



Resolution Process for Alleged Violations of Other Civil Rights Offenses (Process B)

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Resolution Process for Alleged Violations of Other Civil Rights Offenses (Process B)

The University will act on any formal or informal allegation or notice of violation of the Policy on Equal Opportunity, Harassment, and Nondiscrimination (“the Policy”) that is received by the Title IX Coordinator or any other Official with Authority by applying these Procedures, known as “Process B.”

“Process B” applies to:

- Allegations of Protected Class Harassment (as defined in the Policy on Equal Opportunity,

Harassment, and Nondiscrimination)

- Allegations of Other Civil Rights Offenses (as defined in the Policy on Equal Opportunity, Harassment, and Nondiscrimination)
- These Procedures apply to conduct that takes place on the campus or on property owned or controlled by the University, at University-sponsored events, or in buildings owned or controlled by University recognized student organizations; and also to off-campus conduct that affects a substantial University interest or effectively deprives someone of access to Wilkes University's educational program.

The Procedures below may be used to address collateral misconduct (i.e., vandalism, physical abuse of another etc.). If the alleged conduct stems from the same event or course of conduct, it will be processed and adjudicated through "Process B" at the same time.

Notice/Complaint

Formal Complaints must be submitted to the Title IX Coordinator or Deputy IX Coordinator. The complaint must be filed in writing and contain the Complainant's name and contact information. The Formal Complaint must clearly illustrate the alleged issue/discriminatory action and the remedy or relief sought.

Upon receipt of a complaint or notice to the Title IX Coordinator(s) of an alleged violation of the Equal Opportunity, Harassment, and Nondiscrimination Policy, the University initiates a prompt initial assessment to determine the next steps the University needs to take.

Initial Assessment

Following intake, receipt of notice, or a complaint of an alleged violation of the University's Nondiscrimination Policy, the Title IX Coordinator and/or Deputy Title IX Coordinator engages in an initial assessment, which is typically one to five (1-5) business days in duration. The steps in an initial assessment can include:

- The Title IX Coordinator reaches out to the Complainant to offer supportive measures.
- The Title IX Coordinator notifies Complainant (and Respondent eventually) that they may have an Advisor present. Advisors are allowed solely for the purpose of support and may not serve as representatives of the Complainant or Respondent. Any Advisor who oversteps their role will be warned and/or prohibited from being present.
- The Title IX Coordinator works with the Complainant to determine whether the Complainant prefers a supportive response, an Informal Resolution, or an Administrative Resolution.
 - If a supportive and remedial response is preferred, the Title IX Coordinator(s) works with the Complainant to identify their wishes and then seeks to facilitate implementation. The Administrative Resolution process is not initiated, though the Complainant can elect to initiate it later, if desired.
 - If an Informal Resolution option is preferred, the Title IX Coordinator(s) assesses whether the complaint is suitable for Informal Resolution, and may seek to determine if the Respondent is also willing to engage in Informal Resolution.
 - If Administrative Resolution is preferred, the Title IX Coordinator initiates the investigation process and determines whether the scope of the investigation will address:
 - Incident, and/or

- A potential pattern of misconduct, and/or
 - A culture/climate issue.
- In many cases, the Title IX Coordinator may determine that an Individualized Risk Assessment (IRA) should be conducted by the Behavioral Threat Assessment Team as part of the initial assessment. An IRA can aid in critical and/or required determinations, including:
 - Interim suspension of a Respondent who is a threat to health/safety;
 - Whether the Title IX Coordinator should pursue Administrative Resolution absent a willing/able Complainant;
 - Whether to put the investigation on the footing of incident and/or pattern and/or climate;
 - To help identify potentially predatory conduct;
 - Whether a complaint is amenable to Informal Resolution;
 - Whether to communicate with a transfer Recipient about a Respondent;
 - Assessment of appropriate sanctions/remedies;
 - Whether a Clery Act Timely Warning/ Trespass order/Persona-non-grata is needed.

Based on the initial assessment, the University will initiate one of two responses:

- **Informal Resolution** – typically used for less serious offenses and only when all parties and the University agree to it, or when the Respondent is willing to accept responsibility for violating policy. This can also include a remedies-only response.
- **Administrative Resolution** – investigation of policy violation(s), subject to a determination by the Decision-maker and the opportunity to appeal to an appeal panel (Unified Judicial Council).

The investigation and the subsequent Administrative Resolution determine whether the Nondiscrimination Policy has been violated. If so, the University will promptly implement effective remedies designed to end the discrimination, prevent recurrence, and address the effects.

The process followed considers the preference of the Parties but is ultimately determined at the discretion of the Title IX Coordinator(s). At any point during the initial assessment or formal investigation, if the Title IX Coordinator determines that reasonable cause does not support the conclusion that policy has been violated, the process will end, and the Parties will be notified.

The Complainant may request that the Title IX Coordinator review the reasonable cause determination and/or re-open the investigation. This decision lies in the sole discretion of the Title IX Coordinator, but the request is usually only granted in extraordinary circumstances.

Counterclaims

Counterclaims by the Respondent may be made in good faith but are also sometimes made for purposes of retaliation. The University is obligated to ensure that any process is not abused for retaliatory purposes.

The University permits the filing of counterclaims, but uses the initial assessment as described above, to assess whether the allegations are made in good faith. If they are, the allegations will be processed using the resolution procedures below, typically after resolution of the underlying allegation.

A delay in the processing of counterclaims is permitted, accordingly. Occasionally, allegations and counterclaims can be resolved through the same investigation, at the discretion of the Title IX Coordinator(s).

When counterclaims are not made in good faith, they will be considered retaliatory, and may constitute a violation of this Policy.

Resolution Options

Proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accord with University policy.

While there is an expectation of privacy around what is discussed during interviews, the Parties have discretion to share their own experiences with others if they so choose, but are encouraged to use prudence before doing so. Each resolution process is guided by the same principles of fairness and respect for all parties. Resources are available for both students and employees, whether as Complainants or Respondents, to provide support and guidance throughout the following resolution procedures.

Informal Resolution

Informal Resolution can include two different approaches:

- Accepted Responsibility
- Supportive Resolution

To initiate Informal Resolution, a Complainant needs to submit a Formal Complaint, as defined above. If a Respondent wishes to initiate Informal Resolution, they should contact the Title IX Coordinator to so indicate.

It is not necessary to pursue Informal Resolution first in order to pursue the Formal Grievance Process (Administrative Resolution), and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process. No evidence elicited during the facilitation of Informal Resolution is later admissible in the Formal Grievance Process unless all parties consent.

Prior to implementing Informal Resolution, the University will provide the Parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by the University.

The University will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the Parties to participate in Informal Resolution.

The Title IX Coordinator, in consultation with other University administrators, may look to the following factors to assess whether Informal Resolution is appropriate:

- Likelihood of potential resolution, taking into account any power dynamics between the Parties;
- The Parties' motivation to participate;
- Civility of the Parties;
- Results of an individualized risk assessment/ongoing risk analysis;
- Disciplinary history;
- Whether an emergency removal is needed;
- Complaint complexity;
- Emotional investment/capability of the Parties;

- Rationality of the Parties;
- Goals of the Parties

The Title IX Coordinator maintains records of any Informal Resolution that is reached, and failure to abide by a resolution agreement may result in appropriate responsive/disciplinary actions.

Respondent Accepts Responsibility for Alleged Violations

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the Title IX Coordinator will determine whether Informal Resolution can be used according to the criteria listed in the section above.

If Informal Resolution is applicable, the Title IX Coordinator will determine whether all parties and the University are able to agree on responsibility, sanctions, and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of the University's policy and implements agreed-upon sanctions and/or remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution. When the Parties cannot agree on all terms of resolution, the Formal Grievance Process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction or responsive actions are promptly implemented in order to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

Supportive Resolution

When requested or agreed upon by the Complainant, the Title IX Coordinator can resolve the matter informally by providing supportive measures to remedy the situation.

Administrative Resolution

Investigation

Administrative Resolution can be pursued for any behavior that constitutes conduct covered by the Equal Opportunity, Harassment, and Nondiscrimination Policy. Administrative Resolution starts with a thorough, reliable, and impartial investigation.

If Administrative Resolution is initiated, the Title IX Coordinator will provide written notification to both parties, informing them that an investigation has been initiated. Notification may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the Parties as indicated in official University records, or emailed to the Parties' University-issued or designated email account.

Complainants are encouraged, but not required, to participate in the University's investigation and resolution process. If a Complainant chooses not to participate in a full investigation and/or disciplinary proceeding, the University may assist the Complainant in seeking an Informal Resolution (as described above). When a

Complainant requests that an investigation not occur or requests confidentiality, the University will make every reasonable effort to comply with that request. However, there may be circumstances when the University decides to proceed with an investigation despite the request of a Complainant. In such cases, the Complainant will be notified.

Upon the decision to commence an investigation, a trained University investigator(s) or an external investigator is appointed. The Title IX Coordinator generally works with Student Affairs (when the Respondent is a student) and Human Resources (when the Respondent is an employee) to determine the appropriate University administrator(s) to investigate. The Parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another investigator will be assigned and the impact of the bias or conflict, if any, will be remedied. If the bias or conflict relates to the Title IX Coordinator, concerns should be raised with the Vice President and General Counsel.

Investigations are completed expeditiously, though some investigations take longer depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc. The University will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the Parties to update them on the progress and timing of the investigation.

Investigations involve interviews with all relevant parties and witnesses, obtaining available, relevant evidence, and identifying sources of expert information, as necessary. All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence, and to fully review and respond to all evidence, on the record.

At the conclusion of the fact gathering phase of the investigation, the Complainant and Respondent shall both be given an opportunity to review a draft investigative report and within five (5) business days, offer any additional information or comment or request that additional investigative steps be taken. The investigator(s) will take any additional information into consideration before finalizing the report. The final investigation report will then be promptly submitted to the Decision-maker to make a determination based on a preponderance of the evidence.

Determination

Within five (5) business days of receiving the investigation report, a trained, designated Decision-maker (who did not conduct the investigation to avoid a potential conflict of interest) reviews the final report and all responses, and then makes the final determination on the basis of the preponderance of the evidence.

If the record is incomplete, the Decision-maker may direct a re-opening of the investigation, or may direct or conduct any additional inquiry necessary, including informally meeting with the Parties or any witnesses, if needed.

The Decision-maker may invite and consider impact statements from the Parties if and when determining appropriate sanction(s), if any. The Decision-maker may also consult with other University administrators when determining responsibility or sanctions (i.e. the Provost; Deans; Department Chairs; Supervisors etc.).

The Title IX Coordinator(s) or Decision-maker will then timely provide the Parties with a written Notice of Outcome to include findings and a rationale as to whether or not the Policy was found by a preponderance of evidence to be violated or not violated, delivered simultaneously (without undue delay)

to the Parties. The Notice of Outcome will generally also include a description of the sanctions and/or remedial measures the University will implement as described further below.

When the Respondent is an employee, the Notice of Outcome may not describe the full extent of the final determination regarding sanctions as employee rights may require additional time to formulate appropriate disciplinary measures. Regardless, immediate measures will be implemented to ensure the harassment and discrimination is stopped, remedied, and any recurrence is prevented. The Title IX Coordinator and/or Decision-maker will communicate these measures, as permitted, on an updated basis to both parties. The Title IX Coordinator and/or Decision-maker will also communicate with both parties when a determination regarding sanctions is final.

Generally, University-issued email is the primary means of communication, however alternative methods of communication may also be utilized if requested.

Resolution Timeline

The University will make a good faith effort to complete the resolution process as promptly as possible. This typically will be within a thirty to sixty (30-60) business day time period, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the Parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

When the Respondent is a faculty member, the resolution timeline may be extended to ensure compliance with the Faculty Handbook, in particular the “Dismissal of Faculty Members for Cause,” “Severe Sanction,” and/or “Minor Sanction” procedures.

In all cases, the University will ensure discrimination/harassment is stopped, remedied and prevented from recurrence regardless of any extended procedures or timelines.

Sanctions

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s);
- The Respondent’s disciplinary history;
- Previous allegations or allegations involving similar conduct;
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation;
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation;
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community;
- The impact on the Parties;
- Any other information deemed relevant by the Decision-maker(s)

The sanctions will be implemented as soon as is feasible, typically upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested. In some circumstances, the Decision-maker may also determine that sanctions will be implemented immediately. If this is the case, the reasoning

for the immediate effect will be directly communicated to the Respondent.

The sanctions described in this Policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

Student Sanctions

The following are the usual sanctions that may be imposed upon students or organizations singly or in combination:

- **Official Reprimand:** In instances of less serious deviation from the University norms of conduct the student is formally warned regarding the misconduct. The student is also notified that the consequences of such continued behavior could result in more serious disciplinary action.
- **Disciplinary Probation:** This action is a formal admonition on behalf of the University and is intended to clearly document to a student that their behavior has been deemed unacceptable. This action requires that students demonstrate, during a stipulated period of time, they are capable of functioning in such a way so as not to be in conflict with standards of behavior expected of students at Wilkes. Disciplinary probation alerts the students involved, and all concerned, that further conduct may result in curtailment of activities or suspension of residential and academic privileges.
- **Denial of Privileges:** This penalty precludes the student's participation in specified activities (e.g., student offices, student activities, use of University facilities or access to University facilities) for a period of time.
- **Restitution/Penalty Charges:** Charges will be assessed where restitution is due for damage to University or student property or property of an agent outside of the University. The charges assessed will be equal to the value of the property and any incurred labor charges.
- **Residential Suspension and Expulsion:** The first status indicates that a student is on final notice from the University that any further violation of regulations will lead to the student's suspension from University-owned residence halls. Further difficulties will lead to expulsion from the residence halls. Any student who has been suspended/expelled from the residence halls may not enter any University-owned residence halls without the express permission of the Dean of Students' Office.
- **Conditional Suspension:** This action is invoked in severe cases that might generally call for suspension, but consideration of mitigating circumstances warrants the student not be suspended at this time. If this sanction is invoked, it is understood that any further violation of University policy, even of a minor nature, could call for suspension from the University. A student who has been conditionally suspended from the University may be restricted from representing the University in any official capacity.
- **Disciplinary Suspension:** This penalty involves the involuntary separation of the student from the University for a specified period of time. It is invoked when a student, as a result of their actions, has forfeited the privilege of attending the University. Suspension from the University may range for a period of time up to two (2) years, including summer sessions and inter-sessions. Students who have been suspended may be required to meet certain conditions during the period of their suspension and must submit a letter to the Dean of Students' Office requesting readmission to the University. Students who have been suspended may not attend classes, be on University property, or participate in University-sponsored functions on or off campus during the period of suspension. Any exceptions require the explicit approval of the Dean of Students' Office.
- **Indefinite Suspension:** This sanction suspends the student from the University for a period of more than two (2) years.

- **Disciplinary Dismissal:** This action is one of involuntary separation of the student from the University and is permanent. It is the most severe disciplinary sanction imposed by the University.
- **Withholding Diploma:** The University may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending, or as a sanction if the student is found responsible for an alleged violation.
- **Revocation of Degree:** The University reserves the right to revoke a degree awarded from the University for fraud, misrepresentation or other violation of University policies, procedures or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- **Other Actions:** In addition to or in place of the above sanctions, the University may assign any other sanctions as deemed appropriate.

Employee Sanctions

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- Employee termination from the University;
- Unpaid suspension;
- Restrictions from all or portions of campus;
- Change in working facility;
- Mandated education;
- Written reprimand in personnel file;
- Removal from classroom teaching;
- Tenure revocation;
- Withhold salary increase (from one to several years);
- Removal of endowed chair;
- Removal of emeritus status;
- Removal of graduate school status;
- Termination of research project funding;
- Removal from administrative position;
- Verbal reprimand;
- Required participation in counseling or training;
- Demotion;
- Change to reporting structure;
- Reinstatement of an employment probationary period;
- Other Actions: In addition to or in place of the above sanctions, the University may assign any other sanctions as deemed appropriate.

Withdrawal or Resignation While Charges are Pending

Students:

Should a student decide to not participate in the resolution process, the process proceeds absent their

participation to a reasonable resolution. Should a student Respondent permanently withdraw from the University, the University will proceed with the Formal Grievance Process (Administrative Resolution). The student who withdraws or leaves while the process is pending may be barred from University property and/or events during this time. Moreover, if the student is found to have violated this Policy, the student is not permitted to return to the University unless and until all sanctions have been satisfied. Accordingly, a hold will be placed on their ability to be readmitted.

The University will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

Employees:

Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as the University no longer has disciplinary jurisdiction over the resigned employee.

However, the University will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or discrimination.

The employee who resigns with unresolved allegations pending is not eligible for rehire with the University, and the records retained by the Title IX Coordinator will reflect that status.

Appeals

Any party may file a request for appeal (“Request for Appeal”), but it must be submitted in writing to the Title IX Coordinator within five (5) business days of the delivery of the Notice of Outcome.

A three-member panel chosen from the University Judicial Council will be designated to hear the appeal. This generally consists of the Dean of Students, one faculty representative and one staff representative. However, this is subject to change dependent on the circumstances on a case-by-case basis. No appeal panelists will have been involved in the process previously. A voting Chair of the Appeal panel will be designated.

The Request for Appeal will be forwarded to the Appeal Chair for consideration to determine if the request meets the grounds for appeal (a Review for Standing).

This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

Grounds for Appeal

Appeals are limited to the following grounds:

- (A) Procedural irregularity that affected the outcome of the matter;
- (B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

- (C) The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the Chair and the Parties will be promptly notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds in this Policy, then the Appeal Chair will notify the other party(ies), the Title IX Coordinator, and, when appropriate, the Investigator(s) and/or the original Decision-maker(s).

The other party(ies), the Title IX Coordinator, and, when appropriate, the Investigator(s) and/or the original Decision-maker(s) will be mailed, emailed, and/or provided a hard copy of the request with the approved grounds and then be given five (5) business days to submit a response to the portion of the appeal that was approved and involves them. All responses will be forwarded by the Chair to all parties for review and comment.

The non-appealing party (if any) may also choose to raise a new ground for appeal at this time. If so, that will be reviewed for standing by the Appeal Chair and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the Investigator(s) and/or original Decision-maker(s), as necessary, who will submit their responses in five (5) business days, which will be circulated for review and comment by all parties.

Neither party may submit any new requests for appeal after this time period. The Appeal Chair will collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses will be shared with the Appeal Panel, and the Panel will render a decision in no more than ten (10) business days, barring exigent circumstances. All decisions are by majority vote and apply the preponderance of the evidence standard.

A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which the University is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the University is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the Parties as indicated in official institutional records, or emailed to the Parties' University-issued email or otherwise approved account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

Faculty Handbook Referral

After "Process B" as described above is complete, the Provost will refer the matter to comply with appropriate procedures as outlined in the Faculty Handbook if the Respondent is a faculty member, and the sanctions implicate the "Dismissal of Faculty Members for Cause," "Severe Sanction," and/or "Minor Sanction" procedures as further outlined in the Faculty Handbook.

Long-Term Remedies/Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator or other appropriate University Administrator may implement long-term remedies or actions with respect to the Parties and/or the campus community to stop the harassment, discrimination, and/or retaliation; remedy its effects; and prevent its reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services;
- Referral to the Employee Assistance Program;
- Education to the community;
- Permanent alteration of housing assignments;
- Permanent alteration of work arrangements for employees;
- Provision of campus safety escorts;
- Climate surveys;
- Policy modification;
- Provision of transportation accommodations;
- Implementation of long-term contact limitations between the Parties;
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the Parties even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedies owed by the University to the Respondent to ensure no effective denial of educational access.

The University will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair the University's ability to provide these services.

Failure to Comply with Sanctions and/or Interim and Long-term Remedies and/or Responsive Actions

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-maker(s) (including the Appeal Panel).

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from the University.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator or other appropriate University administrator.

Recordkeeping

In implementing this Policy, records of all allegations, investigations, resolutions, and hearings will be kept for a period of at least seven (7) years, by the Title IX Coordinator.

Disabilities Accommodations in the Resolution Process

The University is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the University's resolution process.

Anyone needing such accommodations or support should contact the Director of Disability Services (students) or Human Resources (employees), who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

Revision of this Policy and Procedures

This Policy and Procedures supersede any previous policy(ies) addressing harassment, nondiscrimination, and/or retaliation and will be reviewed and updated annually by the Title IX Coordinator, in consultation with other University administrators. The University reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

During the resolution process, the Title IX Coordinator or other appropriate University administrator may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules. The Title IX Coordinator (or other administrator) may also vary procedures materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this Policy and Procedures.

If government laws or regulations change – or court decisions alter – the requirements in a way that impacts this document, this document will be construed to comply with the most recent government regulations or holdings.

This Policy and Procedures are effective on August 14, 2020.