RESPONDENT RIGHTS AND OPTIONS
MIDAMERICA NAZARENE UNIVERSITY SEXUAL HARRASSMENT POLICY

The following information provides a summary of your rights and options as a Respondent under the University's Sexual Harassment policy. Please contact the Title IX Coordinator if you have any questions about this information.

I. General Information

- *Investigation and Adjudication Process.* The University is required to follow the process set forth in the Policy when a formal complaint of Sexual Harassment is made.

- *Presumption of Non-Responsibility.* The fact that a complaint has been filed against you does not mean that the University has reached any conclusions about whether the alleged conduct has occurred. You are presumed not responsible for the alleged misconduct until a determination regarding responsibility is made final.

- *Preservation of Evidence.* It is extremely important that you preserve evidence showing the circumstances surrounding the allegations and complaint. This can include physical evidence (notes, calendars, receipts, clothing, etc.) as well as evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.).

- *Options.* When a complaint has been filed against you, you have several options, including, but not limited to:

  - Contacting parents or a relative
  - Seeking legal advice
  - Seeking personal counseling
  - Obtaining supportive measures
  - Filing a formal complaint (if applicable)
  - Receiving further information about the investigation and resolution process

- *Supportive Measures.* The Title IX Coordinator will contact you to discuss the availability of supportive measures, such as changes to your academic, living, transportation, or working situation. The University will make supportive measures available to you if they are reasonably available. Please contact the Title IX Coordinator if you want information about taking a leave of absence and related financial aid information.

- *Counseling.* The University recognizes that having a complaint filed against you, and the circumstances underlying that complaint, may cause elevated levels of stress and confusion. Counseling services are available to you through the MNU Student Counseling and Wellness Center. To make an appointment, please email wellness@mnu.edu or call 913-971-3297.

II. Institutional Procedures

- The Policy (available at: https://www.mnu.edu/wp-content/uploads/2024/09/MNU-Title-IX-policy-2024-2025.pdf)
- governs complaints of quid pro quo sexual harassment, hostile environment sexual harassment, sexual assault, domestic violence, dating violence, and stalking. The procedures contained in the Policy:

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- Provide a prompt, fair, and impartial investigation and resolution of the formal complaint, under the evidentiary standard of preponderance of the evidence, i.e., more likely than not that the alleged conduct occurred.

- Are carried out by University officials who receive training on the issues related to quid pro quo sexual harassment, hostile environment sexual harassment, sexual assault, domestic violence, dating violence, and stalking; the scope of the University's education programs or activities; how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability; and how to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

- Provide you and the Complainant the right to have a support person/advisor accompany you to all aspects of the investigation and adjudication process. Except as explained in the Policy, a support person/advisor may not advocate for a party like an attorney would in court.

- Ensure that both you and the Complainant are notified simultaneously in writing of the outcome of the investigation and resolution proceedings, the procedure to appeal the outcome, any change to the outcome that occurs before the outcome is final, and when such outcome becomes final.

- Prohibit retaliation by the Complainant or anyone else against you for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because you have made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Policy.

- If you desire to have a support person/advisor but cannot find someone that you are comfortable with, please contact the Title IX Coordinator for assistance in doing so.

- You are prohibited from retaliating against the Complainant or against anyone else who participates in the investigation.

III. Possible Supportive Measures and Sanctions

- *Supportive Measures*. At any time during the investigation and adjudication process, the University may implement supportive measures for the parties or witnesses for the protection of those involved and to ensure equal access to the University's educational programs and activities. These may include separating the parties, placing limitations on contact between the parties, emergency suspension, or making alternative living, class-placement, or workplace arrangements. Such measures are not considered disciplinary in nature. The University will also take reasonable and legal action to implement any court restraining or no-contact order. Both parties must honor any supportive measures; violating them is a violation of University policy separate from the allegations of the complaint.

- *Sanctions*. If there is a finding that a violation of the Policy has occurred, sanctions may include counseling or training, separation of the parties, and/or discipline of the Respondent, including written reprimand, probation, suspension, demotion, termination, or expulsion.

- *Remedies.* The University will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the University's education programs or activities.

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IV. Confidentiality

- Throughout the investigation and adjudication of the Formal Complaint, the University will maintain as confidential any supportive measures provided to you, to the extent maintaining such confidentiality does not impair the University's ability to provide such measures.

- The University is required by law to make certain statistical disclosures of crimes reported to it. If a party reports an incident that is a crime, the University will make the statistical disclosure without disclosing personally identifying information about the parties.

V. Resources Available

MidAmerica Nazarene University is committed to supporting our community members wishing to access support services, including all parties and individuals involved in sexual harassment proceedings. To further this goal, the University offers support services for all community members, irrespective of whether an individual is formally participating in a sexual harassment proceeding or not. The University also maintains a list of local resources outside of the University setting that our community members can also access.

The lists below identify and provide contact information for such resources. If you have any questions or need assistance accessing these services, please contact: Richard Pacheco, Title IX Coordinator.

- Title IX Coordinator

  Richard Pacheco
  Director of Campus Safety & Security
  MidAmerica Nazarene University
  Land Gym Building
  Phone 913-971-3293
  rmpacheco@mnu.edu

- Title IX Committee Members

  Evie Kowalewski
  Director of Human Resources
  MidAmerica Nazarene University
  Lunn Building
  Phone 913-971-3427
  ekowalewski@mnu.edu

  Jamie Myrtle
  Dean, College of Professional and Graduate Studies
  MidAmerica Nazarene University
  Metz Building
  Phone 913-971-3574
  jmyrtle@mnu.edu

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Devon Brown
Director of Residential Life
MidAmerica Nazarene University
Campus Center Building
Phone 913-971-3544
dcbrown@mnu.edu

Bridget Barney
Assistant Athletic Director
MidAmerica Nazarene University
Cook Center Building
Phone 913-971-3760
babarney@mnu.edu

- On-Campus Counseling (confidential resource)

  MNU Student Counseling and Wellness Center
  Cunningham Center
  2041 E. Pioneer Blvd.
  Olathe, KS 66062
  Phone 913-971-3297
  wellness@mnu.edu

  MNU Community Counseling Center
  14201 S. Mur-Len
  Olathe, KS 66062
  Phone 913-971-3733
  communtiycounseling@mnu.edu

  Rev. Brady Braatz
  University Chaplain
  MidAmerica Nazarene University
  Weatherby Chapel
  Phone 913-971-3452
  bbraatz@mnu.edu

- Department of Campus Safety & Security

  Land Gym Building
  2030 E. College Way
  Olathe, KS 66062
  Phone 913-971-3299 (24-hours)
  cpolice@mnu.edu

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- Student Financial Aid

  Lunn Building
  Phone 913-971-3298
  finaid@mnu.edu

- Local Police

  Olathe Police Department
  501 E. Highway 56
  Olathe, KS 66061
  Phone 913-971-7500
  (for emergency dial 911)

- Hospitals

  Overland Park Regional Medical
  10500 Quivira Road
  Overland Park KS 66215
  Phone 913-541-5338

  Olathe Medical Center
  20333 W. 151st Street
  Olathe, KS 66061
  Phone 913-791-4200

  University of Kansas Hospital
  4000 Cambridge Street
  Kansas City, KS 66160
  Phone 913-588-1227

  Truman Medical Center
  2301 Holmes Street
  Kansas City, MO 64108
  816-404-1000

  For a complete list of hospital locations with Sexual Assault Nurse Examinations (SANE), see the following:

  - Coversa (Collection of Victim Evidence Regarding Sexual Assault) 24-hr exam request line: 1-855-717-1136, http://coversa.org/ or https://www.olathehealth.org/locations/coversa/
  - Sexual Assault Nurse Examiner (SANE) program:
    - https://www.kcsdv.org/find-help/in-kansas/sane/
    - https://www.mocsa.org/sites/default/files/hospitals.pdf
    - http://mocsa.org/sites/default/files/hospitals.pdf
    - https://www.mocsa.org/sites/default/files/hospitals.pdf

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- Support Agencies/Hotlines

  - National Domestic Violence Hotline: 1-800-799-7233
  - National Sexual Assault Hotline: 1-800-656-4673
  - National Suicide Prevention Lifeline: 1-800-273-8255
  - Veteran's Suicide Prevention Lifeline: 1-800-273-8255, press 1
  - National Teen Dating Abuse Helpline: 1-866-331-9474
  - National Eating Disorder Association Hotline: 1-800-931-2237
  - CDC-INFO: Formerly known as the CDC National STD and AIDS Hotline: 1-800-232-4636
  - Treatment Referral Hotline: 1-800-662-4357
  - Kansas Coalition Against Domestic and Sexual Violence: https://www.kcsdv.org/
  - Missouri Coalition against Domestic and Sexual Violence: https://www.mocadsv.org/
  - Metropolitan Organization to Counter Sexual Assault (MOCSA): https://www.mocsa.org/
  - Safe Home: http://www.safehome-ks.org/
  - Newhouse: https://newhousekc.org/
  - National Alliance on Mental Illness (NAMI) 1-800-950-6264
  - US Dept. of Justice Office on Violence Against Women: https://www.justice.gov/ovw
  - National Coalition Against Domestic Violence: http://www.ncadv.org/
  - National Sexual Violence Resource Center: http://www.nsvrc.org/

  Please contact the Title IX Coordinator or Deputy Coordinator if you want to discuss other resources that may be available in the community

- Legal Assistance, Visa and Immigration Assistance

  - Kansas Legal Services: https://www.kansaslegalservices.org/
  - Missouri Legal Services: https://www.lsmo.org/
  - Immigration Advocates Network: https://www.immigrationadvocates.org/nonprofit/legaldirectory/
  - U.S. Citizenship and Immigration Services: https://www.uscis.gov/about-us/find-a-uscis-office/field-offices

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