

Statement of Non-discrimination

Schreiner University (“Schreiner” or “the University”) is committed to fostering an environment that is free from unlawful discrimination, harassment, sexual misconduct, and retaliation in all aspects of its educational programs and employment practices.

In accordance with applicable federal, state, and local laws—including but not limited to Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA), the Genetic Information Nondiscrimination Act (GINA), the Vietnam Era Veterans’ Readjustment Assistance Act (VEVRAA), and other applicable laws—Schreiner University prohibits discrimination or harassment against any individual based on:

- Sex, gender, sexual orientation, gender identity or expression
- Race, color, ethnicity, or national origin
- Shared ancestry or ethnic characteristics
- Religion*
- Citizenship, immigration status or residency in a country with a dominant religion or distinct religious identity
- Age
- Disability (physical or mental)
- Genetic information
- Veteran or military status
- Any other protected category under federal, state, or local law

This policy applies to all University programs and activities, including but not limited to admissions, employment, academic policies, housing, athletics, and other educational services.

Note: As a private institution affiliated with the Presbyterian Church (U.S.A.), Schreiner University may claim religious exemptions under Title IX, Title VII, and other federal, state and local laws. This allows the University to make decisions aligned with its religious mission and values, as permitted by law.

Purpose

This policy exists to:

1. Define prohibited conduct.
2. Outline how to report concerns or file a complaint.
3. Describe the investigation and resolution process.
4. Identify supportive measures available to those affected.

Scope

A. General Application

This Policy applies to all forms of Prohibited Conduct within the scope of the University’s education programs and activities. It applies to all individuals participating in these programs or activities, including but not limited to students, faculty, staff, administrators, contractors, volunteers, and guests.

This Policy governs conduct that occurs:

- On University property;
- In the context of official University programs or activities, regardless of location; and
- Off-campus, when the conduct may impact a person's ability to participate in or benefit from University programs or activities, or when the University reasonably determines it has a legitimate interest in addressing the conduct.

All students, employees, contractors, and visitors are expected to comply with the standards of conduct outlined in this Policy, consistent with applicable federal and state non-discrimination laws, including but not limited to Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and relevant EEOC regulations.

B. Relationship to University Title IX Policy

All allegations of sex discrimination which rise to the level of "Sexual Harassment" occurring within the University's Education Programs and Activities as defined by the University's Title IX Policy are handled exclusively pursuant to the procedures outlined in the Title IX Policy. All other acts of Discrimination—including acts of sex discrimination which do not rise to the level of Sexual Harassment occurring within the University's Education Programs and Activities as defined by the University's Title IX Policy—are handled pursuant to this Non-Discrimination Policy.

If an individual accused of violating this Policy is no longer affiliated with the University when the report is received, the University may not conduct an investigation into the allegations, but reserves the right to document the report and address the allegations with the accused individual prior to that individual returning to Schreiner as a student, employee, or visitor. A decision to not conduct a formal investigation into the allegations against an accused individual no longer affiliated with the University does not preclude the provision of supportive measures to the Complainant or other affected individuals.

¹ As a religious institution, the University may be exempt from some legal requirements because of its affiliation with the Presbyterian Church

Definitions of Prohibited Conduct

The following categories of conduct ("Prohibited Conduct") are prohibited under this Policy. When committed by University employees, students, or other community members, such conduct may result in disciplinary action, up to and including termination or expulsion, in accordance with University procedures and applicable laws.

A. Discrimination

Discrimination is any adverse action or differential treatment directed at an individual or group based on their Protected Status (such as race, color, religion, sex, national origin, age, disability, sexual orientation, gender identity, or other status protected by law) that negatively affects a person's employment, educational opportunities, or participation in University programs or activities.

B. Harassment

Harassment is unwelcome verbal, written, or physical conduct that:

1. Is based on a person's Protected Status;
2. Is severe or pervasive; and
3. Unreasonably interferes with an individual's work or academic performance, or creates an intimidating, hostile, or offensive environment.

Harassment may include slurs, jokes, derogatory comments, physical assaults or threats, or other conduct that demeans or shows hostility toward an individual or group.

C. Sexual Harassment (Other than Title IX-defined)

"Other Sexual Harassment" refers to unwelcome sex-based verbal or physical conduct that:

1. In the workplace: unreasonably interferes with an employee's job performance or creates a hostile, intimidating, or offensive work environment;
2. In the educational context: is severe, persistent, or pervasive enough to interfere with a student's access to or participation in University programs or activities.

This definition does not include allegations that fall under the University's separate Title IX Policy, which applies to sexual harassment occurring within the scope of the University's education programs and activities as defined by federal regulations.

D. Sexual Exploitation

Sexual Exploitation occurs when an individual takes non-consensual or abusive sexual advantage of another for their own benefit or to benefit a third party. Such conduct violates personal boundaries and dignity, even if it does not meet the definition of other Prohibited Conduct.

Examples include, but are not limited to:

- Causing or attempting to cause someone's incapacitation for sexual purposes;
- Recording, photographing, or transmitting sexual images or sounds without consent;
- Allowing others to observe private sexual activity without all parties' consent;
- Voyeurism (observing intimate behavior without consent in a context where privacy is expected);
- Knowingly exposing another person to a sexually transmitted infection or HIV.

Note: Definitions of "Consent," "Incapacitation," and "Coercion" are adopted by reference from the University's Title IX Policy.

E. Other Unprofessional/Inappropriate Conduct

Unprofessional or inappropriate conduct of a sexual nature that does not rise to the level of harassment or other Prohibited Conduct may still violate workplace or academic standards. Such behavior is inconsistent with the University's commitment to respectful and professional environments and may result in corrective or disciplinary action.

F. Retaliation

Retaliation is any adverse action or threat taken against an individual for:

- Reporting suspected Prohibited Conduct;
- Filing an external complaint;
- Participating in an investigation or disciplinary proceeding; or
- Opposing behavior reasonably believed to be a policy violation.

Retaliatory acts may include intimidation, threats, harassment, adverse job or academic decisions, or any conduct that would deter a reasonable person from engaging in protected activity. Retaliation is prohibited and constitutes a separate violation of this Policy.

G. Inappropriate Consensual Relationships

Consensual romantic or sexual relationships between employees and students, or between individuals in a supervisory role and their subordinates, are strongly discouraged and generally prohibited due to the potential for actual or perceived conflicts of interest, coercion, or abuse of power.

Employees must disclose any such relationship to their supervisor or Human Resources immediately. In cases where an employee's spouse is a student, the employee must ensure they do not supervise, instruct, or evaluate their spouse. The University reserves the right to impose remedies or reassignments to eliminate conflicts of interest. Violations may result in disciplinary action, up to and including termination.

H. Complainant

A Complainant is any individual who is alleged to be the victim of conduct that could constitute a violation of this Policy.

I. Respondent

A Respondent is any individual who has been reported to have engaged in conduct that could violate this Policy.

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Student Reporting

Complaints of Prohibited Conduct

Students who experience or witness Prohibited Conduct should submit a complaint to the appropriate University administrator. The following offices have been designated to handle complaints of a violation of this Policy:

Students may report violations to:

- **Dr. Russel Frohardt** – Provost & VP for Academic Affairs
Tom Murray Building | (830) 792-7371 | RFrohardt@schreiner.edu
- **Dr. Matt Goodwyn** – VP for Student Affairs
(830) 792-7330 | TMGoodwyn@schreiner.edu
- **Dr. Jared Montoya** – Dean of Faculty
(830) 792-7267 | JAMontoya@schreiner.edu

Anonymous Reporting:

Reports may be submitted anonymously via:

https://report.syntrio.com/_StandardCustomURL/LHILandingPage.asp

Law Enforcement:

Individuals are encouraged to also report conduct that may be criminal to local police. University and criminal processes can proceed simultaneously.

While verbal reports of Prohibited Conduct will be received and responded to as appropriate considering the wishes of the reporting individual(s) and the circumstances of each case, the University strongly recommends reports of violations of this Policy be submitted in writing. The written complaint should identify the parties involved; describe the Policy violation, including when and where it occurred; and identify by name or description any witnesses and/or evidence. Written complaints will be treated as confidentially as practical and shared only on a need-to-know basis.

In addition, all individuals are encouraged to report conduct that may also violate criminal law to both the University and to local law enforcement. These processes are not mutually exclusive.

Supportive Measures

Regardless of the complaint resolution process utilized in response to a complaint of Prohibited Conduct, the University will, to the extent practicable based on the University's resources, provide the Complainant with support and resources to restore or preserve equal access to the University's education programs and activities and/or employment. Such measures are designed to protect the safety of all parties implicated by a report or to deter Prohibited Conduct. Supportive measures may include, but are not limited to: counseling, extensions of academic or other deadlines, course-related adjustments, modifications to work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. Supportive Measures may also include mutual restrictions on contact between the parties implicated by a report.

A list of local and University resources to assist individuals impacted by Prohibited Conduct may be found at the end of this Policy.

Complaint-Resolution Process

A. Receipt of a Complaint and Preliminary Assessment

Upon receipt of a complaint, the administrator receiving the complaint (hereinafter the "Administrator") will conduct a preliminary inquiry designed to assess:

1. the institutional policy or policies potentially invoked by the alleged conduct, 2. the appropriate University official to respond to the complaint, and
2. the best path of resolution for the complaint. In the event the Administrator determines there are no reasonable grounds for believing the conduct at issue constitutes a violation of this Policy, the Administrator will close the complaint.

B. Informal Resolution

The Administrator will determine whether informal resolution is an appropriate mechanism of resolution based on the information provided about the incident. Options for informal

resolution include, but are not limited to, mediation, restorative justice, or other form of alternative resolution. If informal resolution is determined to be appropriate, the Administrator or their designee will meet separately with both parties to discuss an informal resolution based on the information available. If the proposed resolution satisfies the University's obligation to provide a safe and non-discriminatory environment for the University Community, the resolution will be implemented, and the matter will be closed. The Human Resources and/or Student Life offices will maintain records of all reports and conduct referred for informal resolution.

C. Formal Resolution Procedures

If the Administrator determines that a formal investigation is warranted to resolve a complaint, the University will determine whether an employee or student is responsible for a violation of this Policy and what, if any, corrective action is appropriate, in accordance with the procedures described below.

1. Assignment of Investigator

The Administrator will appoint an investigator or investigative team with experience investigating allegations of discrimination and harassment. The investigator(s) may be an employee of the University or an external investigator engaged to assist the University in its fact gathering.

2. The Investigation

The investigation will be conducted in a manner appropriate in light of the circumstances of the case. The investigation may include, but is not limited to, conducting interviews of the complainant(s), the respondent(s), and any witnesses (witnesses must have observed the acts in question or have information relevant to the incident); reviewing law enforcement investigation documents, if applicable; reviewing personnel files; and gathering, examining, and preserving other relevant documents and physical, written, and electronic evidence (including text messages and other phone records, social media posts, security camera footage, etc.). The parties will be afforded an opportunity to identify and present relevant witnesses and evidence to the investigator, as well as identify witnesses who may have relevant information.

3. The Investigator's Report and Conclusions

The investigator will make conclusions as to whether the respondent violated any provision of this Policy. The standard of proof shall be by a preponderance of the evidence. The investigator's findings and conclusions may be shared with the Administrator in a written report.

Determination of No Policy Violation. If the investigator determines that the respondent did not violate any provision of this policy, the Administrator will determine and document the appropriate resolution of the complaint and notify the parties of that determination. Appropriate resolutions may include, but are not limited to, dismissal of the complaint, conferences with one or more of the parties, and the introduction of remedial and community-based efforts such as educational initiatives and/or trainings.

a. Determination of a Policy Violation. If the investigator determines there is sufficient

information to find, by a preponderance of the evidence, that the respondent violated this Policy, the matter will be referred for corrective action.

D. Corrective Action

If the Respondent is found responsible, the appropriate University administrator(s) will determine appropriate corrective action up to and including termination of employment.

Texas law requires a notation on the transcript of any student who is ineligible to reenroll in the University for a reason other than an academic or financial reason. Therefore, this requirement applies to violations this Policy that result in ineligibility to enroll in the University for any period of time, such as suspension and expulsion. In addition, if a student withdraws while there are pending disciplinary charges that may result in the student becoming ineligible to reenroll in the University for a reason other than an academic or financial reason, the University will not end the disciplinary process until a final determination of responsibility has been made. A disciplinary charge becomes a pending matter upon the initial receipt of the complaint, whether oral or written.

E. Appeals

Appeals of findings of responsibility against Student-Respondents will be handled pursuant to the Student Complaint Procedure.⁴

Appeals of findings of responsibility against Employee-Respondents will be handled pursuant to the applicable faculty or personnel policies.

F. Knowingly Filing a False Complaint

Knowingly filing a false complaint is a violation of this Policy. Such conduct may result in corrective action up to and including separation from the University.

⁴ See <https://schreiner.edu/campus-life/student-conduct/>.

Employee Reporting

Complaints of Prohibited Conduct

Employees who believe they have been subjected to discrimination, harassment, or retaliation in violation of this policy are encouraged to report the matter promptly to Human Resources. Complaints will be investigated promptly and thoroughly.

Retaliation against individuals who report discrimination or participate in an investigation is strictly prohibited and may result in disciplinary action, up to and including termination.

Employees may report violations to:

- **Eryn Olivia Larson** – Director of Human Resources
Gus Schreiner Building | (830) 792-7375 | el Larson@schreiner.edu

Anonymous Reporting:

Reports may be submitted anonymously via:

https://report.syntrio.com/_StandardCustomURL/LHILandingPage.asp

Law Enforcement:

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Supportive Measures

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Corrective Action Policy (in alignment with the Progressive Discipline Policy)

Schreiner University is committed to maintaining a respectful, equitable, and legally compliant

work environment. This includes ensuring fair and impartial treatment of all employees and consistent application of disciplinary measures in accordance with federal and state laws, including those enforced by the Equal Employment Opportunity Commission (EEOC).

The University strives to resolve workplace issues constructively and proactively. The primary goal of any disciplinary action is to correct behavior, prevent recurrence, and support the employee's success in their role. Leadership at all levels is responsible for upholding these standards through consistent, fair, and non-discriminatory practices.

At-Will Employment

Employment with Schreiner University is based on mutual consent. Both the employee and the University retain the right to terminate employment at will, with or without cause or advance notice, subject to applicable law.

Progressive Discipline

When performance or conduct concerns arise—including but not limited to violations of the University's Non-Discrimination Policy (such as discrimination, harassment, or retaliation)—Schreiner University may, at its discretion, implement progressive disciplinary action, which can include:

1. Verbal Warning
2. Written Warning (with or without a probationary period)
3. Suspension (with or without pay)
4. Termination of Employment

Progressive discipline is designed to address most behavioral or performance issues. However, the University reserves the right to determine the appropriate level of discipline based on the nature, severity, and frequency of the issue.

In cases involving violations of this Policy—such as discriminatory conduct, sexual harassment, retaliation, or other serious infractions—immediate suspension or termination may be warranted without prior warnings.

Time Frame and Repetition

If more than twelve (12) months have passed since the last disciplinary action, the progressive discipline process will typically reset. Probationary periods, when applied, will not exceed ninety (90) days, unless extended due to exceptional circumstances, with written justification and HR approval.

EEOC Compliance and Policy Violations

Violations of the University's policies related to discrimination, harassment, sexual misconduct, or retaliation are considered serious offenses. These may constitute violations of federal and state anti-discrimination laws and will be investigated promptly and thoroughly. Disciplinary action for such violations may bypass progressive steps, depending on the circumstances.

All corrective actions taken under this policy will be administered in a non-discriminatory, consistent, and impartial manner. Employees have the right to raise concerns regarding disciplinary actions through appropriate University procedures without fear of retaliation.

Non-Retaliation

Schreiner University strictly prohibits retaliation against employees who report concerns of discrimination or harassment or who participate in an investigation. Retaliatory conduct is itself a separate policy violation and will be subject to disciplinary action, up to and including termination.

Resources and Referrals

Schreiner Health and Wellness (counseling and medical services)

Phone: (830) 792-7279

Website: <https://schreiner.edu/campus-life/campus-services/health-services/>

Campus Conduct Hotline

Phone: (866) 943-5787

A confidential, independent, call-in service that provides a simple, anonymous way for you to help preserve the values and reputation of our institution. The Campus Conduct Hotline offers an easy, comfortable way to report activity or behavior you may observe or experience on campus that is harmful, unethical, questionable, or causes you or someone else personal injury.

Employee Assistance Program (EAP) Phone: (800) 588-8412 Website:

https://info.schreiner.edu/ICS/Human_Resources A confidential, telephone-based consultation and referral service that can help employees and their immediate family cope with life's everyday challenges. Telephonic EAP can help with things like stress, anxiety, depression, relationship problems, job or work stress, parenting, alcohol and drugs, legal issues, and financial concerns.

Hill Country Crisis Council (Shelter, Crisis Intervention, Legal Advocacy, and Referral Sources)

Phone: (830) 257-7088

Website: <https://www.hillcountrycrisiscouncil.org/>

Promotes healthy relationships and seek to prevent domestic and sexual crimes by working with people at high risk of victimization and the perpetrators themselves.

TAASA (Texas Association Against Sexual Assault)

Website: <https://taasa.org/>

Phone: (512) 474-7190

TAASA is designed to assist sexual assault survivors and to create a Texas free from sexual violence. TAASA advocates for individual sexual assault survivors as well as sexual assault programs collectively.

RAINN (Rape, Abuse and Incest National Network) Website: <https://www.rainn.org/>

Phone: (800) 656-4673

At any given moment, more than 1,100 trained volunteers are on duty and available to help victims at RAINN-affiliated crisis centers across the country.

Office for Civil Rights (OCR)

Website: <https://www2.ed.gov/about/offices/list/ocr/index.html>

Phone: (800) 421-3481