



TITLE IX AND SEXUAL HARASSMENT DISCLOSURES

2026-2027 Academic Year

Welcome to the 2026-2027 Academic Year at Governors State University!

Title IX is the comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. Consistent with our legal responsibilities under Title IX and institutional values, GovState is committed to taking all appropriate steps to eliminate sex discrimination, prevent its recurrence, and address its effects. GovState encourages all members of our community to participate in the process of creating a safe, welcoming, and respectful environment on campus.

This packet contains copies of GovState's Title IX policy and procedures and other information related to Title IX, Illinois anti-sexual harassment laws, and GovState's obligations thereunder. The exact contents of this packet are:

1. Title IX Notice of Nondiscrimination
2. IDHR Sexual Harassment in Higher Education Information
3. Anti-Sex Discrimination (Title IX) Policy (Interim Policy 78)
4. Title IX Procedures, Part A: Definitions
5. Title IX Procedures, Part B: Reporting Procedures
6. Title IX Procedures, Part C: Response Procedures
7. Title IX Procedures, Part D: Grievance Procedures
8. Title IX Procedures, Part E: Recordkeeping Procedures
9. Title IX Office Team Contact Information

You are encouraged to review these items when you have the opportunity. If you would prefer paper copies of this packet or any of the individual items herein, please contact the GovState Title IX Coordinator to make such a request:

Kaitlyn Anne Wild

Director of Compliance & Title IX Coordinator

1 University Parkway (G328)

University Park, IL 60484

Phone: 708.534.4846

Email: titleixofficer@govst.edu



Title IX Coordinator
Kaitlyn Anne Wild
1 University Parkway, G328
University Park, IL 60484
708.534.4846; titleixofficer@govst.edu
[Title IX Webpage](#)

TITLE IX NOTICE OF NONDISCRIMINATION

Governors State University (the "University") does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by federal and state law (including Title IX and its regulations), including in admission and employment.

Inquiries about Title IX may be referred to the University's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both. The University's Title IX Coordinator is:

Kaitlyn Anne Wild
Director of Compliance & Title IX Coordinator
1 University Parkway, G328
University Park, IL 60484
708.534.4846
titleixofficer@govst.edu

Governors State University's nondiscrimination policy and grievance procedures can be located on the University's Title IX webpage: <https://www.govst.edu/TitleIX/>

To report information about conduct that may constitute sex discrimination or to make a complaint of sex discrimination under Title IX, please refer to the information provided on the University's [Title IX Webpage](#).

SEXUAL HARASSMENT IN HIGHER EDUCATION IS ILLEGAL

Everyone has the right to attend a college or university free from sexual harassment. The Illinois Human Rights Act (“Act”) makes it unlawful for teachers, professors, faculty members and other employees of colleges and universities to sexually harass their students. The Act specifically prohibits unwelcome advances or conduct of a sexual nature, and requests for sexual favors of students by an executive, faculty member, administrative staff member, or teaching assistant. The Act covers all public or private universities, colleges, community colleges, junior colleges, business schools, and vocational schools.

Examples of Sexual Harassment in Higher Education:

- 1) a professor who continually makes jokes of a sexual nature in the classroom;
- 2) a registration advisor who tells a student he or she might be able to get into a class if the student dates the advisor;
- 3) an admissions officer who tells a prospective student that the advisor will put in a “good word” for the prospective student if he or she dates the advisor;
- 4) a financial assistance advisor who tells a student that “if you have sex with me, I can look out for scholarships for you;”
- 5) a teaching assistant who promises a student a better grade if the student does not resist any inappropriate touching or sexual advances.

Protection Against Retaliation: It is also unlawful for a teacher or professor, or for the college or university to retaliate against a student because the student reported sexual harassment, participated in an investigation of sexual harassment, or because the student filed a charge of discrimination with the Illinois Department of Human Rights.

What to Do: Any student who believes he or she is being subjected to sexual harassment or retaliated against should contact the Illinois Department of Human Rights for further information or to file a charge. Students may contact the Department by calling the Department at 312-814-6200 (Chicago) or 217-785-5100 (Springfield), 866-740-3953 (TTY); or by visiting the Department’s website at <https://dhr.illinois.gov/>. Any charge alleging sexual harassment in higher education must be filed within 300 days of the alleged incident(s). Charge forms are available on the Department’s website at the following link: <https://dhr.illinois.gov/charge-process/filers.html>

Any student who believes he or she is being subjected to sexual harassment or retaliated against should report the incident(s) to:

Kaitlyn Wild, GovState Title IX Coordinator, titleixofficer@govst.edu, 708-534-4846

A student may obtain a copy of the educational institution’s internal complaint policy by contacting:

The GovState Title IX Coordinator or visiting <https://www.govst.edu/TitleIX/>

If the sexual conduct is criminal in nature, students should also report the incident to the local law enforcement agency.

The Department may be reached at:

Chicago Office: 100 W. Randolph St., 10th Fl., Intake Unit, Chicago, IL 60601; 312.814.6200, 866.740.3953 (TTY)

Springfield Office: 535 W. Jefferson St., 1st Fl., Intake Unit, Springfield, IL 62702; 217.785.5100, 866.740.3953 (TTY)

Marion Office: 2309 W. Main St., Ste. 112, Intake Unit, Marion, IL 62959; 618.993-7463, 866.740.3953 (TTY)

ANTI-SEX DISCRIMINATION (TITLE IX) POLICY

Governors State University Policy No. 78

I. Purpose of Policy

Governors State University (the "University") does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by state and federal law (including Title IX), including in admissions and employment.

The University is committed to maintaining a community in which students, faculty, and staff can work and learn together in an atmosphere free of all forms of unlawful sex discrimination and retaliation. Such misconduct violates the dignity of the individual and the integrity of the University as an institution of higher learning and, thus, will not be tolerated. The purpose of this Policy is to describe the University's commitment to taking all appropriate steps to eliminate sex discrimination and retaliation, to prevent their recurrence, and to address their effects.

II. Scope and Application of Policy

A. Prohibition on Sex Discrimination and Sexual Harassment

This Policy prohibits all sex discrimination and sexual harassment occurring under the University's education programs and activities in the United States. Conduct will be deemed to occur "under the University's education programs and activities," for purposes of this Policy, if it:

- (1) Occurs in or on property owned by the University;
- (2) Occurs at the location of, and during the course of, a University-sponsored program or activity operated on property not owned by the University;
- (3) Occurs in a building owned or controlled by a student organization that is officially recognized by the University; or
- (4) Is committed using the University's networking and computing resources covered by the University's Acceptable Use Policy for Computing and Networking, Network Security and Wireless Computing (Policy 64), or successor policy covering the same subject matter.

B. Support for Survivors of Sexual Violence

The University provides support services for survivors of sexual violence, dating violence, domestic violence, or stalking, as defined below, to University students and employees regardless of when and where the event occurred.

C. Relationship with Federal and State Law

This Policy does not replace federal and state mandated laws and regulations, and, where there is a conflict, the provisions of applicable law and regulations will govern.

D. Relationship with Other University Policies and Procedures

To the extent that the applicable scope of this Policy and the Procedures promulgated hereunder overlap with the applicable scope of any other University policy or procedure, this Policy and the relevant Procedures hereunder shall apply and control unless expressly stated otherwise.

III. Authority

Under University Board of Trustees Regulations § VIII.B.1.b, “The President shall develop policies and procedures to implement, monitor, and document the University’s programs put into place to ensure compliance with applicable anti-discrimination and anti-retaliation laws, which shall take effect upon approval by the President.” This Policy is adopted pursuant to that directive and authority.

Upon becoming effective, this Policy will replace and supplant all prior versions of the University’s Policy 78 and all prior versions shall be deemed deprecated. Concurrent with this Policy becoming effective, all administrative procedures promulgated under the prior versions of the University’s Policy 78 are withdrawn and revoked and henceforth deemed deprecated.

IV. Definitions

A. Sex Discrimination, Sexual Harassment, and Related Definitions

- (1) “Sex discrimination” means unlawful different treatment with respect to an individual’s employment or participation in an education program or activity based on that individual’s actual or perceived sex. Sex discrimination includes sexual harassment.
- (2) “Sexual harassment” is a form of sex discrimination and means conduct on the basis of sex that constitutes one or more of the following:
 - (i) An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual conduct (“quid pro quo harassment”);
 - (ii) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies an individual equal access to a University education program or activity (“hostile environment harassment”); or
 - (iii) One or more of the following specific offenses:
 - (a) “Sexual violence” meaning physical sexual acts attempted or perpetrated against an individual without that individual’s consent or when that individual is incapable of giving consent, including without limitation rape, sexual assault, sexual battery, sexual abuse, sexual coercion, and all other offenses classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;

(b) “Dating violence” meaning violence committed by an individual:

- (1) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (2) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship;
 - The type of relationship; and
 - The frequency of interaction between the individuals involved in the relationship.

(c) “Domestic violence” meaning felony or misdemeanor crimes committed by an individual who:

- (1) Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the State of Illinois, or a person similarly situated to a spouse of the victim;
- (2) Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
- (3) Shares a child in common with the victim; or
- (4) Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the State of Illinois; or

(d) “Stalking” meaning engaging in a course of conduct directed at a specific individual that would cause a reasonable person to:

- (1) Fear for the individual’s safety or the safety of others; or
- (2) Suffer substantial emotional distress.

(3) “Consent” means a freely, voluntarily, and knowingly given agreement to engage in sexual activity; and:

- (i) Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage freely in sexual activity.
- (ii) Lack of verbal or physical resistance to or submission resulting from the use of force or threat of force does not constitute consent.
- (iii) An individual’s manner of dress does not constitute consent.
- (iv) An individual’s consent to past sexual activity does not constitute consent to future sexual activity. An individual’s consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another.

- (v) An individual can and may withdraw consent at any time.
- (vi) An individual cannot consent to sexual activity if that individual is unable to understand the nature of the activity or give knowing agreement due to circumstances such as, but not limited to: (a) the individual is incapacitated due to the use or influence of alcohol or drugs, (b) the individual is asleep or unconscious, (c) the individual is underage, or (d) the individual is incapacitated due to a mental disability.
- (vii) When consent is withdrawn or can no longer be given, sexual activity must stop.

B. Additional Definitions

The following definitions also apply to this Policy:

“Aiding or facilitating” means when an individual or group of individuals promotes or encourages others to engage in certain conduct.

“Bystander” means an individual (other than a Confidential Employee, complainant, or respondent) who has or comes to have information about or related to conduct that reasonably may constitute sexual harassment under Title IX or this Policy, either through directly witnessing such conduct, learning of such conduct second-hand, or by virtue of their job duties for the University.

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment and/or retaliation.

“Confidential Employee” means:

- (i) The counselors and healthcare providers in the University’s Counseling and Wellness Center, with respect to information they receive while providing medical, mental health, and case management services;
- (ii) Any other University employee whose communications are privileged or confidential under federal or state law, but only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies; or
- (iii) A University employee who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about sexual harassment—but the employee’s confidential status is only with respect to information received while conducting the study.

“Disciplinary sanction” means a consequence imposed on a respondent determined, under this Policy and associated Procedures, to have violated this Policy and/or the University’s prohibitions on sexual harassment and retaliation.

“Formal complaint” means a document filed and signed by a complainant or signed by the Title IX Coordinator alleging sexual harassment or retaliation against a respondent and requesting that the University investigate the allegation(s) of sexual harassment or retaliation. The phrase “document filed and signed by a complainant” means a document

or electronic submission (such as email or through an online portal provided for this purpose by the University) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

"Party" means a complainant and/or a respondent.

"Preventing Sexual Violence in Higher Education Act" means the Illinois statute codified at 110 ILCS 155/1 *et seq.*, as it may be amended from time to time.

"Procedures," as a capitalized term, means, generally, the administrative procedures promulgated in accordance with Section XIV of this Policy, as they may be approved and amended from time to time.

"Respondent" means a person who has been reported to be the perpetrator of conduct that could constitute sexual discrimination, including sexual harassment, and/or retaliation.

"Retaliation" means intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX, the Preventing Sexual Violence in Higher Education Act, or this Policy; or because the individual has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, informal resolution process, or hearing under Title IX.

"Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge, to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed but such relief has been requested of the Title IX Coordinator. Such measures are designed to restore or preserve equal access to the University's education programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or deter sexual harassment.

"Survivor" means an individual who has experienced sexual violence, domestic violence, dating violence, or stalking, regardless of whether that individual also qualifies as a "complainant" under this Policy.

"Title IX" means, collectively, Title IX of the Education Amendments of 1972 (Pub. L. 92-318; 20 U.S.C. §§ 1681, 1682, 1683, 1685, 1686, 1687, 1688, 1689), and all regulations promulgated thereunder, including 34 C.F.R. Part 106, as amended effective 2020.

V. Prohibited Conduct

All sex discrimination, including sexual harassment, and retaliation are prohibited in any education program or activity operated by the University.

Engaging in sex discrimination or retaliation shall be a violation of this Policy. Conduct that results in any individual, on the basis of that individual's actual or perceived sex, being excluded from participation in, denied the benefits of, or subjected to discrimination under, any academic, extracurricular, research, occupational training, employment program or activity operated by the University, or in recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure, compensation, or in any other terms, conditions, or privileges of employment by the University, shall constitute "sex discrimination," and engaging in such conduct shall be a violation of this Policy.

Further, engaging in any conduct that constitutes retaliation shall be a violation of this Policy. Aiding or facilitating sex discrimination or retaliation shall also be deemed a violation of this Policy.

The University reserves all rights to impose any appropriate and permissible disciplinary sanction against any person found to have violated this Policy pursuant to grievance procedures adopted pursuant to this Policy. For students of the University, violating this Policy may result in disciplinary sanctions up to and including suspension, dismissal, or expulsion as determined in the University's discretion. For employees of the University, violating this Policy may result in disciplinary sanctions up to and including suspension, discharge, or termination as determined in the University's discretion. For other persons, violating this Policy may result in disciplinary sanctions up to and including, bans, non-renewal of contract, and removal from and/or denial of entry to University property or events.

VI. Designation, Responsibilities, and Authority of Title IX Coordinator

A. Designation of a Title IX Coordinator

The President shall ensure that the University employes at least one employee who has been designated and authorized to serve as Title IX Coordinator, as that title is used for purposes of Title IX, who shall not be biased for or against complainants or respondents generally or in a particular matter. If there should be a period when more than one employee has been designated and duly authorized to serve as Title IX Coordinator, the President, or their delegee, will designate one of the Title IX Coordinators to retain ultimate oversight over those responsibilities and ensure the University's consistent compliance with its obligations under Title IX and the Preventing Sexual Violence in Higher Education Act.

B. Authority of the Title IX Coordinator

As a general matter, the Title IX Coordinator shall be vested with the authority necessary: (1) to carry out the duties assigned to them by this Policy, all associated Procedures, the provisions of Title IX, and the provisions of the Preventing Sexual Violence in Higher Education Act; and (2) to enforce the provisions of this Policy and all Procedures.

The Title IX Coordinator is permitted to designate one or more employees as "Deputy Title IX Coordinators" to assist in coordinating the University's efforts to comply with its obligations under Title IX and the Preventing Sexual Violence in Higher Education Act. The Title IX Coordinator is also permitted to delegate any specific duties of their office to a Deputy Title IX Coordinator or any other appropriate University employee or outside contractor.

C. Responsibilities of the Title IX Coordinator

The University's Title IX Coordinator shall have the primary responsibility for coordinating the University's efforts to comply with its obligations under Title IX and the Preventing Sexual Violence in Higher Education Act. Neither the Title IX Coordinator nor any person to whom the Title IX Coordinator delegates any duty or obligation shall be biased for or against complainants or respondents generally or in any particular matter, nor shall they have any conflict of interest generally or in any particular matter. A party to a particular matter shall have an opportunity to object to the Title IX Coordinator or any delegee of the Title IX Coordinator pursuant to related Procedures based on actual or perceived conflict of interest or bias.

Duties of the Title IX Coordinator (or their delegee(s)) include:

- (1) Overseeing a training program or programs that satisfy the employee and student training requirements set out in Title IX and the Preventing Sexual Violence in Higher Education Act.
- (2) Maintaining one or more webpages, as part of the University's public website, on which the various policy(ies), procedure(s), and other pieces of information required by Title IX and the Preventing Sexual Violence in Higher Education Act are published and made accessible to the general public.
- (3) Subject to the President's approval, establishing and overseeing the University's procedures, processes, guidance, and/or infrastructure for making, accepting, and responding to reports of conduct that reasonably may constitute sexual harassment or retaliation.
- (4) Establishing and implementing the procedure(s) and process(es) for the prompt and equitable resolution of formal complaints of sexual harassment and retaliation.
- (5) Evaluating when to file a formal complaint of sexual harassment or retaliation when the subject of alleged misconduct does not wish to file and sign a formal complaint, taking into account the complainant's wishes and whether the circumstances are such that failure to do so would be clearly unreasonable.
- (6) Coordinating and overseeing the process for offering and implementing supportive measures, as appropriate, in accordance with Title IX and the Preventing Sexual Violence in Higher Education Act, taking into account the parties' wishes.
- (7) Coordinating the University's annual sexual misconduct climate survey for students as required pursuant to the Preventing Sexual Violence in Higher Education Act.
- (8) Chairing the University's Campus-Wide Task Force of Sexual Violence Prevention or otherwise coordinating the University's compliance with section 10 of the Illinois Campus Security Enhancement Act of 2008, 110 ILCS 12/10.
- (9) Ensuring the compilation and submission of the University's Preventing Sexual Violence in Higher Education Act Annual Report as required pursuant to section 9.21(b) of the Illinois Board of Higher Education Act, 110 ILCS 205/9.21(b).

VII. Publication of Notice of Nondiscrimination

The President (or their designee) shall create a notice of nondiscrimination by the University, as contemplated by Title IX, to be provided to all University students, employees, applicants for admission or employment, and all unions and professional organizations holding collective bargaining or professional agreements with the University. The President (or their designee) shall ensure such notice of nondiscrimination is distributed and published as required by Title IX.

VIII. Reporting and Notification Requirements for University Employees

A. Reporting Requirements for Responsible Employees

Any University employee, who is not a Confidential Employee or the intended target of sexual harassment, **must** notify the Title IX Coordinator promptly when the employee has information about conduct that reasonably may constitute sexual harassment under Title IX or this Policy. An employee

who is required to report under this paragraph A (*i.e.*, any employee who is not a Confidential Employee) is herein referred to as a “Responsible Employee.”

The Title IX Coordinator shall notify Responsible Employees how they can make reports to satisfy this requirement. The duty to notify the Title IX Coordinator is personal to each Responsible Employee and is not satisfied merely by telling the information to a supervisor or assuming someone else has notified the Title IX Coordinator.

Where a complainant is a minor, the Responsible Employee also may have a duty to notify the Department of Child and Family Services (DCFS) of abuse or neglect. Notifying the Title IX Coordinator does not absolve any Responsible Employee of this additional duty.

B. Notification Requirements for Confidential Employees

Confidential Employees must explain to any individual who informs the Confidential Employee of conduct that reasonably may constitute sexual harassment under Title IX or this Policy:

- (1) The employee's confidential status for purposes of this Policy, including the circumstances in which the employee is not required to notify the Title IX Coordinator about conduct that reasonably may constitute sexual harassment; and
- (2) How to contact the Title IX Coordinator.

IX. Reporting Options for Complainants and Student Bystanders

The University will make available methods by which complainants and student bystanders may report possible instances of sexual harassment. Such methods will include, but are not limited to, options for electronic reports and anonymous reports.

The Title IX Coordinator will publicize the available reporting options appropriately. Procedures and/or other material(s) from the Title IX Coordinator shall provide guidance to complainants and student bystanders on making reports.

As a means of removing barriers to reporting, the University will generally offer any student, whether the complainant or a bystander, who reports conduct that reasonably may constitute sexual harassment, limited immunity from being charged for policy violations related to the personal use of alcohol or other drugs, provided that any such violations did not and do not place the health and safety of another individual at risk. The University reserves the right to require those individuals to engage in educational or therapeutic remedies.

X. Addressing Sex Discrimination Beyond Sexual Harassment

The University's provisions, procedures, and requirements with respect to: (A) making reports and filing complaints about, (B) investigating, (C) adjudicating, (D) sanctioning, and (E) alleviating and remedying forms of sex discrimination that do not constitute sexual harassment for purposes of this Policy shall be governed by the University's general anti-discrimination and anti-harassment policy, **Policy 52**, and applicable administrative procedures associated with Policy 52.

XI. Supportive Measures

The Title IX Coordinator (or delegee(s)) must ensure that supportive measures (as defined for purposes of this Policy) are promptly and effectively offered to and coordinated for, as appropriate:

- (1) Complainants upon the Title IX Coordinator's receipt of a report of conduct that reasonably may constitute sex discrimination under Title IX or this Policy; and
- (2) Respondents during the resolution of complaints of sex discrimination.

Further details about the processes for offering, coordinating, modifying, and terminating supportive measures will be prescribed by Procedures that meet the applicable requirements of Title IX and the Preventing Sexual Violence in Higher Education Act.

XII. Training

A. Training for Employees

The Title IX Coordinator (of their delegee) shall oversee the appropriate training of all employees who participate in the University's processes for receiving, responding to, and investigating, adjudicating, or otherwise resolving formal complaints in accordance with the requirements of Title IX and the Preventing Sexual Violence in Higher Education Act, and any other relevant law or regulation.

B. Training for Students

The Title IX Coordinator (or their delegee) shall also oversee, and students shall participate in, a student training program related to sexual assault awareness and prevention that satisfies the requirements of the Preventing Sexual Violence in Higher Education Act and any other relevant law or regulation.

XIII. Survivor Support Services and Primary Prevention and Awareness Programming

A. Support Services for Survivors

The Title IX Coordinator, Human Resources Department, and Student Affairs Department shall collectively ensure that appropriate support services are made available to employee and student survivors, regardless of where the sexual violence, domestic violence, dating violence, or stalking occurred, and that information about such support services, whether provided on campus or by off-campus community partners, is reasonably accessible to employees and students. Such support services may include, but would not necessarily be limited to:

- (1) Access to counseling services;
- (2) Access to trained confidential advisors (who are not Responsible Employees) to provide emergency and ongoing support to survivors of sexual violence, dating violence, domestic violence, and stalking;
- (3) Contact information for community-based sexual assault crisis center(s), community-based domestic/dating violence agency(ies); other community-based support service(s) and center(s), and local law enforcement agencies;
- (4) Assistance, upon the survivor's request, in notifying law enforcement regarding incidents of sexual violence, dating violence, domestic violence, and stalking;
- (5) Assistance, upon the survivor's request, in accessing and navigating campus and local health and mental health services, counseling, and advocacy services;

- (6) Honoring orders of protection or no contact orders entered by a State civil or criminal court.

Such support services are to be in addition to, not in place of, any supportive measures that may appropriately be offered to, and implemented for, a complainant under Section XI.

B. Sexual Violence Primary Prevention and Awareness Programming

The Title IX Coordinator (or their delegee(s)) shall coordinate with other appropriate University departments and offices for the University's provision of sexual violence primary prevention and awareness programming for all students who attend one or more classes on campus (and which may also be open to employees and other members of the community). Such programming may include, but would not necessarily be limited to, poster and flyer campaigns, electronic communications, group activities, art and other installations, films, guest speakers, symposia, conferences, seminars, panels, discussion groups, and other strategies designed to communicate the prevalence of sexual violence, domestic violence, dating violence, and stalking, and/or intended to prevent sexual violence, domestic violence, dating violence, and stalking before they occur.

XIV. Administrative Procedures

As the President's delegee, the Title IX Coordinator shall promulgate administrative procedures to effectuate this Policy and the University's compliance with Title IX and the Preventing Sexual Violence in Higher Education Act.

A. Compliance Procedures

The Title IX Coordinator (or their delegee) shall promulgate administrative procedures that cover, but are not necessarily limited to, the following subjects:

- (1) Reporting conduct that reasonably may constitute sexual harassment, including reporting methods for students and employees.
- (2) Responding to reports of potential sexual harassment, including: (a) supportive measures; and (b) emergency removals and administrative leaves.
- (3) Recordkeeping related to: (a) responses to reports of sexual harassment; (b) resolution of formal complaints of sexual harassment; and (c) training materials.
- (4) Aid, benefits, or services not provided by the University but in which any applicant, student, or employee may be required to participate (if any).

At their discretion, the Title IX Coordinator (or their delegee) may promulgate administrative procedures for a program of "informal" or "voluntary" resolution of formal complaints of sexual harassment that meets the requirements of Title IX so long as such procedures are not used where an allegation of sexual harassment would, if true, constitute sexual harassment of a University student by a University employee.

B. Grievance Procedures for Complaint Resolution

The Title IX Coordinator (or their delegee) shall promulgate administrative procedures prescribing processes for making and resolving formal complaints of sexual harassment and retaliation. The processes shall cover matters such as personnel, investigations, dismissals, hearings, decisions,

disciplinary sanctions, equitable treatment of parties, and appeals. The procedures shall satisfy the various requirements imposed by Title IX (which requires the University to adopt “grievance procedures”) and the Preventing Sexual Violence in Higher Education Act. The burden of proof in any grievance proceeding shall be borne by the University and not any party. The burden of proof shall be the “preponderance of the evidence” standard.

XV. Failure to Comply with Policy

It is imperative that University employees fulfill their responsibilities under Title IX and the Preventing Sexual Violence in Higher Education Act. Accordingly, it shall be a violation of this Policy for a University employee:

- (1) To fail to complete the required any Title IX/Preventing Sexual Violence in Higher Education Act training directed by the Title IX Coordinator;
- (2) To fail to meet their reporting and/or notification requirements described in Section VIII;
- (3) Other than a complainant or respondent, to fail to cooperate with a complaint resolution process in accordance with the applicable grievance procedures promulgated under Section XIV; or
- (4) To fail to implement any supportive measures or remedies as directed by the Title IX Coordinator (or their delegatee).

Committing any of the violations described in this Section XV may subject an employee to discipline.

It shall be a violation of this Policy for a student to fail to complete the required sexual assault awareness and prevention training described in Section XII as directed by the Title IX Coordinator. Such a violation may subject a student to a “registration hold” on their account with the Registrar’s Office and/or to discipline.

It shall also be a violation of this Policy for any individual to knowingly submit a false report regarding alleged sexual harassment or retaliation or to make a frivolous formal complaint of sexual harassment or retaliation. Committing such offense may subject the reporter/complainant, if an employee or student, to disciplinary action, up to and including suspension, dismissal, or termination. False reports and frivolous complaints refer to cases where a reporter/complainant lacks a good faith belief that sexual harassment or retaliation might have occurred. This provision does not apply to reports and complaints made in good faith, even if the facts alleged in the report or complaint are not ultimately substantiated during a complaint resolution process or other investigation.

Further, any employee or student who is later proven to have intentionally given false or misleading information during the course of a complaint resolution process under the University’s grievance procedures may be subject to disciplinary action, up to and including termination or dismissal. However, the University will not discipline a party, witness, or others participating in a complaint resolution process under the University’s grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the University’s determination whether sexual harassment occurred.

XVI. Privacy and Confidentiality

The University is committed to protecting the privacy of survivors, complainants, and respondents brought to the attention of the University pursuant to the implementation of this Policy and the

Procedures. The University will disclose the personally identifiable information and other sensitive information about such individuals only as allowed by law. Under certain circumstances, disclosure of such information may be required by law, in which cases, the University will make all mandatory disclosures. For example:

- (1) If a report of sexual harassment discloses the abuse of a minor, the University (and all University employees with knowledge) shall comply with the Illinois Abused and Neglected Child Reporting Act, 325 ILCS 5;
- (2) If a report of sexual harassment or retaliation discloses an immediate threat to the University community, the University will notify law enforcement as appropriate and issue a timely warning or emergency notice of the incident in the interests of community health and safety or as otherwise required by University obligations, such as the federal Jeanne Clery Campus Safety Act, 20 U.S.C. § 1092(f) and 34 C.F.R. § 668.46; and
- (3) The University will comply with valid subpoenas, court orders, and government agency orders as required by law.

Further, to the extent the disclosure of information related to or obtained during the course of receiving and responding to reports of sexual harassment, offering and implementing supportive measures, providing support services to survivors, and resolving complaints pursuant to grievance procedures is allowed (but not required) by law, the University intends to maintain the confidentiality of such processes, proceedings, and procedures to the extent it can do so while still carrying out such processes, proceedings, and procedures.

Privacy protections and confidentiality considerations will be included in all Procedures as necessary and appropriate.

Effective on an Interim Basis 5/29/2025

An official copy of Policy 78 is available on GovState's [Policies Webpage](#).

TITLE IX ADMINISTRATIVE PROCEDURES

PART A: DEFINITIONS

I. Purpose

The purpose of the Title IX Administrative Procedures, generally, is to set forth how Governors State University will administer and implement its Title IX Policy.

II. Scope and Application

The Procedure Definitions in this Part A apply for purposes of interpreting and implementing all Parts of the Title IX Procedures. To the extent a definition in this Part A differs from the definition provided for the same term in the Title IX Policy, the definition provided in this Part A shall control for purposes of interpreting and implementing the Title IX Procedures.

III. Authority

This Part A is promulgated pursuant under section XIV of the Title IX Policy.

IV. Definitions

When used in any Part of the Title IX Procedures, the term:

- (A) “Actual knowledge” means notice of conduct that reasonably may constitute sexual harassment to the Title IX Coordinator or a Responsible Official. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge.
- (B) “Advisor” (a capitalized term) means an individual chosen by a party to a Formal Complaint to accompany that party to any or all meetings, interviews, or other resolution proceedings under the Grievance Procedures as described further therein. An Advisor may be, but is not required to be, an attorney retained by a party at that party’s expense.
- (C) “Bystander” means an individual (other than a Confidential Employee, complainant, or respondent) who has or comes to have information about or related to conduct that reasonably may constitute sexual harassment under Title IX, either through directly witnessing such conduct, learning of such conduct second-hand, or otherwise. Employees who learn of already-reported conduct that reasonably may constitute sexual harassment under Title IX as a result of receiving a Report or administering the Grievance Procedures shall not be considered “Bystanders.”
- (D) “Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment, whether they have filed or can file a Formal Complaint or not.

- (E) “Complaint File” (a capitalized term) means the organized, comprehensive collection of records and information related to the resolution of a specific Formal Complaint under the Grievance Procedures.
- (F) “Confidential Advisor” (a capitalized term) means a person who is contracted by the University to provide emergency and ongoing support to survivors of sexual violence as described in the Reporting Procedures.
- (G) “Confidential Employee” (a capitalized term) means:
- (1) The counselors and healthcare providers in the University’s Counseling and Wellness Center, with respect to information they receive while providing medical, mental health, and case management services;
 - (2) Any other University employee whose communications are privileged or confidential under federal or state law, but only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies; or
 - (3) A University employee who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about sex discrimination—but the employee’s confidential status is only with respect to information received while conducting the study.
- (H) “Consent” means a freely, voluntarily, and knowingly given agreement to engage in sexual activity; and:
- (1) Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage freely in sexual activity.
 - (2) Lack of verbal or physical resistance or submission resulting from the use of force or threat of force does not constitute consent.
 - (3) An individual’s manner of dress does not constitute consent.
 - (4) An individual’s consent to past sexual activity does not constitute consent to future sexual activity. An individual’s consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another.
 - (5) An individual can and may withdraw consent at any time.
 - (6) An individual cannot consent to sexual activity if that individual is unable to understand the nature of the activity or give knowing agreement due to circumstances such as, but not limited to: (a) the individual is incapacitated due to the use or influence of alcohol or drugs, (b) the individual is asleep or unconscious, (c) the individual is underage, or (d) the individual is incapacitated due to a mental disability.
 - (7) When consent is withdrawn or can no longer be given, sexual activity must stop.

- (I) “Decisionmaker” (a capitalized term) means the individual(s) assigned pursuant to the Grievance Procedures to make a determination whether the University’s prohibition on sexual harassment was violated and sexual harassment occurred (as described in the Grievance Procedures). “Appeal Decisionmaker” (a capitalized term) means the individual(s) assigned to decide an appeal conducted under the Grievance Procedures (as described therein).
- (J) “Disciplinary sanctions” means consequences imposed on a respondent following a determination under the Grievance Procedures that the respondent violated the University’s prohibition on sexual harassment set forth in the Title IX Policy.
- (K) “Education program or activity” means the locations, events, or circumstances over which the University exercised substantial control over both the respondent, and the context in which the sexual harassment is alleged to have occurred and includes any building owned or controlled by a student organization that is officially recognized by the University.
- (L) “Employee” means (1) all members of the University Board of Trustees appointed by the State Governor; and (2) anyone who is hired and retained to perform duties in exchange for compensation in the form of an hourly wage, annualized salary, or stipend and receives this compensation as income which is processed through the University’s payroll processing.
- (M) “Formal Complaint” (a capitalized term) means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the University investigate the allegation of sexual harassment. As used in this definition, “document filed by a complainant” means a document or electronic submission (such as by email or online submission via a portal provided for such purpose by the University) that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the individual filing the Formal Complaint.
- (N) “Grievance Procedures” (a capitalized term) means the University’s Title IX Administrative Procedures, Part D: Grievance Procedures promulgated in accordance with section XIV of the Title IX Policy.
- (O) “Investigator” (a capitalized term) means the individual(s) assigned pursuant to the Grievance Procedures to conduct the Investigation Stage of the Grievance Procedures (as described therein).
- (P) “Party” to a Report or Formal Complaint means a complainant or a respondent associated with such Report or Formal Complaint.
- (Q) “Preventing Sexual Violence in Higher Education Act” means the Illinois statute codified at 110 ILCS 155/1 *et seq.*, as it may be amended from time to time.
- (R) “Procedure Definitions” (a capitalized term) means this Title IX Administrative Procedures, Part A: Definitions promulgated in accordance with section XIV of the Title IX Policy.
- (S) “Recordkeeping Procedures” (a capitalized term) means the University’s Title IX Administrative Procedures, Part E: Recordkeeping Procedures promulgated in accordance with section XIV of the Title IX Policy.

- (T) “Remedies” means measures provided, as appropriate, to a complainant or any other individual the University identifies as having had their equal access to the University’s education program or activity limited or denied by sexual harassment. These measures are provided to restore or preserve that individual’s equal access to the University’s education program or activity after a determination has been made in accordance with the Grievance Procedures that sexual harassment occurred.
- (U) “Report” (a capitalized term) means a written or oral disclosure or notice to the Title IX Coordinator or a Responsible Official of conduct that reasonably may constitute sexual harassment. Generally, “report” (not as a capitalized term) means a written or oral disclosure or notice of conduct that reasonably may constitute sexual harassment to any other recipient.
- (V) “Reporter” means an individual who wishes to make or does make (as applicable based on context) a Report of conduct that reasonably may constitute sexual harassment.
- (W) “Reporting Procedures” (a capitalized term) means the University’s Title IX Administrative Procedures, Part B: Reporting Procedures promulgated in accordance with section XIV of the Title IX Policy.
- (X) “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
- (Y) “Response File” (a capitalized term) means the organized, comprehensive collection of records and information related to the University’s response to a Report of sexual harassment under the Response Procedures.
- (Z) “Response Procedures” (a capitalized term) means the University’s Title IX Administrative Procedures, Part C: Response Procedures promulgated in accordance with section XIV of the Title IX Policy.
- (AA) “Responsible Employee” (a capitalized term) means any employee who is not a Confidential Employee.
- (BB) “Responsible Official” (a capitalized term) means any of the following University officers:
- President
 - General Counsel
 - Vice President for Administration and Finance
 - Provost
 - Vice President of Human Resources
 - Vice President of Student Affairs and Enrollment Management
 - Dean of Students

The University’s Responsible Officials are its officials with “authority to institute corrective measures of behalf of the [University]” as described in 34 C.F.R. § 106.30(a), part of the regulations under Title IX.

- (CC) “Retaliation” means intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX, the Preventing Sexual Violence in Higher Education Act, or the Title IX Policy; or because the

individual has reported information, made a Report or Formal Complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, informal resolution process, or hearing under the Grievance Procedures.

- (DD) “Sex discrimination” means unlawful different treatment with respect to an individual’s employment or participation in an education program or activity based on that individual’s actual or perceived sex. Sex discrimination includes sexual harassment.
- (EE) “Sexual harassment” is a form of sex discrimination and means conduct on the basis of sex that satisfies one or more of the following:
- (1) An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual conduct (“quid pro quo harassment”);
 - (2) Unwelcome conduct ***determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies an individual equal access*** to a University education program or activity (“hostile environment harassment”); or
 - (3) One or more of the following specific offenses:
 - (i) “Sexual violence” meaning physical sexual acts attempted or perpetrated against an individual without that individual’s consent or when that individual is incapable of giving consent, including without limitation rape, sexual assault, sexual battery, sexual abuse, sexual coercion, and all other offenses classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
 - (ii) “Dating violence” meaning violence committed by an individual:
 - (a) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - (b) Where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship; the type of relationship; and the frequency of interaction between the individuals involved in the relationship.
 - (iii) “Domestic violence” meaning felony or misdemeanor crimes committed by an individual who:
 - (a) Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the State of Illinois, or a person similarly situated to a spouse of the victim;
 - (b) Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 - (c) Shares a child in common with the victim; or

- (d) Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the State of Illinois.
- (iv) “Stalking” meaning engaging in a course of conduct directed at a specific individual that would cause a reasonable person to:
 - (a) Fear for the individual’s safety or the safety of others; or
 - (b) Suffer substantial emotional distress.
- (FF) “Student” means an individual who has gained admission to the University and has a current right to enroll or matriculate in or at an education program or activity operated by the University.
- (GG) “Supportive measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge, to a complainant or a respondent. Such measures are designed to restore or preserve equal access to the University’s education programs and activities without unreasonably burdening other individuals, including measures designed to protect the safety of all individuals or the University’s educational environment, or deter sexual harassment.
- (HH) “Survivor” means an employee or student who has experienced sexual violence, dating violent, domestic violence, and/or stalking.
- (II) “Title IX” means, collectively, Title IX of the Education Amendments of 1972 (Pub. L. 92-318; 20 U.S.C. §§ 1681, 1682, 1683, 1685, 1686, 1687, 1688, 1689), and all regulations promulgated thereunder, including 34 C.F.R. Part 106, as such statutes and regulations may be amended from time to time.
- (JJ) “Title IX Coordinator” means, for purposes of the Formal Complaint resolution process set forth below, an employee designated and authorized to serve as the/a University Title IX Coordinator pursuant to the Title IX Policy; or the one or more individuals to whom the University Title IX Coordinator may delegate duties from time to time pursuant to the Title IX Policy.
- (KK) “Title IX Policy” means the University’s Anti-Sex Discrimination (Title IX) Policy, also known as Policy 78.
- (LL) “Title IX Procedures” (a capitalized term) means, generally, all Parts of the University’s Title IX Administrative Procedures promulgated in accordance with section XIV of the Title IX Policy.
- (MM) “Training Materials” (a capitalized term) means, generally, copies of materials used to provide training to employees in accordance with section XII.A the Title IX Policy.
- (NN) “University” means Governors State University.

Effective 8/01/2025

TITLE IX ADMINISTRATIVE PROCEDURES

PART B: REPORTING PROCEDURES

I. Purpose

The purpose of these Reporting Procedures is to describe the various respective rights, obligations, and options students and employees at the University have to report information about conduct that reasonably may constitute sexual harassment under the University's Title IX Policy or Title IX.

II. Scope and Application

These Reporting Procedures apply to all University students and employees and all other individuals who fit the definition of "complainant" provided in the Procedure Definitions, as described herein.

III. Authority

These Reporting Procedures are promulgated pursuant section XIV.A of the Title IX Policy.

IV. Reporting Requirements for Responsible Employees

(A) Any Responsible Employee **must** notify (*i.e.*, make a Report to) the Title IX Coordinator promptly when that Responsible Employee has information about conduct that reasonably may constitute sexual harassment under Title IX.

(1) A Responsible Employee needs only a good faith belief that sexual harassment may have occurred. A Responsible Employee does not need to have definite proof or be 100% positive that sexual harassment has occurred before making a Report. It is the responsibility of the Title IX Coordinator and their team to gather evidence and make determinations about proof. A Responsible Employee shall not endeavor to conduct an investigation into whether sexual harassment occurred.

(2) The duty to notify the Title IX Coordinator is personal to each Responsible Employee and is not satisfied merely by telling the information to a supervisor or assuming someone else has notified the Title IX Coordinator.

The only exception is that an employee who has personally been subjected to conduct that reasonably may constitute sexual harassment is not required to make a Report about that conduct.¹

¹ An employee who has been subjected to conduct that reasonably may constitute sexual harassment will be considered a "complainant" with respect to such conduct for purposes of these Reporting Procedures, even if that employee qualifies as a "Responsible Employee" for any/all other purposes.

(B) Responsible Employees are not permitted to keep details about possible sexual harassment confidential or private from the Title IX Coordinator. Accordingly, if a Responsible Employee believes someone may disclose information about possible sexual harassment to them, the Responsible Employee, before receiving the disclosure, should inform that individual about the Responsible Employee's obligation to make Reports and inform the individual that there are other confidential resources available.

(C) The Title IX Coordinator will inform Responsible Employees about available (and preferred) means of making Reports to satisfy this reporting requirement.

(D) If, upon learning of conduct that reasonably may constitute sexual harassment, a Responsible Employee suspects or knows there is a serious and imminent or continuing threat to anyone, the Responsible Employee should **immediately** contact the University Department of Public Safety or other law enforcement agency about the matter **before** making their Report to the Title IX Coordinator.

(E) If, upon learning of conduct that reasonably may constitute sexual harassment, a Responsible Employee suspects a child (a minor) has been harmed or is at risk of being harmed by abuse or neglect, the Responsible Employee **must** make a report to the Illinois Department of Children & Family Services (DCFS) as required under the Illinois Abused and Neglected Child Reporting Act, 325 ILCS 5, before making their Report to the Title IX Coordinator.

V. Identification of Confidential Employees

(A) Employees who qualify as Confidential Employees will be expressly notified of such fact. ***Any employee who is not expressly informed that they are a confidential employee should assume they are a Responsible Employee and act accordingly.***

(B) In the event the Institutional Review Board approves a human-subjects research study designed to gather information about sexual harassment at the University (as contemplated in section IV(G)(3) of the Procedure Definitions), the University Office of Sponsored Programs and Research should inform the Title IX Coordinator of such fact as soon as reasonably practicable. The Title IX Coordinator will then work with the employees set to conduct such study and inform them of their special obligations as Confidential Employees.

VI. Reporting Rights and Options for Complainants and Student Bystanders

A. Right to Report

(1) A complainant has the right, but is not required, to make a Report to the Title IX Coordinator about any conduct they have experienced that they believe constitutes sexual harassment or retaliation. A complainant may also report the conduct to other University personnel, a confidential resource (including a Confidential Advisor), or government agency as described in paragraphs B – C of this Section.

(2) A survivor of an incident of sexual violence, dating violence, domestic violence, or stalking has the right to report or not to report the incident to the University (including to the Title IX Coordinator or a Confidential Employee), to law enforcement (including the University Department of Public Safety), or to both.

- (3) Student bystanders are not required to report instances of conduct that reasonably may constitute sexual harassment or retaliation, but they are encouraged to do so by any appropriate means described in paragraph B of this Section.

B. Options for Reporting

Complainants and bystanders have a variety of options for reporting conduct that they believe may constitute sexual harassment, and the University encourages them to choose the option with which they are most comfortable.

1. Title IX Coordinator

- (i) A Report may be made directly to the Title IX Coordinator as follows:

Kaitlyn Anne Wild
Director of Compliance and Title IX Coordinator
1 University Parkway, G328
University Park, IL 60484
Telephone: 708.534.4846
Email: titleixofficer@govst.edu

- (ii) Except for Responsible Officials, individuals may also make Reports to either of the Deputy Title IX Coordinators, if they prefer:

Damon Sloan
Executive Dir. of Community Standards & Student Advocacy,
Deputy Title IX Coordinator
1 University Parkway, C1312
University Park, IL 60484
Telephone: 708.235.2228
Email: dsloan@govst.edu

Peter Rockey
Executive Dir. of Employee and Labor Relations,
Deputy Title IX Coordinator
1 University Parkway, C1361
University Park, IL 60484
Telephone: 708.235.7468
Email: prockey@govst.edu

- (iii) A Report may also be made through the University's Title IX web portal:

<https://govst.caseiq.app/portal>

- (iv) If an individual wishes to make an ***anonymous Report***, they must use the Title IX web portal. Responsible Employees should not make their Reports anonymously.

- (v) The Title IX Coordinator is not a confidential resource, and complete privacy or confidentiality is not guaranteed and should not be expected.

2. University Department of Public Safety and Other Law Enforcement Agencies

- (i) A report may be made to the University's Department of Public Safety (campus law enforcement) as follows:

Department of Public Safety
Police Services
1 University Parkway, C1375
University Park, IL 60684
Telephone: 708.534.4900 (non-emergency)
Or 9-1-1 (emergency)

Employees working for the Department of Public Safety are Responsible Employees. Accordingly, they are required to make a Report to the Title IX Coordinator every time they learn information about conduct that reasonably may constitute sexual harassment.

- (ii) Reports may also be made to other (off-campus) local law enforcement agencies, including:

- (a) University Park Police Department
698 Burnham Drive
University Park, IL 60484
Telephone: 708.534.0913
Website: <https://university-park-il.com/departments/police/index.php>
- (b) Will County Sheriff's Office
Will County Public Safety Complex
16911 W. Laraway Road
Joliet, IL 60433
Telephone: 815.727.8574 (main line)
Website: <https://www.willcosheriff.org/>

In case of emergency, call 9-1-1.

- (iii) Law enforcement agencies are not confidential resources, and complete privacy or confidentiality is not guaranteed and should not be expected. The University Department of Public Safety is in regular contact with, and works with, other law enforcement agencies with jurisdictions near campus. Accordingly, information reported to other law enforcement agencies may very well be disclosed to the University.

3. Other University Personnel

- (i) A report may be made to any University Responsible Employee, and that Responsible Employee will make a Report to the Title IX Coordinator based on the information provided by the complainant or bystander.
- (ii) Responsible Employees in the following University departments are common recipients of reports from different types of complainants and/or student bystanders:

(a) Office of the Dean of Students
1 University Parkway, C1310
University Park, IL 60684
Telephone: 708.235.7595
Email: deanofstudents@govst.edu

(b) University Housing Professional Staff:

Auxiliary Services & University Housing
1 University Parkway, C1330
University Park, IL 60484
Phone: 708.235.7110
Email: housing@govst.edu

Prairie Place Residence Hall
1 Prairie Place, 107
University Park, IL 60484
Telephone: 708.235.7115
Email: housing@govst.edu

(c) Human Resources Department
1 University Parkway, C1360
University Park, IL 60684
Telephone: 708.534.4100
Email: hr@govst.edu

(iii) No Responsible Employee is a confidential resource, and complete privacy or confidentiality is not guaranteed and should not be expected when making a report to one of them.

4. Department of Education's Office of Civil Rights

Suspected violations of Title IX by the University may be reported to the U.S. Department of Education Office for Civil Rights (OCR), which enforces several federal laws, including Title IX, through the OCR's complaint process. A timely complaint can be filed online, by mail, by email, or by fax, as described at:

<https://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

C. Confidential Resources

The University has made the following confidential resources available, if a complainant wishes to disclose information about sexual harassment without a Report being made to the Title IX Coordinator:

- (1) **Confidential Advisors** provide emergency and ongoing support to survivors of sexual violence and relationship violence. A Confidential Advisor will provide confidential services and have privileged and confidential communications with survivors. They will inform the survivor of optional next steps regarding reporting options and possible outcomes, will notify the survivor of resources and services available on campus and in the community, and will inform the survivor of their rights and the University's responsibilities to enforce orders of protection and no

contact orders. If requested by the survivor, a Confidential Advisor will liaise with appropriate University personnel to secure supportive measures (as defined in the University's Title IX Policy), and will liaise with appropriate University personnel, law enforcement, and community resources to assist the survivor with contacting resources and/or reporting an incident. Confidential Advisor services are provided to students and employees by:

YWCA Metropolitan Chicago

320 West 202nd St.

Chicago Heights, IL 60411

General Telephone: 708.754.0486

General Website: <https://ywcachicago.org/>

Rape Crisis Hotline: 888.293.2080

Hotline Webpage: <https://ywcachicago.org/advancing-healing-safety-and-belonging#rape-crisis-hotline>

- (2) ***The University Counseling and Wellness Center (CWC)*** provides individual counseling, support, and resources to students who have experienced sexual harassment. Speaking with a licensed counselor at the CWC may be helpful for complainants or survivors trying to decide how to proceed. Because of the privileged nature of these conversations, the CWC will not share information about a patient/client (including whether that individual has received services) with the Title IX Coordinator or any other employee of the University without that patient/client's express written permission. The CWC may submit, however, non-identifying information about the incident for purposes of making a statistical report under the Clery Act. The CWC can be accessed as follows:

Campus Location: Room A1120

Hours: Monday - Friday, 8:30AM – 5:00PM

Telephone: 708.235.7334

Email: studentcounseling@govst.edu

Website: <http://www.govst.edu/counselingcenter/>

- (3) ***The University's Health Center*** (run by Advocate Aurora Health), which is part of the CWC, can provide students with non-emergency or follow-up medical services, including testing for pregnancy or sexually transmitted infections, and provide an opportunity to discuss any health care concerns related to the incident in a confidential medical setting. The Health Center is committed to protecting the privacy and confidentiality of all patient/client health information. All patient interactions with the Health Center are considered strictly confidential.

Campus Location: Room A1120

Hours: Mondays - Thursdays, 9:00PM – 4:00PM;

Fridays, 9:00AM – 1:00PM

Phone: 708.235.2114

Website: <https://www.govst.edu/cwc-health-center/>

- (4) ***The State of Illinois' Employee Assistance Program (EAP)*** is a free, voluntary, and confidential program available to employees that provides a valuable resource for support and information during difficult times, including problem identification, counseling, and referral services for employees regardless of the health plan chosen by the employee. Through the EAP, employees will be directed to

counseling services to assist them with a variety of concerns, including, but not limited to sexual violence and domestic violence, conflict at work, and stress. ***Any employees who access these services should be sure to identify themselves as an employee of the State of Illinois.*** More information is available from the Illinois Department of Central Management Services website at <https://cms.illinois.gov/benefits/stateemployee/employeeassistanceprogram.html>

D. Medical Care, Preservation of Physical Evidence and Forensic Exams

(1) The University encourages all complainants (especially, but not limited to, survivors of sexual violence) to seek assistance from a medical care provider and/or law enforcement as soon as possible following an incident that poses a threat to their safety or physical well-being.

(2) This is the best option to provide physical safety, emotional support, and medical care to a complainant. It is also the best option to ensure preservation of evidence, which may only exist for a limited period.

(i) For example, physical evidence of sexual violence can be identified, collected, and preserved through a sexual assault forensic exam conducted by a trained medical professional (such as a Sexual Assault Nurse Examiner) using a “rape kit.”

(ii) Additional guidance on preserving physical evidence can be found via RAINN (Rape, Abuse & Incest National Network): <https://rainn.org/get-information/sexual-assault-recovery/rape-kit>.

(3) The Department of Public Safety, or other University personnel, will escort a complainant to a safe place and provide or arrange for safe transportation to a local medical care provider at the complainant’s request.

(4) Local medical care providers can provide emergency and/or follow-up medical services beyond what is available on campus and provide an opportunity to discuss any health care concerns related to an incident in a confidential medical setting. Local emergency medical care providers include:

Advocate South Suburban Hospital

Location: 17800 S. Kedzie Ave., Hazel Crest, IL 60429

General Telephone: 708.799.8000

General Website: <https://www.advocatehealth.com/ssub/>

Sexual Assault Treatment Center (staffed with trained medical professionals and equipped to conduct sexual assault forensic examinations free of charge)

Center Webpage: <https://www.advocatehealth.com/ssub/health-services/sexual-assault-treatment-center>

Center Telephone: 708.213.4611

Franciscan Health Emergency Medicine

Location: 20201 S. Crawford Ave., Olympia Fields, IL 60461

General Telephone: 708.679.2222

General Website: <https://www.franciscanhealth.org/find-a-location/franciscan-health-emergency-medicine-olympia-fields-219348>

Center of Hope (Sexual Assault Treatment) (staffed with trained medical professionals and equipped to conduct sexual assault forensic examinations free of charge)

Center Webpage: <https://www.franciscanhealth.org/conditions-and-services/emergency-medicine/center-of-hope-sexual-assault-treatment>

E. Community Services

Complainants, especially (but not limited to) survivors of sexual violence, dating violence, domestic violence, and stalking, have options for reporting their experiences to off-campus agencies and groups that may be able to provide supportive services as part of their work in local communities.

1. Community-Based Sexual Assault Crisis Centers

(i) Multiple community-based sexual assault crisis centers provide services to survivors in Cook, Will, and Kankakee Counties, including:

YWCA Metropolitan Chicago

Local Office: 320 West 202nd St., Chicago Heights, IL 60411

General Telephone: 708.754.0486

General Website: <https://ywcachicago.org/>

24-Hr. Rape Crisis Hotline: 888.293.2080

Hotline Webpage: <https://ywcachicago.org/advancing-healing-safety-and-belonging#rape-crisis-hotline>

Guardian Angel Community Services

Main Office: 168 N. Ottawa St., Joliet, IL 60432

General Telephone: 815.729.0930

General Website: <https://www.gacsprograms.org/>

24-Hr. Sexual Assault Hotline: 815.730.8984

24-Hr. Domestic Violence Hotline: 815.729.1228

Clove Alliance

Main Office: 1440 W. Court St., Kankakee, IL 60901

General Telephone: 815.932.7273

General Website: <https://clovealliance.org/>

24-Hr. Crisis Hotline: 815.932.3322

(ii) Services provided by community-based sexual assault crisis centers are confidential, and information involving a complainant is not reported back to the University without a request from the complainant.

2. Community-Based Domestic Violence Agencies

(i) Multiple community-based domestic violence agencies provide services to survivors in Cook and Will Counties, including:

Crisis Center for South Suburbia (CCSS Center)

Mailing Address: P.O. Box 39, Tinley Park, IL 60477

General Website: <https://crisisctr.org/>

24-Hr. Hotline: 708.429.SAFE (7233)

Anew: Building Beyond Violence and Abuse

Mailing Address: P.O. Box 937, Homewood, IL 60430

General Telephone: 708.794.2140

General Website: <https://anewdv.org/>

Client Services: 708.798.7737

Hotline: 708.335.3028

- (ii) Services provided by community-based domestic violence agencies are confidential, and information involving a complainant is not reported back to the University without a request from the complainant.

F. Time for Reporting

Complainants and bystanders are encouraged to report conduct that reasonably may constitute sexual harassment as soon as possible in order to maximize the University's ability to respond promptly and effectively. While there is no time limit on reporting violations of Title IX, if:

- (1) The complainant is not currently participating or attempting to participate in a University education program or activity, the University may not be able to accept a Formal Complaint from such individual as explained in the Grievance Procedures.
- (2) The respondent is no longer a student or employee, the University may not be able to take action against the respondent, but it will still provide support for the complainant (if the complainant is a then-current student or employee).

G. Amnesty for Personal Use of Alcohol or Other Drugs by Students

As a means of removing barriers to reporting, the University will generally offer any student, whether the complainant or a bystander, who reports conduct that reasonably may constitute sexual harassment limited immunity from being charged for policy violations related to the personal use of alcohol or other drugs, provided that any such violations did not and do not place the health and safety of another individual at risk. The University may choose, however, to pursue educational or therapeutic remedies for those individuals.

VII. Delivery of Reports to the Title IX Coordinator

Any Responsible Official who receives a Report must deliver that Report to the Title IX Coordinator **as soon as possible** in order for the Title IX Coordinator to coordinate the University's response to such Report in accordance with the Response Procedures.

VIII. Prohibition on False Reports

It is a violation of the University's Title IX Policy for an individual to knowingly submit a false report regarding sexual harassment or retaliation. Such a violation may subject the reporter, if an employee or student, to disciplinary action, up to and including suspension, dismissal, or termination. False reports refer to cases where a reporter lacks a good faith belief that sexual harassment or retaliation might have occurred. This provision does not apply to reports made in good faith, even if the facts alleged in the report are not ultimately substantiated during a Formal Complaint resolution process or other investigation.

IX. Additional Resources

Whether or not a complainant or survivor chooses to make a report to the University, they are urged to seek appropriate help. There are numerous resources available in addition to the ones listed in Section VI, above. Each resource can assist a person to access the full range of services available.

Apna Ghar (community-based gender violence agency)

Office: 4350 N. Broadway, 2nd Fl., Chicago, IL 60613

General Telephone: 773.883.4663

General Website: <https://www.apnaghar.org/>

24-Hr. Crisis Line: 773.334.4663 (talk); 773.899.1041 (text)

Chicago Alliance Against Sexual Exploitation (CAASE)

Office: 307 N. Michigan Ave., Suite 1020, Chicago, IL 60601

General Telephone: 773.244.2230

General Website: <https://www.caase.org/>

Illinois Coalition Against Sexual Assault (ICASA)

Main Office: 100 North 16th Street, Springfield, IL 62703

General Telephone: 217.753.4117

General Website: <https://www.icasa.org/>

RAINN (Rape, Abuse & Incest National Network)

General Website: via <https://rainn.org/>

National Sexual Assault Hotline (24 hours a day, 7 days a week)

Talk: 800.656.HOPE (4613)

Online chat: <https://hotline.rainn.org/online>

Hotline Information Webpage: <https://rainn.org/about-national-sexual-assault-telephone-hotline>

National Domestic Violence Hotline

Talk: 800.799.SAFE (7233)

Text: text “START” to 88788

Online chat available through general website: <https://www.thehotline.org/>

National Sexual Violence Resource Center

General Website: <https://www.nsvrc.org/survivors>

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An official copy of the Title IX Administrative Procedures is available on GovState’s [Title IX Webpage](#).

TITLE IX ADMINISTRATIVE PROCEDURES

PART C: RESPONSE PROCEDURES

I. Purpose

The purpose of these Response Procedures is to describe how the University will respond promptly and effectively upon gaining knowledge of conduct that reasonably may constitute sexual harassment under the University's Title IX Policy or Title IX.

II. Scope and Application

These Response Procedures apply for all Reports of conduct that may constitute sexual harassment under the Title IX Policy.

III. Authority

These Response Procedures are promulgated pursuant under section XIV.A of the Title IX Policy.

IV. Response to Reports of Sexual Harassment

(A) Upon obtaining actual knowledge of conduct that reasonably may constitute sexual harassment, the Title IX Coordinator will coordinate the University's response thereto, and such response will be prompt and in a manner that is not deliberately indifferent. The Title IX Coordinator shall recuse themselves if they have a conflict of interest or bias for or against either party.

(B) As part of any such response:

- (1) Complainants and respondents will be treated equitably by the University;
- (2) Complainants will be offered supportive measures, as appropriate, as described in Section VI, below; and
- (3) No disciplinary sanction will be imposed on a respondent before the grievance process outlined in the Grievance Procedures has been followed.

V. Notices in Response to Reports of Sexual Violence

(A) If a Report describes conduct that could fit the definition of sexual violence, dating violence, domestic violence, and/or stalking, then as soon as reasonably practicable after receipt of the Report and identification of the complainant, the Title IX Coordinator will provide the complainant with a concise notice of the complainant's rights and options that satisfies the applicable requirements of the Preventing Sexual Violence in Higher Education Act. If such a

Report is received through electronic means, the Title IX Coordinator will provide the concise notice to the electronic reporter within twelve (12) hours of receiving the electronic Report.

(B) If appropriate under the Clery Act, based on the allegations received, the Title IX Coordinator will forward any report of sexual violence, dating violence, domestic violence, and/or stalking to the University's Department of Public Safety.

VI. Supportive Measures

The University will offer and coordinate supportive measures, as appropriate, as described in this Section.

A. Supportive Measures in General

(1) Supportive measures are individualized measures offered as appropriate, as reasonably available, and without fee or charge to a complainant or respondent, for the purpose(s) of:

- (i) Restoring or preserving that individual's access to the University's education program or activity, including measures that are designed to protect the safety of the individual(s) or the University's educational environment; and/or
- (ii) Providing support during the Grievance Procedures for resolving Formal Complaints or an informal resolution process.

(2) The specifics as to what one or more supportive measures the University may offer a given individual at a given time will vary depending on what the University deems to be reasonably available under the given circumstances.

- (i) Not all potential supportive measures may be reasonably available at any given time, under any given circumstance.
- (ii) A potential supportive measure that would require the University to fundamentally alter the nature of a program or activity is not reasonably available.
- (iii) The University is not obligated to offer supportive measures that are not reasonably available.
- (iv) The University will not offer a supportive measure that unreasonably burdens either party or is not designed to meet either or both of the intended goals of supportive measures.
- (v) The University will not impose any supportive measure for punitive or disciplinary reasons.

(3) Examples of supportive measures that may be (but are not guaranteed to be) offered by the University, as appropriate and reasonably available, include, but are not necessarily limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more individuals; leaves of

absence; changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sexual harassment.

B. Supportive Measures Process

(1) As soon as reasonably practicable after a Report is received, the Title IX Coordinator will assign an appropriate employee (which employee may be the Title IX Coordinator) to offer and coordinate supportive measures for the complainant as appropriate. That employee shall explain to the complainant (i) the process for filing a Formal Complaint and (ii) that supportive measures are available whether a Formal Complaint is filed or not.

(2) As soon as reasonably practicable after a respondent is notified about the allegations against them in a Formal Complaint (because the Grievance Procedures were initiated), the Title IX Coordinator will assign an appropriate employee (which employee may be the Title IX Coordinator and/or may be the same employee assigned for the complainant) to offer and coordinate supportive measures for the respondent as appropriate.

(3) In determining what supportive measures to offer a party, the party will be consulted and may request one or more specific supportive measures if they wish. Such requests will be taken into account, but the University does not guarantee they will be fulfilled.

(4) A party has discretion to accept or decline each supportive measure offered to them by the University.

(5) If a party accepts an offered supportive measure, the University will provide it.

(6) The University may, as appropriate, but need not, modify or terminate any supportive measure it has previously provided if circumstances change such that the supportive measure can no longer be considered reasonably available, starts to unreasonably burden either party, or no longer meets either or both of the intended goals of supportive measures.

(7) The University may, as appropriate, at any time, offer additional or alternative supportive measures to a party for their consideration.

(8) A party may request that the University modify or terminate any provided supportive measure applicable to them, if the party's circumstances change, by contacting the Title IX Coordinator.

(9) A party may request additional or different supportive measures applicable to them, if the party's circumstances change materially, by contacting the Title IX Coordinator.

(10) All offers of supportive measures (whether in the original instance, as a modification, addition, or otherwise) and the parties' responses thereto shall be documented by the University in writing(s) to the party for whose benefit they are being made (a "Supportive Measures Offer").

(11) The University may prescribe further reasonable processes for administering the offering, coordination, and implementation of supportive measures under this Section.

VII. Emergency Removal and Administrative Leave

(A) The University reserves the right to remove a respondent from the University's education programs or activities on an emergency basis, if the University determines, on the basis of an individualized safety and risk analysis, that an immediate and serious threat to the health or safety of a complainant or any students, employees, or other individuals arising from the allegations of sex discrimination justifies such removal.

(1) Any such individualized safety and risk analysis will be conducted by the University's Campus Threat Assessment Team (CTAT).

(2) Determinations regarding removal will be made by the Title IX Coordinator based on CTAT's analysis. In making such a determination, the Title IX Coordinator may consult with other appropriate employees or University departments, such as the Department of Public Safety.

(B) If the University determines that emergency removal of a respondent is justified in accordance with paragraph (A), the Title IX Coordinator will provide notice to the respondent of such determination (a "Notice of Emergency Removal") as soon as possible.

(C) The University will provide the respondent with an opportunity to challenge the determination immediately following the emergency removal.

(1) The Notice of Emergency Removal will describe the process by which the respondent may make such a challenge.

(2) The Title IX Coordinator will assign an appropriately trained, impartial employee to hear and decide the challenge. Such employee will be identified in the Notice of Emergency Removal.

(D) Any emergency removal of a respondent will last only as long as justified by the individualized safety and risk analysis.

(E) The University also reserves the right to place an employee respondent on administrative leave from employment responsibilities during the pendency of the resolution of a Formal Complaint against the employee under the Grievance Procedures. The University's general procedures for employee administrative leave shall apply for purposes of any administrative leave under this paragraph.

(F) The provisions of this Section must not be construed to modify any rights under section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, or the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq.

VIII. Recordkeeping and Confidentiality

(A) Records related to the University's responses to Reports under these Response Procedures shall be maintained in accordance with the University's Title IX Recordkeeping Procedures.

(B) Except as permitted by FERPA, required by law, or necessary to carry out the purposes of Title IX, the University will keep confidential the identity of:

- (1) Any individual who makes a Report of sexual harassment;
- (2) Any complainant;
- (3) Any respondent; and
- (4) Any reporter.

(C) Similarly, except as permitted by FERPA, requirement by law, or necessary to carry out the purposes of Title IX, the University will keep confidential supportive measures except as necessary to facilitate the measure(s) provided.

Effective 8/01/2025

An official copy of the Title IX Administrative Procedures is available on GovState's [Title IX Webpage](#).

TITLE IX ADMINISTRATIVE PROCEDURES

PART D: GRIEVANCE PROCEDURES

I. Purpose

The purpose of these Grievance Procedures is to describe how the University will promptly and equitably resolve Formal Complaints of sexual harassment under the University's Title IX Policy.

II. Scope and Application

These Grievance Procedures apply to all Formal Complaints of sexual harassment within the scope of the Title IX Policy and set forth the process for resolving all such Formal Complaints.

III. Authority

These Grievance Procedures are promulgated under section XIV.B of the Title IX Policy.

IV. Formal Complaints of Sexual Harassment

A. Formal Complaints Filed by Complainants

A complainant who is currently participating or attempting to participate in an education program or activity shall have the right to file a Formal Complaint of sexual harassment requesting that the University investigate and make a determination about the alleged sexual harassment under the Title IX Policy in accordance with these Grievance Procedures.

B. Formal Complaints Brought by the Title IX Coordinator

If the Title IX Coordinator receives a Report of possible sexual harassment and the complainant identified therein declines to file a Formal Complaint, the Title IX Coordinator will determine, based on the available information, whether a Formal Complaint and the resolution process under these Grievance Procedures should nonetheless go forward.

1. Determining Whether to Bring a Formal Complaint

In making a determination whether to bring a Formal Complaint, the Title IX Coordinator will consider, among other factors, whether the complainant has requested confidentiality; whether the complainant is willing to participate in an investigation or Hearing; the severity and impact of the alleged sexual harassment; the respective ages of the individuals involved in the alleged sexual harassment; whether the complainant is a minor under the age of 18; whether the respondent has admitted to the sexual harassment; whether the respondent has a pattern of committing sexual harassment; the existence of independent evidence; and the extent of prior remedial methods taken with the respondent.

2. If the Title IX Coordinator Decides to Bring a Formal Complaint

- (i) Where the Title IX Coordinator determines that it is appropriate to sign a Formal Complaint and pursue the resolution process against the complainant's desires, the Title IX Coordinator will communicate in writing with the complainant about that chosen course of action.
- (ii) Upon drafting and signing the Formal Complaint, the Title IX Coordinator shall initiate the resolution process as described below.
- (iii) Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a "complainant" or otherwise a party for purposes of the resolution process under these Grievance Procedures.

3. If the Title IX Coordinator Declines to Bring a Formal Complaint

Where the Title IX Coordinator elects not to sign a Formal Complaint and pursue the resolution process against the complainant's desires, the relevant provisions of the Response Procedures shall continue to apply.

C. Consolidation of Formal Complaints

- (1) For purposes of applying the resolution process described in these Grievance Procedures, the Title IX Coordinator may consolidate multiple Formal Complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. The Title IX Coordinator may also consolidate Formal Complaints with related complaints of retaliation.
- (2) Where a resolution process involves more than one complainant or more than one respondent, references herein to the singular "party," "complainant," or "respondent" include the plural, as applicable.

V. Investigation Stage

A. Assignment of Investigator

- (1) As soon as reasonably practicable after receiving a Formal Complaint from the complainant or signing a Formal Complaint themselves, the Title IX Coordinator will assign an appropriate individual to serve as the Investigator for the Formal Complaint. The Investigator may be the same individual as the Title IX Coordinator. In any event, the individual assigned shall have received training on carrying out this role and shall not have a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent named in the Formal Complaint.
- (2) If, at any time during the course of the Investigation Stage, an assigned individual must leave the Investigator role, the Title IX Coordinator will assign another appropriate individual to serve as the Investigator and continue the investigation process as promptly as reasonably possible.

B. Notice of Allegations

(1) As soon as reasonably practicable after being assigned to a new Formal Complaint, the Investigator will issue a written notice of the investigation and allegations (a “Notice of Allegations”) to all known parties.

(2) The Notice of Allegations will include:

- (i) The name and contact details of the Investigator.
- (ii) Notice of these Grievance Procedures and the Title IX Policy.
- (iii) A statement of the allegations of sexual harassment underlying the Formal Complaint, including, to the extent such details are known at the time the Notice of Allegations is issued:
 - (a) The identities of the complainant, respondent and any potential witness(es) (to the extent then known); and
 - (b) The date(s) and location(s) of the conduct allegedly constituting sexual harassment.
- (iv) A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the resolution process.
- (v) A statement that the parties may each have an Advisor of their choice, who may be, but is not required to be, an attorney paid for by the party.
- (vi) A statement that the parties will have an equal opportunity to inspect and review the collected evidence obtained as part of the investigation process that is directly related to the allegations raised in the Formal Complaint, including inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the Investigation Stage.
- (vii) A statement that retaliation is prohibited.
- (viii) Notice that the University prohibits knowingly making false statements or knowingly submitting false information during the resolution process.

(3) The Notice of Allegations will be amended if and as necessary during the investigation process should the nature of the allegations materially change during the investigation.

C. Investigation Process for a Formal Complaint

1. General Principles of the Investigation Process

- (i) All investigations are to be thorough, reliable, impartial, prompt, and fair.

(ii) The burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the University and not the Parties. However, the University cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do so for a resolution process under these Grievance Procedures.

(iii) All parties have an equitable opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence to the Investigator.

(iv) The University will not restrict the ability of any party to discuss the allegations under investigation or to gather and present relevant evidence.

(v) The Investigator will provide timely written notice of any hearing, investigative interview, or other meeting to any party whose participation is expected, including the date, time, location, participants, and purpose of each such hearing, interview, or meeting.

(vi) All parties will have the same opportunity to have an Advisor present at any hearing, investigative interview, or other meeting conducted during the investigation process.

(vii) The Investigator may not gather evidence that constitutes or seeks disclosure of information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.

(viii) Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant and will not be gathered by the Investigator, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

(ix) The rules of discovery and evidence afforded in courts of law do not apply to the resolution process under these Grievance Procedures.

2. Steps in the Investigation Process

(i) The Investigator will typically take the following steps to compile relevant, non-duplicative inculpatory and exculpatory evidence as reasonably possible during the investigation process:

(a) Commence the process by identifying issues and developing a strategic investigation plan (subject to update as evidence is gathered), including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and parties.

- (b) Ask the parties to identify any witness(es) and/or other evidence they each wish to present to the Investigator for consideration as part of the investigation process.
- (c) Interview all reasonably available, relevant witnesses and the parties and conduct follow-up interviews as necessary.
- (d) Review all documentary or physical evidence provided by the parties and/or witnesses.
- (e) Request, obtain, and review documents or other records or physical items that the Investigator reasonably believes may provide relevant evidence.
- (f) Complete the gathering of evidence promptly and without unreasonable deviation from the intended timeline absent good cause.
- (g) Amend the Notice of Allegations as warranted by the investigation process and revise the allegations therein as appropriate based on testimonial and documentary evidence obtained.

There is no strict requirement that every step listed above must be taken, that the steps must be taken in the order presented, or that no other steps may be taken. The exact steps taken in any investigation process will depend upon the specific circumstances of the Formal Complaint and the discretion of the Investigator.

(ii) After completing the gathering of evidence, the Investigator must provide each party, and the party's Advisor, with access to all evidence directly related to the allegations raised in the Formal Complaint that was compiled by the Investigator, from any source, including both inculpatory and exculpatory evidence, so that the parties may inspect and review such evidence.

(iii) After receiving such access to the compiled evidence related to the allegations, the parties will have ten (10) business days to submit a written response about such evidence (an "Evidence Response") to the Investigator, which the Investigator will consider prior to completion of the Investigation Report (see below). No party is required to submit an Evidence Response, and there is no required format other than that the Investigator must be able to read it and share it.

D. The Investigation Report

(1) After receiving the Evidence Responses (if any) from the parties, the Investigator must create an investigation report ("Investigation Report") that:

- (i) Explains the investigation process to date, including the procedural steps taken since receipt of the Formal Complaint, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence; and

(ii) Fairly summarizes all the relevant, non-duplicative evidence gathered.

(2) Copies of the parties' Evidence Responses must be appended to the Investigation Report. Additional appendices, including (i) relevant physical or documentary evidence, and (ii) transcripts or summaries/outlines/write-ups of all interviews, must be attached to the Investigation Report if reasonably practicable. If it is not reasonably practicable to attach all such additional appendices (e.g., because the volume of such material would make the Investigation Report too difficult to share with the parties), some portion or all the relevant physical or documentary evidence and transcripts or summaries/outlines/write-ups of all interviews may be collected separately from the Investigation Report, but they must be organized in such a way that they may be clearly identified and located using textual references in the Investigation Report.

(3) The Investigation Report must include no credibility determinations, findings of fact, policy analysis, or recommendations.

(4) The complete Investigation Report must be issued to all parties and their Advisors simultaneously. Access to the complete Investigation Report should also be provided to the Title IX Coordinator (if different than the Investigator) as soon as reasonably practicable thereafter.

(5) After the Investigation Report has been delivered, the Parties will have ten (10) business days to submit a written response about the Investigation Report (a "Report Response") to the Title IX Coordinator. No party is required to submit a Report Response, and there is no required format other than that the Title IX Coordinator must be able to read it and share it.

VI. Hearing Stage

A. Assignment of Decisionmaker

(1) If the Title IX Coordinator has not already done so, then as soon as reasonably practicable after receiving the Investigation Report, the Title IX Coordinator will assign an appropriate individual to serve as the Decisionmaker for the Formal Complaint. The Decisionmaker may not be the same individual as the Title IX Coordinator or the Investigator. The individual assigned shall have received training on carrying out this role and shall not have a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent named in the Formal Complaint.

(2) The Title IX Coordinator will provide the Decisionmaker with access to the complete Investigation Report, including all appended (and/or referenced) evidentiary materials, and the parties' Report Responses as soon as practicable.

(3) As soon as reasonably practicable after being assigned or after issuance of the Investigation Report, whichever is later, the Decisionmaker must contact the parties and their Advisors to initiate the process for holding a live hearing on the relevant evidence (the "Hearing").

B. General Principles of the Hearing Process

(1) All evidence directly related to the allegations raised in the Formal Complaint that was compiled by the Investigator, from any source, including both inculpatory and

exculpatory evidence, will be made available at the Hearing to give each party equal opportunity to refer to such evidence during the Hearing, including for purposes of cross-examination. However, even though such evidence is made available, the Decisionmaker need not determine all such evidence to be relevant if any such evidence is, in fact, not relevant.

(2) Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant and will be excluded by the Decisionmaker, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

(3) All parties will be required to have an Advisor present at the Hearing for any questions the party may desire to have asked of another party or witness. In the event a party cannot arrange for an Advisor of their choice to participate in the Hearing, the University will appoint an appropriate individual to serve as that party's Advisor for the duration of the Hearing process. Each party must have an Advisor present at the Hearing. There are no exceptions.

(4) At the Hearing, the Decisionmaker will permit each party's Advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the Hearing must be conducted directly, orally, and in real time by the party's Advisor and never by a party personally. The Decisionmaker may restrict such questioning to the extent it is duplicative, not designed to elicit relevant testimony, or argumentative.

(5) At the request of any party, the University will provide for the Hearing to occur with the parties located in separate rooms with technology enabling the Decisionmaker and parties to simultaneously see and hear the party or the witness answering questions.

(6) Hearings may be conducted with all parties physically present in the same geographic location or, at the University's discretion, any or all parties, witnesses, and other participants may appear at the Hearing virtually, with technology enabling participants simultaneously to see and hear each other.

(7) The Decisionmaker must not require, allow, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.

(8) The rules of discovery and evidence afforded in courts of law do not apply to the resolution process under these Grievance Procedures.

C. Pre-Hearing Procedures

(1) To initiate the Hearing process, the Decisionmaker must schedule a pre-hearing conference (the "Pre-hearing Conference") with all parties and their Advisors for a mutually acceptable date not less than ten (10) business days after submission of the Investigation Report. The Pre-hearing Conference may be held in person or virtually, at the Decisionmaker's discretion.

(2) At the Pre-hearing Conference, the attendees must discuss at least: (a) whether the Hearing will be held virtually or in person (and, if so, where); (b) what witnesses, if any, each party and the Decisionmaker want to call at the Hearing; (c) the process for questioning and cross-examination by the Advisors; (d) whether the parties will be allotted time (and how much) to make opening and/or closing statements to the Decisionmaker; (e) what technology will be available (if any) for sharing documentary or physical evidence among the necessary Hearing attendees; and (f) the University's Rules of Decorum for Hearings. The attendees may discuss any other topics the Decisionmaker believes appropriate.

(3) No later than five (5) business days after the Pre-hearing Conference, the Decisionmaker shall circulate to the parties and their Advisors a set of minutes or other appropriate memorandum reflecting what was discussed and decided during the Pre-hearing Conference.

(4) Either before or after the Pre-hearing Conference, the Decisionmaker must schedule a date or series of dates and length of time for the Hearing, which must not start less than ten (10) business days after the Pre-Hearing Conference.

(5) No less than ten (10) business days prior to the start of the Hearing, the Decisionmaker shall provide the parties and their Advisors with a formal, written notice of the Hearing (a "Notice of Hearing"), which will contain:

- (i) The time, date, and location of the Hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- (ii) The identification of any technology that will be used to facilitate the Hearing.
- (iii) Information on how the University anticipates recording the Hearing and how to access to the recording after the Hearing.
- (iv) A statement that if any party or witness does not appear at the scheduled Hearing, the Hearing may be held in their absence, at the Decisionmaker's discretion.
- (v) A reminder to notify the Title IX Coordinator in advance of the Hearing if an Advisor must be appointed for a party.
- (vi) An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the Hearing, at least five (5) business days prior to the Hearing.
- (vii) A copy of the University's Rules of Decorum for Hearings and reminder that all Hearing attendees must abide by those Rules of Decorum.
- (viii) An overview of the procedures by which the Decisionmaker will run the Hearing.
- (ix) Information on appeals.

(6) Any party or other permitted attendee that wishes to request any disability accommodations, language assistance, and/or interpretation services that may be needed at the Hearing must do so at least five (5) business days prior to the Hearing or, in emergency situations, as soon as reasonably possible.

D. Hearing Procedures

(1) The Decisionmaker has ultimate authority over proceedings during a Hearing, but they must exercise that authority in a way that is equitable to all parties and consistent with the University's Rules of Decorum.

(2) ***All questioning permitted to be done "by the parties" under these Hearing procedures must be conducted by the parties' respective Advisors on behalf of the parties and never by the parties personally.***

(3) During the course of a Hearing, the following events will occur, in whatever order the Decisionmaker deems most appropriate:

(i) The Investigator presents the Investigation Report:

(a) The Investigator will present a summary of the Investigation Report and will be subject to questioning by the Decisionmaker and by the parties.

(b) Neither the parties nor the Decisionmaker may ask the Investigator their opinion(s) on credibility, recommended findings, or determinations, and the Investigator and parties must refrain from discussion of or questions about these assessments. If such information is introduced, the Decisionmaker must disregard it.

(ii) Any witness(es) called by a party or the Decisionmaker must submit to questioning. One at a time (if more than one is being called), each witness will submit to questioning by the Decisionmaker and then by the parties.

(iii) Each party will be given the opportunity to provide relevant evidence, including both testimonial and documentary or physical, in turn, beginning with the complainant.

(iv) Each party also will submit to questioning by the Decisionmaker and then by the other party (*i.e.*, "cross-examination").

(4) All questions asked by the parties (that is, asked through their Advisors) are subject to a relevance determination by the Decisionmaker. The Advisor will pose the proposed question orally, pause to allow the Decisionmaker to consider it, and determine whether the question will be permitted, disallowed, or must be rephrased.

(i) If a question is permitted, the individual to whom the question was directed will be allowed to answer.

(ii) If a question is disallowed, the Decisionmaker will explain their decision to exclude the question as not relevant, cumulative, argumentative, or otherwise improper.

- (iii) If the Decisionmaker asks the Advisor to rephrase the question, the Decisionmaker will explain why and then allow the Advisor to rephrase, after which the Decisionmaker will conduct a new relevance determination.
- (5) The Decisionmaker will limit or disallow questions on the basis that they are not relevant, unduly repetitious (and thus not relevant), or abusive.
- (6) The Decisionmaker may not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the Hearing or refusal to answer cross-examination or other questions.
- (7) At the Decisionmaker's request, an appropriate employee may participate in the Hearing solely to assist with logistics, technology, organizing witness participation, or similar services. At the Decisionmaker's request, counsel for the University may be present as well.
- (8) In the event a Hearing runs longer than anticipated, the Decisionmaker has the authority to adjourn the Hearing at an appropriate time on the originally scheduled date and work with the parties to schedule a continuation of the Hearing on a later date, or to terminate the proceedings as scheduled.
- (9) Hearings are recorded by the University for purposes of recordkeeping and review in the event of an appeal. The parties may not record the proceedings, and no other unauthorized recordings are permitted. At the start of the Hearing, or at the start of each day of the Hearing if it lasts multiple days, the Decisionmaker must inform the parties how the Hearing is being recorded at that time.

VII. Determination Stage

A. The Determination

- (1) After the Hearing is complete, the Decisionmaker will make a determination regarding the respondent's responsibility, if any, for sexual harassment that was proven to have occurred (a "Determination") based on the relevant evidence gathered by the Investigator, the Investigation Report (and the parties' Report Responses thereto), and the relevant evidence offered at the Hearing.
- (2) To reach the Determination, **the "preponderance of the evidence standard" must be applied.** Under the preponderance of the evidence standard, a fact is considered proven when the relevant evidence convinces the Decisionmaker that there is a greater than 50% chance that the fact is true.
- (3) The Determination must be based on an objective evaluation of all relevant evidence made available to the Decisionmaker, including both inculpatory and exculpatory.
- (4) Credibility determinations may not be based on an individual's status as a complainant, respondent, or witness.

B. The Decision

(1) The Decisionmaker shall state and explain their Determination in a written decision (the “Decision”). The Decision must include, at a minimum:

- (i) Identification of the allegations potentially constituting sexual harassment that were presented to the Decisionmaker for determination;
- (ii) A description of the procedural steps taken from during the Hearing Stage through the Determination, including any notifications to the parties, conferences with the parties, and hearings held;
- (iii) Findings of fact supporting the Determination;
- (iv) Conclusions regarding the application of the Title IX Policy to the facts;
- (v) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility (based on the preponderance of the evidence standard), any disciplinary sanctions the University imposes on the respondent, and whether remedies designed to restore or preserve equal access to the University’s education program or activity are necessary; and
- (vi) The permissible bases for a party to appeal the Determination and procedures for doing so.

(2) In the event the Decisionmaker determines that the respondent is responsible for sexual harassment:

- (i) The Decisionmaker shall confer with either (i) the University’s Human Resources Department and Vice President of the employee’s reporting line or (ii) the Office of the Dean of Students, as appropriate, to determine what disciplinary sanctions should be imposed; and
- (ii) The Decisionmaker shall confer with the Title IX Coordinator to determine what remedies, if any, should be provided.

(3) Copies of the parties’ Report Responses (if any) must be appended to the Decision. The Investigation Report, or any parts thereof, or any other appropriate document(s) may be appended to the Decision at the Decisionmaker’s discretion.

(4) The finalized Decision and appendices must be issued to all parties and their Advisors simultaneously, and full access to same must be provided to the Title IX Coordinator as soon as practicable.

C. Finality of Determination and Disciplinary Sanctions

(1) A Determination and/or decision on disciplinary sanctions becomes “final” either on the date that the Appeal Decisionmaker provides the parties with the Appeal Decision, if an appeal is filed (see below); or, if an appeal is not filed, the date on which a request for appeal would no longer be considered timely.

(2) Once final, the Title IX Coordinator will coordinate the provision and implementation of remedies (if any) and the imposition of disciplinary sanctions on the respondent (if any).

(i) If the respondent is an employee, the Title IX Coordinator may inform the Human Resources Department, the respondent's supervisor, and the Vice President of the respondent's reporting line of the final finding(s) of responsibility for sexual harassment and/or of the disciplinary sanctions, if the Title IX Coordinator believes such notice to be appropriate.

(ii) The Title IX Coordinator may inform any employee(s) of remedies as necessary in order to implement them.

(3) Once a Determination that a respondent is responsible for sexual harassment is final, copies of the Investigation Report and the Decision shall be added to the respondent's University personnel file or student file.

VIII. Voluntary Withdrawal of a Formal Complaint or Allegations Therein

A. Complainant's Right to Withdraw

At any point in this resolution process before the start of the Determination Stage described in Section VII, a complainant may voluntarily withdraw their Formal Complaint or any of the allegations therein. In order to make such a voluntary withdrawal, the complainant must notify the Title IX Coordinator in writing that they wish to withdraw the entire Formal Complaint or some specifically identified allegations in the Formal Complaint (a "Notification of Withdrawal").

B. Title IX Coordinator's Determination in Response to Notification of Withdrawal

(1) Upon receipt of a Notification of Withdrawal that covers an entire Formal Complaint, the Title IX Coordinator will determine, based on the available information and in consideration of the factors set forth in subparagraph B.1 of Section IV, whether the resolution process under these Grievance Procedures should nonetheless go forward.

(i) If the Title IX Coordinator determines that the resolution process should not continue, the Title IX Coordinator will dismiss the Formal Complaint in accordance with Section IX below.

(ii) If the Title IX Coordinator determines that it is appropriate for the resolution process to go forward despite the complainant's withdrawal, the Title IX Coordinator will (a) communicate in writing with the complainant about that chosen course of action, and (b) instruct that the resolution process proceed as if the Title IX Coordinator had signed the Formal Complaint in the original instance.

(2) Upon receipt of a Notification of Withdrawal that covers only some, but not all, of the allegations in a Formal Complaint, the Title IX Coordinator will determine whether, without the complainant's withdrawn allegations, the remaining allegations constitute sexual harassment if proven.

(i) If the Title IX Coordinator determines that the conduct that remains alleged in the Formal Complaint would constitute sexual harassment if proven, the Title IX

Coordinator will instruct the resolution process to proceed in consideration of only the remaining allegations.

(ii) If the Title IX Coordinator determines that the conduct that remains alleged in the Formal Complaint would not constitute sexual harassment even if proven, the Title IX Coordinator will determine, based on the available information and in consideration of the factors set forth in subparagraph B.1 of Section IV, whether the resolution process under these Grievance Procedures should nonetheless go forward.

(a) If the Title IX Coordinator determines that the resolution process should not continue, the Title IX Coordinator will dismiss the Formal Complaint in accordance with Section IX below.

(b) If the Title IX Coordinator determines that it is appropriate for the resolution process to go forward despite the complainant's withdrawal, the Title IX Coordinator will (1) communicate in writing with the complainant about that chosen course of action, and (2) instruct that the resolution process proceed as if the Title IX Coordinator had signed the Formal Complaint in the original instance.

IX. Dismissal of a Formal Complaint

(A) The Title IX Coordinator must dismiss a Formal Complaint if the conduct alleged therein: (1) would not constitute sexual harassment even if proved; (2) did not occur in a University education program or activity; or (3) did not occur against an individual in the United States; or (4) did not occur against a complainant who is **currently** participating or attempting to participate in a University education program or activity at the time of filing their Formal Complaint.

(B) The Title IX Coordinator may dismiss a Formal Complaint or any allegations therein, if at any time during the Investigation Stage or Hearing Stage:

- (1) The Complainant voluntarily withdraws any or all of the allegations in the Formal Complaint;
- (2) The respondent is not participating in the University's education program or activity and is not an employee; or
- (3) Specific circumstances prevent the University from gathering evidence sufficient to reach a Determination as to the Formal Complaint or allegations therein.

In determining whether to exercise their discretion to dismiss a Formal Complaint, the Title IX Coordinator may consult with the Investigator, any appropriate employee(s), or legal counsel.

(C) Upon dismissal of a Formal Complaint (a "Dismissal"), the Title IX Coordinator will promptly provide a written notification of the basis for the Dismissal (a "Notification of Dismissal") simultaneously to all parties and their Advisors. The Notification of Dismissal will include information about how a party may appeal the Dismissal.

(D) Appeals of the Dismissal of a Formal Complaint will be conducted in accordance with Section X.

X. Appeal Stage

(A) Any party may appeal from a Dismissal of a Formal Complaint or from a Determination or disciplinary sanction on any of the following bases applicable:

- (i) Procedural irregularity that affected the outcome of the matter;
- (ii) 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;
- (iii) The Title IX Coordinator, Investigator, or Decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; and
- (iv) The disciplinary sanction(s) imposed is substantially disproportionate to the severity of the sexual harassment for which the respondent was determined to be responsible.

(B) A party may initiate an appeal on one or more of those grounds by submitting a written request for appeal ("Request for Appeal") to the Title IX Coordinator.

(C) For an appeal from a Dismissal, the Request for Appeal must be submitted to the Title IX Coordinator within ten (10) business days of delivery of the Notice of Dismissal. For an appeal from a Determination or disciplinary sanction, the Request for Appeal must be submitted to the Title IX Coordinator within ten (10) business days of delivery of the Decision.

(D) An Appeal Decisionmaker will be appointed by the Title IX Coordinator for purposes of deciding the requested appeal. The Appeal Decisionmaker must be someone other than the Title IX Coordinator, an Investigator who worked on the investigation, or the original Decisionmaker. The individual assigned shall have received training on carrying out this role and shall not have a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent named in the Formal Complaint.

(E) The Appeal Decisionmaker will determine if the Request for Appeal meets any of the permissible grounds for appeal, and all parties and Advisors will be notified simultaneously in writing of that determination and the underlying rationale (the "Notice of Appeal"). In the event an appeal has been requested before a Notice of Allegations has been provided to all parties, the Notice of Appeal shall include a notice of the allegations in the Formal Complaint consistent with the Notice of Allegations requirements.

(F) If the Request for Appeal does not meet any of the permissible grounds, the Notice of Appeal will inform the parties and their Advisors that the appeal is dismissed. The Appeal Decisionmaker will inform the Title IX Coordinator of the dismissal of the appeal so the Title IX Coordinator can take all appropriate next steps under these Grievance Procedures.

(G) If the Request for Appeal does meet one or more of the grounds for appeal, each party will have an opportunity to submit a written statement to the Appeal Decisionmaker in support of or challenging the Dismissal, Determination, or disciplinary sanction being appealed (an "Appeal Statement"). In the Notice of Appeal, the Appeal Decisionmaker will explain the submission process and set the due date for the parties' Appeal Statements, which date will be no less than

ten (10) business days from the date of delivery of the Notice of Appeal. No party is required to submit an Appeal Statement, and there is no required format other than that the Appeal Decisionmaker must be able to read it and share it.

(H) The Appeal Decisionmaker will collect any additional information needed, at their discretion, and, based on the additional information, all documentation related to the relevant ground(s) for appeal, and the Appeal Statements, will render a decision on the appeal.

(I) The decision on the appeal will be sent, in writing, (the “Appeal Decision”) to all parties and their Advisors simultaneously, and will include a rationale for the decision. A copy of the Appeal Decision shall be made available to the Title IX Coordinator as soon as practicable.

(J) In the event multiple parties file Requests for Appeal, they may be consolidated into a single appeal process and determined by a single Appeal Decisionmaker, at the Title IX Coordinator’s discretion.

(K) Any disciplinary sanctions imposed on a Respondent will be stayed during the appeal process.

(L) With respect to appeals from Determinations and disciplinary sanctions:

- (1) Decisions on appeal are to be deferential to the original determination, making changes to the findings and/or outcome only when there was clear error and compelling justification to make a change.
- (2) The appeal process is not intended to provide for a full re-hearing of the allegations of a Formal Complaint. In most cases, an appeal is confined to a review of the written documentation or record of the Investigation Report, Hearing, Decision, and pertinent documentation regarding the specific ground(s) for the appeal.
- (3) An appeal is not an opportunity for the Appeal Decisionmaker to substitute their judgment for that of the original Decisionmaker.

(M) An appeal granted on grounds of new evidence should normally be remanded to the original Investigator and Decisionmaker for reconsideration. Appeals granted on other grounds may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal by the Appeal Decisionmaker.

(N) Once an appeal is decided, the outcome is final. Further appeals are not permitted, even if a responsibility determination or disciplinary sanction is changed based on an appeal.

XI. Informal Resolution

At its discretion, the University may offer a process for the “informal” or “voluntary” resolution of a Formal Complaint (an “Informal Resolution”), in accordance with the requirements of Title IX, to the complainant and respondent; and the complainant and respondent may voluntarily agree to participate in such Informal Resolution.

XII. Supportive Measures

(A) In accordance with its Response Procedures, the University will offer and coordinate supportive measures, as appropriate, to the parties to provide support during the Formal Complaint resolution process under these Grievance Procedures.

(B) If, during the course of a resolution process under these Grievance Procedures, the Investigator or Decisionmaker comes to believe that changes or additions to the parties' supportive measures might be appropriate, they should inform the Title IX Coordinator so that the Title IX Coordinator can look into the matter.

(C) If, during the course of a resolution process under these Grievance Procedures, a party's circumstances change, they may seek additional or modified supportive measures or termination of any supportive measures applicable to them.

(D) The offering, coordination, provision, denial, modification, or termination of supportive measures during the course of a resolution process under these Grievance Procedures will be governed by the University's Response Procedures.

XIII. Notices and Communications

(A) The primary method by which the Title IX Coordinator, Investigator, Decisionmaker, and Appeal Decisionmaker (if any) will issue notices to and communicate with participants in the Formal Complaint resolution process will be via email addressed to the participants' respective University-issued email or designated accounts. The parties and Advisors are responsible for monitoring their email accounts to ensure they do not miss any notices or other communications related to these Grievance Procedures, even when courses are not in session.

(B) In the event a party, Advisor, or a witness is unable to receive notices, communications, or documents/files via email, they should contact the Title IX Coordinator, Investigator, Decisionmaker, or Appeal Decisionmaker (as applicable) as soon as possible so that alternative arrangements for the delivery of notices, communications, and/or documents/files, such as (but not limited to) delivery by U.S. Mail or in person, may be reached.

(C) For purposes of setting due dates for party submissions (e.g., Requests for Appeal), once a notice or notification has been emailed (or mailed out or delivered in person if such arrangements have been made), the notice or notification will be presumptively deemed delivered.

(D) The Title IX Coordinator, Investigator, Decisionmaker, and Appeal Decisionmaker (if any) prefer to receive communications and submissions via email addressed to the recipient's University-issued email address or otherwise designated email account. Delivery of any communication or submission by a means other than email must be pre-arranged with the recipient.

XIV. Advisors

A. Right to Be Accompanied by a Chosen Advisor

(1) Every party to a Formal Complaint resolution process under these Grievance Procedures has the right to be accompanied to any meeting, interview, hearing, or other proceeding by one Advisor of their choice.

(2) A party's chosen Advisor may be, but is not required to be, an attorney paid for by the party. Whether or not the Advisor is an attorney, the Advisor may be the party's friend, mentor, or family member or any other individual selected by the party and willing to act in the role of the party's Advisor.

(3) The University will not limit a party's choice of an Advisor. However, the University urges parties to consider any individual carefully before choosing them as an Advisor.

(4) A party has the right to choose **not** to be accompanied by any Advisor for any portion of the Formal Complaint resolution process, except for during the Hearing Stage.

(5) Except under the circumstances described in paragraph C of this Section:

- (i) The University cannot force any individual to serve as an Advisor. The parties are responsible for securing their chosen Advisor's agreement to serve.
- (ii) The University will not cover any costs associated with an Advisor's service under these Grievance Procedures (whether professional fees, expense reimbursements, or otherwise).

(6) Each party will be asked to identify their chosen Advisor at the start of the Investigation Stage under these Grievance Procedures. If a party has not selected an Advisor at that time, they may inform the Title IX Coordinator later in the process once they have made their selection (if any).

(7) The University may ask the parties to confirm their respective choice of Advisor in writing and to provide preferred contact details for such Advisor (an "Advisor Designation").

(8) If the University deems it appropriate, the University will ask a party to sign a release under the Family Educational Rights and Privacy Act (FERPA, 20 U.S.C. § 1232g; 34 CFR Part 99) in order to lawfully share necessary education records with the Advisor during the Formal Complaint resolution process (a "FERPA Form").

(9) A party has the right to change their Advisor at any time during the Formal Complaint resolution process but must notify the Title IX Coordinator of such change. Upon making such a change, the party may be asked to complete another Advisor Designation and/or FERPA Form. Voluntarily changing Advisors shall not delay the proceedings.

B. Role of Advisors under These Grievance Procedures

(1) The role of an Advisor under these Grievance Procedures is to provide support for their party during the course of the Formal Complaint resolution process.

- (i) Except as explained to the contrary in subparagraph B(xii) of this Section, Advisors may not participate directly in the resolution process and are not permitted to speak substantively during investigative interviews (e.g., Advisors may not make objections, advocate a position, directly provide

evidence, influence their party's responses, or unreasonably interrupt proceedings).

- (ii) Advisors are not meant to be "zealous advocates" for their parties, as may be the case for attorneys in legal proceedings (even if an Advisor is an attorney).
- (iii) An Advisor is allowed, and encouraged, to assist their party in preparing for any meeting, investigatory interview, or Hearing, and to speak privately with their party during breaks in any proceeding.
- (iv) Advisors are entitled to access compiled evidence to the same extent as the parties, as explained in these Grievance Procedures.
- (v) An Advisor may, with their party's permission, assist in the preparation of any written submission by the party.
- (vi) Advisors are further encouraged to provide emotional support for their respective party in addition to support directly related to the resolution process.
- (vii) Advisors are required to follow all information security protocols imposed by the University to protect privacy and preserve confidentiality during the resolution process.
- (viii) Advisors are required to follow the University's Rules of Decorum during any Hearing.
- (ix) Advisors are, generally, allowed to contact any Title IX Coordinator, Investigator, or Decisionmaker to ask questions or discuss procedural matters (e.g., scheduling) not related to the substance of the Formal Complaint being resolved.
- (x) Advisors may not interfere with the University's efforts to conduct the Formal Complaint resolution process under these Grievance Procedures.
- (xi) An Advisor may not advise a party to give false information during the Formal Complaint resolution process.
- (xii) Notwithstanding anything else in this paragraph B to the contrary, the parties' Advisors will be expected to participate in the questioning/cross-examination process during a Hearing under Section VI as described in that Section.

(2) The Title IX Coordinator, Investigator, or Decisionmaker (as applicable) may remove an Advisor from any proceeding if the Advisor engages in disruptive or hostile behavior or fails to follow these Grievance Procedures or Rules of Decorum. The University reserves the right to bar completely an individual from serving as an Advisor if that individual's conduct is egregious enough to warrant such action.

C. Additional Considerations Regarding University Appointment of Advisors During the Hearing Stage

(1) Each party must have an Advisor present at a Hearing conducted under Section VI. If a party does not have an Advisor of their choice for such a Hearing, the University will appoint an appropriate individual to accompany the party during the Hearing Stage as that party's Advisor. At any time during the Hearing Stage under Section VI, the party may replace the University-appointed Advisor with an Advisor of the party's choice.

(2) With respect to University-appointed Advisors, the University does not guarantee equal advisory rights, meaning that if one party has chosen an attorney to serve as their Advisor, and the other party does not choose an attorney or cannot afford an attorney, the University is not obligated to appoint an attorney to serve as Advisor for the other party.

XV. Formal Complaint Resolution Process Timeline

A. Proposed Timeline for Resolution of Complaints

(1) The University will make every reasonable attempt to complete the major stages of the complaint resolution process under these Grievance Procedures within the following timeframes:

- Investigation Stage – forty-five (45) business days
- Hearing Stage – thirty-five (35) business days
- Determination Stage – forty (40) business days
- Appeal Stage (if any) – thirty (30) business days

This proposed timeline does not account for any attempt(s) that may be made to resolve a complaint through informal resolution in accordance with Section XI.

(2) This proposed timeline anticipates all parties, Advisors, and witnesses reasonably cooperating with the Investigator and Decisionmaker in scheduling all meetings, interviews, and hearings. If a party, Advisor, or witness fails or refuses to cooperate and make themselves reasonably available to attend any necessary meetings, interviews, or hearings, the Investigator and/or Decisionmaker has the discretion to move forward with the Formal Complaint resolution process without that individual's participation.

(3) Ultimately, the length of the Formal Complaint resolution process will depend on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

(4) The University may undertake a temporary delay in a resolution process if circumstances—including but not limited to a request from law enforcement or a regulatory agency to delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions—so require.

(5) The Title IX Coordinator, Investigator, and Decisionmaker (as applicable) will provide the parties and Advisors with written notice and updates on the progress and expected timeline of the Grievance Procedures, including the anticipated duration of and reason for any delays.

B. Extension of Due Dates

(1) The University will entertain requests for reasonable extensions of the due dates for party submissions (e.g., a Request for Appeal). If a party wants to request any such extension, the party must do so in writing to the individual (i.e., the Title IX Coordinator, Investigator, Decisionmaker, or Appeal Decisionmaker) to whom the submission must be made. The written request for the extension should include the requested length of the extension and the reason(s) the extension should be granted. ***Requests for extensions should be made before the due date of the submission.***

(2) Extensions will be considered on a case-by-case basis and granted for good cause.

(3) If an extension is granted, all parties and Advisors will be notified in writing of the extended due date, and of any reset subsequent due dates, and the reason for the delay. If a request for extension is denied, the party requesting the extension and their Advisor will be notified in writing of that fact.

XVI. Recordkeeping

Records related to the Formal Complaint resolution process under these Grievance Procedures for each Formal Complaint of sexual harassment shall be maintained in accordance with the University's Recordkeeping Procedures.

Effective 8/01/2025

An official copy of the Title IX Administrative Procedures is available on GovState's [Title IX Webpage](#).

TITLE IX ADMINISTRATIVE PROCEDURES

PART D: RECORDKEEPING PROCEDURES

I. Purpose

The purpose of these Recordkeeping Procedures is to describe how the University will maintain records related to its operations under the Title IX Policy and Title IX.

II. Scope and Application

These Recordkeeping Procedures apply to all operations under the Title IX Policy described herein.

III. Authority

These Recordkeeping Procedures are promulgated pursuant to section XIV.A of the University's Title IX Policy.

IV. Definitions

As applicable given the context provided by the provisions herein, the definitions provided in the Title IX Policy and Parts A through D of the Title IX Procedures apply to these Recordkeeping Procedures.

V. Reporting to Other State Agencies

The Title IX Coordinator (or designee) shall coordinate with the University's Ethics Officer, as necessary and appropriate, to ensure that the University complies with relevant and applicable requirements to report sexual harassment allegations to the Office of the Executive Inspector General for the Agencies of the Illinois Governor (OEIG) and the Illinois Chief Compliance Office in accordance with Illinois Executive Order 2016-04 and Illinois Executive Order 2018-02, respectively. Records related to the fulfillment of such reporting requirements shall be maintained by the Title IX Coordinator in accordance with the timeframe set forth in Section IX.

VI. Response Files

For each Report of possible sexual harassment received by the Title IX Coordinator, the University will maintain a Response File of records related to the Report and the University's response made thereto in accordance with the Response Procedures, as follows:

- (A) After receiving a Report, the Title IX Coordinator will open the Response File and add copies of the following records (as applicable):
 - The Report (if made in writing in the first instance) or memorandum or other writing memorializing the Report (if not made in writing in the first instance); and
 - Notice of the complainant's rights and options (if applicable under the Preventing Sexual Violence in Higher Education Act).

(B) With respect to the supportive measures process:

- (1) The employee assigned to offer and coordinate supportive measures process for a party will ensure that copies of the following records related to supportive measures for that party are added to the Response File (as applicable):
 - Records related to consultations with the party regarding supportive measures, including any requests made by the party for specific supportive measures;
 - Any reasonably available records related to the employee's analysis of possible and requested supportive measures (if any are requested) generated in preparation for extending a formal offer of supportive measure(s);
 - Supportive Measures Offer(s);
 - Records related to the party's acceptance or rejection of any offered supportive measure(s);
 - Any reasonably available records related to the coordination and/or implementation of each accepted supportive measure; and
 - Significant correspondence between the employee and the party.
- (2) The Title IX Coordinator will ensure that copies of the following records related to supportive measures for each party are added to the Response File (as applicable):
 - Records related to any requests made by a party regarding additional or alternative supportive measures, or modification(s) or termination(s) of supportive measures;
 - Any reasonably available records related to the Title IX Coordinator's analysis of requested additions, substitutions, modifications, or terminations of supportive measures made in preparation for granting, denying, or administering such request(s);
 - Supplemental Supportive Measures Offer(s);
 - Written rejection of a party's request for additional, substituted, modified, or terminated supportive measures; and
 - Significant correspondence with a party regarding supportive measures.

- (C) If the University elects to consider the emergency removal of any individual from University property, program(s), or activity(ies) in response to a Report, the Title IX Coordinator will ensure that copies of the following related records are added to the Response File (as applicable):
- Records related to the individualized safety and risk analysis conducted by Campus Threat Assessment Team (CTAT);
 - Any reasonably available records related to the Title IX Coordinator's determination regarding removal based on CTAT's analysis;
 - Notice of Emergency Removal;
 - All records related to the resolution of any challenge to an emergency removal under the Response Procedures; and
 - Significant correspondence to or from the Title IX Coordinator regarding the emergency removal.

- (D) Response Files related to separate Reports may be combined, at the Title IX Coordinator's discretion, if the conduct underlying the Reports is related.

VII. Complaint Files

For each Formal Complaint resolved under the Grievance Procedures, the University will maintain a Complaint File of records related to the Formal Complaint resolution process, as follows:

- (A) Upon receipt of a Formal Complaint, the Title IX Coordinator will open the Complaint File.
- (B) The Investigator will ensure that a copy of the Formal Complaint and a memorandum or other writing documenting their initial evaluation of the Formal Complaint is added to the Complaint File.
- (C) During the Investigation Stage, the Investigator will ensure that copies of the following records are added to the Complaint File (as applicable):
 - Notice of Allegations and any amendments thereto;
 - All relevant and not otherwise impermissible evidence, including documentary evidence and recordings, transcripts, and summaries/write-ups of interviews;
 - Complete Investigation Report with all appendices (including the parties' written responses about the evidence);
 - Significant correspondence to or from the Investigator; and
 - Any additional significant records, such as requests for extensions or notices of delay, if any.
- (D) After the conclusion of the Investigation Stage, the Decisionmaker will take control of the Complaint File from the Investigator.
- (E) During the Hearing Stage, the Decisionmaker will ensure that copies of the following records are added to the Complaint File:
 - Memorandum (or other records) of Pre-hearing Conference;
 - Notice of Hearing;
 - Recording(s) of the Hearing;
 - Any additional/new relevant evidence presented at the Hearing;
 - Significant correspondence to or from the Decisionmaker related to the Hearing Stage; and
 - Any additional significant records, such as requests for extensions or notices of delay, if any.
- (F) During the Determination Stage, the Decisionmaker will ensure that copies of the following records are added to the Complaint File (as applicable):
 - The Decision with all appendices;
 - Significant correspondence to or from the Decisionmaker related to the Determination Stage; and
 - Any additional significant records, such as requests for extensions or notices of delay, if any.
- (G) After the conclusion of the Determination Stage, the Title IX Coordinator will take control of the Complaint File from the Decisionmaker.
- (H) As applicable, the Title IX Coordinator will ensure that copies of the following types of records are added to the Complaint File:
 - Notifications regarding the assignment of Investigators and Decisionmakers;
 - Conflict of interest objections

- Advisor Designation;
 - FERPA Form;
 - Notification of Withdrawal;
 - Memorandum or other writing reflecting any consideration of the factors under section IV.B of the Grievance Procedures;
 - Records related to the consolidation of Formal Complaints;
 - Notice of Dismissal;
 - Request for Appeal; and
 - Significant correspondence to or from the Title IX Coordinator related to the process under the Grievance Procedures.
- (I) If an appeal is taken, the Appeal Decisionmaker will take control of the Complaint File from the Title IX Coordinator during the Appeal Stage.
- (J) During the Appeal Stage (if any appeal is taken), the Appeal Decisionmaker will ensure that copies of the following records are added to the Complaint File (as applicable):
- Notice of Appeal;
 - Appeal Statements;
 - Appeal Decision;
 - Significant correspondence to or from the Appeal Decisionmaker related to the Appeal Stage; and
 - Any additional significant records, such as requests for extensions or notices of delay, if any.
- (K) Other significant records documenting the Formal Complaint resolution process not listed above should also be added to the Complaint File.
- (L) Once a Formal Complaint is fully resolved, either by a Dismissal, finalized Determination (and decision on disciplinary sanctions, if any), or informal resolution, the Title IX Coordinator will close out the Complaint File and take any other actions necessary to close out the resolution process under the Grievance Procedures.
- (M) Records related to any informal resolution of a Formal Complaint will be added to the Complaint File in accordance with any requirements of any informal resolution procedures/program the University establishes.

VIII. Training Materials

Training Materials shall be stored in electronic format (as native files where reasonably practicable) in a centralized repository maintained by the Title IX Coordinator or delegee(s), organized in such a way as to make them reasonably easy to post publicly as required and to provide for inspection if requested by a member of the public.

IX. Maintenance of Records

The University will maintain copies of all inactive Response Files and closed Complaint Files and all Training Materials for a period of at least seven (7) years. Closed Complaint Files and inactive Response Files, and all records and materials therein, shall be maintained in such a way as to preserve the confidentiality of the contents.

The University is committed to protecting the privacy of survivors, complainants, and respondents brought to the attention of the University pursuant to the implementation of the Title IX Policy and associated Title IX Procedures. The University will disclose the personally identifiable information and other sensitive information about such individuals only as allowed by law. Under certain circumstances, disclosure of such information may be required by law, in which cases, the University will make all mandatory disclosures.

Further, to the extent the disclosure of information related to or obtained during the course of receiving and responding to Reports of sexual harassment, offering and implementing supportive measures, providing support services to survivors, and resolving Formal Complaints pursuant to grievance procedures is allowed (but not required) by law, the University intends to maintain the confidentiality of such processes, proceedings, and procedures to the extent it can do so while still carrying out such processes, proceedings, and procedures.

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