



DIVINE MERCY
UNIVERSITY

DMU Student Handbook

2024-2026

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Message From Our President

On behalf of the administration and faculty, it is my sincere pleasure to welcome you to Divine Mercy University!

As you embark on this chapter of your life and career, remember that you are among a select group of scholars who show tremendous promise, and we believe you have the potential to become an outstanding human service and mental health professional.

It is my sincere hope that ultimately we will instill in you the unshakable conviction that there is no greater calling than to serve in response to God's love for us and for our neighbor.

As a new member of the DMU family, I believe that you will quickly realize that we are a dedicated and supportive group of caring people from around the world, eager to share our own unique talents, perspectives, and backgrounds.

We are excited and honored to have you here!

God Bless,

Fr. Charles Sikorsky, L.C., J.D., J.C.L.

Introduction to the Student Handbook

The DMU Student Handbook consolidates the policies, procedures, and services applicable to all students. It should be used in conjunction with the Academic Catalog and the specific academic program handbooks. Each DMU student is responsible for the contents of this Handbook including abiding by the policies, procedures, and regulations contained herein. The policies, procedures, regulations, and services included in this document are in effect when this document is published and are subject to change. Please refer to the DMU website, www.divinemercury.edu, for the most up-to-date information about policies, procedures, regulations, and services.

Policy changes are communicated to students through email, the DMU website, and incorporated into this handbook.

DMU Vision

Divine Mercy University's vision is to be an international center for scholarship and professional education dedicated to the study of the mind and soul grounded in an integral Catholic Christian view of the human person. Maintaining the highest academic standards, the institution will educate new generations of professionals in psychology-related fields and open new areas of scholarship for theories that explore the relationship of the human psyche and Catholic Christian theological, philosophical and anthropological principles.

DMU Mission

Divine Mercy University is an institution of higher education offering graduate degrees, continuing education and certificate programs globally. It is affiliated with the Legionaries of Christ. The University is dedicated to the renewal of the Catholic Christian intellectual tradition and the integration of the theoretical and empirical bases of psychology, professional counseling and related fields, with a Catholic Christian view of the human person through teaching and learning both knowledge and critical skills.

The University provides students an appropriate academic and educational environment that supports the integration of science, scholarship and a Catholic Christian understanding of the person through a rigorous, critical and objective search for truth. It assists students intellectually, humanly and professionally as they prepare themselves to respond to their vocation as mental health professionals or as men and women in helping professions. The University's mission also involves dialogue about its integrative approach with practitioners, scholars and cultural leaders, nationally and internationally.

Statement of Identity

Divine Mercy University is a Catholic institution formed to train leaders in the field of psychology and counseling. According to its mission statement, "the University is dedicated to the renewal of the Catholic Christian intellectual tradition and the integration of the theoretical and empirical bases of psychology and a Catholic view of the human person."

The life of the University is rooted in and fully informed by the teaching of the Catholic Church. This vision involves every aspect of life at the University, including the training model, education

in the classroom and the clinic, intellectual and scholarly pursuits, and our common life as an academic community. The identity of the University finds its primary source in the word of God, which is expressed in the whole Tradition of the Catholic Church (Scripture and Magisterium) (Dei Verbum [The Word of God, Dogmatic Constitution on Divine Revelation of the Second Vatican Council], DV, sec. 7-10).

The heart of the identity of the University is belief in the Trinitarian God who has revealed himself through Jesus Christ. Believing all things are created by God and bear resemblance to him, we view reality and each person as a gift. We recognize the primacy of God's gift, which humanity is invited to receive and to give in turn. Therefore, we seek to promote and participate in an authentic "culture of life" (Evangelium Vitae [The Gospel of Life], Encyclical of Pope John Paul II, 1995, sec. 28) at the University and in the broader culture.

We affirm that the human being has been created "in the image of God" (Genesis 1:27), and so every person has transcendent dignity. Created by God, who is Truth himself (John 14:6), the human person is called "to live the truth in love" (Ephesians 4:15). In Jesus Christ, the human person fully discovers himself as made in love and for love. Each person, in turn, can only find himself "through a sincere gift of self" (Gaudium et Spes [Joy and Hope, Pastoral Constitution on the Church in the Modern World of the Second Vatican Council], 1965, sec. 24).

All are called to live a relationship of love with God. God calls each person through a unique vocation to holiness; the gift of self is the archetypal form of the person's response to this call. Some people are called to special states in life (marriage, ordained, or consecrated celibacy). Everyone is called to glorify God and serve others through their work. We view the pursuit of graduate studies at the University and the work of professional psychology in vocational terms, as a response to God's call.

The human person is further recognized as a free and responsible being (Catechism of the Catholic Church, 2nd ed., sec. 1738). God gave persons the possibility to accept or reject His love. In turn, we at the University honor the freedom of all people: students, faculty, staff, clients, and others. We recognize that the human person is fallen and is wounded by sin, but is offered redemption in Jesus Christ through the Church and the grace of the Holy Spirit. In the light of faith, we live and affirm a vision of hope.

Those who come to work or study at the University either personally hold the Catholic Church's vision of God and the human person, or remain respectful of this vision. A concern for physical, psychological, social, and spiritual development and well-being motivates the University to clearly identify the qualities of character and conduct that the University community strives to attain. The Catholic identity of the University has particular implications for the model of training at the University and the form of our common life.

Student Services

Introduction

The mission of student services is to contribute to the achievement of the teaching and learning outcomes and support of student success in meeting the goals of the educational programs consistent with the Divine Mercy University's mission and identity and appropriate for the

University's graduate commuter and distance education students. To accomplish this mission, the University provides a variety of support services to students in all programs. Student services are distributed across various offices throughout the University and include: student life, health and wellness, technology services as well as various student support offices.

Student Life

Advising Across the Student Life Cycle

Students are accompanied throughout the student life cycle: an admissions representative will individually accompany students through the admissions process. Financial aid advisors help students navigate the often complex world of federal financial aid. A student success advisor will aid students in their University orientation.

During the first course in their respective programs, students are assigned a faculty advisor. Faculty Advisors serve as a point-of-contact for students that will mentor, coach, and provide ongoing support for professional growth and development.

Faculty advisors:

- assist students with the program by providing support and at the same time challenging students to stretch and learn, and provide oversight of students' ability to work with peers and cohorts both within and external to the program.
- serve as mentors. They will encourage and assist in the development of students' professional identity and while promoting student-centric professional career goals and professional development.
- track students' progress through the program and provide guidance to students as they navigate graduate school and professional roles.
- communicate with advisees regarding opportunities for participation in professional organization conferences and counselor-related research projects.
- facilitate remediation procedures to address areas of concern on an individual level in order to promote the student's broader success.

Faculty Availability and Accessibility

DMU is deeply concerned about each student's individual progress within its programs. Timely instructor input, feedback, and guidance benefits the student's decision making and facilitates academic progress. To ensure adequate availability and accessibility of instructors, DMU requires faculty members offering an onsite course to hold a minimum of two office hours per week for each course taught, and faculty of an online course to respond to student requests within 24 hours, during the workweek. To ensure equitable and effective use of both the student and instructor's time, students are required to make an appointment when they would like to utilize an instructor's office hours or availability. Instructors will inform the students during the first class meeting of their office hours or times of availability, changes to these hours, and the process he or she wishes to maintain in scheduling appointments.

Virtual Access to DMU Events

Throughout the academic year, the University will hold various events on campus. These range from the University's Newman Lecture Series to the DMU President's Town Hall Meeting with students, to the annual commencement exercises. These events are regularly live-streamed and recorded. Therefore, students are able to watch them live, or, they may watch the recording of the event afterward if they are unable to join at the event's scheduled time. These events are great opportunities for students to connect to the University in real-time.

Newman Lectures

The Blessed John Henry Cardinal Newman Lecture Series is an annual program hosted by Divine Mercy University. The Newman Lectures feature speakers who are widely recognized for their contributions to the fields of psychology, moral and political philosophy, theology, and law. The University promotes this interdisciplinary dialogue to advance the integration of the areas of modern, social, psychological, clinical mental health, and Catholic thought. Lectures are free to the public and students are encouraged to participate. Lectures are recorded and available on the University website.

Writing Services

Students in our academic programs have access to several writing services.

- Tutor.com provides writing and statistical tutoring. It is available through the Canvas navigation menu in each enrolled course.
- Academic Writer offers a variety of tutorials, resources, and sample references to assign students in their writing projects. It is accessed through the DMU library page.
- Originality by Turnitin provides an automatic check for plagiarism errors in student writing.
- Students would be prohibited from using writing services for courses where deidentified client information is used. The main example is assessment courses.

Housing Resources

DMU is a commuter campus with the majority of students enrolled in online programs. Although students are responsible for securing housing for themselves while enrolled at the University, the Admissions Office and the Center for Student Success are able to direct students to resources that may assist them with finding housing in the Northern Virginia or Greater DC area.

Alumni Services

By engaging alumni networks current students or recent graduates receive ongoing support and mentorship opportunities. Alumni Services post current job openings, employment opportunities and other specialized opportunities in the field of clinical psychology, counseling and related human services. alumni@divinemercury.edu

Career guidance

DMU is dedicated to assisting students completing academic programs with finding and securing positions in clinical psychology, counseling and related human service fields. Career placement is individualized for each student and is facilitated by faculty academic advisors and/or directors of clinical training. Each student is encouraged to take advantage of all resources and work through the appropriate faculty representative for any job or graduate placement assistance needed.

If students find that they require additional resources and support in developing their professional path, they may also seek individualized one-on-one career consultation by reaching out to their academic advisor.

Licensure/Education Verification Requests

Students and recent graduates can contact their specific program and/or the registrar for licensure and education verification requests.

Campus

DMU Campus information and policies can be found in the Campus Facility Policies and Procedures Manual. This document has been distributed to all students and is available [online](#).

Please refer to the [Campus Facility Policies and Procedures Manual](#) regarding topics such as: building hours, building access, Student ID's, parking, campus security, campus accessibility, pet policy, tobacco and alcohol use, printer use and access, room reservation policy, and facility use and maintenance.

Health and Wellness

Chaplaincy and Campus Ministry

Based on the mission and vision of the University, the offices of chaplaincy and campus ministry work in coordination with the Center for Student Success to offer and promote numerous opportunities for all at the University to flourish and grow in their faith. Onsite opportunities include weekday Mass, the sacrament of reconciliation, periodic Eucharistic adoration, seasonal retreats, spiritual direction and pilgrimages, outings and service projects. We have also developed alongside the Center for Student Success the twelve pillars for the flourishing student. When possible, events are live-streamed and recorded. The campus chapel is located on the first floor of the University. All are invited!

If anyone would like to schedule a meeting with campus ministry or one of the university chaplains for spiritual direction, the sacrament of reconciliation, or inquiries into spiritual/religious questions, please send an email request to campusministry@divinemercury.edu or contact a priest directly when you are asking for the sacrament of reconciliation..

Counseling Resources

Students who experience personal difficulties and may wish to seek counseling or psychotherapy can find information, tips, and resources in the [DMU Counseling and Psychotherapy Resource Guide](#) to help them explore the options and availability of services. Students can also consult the Office of Student Services for assistance with their search. Mental Health Resources in the Northern Virginia and Greater Washington, D.C. area are available on the [Mental Health Resources for Onsite Students](#) document for a sample list of local counseling service referrals.

If you feel you are in danger, are a danger to yourself through self-harm, experiencing a mental health emergency, or are otherwise having a medical emergency, DIAL 911 immediately.

- National Suicide Prevention Hotline: 1 (800) 273-8255
- National Human Trafficking Resource Center: 1 (888) 373-7888
- Therapists Online Now: www.betterhelp.com

**Note: Faculty advisors, or other DMU administration, staff or faculty may NOT provide psychotherapy or professional counseling for students of any program as part of their role at DMU. A counseling or therapeutic process and agreement with a student would constitute a dual role relationship.*

Resources

The [DMU Counseling and Psychotherapy Resource Guide](#) is provided to assist all DMU students in their personal search for appropriate mental health and wellbeing resources in their local area and with information and guidance when seeking help for another DMU student.

The University does not offer counseling on-campus and the list below is not exhaustive nor an endorsement of any organization, therapist, counselor, or persons affiliated with the organizations listed.

National Suicide Prevention Lifeline

<https://suicidepreventionlifeline.org/>

Call: 1-800-273-TALK (8255)

Text: "START" to 741-741.

The Jed Foundation- Mental Health

<https://jedfoundation.org/>

Psychology Today's Therapist Finder

<https://www.psychologytoday.com/us/therapists>

Catholic Therapists.com

<http://www.catholictherapists.com>

Divine Mercy University's Alumni Directory
<https://divinemercury.edu/where-alumni-serve/>

Faithful Counseling.com
www.faithfulcounseling.com

Catholic Psych Institute
<https://catholicpsych.com/online-therapy/>

Better Help.com
www.betterhelp.com

Talkspace.com
www.talkspace.com

Christian Care Connect, a division of The American Association of Christian Counselors
https://connect.aacc.net/?search_type=distance

Network Therapy.com
www.networktherapy.com

Student health insurance provider

Students should contact their health insurance provider and ask for their mental health related resources, such as a list of therapists and counselors in their local area.

Health Insurance

Students seeking health insurance policies can consult the [Student Insurance Guide](#), available in the Center for Student Success for helpful information and links to resources for students. International students are required to carry insurance while in the United States. Students enrolled in a clinical program (Psy.D., M.S. Counseling) are required to obtain and maintain professional liability insurance once beginning in the program or prior to beginning their practicum/internship experiences.

DMU Safety

Divine Mercy University is committed to the safety of its students, employees, and guests. DMU has emergency plans in place and maintains close contact with the Loudoun County Office of Emergency Management.

In an emergency, taking personal responsibility is key; all DMU students and employees should be familiar with the emergency preparedness policies and procedures in order to help ensure their own safety and that of others. [The Safety and Emergency Procedures Manual](#) is distributed to all students and is available online.

It is critical for the safety of the DMU community that all personnel on campus have an understanding of emergency procedures. This shall be accomplished through:

- Informational session during faculty, staff and student orientations.
- Emergency drills periodically throughout the year.
- Distribution of this Safety and Emergency Procedures Manual to students, faculty, and staff. Copies will also be available in the classrooms and meeting rooms.

DMU encourages awareness and crime prevention for its students, faculty, and staff and to understand their responsibility for their own security and the security of others. Information related to security and safety is disseminated to students, faculty, and staff through emails. This information includes area crime reports and other crime prevention information.

Emergency Contact Information

When time is of the essence, information is released to the DMU community through through all or some of these means:

- Text Message
- Email
- Website

Computer and Technology Support

Official Communication

A DMU student email (@divinemercury.edu) account is provided for all enrolled students and acts as the official email address for all university correspondence from DMU offices. Students are responsible for all correspondence sent to their official @divinemercury.edu student email address.

In addition to the @divinemercury.edu email accounts as the primary mode of communication, students may communicate regarding course material in Canvas. While official communication takes place through DMU email accounts, students are responsible for monitoring communications within their Canvas account.

Communication about academic events, student development opportunities, employment opportunities, lectures, and spiritual activities is provided through a variety of mediums, including through academic programs, email, Canvas, the institution's website, official DMU social media accounts, and, for on campus students, on campus student bulletin boards, and student mailboxes.

Computer Access and Responsibility

Access to the computer systems and networks that are owned or operated by DMU imposes certain responsibilities and obligations and is granted subject to University policies. The use of these resources must be consistent with the mission of DMU. By using the technology provided, students agree to abide by these policies. Any violation of these policies may result in disciplinary action, including the termination of the student's network, email, and/or Internet access.

In making acceptable use of resources the students must:

- Access only information that is their own, that is publicly available or to which they have been given authorized access.
- Refrain from connecting to the internet during class time, unless authorized by the instructor.

Students must respect the rights of others to freedom from harassment or intimidation through the sending of unsolicited or anonymous messages or by repeatedly sending unwanted email.

Unacceptable use includes but is not limited to:

- Use of another person's user ID, email, files or data without permission
- Use of the internet during class without consent of the instructor
- Cyber-bullying

On Campus

Students are encouraged to use their computers for their academic work. Use of computers in on campus classrooms is subject to the policies of the instructor. Students have access to the library materials, catalog, email, testing software and other common programs. Wireless access is also available throughout the campus.

Online

Classroom support for students enrolled in online programs is provided through the support@divinemercury.edu email that assists with all aspects of the Canvas online classroom. They provide frontline support to students, faculty, staff, and certificate students who are teaching and learning inside the DMU online classrooms. Online classroom support troubleshoots and resolves end-user issues related to Canvas, the University's Learning Management System (LMS), and the related academic software. This office provides training for faculty and students who need assistance with academic instructional technology, contributes to and maintains training materials and a knowledge base to ensure end user self-service and continuous improvement process, and repairs classroom content on request to support efficient classroom operations.

Canvas Learning Management System

The university's online learning management system is Canvas, an electronic venue in which students can communicate with faculty and peers, gain access to online support, find links to assistance with educational tasks (such as writing, researching, and subject tutoring), and access an online library with journals, articles and texts. Students have access to the Canvas classroom and online library while they are enrolled in a program.

Student computer support

Students - How problems with student owned computers or other digital devices are handled

- a. If the problem is determined to be related to the campus wired or wireless network, the Information Technology (IT) team will work to resolve the problem as soon as possible.
- b. If the problem is determined to be a part of the Learning Management System (Canvas) or other related software (e.g., Tevera, gmail and zoom), the DMU Support Team will work to resolve the problem as soon as possible.

- c. If the problem is determined to be hardware related, students will be referred to the vendor from whom they purchased the computer. They may also seek out a local computer repair vendor.
- d. If the problem is related to software they purchased and installed on their computer, they will be referred to the software manufacturer. If the problem is related to software drivers, updates, issues related to viruses, spyware, adware or other malicious software, we recommend they seek out either the manufacturer of the computer or a local computer repair vendor.
- e. Students can contact support@divinemercury.edu for direct assistance

DMU Social Media

Get connected to your University through our Social Media accounts:

- [DMU Blog](#)
- [YouTube](#)
- [Facebook](#)
- [Twitter](#)
- [Instagram](#)

The DMU blog is a University publication that features student achievements, University happenings, and articles relating to mental health and integration. This serves as a channel of awareness for the student body regarding their health and mental well-being and flourishing. Students receive the DMU Blog via their DMU email student email account within the DMU Newsletter, but it is also available at <https://blog.divinemercury.edu/> or through the University website.

The DMU Community Facebook Page is a closed Facebook page for the DMU community. One of the many advantages of being a part of DMU is the unique community atmosphere. This group is intended to serve as a way to communicate to all students of DMU, both past and current. Students, faculty, staff, and alumni share prayer intentions, relevant articles and publications, as well as educational resources that may be useful for professional, academic, personal, and spiritual growth. This group both strengthens the DMU community and allows members to utilize each other as a resource.

Student Support Offices

The Thelen Memorial Library

The Thelen Memorial Library of Divine Mercy University is dedicated to supporting the study, learning, teaching, research, and training needs of the University students, faculty, and staff. The mission of the Thelen Memorial Library at Divine Mercy University is to promote student success through the development of DMU students, both intellectually and professionally, and support the

attainment and enhancement of the highest quality educational, training, and research environment of the DMU academic community by:

Educating students, faculty, and staff about the vast array of information resources and services available, emphasizing the critical importance of information and digital literacy skills for finding, evaluating, and using information.

Providing extensive academic, technological, and scholarly resources as well as well-trained professional staff that support and complement the academic objectives of each DMU degree program, and student and faculty research worldwide.

Assisting in the documentation and dissemination of Catholic Christian approaches to mental health.

Preserving scholarly collections that support the three pillars of integration of clinical psychology and mental health theory and practice with a Catholic Christian view of the human person.

The Library's mission focuses on continually growing its collections and resources to become an academic research library for materials on or related to integrating clinical psychology and Catholic/Christian theology. The Library, named in memory of George J. and Mary S. Thelen, will grow to include more items, within its seven major collections:

- Circulating Collection
- Reference Collection (print and electronic reference materials)
- Reserves Collection
- Serials Collection (print and electronic journals)
- Psychological Test Collection
- Media Collection
- Archives & Special Collections

In addition, the Library provides access to full text electronic and online databases in the psychological, social and behavioral sciences, theology, and philosophy; audio/video equipment; and independent learning resources. The University will continually make significant expansion of these resources and associated services in the upcoming academic years.

The Thelen Memorial Library also enhances available resources by facilitating access to the collections of other libraries through cooperative agreements and participation in various resource sharing activities with other libraries through the (OCLC) network, and membership in the Virtual Library of Virginia/Virginia Independent College & University Library Association (VIVA/VICULA).

Additional information concerning Library resources and other learning support services is available from the Thelen Memorial Library, on the University website, email: library@divinemercury.edu, or by calling the library at 703-416-1441 x 5384.

Most of the library resources, materials, and services are available online. Electronic resources may be accessed by all students through remote access. Physical collections and library study space are located on the second floor of the campus and may be accessed by all students during the campus library hours posted on the library website. Electronic resources may be accessed by all students through remote access.

Disability Support Services [DSS]

Disability Support Services (DSS) is committed to creating an accessible educational experience for students with disabilities. We partner with students, faculty, and staff to design accessible environments and to provide academic accommodations and support services.

Disability is a broad term that includes but is not limited to mental health conditions, chronic health conditions, temporary injuries, physical/learning disabilities, and ADHD.

Students register with DSS to be approved for accommodations. For more information on how to register for services email dss@divinemercury.edu

DSS registration is confidential and does not appear on transcripts. Medical documentation and information are kept private. Once registered students in onsite programs notify their instructors if they want to utilize accommodations in that instructor's course by providing a copy of their accommodation letter developed by the DMU DSS office. For online students, extended deadlines for assignments and exams will be automatically set in Canvas. Note that accommodations may not appear within Canvas until the first day of the term. Students can contact dss@divinemercury.edu if accommodations are not set after the first day of the term.

Financial Aid

The Office of Student Financial Aid provides education, guidance, and support to individuals and families in the financial aid process. We administer Federal, State and Institutional aid programs to our graduate students. In order to apply for any federal aid for college, you must first fill out and submit a [Free Application for Federal Student Aid \(FAFSA\)](#). This application is used by the federal government, state aid agencies, and institutions to determine your eligibility for many types of aid including grants, loans, and even scholarships. You need to file a FAFSA each year you wish to receive aid. FinancialAid@divinemercury.edu

Financial aid for international students

International students applying for aid must contact the DMU Financial Aid Office regarding financial aid opportunities at FinancialAid@divinemercury.edu.

The student accounts office helps students with all financial aspects during their studies at Divine Mercy University excluding scholarships and student loans.. Student invoices created and sent via the student information system, Populi. For questions regarding your invoice please contact the student accounts office. Additionally, the student accounts office works with students who have a payment plan as a part of their financial aid package.

The student accounts office invites students to reach out any time they have questions about their student invoice, payment plan or other financial questions not specifically related to financial aid (i.e., not related to student loans or scholarships). studentaccounts@divinemercury.edu

Center for Student Success

The student success team serves as the first resource for any questions or challenges that may come up during the initial weeks after admission. The office guides students with the onboarding process and University orientation process. It is also a first point of contact for any general questions or difficulties that may arise throughout their graduate studies that are not program-related:

- University orientation questions/ issues
- How to locate student resources (housing, insurance, mental health resources)
- How to navigate DMU policies and procedures (knowing Who's who)
- Personal/academic challenges when you aren't sure where to go

Student Success will direct questions to the appropriate person or DMU office in a timely fashion. StudentSuccess@divinemercury.edu

Student Rights and Responsibilities

Academic Integrity

The University is first and foremost an academic community. Students and faculty together engage in the discovery, analysis, application, development, and transmission of knowledge as it pertains to psychological and clinical mental health theory and practice. In order for this honorable pursuit to progress successfully, a firm commitment to academic integrity is required from all members of the intellectual community.

Academic integrity entails a respect and reverence for knowledge as a human good and for the whole academic process, by which that knowledge is pursued and transmitted. Specifically, it entails honesty in all one's academic dealings. Students at Divine Mercy University therefore shall not engage in or tolerate acts of academic dishonesty. These acts include, but are not limited to, cheating, plagiarism, collusion, falsifying academic records, and any act or attempt to commit an act designed to give unfair academic advantage to the student (such as, but not limited to, submission of essentially the same written assignment for two courses without the prior permission of the instructor, providing false or misleading information in an effort to receive a postponement or an extension on a test, quiz, or other assignment).

Students shall acknowledge in appropriate fashion the contributions of others to their work where such acknowledgment is due. The submission of work for academic credit indicates that the work is the student's own and that the work has been completed in accordance with the standards of the course or assigned project. At the beginning of each course, it is the responsibility of the instructor to provide students with a statement clarifying the application of the University academic integrity policy to his or her course.

In cases where a violation of academic integrity has been verified, the faculty member has the responsibility for determining the academic consequences, which may include assigning a failing grade for the assignment, exam, or course, or non- acceptance of the thesis or dissertation. Consequences can include probation from the University for a designated period of time, and in extreme cases, permanent dismissal from the University.

Students accused of a violation of academic integrity have the right to appeal the accusation and/or the imposed penalty. All such appeals are handled through the DMU student grievance process.

Class lectures and handouts

In order to respect the academic integrity of the classroom the following are not allowed without the express prior consent of the instructor:

- No one except registered students are to attend the class (either in person or via Zoom)
- Handouts from the instructor may not be distributed to non-students
- Lectures may not be recorded by students

Plagiarism

Plagiarism is unethical and is considered academic dishonesty. According to the American Psychological Association (2016) plagiarism is described as follows:

Plagiarism is the act of presenting the words, ideas, or images of another as the student's own. It violates ethical standards of accuracy, honesty, and truthfulness in scholarship.

Self-plagiarism

Self-plagiarism is the act of presenting the student's own previously published work as original. This also includes turning in a paper from another class without prior permission from the current instructor. It misleads readers and falsely inflates the number of publications on a topic.

Plagiarism occurs when writers fail to give proper credit to their sources. Some kinds of plagiarism are deliberate—for example, copying an entry—or a substantial part of one—from Wikipedia and submitting it as the student's own work.

American Psychological Association. (2016). How to Avoid Plagiarism and Self-Plagiarism [Video file]. Retrieved from <https://apastylecentral.apa.org/learn/browse/TUT-14>

Use of artificial intelligence in writing

The AI landscape is evolving rapidly. DMU does not consider the use of AI (e.g., ChatGPT) as a primary or secondary source (unless the topic under study is AI text output). At this time, it is unclear

- where an AI bot is drawing its information from,
- if the AI provides citations,
- whether the information is accurate, and
- whether any given content generated is plagiarized.

Students are permitted to utilize AI in their written work under the following conditions:

- Students may use AI for brainstorming purposes or to explore topics, but any text created from AI is not considered to be scholarship. Students are responsible for finding the primary sources where the information was derived. They must locate and read the original source of the AI output and must paraphrase and appropriately cite the original source content.
- Students are not permitted to turn in work for essays and assignments created by AI even if they paraphrase the AI generated content and cite the AI software as the source. An exception would be if AI generated content was being used as an example of AI text generation. In such a case, the AI would be cited as the source of the material.

In cases where a violation of plagiarism has been verified, the faculty member and the program director has the responsibility for determining the academic consequences which are determined by the degree of plagiarism and the frequency. (*Source: California Lutheran University*)

For all cases of plagiarism the student is subject to the program’s remediation policies.

Degree of Plagiarism	Description of Violation	Possible Consequences
Minimal	<ul style="list-style-type: none"> • Did the student insert verbatim phrases of several distinctive words without attribution? • Did the student substitute synonyms into the original sentence without attribution rather than rewriting the complete sentence? • Did the student reorder the clauses of a sentence without attribution? • Did the student use the source’s line of logic, thesis, or ideas without attribution? 	<ul style="list-style-type: none"> • Instructor should educate the student about plagiarism and/or refer them to the program director or dean’s office • The student may be allowed to rework and resubmit the assignment. Instructors would need to determine and communicate if their assignment grade is penalized or not. • The student receives a reduced grade on the assignment. • The student would be informed that faculty in their program would be told of the infraction to know whether any student’s plagiarism is a first time or one of multiple offenses.

<p>Substantial</p>	<ul style="list-style-type: none"> • Did the student insert verbatim sentences or longer passages from a source without attribution? • Did the student combine paraphrasing with verbatim sentences to create a paragraph or more of text without attribution? • Did the student repeatedly and pervasively engage in minimal plagiarism? 	<p>First offense in first course at DMU</p> <ul style="list-style-type: none"> • The student may be allowed to rework and resubmit the assignment • The student receives a reduced grade on the assignment <p>With subsequent offenses:</p> <ul style="list-style-type: none"> • The student receives a failing grade on the assignment • The Instructor submits an Academic Dishonesty Report to the program director and/or dean in which the course resides. <p>Third Offense</p> <ul style="list-style-type: none"> • The student may be recommended for expulsion from the university. Action is taken at the discretion of the Dean or VPAA.
<p>Complete</p>	<ul style="list-style-type: none"> • Did the student submit or present someone's complete published or unpublished work (paper, article, or chapter)? • Did the student submit another student's work for an assignment, with or without that person's knowledge or assent? • Did the student download or purchase a paper from a website or other source? • Did the student reuse or modify a previously submitted paper (e.g. from another course) for a present assignment without 	<ul style="list-style-type: none"> • The student receives a failing grade on the assignment and the instructor submits an Academic Dishonesty Report to the program director and/or dean in which the course resides. • The student receives a failing grade in the course and an Academic Dishonesty report is submitted to the program director and/or dean in which the course resides.

	obtaining prior approval from the instructors?	<ul style="list-style-type: none"> • The student is expelled from the university. Action is taken at the discretion of the Dean or VPAA.
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(Source: Columbia International University)

Overview: Student Conduct Policies

Divine Mercy University, guided by reason and the light of faith, is a community dedicated to the cultivation of knowledge, skills, wisdom and virtue in accordance with the University’s mission. Membership in the University community brings with it the obligation to conduct oneself in ways that promote these goals and build up the community and the obligations to refrain from activity inconsistent with the University’s mission.

Students are expected to respect the rights of others, and to be accountable for their own actions. In this way human flourishing can be achieved for all DMU students.

Drug and Alcohol Use

Divine Mercy University prohibits the unlawful possession, use, or distribution of illegal drugs by students and employees on its property or as part of any of its activities.

It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the DMU drug and alcohol policy for anyone to consume or possess alcohol in any public or private area of campus without prior DMU approval. Any individual, group, or organization violating the drug and alcohol policies, or laws may be subject to sanctions by DMU.

The negative physical and mental effects of the use of alcohol and other drugs are well documented. Use of these drugs may cause: blackouts, poisoning and overdose; physical and psychological dependence; damage to vital organs such as the brain, heart and liver; inability to learn and remember information; and psychological problems including depression, psychosis, and severe anxiety. Impaired judgment and coordination resulting from the use of alcohol and other drugs are associated with a variety of crimes. Individuals concerned about their own health or that of a fellow student should consult mental health professionals that are available in their area.

Should it be necessary, DMU will refer the student or employee to an appropriate mental health provider, rehabilitation program, or drug counselor.

Penalties

Penalties for violating the University’s policy may include expulsion from the school and referral for prosecution. Federal and state law also penalize the unlawful manufacturing, possession, use, and distribution of illicit substances. The penalties vary based on many factors, including the type and amount of the drug involved, and whether there is intent to distribute. Federal law holds that any person who distributes, possesses with the intent to distribute, or manufactures a controlled

substance on or within one thousand feet of an educational facility is subject to doubling of the applicable maximum punishments and fines.

Health and behavioral risks

The negative physical and mental effects of the use of alcohol and other drugs are well documented. Use of these drugs may cause: blackouts, poisoning and overdose; physical and psychological dependence; damage to vital organs such as the brain, heart and liver; inability to learn and remember information; and psychological problems including depression, psychosis, and severe anxiety. Impaired judgment and coordination resulting from the use of alcohol and other drugs are associated with a variety of crimes. Individuals concerned about their own health or that of a friend should consult a physician or mental health professional.

Treatment

Should it be necessary, the University will refer the student or employee to an appropriate rehabilitation program or drug counselor.

Student Code of Conduct

At the core of the standard of conduct of Divine Mercy University is the teaching of the Catholic Church regarding the transcendent dignity of every human person, created “in the image of God” (Gn 1:27). This dignity calls the members of the DMU community to respond to each other above all with charity, seeking always the true good of the other person (CCC 1822-29). Created by God, who is Truth Himself (Jn 14:6), the human person is called furthermore “to live the truth in love” (Eph. 4:15;). As an academic community rooted in the life of the Church, the members of the IPS community are to pursue and defend the truth in all their endeavors. Finally, made in God’s image, the human person is recognized as a free and responsible being (CCC 1738). Within the boundaries of civil law, institutional policies of DMU, and Catholic moral and religious teaching (CCC 1691-2557), this freedom for excellence is to be respected and encouraged by all members of the DMU community. DMU core values include: faith, hope, charity, truth and goodness, scholarship and academic excellence, service and compassion, integrity and honesty, justice and responsible freedom, forgiveness and Reconciliation. Following from the general principles outlined above, a series of more specific standards may be stated to communicate more fully the expectations regarding moral life at the Institute. The listing of these standards is illustrative rather than exhaustive:

- charitable respect and tolerance for diverse backgrounds, traditions, personalities, and beliefs of students, faculty, staff, and clients;
- mutual service to others in the common search for truth;
- personal responsibility to participate in the life of the Institute, seek truth and wisdom, and develop right practical judgment;
- development of reverence for God and his creation;
- commitment to develop personal, moral, and spiritual character through academic efforts and personal reflection;

- dedication to accept responsibility for moral decisions and actions in terms of rewards and consequences;
- respect for the property of DMU and personal property of others on site at DMU;
- concern for preserving the safety of other students and university employees;
- concern for preserving the peace and ensuring orderly procedures;
- shared responsibility for maintaining an appropriate academic and moral climate on campus;
- respect for others and oneself displayed by appropriate conduct.

Harassment-Free Environment

It is the policy of Divine Mercy University that no student, employee, or volunteer of DMU should be subject to unsolicited, unwelcome, abusive, or offensive conduct of either a verbal or physical nature. Harassment refers to behavior that is not welcome, is personally offensive, interferes with efficiency or creates uneasiness.

Examples of harassment include, but are not limited to: repeated offensive sexual flirtations, advances or propositions; continued or repeated verbal abuse of a racial nature; graphic, degrading, or demeaning ethnic comments about an individual or about his/her appearance; the display of sexually suggestive objects or pictures; or any other offensive or abusive verbal comments or physical contact. Further, students and employees will not be subjected to third party harassment, which is defined as behavior that is personally offensive to an observing party. Students or University representatives engaging in any act that harasses or discriminates against another person because of age, race, color, national or ethnic origin, gender, religion, marital status, or the presence of a disability, shall not be tolerated. Such conduct is specifically prohibited. Appropriate action will be taken by the University administration.

Statement of Non-Discrimination

The University admits to its programs qualified students of any age, race, gender, color, nationality or ethnic origin. Applicants should understand that the central mission of Divine Mercy University is the development of a Christian approach to the mental health science and practice. The University welcomes qualified students of any religious faith; nonetheless, all students who seek admission must sincerely desire to share the University's mission and objectives. Given its distinct and unique goal of integrating with the Catholic view of the person, the degree programs at the University differ from traditional programs in their approach, while maintaining the rigor in both the quantity and quality of clinical training

Grievance Policy and Procedure

Due process for student grievances

It is the policy of the University to utilize due process in handling student grievances. It is also the policy of the University to utilize due process in disciplinary actions taken against students.

In a Christian academic environment, every effort should be made to sustain a relationship of charity and cooperation between all members of the community. Occasionally, however, a student

may have a grievance with a member of the faculty, staff, or fellow student/peer. The student with the grievance should endeavor first to meet with the other party to discuss the difficulty in an attempt to resolve the issue. If the student does not feel at ease approaching the individual, or is not satisfied with the results of such a meeting, he or she should consult the vice president of academic affairs who will provide guidance as to what additional steps, if any, should be taken. If resolution is not reached at this informal level, the student may then wish to file a formal grievance. At any point in the process described herein, the student filing a grievance will always have the option to withdraw the grievance. The University has established the following grievance resolution procedure for students to use for all aspects of their experience with academic, student, and other support services of the University.

Confidentiality

In the grievance resolution process, every reasonable effort will be made to protect the privacy of all parties. All records pertaining to the investigation and to the disposition of the grievance shall be maintained in sealed files in conformity with state and federal privacy requirements. Records of individuals involved or alleged to be involved in a grievance will be made available to officials of the University who have a need to know, and otherwise only in accordance with applicable state and federal laws and only to the extent required by law.

Seeking resolution for a complaint or grievance

The student has two options.

Option 1: Take no action The student has decided, for personal reasons, that the occurrence does not warrant further attention.

Option 2: Use the University's resolution procedures, following the steps summarized below.

Step 1: Informal resolutions Meet with the other party to discuss the difficulty in an attempt to resolve the issue. As stated above, every effort should be made to sustain a relationship of charity and cooperation between all members of the community. The student with the grievance should endeavor first to meet with the other party to discuss the difficulty in an attempt to resolve the issue. If the student does not feel at ease approaching the individual, or is not satisfied with the results of such a meeting, he or she should consult the Vice President of Academic Affairs who will provide guidance as to what additional steps, if any, should be taken. If resolution is not reached at this informal level, the student may then wish to file a formal grievance. At any point in the process described herein, the student filing a grievance will always have the option to withdraw the grievance. The University has established the following grievance resolution procedure for students to use for all aspects of their experience with academic, student, and other support services of the University.

Step 2: File a formal complaint using the student grievance resolution procedures. A formal complaint typically cannot be made until an informal resolution process has been conducted. Depending on the nature of the allegation, the formal complaint process requires 90 business days to complete the first level of formal review. When a formal complaint is filed against another person in the university, the complainant is required to

provide documentation that they attempted to resolve the complaint with the individual, summarizing the actions taken and the supporting documentation.

When preparing a complaint, students should be as specific as possible, detailing exactly what the allegation is, the name of the individual who committed the act, and why it was offensive. Include supporting material and witnesses if available, as this adds strength to the allegation.

Resolution procedures for student grievance with faculty member or student/peer

Student grievances directed to a member(s) of the faculty or student body (referred to herein as the respondent) will be handled as follows:

1. Filing a Grievance: The complainant shall file a written grievance with the Academic Dean. The complainant shall record with specificity the circumstances of his/her grievance. Use the form linked here: [Formal Grievance Form](#)

Time limits: To use this procedure, the complainant must file the written complaint within 30 days from the action or event that forms the basis of the complaint. The 30 days are calendar days including weekends and days that classes are not in session.

2. Fact-Finding Committee: The dean will appoint a fact-finding committee consisting of three faculty members. A chair of the committee will be designated by the academic dean. If a conflict of interest or other valid reason prevents a committee member from serving, the academic dean shall select an alternate. The academic dean shall make every effort to ensure that a fair, impartial, and representative committee hears the matter.
3. Notification: The academic dean shall give the respondent written notification that a grievance has been filed, as well as a copy of the grievance. The respondent may file a written response with the fact-finding committee chair. The academic dean shall provide a copy of the response to the complainant.
4. Investigation: The following standards for investigation will be observed:
 - a. in conducting the investigation, the committee shall receive and review the grievance, the response, and other pertinent statements or documents;
 - b. the complainant and respondent shall be given the opportunity to respond to one another's statements, and individually to present witnesses or concerned parties in conformity to the evidence presented; and,
 - c. the committee will interview witnesses and concerned parties individually and in conformity with privacy requirements, as it deems necessary.
5. Fact-finding report: When, in the judgment of the committee, the positions of the complainant and respondent have been equitably heard, the committee shall submit a written fact-finding report to the academic dean. The fact-finding report shall contain the following:
 - a. a statement of the issues under review;
 - b. the positions of the parties;
 - c. a finding of the results of the investigation;
 - d. conclusion as to whether there is probable cause to believe that the grievance is valid; and,
 - e. recommendations for action(s) to be taken.

The total time period for the investigation, from the filing of a written grievance to submission of the fact-finding report to the academic dean shall not exceed ninety (90) calendar days.

The chair of the fact-finding committee will maintain all records of the grievance, including its conclusions and recommendations. These records shall be transferred to the office of the academic dean at the time of disposition of the grievance. The records shall be maintained in conformity with state and federal privacy and disclosure requirements, policies and procedures.

Disposition of the grievance and disciplinary action

The academic dean will make the decision about action to be taken. The factual conclusions contained in the fact-finding report shall be binding upon the academic dean for the purpose of this determination.

The academic dean will discuss the decision with the chair of the fact-finding committee, prior to taking action, if the action to be taken is different than that recommended by the committee.

The academic dean will immediately notify the complainant and the respondent in writing of the disposition of the grievance once the decision has been made.

The decision of the academic dean will be made within ten (10) working days of the receipt of the fact-finding report. The decision may be appealed in writing by either the complainant or the respondent to the President of the University; the appeal must be made no later than fifteen (15) working days from the date of the academic dean's notification of the decision.

If the complainant is a student and the student has not received a satisfactory resolution after exhausting all available grievance procedures established by the institution, the student may contact the State Council of Higher Education for Virginia (SCHEV) as a last resort in the grievance process, using this link: <https://www.schev.edu/students/resources/student-complaints>

Procedures for veterans and other eligible persons

The student grievance process policy should be followed by all students. Veterans and other eligible persons may report a grievance against the institution to the Virginia State Approving Agency and US Department of Veterans Affairs as required: The Virginia State Approving Agency (SAA), is the approving authority of education and training programs for Virginia. Our office investigates complaints of GI Bill beneficiaries. While most complaints should initially follow the school grievance policy, if the situation cannot be resolved at the school, the beneficiary should contact our office via email saa@dvs.virginia.gov.

Student grievance resolution procedures involving staff

The same procedures as described for student grievances directed to faculty will be followed in the case of a student grievance directed to a staff member, with the following two exceptions:

1. the Vice President for Finance and Administration will serve in place of the academic dean
2. the fact-finding committee will be appointed from either staff or faculty of the University.

Retaliation prohibited

DMU strictly prohibits retaliation against a member of the University community who files a grievance, against whom a grievance is filed, or who otherwise is a participant in the grievance resolution procedure. Such retaliatory conduct includes, but is not limited to, decreasing an employee's pay, reducing a student's grade, or downgrading a person's performance evaluation.

Protection from Discrimination Based on Sex

Introduction

Consistent with Title IX of the Education Amendments Act of 1972, DMU does not discriminate against students, faculty or staff based on sex in any of its programs or activities, including but not limited to educational programs, employment, and admission. Sexual harassment, including sexual violence, is a kind of sex discrimination and is prohibited by Title IX and by the University.

What is Title IX?

Title IX is a federal civil rights law passed as part of the Education Amendments of 1972. This law protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

Title IX applies to any institution receiving federal financial assistance from the Department of Education, including state and local educational agencies. Educational programs and activities that receive federal funds from the Department of Education must operate in a nondiscriminatory manner. Also, a recipient may not retaliate against any person for opposing an unlawful educational practice or policy, or because a person made charges, testified or participated in any complaint action under Title IX.

The University is committed to responding promptly and effectively when it learns of any form of possible discrimination based on sex. The University responds to reports of sexual harassment, including sexual violence, as part of its efforts to stop the harassment and prevent the recurrence of possible sex discrimination. An individual who has questions or concerns regarding possible discrimination based on sex should contact the institution's Title IX coordinator,

titleix@divinemercury.edu

An individual also may contact the U.S. Department of Education, Office for Civil Rights (OCR).

Purpose and scope

Under the Department of Education's Title IX regulations, published May 19, 2020, the following procedures will apply only to a narrow category of cases. Those cases meeting the definitions and jurisdictional elements below will follow this policy. Those cases that do not fit within these new

guidelines will be handled through the University's grievance resolution procedure or an appropriate alternative; this is not to suggest that any case is more or less important, but instead a reflection of federal regulations that apply only to a specifically-identified set of cases. The University will have the discretion to refer complaints of misconduct not covered by this policy to any other appropriate office for handling under any other applicable University policy or code.

If you are unclear about any of the provisions below and would like to get more information, you may speak on a non-confidential basis with the Title IX coordinator. If you would like to have more information, but prefer to speak with someone confidentially, you may speak with a confidential resource, as listed below in the resources section.

DMU is committed to a prompt and equitable process for investigation and resolution of complaints covered by Title IX. This policy applies to any incident that: (1) affects a student, faculty, or staff who is accessing or attempting to access University programs or activities; (2) includes an allegation of prohibited conduct where the accused is a student, faculty, or staff over whom the University has substantial control, such as a student or employee; and (3) occurs on any University-owned property in the United States or in connection with any University program or activity, and in the United States.

This policy also covers acts of prohibited conduct committed by third parties, including visitors, guests, vendors, and contractors who are affiliated with the University, or accessing, or attempting to access, a University program or activity; complaints against such third-parties may be handled in accordance with existing contracts and agreements, and third parties may not be eligible for the procedural protections provided within this policy.

Individuals making a complaint to the Title IX coordinator (complainant) and individuals responding to a complaint (respondent) each have rights throughout the complaint resolution and adjudication process, and may expect a fair, neutral process that will follow this policy. For a full list of the rights, expectations, and responsibilities for the complainant and the respondent, see **Rights, expectations and responsibilities section** of this document.

Prohibited conduct

Prohibited Conduct as used throughout this policy is defined to include any of the following acts when they occur in the United States and, either on campus, in a building controlled by an officially recognized University organization, and/or in a University program or activity.

Dating violence

Violence committed by a person, who is in or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship will be determined based on the complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Domestic violence

Violence, on the basis of sex, committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, or by a person who is cohabitating with, or has cohabitated with the complainant as a spouse or intimate partner, or by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of Virginia, or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Virginia. Allegations of child abuse under Virginia law will also be referred to Children's Protective Services or local law enforcement.

Sex-based stalking

Engaging in a course of conduct on the basis of sex directed at a specific person, that would cause a reasonable person to fear for the person's safety, or the safety of others, or suffer substantial emotional distress.

For the purposes of this definition, course of conduct means two or more acts, including, but not limited to:

- Acts in which the respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the complainant.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Sexual harassment

Conduct on the basis of sex committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved which is one of the following:

- When a DMU employee conditions the provision of an educational benefit or service on an individual's participation in unwelcome sexual conduct (quid pro quo); or
- Unwelcome conduct determined by a reasonable person to be so severe, and pervasive, and objectively offensive, that it effectively denies a person equal access to an educational program or activity of DMU.

The University recognizes community members' right to the free expression of ideas including those that may be controversial or unpopular. Nothing in this definition is intended to conflict with an individual's first amendment rights. As a result, any conduct covered by those protections does not meet this definition of sexual harassment.

Sexual assault includes any of the following:

- **Sexual offenses, forcible:** Any sexual act directed against another person without the consent of the complainant, including instances in which the complainant is incapable of giving consent:

- Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the complainant.
 - Oral or anal sexual intercourse with another person, forcibly, and/or against that person's will (non-consensual), or not forcibly or against the person's will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
 - The use of an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly, and/or against that person's will (non-consensually) or not forcibly or against the person's will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
 - The touching of the private body parts of another person (buttocks, groin, breasts), for the purpose of sexual gratification, forcibly, and/or against that person's will (non-consensually), or not forcibly or against the person's will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- **Sex offenses, non-forcible, includes any of the following:**
 - **Incest:** Non-forcible sexual intercourse between persons who are related to each other, within the degrees wherein marriage is prohibited by Virginia law.
 - **Statutory Rape:** Non-forcible sexual intercourse, with a person who is under the statutory age of consent, which in Virginia is 18 years of age, excepting close in age exemptions as covered under Virginia state law.

Definitions

Actual knowledge: Notice of prohibited conduct allegations to DMU's Title IX coordinator or any DMU official with authority to institute corrective measures on behalf of DMU. Such officials are those in the following positions: Title IX coordinator, any vice president, or the president of the University. The individuals noted above, who receive a report of a potential violation in this policy are required to inform the Title IX coordinator about the information received. The mere ability or obligation to report prohibited conduct or to inform a student about how to report prohibited conduct, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of DMU. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only DMU official with actual knowledge is the respondent.

Advisor: All persons who are a complainant or a respondent are permitted to bring an advisor person, including a family member, a friend, or an attorney. The advisor may accompany the complainant or respondent to any and all portions of the grievance process, including an Informal Resolution. The advisor may not participate directly in, represent, or interfere with any proceeding, including an informal resolution or an investigation. Although reasonable attempts will be made to schedule proceedings consistent with an advisor's availability, the process will not be delayed to schedule the proceedings at the convenience of the advisor. The Title IX coordinator has the discretion to remove the advisor from any proceeding if the advisor interferes with the proceedings.

During a hearing, a complainant and a respondent must have a hearing advisor. The hearing advisor may be the same person who serves as the advisor during the investigation process.

Complainant: An individual who is the victim of, or alleged to be the victim of, conduct that may constitute prohibited conduct as defined in this policy.

Confidentiality and privacy: Confidentiality and privacy have distinct meanings under this policy.

- **Confidentiality** generally means that information shared with a licensed confidential resource cannot be revealed to any other person or office, unless written permission is granted by the individual to share their information.
- **Privacy** generally means that information related to a report of prohibited conduct will only be shared with a limited circle of individuals who need to know in order to assist in the assessment, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (FERPA), as outlined in the University's FERPA policy. The privacy of an individual's medical and related records may be protected by the Health Insurance Portability and Accountability Act (HIPAA), excepting health records protected by FERPA. Access to an employee's personnel records may be restricted by applicable state and federal law.

While there are certain limitations on privacy, the University generally will not release the names of the complainant or the respondent to the general public without express written consent or absent another exception consistent with the law. The release of names will be guided by applicable law, including the Family Educational Rights and Privacy Act (FERPA) and the Clery Act.

In addition, no information will be released from a proceeding to enforce this policy except as required or permitted by law and University policy.

Consent: The voluntary and freely given agreement, through words and/or actions, to participate in mutually agreed-upon sexual acts. Consensual sexual activity happens when each person willingly affirms that they choose to participate. In evaluating whether consent has been voluntary and freely given, the DMU will consider the presence of any force, threat of force, or coercion; whether the individual had the capacity to give consent; and whether the communication (through words and/or actions) between the parties would be interpreted by a reasonable person (under similar circumstances and with a similar identity) as willingness to engage in a particular sexual act.

Days: Any reference to days within this policy should be counted as University business days unless otherwise specified.

Formal Complaint: The term *formal complaint* has a very specific definition within this policy, and whether one is filed does not depend on the label applied, but instead on whether certain specific elements are met. A formal complaint is the act that initiates a resolution process, including an investigation. A formal complaint must be filed and signed by a complainant or signed by the Title IX coordinator, alleging conduct which would constitute a violation of this policy and requesting that DMU initiate a resolution to the allegations(s). At the time of filing a formal complaint, a complainant must be participating in, or attempting to participate in, an education program or activity of DMU. A complaint may be filed with the Title IX coordinator in person, by mail, or by electronic mail (email). Individuals who would like more information about filing a formal complaint are invited to contact the Title IX coordinator for additional information. In the event that the Title IX coordinator signs the formal complaint, this act does not make the Title IX coordinator the complainant for purposes of this policy.

Hearing Advisor: During a hearing, a complainant and respondent must have a hearing advisor. The hearing advisor may be the same person who served as the advisor throughout the investigation. This person may be of the complainant's or respondent's own choosing. If a complainant or respondent does not have a hearing advisor who can be present for the hearing, DMU will provide a hearing advisor for the purpose of asking questions of the other party and witnesses. Other than asking questions at the hearing of the other party or of witnesses, the hearing advisor may not participate directly in, represent, impede or interfere with the hearing proceedings.

Incapacitation: A state where an individual cannot make an informed and rational decision to engage in sexual activity because of a lack of conscious understanding of the fact, nature, or extent of the act (e.g., to understand the who, what, when, where, why, or how of the sexual interaction) or is physically helpless. An individual asleep or unconscious is considered to be incapacitated and unable to consent to sexual activity. An individual will also be considered incapacitated if the person cannot understand the nature of the activity or communicate due to a mental or physical condition. Incapacitation may result from the use of alcohol or other drugs, including medication. Consumption of alcohol or other drugs alone is insufficient to establish incapacitation.

The impact of alcohol and drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impacts an individual's: (a) decision-making ability; (b) awareness of consequences; (c) ability to make informed judgments; or (d) capacity to appreciate the nature and the quality of the act.

It will not be a valid excuse that the respondent believed that the complainant consented to the sexual activity if the respondent knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances: (a) the complainant was asleep or unconscious; (b) the complainant was incapacitated due to the influence of alcohol or other drugs, including medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity; or (c) the complainant was unable to communicate due to a mental or physical condition.

Whether the respondent reasonably should have known that the complainant was incapacitated will be evaluated using an objective reasonable person standard. The fact that the respondent was actually unaware of the complainant's incapacity is irrelevant to this analysis, particularly where the respondent's failure to appreciate the complainant's incapacitation resulted from the respondent's failure to take reasonable steps to determine the complainant's capacity or where the respondent's own capacity was impaired (from alcohol or drugs) and caused the respondent to misjudge the complainant's capacity.

It is the responsibility of the individual initiating the sexual activity to be aware of the intoxication level of the other party before engaging in sexual activity. In general, sexual activity while under the influence of alcohol or other drugs poses a risk to all parties. If there is any doubt as to the level or extent of the other individual's intoxication, it is safest to forgo or cease any sexual contact or activity.

Party: A complainant or respondent in a case.

Preponderance of Evidence: The standard of evidence used during the investigation to determine whether the alleged conduct occurred and whether this policy was violated. It means more likely than not.

Protected Activity: Exercising any right or privilege under this policy. Examples of protected activities include reporting (internally or externally) a complaint of prohibited conduct in good faith, assisting others in making such a report, participating in a grievance process, acting in good faith to oppose conduct that constitutes a violation of this policy, honestly participating as an investigator, witness, decision maker, or otherwise assisting in, an investigation or proceeding related to an alleged violation of this policy.

Relevance: Information included in an investigation report or questions asked during a hearing must be relevant to the allegations. This includes inculpatory and exculpatory evidence, that is information that might help to prove or disprove key facts related to whether the conduct that is the subject of the investigation occurred, or the allegation is a violation of the policy.

Respondent: An individual who is reported to have engaged in prohibited conduct.

Standard of Evidence: The decision regarding a respondent's responsibility will be determined by a preponderance of the evidence, meaning more likely than not.

Supportive Measures: Non-disciplinary, non-punitive, free of charge individualized services offered equitably to a complainant and/or the respondent by DMU as appropriate and reasonably available. Such measures are designed to restore or preserve equal access to DMU's education program or activity without unreasonably burdening the other party. Supportive measures are also available whether or not a formal complaint has been filed. Supportive measures may include, but are not limited to: academic support, class and work schedule changes, mutual ban on contact (no-contact directive), increased security, or other measures as determined on a case-by-case

basis. Supportive measures may be offered to the complainant or respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

Note: Any supportive measures put in place will be kept confidential, except to the extent that doing so impairs the ability of the institution to provide the supportive measures.

Third-Party Reporter: A person other than the complainant who reports an incident or allegation of prohibited conduct.

Title IX Coordinator: The University official charged with ensuring the University's overall compliance with Title IX and related University policy and procedures, including supportive measures.

Making a report

DMU encourages individuals to report incidents involving prohibited conduct and other potential violations of this policy. DMU does not limit the timeframe for reporting an incident regardless of when the incident occurred. However, the University encourages individuals to report as soon as practical, as memories may fade and evidence may be lost over time.

Individuals may also notify the Title IX coordinator if they believe someone else may have experienced conduct that would be a violation of this policy, in which case the Title IX coordinator will reach out to the complainant to gather additional information.

Reports of potential violations of this policy may be made to the Title IX coordinator: Jody Shipper, titleix@divinemercury.edu.

Reports to the Title IX coordinator of potential violations of this policy will be kept private to the extent possible for the University to respond to the report, but reports made to the Title IX coordinator are not confidential.

Upon being notified of a report the Title IX coordinator will reach out to the complainant to schedule an intake interview and will also provide the complainant information regarding resources, rights, supportive measures, and reporting options, and will explain that supportive measures are available without filing a formal complaint.

Anonymous Reports: Any individual may make an anonymous report concerning an act of prohibited conduct. Depending on the extent of information available about the incident or the individuals involved, however, the University's ability to respond to an anonymous report may be limited. The Title IX coordinator will receive the anonymous report and will determine any appropriate steps, including individual or community remedies as may be appropriate, and also ensure compliance with all Clery Act obligations.

Please note that a formal complaint cannot be filed anonymously and is only considered to have been filed only when the complaint contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the Formal complaint.

Required Referrals: The University encourages all members of the DMU community to make the University a safe and supportive environment for everyone. This includes calling 911 in an emergency situation or to report a crime or other incident that poses a risk of harm to the DMU community. However, DMU employees have a particular duty to report safety or security concerns and crimes or policy violations, including potential violations of this policy. *Any* University employee who is not a confidential resource under this policy and who witnesses, is advised of or learns about an alleged violation of this policy *must promptly notify* the Title IX coordinator of the incident by email, or telephone. The employee must report to DMU's Title IX coordinator all relevant details about the alleged misconduct known to the employee or shared with them, so that the Title IX coordinator can reach out to the complainant to offer services and support, and give them information about their rights and options.

Amnesty: A complainant or third party who reports a violation of this policy, or any participant in an investigation or hearing under this policy will not be subject to the University's policy concerning alcohol or drug use for actions that may have occurred at or near the time of prohibited conduct, unless the action threatens the health or safety of another.

Filing a formal complaint

In order to proceed to a resolution method, a formal complaint must be filed and signed by either complainant or the Title IX coordinator.

It is an individual's choice to file a formal complaint. A formal complaint has a very specific definition under this policy and differs from solely making a report to the Title IX coordinator. Unless it is dismissed as set forth below, filing a formal complaint will result in written notification to the respondent and the commencement of a resolution method.

At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in a University program or activity. A formal complaint may not be filed anonymously. Anyone who wishes to discuss their options with the Title IX coordinator prior to filing a formal complaint is encouraged to do so.

A formal complaint may be made by:

- a) requesting a form by email from the Title IX coordinator; or,
- b) by emailing the Title IX coordinator.

Reports to the Title IX coordinator of potential violations of this policy will be kept private to the extent possible for the University to respond to the report, but reports made to the Title IX coordinator are not confidential.

Upon being notified of a potential violation of this policy, the Title IX coordinator will reach out to the complainant to schedule an intake interview and will also provide information regarding resources, rights and reporting options.

A Formal complaint must include:

- The complainant's digital or physical signature, or an indication that the complainant is the person filing the formal complaint;

- An allegation of prohibited conduct as defined under this policy. This may include:
 - Where the incident(s) occurred,
 - What incident(s) occurred,
 - When the incident(s) occurred;
- Identity of respondent, if known;
- A request for a resolution, whether a formal investigation, or an informal resolution.

Formal complaints may be made to the Title IX coordinator by US mail or by email,

Title IX Coordinator: Jody Shipper

Address: 45154 Underwood Ln, Sterling, VA 20166

Email: titleix@divinemercury.edu

If a complaint is submitted in a form that does not meet this standard, the Title IX coordinator will contact the complainant to confirm a complainant's intent to file a formal complaint. Further, if the formal complaint does not have sufficient information to determine whether or not the conduct as alleged will fall under this policy, the Title IX coordinator will contact the complainant to schedule an intake interview.

Upon receipt of a formal complaint, the Title IX coordinator will promptly reach out to the complainant to conduct an Intake Interview and to discuss and implement supportive measures. In the event that the complainant declines to participate in an intake interview, and if the formal Title IX complaint contains an allegation meeting all of the jurisdictional elements of this policy, and the formal complaint is signed or includes an electronic submission from the complainant, and requests an investigation, the Title IX coordinator will, within 2 days, put the respondent and complainant on notice of the allegation and commence the investigation process.

Mandatory and discretionary dismissal

The University has the discretion to dismiss a complaint and in some cases an obligation to dismiss a complaint as follows:

Mandatory Dismissal

At any time prior to the commencement of a hearing, any case proceeding under this policy will be dismissed if it is determined that the conduct at issue does not meet the definitional or jurisdictional requirements of this policy. If the alleged conduct would, if true, support a finding that another DMU policy or the code has been violated, DMU may, in its sole authority, transfer the case for further handling under the appropriate policy or the code. DMU may use evidence already gathered during the Title IX process for the further handling of the complaint. Upon dismissal, both parties will be notified in writing of the decision and the rationale for the decision. The decision to dismiss is subject to appeal. Both parties will be notified in writing of any determination made following the appeal.

Discretionary Dismissal

At any time, including during an investigation or hearing, any case when: a) complainant notifies the Title IX coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations within the formal complaint; b) the respondent is no longer enrolled or employed at the University; or c) circumstances prevent the University from gathering evidence

sufficient to reach a determination. If the alleged conduct would, if true, support a finding that another DMU policy or the code has been violated, DMU may, in its sole authority, transfer the case for further handling under the appropriate policy or the code. DMU may use evidence already gathered during the Title IX process for the further handling of the complaint. Upon dismissal, both parties will be notified in writing of the decision and the rationale for the decision. The decision to dismiss is subject to appeal. Both parties will be notified in writing of any determination made following the appeal.

Consolidation of Cases: In the event that the allegations under this policy also involve allegations of a violation of a separate policy, the Title IX coordinator will have sole discretion to consolidate those other allegations within one investigation and/or hearing. Allegations of a violation of a separate policy are not required to be handled using the procedural requirements set forth in this policy.

Outreach and Initial Assessment

Intake interview

Upon receipt of information alleging a potential violation of this policy, the Title IX coordinator will reach out to the complainant to schedule an intake or informational interview and provide a copy of this policy and the following information:

- Availability of supportive measures with or without filing a formal complaint;
- How to file a formal complaint;
- Right to notify law enforcement and the right not to notify law enforcement;
- Importance of preserving evidence;
- Resources for counseling, health care, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other available services; and,
- Right to an advisor of choice.

The Title IX coordinator will discuss the complainant's rights and options, and will also assess for, and provide, appropriate supportive measures, taking into consideration the complainant's wishes, which are available with, or without, the filing of a formal complaint. If a formal complaint has not already been filed, the Title IX coordinator will explain to the complainant the process for filing a formal complaint.

A complainant may choose to receive supportive measures only and not proceed with the filing of a formal complaint, or any other resolution process. A complainant may also request an informal resolution or an investigation and hearing. If a complainant chooses to pursue an investigation and hearing, a formal complaint is required.

For those complainants who wish to proceed with a resolution process, the Title IX coordinator will also assess the facts as presented to determine whether the information provided suggests a potential violation of this policy.

In the event the allegation involves a sexual assault, dating or domestic violence, or stalking, within Clery geography, the Title IX coordinator will also notify the Clery coordinator of the allegations. Complainants will also be provided with information about their right to file with law

enforcement, their right to decline to do so, and, when applicable, information about seeking a personal protection order from the local courts.

If the complaint does not meet the required definitions of this policy, then the Title IX coordinator will not initiate the resolution process.

The Title IX coordinator will have the discretion to sign a formal complaint and initiate an investigation when a complainant's allegations involve violence, use of weapons, serial predation, or similar factors. When the Title IX coordinator signs a formal complaint, the Title IX coordinator does not become the complainant for purposes of this policy.

Emergency removal provisions

If at any time DMU determines that the conduct, as alleged, poses a risk of physical harm to one or more members of the DMU community or to DMU's educational environment, DMU may instruct that a respondent be suspended, on an interim basis, from specific programs or activities. Any such assessment will be made on a case-by-case basis, based on an individualized safety and risk analysis. If DMU determines that an immediate physical threat to the health or safety of students or others justifies removal from campus, then a respondent may be suspended on an interim basis. The decision to do so will be provided to respondent in writing.

Further, DMU will have the authority to place any employee respondent on an administrative leave of absence pending the outcome of an investigation and hearing.

The decision to place any respondent on an interim suspension or administrative leave must not be considered as evidence that any determination has been made regarding potential responsibility for violating this policy.

Opportunity to Challenge Decision to Suspend or Remove: A student respondent will have an opportunity to challenge the decision of suspension or removal. To challenge suspension or removal, the respondent should contact the Vice President for Academic Affairs, within 5 days of the interim suspension, who will explain the University's process for challenging the emergency removal.

Resolution methods

A formal complaint is required in order to initiate either of the two methods to resolve a potential violation of this Policy: 1) Informal Resolution; 2) Investigation and Hearing.

Informal resolution

The complainant may request, in writing, to proceed with an informal resolution. Participation in the informal resolution process is voluntary for the complainant and the respondent and both parties and the Title IX coordinator must agree to the use of informal resolution to resolve the complaint. If an informal resolution option is preferred, the Title IX coordinator will assess whether the complaint is suitable for Informal Resolution and will then take steps to determine if the respondent is also willing to engage in informal resolution. Both parties must agree, in writing, to an informal resolution.

Allegations that an employee has engaged in Prohibited Conduct toward a student will not be handled through the informal resolution process, and instead must be resolved through the Investigation and Hearing process.

When the complainant requests an informal resolution, the Title IX coordinator will provide the complainant and respondent written notice that includes:

- The specific allegation and the specific conduct that is alleged to have occurred;
- The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;
- Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- A statement indicating that the decision to accept a complaint does not presume that the conduct at issue has occurred, and that the respondent is presumed not responsible, unless and until, at the conclusion of the formal investigation and adjudication processes, there is a determination of responsibility;
- An explanation that each party may be accompanied by an advisor and a support person of their choice, who may be a parent, friend, or attorney;
- The date and time of the initial meeting with the Title IX coordinator, with a minimum of 2 days' notice;
- Information regarding supportive measures, which are available equally to the respondent and to the complainant.

If either party does not voluntarily agree in writing to pursue an informal resolution, or if the complainant, respondent, or Title IX coordinator, at any time, determines that informal resolution is no longer appropriate, the Title IX coordinator will promptly inform the complainant and respondent in writing that the complaint will proceed through the investigation and hearing Process. If an informal resolution process is ended prior to its completion, any information obtained will not be used in a subsequent investigation of the formal complaint.

Once the final terms of an informal resolution have been agreed upon by both parties, in writing, the matter will be considered closed, and no further action will be taken.

The informal resolution process is generally expected to be completed within thirty (30) and may be extended for good cause by the Title IX Coordinator. Both parties will be notified, in writing, of any extension and the reason for the extension.

Records of any informal resolution will be maintained and can be shared with other offices as appropriate.

Investigation process

DMU expects that all individuals who participate in the investigation process to do so truthfully and that all who have a responsibility for carrying out one or more aspects of the investigation and hearing process do so fairly and without prejudice or bias.

Prohibition on false evidence provided during Title IX process

Each party and every witness are expected to provide truthful information to the investigator, hearing officer, and the appeals officer.

Notice of investigation and investigation process

Within a reasonable period of time from the filing of a formal complaint and prior to the start of an investigation, the respondent and complainant will be provided, in writing, with a Notice of Investigation. Such notice will include:

- The specific allegation and the specific conduct that is alleged to have occurred;
- The identities of the complainant and the respondent;
- The date and location (if known) of the conduct that is alleged to have occurred;
- A copy of this policy, which contains the process that will be followed, including an explanation that each party will have the right to inspect and review all evidence prior to the completion of the investigation;
- A statement indicating that the decision to accept a complaint does not presume that the conduct at issue has occurred, and that the respondent is presumed not responsible, unless and until, at the conclusion of the process below, there is a determination of responsibility;
- An explanation that each party may be accompanied by an advisor of their choice, who may be a parent, friend, attorney, or union representative;
- The date and time of the initial interview with the investigator, with a minimum of five (5) days notice;
- Information regarding amnesty granted during this process;
- The name and contact information for the assigned investigator;
- Notice of the formal complaint process;
- Information regarding supportive measures.

Should additional allegations be brought forward, a revised Notice of Investigation will be provided to both parties, in writing.

Conflict of Interest or Bias

After a formal notice of investigation is issued to complainant and respondent, each party may object to the Title IX coordinator or designated investigator on the grounds of a demonstrated bias or actual conflict of interest. Both Parties will have three (3) business days from the date of the Notice of Investigation to object to the selection of the investigator or the Title IX coordinator. Objections to the appointment of the investigator will be made, in writing, to the Title IX coordinator. Objections to the Title IX coordinator must be made, in writing, to the vice president of academic affairs.. If the objection is substantiated as to either the investigator or the Title IX coordinator, that individual will be replaced.

A conflict of interest may include, for example, situations where an individual charged with a role in this process is a party's family member, close friend, current or former faculty member, advisor, or has another similar relationship with a party. The fact that an individual is the same or different gender, race, etc. of a party or individual involved in the process is not a conflict of interest.

Timeline

The University strives to complete the investigation process, up to evidence review, within 45 days, which may be extended for good cause by the Title IX Coordinator. Both parties will be notified, in writing, of any extension granted, the reason for the extension and the new anticipated date of conclusion of the investigation.

Interviews

The investigator will interview all parties and relevant witnesses and gather relevant documentary evidence provided by the parties and any identified witnesses. Interviews may be conducted in person, or via video conference. The investigator will take notes of the interview, and those notes will be made available to the person interviewed and also included with evidence review (see below).

The investigator will prepare an interview summary of each interview. The investigator will share the interview summary with the interviewee. The interviewee will have three (3) days to correct or comment on any statements made in the interview summary. The deadline may be extended for good cause, upon request to the investigator. If the interviewee has corrections or comments to the interview summary, the interviewee may submit a written response within three (3) days reflecting any additions or changes which the interviewee believes are necessary to ensure the accuracy of the interviewee's statement. If no response is received from the interviewee by the deadline, their interview summary will be presumed to be accurate. In all instances where the investigator includes the interview summary as an exhibit to a report, the investigator will either adjust the interview summary as may be appropriate, or include any response provided with the Investigation Report.

Each party will be provided with an opportunity to offer relevant witnesses and evidence. The investigator will consider all relevant evidence.

Information or evidence that is not provided to the investigator will not be allowed during the hearing, unless it can be clearly demonstrated that such information was not reasonably known to or available to the parties at the time of the investigation.

Evidence review

At the conclusion of all interviews and fact gathering, and when the evidence has been gathered, the investigator will provide each party, and their advisor, the opportunity to review all of the evidence gathered that is directly related to the allegation(s). This will include both inculpatory and exculpatory evidence. Given the sensitive nature of the information provided, the information will be provided in a secure manner (e.g., by providing digital copies of the materials through a protected, read-only web portal). Neither the Complainant nor the respondent (nor their Advisors) may copy, remove, photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided. Any student or employee who fails to abide by this Policy may be subject to discipline. Any advisor who fails to abide by this policy may be subject to discipline and/or may be excluded from further participation in the process.

Each party may respond to the evidence gathered. Each party will have ten (10) days in which to respond to the evidence. Each may provide a response in writing to the investigator. The investigator will incorporate any response provided by the parties into the Summary of Evidence Report. Along with their response to the evidence, each party may also submit a written request for additional investigation, such as a request for a follow-up interview(s) with existing witnesses to clarify or provide additional information, including offering questions to the investigator to pose to witnesses or to the other party. This response may include written, relevant questions that a party would like the investigator to ask of the other party or any witness. If any of the questions posed will be excluded as not relevant, or not likely to lead to relevant information, the investigator will explain to the party who proposed the questions any decision to exclude a question as not relevant.

Upon receipt of each party's response to the evidence reviewed, the investigator will determine if any additional investigation is needed.

In addition, either party may offer new witnesses or other new evidence. The investigator will take into account the responses provided, will pose questions to parties or witnesses as appropriate, and interview new relevant witnesses, and accept new, relevant, evidence.

If new relevant evidence is provided by either party, or gathered by the investigator, the newly-gathered evidence (including answers to clarifying questions) will be made available for review by each party. Each party will have ten (10) days in which to respond to the new evidence. Each may provide a response in writing to the investigator. The investigator will incorporate any written response provided by the parties into the Summary of Evidence Report.

Any evidence to be considered by the hearing officer must be provided to the investigator. Information that was not provided to the investigator will not be allowed during the hearing itself, unless it can be clearly demonstrated that such information was not reasonably known to, or available to, the Parties at the time of the investigation. Should new evidence be presented at the hearing, the hearing officer will have the authority to either exclude the evidence, or to send the matter back for further, limited investigation.

Exclusion of Questions Regarding Complainant's Past Sexual Behavior, or Predisposition

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant and will not be permitted, unless such questions and evidence about the complainant's prior sexual behavior are offered for one of two reasons: (a) to prove that someone other than the respondent committed the conduct alleged by the complainant; or (b) if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Investigation report

The investigator will then prepare a written report summarizing all of the relevant evidence gathered and all investigative steps taken to date. For those cases in which there are allegations of other University policies, the investigator will also make preliminary factual findings if requested to do so by the Title IX coordinator. Each party, as well as their advisor, will be provided with a

copy of the written report and will have 10 days to provide a response. Upon receipt of any response(s), the investigator will then complete the Investigation Report, which will include as an attachment all relevant evidence gathered during the investigation, as well as all interview notes and interview summaries, showing the original (as sent to each interviewee for review) and the revised version, after corrections or additions by each interviewee.

Conclusion of investigation, notice of hearing

The Title IX coordinator will review the final Investigation Report, with attachments. The Title IX coordinator may require that the investigator conduct additional investigation. Once the Investigation Report is final, it will be provided through a protected, read-only, server, together with all attachments, to each party and to their advisor.

At the same time, each party will be provided with a Notice of Hearing, which will include information regarding the date of the hearing, the identity of the hearing officer, and any deadlines for submission of evidence, names of witnesses, or questions to be reviewed by the hearing officer to ensure relevance. The hearing will be scheduled no less than 10 business days from the date of the Notice of Hearing.

Within three (3) days of receipt of the Notice of Hearing, either party may object to the hearing officer on the basis of a demonstrated bias or actual conflict of interest. Any objection is to be in writing and sent to Title IX coordinator. Should the Title IX coordinator determine that there is an actual bias or conflict of interest, the Title IX coordinator will remove the hearing officer and appoint another.

Hearing Procedures

Hearing advisor

Each party is entitled to one advisor at the hearing who will be referred to as the hearing advisor. The role of the hearing advisor is to ask questions of the other party and of witnesses, but not to advocate for, or otherwise speak on behalf of, the advisee during the hearing. No party will be permitted to ask questions of the other party, or of a witness. A hearing advisor of DMU's choosing will be provided for any party who does not have a hearing advisor

There will be a pre-hearing meeting with each party at which time, should the complainant or the Respondent not have a hearing advisor, one will be assigned.

Hearing

Hearings may be conducted in person or via videoconferencing. At the request of either party the University will provide separate rooms for individuals participating in the hearing process. If by videoconference, prior to the hearing, the hearing officer will have received instruction regarding the operation of any audio-visual equipment for the hearing. The hearing officer will also provide the participants instructions on how to participate in the video-conference hearing. No

complainant or respondent or witness will be compelled to participate in the hearing. However, the Title IX coordinator may choose to continue with the hearing in the absence of the complainant, respondent or any witness. The hearing officer may not take into consideration in either the hearing or in their final determination the statements made during the investigation of any individual who does not participate in the hearing and submit to questioning. The hearing officer will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the hearing, nor on any party or witness's refusal to answer questions at the hearing.

Each hearing will be recorded by the hearing officer and this recording will be considered the only official recording of the hearing. No other individual is permitted to record while the hearing is taking place. The recording is the property of DMU but will be available for listening by contacting the Title IX coordinator.

The Complainant, the Respondent, and the hearing officer all have the right to call witnesses. The hearing officer will afford the highest weight relative to other testimony to first hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. No party will be permitted to call as a witness anyone who was not interviewed by the investigator as part of DMU's investigation. Each party must submit to the hearing officer the names of witnesses they would like to call no less than five (5) days in advance.

Three days prior to the hearing, each party is encouraged to submit to the hearing officer a preliminary list of questions they wish to pose to the other party or to a witness. If the hearing officer determines that any are not relevant, the hearing officer will explain the reason for the exclusion of the question at the hearing. Each party, through their advisor, will also be permitted to ask additional relevant questions at the hearing. In the event that a party does not appear for the hearing, the advisor for that party is expected to appear and question the other party, and witnesses.

The hearing officer will have the authority to limit the time allotted to any phase of the hearing, and/or to limit the time allotted to the full hearing. Any such limitation will be communicated to the Parties no later than three (3) days before the hearing.

The hearing officer has the authority to maintain order and decorum at the hearing. The hearing officer also has the authority to determine whether any questions are not relevant, abusive, intimidating, or disrespectful, and will not permit such questions. Any party or witness who is disruptive may, in the discretion of the hearing officer, be removed and directed to continue their participation via video conferencing. Any advisor who is disruptive may be removed, and the hearing officer will appoint another advisor for the remainder of the hearing.

Following the hearing, the hearing officer will then prepare a report. To the extent credibility determination needs to be made, such determinations will not be based on a person's status as a complainant, a respondent, or a witness.

The hearing officer's report will include:

- The allegations;

- Description of all procedural steps;
- Findings of fact;
- Conclusion of application of facts to the Policy; and
- Rationale for each allegation.

The hearing officer's report will be provided to the Title IX coordinator. If there is no finding of responsibility, the Title IX coordinator will communicate the findings, along with a copy of the hearing officer's report, to the parties, together with procedures for appeal.

If there is a finding of responsibility, the Title IX coordinator will contact the appropriate sanctioning officer who will determine the sanction and notify the Title IX coordinator of the sanctioning determination. The Title IX coordinator will then simultaneously provide each party with the hearing officer's report, the determination of the appropriate sanction, and the procedure for appeals. The Title IX coordinator will also inform the complainant of any appropriate remedies.

Sanctions and remedies

Upon conclusion of the adjudicating process, when there is a finding of responsibility, the complainant will be offered such remedies designed to restore or preserve equal access to the institution's education program or activity. Some examples are tutoring, counseling or other services described as supportive measures. The Title IX coordinator is responsible for implementation of remedies.

Any one or more of the sanctions listed here may be imposed on a respondent who is found responsible for a violation of DMU's policies. Sanctions not listed here may be imposed in consultation with the Title IX coordinator. Sanctions are assessed in response to the specific violation(s) and any prior discipline of the respondent.

Possible sanctions include, but are not limited to:

- Warning
- Censure
- Behavioral Contract
- Demotion or Change in Employment Status
- Probation
- Restrictions on Access or Duties
- Restitution
- Termination of Employment
- Suspension

Other: Other sanctions may be imposed instead of, or in addition to, those specified here. Service, education, or research projects may also be assigned.

Multiple Disciplinary Actions: More than one of the actions listed above may be imposed for any single violation.

Appeals

Appeals may be filed by either party. Appeals will be sent to the Title IX coordinator, who will then send the appeal to the appeals officer. Appeals must be made within five (5) business days after

release of the Hearing Officer's Decision. When an appeal is filed, the other party will be notified, in writing, within one business day, and will then have five (5) days to respond to the appeal with a written statement in support of, or challenging, the outcome. Any party's decision not to submit a reply to an appeal is not evidence that the non-appealing party agreed with the appeal. Each party will be allowed to meet with the appeals officer.

The appeals officer will not have any actual conflict of interest or bias and will not be the same person as the hearing officer in the claim. Within three (3) days of the assigned Appeals Officer, either party may object to the appeals officer on the basis of an actual bias or conflict of interest. Any objection is to be in writing and sent to the Title IX coordinator. Should the Title IX coordinator determine that there is an actual bias or conflict of interest, the Title IX coordinator will remove the appeals officer and appoint another.

Appeals may be filed only on the following three grounds:

1. ***Procedural Error:*** A procedural error occurred that significantly impacted the outcome of the investigation or hearing. A description of the error and its impact on the outcome of the case must be included in the written appeal; or,
2. ***New Evidence:*** New evidence or information has arisen that was not available or known to the party during the investigation or hearing, and that could significantly impact the findings. Information that was known to the Appellant during the investigation or hearing but which they chose not to present is not new information. A summary of this new evidence and its potential impact on the investigation findings must be included in the written appeal; or,
3. ***Actual Conflict of Interest or Demonstrated Bias:*** The Title IX coordinator, investigator, or decision-maker had an actual conflict of interest or demonstrated bias for or against complainants or respondents generally, or the individual complainant or respondent, that affected the outcome of the matter.

The assigned Appeals Officer will issue a written decision regarding the appeal and the rationale for appeal decision within ten (10) business days from the end of the five (5) business day deadline for the non-appealing Party's statement. The written appeals decision will be sent simultaneously to both Parties which describes the result of the appeal and the rationale for the result.

If no appeal is filed, the determination regarding responsibility and the sanction will become final on the first day after the deadline to file an appeal has passed. If an appeal is filed, the determination regarding responsibility and the sanction will become final on the date that the decision regarding the appeal is communicated to the parties.

Rights, expectations and responsibilities

Individuals making a complaint to the Title IX Coordinator (complainant) and individuals responding to a complaint (respondent) each have rights throughout the complaint resolution and adjudication process, and may expect a fair, neutral process that will follow this policy.

Complainant and Respondent Rights

- Be treated with respect by all University officials throughout this process;
- Be informed of the available support resources or measures available;
- Be free of any form of retaliation and free to report such retaliation for disciplinary action;
- Obtain a mutual no contact directive with the other party upon request;
- Be accompanied by one advisor throughout the process, including at any interviews or hearing;
- An adequate, reliable, impartial and prompt investigation of the allegations conducted within a reasonable period of time after a formal complaint is filed;
- Receive written notice of the date, time and location of any interview scheduled with the investigator;
- Be informed of the status of the investigation, to the extent possible;
- Review all evidence which is directly related to the allegations prior to the conclusion of the investigation;
- Meet with the investigator and present information on their own behalf, identify witnesses or other third Parties who might have relevant information and identify or provide relevant documents or other information that may be helpful to the investigation;
- Have past unrelated behavior excluded from the investigation process;
- Question the selection of the investigator or hearing officer on the basis of an actual conflict of interest or demonstrated bias;
- Have a hearing advisor of the University's choosing provided, at no charge, for purposes of asking questions of the other party or witnesses during the hearing proceeding;
- Be notified of the hearing outcome and any sanctions applied, if applicable;
- Initiate and participate in an appeal process;
- Waive any of the rights contained herein.

Respecting privacy

DMU is committed to protecting the privacy of all individuals involved in the investigation and resolution of reports under this policy. With respect to any report under this policy, the University will make reasonable efforts to protect the privacy of participants, in accordance with applicable state and federal law, while balancing the need to gather information to take steps to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. All University employees who are involved in the University's Title IX response receive specific instruction about respecting and safeguarding private information.

Retaliation

Retaliation is prohibited under this policy. Retaliation is defined as any materially adverse action against a person who reports, complains about, or who otherwise participates in good faith in any manner related to this policy. Materially adverse action includes conduct that intimidates, threatens, coerces, discriminates against, harasses or in any other way seeks to discourage

participation in or activity under this policy. Retaliation does not include good-faith actions lawfully pursued in response to a report of prohibited conduct.

The exercise of rights protected under the First Amendment does not constitute retaliation. Further, charging an individual with a code of conduct violation for making a materially false statement in bad faith as part of the adjudication process will not constitute retaliation. However, a determination that there is not enough evidence to support a finding will not, by itself, be sufficient to conclude that a party or a witness made a knowingly false material statement.

Persons who believe they have experienced retaliation under this policy should contact the Title IX coordinator.

No conflict of interest or bias

Any individual carrying out this policy must be free from any actual conflict of interest or demonstrated bias that would impact the handling of this matter. Should the Title IX coordinator have a conflict of interest, the Title IX coordinator is to immediately notify the Vice President of Human Resources or the Vice President of Student Services, who will take the role of Acting Title IX coordinator for purposes of carrying out the handling and finalization of the matter at issue. Should any investigator, hearing officer, or Appeals Officer have a conflict of interest, the investigator is to notify the Title IX Coordinator upon discovery of the conflict.

Presumption of non-responsibility

The decision to proceed with an investigation is not in and of itself a determination that the respondent has engaged in the conduct as alleged. Any respondent is presumed not responsible for the conduct that is the subject of the investigation, unless and until a decision of responsibility has been made upon the completion of the adjudication process.

Requests for delays, and extensions of time

The Title IX coordinator may extend any deadlines within this policy, for good cause. The complainant and respondent will be notified in writing of any extension, the reasons for it, and projected new timelines.

Community resources for victims of sexual misconduct include:

Alexandria Sexual Assault Center

<https://www.alexandriava.gov/SexualViolence>

703.683.7273

Alexandria Domestic Violence Shelter

<https://www.alexandriava.gov/DomesticViolence>

703.746.4911

Fairfax County Office of Domestic and Sexual Violence Services

<https://www.fairfaxcounty.gov/familyservices/domestic-sexual-violence>

703.360.7273

Stafford County Family Violence and Sexual Assault Hotline
540.373.9373

Domestic Violence Hotline
<https://www.thehotline.org/>
1.800.799.SAFE (7233) TTY: 1.800.787.3224

Prince William Domestic Violence Intervention ACTS/Turning Points, Prince William
<https://www.actspwc.org/>
703.221.4951

Alexandria Women's Shelter
<https://www.womenshelters.org/cit/va-alexandria>
703.838.4911

Arlington Doorways for Women & Families (formerly TACTS) Safe House
<https://www.doorwaysva.org/about-us/>
703.237.0881

Bethany House of Northern Virginia (Alexandria)
<https://www.bhmv.org/>
703.658.9500; TTY: 1.800.828.1120

Fairfax County Emergency Shelter
703-360-7273; TTY 711

Artemis House
703.435.4940; TTY: 703.435.1235 (24/7)

Loudoun Abused Women's Shelter & Legal Services (LAWS)
<http://www.lcsj.org/laws-legal-services/>
703.777.6552

My Sister's Place DC
<https://mysistersplacedc.org/es/home/>
202.529.5991

Shelter House
<https://shelterhouse.org/>
703.536.2155

Training for investigators, hearing officers, hearing panel, appeals officers, Title IX coordinator

All individuals involved in the Title IX response, investigation, hearing and appeals process receive training in accordance with 34 C.F.R. §106.45(b)(10)(i)(D). This training may be viewed upon request to the Title IX coordinator.

Record retention

The Office of the Vice President of Academic Affairs will maintain all records relating to complaints and resolutions under this policy for a period of seven (7) years. These records shall include:

- Sexual Harassment investigation file
- Audio or audiovisual recordings or transcripts
- Disciplinary sanctions imposed
- Remedies provided to the complainant
- Appeals
- Informal resolutions
- Training materials
- Supportive measures