

# SEXUAL VIOLENCE POLICY

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**PURPOSE:**

The College of Biblical Studies – Houston (CBS) is an education community committed to living in accordance with biblical principles and standards, community laws and regulations and ensuring a safe and supportive learning environment for all students, faculty and staff. This policy establishes the procedures for responding to incidents of sexual violence including procedures to assist victim/survivors, hold perpetrators accountable, and reduce the incidence of sexual violence.

**POLICY:**

The College of Biblical Studies – Houston (CBS) is committed to maintaining a safe learning and work environment for all students, faculty and staff and is committed to the elimination of sexual violence in all forms and will take appropriate action against any individual found responsible for acts in violation of this policy. Acts of sexual violence

- bodily injury or death for a member of the other person's family or household; or
  - that an offense will be committed against the other person's property;

causes the other person or a member of the other person's family or household to be placed in fear of bodily injury or death or fear that an offense will be committed against the other person's property; and

would cause a reasonable person to fear:

  - bodily injury or death for himself or herself;
  - bodily injury or death for a member of the person's family or household; or
  - that an offense will be committed against the other person's property.
  
- ◁ **Employee:** "Employee" means any individual employed by the College of Biblical Studies –Houston (CBS), including student employees.
  
- ◁ **Student:** "Student" means all persons who:
  - Are enrolled at the college in one or more courses, either credit or non-credit;
  - Withdraw, transfer or graduate, after an alleged violation of the student conduct code;
  - Are not officially enrolled for a particular term but who have a continuing relationship with the college; or
  - Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid.
  
- ◁ **College security authority:** "College security authority" means the following category of individuals at the college:
  - Individuals who have campus security responsibilities;
  - Any individual or organization identified in the college policy as an individual or organization to which students and employees should report criminal offenses;
  - Any official of the college who has responsibility for student discipline and judicial proceedings; or
  - human resources disciplinary management.

**PROCEDURE:**

- ◁ **Reporting incidents of sexual violence**
  - Prompt reporting encouraged.
    - Complainants of sexual violence may report incidents at any time but are strongly encouraged to make reports promptly in order to best preserve evidence for a potential legal or disciplinary proceeding.
    - Complainants are strongly encouraged to report incidents of sexual violence to law enforcement where the incident occurred. Complainants are also encouraged to contact victim/survivor offices, counseling and health care providers, and college security authorities for appropriate action.
  
  - Assistance in reporting.
    - Students and employees who become aware of an alleged incident of sexual violence are urged to encourage and assist complainants, as needed, to report the incident to local law enforcement, victim/survivor offices, counseling and health care providers, and college security authorities.
    - College security authorities, when informed of an alleged incident of sexual violence, shall promptly assist the complainant, as requested, including providing guidance in filing complaints with outside agencies including law enforcement obtaining appropriate assistance from victim/survivor services or medical treatment professionals, and filing a complaint with college officials responsible for enforcing student and employee conduct code/standards.
    - When appropriate, CBS may pursue legal action against a respondent, including, but not limited to, trespass or restraining orders, in addition to disciplinary action under applicable student and employee conduct policies



- Where and how to report incidents of sexual violence to local law enforcement officials, and/or appropriate college contacts for employees, students and others. Such contacts should be identified by name, location and phone number for 24-hour availability, as applicable.
- Resources for where and how complainants may obtain on- or off-campus counseling, mental health or other support services.
- Notice of complainant rights. Complainants shall be notified of the following:
  - Their right to file criminal charges with local law enforcement officials in sexual assault cases;
  - Availability of prompt assistance from campus officials, upon request, in notifying the appropriate campus investigating authorities and law enforcement officials, and, at the direction of law enforcement authorities, assistance in obtaining,

Relationship to parallel proceedings.

- The college investigation and disciplinary procedures for allegations of sexual violence will proceed independently of any action taken in criminal or civil courts.
- The college will not delay its proceedings while a parallel legal action is on-going.
- If the college is aware of a criminal proceeding involving the alleged incident, it may contact the prosecuting authority to coordinate when feasible.
- Criminal or civil court proceedings are not a substitute for the CBS procedures.

False statements prohibited.

- The college takes allegations of sexual violence very seriously and recognizes the consequences such allegations may have on a respondent as well as the complainant.
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- Education shall emphasize the importance of preserving evidence for proof of a criminal offense, safe and positive options for bystander intervention, and information on risk reduction to recognize warning signs of abusive behavior and risk associated with the perpetration of sexual violence.

Training for individuals charged with decision making authority.

- Prior to serving as either an investigator or decision maker for complaints under this procedure, administrators must complete investigator or decision maker training.
- Investigators/decision makers and anyone else involved in the adjudication process must receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

◁ Maintenance of report/complaint procedure documentation.

Data that is collected, created, received, maintained or disseminated about incidents of sexual violence will be handled in accordance with the privacy requirements and other applicable laws.

Information on reports of incidents of sexual violence that are made to college security authorities shall be documented in accordance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, codified at 20 United States Code section 1092 (f). Such information will be used to report campus crime statistics on college and university campuses as required by that Act.

During and upon the completion of the complaint process, the complaint file shall be maintained in a secure location. Access to complaint file information shall be in accordance with the Family Educational Rights and Privacy Act (FERPA) and other applicable law and policy.

College students or employees who experience conduct in violation of this policy are likely to have concerns and questions, including how to report and respond to sex-based misconduct. Title IX complaints by or against CBS students, employees, or third parties, can be filed with the Title IX Coordinator. To discuss concerns or report violations, please contact the Title IX Coordinator:

Paul Keith

Title IX Coordinator

832-252-4619

[TitleIXCoordinator@cbsouston.edu](mailto:TitleIXCoordinator@cbsouston.edu)