

Americans With Disabilities Act, the Age Discrimination Act, as well as all other applicable laws, regulations, and seminary policies.

All students, faculty, and staff at the seminary have the right to expect an environment that allows them to enjoy the full benefits of their work or learning experience. It is, therefore, SVDP policy that no member of the seminary community may engage in conduct which unlawfully discriminates against or harasses another individual or group on the basis of race, color, national or ethnic origin, sex, age, disability, veteran's status, or any other criteria protected by applicable law. Likewise, the seminary prohibits conduct which constitutes sexual misconduct such as sexual harassment, sexual assault, and other forms of sexual violence, dating violence, domestic violence, and stalking as those terms are defined below. When any of these are also a crime as defined in the Clery Policy, they are to be reported to the Campus Safety Officer (CSO) as explained in SVDP's Clery Policy and the Annual Security and Fire Safety Report. This policy outlines the grievance procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by this policy, including complaints of sexual harassment.

This policy shall apply equally to all members of the SVDP community including students (i.e., resident seminarians, nonresident seminarians, auditors, and nonresident students including diaconate candidates), employees (faculty and staff), Board of Trustees members, and volunteers, as well as vendors, contractors, visitors, third parties, and any other affiliated persons or entities of the seminary and to all programs, activities, and functions of the seminary.

All members of the SVDP community are responsible for knowing the information and procedures outlined in this policy. SVDP reserves the right to make changes to this policy as necessary with or without advance notice.

SVDP has authority to investigate any alleged violations of this policy that could interfere with or limit a person's ability to participate in or benefit from the seminary's educational programs and activities or any other form of discrimination that violates this policy. SVDP reserves the right to take any action it deems appropriate to address a situation of misconduct under this policy and provide the necessary resources to those individuals impacted, including the broader community, when appropriate.

All members of the SVDP community have an obligation to promote an environment free from misconduct that violates this policy. Members of the SVDP community who are aware of conduct that violates this policy, whether they observe the conduct directly, had it reported directly to them, or experience it, are expected to report it to the Rector/President, the Director of Human Resources (HR), the Title IX Coordinator(s), or the Independent Investigator (unless this information was specifically received confidentially as described below).

Any student, employee (faculty and staff), Board of Trustees member, volunteer, vendor, contractor, visitor, third party, and any other affiliated person or entity of the seminary that is found to have violated this policy will be subject to appropriate disciplinary sanctions or remedies. The sanctions or remedies will depend on the circumstances and the gravity of the violation, and may range from reprimand to dismissal, or termination. SVDP will also take appropriate steps to end the misconduct, including the existence of a hostile environment, to remedy the effects of the violation for the alleged victim and the community, and to prevent recurrence of the violation.

The intent of this policy is to prohibit unlawful discrimination and sexual harassment which includes sexual assault and violence, dating violence, domestic violence and stalking, and to promote equal opportunity while preserving SVDP's Catholic mission and values.

Where discrimination or harassment based on a protected class or sexual misconduct is involved, this policy shall supersede all other policies and procedures set forth in all other SVDP policies and handbooks unless otherwise noted herein. SVDP engages in an interactive process to consider requests for accommodations related to a disability. Individuals who believe that they are being denied equal access because of a denied accommodation or because of a failure to provide an approved accommodation should utilize the grievance procedure provided

through the policy and procedures on reasonable disability accommodations for employees² and applicants/students.³ All other complaints regarding disability discrimination and/or harassment based on a protected class will be handled through this policy and process. All allegations of misconduct not involving discrimination or harassment based on a protected class or sexual misconduct will be addressed through the procedures elaborated in the respective student, faculty, or staff/employee handbooks. If the accused individual has dual status, or in cases where there are multiple accused individuals with varying statuses, the Director of HR/EEO Coordinator or the selected Title IX Coordinator will determine the appropriate resolution process under this policy. Where the accused individual is not a member of the SVDP community (such as a vendor, contractor, third party, or visitor), SVDP is not required to follow the entire process described in this policy or in the above specified handbooks. In such cases, SVDP reserves the right to take summary action.

II. NONDISCRIMINATION STATEMENT

In compliance with state and federal laws, including (but not limited to) Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, the Equal Pay Act, the Age Discrimination Act, and Titles VI and VII of the Civil Rights Act of 1964, St. Vincent de Paul Regional Seminary (SVDP) does not engage in any unlawful discrimination on the basis of race, color, national or ethnic origin, sex, pregnancy or familial status, age, disability, genetic information, or status as a veteran (or any other criteria protected by applicable law) in its access to educational programs and activities, treatment of seminary community members, admissions, or with regard to employment, and prohibits discrimination in any education program or activity that it operates. Consistent with applicable laws, SVDP maintain its Catholic character and implements programs, policies, and practices in furtherance of its religious identity and objectives as specifically allowed by state and federal law, including the First Amendment to the U.S. Constitution. Inquiries and reports of violations of the above may be directed to SVDP's Director of Human Resources/EEO Coordinator or SVDP's Title IX Coordinator(s), as relevant. The SVDP's full nondiscrimination policy, including reporting and grievance procedures, and the Director of Human Resources/EEO Coordinator and Title IX contact information can be found on the SVDP webpage: <https://www.svdp.edu/policies/nhsm>. Inquiries related to Title IX may also be directed to the Assistant Secretary for Civil Rights, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-1100, Telephone number: 800-421-3481, Fax: 202-453-6012, TDD: 800-877-8339, Email: OCR@ed.gov.

III. Policy Oversight

The Director of HR/EEO Coordinator oversees compliance with all aspects of this policy. The Director of HR/EEO Coordinator, or the selected Title IX Coordinator as relevant, is responsible for, among other things: overseeing complaints brought forward under this policy to assure that these matters are being investigated and handled appropriately and effectively; identifying and addressing patterns of misconduct and systemic problems; and identifying obstacles to reporting. The Director of HR/EEO Coordinator also serves as an available resource to anyone seeking additional information about the processes under this policy, about other resources that may be available to alleged victims of misconduct covered by this policy, or who wish to file a complaint of an alleged violation of this policy. Questions about this policy should be directed to the Director of HR/EEO Coordinator.

The Director of HR/EEO and the Title IX Coordinator(s) are appointed by the Rector.

Anyone wishing to make a report relating to discrimination or harassment based on a protected class or sexual misconduct may do so by reporting their concern to the Director of HR/EEO Coordinator or Title IX Coordinator(s), as relevant, as listed on the SVDP webpage: <https://www.svdp.edu/policies/nhsm>. One SVDP Title IX Coordinator is a lay person. If there are extenuating circumstances, the Independent Investigator, whose contact information is listed as well on the webpage above, may be contacted. The Independent Investigator will initiate the preliminary review, coordinate with the appropriate Title IX Coordinator as determined in consultation with the complainant, and may be used in the investigative phase of the process. Anything acted upon by the Independent Investigator is reported to the applicable Title IX coordinator. The Independent Investigator is a person with a criminal justice or legal background and approved by the Board of Trustees.

² *SVDP Employee Handbook* (2026), Employment Requirements and Procedures: Disabilities, pp. 1-2.

³ 2025-2026 *SVDP Seminary Catalog*, Disability Policy, p. 7

IV. PROHIBITED CONDUCT UNDER THIS POLICY

Discrimination

Discrimination means material, adverse treatment of a person or group on the basis of race, color, national or ethnic origin, sex, age, disability, veteran's status, or any other criteria protected by applicable law. Discrimination occurs when persons are excluded from participation in, or denied the benefits of, any SVDP program or activity on the basis of a protected status.

Under Title IX, discrimination on the basis of sex in education programs or activities is prohibited. This includes discrimination in any academic, extracurricular, research, or occupational training; discrimination in housing or comparable facilities; access to classes; athletics; financial assistance; and counseling as outlined in the Title IX regulations. This includes nondiscrimination with regards to sexual harassment. Sexual harassment has a particular grievance process under Title IX.

Nothing in this part, in any way, limits SVDP's right to maintain its Catholic character and to implement programs, policies, and practices in furtherance of its religious identity and objectives as specifically allowed by federal law, including the First Amendment to the U.S. Constitution.

Discriminatory Harassment

Discriminatory harassment is a form of discrimination and means conduct which creates an intimidating or hostile living, learning, or working environment at SVDP on the basis of race, color, national or ethnic origin, religion, sex, pregnancy or familial status, age, disability, genetic information, status as a veteran, or any other protected characteristic. It includes oral, written, physical, or graphic conduct that substantially interferes with an individual's work, education, or participation in SVDP programs or activities. Discriminatory harassment means unwelcome advances, requests for favors, and other oral, written, physical, or graphic conduct or communication based on race, color, national or ethnic origin, sex, age, disability, veteran's status or any other criteria protected by applicable law. Harassment may rise to the level of discriminatory harassment when:

1. submission to the conduct or communication is made a term or condition, either explicitly or implicitly, to obtain or continue employment,
2. submission to or rejection of the conduct or communication by a person is used as a factor in decisions affecting the person's employment, education, or housing, or
3. the conduct or communication is severe or pervasive enough to have a purpose or effect of:
 - a. creating what a reasonable person would perceive as an intimidating, hostile, or offensive living, learning or working environment, or
 - b. is so objectively offensive that it effectively denies a person equal access to the recipient's education program or activity.

Some examples of conduct that might constitute discriminatory harassment include any of the following acts or behaviors related to an individual's race, color, national or ethnic origin, religion, sex, pregnancy or marital status, age, disability, or status as a veteran (or any other protected characteristic):

- epithets, "jokes," offensive or derogatory comments, or other verbal or physical conduct;
- ethnic slurs, workplace graffiti, or other offensive conduct; and
- making, posting, e-mailing, or circulating demeaning or offensive pictures, cartoons or other materials in the workplace or using seminary equipment to circulate such materials.

In determining whether conduct rises to the level of creating a hostile environment, SVDP will consider the totality of the circumstances, including, but not limited to, the nature and severity of the conduct, the duration of the conduct, and whether the conduct is a part of a pattern.

Bullying

Bullying constitutes discriminatory harassment when it is motivated by an individual or group's race, color, national or ethnic origin, religion, sex, pregnancy or marital status, age, disability, status as a veteran or any other protected characteristic. Bullying is verbal, physical, social, or psychological behavior that is harmful, and involves the misuse of power by an individual or group towards one or more persons. Bullying consists of abusive conduct relative to acts, omissions, or both, that a reasonable person would find hostile, based on the severity, nature, and frequency of the conduct and without regard to the method of delivery, such as verbal, written, graphic, electronic, or physical act. Bullying that falls outside this policy (i.e., is not based on membership in a protected class) may nonetheless violate other SVDP policies.

Hazing

Hazing includes any activity expected of someone joining a group (or to maintain full status in a group) that humiliates, degrades, or risks emotional and/or physical harm, regardless of the person's willingness to participate, or that destroys or removes public or private property, or that otherwise conflicts with the academic or religious mission of SVDP. Hazing is covered by this policy when it is motivated by a person's race, color, national or ethnic origin, sex, age, disability, veteran's status, or any other protected characteristic.

Title IX Sexual Harassment

This is a broad term that comprises a wide range of behaviors, including but not limited to, sexual harassment, sexual assault, sexual violence, dating violence, domestic violence, stalking and other forms of prohibited conduct of a sexual nature. The term "sexual misconduct" is used throughout the remainder of this policy when referring collectively to these types of prohibited conduct.

It is a violation of this policy to commit or to attempt to commit these acts of sexual misconduct. Additionally, it is a violation of this policy to aid and abet another person in the commission of any sexual misconduct. The phrase "to aid and abet" is defined as any action or course of action that assists or encourages the commission of a violation under this policy.

The following are definitions of sexual misconduct under this policy:

Sexual Harassment: Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- (1) an employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
- (3) "sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Sexual Assault: means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation [20 U.S.C. 1092(f)(6)(A)(v)].

Dating Violence: means violence committed by a person— (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship. (ii) The type of relationship. (iii) The frequency of interaction between the persons involved in the relationship [34 U.S.C. 12291(a)(10)].

Domestic Violence: includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or

by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction [34 U.S.C. 12291(a)(8)].

Stalking: The term "stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to— (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress [34 U.S.C. 12291(a)(30)].

V. REPORTING OPTIONS AND CONFIDENTIALITY

- All members of the SVDP community, unless designated as confidential resources below, must promptly report to the Rector/President, Director of HR/EEO Coordinator, Title IX Coordinator(s), or the Independent Investigator, as relevant, if they have information about conduct that reasonably may constitute discrimination or harassment based on a protected class or sexual misconduct (whether they observe the conduct directly, had it reported directly to them, or experience it). The Rector/President, the Director of HR/EEO Coordinator and Independent Investigator must relay all reports of sex-based discrimination, sexual misconduct, or sexual harassment to one of the Title IX Coordinator(s). All other reports of discrimination are relayed to the Director of HR/EEO, or to the lay person identified by SVDP for receiving such complaints if the Director of HR/EEO is involved in the complaint or the complainant perceives the Director of HR/EEO may have a conflict of interest (see C. Discrimination of Protected Class Procedures below). While generally reports can be made in writing or orally, a formal written complaint of sexual harassment or misconduct is needed prior to proceeding with the Title IX Sexual Harassment Grievance Process in this policy.
- Confidential Resources are employees whose communications are privileged or confidential under federal or state law. The employee's confidential status is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies. Under these conditions, confidential employees may not be required to report instances of Title IX sexual harassment. With respect to sex discrimination, sexual harassment, or sexual misconduct, unless otherwise required by law or under governing standards (e.g., abuse of a minor), confidential resources may not be required to report the incident if the complainant requests that the matter remain confidential. A student's spiritual director (for resident seminarians), the Dean of Spiritual Formation (for nonresident seminarians, nonresident students, and employees), and the Chaplain to staff and faculty, if not the same person as the Dean of Spiritual Formation, have been designated by SVDP as confidential employees with regard to this policy. Nothing in this policy is to be construed as requiring breaking the seal of confession. (In addition to these, if an IRB-approved researcher is collecting information on sex discrimination, that person can maintain confidentiality but only with respect to the research study.) If a student or employee confers with a confidential resource, the confidential employee is encouraged to
 - explain their status as a confidential employee who will not disclose any information learned in the confidential context unless explicitly requested to by the student or employee (unless it is information they are required to disclose by law),
 - provide contact information for the Rector/President, Director of HR/EEO Coordinator, Title IX Coordinator(s), or the Independent Investigator above and guidance on how one would make a complaint, and
 - for instances of sexual harassment and sexual misconduct, explain that the Title IX Coordinator(s) may be able to offer and coordinate supportive measures, as well as initiate an informal resolution process or an investigation under the grievance procedures if a formal written complaint is submitted.

Confidentiality

SVDP keeps confidential the identity of any individual who has made a report or complaint of discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of discrimination, including sex discrimination, any respondent, and any witness, except as may be required under this policy or otherwise permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes

of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation for a sexual misconduct report may be filed according to the grievance procedures for sexual harassment required to be adopted under §106.8(c).

Good Faith Reports

SVDP encourages the good faith reporting of misconduct under this policy. However, the seminary will not tolerate intentional false reporting of incidents or knowingly providing false information with reckless disregard for the truth during an investigation or resolution process under this policy. Such conduct is a violation of this policy and subject to disciplinary action up to and including termination from employment or dismissal from school.

Sexual Misconduct Involving a Minor

Any person who knows or has reasonable cause to suspect that a child is abused, neglected, or abandoned by a parent, legal custodian, caregiver, or other person responsible for the child's welfare or another adult or is the victim of juvenile sexual abuse shall immediately report such knowledge or suspicion to the Department of Children and Families (DCF). Reports should be made to DCF by calling the Abuse Hotline at: 1-800-96-ABUSE (1-800-962-2873). The Diocese of Palm Beach's "Creating and Maintaining a Safe Environment" document provides more detail on reporting requirements and procedures.⁴

Amnesty

Amnesty will be given for various student code of conduct violations for students reporting incidents of sexual misconduct or other violations of this policy revealed in the course of reporting sexual misconduct. For example, this may include amnesty for minor alcohol or drug infractions that occurred concurrently with the sexual misconduct.

VI. RETALIATION PROHIBITED

(a) Retaliation prohibited. Neither SVDP or any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or any act referenced in this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or any act referenced in this policy, constitutes retaliation. The recipient must keep confidential the identity of any individual who has made a report or complaint of discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to the grievance procedures for discrimination described below.

(b) Specific circumstances.

- (1) The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under paragraph (a) of this section.
- (2) Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a complaint or grievance proceeding under this part does not constitute retaliation prohibited under paragraph (a) of this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

⁴ Diocese of Palm Beach, "[Creating and Maintaining a Safe Environment for Children and Vulnerable Adults in the Diocese of Palm Beach](#)," October 2020, in [English](#) and [Spanish](#).

VII. GRIEVANCE PROCESS

A. Overview of the Grievance Process

Upon receiving a report of a violation of this policy (whether directly from the complainant or from someone else), the Title IX Coordinator(s) (for reports of sexual harassment or sex-based discrimination falling under Title IX) or the Director of HR/EEO Coordinator or to the lay person designated for discrimination complaints if the Director of HR is involved in the complaint or a conflict of interest with the Director of HR is perceived (for reports of all other forms of discrimination of a protected class) promptly respond to the complainant. They provide information regarding the availability of supportive measures (defined below), consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures, and, in the case of Title IX sexual harassment, explaining to the complainant the process for filing a formal complaint. If a supportive and remedial response is preferred, the Title IX Coordinator(s) or Director of HR/EEO or the lay person designated for discrimination complaints if the Director of HR is involved in the complaint or a conflict of interest with the Director of HR is perceived works with the complainant to identify their wishes and then seeks to facilitate implementation, with the understanding that the next steps in the grievance process can be initiated at any time.

The existence of the grievance process outlined herein does not preclude the implementation of emergency procedures (described below) even if a formal complaint is not filed or before a formal complaint is filed.

SVDP's grievance process has two tracks. For Title IX sexual harassment, the complaint must be signed and submitted to a Title IX Coordinator. For all other complaints of discrimination, the complaint must be communicated to the Director of HR/EEO Coordinator or the lay person designated for discrimination complaints if the Director of HR is involved in the complaint or a conflict of interest with the Director of HR is perceived. Title IX sexual harassment complaints will be handled according to the Title IX Sexual Harassment Grievance Process outlined below. All other forms of discrimination under Title IX or other classes of discrimination will be handled by SVDP's Discrimination Based on a Protected Class Procedures below.

With respect to Title IX sexual harassment or misconduct, SVDP will provide both parties (complainants and respondents) with written notice of allegations, the presumption of non-responsibility, and information on the grievance process. A formal complaint can be withdrawn by the complainant at any time, and the complainant can return to supportive measures or cease pursuing remedies.

The processes for the resolution of Title IX or other classes of discrimination ensure that investigations are conducted in a timely, thorough, and impartial manner.

B. Title IX Sexual Harassment Grievance Process

Definitions and Important Information

Parties: Under this policy, the "complainant" is an individual who is the subject of the alleged misconduct for which a complaint or report is made. The individual who is alleged to have engaged in behavior in violation of this policy is referred to as the "respondent."

Confidentiality: In the handling of inquiries and complaints under this policy, the seminary will protect confidentiality to the extent consistent with the seminary's legal obligations to take all reasonable steps to protect the welfare of the seminary community. See also Section V above.

Advisors: Under the Grievance Process, each party has the right to choose and consult with an advisor of their choice, who may be an attorney, throughout all meetings, the investigation, and resolution process. The advisor may be any person who is not otherwise a party or witness involved in the investigation. The parties may be accompanied by their respective advisors at any interview, meeting, or proceeding related to the investigation and resolution process. If a party does not have an advisor present at a live hearing, SVDP must provide an advisor of

SVDP's choice without fee or charge to the party to conduct cross-examination. An advisor shall keep all information acquired during the process confidential.

Supportive Measures: The seminary may provide reasonable and appropriate supportive measures to address immediate concerns of a complainant or respondent to ensure equal access to its education programs and activities and to protect the alleged complainant or respondent and the campus community as necessary. After receiving a report, a complainant will be informed of the below available supportive measures. After receiving a formal complaint both the complainant and respondent are informed of these available supportive measures if not already so informed. The Title IX Coordinator(s), for complaints of sexual harassment falling under Title IX, or the Director of HR/EEO Coordinator or to the lay person designated for discrimination complaints if the Director of HR is involved in the complaint or a conflict of interested with the Director of HR is perceived, for complaints of all other forms of discrimination, will notify alleged complainants and respondent of their options for supportive measures and will be responsible for coordinating the effective implementation of supportive measures.

These supportive measures may include, but are not limited to

- mutual restrictions on contact between the parties;
- a leave of absence;
- referral to counseling and health services;
- extensions or rescheduling deadlines or other course-related adjustments;
- change in class schedule, including the ability to transfer course sections or withdraw from a course;
- change in work schedule or job assignment;
- change in campus housing as available and extracurricular activities;
- providing training or education to students, supervisors, faculty, or administrators on discrimination or sexual harassment topics;
- increased security and monitoring of certain areas of the campus.

Emergency removal. Even without the filing of a formal complaint or if some supportive measures have been provided, nothing precludes SVDP from removing a respondent from classes, activities, or the seminary campus on an emergency basis provided an individualized safety and risk analysis has been completed and SVDP determines that an immediate threat to health or safety exists. SVDP will provide the respondent an immediate opportunity to challenge the emergency response. Further, nothing precludes a recipient from placing a non-student employee respondent on administrative leave during the pendency of the grievance process. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Complaint

Title IX sexual harassment complaints will be handled according to the Title IX Sexual Harassment Grievance Process outlined below. The Title IX Sexual Harassment Grievance Process is initiated by a signed complaint to the Title IX Coordinator selected by the complainant. The selected Title IX Coordinator will notify the respondent that a complaint has been filed against him or her and inform the respondent of the nature of the complaint, providing a written copy or a summary of the complaint to the respondent. Both complainant and respondent will be informed of the availability of supportive measures (defined above) if not already so informed. The selected Title IX Coordinator will provide to both the complainant and the respondent a statement of presumed nonresponsibility until the conclusion of the grievance process, that both may have an advisor of their choice who may be an attorney, and that both have the right to inspect and review evidence related to the grievance, and that false statements or providing false information are prohibited (see V. "Good Faith Reports"). Complainants and respondents will receive a copy of the General Rights and Responsibilities stated below.

General Rights and Responsibilities of Parties:

- The right to be treated with dignity and respect.

- The right to receive information about this policy.
- The right to a prompt and equitable investigation and resolution of allegations of prohibited conduct.
- The right to be notified of available medical, counseling, and pastoral services.
- The right to be informed of options to notify law enforcement authorities and the option to be assisted by the seminary in notifying such authorities, if the individual so chooses. Filing a report with law enforcement does not prevent the seminary from proceeding under this policy.
- The right to be informed of the option to seek a protection/restraining order from a court of law.
- The right to protect confidentiality to the extent possible as allowed by the law and this policy.
- The right to reasonably available supportive measures, as described in these procedures.
- The right to freedom from retaliation for making a good faith report of prohibited conduct or participating in any proceeding under the policy.
- The responsibility to refrain from retaliation directed against any person for making a good faith report of prohibited conduct or participating in any proceeding under the policy.
- The responsibility to provide truthful information in connection with any report investigation, or resolution of prohibited conduct under the policy or these procedures.
- The opportunity to articulate concerns or issues about proceedings under the policy and these procedures.
- The right to timely notice of any meeting or proceeding at which the party's presence is contemplated by these procedures.
- The opportunity to choose an advisor, including the right to have that advisor attend any meeting or proceeding at which the party's presence is contemplated by these procedures.
- The right to written notice of an investigation, including notice of potential policy violations and the nature of the alleged prohibited conduct.
- The opportunity to challenge the assigned Investigator or any member of the Hearing or Appeals Panel for conflict of interest.
- The opportunity to offer information, present evidence, and identify witnesses during an investigation.
- The opportunity to be heard, orally and/or in writing, as to the determination of a policy violation and the imposition of any sanction(s).
- The right to information on the progress of the investigation and anticipated time to resolution.
- The right to review investigative documents, specifically witness interview summaries, papers submitted by either party or a witness, and the investigative report.
- The right to equal access to any information that will be used during Informal and/or Formal Resolution proceedings and related meetings.
- The right to appeal a finding and/or sanction.
- The right to written notice of the outcome of any investigation, informal, or formal resolution processes, and/or request for appeal.

The selected Title IX Coordinator shall explain to both parties the avenues for informal and formal action and provide each of them with a copy of this policy.

Timeline for Grievance Process: The seminary aims to bring all allegations to a prompt resolution of the original complaint.

Standard of Review: Decisions regarding whether or not a respondent violated this policy will be based upon careful consideration of all available information presented and evaluated using a "preponderance of the evidence standard" (i.e., if it is "more likely than not" that the policy was violated).

Conflict of Interest: A complainant and/or respondent may challenge the participation of an investigator or panelist selected for the informal resolution, investigation, the Hearing Panel, and/or the person designated to review an appeal because of perceived conflict of interest, bias, or prejudice. Such challenges, including rationale, must be made in writing to the selected Title IX Coordinator within 48 hours after receiving notification as to the identity of the investigator, panelist member, and/or the person designated to review an appeal. The Rector or his delegate will have the sole discretion to determine whether such a conflict of interest exists and whether an

investigator, panelist member, and/or the person designated to review an appeal should be replaced. If an involved seminary employee determines that he or she cannot apply these procedures fairly and impartially because of the identity of a complainant, respondent, or witness, or due to any other conflict of interest, another suitable person will be assigned.

Investigation

Preliminary Review

Upon receiving a formal complaint of Title IX sexual harassment, after sending immediate notice to the respondent as described above, the selected Title IX Coordinator will begin a preliminary review. Upon completing the preliminary review, the Title IX Coordinator will determine whether or not there is reasonable cause to initiate a formal investigation. The Title IX Coordinator will also determine if the conduct alleged in the formal complaint would constitute sexual harassment as defined in the Title IX regulations even if proved, if it occurred in an SVDP education program or activity, and if it occurred against a person in the United States. If the alleged conduct does not meet the requirements of Title IX sexual harassment it will be dismissed as a Title IX sexual harassment complaint, though the allegation may be referred to SVDP's Discrimination of a Protected Class Procedures or to the formation or academic grievance processes. The complaint will also be dismissed if the complainant formally withdraws the complaint in writing, the respondent is no longer employed or enrolled by SVDP, or circumstances prevent SVDP from gathering sufficient evidence to make a determination related to the complaint. SVDP consults with its legal team on these cases.

Complaints Involving Multiple Parties

When there are multiple complainants making complaints against a single respondent, or a single complainant making complaints against multiple respondents, each complaint will usually be addressed separately under these procedures. If the complaints arise from the same set of facts, the investigator and Title IX Coordinator may merge the complaints into a single complaint for investigation and resolution purposes. Similarly, reciprocal allegations by a respondent against a complainant or additional allegations raised by a complainant after the initial complaint may be combined for investigation and resolution purposes.

Appeal Process for Dismissals of Title IX Sexual Harassment Complaint

If a complaint is dismissed per the process described in the preliminary review above, the complainant can appeal the dismissal to the Rector/President. The Rector/President makes the final decision on the dismissal.

Informal and Formal Resolution Processes

1. INFORMAL RESOLUTION PROCESS

Complaints involving both employees (staff or faculty) and students cannot use the informal resolution process. These cases must follow the formal resolution process below.

The seminary offers informal resolution when the parties desire to resolve the situation cooperatively. With the mutual written agreement of the complainant and the respondent, an outside trained mediator/facilitator with no conflict of interest or potential bias in the case (not an SVDP employee, and not the identified Independent Investigator who plays a specific role in regard to this policy) is assigned to facilitate the informal resolution process by the selected Title IX Coordinator. The contractor will have expertise in Title IX sexual harassment cases following Title IX regulations. The mediator/facilitator remains neutral throughout the resolution process.

Informal resolution may include inquiries into the facts but does not rise to the level of a formal investigation. The informal resolution process is designed to resolve complaints quickly, efficiently, and to the mutual satisfaction of all parties involved. Where circumstances allow, the informal process will be initiated as soon as possible after the filing of the complaint or receipt of a report of an alleged violation, absent any unusual circumstances. However, at any time prior to reaching a determination regarding responsibility in the formal resolution process, SVDP may

facilitate an informal resolution process if mutually requested by both complainant and respondent. An informal resolution will be completed in a timely manner.

Both the complainant and the respondent must give voluntary, written consent to the informal resolution process. Any resolution through this informal resolution procedure must be mutually agreed upon by the parties involved. Both the complainant and the respondent have the right to end the informal resolution process at any time, prior to agreeing to a resolution, and initiate a formal resolution investigation and hearing.

Informal resolution includes, but is not limited to, options such as referral to another campus office or program, mediation, separation of the parties, referral of the parties to counseling programs, conducting educational and/or training programs, or other measures. The facilitator consults with SVDP's Director of HR/EEO, for employees, or the Rector/President, for students or employees, in determining remedies or sanctions. The Director of HR/EEO or the Rector/President must agree with and approve the final remedies or sanctions.

The mediator/facilitator prepares a written memorandum of the informal resolution. The mediator/facilitator presents the final memorandum to both parties for their review and signature. The mediator/facilitator delivers the executed memorandum to the Title IX Coordinator. The Title IX Coordinator provides both parties with simultaneous written notice that the complaint has been resolved. The memorandum is kept by the Title IX Coordinator for seven years. Any failure to comply with the terms of an informal resolution agreement may result in disciplinary action/sanctions and/or, if warranted, a further allegation of misconduct.

2. FORMAL RESOLUTION PROCESS

If the allegation of a violation of this policy has not been resolved through the informal process or is not suited for informal efforts, or if either the complainant or the respondent requests to invoke the formal resolution process, a formal investigation will be initiated. The formal resolution process will involve an investigation and a hearing panel determination. The investigation and decision by the hearing panel will be rendered in a timely manner.

Formal Investigation

The investigation will be conducted by an outside investigator with no conflict of interest or potential bias in the case (not an SVDP employee and not the identified Independent Investigator who plays a specific role in regard to this policy) assigned by the selected Title IX Coordinator. The investigator will have expertise in Title IX sexual harassment cases following Title IX regulations.

During an investigation, the complainant and respondent will have equal opportunity to present their allegations and responses as well as present supporting witnesses and other evidence. The investigator will review evidence presented and will meet with additional witnesses identified by the complainant, the respondent, or third parties, as determined appropriate by the investigator. All parties and witnesses involved in the investigation are expected to cooperate and provide complete and truthful information throughout the investigation process. In some cases, the investigator may interview the parties on more than one occasion. The investigator may visit relevant sites or locations and record observations through written, photographic, or other means.

Both the complainant and respondent are allowed to have their advisor present during any interviews or meetings. Both the complainant and respondent are allowed to review any and all evidence collected in the course of the investigation.

Investigation Report

Upon completion of the investigation, the investigator provides both the complainant

and the respondent, and their advisors, if any, with electronic access or hardcopy of all of the evidence and a written report at least 10 days before the hearing panel and submits a copy to the relevant Title IX Coordinator. The report details the allegations made by the complainant; summarizes the statements of the complainant, respondent, and witnesses; describes the findings and conclusions of the investigation; and may include a recommendation from the investigator as to whether or not there is sufficient evidence, by a preponderance of the evidence standard, to support a finding that the respondent violated this policy. The complainant and respondent has 10 days from the receipt of the report to reply to any aspect of the report and submit a written response, which the investigator considers prior to completion of the investigative report.

Hearing Panel

Following an investigation and report, the case proceeds to a Hearing Panel. The Hearing Panel will be conducted by an outside contractor with no conflict of interest or potential bias in the case (not an SVDP employee and not the identified Independent Investigator who plays a specific role in regard to this policy) selected by the relevant Title IX Coordinator. The contractor will have expertise in Title IX sexual harassment cases and hearing panels following Title IX regulations.

The Hearing Panel contractor appoints the decision-maker(s), who will also be free of potential bias or conflict of interest, for the panel. The contractor may be the same as that used for the investigation, but the decision-maker(s) for a Hearing Panel will not be the same person as the investigator. The decision-maker(s) chairs the Hearing Panel (which may only be one person, the decision-maker), and after the Hear Panel process, the decision-maker(s) is the person(s) who makes the determination of responsibility and presents the resulting sanctions. The decision-maker(s) consults with SVDP's Director of HR, for employees, or the Rector/President, for students or employees, in determining sanctions to be imposed. The Director of HR or the Rector/President must agree with and approve the final sanctions.

At the live hearing, the decision-maker(s) must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally. If a party does not have an advisor present at the live hearing, SVDP must provide without fee or charge to that party, an advisor of SVDP's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

Notice: Both the complainant and the respondent are notified at least 10 days in advance of the date and time of any hearings and the names of the hearing panelists.

Accommodations: Accommodations may be made for complainants and respondents who do not wish to be in the hearing room at the same time. If requested, the hearing can be conducted in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions.

Witnesses: The decision-maker of the Hearing Panel will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence as needed for the decision-making process.

Recordings: An audio or audiovisual recording, or transcript, is to be made of any live hearing and will be available to the parties for inspection and review.

Determination Regarding Responsibility

The decision-maker(s) issues a written determination regarding responsibility using the standard of the preponderance of evidence as described above. The written decision includes all elements indicated in the Title IX regulations, including a determination of responsibility and sanctions. The decision-maker(s) consults with SVDP's Director of HR, for employees, or the Rector/President, for students or employees, in determining sanctions to be imposed. No sanctions will be imposed to which the Director of HR or Rector have not agreed. If there is disagreement, alternative sanctions on which there is agreement will be imposed. The decision is provided to both parties simultaneously and includes procedures and permissible bases for the complainant and respondent to appeal. The Title IX Coordinator who directed the grievance process is responsible for overseeing the effective implementation of any remedies.

Remedies or Sanctions: If there is a determination of responsibility, sanctions may be imposed.

- Possible sanctions for students include any of the items listed in supportive measures above as well as restitution, disciplinary probation, specialized treatment off-campus, no-contact orders, trespass from campus, housing restrictions, restrictions on participation in graduation and/or other seminary programs or activities, and/or other educational sanctions deemed appropriate under the circumstances, suspension, or permanent dismissal.
- Possible sanctions for seminary employees include any of the supportive measures above, warning, restitution, required counseling, educational measures, paid or unpaid suspension, termination from employment.

Appeals

Complainants and respondents may file a written appeal with the Rector within thirty (30) calendar days from the date of the decision from formal resolution of any complaint under the Title IX Sexual Harassment Grievance Process. To file an appeal, the complainants or respondents must submit a letter (can be submitted electronically) to the Rector requesting the appeal. The non-appealing party will have an opportunity to provide a written response to the request for appeal in written form (including electronically). This response must be submitted within seven (7) calendar days of receipt of request for appeal.

The only grounds for appeal are as follows:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator(s), investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter;
4. Other bases as determined by SVDP if the appeal option is offered equally to all parties.

If an appeal is filed within the 30 days, the Rector will form a committee of three seminary employees to consider the results of the investigation and the determination. Any information to be considered in the appeal will be shared in writing with the parties to the complaint. Generally, an appeal will be decided within twenty (20) calendar days from when the appeal was received. The committee will vote to decide on the appeal. The determination of the committee will be final. Written notification will be provided to the complainant and respondent.

C. Discrimination of a Protected Class Procedures

All students, faculty, and staff at the seminary are responsible for creating an atmosphere free of discrimination and harassment. If any individual experiences or witnesses any harassment based on a protected class or believes they have been treated in an unlawful, discriminatory manner, they should promptly report the incident to the Director of HR/EEO/Title IX Coordinator; for cases of sex discrimination, if preferred, to the alternative Title IX coordinator; or to the lay person designated for discrimination complaints if the Director of HR is involved in the complaint or a conflict of interest with the Director of HR is perceived.

1. **Complaint.** The seminary takes complaints of discrimination and harassment very seriously. Thus, there is no need to follow any formal chain of command when filing a complaint of harassment or discrimination under this provision. A person making a complaint may bypass anyone in the direct chain of command and file a complaint or discuss any issue of concern with the Director of HR/EEO at any time. If the complainant believes that a member of Human Resources is involved in the alleged discrimination or harassment, or that the Director of HR/EEO may have a conflict of interest in the complaint, a complaint can be made directly to the lay faculty member or administrator identified by the seminary for this purpose.
2. **Investigation.** It is the policy of the seminary to investigate all such complaints thoroughly and promptly. To the fullest extent practicable, the seminary will keep complaints and the terms of their resolution confidential. Except as provided in the Title IX provisions, all individuals have a duty to report any conduct which they believe violates this policy. In addition, all students, faculty, and staff have a duty to cooperate with any investigation directed by the seminary.
3. **Corrective Action.** If an investigation confirms that harassment or discrimination has occurred, corrective action may be taken against the offending individual, including such discipline up to and including dismissal, as is appropriate. Consequences or corrective actions will be similar to those outlined for other deviations from the seminary's norms and codes of conduct as outlined in the *Seminarian Handbook*, *Nonresident Student Handbook*, *Faculty and Administration Handbook*, or the *Employee Handbook*, as applicable.
4. **Retaliation.** The seminary will not tolerate any form of retaliation against any student, faculty, or staff for reporting a violation under this provision, filing a complaint under this provision, or assisting in a complaint investigation.
5. **While respecting necessary confidentiality**, the individual filing the complaint will generally be informed that the issue has been investigated, and if applicable, appropriate action has been taken.
6. **Reporting.** Except as otherwise provided in this policy as it pertains to Title IX sexual misconduct, individuals who become aware of discrimination, harassment, and/or retaliation in accordance with these procedures must report. Failure to report may be subject to disciplinary action.
7. **Reconsideration of Discrimination of a Protected Class Procedures Decisions.** If a party to the decision is unsatisfied with the response rendered, the person may file a written request for reconsideration to the Rector. The decision of the Rector is final.

VIII. AVAILABLE RESOURCES

The following resources are available to the seminary community:

Local Law Enforcement

Palm Beach Sheriff's Office
(561) 688-3000
3228 Gun Club Road
West Palm Beach, FL 33406
<http://www.pbso.org/>

Medical Care (cost born by individual)

Bethesda Hospital West
(561) 336-7000
9655 W Boynton Beach Blvd.
Boynton Beach, FL 33472

IX. EDUCATION, AWARENESS, AND PREVENTION

Educational opportunities are essential to maintaining a campus environment that is free of the forms of prohibited misconduct addressed by this policy. SVDP's education, awareness and prevention programs aim to: (i) ensure that all employees and students are aware of and understand their rights and responsibilities under this policy, (ii) notify members of the community of the types of conduct forbidden by this policy; (iii) inform administrators, faculty, and staff about their obligations when they receive a report and/or observe conduct that may be in violation of this policy.

X. RECORDKEEPING

The individual coordinating the grievance process, either the Director of HR/EEO Coordinator, selected Title IX Coordinator, or the lay person designated for discrimination complaints if the Director of HR is involved in the complaint or a conflict of interested with the Director of HR is perceived is responsible for maintaining records relating to reports, investigations, and resolutions of all alleged violations of this policy during the grievance process. Once complete, the Director of HR/EEO is responsible for long-term maintenance of records. Requests for information about this policy should be directed to the Director. of HR/EEO Coordinator.

How policy and procedures are communicated

The Nondiscrimination, Harassment, and Sexual Misconduct Policy is published in the Seminary Policy Compendium and available to all SVDP constituents and available to the public with approval of the Director of OIRE or the Rector. This policy and associated procedures are abstracted from and summarized in the *Seminary Catalog*, *Faculty and Administration Handbook*, *Seminarian Handbook*, *Nonresident Student Handbook*, *Employee Handbook*, and the *Annual Security and Fire Safety Report*. The contact information for the Director of HR/EEO Coordinator, the Title IX Coordinator(s), the lay person designated for discrimination complaints if the Director of HR is involved in the complaint or a conflict of interested with the Director of HR is perceived, and Independent Investigator is posted on the SVDP website, and links to this contact information are included in all the above handbooks.

Method for monitoring compliance with policy and reporting results

The Director of HR/EEO Coordinator monitors compliance with this policy. The Director of HR/EEO Coordinator tracks reported complaints, their outcomes, and timeframes in assessing adherence to the policy. The records related to this policy are reviewed annually in preparation for the *Annual Security and Fire Safety Report*. Data to be considered in review of the policy includes a summary of the reporting since the last review and any feedback given by supervisors, deans, the Vice Rector, Rector, Board of Trustees, or others in regard to the policy.

Schedule for reviewing policy and its procedures

The Director of HR/EEO Coordinator presents an annual summary report of summary statistics of cases related to this policy and the effectiveness of the policy to Administrative Council. If a need to revise this

policy arises from monitoring the policy, it is to be reviewed and revised at that time. Otherwise, this policy is reviewed triennially.

ATTACHMENTS: NA

ASSOCIATED FORMS: NA

COMMUNICATION MANUALS AFFECTED:

- *Seminary Catalog*
- *Faculty and Administration Handbook*
- *Seminarian Handbook*
- *Nonresident Student Handbook*
- *Employee Handbook*
- *Annual Security and Fire Safety Report*
- SVDP website

REFERENCES (including text of accreditation principles cited above):

ATS 1: Mission and Integrity: Theological schools are communities of faith and learning guided by theological missions that are achieved with institutional integrity. Schools have missions appropriate to graduate theological education and to their own contexts. Missions are clearly and publicly stated, widely accepted, broadly used, regularly reviewed, and changed as needed. In achieving their missions, schools conduct their activities with institutional integrity, especially in areas related to human interactions, diversity, legal obligations, and Commission responsibilities.

ATS 1.5: Mission and Integrity. Integrity. The school acts with integrity by valuing, defining, and demonstrating diversity within the context of its mission, history, constituency, and theological commitments. The school has a publicly available stance on diversity that describes its understanding of and commitment to this membership-wide shared value, and the school uses that stance to enhance its diversity.

ATS 10: Institutional Resources: Theological schools are communities of faith and learning reliant upon sufficient and stable resources to achieve their missions. These resources include human, financial, physical, technological, and shared resources that require faithful and effective stewardship. Schools acquire and use these resources in trust for the fulfillment of their missions in ways that are realistic, holistic, and sustainable. Schools give particular attention to their greatest resource, people, by building communities where all persons are valued, respected, and enabled to use their gifts in ways that serve well the mission.

ATS 10.2: Institutional Resources. Human Resources. The school publishes and consistently applies personnel policies and procedures that ensure a safe, fair, and productive environment, including those regarding procedural fairness, sexual harassment and abuse, other forms of misconduct, nondiscrimination, grievances, hiring, dismissal, and evaluation. Each employee has a written job description that is clear, current, and forms the basis for regular evaluations.

Diocese of Palm Beach, "[Creating and Maintaining a Safe Environment for Children and Vulnerable Adults in the Diocese of Palm Beach](#)," October 2020, in [English](#) and [Spanish](#).

Diocese of Palm Beach, "Code of Pastoral Conduct for Church Personnel," January 2018, in [English](#) and [Spanish](#).

Title IX: § 106.8(b) Dissemination of policy. (1) Notification of policy. Each recipient must notify persons entitled to a notification under paragraph (a) of this section that the recipient does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by title IX and this part not to discriminate in such a manner. Such notification must state that the requirement not to discriminate in the education program or activity extends to admission (unless subpart C of this part does not apply) and employment, and that inquiries about the application of title IX and this part to such recipient may be referred to the recipient's Title IX Coordinator, to the Assistant Secretary, or both.

Catechism of the Catholic Church: #1934. Created in the image of the one God and equally endowed with rational souls, all men have the same nature and the same origin. Redeemed by the sacrifice of Christ, all are called to participate in the same divine beatitude: all therefore enjoy an equal dignity. #1935. The equality of men rests essentially on their dignity as persons and the rights that flow from it: "Every form of social or cultural

discrimination in fundamental personal rights on the grounds of sex, race, color, social conditions, language, or religion must be curbed and eradicated as incompatible with God's design" (*Gaudium et Spes*, 29 § 2).

APPROVAL HISTORY:

List of all signators and dates approved for initial implementation and any subsequent revisions.

SIGNATORS:	DATE:	MINUTES WHERE RECORDED (IF APPLICABLE):	STATUS: IMPLEMENTATION OR REVISION
Board of Trustees	2/20/2026	Minutes	Revision
Legal Review	2/19/2026	Email/Verbal approval	Revision
Rector, w/Admin Council	2/6/2026	Email	Revision
Board of Trustees	7/29/2019	Email	Revision
Rector, w/Admin Council	7/01/2019	Email	Revision
Legal Review	6/26/2019	Email	Revision
Board of Trustees	9/17/2010	Minutes/F&A Handbook	Revision