

**COMPLAINANT RIGHTS AND OPTIONS  
MIDAMERICA NAZARENE UNIVERSITY SEXUAL HARASSMENT POLICY**

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

**I. General Information**

- **Options.** You have several options, including, but not limited to:
  - Contacting parents or a relative
  - Seeking legal advice
  - Seeking personal counseling
  - Obtaining supportive measures
  - Filing a formal complaint under the Policy
  - Notifying law enforcement authorities
  - Pursuing civil legal action against the perpetrator
  - Requesting that no further action be taken
  - Requesting further information about the investigation and resolution process
  
- **Notifying Authorities.** If requested, the Title IX Coordinator or Deputy Title IX Coordinator will assist you in contacting local law enforcement regarding the incident. You may decline to notify such authorities.
  
- **Restraining Orders.** If you have obtained a temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court, you may provide such information to the Title IX Coordinator or Deputy Title IX Coordinator. If provided, the University will take all reasonable and legal action to implement the order.
  
- **Requesting Changes to Your Current Situation or Other Protective Measures.** The Title IX Coordinator will contact you to discuss the availability of supportive measures, such as changes to your academic, living, transportation, or working situation. The University will make supportive measures available to you if they are reasonably available, regardless of whether you choose to file a Formal Complaint or report the incident to local law enforcement. Please contact the Title IX Coordinator or Deputy Title IX Coordinator if you want information about taking a leave of absence and related financial aid information.
  
- **Preservation of Evidence.** It is extremely important that you preserve evidence as it may be necessary to prove the complaint you are making or needed to obtain a protection order. In the case of physical violence, including sexual assault, domestic violence, and dating violence, you should go directly to the emergency room and should not bathe, urinate, douche, brush teeth, drink liquids, or change clothes until after you are examined and, if necessary and you so choose, a rape examination is completed by a trained forensic professional at the hospital. Having a forensic examination does not obligate you to file criminal charges. Evidence in electronic formats should also be retained (e.g., text messages, emails, photos, social media posts, screenshots, etc.). This type of evidence is important and may be the only available evidence in cases of sexual harassment or stalking.

## II. Institutional Procedures

- The Policy (available at: <https://www.mnu.edu/wp-content/uploads/2023/08/4892-1947-8529.1-MNU-Title-IX-policy-2023-2024.pdf>) governs complaints of quid pro quo sexual harassment, hostile environment sexual harassment, sexual assault, domestic violence, dating violence, and stalking. The procedures in the Policy:
  - Provide a prompt, fair, and impartial investigation and resolution of your formal complaint, under the evidentiary standard of preponderance of the evidence—i.e., more likely than not that the alleged conduct occurred.
  - Are carried out by University officials who receive training on the issues related to quid pro quo sexual harassment, hostile environment sexual harassment, sexual assault, domestic violence, dating violence, and stalking; the scope of the University's education programs or activities; how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability; and how to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
  - Provide you and the Respondent the right to have a support person/advisor accompany you to all aspects of the investigation and adjudication process. Except as explained in the Policy, a support person/advisor may not advocate for a party like an attorney would in court.
  - Ensure that both you and the Respondent are notified simultaneously in writing of the outcome of the investigation and resolution proceedings, the procedure to appeal the outcome, any change to the outcome that occurs before the outcome is final, and when such outcome becomes final.
  - Prohibit retaliation by the Respondent or anyone else against you for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because you have made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Policy.
- If you desire to have a support person/advisor but cannot find someone that you are comfortable with, please contact the Title IX Coordinator or Deputy Title IX Coordinator for assistance in doing so.
- You are prohibited from retaliating against the Respondent or against anyone else who participates in the investigation.

## III. Possible Supportive Measures and Sanctions

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

- **Sanctions.** If there is a finding that a violation of the Policy has occurred, sanctions may include counseling or training, separation of the parties, and/or discipline of the Respondent, including written reprimand, probation, suspension, demotion, termination, or expulsion.
- **Remedies.** The University will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the University's education programs or activities.

#### IV. Confidentiality

- If you decline to file a Formal Complaint of Sexual Harassment, the Title IX Coordinator may file a Formal Complaint on behalf of the University if doing so is not clearly unreasonable. For example, the Title IX Coordinator may file a Formal Complaint on behalf of the University where the Respondent may pose a continuing threat to the University community
- Throughout the investigation and adjudication of your complaint, the University will maintain as confidential any supportive measures provided to you, to the extent maintaining such confidentiality does not impair the University's ability to provide such measures.
- The University is required by law to make certain statistical disclosures of crimes reported to it. If you report an incident that is a crime, the University will make the statistical disclosure without disclosing personally identifying information about you.

#### V. Resources Available

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

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

- Title IX Coordinator

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

- Deputy Title IX Coordinator

Sharaya Borjas  
Director of Student Counseling & Wellness  
MidAmerica Nazarene University  
Campus Center Building  
Phone 913-971-3734  
[slborjas@mnu.edu](mailto:slborjas@mnu.edu)

■ Title IX Committee Members

Evie Kowalewski  
Director of Human Resources  
MidAmerica Nazarene University  
Lunn Building  
Phone 913-971-3427  
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Metz Building  
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Devon Brown  
Director of Residential Life  
MidAmerica Nazarene University  
Campus Center Building  
Phone 913-971-3544  
[dcbrown@mnu.edu](mailto:dcbrown@mnu.edu)

Bridget Barney  
Assistant Athletic Director  
MidAmerica Nazarene University  
Cook Center Building  
Phone 913-971-3760  
[babarney@mnu.edu](mailto:babarney@mnu.edu)

■ On-Campus Counseling (confidential resource)

MNU Student Counseling and Wellness Center  
14201 S. Mur-Len, Suites. #101 & #103  
Olathe, KS 66062  
Phone 913-971-3297  
[wellness@mnu.edu](mailto:wellness@mnu.edu)

MNU Community Counseling Center  
14201 S. Mur-Len  
Olathe, KS 66062  
Phone 913-971-3733  
[communtycounseling@mnu.edu](mailto:communtycounseling@mnu.edu)

Rev. Brady Braatz  
University Chaplain  
MidAmerica Nazarene University  
Weatherby Chapel  
Phone 913-971-3452  
[bbraatz@mnu.edu](mailto:bbraatz@mnu.edu)

Sharaya Borjas  
Director of Student Counseling & Wellness  
MidAmerica Nazarene University  
Campus Center Building  
Phone 913-971-3734  
[slborjas@mnu.edu](mailto:slborjas@mnu.edu)

■ Department of Campus Safety & Security

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

■ Student Financial Aid

Lunn Building  
Phone 913-971-3298  
[finaid@mnu.edu](mailto:finaid@mnu.edu)

■ Local Police

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

■ Hospitals

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

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

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

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

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

- Coversa (Collection of Victim Evidence Regarding Sexual Assault) 24-hr exam request line: 1-855-717-1136, <https://coversa.square.site/> or
- or <https://www.olathehealth.org/locations/coversa/>
- Sexual Assault Nurse Examiner (SANE) program:
  - <https://www.kcsdv.org/find-help/in-kansas/sane/>
  - <https://mocsa.org/hospital-list/>
  - <https://mocsa.org/services/>

#### ■ Support Agencies/Hotlines

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

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

#### ■ Legal Assistance, Visa and Immigration Assistance

- Kansas Legal Services: <https://www.kansaslegalservices.org/>
- Missouri Legal Services: <https://www.lsmo.org/>
- Immigration Advocates Network:  
<https://www.immigrationadvocates.org/nonprofit/legaldirectory/>

- U.S. Citizenship and Immigration Services: <https://www.uscis.gov/about-us/find-a-uscis-office/field-offices>