



## **Complaint Resolution Procedures: Marriage and Divorce<sup>1</sup>, Respect for People and Property, Sexual Standards, Substance Abuse**

Prior to implementing these complaint resolution procedures, please be reminded of the following, as stated in the beginning section of the [Community Standards](#):

*In the application of these community standards, the seminary urges the practice of loving verbal confrontation when any member of a Christian community feels that another member is living in violation of what the Bible teaches about Christian conduct. The seminary, therefore, encourages individuals to follow, where feasible, the steps of verbal confrontation and dialogue described in Matthew 18:15-22.*

If the above recommended action results in no resolution, or where the above recommended action is not feasible, a person who is concerned about the conduct of a member of the seminary community (a student, faculty member, staff level employee, administrator/manager, trustee, or a duly authorized student organization) should immediately speak with a complaint resolution officer or other designated administrator to submit a complaint or to see if there are any other avenues available for addressing the concern.

The complaint resolution officer for concerns by students and/or about students and/or student organizations is the Executive Director of the Office of Student Concerns or his/her designee. A complaint form may be obtained from and returned to the Office of Student Concerns.

For purposes of this complaint resolution procedure, a student is generally defined as an individual registered for one or more units in the current quarter or within the last four quarters at the time the alleged incident(s) occurred.

The complaint resolution officer for concerns about an employee (not involving a student or student group), including all faculty, staff, and administrators/managers, with some exceptions as outlined below, is the Executive Director of Human Resources or his/her designee. A complaint form may be obtained from and returned to the Office of Human Resources.

In the case of a concern regarding a faculty member's divorce, a person may choose to contact the faculty member's dean rather than initially going to the Executive Director of Human Resources or his/her designee.

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<sup>1</sup> For self-report of own's divorce, see "Other Related Matters" at the end of these procedures.

A person who is concerned about the conduct of the President, the leader of a division (i.e., the Provost, the Vice President & Chief of Leadership Formation, or the Chief Financial Officer), the Executive Director of the Office of Student Concerns, the Executive Director of Human Resources, or a trustee should initially contact the seminary's General Counsel to obtain a complaint form or to see if there are any other avenues available for addressing the concern. The complaint resolution officer for concerns in this case shall be appointed, upon the return of a complaint form to the Office of the General Counsel, by the President or Chair of the Board of Trustees, as deemed appropriate, and may be an individual from outside the seminary community who is qualified by profession and/or training to conduct a complaint resolution process.

If it appears at any time that the personal safety, including physical and/or emotional health or wellbeing, of a student, employee, or the seminary community as a whole or any part thereof may be threatened, the Provost or Chief Financial Officer will be consulted. Immediate action(s) as apparently warranted by the circumstances will be taken.

Upon receipt of a completed "Community Standards Complaint Form," the complaint resolution officer or his/her designee will determine the appropriate next steps for investigation and resolution of the complaint on a case-by-case basis. In the event the complaint involves both a student (or authorized student organization) and an employee, the Executive Director of the Office of Student Concerns or his/her designee and the Executive Director of Human Resources or his/her designee, will normally investigate the complaint jointly. The complaint resolution officer or his/her designee also may constitute a committee to assist in the investigation, seek the assistance of outside/off-campus professionals, and/or do whatever he/she deems appropriate to ensure that a complete and fair investigation is conducted.

If during the course of an investigation, additional possible violation(s) of a community standard or other seminary policy are noted, the investigation will be expanded to include such possible violation(s). Both parties will be notified of the expanded investigation.

The totality of the circumstances, including the context in which the alleged conduct occurred, will be considered. If the concern is not otherwise resolved, upon completion of an investigation the complaint resolution officer or his/her designee will provide a copy of the findings of the investigation and the recommendation(s) for action or non-action by the seminary to the individual who submitted the complaint and to the individual or representative of the authorized student organization about whose behavior the complaint was made. Each individual or organization will then have an opportunity to timely respond in writing to the complaint resolution officer or his/her designee as to whether or not he/she/it accepts the findings and recommendation(s) and why or why not. Any individual/organizational responses, along with the findings of the investigation and the recommendation(s) of the complaint resolution officer or his/her designee, will be submitted to one of the following decision-makers:

1. the appropriate dean of a specific school or his/her designee, if the complaint concerns the conduct of a student or faculty member; or

2. the Associate Provost for Enrollment Management and Vocation Formation or his/her designee, if the complaint concerns the conduct of an authorized student organization; or
3. the Provost or his/her designee, if the complaint concerns the conduct of a dean of a specific school or the Executive Director of the Office of Student Concerns; or
4. the Chief Financial Officer or his/her designee, if the complaint concerns the conduct of a staff level employee or administrator/manager, including the Executive Director of Human Resources, but not including those delineated in number “3” above or number “5” below; or
5. the Chair of the Trustee Affairs Committee or his/her designee, if the complaint concerns the conduct of the President, a leader of a division (i.e., the Provost, the Vice President & Chief of Leadership Formation, or the Chief Financial Officer), or a trustee of the seminary.

A decision will be made: 1) after reviewing the findings of the investigation and the recommendation(s) of the complaint resolution officer or his/her designee, 2) after reviewing the individual responses, if any, and 3) if deemed helpful, after consulting with the complaint resolution officer or his/her designee and/or the co-investigator, if applicable. A letter of decision will be provided to the individual who made the complaint, the individual or representative of the authorized student organization whose conduct was complained about, and to those who need to know to carry out assigned seminary responsibilities. Upon a determination that a violation of a seminary community standard has not been shown by a preponderance of the evidence/facts, no disciplinary action based on the complaint will be taken by the seminary. Upon a determination that a violation of a seminary community standard has been shown by a preponderance of the evidence/facts, appropriate disciplinary action will be imposed.

The applicable decision-maker as identified above may impose disciplinary action and/or take such further steps as necessary to facilitate imposition of disciplinary action, if deemed warranted. Corrective actions for students may include disciplinary action up to and including immediate termination of student status (expulsion). Corrective actions for authorized student organizations may include disciplinary action up to and including immediate termination of all rights and privileges as a campus organization. Corrective actions for employees (faculty, administrators/managers, and staff level employees) may include disciplinary action up to and including immediate termination from employment. Corrective action for trustees may include immediate termination of trustee status.

Appeal of a decision made by the dean of an individual’s school or his/her designee or the Associate Provost for Enrollment Management & Vocation Formation or his/her designee may be made only to the Provost or his/her designee, whose decision is final. Appeal of a decision made by the Provost or his/her designee or the Chief Financial Officer or his/her designee may be made only to the Chair of the Trustee Affairs Committee or his/her designee, whose decision is final. Appeal of a decision made by the Chair of the Trustee Affairs Committee may be made only to the Chair of the Board of Trustees or his/her designee, whose decision is final. The appeal must be made in writing and timely submitted as set forth in the letter of decision. Except as required to explain the basis of new evidence, an appeal is limited to: 1) review of the findings of the investigation and the recommendation(s) for action by the seminary prepared by

the complaint resolution officer or his/her designee; 2) any individual responses timely submitted, as stated above; 3) review of the letter of decision; and 4) review of the letter setting forth the basis of the appeal, which may include new evidence or facts, subject to the qualifications set out in “4” below. Review of the foregoing by the Provost or his/her designee, Chair of the Trustee Affairs Committee or his/her designee, or Chair of the Board of Trustees or his/her designee will only be for one or more of the following purposes:

1. to determine whether the original investigation was conducted fairly, in conformity with prescribed procedures, and with both the individual bringing the complaint and the individual against whom the complaint was brought having a reasonable opportunity to present his/her position.
2. to determine whether a decision reached that a seminary community standard was violated was supported by a preponderance of the evidence/facts.
3. to determine whether or not any disciplinary action imposed was appropriate for the found violation(s).
4. to consider new evidence sufficient to alter the decision or other relevant facts not brought out in the investigation because such evidence and/or facts were not known to the person appealing at the time the original investigation was completed nor by the time designated for the individual to respond to the findings and recommendation(s) of the complaint resolution officer or his/her designee.

### **Other Related Matters**

**Confidentiality.** The seminary values responsible speech and seeks to create and maintain a redemptive environment. Therefore, the seminary strives to protect the privacy of all involved parties. However, disclosure will be made to those who need to know in order to carry out assigned seminary responsibilities, to the individual who submitted the complaint, to the individual (or representative of an authorized student organization) about whose conduct the complaint was made, and otherwise, only in accordance with applicable state and federal laws. All records of complaints about the conduct of students or authorized student organizations will be maintained by the Office of Student Concerns, about the conduct of employees will be maintained by the Office of Human Resources, and about the conduct of trustees will be maintained by the Office of the President. All records will be maintained in conformity with state and federal privacy and disclosure requirements and seminary policies and procedures. Such records will be made available to seminary administrators/managers and trustees who have a need to know, and otherwise, only in accordance with applicable state and federal laws.

**Timeliness.** It is the intent of the seminary to resolve allegations of a violation(s) of a community standard(s) in as timely a manner as possible. A complaint form alleging a violation(s) of a community standard(s) should be immediately submitted to the appropriate complaint resolution officer. Because of the difficulty of obtaining evidence and because memory fades with the lapse of time, the seminary reserves the right not to investigate and/or implement these procedures, if a complaint is submitted more than ninety (90) calendar days after the incident or last incident that gave rise to the complaint.

**Continuation of Process.** Upon receipt of a completed “Community Standards Complaint Form,” the complaint resolution officer or his/her designee at his/her sole discretion may proceed with investigation and resolution of the complaint, even if the individual submitting the complaint is subsequently unwilling to proceed as a participant in the complaint resolution process.

**Self-Reporting a Divorce.** The seminary expects members of the seminary community who are experiencing divorce to self-report their divorce to the seminary within sixty (60) days of the court filing by either spouse. Students who experience divorce are to report their divorce to the Executive Director of the Office of Student Concerns or his/her designee who will review the circumstances of the divorce and make a recommendation to the dean of the student’s school. The dean of the student’s school will determine what, if any, action is to be taken by the seminary. Faculty who experience a divorce are to report their divorce to their dean or his/her designee who will review the circumstances of the divorce and make a recommendation to the Provost. The Provost will determine what, if any, action is to be taken by the seminary. Non-faculty employees who experience divorce are to report their divorce to the Executive Director of Human Resources or his/her designee who will review the circumstances of the divorce and make a recommendation to the Chief Financial Officer. The Chief Financial Officer will determine what, if any, action is to be taken by the seminary. In cases where the President or a trustee experiences divorce, the individual is to self-report his/her divorce to the Chair of the Trustee Affairs Committee, who will review the circumstances of the divorce, and determine what, if any, action is to be taken by the seminary. A self-report of divorce should be directed in writing to the seminary officials designated above, and does not require use of a complaint form.

**Questions.** Questions concerning the foregoing procedures as they relate to students should be directed to the Executive Director of the Office of Student Concerns at (626) 584-5678. Questions concerning the foregoing procedures as they relate to employees should be directed to the Executive Director of Human Resources at (626) 584-5238. Questions concerning the foregoing procedures as they relate to the Executive Director of the Office of Student Concerns, the Executive Director of Human Resources, the President, the leader of a division (i.e., the Provost, the Vice President & Chief of Leadership Formation, or the Chief Financial Officer), or a trustee should be directed to the seminary’s General Counsel at (626) 584-5423.

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