



Sexual Assault, Intimate Partner Violence, Stalking & Sexual Harassment Title IX Policy

physical restriction from University property; cancellation of contracts; and any combination of the same.

The University will provide persons who have experienced Title IX Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the University's Education Programs or Activities.

This Policy applies to Title IX Sexual Harassment that occurs within the University's Education Programs or Activities and that is committed by an administrator, faculty, staff, or student.

This Policy does not apply to Title IX Sexual Harassment that occurs off-campus, in a private setting, and outside the scope of the University's Education Programs and Activities. This Policy does not apply to Title IX Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Title IX Sexual Harassment occurs in the University's Education Programs and Activities, such as a study abroad program. Title IX Sexual Harassment that occurs either off-campus, in a private setting, and outside the geographic boundaries of the United States is governed by the Non-Title IX Sex-Based Discrimination Policy.

"Title IX Sexual Harassment" is conduct on the basis of sex that constitutes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking.

"Quid Pro Quo Sexual Harassment" is 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 contact.

"Hostile Environment Sexual Harassment" is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person access to the University's Education Programs and Activities.

"Sexual Assault" includes the sex offenses of Rape, Fondling, Incest, and Statutory Rape²:

² The University's definition of "Sexual Assault" is mandated by federal regulations implementing Title IX of the Education Amendments of 1972. Those regulations require the University to adopt a definition of "Sexual Assault" that incorporates various forcible and non-forcible sex crimes as defined by the FBI's Uniform Crime Reporting System. See 34 C.F.R. § 106.30(a).

"Rape" is the carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. There is "carnal knowledge" if there is the slightest penetration of the vagina or penis by the sexual organ of the other person. Attempted Rape is included.

“ Dating Violence” is violence committed by a person –

- Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- The existence of such a relationship shall be determined based on the Complainant’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
 - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - Dating violence does not include acts covered under the definition of domestic violence.

“ Stalking” is engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for their safety or the safety of others; or
- Suffer substantial emotional distress.

For the purposes of this definition—

- Course of conduct means two or more acts, including, but not limited to acts in which the Respondent directly, indirectly, or through third parties,

“ Formal Complaint” means a document filed by a Complainant or signed by the Title IX Coordinator alleging Title IX Sexual Harassment against a Respondent and

conduct; the relationship between the parties (including accounting for whether one individual has power or authority over the other); the respective ages of the parties; the context in which the conduct occurred; and the number of persons affected. The University will evaluate the

- A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive.
- Silence or lack of physical or verbal resistance does not imply consent.
- If coercion, intimidation, threats, and/or physical force are used, there is no consent.
- Consent cannot be inferred from a person’s manner of dress.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent to past sexual activity does not constitute consent to future sexual activity.
- Consent can be withdrawn at any time. A person who initially consents to sexual activity is deemed not to have consented to any sexual activity that occurs after they withdraw consent. When consent is withdrawn, sexual activity must immediately stop.
- Being in a romantic relationship with someone does not imply consent to sexual activity. Even in the context of an ongoing relationship, consent must be sought and freely given for each specific sexual act.
- Effective consent may not exist when there is a disparity in power between the parties (e.g., faculty/student, supervisor/employee).

While verbal consent is not an absolute requirement for consensual sexual activity, verbal communication prior to engaging in sex helps to clarify consent. Communicating verbally before engaging in sexual activity is imperative. A person who is passive, unresponsive, or actively resists is demonstrating defective or withdrawn consent.

Incapacitation is a state where an individual cannot make an informed and rational decision to consent to engage in sexual contact because the individual lacks conscious knowledge of the nature of the act (e.g., to understand the “who, what, where, when, why or how” of the sexual interaction) and/or is physically or mentally helpless. A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following:

- The individual is incapacitated due to drug or alcohol consumption, either voluntarily or involuntarily;
- The individual is unconscious, asleep, or otherwise unaware that sexual activity is occurring;
- The individual is below the minimum age of consent in the applicable jurisdiction (17 years in Illinois); or
- The individual has a mental disability that impairs his or her ability to provide consent.

Incapacitation can only be found when the Respondent knew or should have known that the Complainant was incapacitated when viewed from the position of a sober, reasonable person. One's own intoxication is not an excuse for failure to recognize another person's incapacitation.

Incapacitation may result from the use of alcohol and/or other drugs; however, consumption of alcohol or other drugs, inebriation, or intoxication alone are insufficient to establish incapacitation. Incapacitation is beyond mere drunkenness or intoxication. No single factor is determinative of incapacitation. Some common signs that someone may be incapacitated include slurred speech, confusion, shaky balance, stumbling or falling, omitig,a(n)4(d)4()JTJETQq0.00000912 0

son to person,a(n)4(d)4()-2(ev)-7a(lu)5(atin)7(g)-7()JTJETQq0.00000912 0 612 792 reWñBT/F3 12 Tf1 0 0 1

employees who must promptly forward such report of Title IX Sexual Harassment to the Title IX Coordinator. Some student workers, including Resident Assistants, Peer Leaders, Welcome and Information Desk workers, Circulation Desk workers, University Ministry, and Campus Safety staff, are required to report any alleged Title IX Sexual Harassment to the Title IX Coordinator.

Reports may be made by complainants, third parties, witnesses, or bystanders, and may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. In-person reports must be made during normal business hours, but reports can be made by regular mail, telephone, or electronic mail at any time, including outside normal business hours.

directly, email: titleix@dom.edu

- 708-524-5999
- safety@dom.edu
- 911 to be connected to local law enforcement

Individuals, including third parties and bystanders, can submit a report of Title IX Sexual Harassment electronically by completing

Individuals who feel they have experienced Sexual Assault, Domestic Violence, Dating Violence,

gathers evidence. In such cases, the Title IX Coordinator shall inform the parties of the need to defer the University's fact-finding, provide regular updates on the status of the investigation, and notify the parties when the University's fact-finding resumes. During this time period, the University will take any additional measures necessary to protect and support the parties and the University community. The University's authority to sanction members of the University community applies only to the violation of University rules, policies, and procedures.

Because the standards for finding a violation of criminal law are different from the standards for finding a violation of Sexual Assault, Dating Violence, Domestic Violence, or Stalking under

- Try to preserve all physical evidence of the crime –

Conduct in the case of students and other University policies and standards, as applicable, for other persons.

If the Title IX Coordinator determines that the conduct reported could fall within the scope of this Policy, and/or could constitute Title IX Sexual Harassment, if investigated, the Title IX Coordinator will proceed to contact the Complainant.

As part of the preliminary assessment, the Title IX Coordinator may take investigative steps to determine the identity of the Complainant, if it is not apparent from the report.

If a report is not closed as a result of the preliminary assessment and the Complainant's identity is known, the Title IX Coordinator will promptly contact the Complainant to:

- Discuss the availability of Supportive Measures;
- Discuss and consider the Complainant's wishes with respect to Supportive Measures;
- Inform the Complainant about the availability of Supportive Measures with or without filing a Formal Complaint;
- Explain the process for filing and pursuing a Formal Complaint.
- Provide options for filing complaints with the local police and information about resources that are available on campus and in the community.

The University will offer and make available Supportive Measures to the Complainant regardless of whether the Complainant elects to file a Formal Complaint.

Contemporaneously with the Respondent being notified of a Formal Complaint, the Title IX Coordinator will notify the Respondent of the availability of Supportive Measures for the Respondent, and the University will offer and make available Supportive Measures to the Respondent in the same manner in which it offers and makes them available to the Complainant. The University will also offer and make available Supportive Measures to the Respondent prior to the Respondent being notified of a Formal Complaint, if the Respondent requests such measures.

The University will maintain the confidentiality of Supportive Measures provided to either a Complainant or Respondent, to the extent that maintaining such confidentiality does not impair the University's ability to provide the Supportive Measures in question.

In the case of a Respondent who is a non-student employee (administrator, faculty, or staff), and in its discretion, the University may place the Respondent on administrative leave at any time after receiving a report of Title IX Sexual Harassment, including during the pendency of the investigation and adjudication process.

A Complainant may file a Formal Complaint with the Title IX Coordinator requesting that the University investigate and adjudicate a report of Title IX Sexual Harassment in accordance with the provisions outlined in the "Informal Resolution" (p. 21), "Investigation" (p. 22), and "Formal Resolution" (p. 24) Sections of this Policy. Provided, however, that at the time the Complainant submits a Formal Complaint, the Complainant must be participating in, or attempting to participate in, one or more of the University's Education Programs or Activities.

A Complainant may file a Formal Complaint with the Title IX Coordinator in person, by regular mail, or by email using the contact information specified in "Reporting Title IX Sexual Harassment" (p. 8). No person may submit a Formal Complaint on the Complainant's behalf unless the Complainant is a minor.

In any case, including a case where a Complainant elects not to file a Formal Complaint, the Title IX Coordinator may file a Formal Complaint on behalf of the University if doing so is not clearly unreasonable. Such action will normally be taken in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the University Community. Factors the Title IX Coordinator may consider include:

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- Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint, or any discrete allegations therein (in which case those discrete allegations may be dismissed).

In the event the Title IX Coordinator determines the Formal Complaint should be dismissed pursuant to this Section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal the dismissal as specified in "Appeal" (p. 29). The Title IX Coordinator may refer the subject matter of the Formal Complaint to other University offices, as appropriate. A dismissal pursuant to this Section is presumptively a final determination for purposes of this Policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal or the dismissal is overturned on appeal.

Within five (5) days of the Title IX Coordinator receiving a Formal Complaint, the Title IX Coordinator will transmit a written notice to the Complainant and Respondent that includes:

- A physical copy or hyperlink of this Policy, including Appendix A (p. 40);
- Sufficient details known at the time so that the parties may prepare for an initial interview with the Investigator, to include the identities of the parties involved in the incident (if known), the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident (if known);
- A statement that the Respondent is presumed not responsible for the alleged Title IX Sexual Harassment and that a determination of responsibility will not be made until the conclusion of the adjudication and any appeal;
- Notifying the Complainant and Respondent of their right to be accompanied by an advisor of their choice, as specified in "Advisor of Choice" (p. 31).
- Notifying the Complainant and Respondent of their right to inspect and review evidence as specified in "Access to Evidence" (p. 23).
- Notifying the Complainant and Respondent of the University's prohibitions on retaliation and false statements specified in Sections "Bad Faith Complaints and False Information" and "Retaliation" (p. 34).
- Information about resources that are available on campus and in the community.

Should the University elect, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the University will provide a supplemental written notice describing the additional allegations to be investigated. The procedures outlined in this policy may be used to address alleged collateral misconduct by the Respondent arising from the

the Policy will be addressed through procedures described in the student, faculty, and staff handbooks.

At any time after the parties are provided written notice of the Formal Complaint as specified in "Notice of Formal Complaint" (p. 20), and before the completion of the determination of responsibility specified in "Formal Resolution" (p. 24) the parties may voluntarily consent, with the Title IX Coordinator's approval, to engage in mediation, facilitated resolution, or other form of dispute resolution the goal of which is to enter into a final resolution resolving the allegations raised in the Formal Complaint by agreement of the parties.

The specific manner of any informal resolution process will be determined by the parties and the Title IX Coordinator, in consultation together. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the parties that:

- Describes the parameters and requirements of the informal resolution process to be used;
- Identifies the trained individual responsible for facilitating the informal resolution (who may be the Title IX Coordinator, another University official, or a suitable third party);
- Explains the effect of participating in informal resolution and/or reaching a final resolution will have on a party's ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint; and
- Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

After receiving the written notice specified in this paragraph, each party must voluntarily provide written consent to the Title IX Coordinator, before the informal resolution may commence.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur are stayed and all related deadlines are suspended.

If the parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the facilitator will put the terms of the agreed resolution in writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or appeal by the University, except as otherwise provided in the resolution itself.

A party may withdraw their consent to participate in informal resolution at any time before a final determination has been rendered by the Hearing Officer.

The investigation is a party's opportunity to present testimonial and other evidence that the party believes is relevant to resolution of the allegations in the Formal Complaint. A party that is aware of and has a reasonable opportunity to present particular evidence and/or identify particular witnesses during the investigation, and elects not to, will be prohibited from introducing any such evidence during the adjudication absent a showing of mistake, inadvertence, surprise, or excusable neglect.

The Investigator will take reasonable steps to ensure the investigation is documented. Interviews of the parties and witnesses may be documented by the Investigator's notes, audio/video recording conducted by the University, or tra-6011E01n i

Prior to the hearing, the Hearing Officer will conduct a pre-hearing conference with the parties and their advisors. The pre-hearing conference will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the pre-hearing conference will be conducted with the Hearing Officer, the parties, the advisors, and other necessary University personnel together in the same physical location. However, upon request of either party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.

In the Hearing Officer's discretion, the pre-hearing conference may be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

During the pre-hearing conference, the Hearing Officer will discuss the hearing procedures with the parties; address matters raised in the parties' written responses to the investigation report, as the Hearing Officer deems appropriate; discuss whether any stipulations may be made to expedite the hearing; discuss the witnesses the parties have requested be served with notices of attendance and/or witnesses the parties plan to bring to the hearing without a notice of attendance; and resolve any other matters that the Hearing Officer determines, in the Hearing Officer's discretion, should be resolved before the hearing.

The hearing is not a formal judicial proceeding and strict rules of evidence do not apply. The Hearing Officer will have discretion to modify the Hearing Procedures, when good cause exists to do so, and provided the minimal requirements specified in this Section are met.

All parties and any witnesses called shall be asked to submit to live questioning by the Hearing Officer and parties' advisors. Other statements that may be considered by the Hearing Officer includes:

- Statements made by the parties and witnesses during the investigation;
- Emails or text exchanges between the parties leading up to or after the alleged violation;
- Statements about the alleged violation that satisfy the regulation's relevance rules, regardless of whether the parties or witnesses submit to cross-examination at the live hearing; and
- Police reports, Sexual Assault Nurse Examiner documents, medical reports, and other documents even if those documents contain statements of a party or witness who is not cross-examined at the live hearing.

In applying this Section, the Hearing Officer will not draw an inference about the determination regarding responsibility based solely on a party or a witness's absence from the live hearing and/or refusal to submit to questioning by the Hearing Officer or parties' advisors.

After the hearing is complete, the Hearing Officer will objectively evaluate all relevant evidence collected during the investigation, including both inculpatory and exculpatory evidence, together with testimony and non-

with the Title IX Coordinator who will determine whether and to what extent ongoing supportive measures or other remedies will be provided to the Complainant.

After reaching a determination and consulting with the appropriate University official and Title IX Coordinator as required by "Sanctions and Remedies" (p. 28), the Hearing Officer will prepare a written decision that will include:

- Identification of the allegations potentially constituting Title IX Sexual Harassment made in the Formal Complaint;
- A description of the procedural steps taken by the University upon receipt of the Formal Complaint, through issuance of the written decision, including notification to the parties, interviews with the parties and witnesses, site visits, methods used to gather non-testimonial evidence, and the date, location, and people who were present at or presented testimony at the hearing.
- Articulate findings of fact, made under a preponderance of the evidence standard (i.e., more likely than not), that support the determination;
- A statement of, and rationale for, each allegation that constitutes a separate potential incident of Title IX Sexual Harassment, including a determination regarding responsibility for each separate potential incident;
- Any sanction(s) issued;
- Whether the Complainant will receive any ongoing supportive measures or other remedies as determined by the Title IX Coordinator; and
- A description of the University's process and grounds for appeal, as specified in "Appeal" (p. 29).

The Hearing Officer's written determination, which will include information regarding appeal rights, will be transmitted simultaneously to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal as specified in "Appeal" (p. 29).

Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the University strives to issue the Hearing Officer's written determination within 10 business days of the decision.

Either party may appeal the determination of an adjudication, or a dismissal of a Formal Complaint, on one or more of the following grounds:

- A procedural irregularity affected the outcome;
- There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;

- The Title IX Coordinator, Investigator, Hearing Officer, or administrative officer, as the case may be, had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome.

No other grounds for appeal are permitted.

A party must file an appeal within 7 business days of the date they receive notice of dismissal or determination. The appeal must be submitted in writing to the Title IX Coordinator, who will share the appeal with a trained appeal officer. The appeal must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing party believes the appeal should be granted, and articulate what specific relief the appealing party seeks.

Promptly upon receipt of an appeal, the Appeal Officer will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the Appeal Officer determines that the appeal is not timely, or that it fails to invoke a permitted ground for appeal, the Appeal Officer will dismiss the appeal and provide written notice of the same to the parties.

If the Appeal Officer confirms that the appeal is timely and invokes at least one

The University

Wherever this Policy specifies that an audio or video recording will be made, the recording will be made only by the University and is considered property of the University, subject to any right of access that a party may have under this Policy, FERPA, and other applicable federal, state, or local laws. Only the University is permitted to make audio or video recordings under this Policy. The surreptitious recording of any meeting, interview, hearing, or other interaction contemplated under this Policy is strictly prohibited.

It is a violation of this Policy for any person to submit a report or Formal Complaint that the person knows, at the time the report or Formal Complaint is submitted, to be false or frivolous. It is also a violation of this Policy for any person to knowingly make a materially false statement during the course of an investigation, adjudication, or appeal under this Policy. Violations of this Section are not subject to the investigation and adjudication processes in this Policy; instead, they will be addressed under the Code of Student Conduct in the case of students and other University policies and standards, as applicable, for employees.

Dominican University strictly prohibits any adverse action against any individual for reporting incidents, providing information, or exercising their rights under this Policy. No individual who makes a complaint alleging a violation of this Policy or who participates in the investigation or resolution of a complaint shall be subject to retaliation as a result of such activity or participation. Retaliation is defined as conduct that 1) adversely affects the individual's employment or their opportunity to access or benefit from the University's programs or activities; and 2) is motivated in whole or in part by the individual's participation in the complaint process. Retaliation exists when action is taken against a complainant or participant during the complaint process or after the resolution of a complaint.

Retaliatory actions include threats or actual violence against a person or that person's property or threats on social media. Retaliation may involve engaging in ridicule, intimidation, bullying, or inciting adverse educational or employment consequences, or colluding with others to embarrass or punish an individual who filed a complaint or participated in an investigation, or hearing. Retaliation is not limited to the

Any acts of retaliation shall be grounds for disciplinary action, up to and including dismissal from the University for students and termination of employment for faculty and staff.

Every effort is made by the University to preserve the confidentiality of reports. The University will not share the identity of any individual who has made a report or Formal Complaint of harassment, discrimination, or retaliation; any Complainant; any individual who has been reported to be the perpetrator of harassment, discrimination, or retaliation; any Respondent; or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA) or its implementing regulations, or as required by law; or to carry out the purposes of 34 C.F.R. Part 106, including any investigation, hearing, or grievance proceeding arising under these policies and procedures.

The University retains discretion to retain and appoint suitably qualified persons who are not University employees to fulfill any function of the University under this Policy, including, but not limited to, the Investigator, Hearing Officer, Informal Resolution Facilitator, and/or Appeals Officer.

The University also retains discretion to appoint two or more persons to jointly fulfill the role of Investigator, Hearing Officer, Informal Resolution Facilitator, and/or Appeal Officer.

The functions assigned to a given University official under this Policy, including but not limited to the functions assigned to the Title IX Coordinator, Investigator, Hearing Officer, Informal Resolution Facilitator, and Appeal Officer, may, in the University's discretion, be delegated by such University official to any suitably qualified individual and such delegation may be recalled by the University at any time.

The University will ensure that University officials acting under this Policy, including but not limited to the Title IX Coordinator, Investigators, Hearing Officers, Informal Resolution Facilitators, University provided advisors, and Appeals Officers receive training in compliance with 34 C.F.R. § 106.45(b)(1)(iii), the Illinois Preventing Sexual Violence in Higher Education Act, and any other applicable federal or state law.

The University will retain those records specified in 34 C.F.R. § 106.45(b)(10) for a period of at least seven (7) years after which point in time they may be destroyed, or continue to be retained, in the University's sole discretion. The records specified in 34 C.F.R. § 106.45(b)(10) will be made available for inspection, and/or published, to the extent required by 34 C.F.R. § 106.45(b)(10) and consistent with any other applicable federal or state law, including FERPA.

Words used in this Policy will have those meanings defined herein and if not defined herein will be construed according to their plain and ordinary meaning.

The University retains discretion to interpret and apply this Policy in a manner that is not clearly unreasonable, even if the University's interpretation or application differs from the interpretation of the parties.

Despite the University's reasonable efforts to anticipate all eventualities in drafting this Policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express Policy language, in which case the University retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this Policy and the Hearing Procedures referenced in "Formal Resolution" (p. 24) are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the University retains discretion to revise this Policy and the Hearing Procedures at any time, and for any reason. The University may apply Policy revisions to an active case provided that doing so is not clearly unreasonable.

- The right to an equitable investigation and resolution of all credible allegations of prohibited harassment, discrimination, and/or retaliation made in good faith to University officials.
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information by the University regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released by the University to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by University officials.
- The right to have University policy and these procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by University officials from reporting sexual harassment, discrimination, and/or retaliation to both on-campus and off-campus authorities.
- The right to be informed by University officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by the University

- The right to be informed of available supportive measures on campus and in the community.
- The right to a University-implemented no-contact order or a no-trespass order against a non-affiliated third party when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
- The right to have the University maintain such actions for as long as necessary and for supportive measures to remain confidential, provided confidentiality does not impair the University's ability to provide the supportive measures.
- The right to receive sufficiently advanced, written notice of any University meeting or interview involving another party, when possible.
- The right to identify and have the Investigator(s), Advisors, and/or Decision-maker(s) question relevant available witnesses, including expert witnesses.
- The right to provide the Investigator(s)/Decision-maker(s) with a list of questions that, if deemed relevant by the Investigator(s)/Decision-maker(s), may be asked of any party or witness.
- The right to have inadmissible sexual predisposition/prior sexual history or irrelevant character evidence excluded by the Decision-maker(s).
- The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- The right to a fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.
- The right to receive a copy of all relevant and directly related evidence obtained during the investigation, subject to privacy limitations imposed by state and federal law, and a ten (10) business day period to review and comment on the evidence.
- The right to receive a copy of the final investigation report, including all factual, policy, and/or credibility analyses performed, and to have at least ten (10) business days to review and comment on the report prior to the hearing.
- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.

- The right to have reports of alleged Policy violations addressed by Investigators, Title IX Coordinators, and Decision-maker(s) who have received relevant annual training.
- The right to preservation of confidentiality/privacy, to the extent possible and permitted by law.
- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any University representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the Resolution Process.
- The right to the use of the appropriate standard of evidence, preponderance of the evidence, to make a finding and written determination after an objective evaluation of all relevant evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any hearing.
- The right to be promptly informed of the finding(s) and sanction(s) (if any) of the Resolution Process and a detailed rationale of the decision (including an explanation of how credibility was assessed) in a written determination letter delivered simultaneously (without undue delay) to the parties.
- The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the Resolution Process, and the procedures for doing so in accordance with the standards for appeal established by the University.
- The right to a fundamentally fair resolution as defined in these procedures.