



Title IX Policy

Wongu University of Oriental Medicine is in compliance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990.

Wongu University is committed to the maintenance of an environment free of discrimination and all forms of coercion that impede academic freedom or diminish the integrity of any member of the University community. The University emphasizes this policy specifically as it pertains to the prevention of sexual harassment and to the obligations of students, faculty, administrators, and staff in this regard, regardless of gender or preference.

Consistent with the expectations of the Education Amendments of 1972's Title IX (or simply "Title IX"), the university prohibits discrimination based on sex in its education programs and activities. As a recipient of federal financial assistance, Wongu University is required to adhere to Title IX requirements.

Title IX protects faculty, staff, and students against unlawful acts of sexual misconduct, including sexual violence, sexual harassment, sexual exploitation, intimate partner violence, dating violence, bullying (including cyberbullying), and stalking. Taken together, these acts are termed sexual misconduct. The university prohibits retaliation against advocating for a right protected under Title IX.

It is the policy of Wongu University that no member of the community - students, faculty, administrators, or staff – may sexually harass any other member of the community. Sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature constitute harassment when

- Submission to such conduct is made or threatened to be made, either explicitly or implicitly, a term or condition of an individual's employment or education;
- Submission to or rejection of such conduct by an individual is used or threatened to be used as the basis for academic or employment decisions affecting that individual; or
- Such conduct has the purpose of substantially interfering with an individual's academic or professional performance or creating what a reasonable person would sense as an intimidating, hostile, or offensive employment, educational, or living environment.

The University will take appropriate steps to ensure that a person who in good faith brings forth a complaint of sexual harassment will not be subjected to retaliation. The University will also take appropriate steps to ensure that a person against whom such a complaint is brought is treated fairly and has adequate opportunity to respond to such allegations, and that findings, if any, are supported by clear and persuasive evidence.



Complaints of sexual harassment should be handled confidentially, with facts made available only to those who need to know in order to investigate and resolve the matter. Both the person who complained and the person complained against will be notified of the final disposition of the complaint.

If a complaint of sexual harassment is found to be substantiated, appropriate corrective action will follow, up to and including the separation of the offending party from the University.

Notice of Non-Discrimination

Wongu University is committed to providing a place of work and learning free of discrimination on the basis of race, color, national origin, disability (whether actual or perceived by others), religion, age, sex/gender (including pregnancy related conditions), sexual orientation, gender identity or expression, genetic information, veteran status (military status or military obligations) in the programs or activities which it operates. All students, faculty and staff members are expected to abide by this policy and to assist in its enforcement.

Wongu University maintains a strict policy prohibiting sexual harassment and harassment on the basis of race, color, national origin, ancestry, religion, creed, physical or mental disability, medical condition, marital status, sexual orientation, age, or any other basis protected by federal, state or local law. All such harassment is prohibited. Wongu's anti-harassment policy applies to ALL PERSONS involved in the operations of Wongu and prohibits harassment by any employee of Wongu, including managers, supervisors, and co-workers.

In addition, Wongu's anti-harassment policy protects faculty and staff members from harassment by students of Wongu, vendors, or any others doing business with Wongu. If harassment occurs on the job by someone not employed by Wongu, the procedures in this policy should be followed as if the harasser were an employee of Wongu.

Any student, faculty member or staff member who engages in such prohibited conduct will be subject to appropriate disciplinary action, up to and including termination or dismissal, depending on the seriousness of the conduct in question and the surrounding circumstances. The University will periodically develop and mandate training programs for staff, faculty, and students in furtherance of this policy.

Title IX Coordinator

Wongu University Title IX coordinator, Academic Dean, is available to all students, faculty, staff, guests, and visitors to provide resources and answer questions regarding the process of reporting a possible violation of the institution's policy. Any incident



involving sexual misconduct, harassment, or discrimination may be reported to the Title IX Coordinator. In the role as coordinator, the Academic Dean accepts the responsibility of upholding Wongu University Title IX policy and is a confidential resource to those who wish to discuss an incident but may not be ready to file a formal report.

University Statement on Privacy

Sexual misconduct - that is, sexual harassment as defined in this policy - is a form of sex discrimination that unjustly deprives a person of equal treatment. It is prohibited by Title IX of the Education Amendments of 1972. Sexual harassment is also prohibited under Title VI of the Civil Rights Act of 1964.

In any Title IX review of an allegation of sexual misconduct, every effort will be made to protect the privacy and interests of the individuals involved while remaining consistent with the need for a thorough review of the allegation. Such a review is essential to protecting the safety of the complainant, the respondent, and the broader campus community, allowing us to maintain an environment free from sexual discrimination.

At all times, the privacy of involved parties will be respected and safeguarded. Information related to a report of misconduct will be shared only with those university employees who must know to assist in the investigation and/or resolution of the complaint. All university employees who are involved in the Title IX review process, including conduct board hearing members, have received specific training in the safeguarding of private information. Students or employees wishing to obtain confidential assistance through on-campus or off-campus resources without making a report to the university may do so by speaking with professionals who are obligated by law to maintain confidentiality.

If a report of misconduct discloses an immediate threat to the campus community, the university may issue a timely notice of this conduct to the community in order to protect the health or safety of the broader campus community. This notice will not contain any biographical or other identifying information. Immediately threatening circumstances include, but are not limited to, recently reported incidents of sexual misconduct that involve the use of force or a weapon, or other circumstances that represent a serious and ongoing threat to university students, faculty, administrators, staff, or visitors.

All resolution proceedings are conducted in compliance with the requirements of FERPA, the Clery Act, Title IX, and university policy. No information shall be released from such proceedings except as is required or permitted by law or university policy.

Prohibited Conduct and Definitions

The university prohibits sexual misconduct. Sexual misconduct is a broad term that includes, but is not limited to:

1. Sexual Harassment
2. Sexual Violence
3. Sexual Exploitation
4. Stalking
5. Cyber-stalking
6. Bullying
7. Cyberbullying
8. Aiding or facilitating the commission of a violation
9. Retaliation

Consistent with the values of an educational and employment environment free from harassment based on sex, the university also prohibits gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, as well as intimidation or hostility, based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

Definition of Sexual Harassment

Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature in any of the following contexts:

Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, evaluation of academic work, or participation in social or extracurricular activities.

Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual.

Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance by creating an intimidating, hostile, humiliating, demeaning, or sexually offensive working, academic, or social environment. This effect will be evaluated based on the perspective of a reasonable person in the position of the complainant.

A single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents creating a hostile environment—particularly if the harassment is physical.

Forms of Prohibited Sexual Harassment

Sexual harassment is prohibited. In some cases, sexual harassment is obvious and may involve an overt action, threat, or reprisal. In other instances, sexual harassment is subtle and indirect, with a coercive aspect that is unstated.

Sexual harassment can take many forms:

1. It can occur between equals (e.g. student to student, staff to staff, faculty member to faculty member, visitor/contracted employee to staff) or between persons of unequal power status (e.g. supervisor to subordinate, faculty member to student, coach to student-athlete, student leader to first-year student). Although sexual harassment in the context of an exploitation of power is often caused by the individual with greater power, a person who appears to have less power in a relationship can also commit sexual harassment (e.g. student harassing faculty member).
2. It can be committed by an individual or as a result of the collective actions of an organization or group.
3. It can be committed against an individual, an organization, or a group.
4. It can be committed by an acquaintance, a stranger, or someone with whom the complainant has a personal, intimate, or sexual relationship.
5. It can occur toward or from an individual of any sex, gender identity, gender expression, or sexual orientation.
6. It does NOT have to include intent to harm, be directed at a specific target, or involve repeated incidents.

Examples of behavior that might be considered misconduct include, but are not limited to:

Unwanted or inappropriate sexual innuendos, sexual attention, propositions, or suggestive comments and gestures; humor and jokes about sex or gender-specific traits; sexual slurs or derogatory language directed at another person's sexuality or gender; insults and threats based on sex or gender; and any other oral, written, or electronic communication of a sexual nature that an individual communicates is unwanted and unwelcome.

The display or distribution of sexually explicit drawings, pictures, or written materials, including graffiti; sexually charged name-calling; sexual rumors or ratings of sexual activity/performance; the circulation, display, or creation of e-mails or Web sites of a sexual nature.



Non-academic display or circulation of written materials or pictures degrading to an individual or gender group (it is expected that instructors will offer an appropriate warning regarding the introduction of explicit and triggering materials used in the classroom).

Inappropriate or unwelcome physical contact or suggestive body language, such as touching, patting, pinching, hugging, kissing, or brushing against an individual's body; Undue and unwanted attention, such as repeated inappropriate flirting, inappropriate or repetitive compliments about clothing or physical attributes, staring, or making sexually oriented gestures.

Physical coercion or pressure of an individual to engage in sexual activity, or punishment for a refusal to respond or comply with sexual advances; change of academic or employment responsibilities (increase in difficulty or decrease of responsibility) based on sex, gender identity/expression, or sexual orientation.

Use of a position of power or authority to: (1) threaten or punish, either directly or by implication, for reporting harassment, as well as for refusing to tolerate harassment or submit to sexual activity; or (2) promise rewards in return for sexual favors.

Sexual Assault

Abusive, disruptive, or harassing behavior, physical, which endangers another's mental or physical health, including but not limited to threats, acts of violence, or assault based on gender and/or in the context of intimate partner violence.

Demeaning Verbal or Other Expressive Behavior of a Sexual or Gendered Nature in an Instructional Setting

Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping; harassment for exhibiting what is perceived as a stereotypical characteristic for one's sex, or for failing to conform to stereotypical notions of masculinity and femininity—regardless of the actual or perceived sexual orientation or gender identity of the harasser or target.

Forms of Prohibited Sexual Misconduct

The following descriptions represent sexual behaviors that violate Wongu University community standards and any person's rights, dignity, and integrity.

Sexual Violence: Physical sexual acts perpetrated against a person's will, as well as situations where they are incapable of giving consent. This includes rape, sexual assault, battery, and sexual coercion. Sexual violence may involve individuals either known or unknown to one another, including those who have an intimate and/or sexual relationship. Examples include, but are not limited to:

Having or attempting to have sexual intercourse with another individual without consent. Sexual intercourse includes vaginal or anal penetration—however slight—with a body part or object, or oral copulation by mouth-to-genital contact.

Having or attempting to have sexual contact with another individual without consent. Sexual contact includes kissing, touching the intimate parts of another, causing the other to touch one's intimate parts, or disrobing of another without permission. Intimate parts may include the breasts, genitals, buttocks, mouth, or any other part of the body that is touched in a sexual manner.

Sexual Exploitation: An act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit/advantage, or any other non-legitimate purpose. Any act or acts of sexual exploitation are prohibited, even if the behavior does not constitute one of the other sexual misconduct offenses. Sexual exploitation may involve individuals who are either known or unknown to one another, including those who have an intimate or sexual relationship. Examples include, but are not limited to:

1. Observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved.
2. Non-consensual streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved.

Prostituting Another Individual

Knowingly exposing another individual to a sexually transmitted disease or virus without his or her knowledge. Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

Stalking: A course of conduct involving more than one instance of unwanted attention, harassment, physical/verbal contact, or any other course of conduct likely to alarm or place an individual in fear of injury or harm (including physical, emotional, or psychological harm). This includes cyber-stalking: a particular form of stalking in which electronic media such as the Internet, social networks, blogs, cell phones, texts, or other similar forms of contact are used to pursue, harass, or make unwelcome contact with another person. Stalking and cyber-stalking may involve individuals who are either

known or unknown to one another, including those who have an intimate or sexual relationship.

Bullying and Cyber Bullying: Use of superior strength, knowledge, or influence to intimidate or force an individual against their will. This includes cyberbullying: a particular form of bullying in which electronic media such as the Internet, social networks, blogs, cell phones, texts, or other similar forms of contact are used.

Aiding or Facilitating: Aiding, facilitating, promoting, or encouraging the commission of a violation under this policy. Aiding or facilitating may also include failing to take action to prevent an imminent act when it is reasonably prudent and safe to do so. Taking action may include direct intervention, calling local law enforcement, or seeking assistance from a person in authority.

Retaliation: Acts or attempts to retaliate or seek retribution against the complainant, respondent, or any other individual / group of individuals involved in the investigation and/or resolution of a sexual misconduct allegation. Retaliation can be committed by any individual or group of individuals, not just a respondent or complainant. Retaliation may include continued abuse, violence, or other forms of harassment, as well as slander and libel.

Statement of Consent, Coercion, Incapacitation, and Alcohol

Consent to engage in sexual activity must be knowing and voluntary. Consent to engage in sexual activity must exist from the beginning to the end of each instance of sexual activity, and for each form of sexual contact. Consent to one form of sexual contact does not constitute consent to all forms of sexual contact. For example, an individual may agree to kiss but choose not to engage in touching of the intimate parts or sexual intercourse. An individual should obtain consent before moving from one act to another.

Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage freely in sexual activity. Relying on non-verbal communication can lead to misunderstandings; consent cannot be inferred from silence, passivity, lack of resistance, or lack of active response alone. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent. In the absence of an outward demonstration, consent does not exist. If at any time it is reasonably apparent that either party is hesitant, confused, or uncertain, both parties must stop and obtain mutual verbal consent before continuing sexual activity.

A current or previous dating or sexual relationship alone is not sufficient to constitute consent. Even in the context of a relationship, there must be mutually understandable

communication that clearly indicates willingness to engage in sexual activity each time such activity occurs.

Consent may be withdrawn by either party at any time. Withdrawal of consent must also be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease.

In the state of California, consent can never be given by minors under the age of 18.

Consent is not effective if it results from the use or threat of physical force, intimidation, coercion, or any other factor that would eliminate an individual's ability to choose whether or not to have sexual contact. Coercion includes the use of pressure and/or oppressive behavior, such as express/implied threats of harm, or severe and/or pervasive emotional intimidation (which causes a person to engage in unwelcome sexual activity, or places them in fear of immediate or future harm / physical injury). A person's words or conduct are considered coercion if they wrongfully impair the other's freedom and ability to choose whether or not to engage in sexual activity.

An individual who is incapacitated is not able to make rational, reasonable judgments and therefore is incapable of giving consent. Incapacitation is the inability—temporarily or permanently—to give consent because the individual is mentally and/or physically helpless due to drug or alcohol consumption (voluntarily or involuntarily) or the individual is unconscious (asleep or otherwise unaware that the sexual activity is occurring). In addition, an individual is incapacitated if they demonstrate that they are unaware of where they are, how they got there, or why/how they became engaged in a sexual interaction. Where alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. Some indicators of incapacitation may include, but are not limited to, lack of control over physical movements, lack of awareness of circumstances or surroundings, or the inability to communicate for any reason. An individual may experience a blackout state in which they appear to be giving consent, but do not actually have conscious awareness or the ability to consent. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication. The relevant standard that will be applied is whether the respondent knew—or a sober reasonable person in the same position would have known—that the other party was incapacitated and therefore could not consent to the sexual activity.

The university considers sexual contact while under the influence of alcohol to be risky behavior. Alcohol impairs a person's decision-making capacity, awareness of the consequences, and ability to make informed judgments. Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual misconduct and does not excuse one from the responsibility to obtain consent.



Who Can Help?

If you have been affected by sexual misconduct and would like to speak with an individual on campus, there are numerous people ready to help. You may meet with the Title IX coordinator confidentially, with no obligation to file a formal report. All Wongu University employees, including student workers, faculty and students have a duty to report incidents to the Title IX coordinator. Additionally, off-campus resources are also available to you. All available resources are listed below:

ON CAMPUS

Title IX Coordinator

Academic Dean

Wongu University of Oriental Medicine

8620 S. Eastern Ave, Las Vegas NV 89123

Phone: (702) 463 – 2122 | Email: dean@wongu.edu

OFF CAMPUS

- Emergency 911
- Las Vegas Metropolitan Police Department
4860 S Las Vegas Blvd, Las Vegas, NV 89119
Phone: (702) 229 – 8272 | www.lvmpd.com
- Dignity Health Siena Hospital
3001 Saint Rose Pkwy, Henderson, NV 89052
Phone: (888) 723 – 5108 | www.dignityhealth.org

Individuals who wish to report an incident of sexual misconduct may do so in a variety of ways. The complex process of filing a formal report can be an overwhelming prospect for those affected by sexual misconduct.

Who to Report To?

There are many resources available to students and employees on campus regarding sexual misconduct. Individuals may file a report following the grievances procedure in



accordance with students, staff, faculty documenting an incident with the Title IX Coordinator and/or filing a report to Las Vegas Metropolitan Police Department.

The university is committed to responding to all reports of sexual misconduct in a timely and effective manner. The time frame of when an individual should file a report of sexual misconduct is not limited in any way; however, it is important to note that as time passes, it becomes more difficult to find crucial evidence. In light of this, all investigations of sexual misconduct are to be thorough yet efficient, with a resolution that is reasonable given the situation.

I Made a Report - Now What?

Filing a report is an important first step towards addressing an incident of sexual misconduct. The university acknowledges that it may be difficult to come forward, but there are resources to assist in the process, beginning with the Title IX coordinator. The university completes most investigations within 60 days. Following the grievance procedure, the report will be processed to meet the resolution. Resolutions will vary depending on the seriousness of the complaint. Once the case is closed, students and other appropriate parties will be notified of the university's decision by Title IX coordinator as well as with the instruction for appeal following the procedure set forth in the grievance procedure.

Interim Measures / Remedial Action

Upon receipt of a report, the university may implement initial responsive or protective actions while an inquiry or investigation are underway. Interim measures / remedial actions may include no-contact orders, providing a campus escort, academic or work schedule adjustments, referral to counseling or medical services, and safety planning. The university will maintain the confidentiality of any accommodations or protective measures, provided this does not impair the university's ability to provide said accommodations or protective measures.

Inquiry, Investigation, Resolution

The university will address all reports of possible violations of the Sexual Misconduct and Civil Rights Policy. Upon receipt of a formal complaint, the Title IX coordinator will conduct an initial inquiry to determine any risk of harm to individuals or to the campus community. Steps will be taken to address those risks via interim measures or remedial action.



If the inquiry proceeds to an investigation because of the reporting party's desire or the university deems it necessary to protect the safety of the campus, the Title IX coordinator will contact Las Vegas Metropolitan Police Department.

Sanctions

A range of sanctions are available if the responding party is found responsible for violating the university's Sexual Misconduct and Civil Rights Policy. The sanctions are determined based on the nature, severity of, and circumstances surrounding the violation; an individual's disciplinary history of previous allegations or allegations involving similar conduct; and the need for sanctions/responsive actions to bring an end to and prevent future discrimination, harassment, and/or retaliation.

Clery Reporting

The university is required to document all reports of sexual misconduct and to report statistics of crime on campus consistent with the Jeanne Clery Disclosure of Campus Security Policy and the Campus Crime Statistics Act. No personally identifiable information will be shared for the purpose of maintaining these statistics. Identities and specific fact patterns will remain anonymous.

If a report of sexual misconduct represents an immediate threat to the university community, timely notice must be given to protect the health and safety of the community. In such cases, the same level of confidentiality may not be possible. Immediate threats include, but are not limited to, reported incidents of sexual misconduct involving the use of force or a weapon, or other circumstances that represent a serious and ongoing threat to students, faculty, staff, or visitors.

Title IX Training

The Title IX coordinator is required to devise effective methods of informing staff, faculty, and students, and to conduct training sessions with up-to-date material. The informative materials on sexual harassment are disseminated and be displayed on many of the campus boards and online.

The annual training of preventing harassment, discrimination and diversity awareness are conducted regularly by Wongu University. The training is required to all Wongu students, staff and faculty.