inform his/her supervisor so that appropriate actions can be made to remove the involved supervisor from direct supervision of the employee.

Note that the Seminary's Policy on Employment of Relatives (Staff Handbook, section II.) forbids spouses and other immediate family members from supervising one another.

Where students have supervisory employment roles with other students (e.g., in Facilities & Maintenance), a mentoring role (e.g., Teaching Assistant or Tutor), or otherwise have authority that affects the work or educational environment of other students, they are discouraged from having a romantic relationship with a student under their authority. If such relationships exist, the student in the supervisory role must disclose this to his/her supervisor.

Exceptions to the above prohibitions (e.g., in the circumstances of a pre-existing relationship) will be considered by Academic Dean or the Human Resources Manager on a limited, case-by-case basis. Faculty or staff with questions about the application or effect of this policy should consult with the Academic Dean or the Human Resources Manager.