

Policy Title:	Equal Opportunity, Harassment, and Sexual Misconduct Policy ¹
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Governing Body:	Cabinet	Policy Number:	SAD.007
Policy Contact:	Director of Diversity and Inclusion	Date Revised:	
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Approved By:	President	Next Review:	
Related Policy:			

Revision History

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A. Introduction and Scope of Policy

Southern Oregon University (SOU) affirms its commitment to promote the goals of fairness and equity in all aspects of the educational enterprise. All policies below are subject to resolution using the SOU Equity Grievance Process, as detailed below. The Equity Grievance Process is applicable regardless of the status of the parties involved, who may be members or non-members of the campus community, students, student organizations, faculty, administrators or staff. SOU reserves the right to act on incidents occurring on property owned, controlled or used by SOU as well as conduct occurring away from property owned, controlled or used by SOU when the conduct could have an impact on SOU by acting to limit or deny a student’s ability to participate in or benefit from an educational program.

The Director of Diversity and Inclusion serves as the University Title IX Coordinator and oversees implementation of the University’s policy on equal opportunity, harassment, and nondiscrimination. Reports of discrimination, harassment and retaliation should be made promptly to the Director of Diversity and Inclusion or the Deputy Title IX Coordinators, which include the Associate Provost, Director of Human Resources, Director of Student Support and Intervention, and Assistant Director of Student Support and Intervention for Community Standards. While prompt reporting is encouraged, there is no time limitation on the filing of grievances[1]. All reports are acted upon promptly with every effort made by the University to preserve the privacy of reports. Reporting is addressed more specifically in Section B7, below. Reports of discrimination by the University Title IX Coordinator should be reported to the University President.

This policy applies to behaviors that take place on property owned, controlled or used by SOU campuses (Ashland and Medford), at University-sponsored events, and may also apply to all other acts or omissions that (1) with regard to behaviors that impact students, limit or deny a student’s ability to participate in or benefit from an educational

¹ In the event that another university policy or rule is deemed inconsistent with this policy, the requirements of this policy shall prevail.

program or (2) with regard to behaviors that impact non-student employees, constitute employment related harassment or discrimination as defined by state and federal law (including but not limited to actions occurring away from University property or occurring online). While this policy addresses impermissible forms of discrimination and harassment, this policy is not intended to affect communications or expressions that are protected by the federal or state constitutions and shall not prohibit the lawful exercise of freedom of expression and academic freedom. A substantial University or educational interest that can be impacted by prohibited discrimination or harassment is defined to include but is not limited to:

1. Any action that constitutes criminal offense as defined by federal or state law. This includes, but is not limited to, single or repeat violations of any local, state or federal law committed in the municipality where the University is located;
2. Any situation where it appears that the accused individual may present a danger or threat to the health or safety of self or others;
3. Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace or causes social disorder; and/or
4. Any situation that is detrimental to the educational interests of the University, including those of its students, faculty or staff, or violates University policy.

Any online postings or other electronic communication by students, including cyber-bullying, cyber-stalking, cyber-harassment, etc., occurring completely outside of the University control (e.g., not on University networks, websites or between SOU email accounts) will be subject to this policy when those online behaviors can be shown to be detrimental to a substantial University or educational interest of SOU.

Off-campus speech by employees may be regulated by the University when such speech is so severe, pervasive, or objectively offensive such that it can be said to constitute discrimination or harassment that (1) with regard to behaviors that impact students, limit or deny a student's ability to participate in or benefit from an educational program or (2) with regard to behaviors that impact non-student employees, constitute employment related harassment or discrimination as defined by state and federal law.²

C. Policy Statement

A. SOU POLICIES ON HARASSMENT, SEXUAL MISCONDUCT AND OTHER FORMS OF DISCRIMINATION

1. Southern Oregon University Policy on Nondiscrimination

SOU adheres to all federal and state civil rights laws banning discrimination in institutions of higher education. SOU will not discriminate against any employee, applicant for employment, student or applicant for admission on the basis of race, religion, hearing status, color, sex, pregnancy, political affiliation, religion, creed, ethnicity, national origin (including ancestry), citizenship status, physical or mental disability, body size, age, marital status, family relationship, sexual orientation, gender, gender identity or expression, veteran or military status (including special disabled veteran, Vietnam-era veteran, or recently separated veteran), predisposing genetic characteristics, domestic violence victim status or any other protected category under applicable local, state or federal law, including protections for those opposing discrimination or participating in any grievance process on campus or within the

² However, it is important that complainants and potential complainants be aware that the University's ability to gather important information in response to a report, convene a hearing with necessary parties and witnesses, or pursue remedies against respondents may be hampered by the passage of time.

Equal Employment Opportunity Commission or other human rights agencies.

This policy covers nondiscrimination in employment and in access to educational opportunities. Therefore, any member of the campus community, guest or visitor who acts to deny, deprive or limit the educational, employment, residential or social access, benefits or opportunities of any member of the campus community on the basis of their actual or perceived membership in the protected classes listed above is in violation of the University policy on nondiscrimination. When brought to the attention of the University, any such discrimination will be appropriately remedied by the University according to the procedures below and any applicable collective bargaining agreement.

2. Southern Oregon University Policy on Accommodation of Disabilities

SOU is committed to full compliance with the Americans With Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified persons with disabilities, as well as other applicable federal and state laws pertaining to individuals with disabilities. Under the ADA and its amendments, a person has a disability if he or she has a physical or mental impairment that substantially limits a major life activity. The ADA also protects individuals who have a record of a substantially limiting impairment or who are regarded as disabled by the institution whether qualified or not. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking or caring for oneself.

The Director of Human Resources has been designated as the ADA/504 Coordinator responsible for coordinating efforts to comply with these disability laws, including investigation of any grievance of noncompliance. Grievances surrounding discrimination against individuals with disabilities will be appropriately remedied by the procedures below as well.

a. Students with Disabilities

SOU is committed to providing qualified students with disabilities with reasonable accommodations and support needed to ensure equal access to the academic programs and activities of the University.

All accommodations are made on a case-by-case basis. A student requesting any accommodation should first contact the Office of Disability Resources to coordinate services for students with disabilities. This office will review documentation provided by the student and, in consultation with the student, determines which accommodations are appropriate to the student's particular needs and academic programs.

b. Employees with Disabilities

Pursuant to the ADA, SOU will provide reasonable accommodation(s) to all qualified employees with known disabilities, where their disability affects the performance of their essential job functions, except where doing so would be unduly disruptive or would result in undue hardship.

An employee with a disability is responsible for requesting an accommodation in writing to the Director of Human Resources, and must provide appropriate documentation. The Director of Human Resources will appoint someone to work with the employee's supervisor to identify which essential functions of the position are affected by the employee's disability and what reasonable accommodations could enable the employee to perform those duties.

3. Southern Oregon University Policy on Discriminatory Harassment

Students, staff, administrators, and faculty are entitled to a working environment and educational environment free of discriminatory harassment. Student employees under this policy are seen as primarily students and are encouraged to

use resources and processes designated for students.

SOU's policy against harassment is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive subject matters protected by academic freedom. The sections below describe the specific forms of legally prohibited harassment that are also prohibited under University policy, although the following definitions are not necessarily synonymous with the definitions under criminal laws.

a. Discriminatory and Bias-Related Harassment

Harassment constitutes a form of discrimination that is prohibited by law. SOU has a responsibility to investigate and, where harassment is identified, take action to remedy all forms of harassment, whether or not the harassment rises to the level of creating a hostile environment. When harassment rises to the level of creating a hostile environment, the University may also impose sanctions on the harasser. The University's policy against harassment explicitly prohibits any form of harassment, defined as unwelcome conduct on the basis of actual or perceived membership in a protected class, by any member or group of the community. A hostile environment may be created by oral, written, graphic, or physical conduct that is sufficiently severe, persistent/pervasive and subjectively and objectively offensive that it interferes with, limits or denies the ability of an individual to participate in or benefit from educational programs or activities or employment access, benefits or opportunities.³

Offensive conduct or harassment that does not rise to the level of discrimination, or that is of a generic nature not on the basis of a protected status, may not result in the imposition of discipline under University policy, but may still be addressed through civil confrontation, remedial actions, education, or effective conflict resolution mechanisms as described in the policy and other applicable University procedures. For assistance with conflict resolution techniques, employees should contact the Director of Human Resources. Students should contact the Bias Response Team (sou.edu/diversity/bias-response-team).

The University condemns and will not tolerate discriminatory harassment against any employee, student, visitor or guest on the basis of any status protected by University policy or law.

b. Sexual Harassment

Both the Equal Employment Opportunity Commission and the State of Oregon regard sexual harassment as a form of sex/gender discrimination and, therefore, as an unlawful discriminatory practice. SOU has adopted the following definition of sexual harassment, in order to address the special environment of an academic community, which consists not only of employer and employees, but of students as well.

Sexual harassment is:

Unwelcome, sexual verbal, written, online or physical conduct.

Anyone experiencing sexual harassment in any University program is encouraged to report it immediately to the University's Title IX Coordinator or a Deputy Coordinator.

Sexual harassment creates a hostile environment, and may be disciplined when it is:

³ This definition of hostile environment is based on Federal Register / Vol. 59, No. 47 / Thursday, March 10, 1994: Department Of Education Office For Civil Rights, Racial Incidents And Harassment Against Students At Educational Institutions Investigative Guidance. The document is available at <http://www.ed.gov/about/offices/list/ocr/docs/race394.html>.

- Sufficiently severe, persistent/pervasive and subjectively and objectively offensive that it,
 - has the effect of unreasonably interfering with, denying or limiting employment opportunities or the ability to participate in or benefit from the University's educational, social or residential program, and is
 - based on power differentials (quid pro quo), the creation of a hostile environment or retaliation.

c. Sexual Misconduct

State law defines various violent and/or non-consensual sexual acts as crimes. Additionally, SOU has defined categories of sexual misconduct, as stated below, for which action under this policy may be imposed.

Generally speaking, the University considers Non-Consensual Sexual Intercourse violations to be extremely serious, and therefore typically imposes the most severe sanctions, including suspension or expulsion for students and termination for employees. However, SOU reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any act of sexual misconduct or other gender-based offenses, including intimate partner or relationship (dating and/or domestic) violence, non-consensual sexual contact and stalking based on the facts and circumstances of the particular grievance. Acts of sexual misconduct may be committed by any person upon any other person, regardless of the sex, gender, sexual orientation and/or gender identity of those involved. Violations include:

i. Sexual Harassment (as defined in section B3b)

ii. Non-Consensual Sexual Intercourse (Rape)

Non-Consensual Sexual Intercourse (Rape) is defined as any sexual penetration or intercourse (anal, oral or vaginal), however slight, with any body part or object, by any person(s) upon another person(s) that is without consent and/or is by force.

Sexual penetration includes vaginal or anal penetration by a penis, tongue, finger or object, or oral copulation by mouth to genital contact or genital to mouth contact.

iii. Non-Consensual Sexual Contact (Sexual Assault)

Non-consensual sexual contact is defined as any intentional sexual touching, however slight, with any body part or object, by any person(s) upon another person(s) that is without consent and/or is by force. Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

iv. Sexual Exploitation

Sexual Exploitation refers to a situation in which a person takes non-consensual or abusive sexual advantage of another, and situations in which the conduct does not fall within the definitions of Sexual Harassment, Non-Consensual Sexual Intercourse, or Non-Consensual Sexual Contact. Examples of sexual exploitation include, but are not limited to:

- Sexual voyeurism (such as watching a person undressing, using the bathroom or engaging in sexual acts without the consent of the person observed);
- Exceeding the boundaries of consent (e.g., taking pictures of or recording another in a sexual act, or in any other private activity without the consent of all involved in the activity, allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the

photographed person's consent);

- Prostitution of another person;
- Exposing one's genitals in non-consensual circumstances or inducing another to do so; Sexually-based stalking and/or bullying of another person;
- Sexual exploitation also includes engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or other sexually transmitted disease (STD) and without informing the other person of the infection, and further includes administering alcohol or drugs (such as "date rape" drugs) to another person without his or her knowledge or consent.

v. Consent

Consent is knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct.

A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy.

It is not an excuse that the individual responding party in a sexual misconduct case was intoxicated and, therefore, did not realize the incapacity of the other.

Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction). This policy also covers a person whose incapacity results from mental disability, involuntary physical, mental or cognitive restraint or from the taking of incapacitating drugs.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced. Silence or the absence of resistance alone is not consent. A person can withdraw consent at any time during sexual activity by expressing in words or actions that they no longer wants the act to continue, and, if that happens, the other person must stop immediately.

In Oregon, a minor (meaning a person under the age of 18 years) cannot consent to sexual activity except in limited circumstances dictated by law. This means that sexual contact by an adult with a person younger than 18 years old is generally a crime, as well as a violation of this policy, even if the minor consented to engage in the act.

4. Southern Oregon University Policy on Other Civil Rights Offenses

Certain acts are prohibited when they are taken based upon the status of an individual's protected class. The sections below describe specific types of these legally prohibited acts that are also prohibited under University policy. Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person on the basis of their actual or perceived membership in a protected class;

- a. Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits, or opportunities on the basis of their actual or perceived membership in a protected class;
- b. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another on the basis of actual or perceived membership in a protected class;
- c. Hazing, defined as acts likely to cause physical or psychological harm to any person within the SOU community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity on the basis of actual or perceived membership in a protected class;
- d. Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control, or diminish another person, physically or mentally, on the basis of actual or perceived membership in a protected class;
- e. Violence between those in an intimate relationship to each other on the basis of actual or perceived membership in a protected class (this includes romantic, dating, and/or domestic⁴ relationships); and
- f. Stalking, defined as a course of conduct directed at a specific person on the basis of actual or perceived membership in a protected class that is unwelcome and would cause a reasonable person to feel fear. A violation of any other University rules, when a violation is motivated by sex or gender or by the actual or perceived membership of the victim in a protected class, may be pursued using this policy and process consistent with any applicable collective bargaining agreement.

Sanctions for the above-listed "Other Civil Rights Behaviors" range from reprimand up through and including expulsion (students) or termination of employment (subject to relevant standards in applicable collective bargaining agreements).

5. Southern Oregon University Policy on Retaliation

Retaliation is defined as any adverse action taken against a person participating in a protected activity because of their participation in that protected activity. Retaliation against an individual for alleging harassment, supporting a party bringing a grievance or for assisting in providing information relevant to a claim of harassment is a serious violation of SOU policy and will be treated as another possible instance of harassment or discrimination. Acts of alleged retaliation should be reported immediately to the Title IX Coordinator or a Deputy Coordinator and will be promptly investigated. SOU is prepared to take appropriate steps to protect individuals who fear that they may be

⁴ The State definition of domestic violence is (a) [Abuse](#) between family or household members, as those terms are defined in Oregon Revised Statutes (ORS) [107.705 \(Definitions for ORS 107.700 to 107.735\)](#); or (b) [Abuse](#), as defined in ORS [107.705 \(Definitions for ORS 107.700 to 107.735\)](#), between partners in a dating relationship, which is applicable to criminal prosecutions for domestic violence in Oregon, but may differ from the definition used on campus to address policy violations. [Included for Campus SaVE Act compliance purposes.]

subjected to retaliation.

6. Southern Oregon University Policy on Remedial Action

SOU will implement initial remedial and responsive and protective actions upon notice of alleged harassment, retaliation or discrimination. Such actions could include but are not limited to: no contact orders, providing counseling and medical services, academic support, living arrangement adjustments, providing a campus escort, academic or work schedule and assignment accommodations, safety planning, and referral to campus and community support resources.

SOU will take additional prompt remedial and/or disciplinary action with respect to any member of the campus community, guest or visitor who has been found to engage in harassing or discriminatory behavior or retaliation. Procedures for handling reported incidents are described below. Deliberately false and/or malicious accusations of harassment, as opposed to grievances, which, even if not substantiated, are made in good faith, are just as serious an offense as harassment and will be subject to appropriate disciplinary action under the separate processes set forth by the Code of Student Conduct or applicable employee disciplinary policies or bargaining agreements.

7. Confidentiality and Reporting Options

SOU officials, depending on their roles at the University, have varying reporting responsibilities and abilities to maintain confidentiality. In order to make informed choices, one should be aware of limitations on confidentiality. Medical, mental health professionals, who are employed as such at SOU and other individuals specified by statute are afforded a confidential privilege by state and federal law and are excluded from required reporting of Title IX concerns. Additionally, SOU has designated professional positions as Confidential Advisors and Certified Confidential Advocates who are exempted by this policy from required Title IX reporting in order to provide confidential reporting options and advocacy. Confidential Advisors and Certified Confidential Advocates are not obligated to report crimes to the institution or law enforcement unless otherwise required to do so by State law. Confidential Advisors and Certified Confidential Advocates provide confidential services to students and employees. Requests for arrangements made by Confidential Advisors and Certified Confidential Advocates do not constitute notice to a responsible employee for Title IX purposes, even when such advisors work only in the area of sexual assault.

The following describes the three reporting options at SOU:

a. Anonymous Reporting

Safe and anonymous reports, which do not trigger investigations, may be made by victims and/or third parties using the online reporting form posted at https://sou.co1.qualtrics.com/SE/?SID=SV_dnSXGnOEIyACLYx

b. Confidential Reporting/Confidential Advisors

If a reporting party would like the details of an incident to be kept confidential, the reporting party may speak with on-campus Confidential Advisors, Certified Confidential Advocates, off-campus local rape crisis counselors, domestic violence resources, or local or state assistance agencies, who will maintain confidentiality except in extreme cases of immediacy of threat or danger to a person or abuse of a minor. The Student Health and Wellness Center counselors and medical providers are available to help students free and can be seen on an

emergency basis during normal business hours. Campus Confidential Advisors, located in the Office of Student Support and Intervention, can maintain confidentiality and provide information on available options for students, staff, and faculty. Certified Confidential Advocates, located in the Multicultural Resource Center, Women's Resource Center, and Queer Resource Center can also provide support for complainants through an advocacy role. These employees will submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client.

After a grievance is submitted, the respondent will have access to a Process Advisor within the Title IX process. The process advisor is one of the Title IX Deputy Coordinators, who will guide the respondent in what to expect throughout the process. The process advisor does not provide confidential support or advocacy.

c. Formal Reporting Options

The party bringing a grievance is encouraged to speak to University officials, such as the Title IX Coordinator and Deputy Coordinators and Confidential Advisors, to make formal reports of incidents of sexual misconduct. All reports are taken seriously by the University and will be investigated and properly resolved through these procedures. Formal reporting still affords privacy to the reporter, and only a small group of officials who need to know will be told. Information will be shared as necessary with investigators, witnesses and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve the rights and privacy of the party bringing a grievance.

Reporting or sharing information with the University will trigger the formal reporting process, except, as specified in section B.7.b (Confidential Reporting/Confidential Advisors).

8. Federal and State Timely Warning Obligations

Victims of sexual misconduct should be aware that SOU must issue timely warnings for reported incidents that pose a substantial threat of bodily harm or danger to members of the campus community. The University will make every effort to ensure that a victim's name and other identifying information are not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

In addition, employees of SOU are considered by law to be mandatory reporters of child abuse (Oregon Child Abuse Reporting Statutes, ORS 419B.005–419B.017). SOU employees are required by law to report incidents of abuse to the Oregon Department of Human Services or law enforcement whenever they have “reasonable cause to believe” that any child with whom they come into contact has suffered abuse or that any person with whom they come into contact has abused a child. A fuller description of this mandatory reporting obligation can be found at:

<http://www.sou.edu/hrs/mandatorychildabusereporting.html>

B. PROCESS FOR RESOLVING GRIEVANCES OF HARASSMENT, SEXUAL MISCONDUCT AND OTHER FORMS OF DISCRIMINATION

The University will act on any formal or informal grievance or notice of violation of the policy on Equal Opportunity, Harassment, and Nondiscrimination received by the Title IX Coordinator, Deputy Coordinators, members of the administration, and/or any responsible employee that does not provide confidential or anonymous reporting options.

The following individuals at the University are designated as responsible employees: Title IX Coordinator, Deputy Title IX Coordinators, Vice Presidents and members of the President's Cabinet, Division Directors, Program Chairs, Campus Security Authorities, Athletic Coaches, Office of Student Support and Intervention Personnel (unless serving as a confidential advisor or certified advocate), Housing Personnel, Faculty, and all employees serving in a supervisory capacity.

The procedures described below will apply to all grievances involving students, staff or faculty members [with the exception that unionized or other categorized employees will be subject to the terms of their respective collective bargaining agreements/employees' rights to the extent those agreements do not conflict with federal or state compliance obligations]. Redress and requests for responsive actions for grievances brought involving non-members of the campus community are also covered by these procedures.

1. Equity Grievance Panel (EGP)

Members of the EGP are announced in an annual distribution of this policy to campus, prospective students, their parents and prospective employees. Members of the EGP are trained in all aspects of the grievance process, and can serve in any of the following roles, at the direction of the Title IX Coordinator or their designee:

- To serve on hearing panels for grievances.
- To serve on appeal panels for grievances.

EGP members also recommend proactive policies, and serve in an educative role for the community. The President, in consultation with the Title IX Coordinator, appoints the panel, which reports to the Title IX Coordinator or their designee. EGP members receive annual training organized by the Title IX Coordinator and Deputy Coordinators, including a review of University policies and procedures, so that they are able to provide accurate information to members of the community. All EGP members are required to attend this annual training.

The EGP includes:

- One Administrative Hearing Officer who is an ex officio member and serves as chair (or co-chair) of grievance panel hearings for grievances involving student responding parties, usually the SOU Coordinator of Community Standards, or designee.
- At least three members of the staff or faculty. The panels for any student, staff, or faculty proceedings can be heard by any grouping of staff or faculty, who have been trained for this role.

Appointments to the EGP should be made with attention to representation of groups protected by the harassment and non-discrimination policy. Individuals who are interested in serving on the EGP are encouraged to contact the Title IX Coordinator.

2. Filing a grievance

Any member of the campus community, guest, or visitor who believes that the policy on Equal Opportunity, Harassment, and Nondiscrimination has been violated should contact the Title IX Coordinator and/or a Deputy Coordinator. It is also possible for employees to notify a supervisor or for students to notify an administrative advisor or faculty member. Any member of the campus community may contact Campus Public Safety. These individuals will in turn notify the Title IX Coordinator, Deputy Title IX Coordinator, or other designee. The University website also includes an online reporting form that may serve to initiate a grievance posted at

All responsible employees who become aware of an incident or receive reports of a potential violation of this University policy are expected to contact the Title IX Coordinator or a Deputy Coordinator within 24 hours of becoming aware of an incident or receiving a report. All initial contacts will be treated with the maximum possible privacy; specific information on any grievances received by any party will be reported to the Title IX Coordinator, but, subject to the University's obligation to redress violations, every reasonable effort will be made to maintain the privacy of those initiating a grievance. In all cases, SOU will give consideration to the party bringing a grievance with respect to how the grievance is pursued, but reserves the right, when necessary to protect the community, to investigate and pursue a resolution when an alleged victim chooses not to initiate or participate in a formal grievance.

3. Grievance Intake

A grievant, a responsible employee or Confidential Advisor (reporting a grievance in cooperation and with the approval of a grievant) can initiate the grievance process by submitting a report to a Title IX Coordinator, Deputy Coordinator, or 504 Coordinator. Following receipt of notice of a Title IX grievance, the Title IX Coordinator⁵ or designee, will promptly assign a campus confidential advisor to work with the person who brought the grievance. The party bringing a grievance for any concern may choose an advisor of their own or elect to proceed without an advisor. Normally, within a reasonable amount of time, an initial determination is made whether a policy violation may have occurred and/or whether conflict resolution might be appropriate. If the grievance does not appear to allege a policy violation or if conflict resolution is desired by the party bringing a grievance, and appears appropriate given the nature of the alleged behavior, then the grievance does not proceed to investigation.

A full investigation will necessarily be pursued if there is evidence of a pattern of misconduct or a perceived threat of further harm to the campus community or any of its members. The University aims to complete all investigations within a 60 business day⁶ time period, which can be extended as necessary for appropriate cause by the Title IX Coordinator with notice to the parties. Appropriate cause for extending such time objectives shall typically be limited to situations involving accommodation of criminal investigations, ensuring the health or safety of witnesses and other participants, ensuring availability of witness and other participants, ensuring that participants have adequate access to hearing materials, and other reasons permissible under guidance issued by the Department of Education's Office of Civil Rights.

4. Investigation

If a party bringing a grievance wishes to pursue a formal grievance or if the University, based on the alleged policy violation, wishes to pursue a formal grievance, then the Title IX Team will designate which investigators will initiate the investigation. University action will not be precluded on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced. All investigations will be thorough, reliable and impartial, and will entail interviews with relevant parties and witnesses, obtaining available evidence and identifying sources of expert information, if necessary. Grieving students will continue to have access to the

⁵ If circumstances require, the President or Title IX Coordinator may designate another person to oversee the process below, should a grievance be made against the Coordinator or the Coordinator be otherwise unavailable or unable to fulfill their duties.

⁶ Business days refer to days within the work-week, Monday through Friday, with the exception of federally recognized holidays. Participants who may be on break from school or who are off contract may still be contacted in order to meet the timeliness standard for OCR investigations.

Confidential Advisors and responding students will have access to a Process Advisor, each of which is discussed above in Section B7 of the “SOU Policies on Harassment, Sexual Misconduct and Other Forms of Discrimination.” Employees represented by a union may have a union representative present during investigatory meetings or interviews.

5. Interim Remedies

If, in the judgment of the Title IX Coordinator or a Deputy Coordinator, the safety or well-being of any member(s) of the campus community may be jeopardized by the presence on-campus of the accused individual or the ongoing activity of a student organization whose behavior is in question, the Title IX Coordinator or designee may provide interim remedies intended to address the short-term effects of harassment, discrimination and/or retaliation, i.e., to redress harm to the alleged victim and the campus community and to prevent further violations. These remedies may include:

- referral to counseling and health services or to the Employee Assistance Program,
- education to the campus community,
- altering the housing situation of an accused student or resident employee (or the alleged victim, if desired),
- altering work arrangements for employees,
- providing campus escorts,
- implementing contact limitations between the parties,
- and offering adjustments to academic deadlines, course schedules, etc.

The University may suspend a student or student organization on an interim basis pending the completion of the investigation and procedures. In all cases in which an interim suspension is contemplated, the student or student organization will be given the opportunity to meet with the Title IX Coordinator and/or a Deputy Coordinator prior to such suspension being imposed, or as soon thereafter as reasonably possible, to show cause why the suspension should not be implemented.

The University may place an employee on administrative leave with pay, on an interim basis pending the completion of the investigation and procedures. The Title IX Coordinator or the Deputy Coordinator have the sole discretion to implement or stay an interim suspension, or administrative leave under the policy on Equal Opportunity, Harassment, and Nondiscrimination, and to determine its conditions and duration. Violation of an interim suspension or administrative leave under this policy will be grounds for expulsion or termination.

During an interim suspension or administrative leave, a student or employee may be denied access to University Housing and/or the University campus/facilities/events. As determined by the appropriate Title IX Coordinator or designee, this restriction includes classes and/or all other University activities or privileges for which the student or employee might otherwise be eligible. At the discretion of the appropriate Title IX Coordinator or designee, alternative coursework options may be pursued to ensure as minimal an impact as possible on the accused student.

6. Grievance Resolution

During or upon the completion of the investigation, the investigators will make a decision on whether to refer the

matter for mutually agreeable conflict resolution, resolution without a hearing, or a formal hearing, according to the guidelines for each discussed further below. If the investigators decide that the preponderance of evidence (i.e., whether it is more likely than not that the accused individual did not commit the alleged violation) does not support a finding of a policy violation, then the process will end at the investigation stage. The party bringing a grievance can make a request that the Title IX Coordinator make an extraordinary determination to re-open the investigation so that the complainant may identify additional information for consideration or to forward the matter for a hearing. This decision lies in the sole discretion of the Title IX Coordinator, who will also base any decision to refer the matter for hearing on the preponderance standard.

If there is a preponderance of evidence of a violation, then the Title IX Coordinator may recommend conflict resolution, a resolution without a hearing, or a formal hearing, based on the below criteria.

a. Conflict Resolution

Conflict resolution is often used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the formal hearing process to resolve conflicts. The Title IX Coordinator and Deputy Coordinators will determine if conflict resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue and the susceptibility of the conduct to conflict resolution. In a conflict resolution meeting, an EGP member or the Title IX Coordinator will facilitate a dialogue with the parties to an effective resolution, if possible. The sanctions identified in Section C7e below may not be imposed as the result of a conflict resolution process, though the parties may agree to other appropriate remedies. The Title IX Coordinator will keep records of any resolution that is reached, and failure to abide by the accord can result in appropriate responsive actions.

Conflict resolution will not generally be used to address grievances of sexual misconduct or violent behavior of any kind identified in Section 3.c.ii – 3.c.iii of this policy or in other cases of serious violations of policy, though it may be made available after the formal process is completed should the parties and the Title IX Coordinator believe that it could be beneficial. It is not necessary to pursue conflict resolution first in order to make a formal grievance, and anyone participating in conflict resolution can stop that process at any time and request a formal hearing.

b. Resolution Without a Hearing

Resolution without a hearing can be pursued for any behavior that falls within the policy on Equal Opportunity, Harassment and Nondiscrimination, at any time during the process. The Title IX Coordinator or designee will provide written notification of a grievance to any member of the University community who is accused of an offense of harassment, discrimination, or retaliation. The Title IX Coordinator or designee will meet with the responding individual to explain the finding(s) of the investigation. Once informed, the responding party may choose to admit responsibility for all or part of the alleged policy violations at any point in the process. If so, the Title IX Coordinator or designee will render a finding that the individual is in violation of University policy for the admitted conduct, and will normally proceed to convene a formal hearing on any remaining disputed violations. For admitted violations, the appropriate co-chair of the EGP will recommend an appropriate sanction or responsive action. If the sanction/responsive action is accepted by both the party bringing a grievance and responding party, the Title IX Coordinator or designee will implement it, and act promptly and effectively to remedy the effects of the admitted conduct upon the victim and the campus community. If either party rejects the sanction/responsive action, an EGP hearing will be held on the sanction/responsive action only, according to the EGP procedures below.

c. Formal Hearing

Formal hearings will be initiated for any grievances not resolved through conflict resolution or resolution outside a

hearing process (6a and 6b above).

7. Formal EGP Procedure

In the absence of an informal resolution, the process will proceed to a formal EGP hearing. The Title IX Coordinator and/or designee retains discretion to grant reasonable extensions upon notice to the complainant and respondent with regard to any deadline specified in this policy concerning the Investigation, Hearing, or Appeal process.

a. Hearing Panels

The Title IX Coordinator and designees will appoint a non-voting panel Chair (who has not served in an investigatory role for the particular case) and three members of the EGP to the hearing panel, none of whom have been previously involved with the grievance. Investigators can serve as witnesses in the hearing of the grievance and therefore may not serve as hearing panel members. Hearing panels may include both faculty and non-faculty employees. Only one faculty employee shall be selected to serve on a hearing panel in a grievance where a faculty member is the respondent to the complaint. Student members of the EGP do not serve on hearing panels for Title IX concerns. The panel will meet at times determined by the Chair. The Chair retains discretion to allow parties to the hearing, witnesses, and members of a hearing panel to attend a hearing by electronic means.

b. Notification of Charges

At least four business days prior to the hearing, or as far in advance as is reasonably possible if an accelerated hearing is scheduled with the consent of the parties, the EGP Co-Chair or Title IX Coordinator will send a letter to the parties with the following information. Once mailed, emailed and/or received in-person, notice will be presumptively delivered. The letter will contain:

- A description of the alleged violation(s), a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date and location of the hearing and a reminder that attendance is mandatory and supersedes all other campus activities. If any party does not appear at the scheduled hearing, the hearing will be held in their absence and sanctions may be imposed despite the party's absence. For compelling reasons, the Co-Chair may reschedule the hearing.
- The parties may have the assistance of an EGP panel member, or other advisor, at the hearing. Typically, advisors are members of the campus community, but the Title IX Coordinator may grant permission for an outside advisor upon request. For employees represented by a union, the respondent may choose a union representative to serve as their advisor. The advisor may not make a presentation or represent the party bringing a grievance or responding party during the hearing. The parties to the hearing are expected to ask and respond to questions on their own behalf, without representation by their advisor. The advisor may consult with the advisee quietly or in writing, or outside the hearing during breaks, but may not speak on behalf of the advisee to the panel. In cases where the advisor is an attorney representing a party to the grievance, the University may also elect to have counsel present at the hearing.
- Hearings for possible violations that occur near or after the end of an academic term will be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the University and remain within the 60-day goal for resolution.

c. Hearing Procedures

EGP Hearings will be convened, usually within one to two weeks of the completion of the investigation, and will be conducted in private. The EGP has the authority to hear all collateral misconduct, meaning that it hears all allegations of discrimination, harassment and retaliation, but also may hear any additional alleged policy violations that have occurred in concert with the discrimination, harassment or retaliation, even though those collateral allegations may not specifically fall within EGP jurisdiction. Accordingly, investigations should be conducted with as wide a scope as necessary.

Participants will include the non-voting Chair, the three members of the panel, the investigator(s) who conducted the investigation on the grievance, the party bringing a grievance and responding party(ies) (or three organizational representatives in a case where an organization is charged), advisors to the parties, and any called witnesses. The Chair will disclose to the parties the names of witnesses the University intends to call, all pertinent documentary evidence, written statements to be presented at the hearing, and any written findings from the investigators at least three business days prior to the hearing. Information not disclosed prior to the hearing shall be excluded from the hearing.⁷ In addition, the parties will be given a list of the names of each of the EGP panel members at least three business days in advance of the hearing. Should either (any) party object to any panelist, they must raise all objections, in writing, to the Chair immediately. Panel members will only be unseated if the Chair concludes that their bias precludes an impartial hearing of the grievance. Additionally, any panelist or Chair who feels he/she cannot make an objective determination must recuse himself or herself from the proceedings when notified of the identity of the parties and all witnesses in advance of the hearing.

The Chair, in consultation with the parties and investigators, may decide in advance of the hearing that certain witnesses do not need to be physically present if their testimony can be adequately summarized by the investigator(s) during the hearing. All parties will have ample opportunity to present facts and arguments in full and question all present witnesses during the hearing, though formal cross-examination is not used between the parties. If alternative questioning mechanisms (such as screens, Skype, questions directed through the Chair, etc.) are desired, parties should request them from the Chair at least two business days prior to the hearing.

Once the procedures are explained and the participants are introduced, the Chair will present the report of the investigation first, and be subject to questioning by the parties and the EGP. The findings of the investigation are not binding on the panel, though any undisputed conclusions of the investigation report will not be revisited, except as necessary to determine sanctions/ responsive actions. The EGP will permit questioning of and by the parties, and of any present witness. Questions may be directed through the panel at the discretion of the Chair.

Formal rules of evidence will not apply. Any evidence that the panel believes is relevant and credible may be considered, including evidence of past discriminatory behavior or sexual misconduct. The Chair will address any evidentiary concerns prior to and/or during the hearing, may exclude irrelevant or immaterial evidence and may ask the panel to disregard evidence lacking in credibility. Evidence regarding the responding student's character intended for consideration as an aggravating or mitigating factor in the determination of sanctions may only be submitted in writing and will only be reviewed by the EGP after the EGP has reached a finding of responsibility.

⁷ Where possible, the Chair will provide copies of the evidence to be presented at the hearing to the parties three business days prior to the hearing. However, some documents may constitute confidential or protected information under state or federal law, including but not limited to the Family Educational Rights and Privacy Act. If such documents are protected by state or federal law from disclosure outside of the proceedings, the University will allow the parties an opportunity to review such information at least three business days prior to the hearing and at the hearing, but will not provide copies of such documents for the parties to retain.

Such aggravating and mitigating evidence may include evidence of past misconduct by the respondent or letters of support evidencing the respondent's propensity for good character. Such evidence must be presented at the hearing and may not be submitted as new information during the appeal. The Chair will determine all questions of procedure and evidence. Anyone appearing at the hearing to provide information will respond to questions on his/her own behalf.

No one will present information or raise questions concerning: (1) incidents not directly related to the possible violation, unless they show a pattern, or (2) the sexual history of or the character of the victim/party bringing a grievance.

There will be no observers in the hearing. The Chair may allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the panel or the parties involved. The panel does not hear from character witnesses, but will accept up to two letters supporting the character of the individuals involved.

In hearings involving more than one accused individual or in which two parties bringing grievances have accused the same individual of substantially similar conduct, the standard procedure will be to hear the grievances jointly; however, the Title IX Coordinator may permit the hearing pertinent to each grievance to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each responding party.

Proceedings are private. All persons present at any time during the hearing are expected to maintain the privacy of the proceedings, and may be subject to further University discipline for failure to do so.

A record of the hearing will be maintained in the form of written minutes for the purposes of review in the event of an appeal. EGP members, the parties and/or the persons who initiated the grievance, and appropriate administrative officers of the University will be allowed to review the minutes in a location determined by the Title IX Coordinator or designee. No person will be given or be allowed to make a copy of the minutes without permission of the Title IX Coordinator. Persons given access to the minutes will be required to sign an agreement confirming that they will protect the privacy of the information contained in the minutes.

d. Decisions

The EGP will deliberate in closed session to determine whether the responding party is responsible or not responsible for the violation(s) in question. If the responding party is found responsible, the EGP will also determine the sanctions to be imposed. The panel will base its determination on a preponderance of the evidence (i.e., whether it is more likely than not that the accused individual committed each alleged violation). If an individual responding party or organization is found responsible by a majority of the panel, the panel will recommend appropriate sanctions to the Title IX Coordinator.

The Chair will prepare a written deliberation report and deliver it to the Title IX Coordinator, detailing the finding, the information cited by the panel in support of its recommendation, and any information the hearing panel excluded from its consideration and why. The report should conclude with any recommended sanctions. This report will typically not exceed two pages in length and must be submitted to the Title IX Coordinator within two (2) days of the end of deliberations.

The Title IX Coordinator or designee will inform the accused individual and the party bringing a grievance of

the final determination of the EGP with the rationale within 10 business days of the hearing, without significant time delay between notifications. Notification will be made in writing and may be delivered by one or more of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official University records; or emailed to the parties' University-issued email account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

e. Sanctions

Sanctions or responsive actions will be determined by the EGP. Factors considered when determining a sanction/responsive action may include:

- The nature, severity of, and circumstances surrounding the violation.
- An individual's disciplinary history.
- Previous grievances or allegations involving similar conduct.
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment and/or retaliation.
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment and/or retaliation.
- The need to remedy the effects of the discrimination, harassment and/or retaliation on the victim and the campus community.

1. Student or Organization Sanctions

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

- Warning: A formal statement that the behavior was unacceptable and a warning that further infractions of any University policy, procedure or directive will result in more severe sanctions/responsive actions.
- Probation: A written reprimand for violation of the Code of Student Conduct, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any University policy, procedure or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified social privileges, exclusion from co-curricular activities, non-contact orders and/or other measures deemed appropriate.
- Suspension: Termination of student status for a definite period of time not to exceed two years, and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure at the University. This sanction will be noted as a Conduct Suspension on the student's official transcript.
- Expulsion: Permanent termination of student status, revocation of rights to be on campus for any reason or attend University-sponsored events. This sanction will be noted as a Conduct Expulsion on the student's official transcript.
- Withholding Diploma. The University may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has a grievance pending, or as a sanction if the student is found responsible for an alleged violation.
- Revocation of Degree. The University reserves the right to revoke a degree awarded from the University for fraud, misrepresentation or other violation of University policies, procedures or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.

- Organizational Sanctions. Deactivation, de-recognition, and loss of all privileges (including University registration), for a specified period of time.
- Other Actions: In addition to or in place of the above sanctions, the University may assign any other sanctions as deemed appropriate.
Student sanctions imposed are implemented immediately unless the Title IX Coordinator or a Deputy Coordinator stays their implementation in extraordinary circumstances, pending the outcome of an appeal.

2. Employee Sanctions

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

- warning,
- written instruction or reprimand,
- required training or counseling,
- demotion,
- suspension with pay,
- suspension without pay,
- and termination.

Following any appeal and issuance of discipline regarding employee-members of the SEIU classified staff and faculty bargaining units, such employees will have the opportunity, to grieve tangible employment sanctions to the extent provided by their respective grievance processes.

f. Withdrawal or Resignation While Charges Pending

Students: The University does not permit a student to withdraw if that student has a grievance pending against him/her for violation of the policy on Equal Opportunity, Harassment, and Nondiscrimination, or for charges under the Code of Student Conduct. Should a student decide to leave and not participate in the investigation and/or hearing, the process will nonetheless proceed in the student’s absence to a reasonable resolution. If there is a determination that a violation did occur, that student will not be permitted to return to the University unless all sanctions have been satisfied.

Employees: Should an employee resign while a grievance is pending against him/her for violation of the policy on Equal Opportunity, Harassment, and Nondiscrimination, the records of the Title IX Coordinator will reflect that status. If there is a determination that a violation did occur, the Title IX Coordinator will act to promptly and effectively remedy the effects of the conduct upon the victim and the campus community.

g. Appeals

All requests for appeal considerations must be submitted in writing to the Title IX Coordinator within ten business days of the delivery of the written finding of the EGP. The Title IX Coordinator will then share the appeal with the appeal panel, which will have 14 business days to reach their decision. The appeal panel will be comprised of three university employees selected by the Title IX Coordinator from a pool of university employees trained to hear appeals under this policy. If necessary, members of the appeal panel may conduct

their business by electronic means at the discretion of the Title IX Coordinator.

Both parties may appeal, but appeals are limited to the following:

- A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.).
- To determine whether the decision reached was based on substantial information. Were there enough facts to establish a violation of university policy occurred under the “more likely than not” standard?
- To consider new evidence, unknown or unavailable during the original hearing or investigation, that could substantially impact the original finding. A summary of this new evidence and its potential impact must be included. Such new information must be relevant to the determination of responsibility regarding whether or not the offense was committed. Evidence that could have been presented at the original EGP hearing, including but not limited to character evidence intended to enhance or mitigate the sanctions imposed, will not be accepted on appeal as new evidence on appeal.
- The sanctions imposed are substantially disproportionate to the severity of the violation or the sanctions fall outside the range of sanctions the University has designated for the offense.

The original finding and sanction/responsive actions will stand if the appeal is not timely or is not based on the grounds listed above, and such a decision is final. When any party requests an appeal, the other party (parties) will be notified and joined in the appeal. The party requesting appeal must show that the grounds for an appeal request have been met. The other party or parties may also show that the grounds for appeal have not been met. The original finding and sanction are presumed to have been decided reasonably and appropriately.

Where the appeal panel finds that at least one of the grounds is met and proceeds, additional principles governing the hearing of appeals include the following:

- Appeals decisions by the appeal panel are to be deferential to the original decision, making changes to the finding only where there is clear error and to the sanction/responsive action only if there is a compelling justification to do so.
- Appeals are not intended to be full re-hearings of the grievance. In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal. Appeals granted based on new evidence should normally be remanded to the original hearing panel for reconsideration. Other appeals may be remanded by the three-member appeal panel with instruction as to the matters to be considered on remand by the original hearing panel.
- All parties will be informed of whether the grounds for an appeal are accepted. The results of the appeal decision, as well as a justification of that decision will be submitted to the person seeking the appeal in writing.
- Once an appeal for both parties is decided, the outcome is final: further appeals are not permitted. Employees may only initiate any grievance process available to them pursuant to an applicable collective bargaining agreement after the appeal is final.

h. Failure to Complete Sanctions/Comply with Responsive Actions

All responding parties are expected to comply with conduct sanctions/responsive/corrective actions within the time frame specified by the Title IX Coordinator. Failure to follow through on conduct sanctions/responsive/corrective actions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions/responsive/corrective actions. Responding parties needing an extension to

comply with their sanctions, must submit a written request to the Title IX Coordinator or designee stating the reasons for needing additional time.

Such sanctions or responsive and corrective actions with regard to a student may include suspension, expulsion and/or termination from the University and may be noted on a student's official transcript. A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator or by application to the EGP. Such applications will be reviewed and decided on by three members of the EGP.

i. Records

In implementing this policy, records of all grievances, resolutions, and hearings will be kept by the Title IX Coordinator in accordance with the applicable records retention schedule.

j. Statement of the Rights of a Party Bringing a Grievance

- To be treated with respect by University officials.
- To take advantage of campus support resources (such as the Student Health and Wellness Center's counseling and medical services, the Office of Student Support & Intervention for students, or Employee Assistance Program (EAP) services for employees).
- To experience a safe living, educational and work environment.
- To have an advisor or union representative/accompanist during this process.
- To refuse to have an allegation resolved through conflict resolution procedures.
- To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
- To be free from retaliation.
- To have grievances heard in substantial accordance with these procedures.
- The injured party will be allowed full participation in any EGP process, whether the injured party is serving as the party bringing a grievance or the University is serving as party bringing a grievance.
- To be informed in writing of the outcome/resolution of the grievance, sanctions where permissible and the rationale for the outcome where permissible.
- Referral to law enforcement for assistance.
- Continued access to housing and living accommodations.
- No contact orders appropriate to the circumstances, prohibiting the responding party from engaging the grievant about the grievance or its underlying events.

k. Statement of the Rights of the Responding Party

- To receive a fair and impartial investigation and hearing process.
- To be treated with respect by University officials.
- To take advantage of campus support resources (such as the Student Health and Wellness Center's counseling and medical services for, the Office of Student Support & Intervention for students, or EAP services for employees).
- To have an advisor or union accompanist/ representative during this process (You may consult with this person, but not have them speak on your behalf).
- To refuse to have an allegation resolved through conflict resolution procedures.
- To have grievances heard in substantial accordance with these procedures.

- To be informed of the outcome/resolution of the grievance and the rationale for the outcome, in writing.

These policies and procedures will be reviewed and updated annually by the Title IX Coordinator. The Title IX Coordinator will submit modifications to this policy in a manner consistent with the Board of Trustees' Statement on Policies (including notice of proposed changes on the policy pages of the SOU web site) upon determining that changes to law, regulation, or best practices require policy or procedural alterations not reflected in this policy and procedure. Procedures in effect at the time of its implementation will apply. Policy in effect at the time of the offense will apply even if the policy is changed subsequently, unless the parties consent to be bound by the current policy.

D. Policy Consultation

Policy Council, Faculty Senate, Provost's Advisory Council, Business Affairs Council, University Planning Board

E. Other Information

Inquiries about this policy and procedure may be made internally to:

Title IX Coordinator
Director of Diversity and Inclusion
Churchill 107
(541) 552-6459
truebloom@sou.edu

Deputy Title IX Coordinators
Associate Provost
Deputy Coordinator for Faculty
Provost Office
Churchill Hall 113
(541) 552-6121
watersj@sou.edu

Director of Human Resources
Deputy Coordinator for Employees
Churchill 156
(541) 552-8557

Director of Student Support and Intervention
Deputy Coordinator for Students
Stevenson Union 321
(541-552-6652)
burketa@sou.edu

Associate Director of Student Support and Intervention- Community Standards
Office of Student Support and Intervention
Deputy Coordinator for Students
Stevenson Union 321

(541) 552-6222
clitheroc@sou.edu

SOU Confidential Advisor
Stevenson Union 321
(541) 552-7079
fleischea@sou.edu

Inquiries may be made externally to:

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012
TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: www.ed.gov/ocr

Equal Employment Opportunity Commission (EEOC)
Contact: www.eeoc.gov/contact/

The Policy Contact, defined above, will write and maintain the procedures related to this policy and these procedures will be made available within the Custodial Office.