POLICY AND PROCEDURES FOR ADDRESSING DISCRIMINATION AND HARASSMENT AT THE UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN

I. UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN POLICY
The commitment of the University of Illinois at Urbana-Champaign (Illinois) to the most fundamental principles of academic freedom, equality of opportunity, and human dignity requires that decisions involving students and employees be based on merit and be free from invidious discrimination in all its forms. Illinois does not engage in discrimination or harassment, or tolerate discrimination or harassment, against any person because of the following protected categories: race, color, religion, sex, pregnancy, disability, national origin, citizenship status, ancestry, age, order of protection status, genetic information, marital status, sexual orientation including gender identity, arrest record status, military status, and unfavorable discharge from military service.

In furtherance of Illinois’ commitment to the principles of equality and equal opportunity for applicants, students, faculty, staff, and visitors, this policy and the associated procedures are established to provide a means to address complaints of discrimination or harassment based on the protected categories described herein. Illinois will comply with all federal, State, and applicable local nondiscrimination, equal opportunity and affirmative action laws, orders and regulations.

Illinois is committed to providing prompt and effective resolution of alleged or suspected incidents of discrimination or harassment. Illinois encourages informal resolutions of discrimination complaints as close to the source as possible. If disciplinary action is warranted, discipline will be imposed in accordance with applicable University statutes and relevant University rules and regulations. Retaliation against any person for coming forward with a complaint or a concern, or for otherwise participating in this process, will not be tolerated. Additionally, Illinois can unilaterally initiate any and all steps under this policy and procedures when it learns, either directly or indirectly, that discrimination, sexual harassment or retaliation is alleged to be taking place.

A. Overview of Prohibited Acts
Illinois is committed to ensuring that its learning and working environments are free from all forms of discrimination and harassment.

This policy is designed to promote a safe and healthy learning and work environment and to comply with multiple laws that prohibit discrimination, including: Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act Amendments Act, the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967, the Age Discrimination Act, Title IX of the Education Amendments Act of 1972, the Pregnancy Discrimination Act of 1978, the Uniformed Services Employment and Re-employment Act, the Veterans’ Readjustment Act of 1974, the Genetic Information Nondiscrimination Act of 2008, and the Illinois Human Rights Act.

1. Discrimination: No Illinois student, faculty, staff, applicant, or visitor shall be excluded from participation in, be denied the benefits of, or be subjected to disparate treatment in connection with any Illinois service, program or activity on the basis of any of the following protected categories: race, color, religion, sex, pregnancy, disability, national origin, citizenship status, ancestry, age, order of protection status, genetic information, marital status, sexual orientation including gender identity, arrest record status, military status, and unfavorable discharge from military service.
Discrimination is prohibited in all contexts at Illinois, including but not limited to the following matters: recruitment, testing, hiring, compensation, assignments and promotions, training and development opportunities, leave, performance evaluations, and access to educational programs, activities, services, or facilities.

2. **Harassment:** Harassment, including sexual harassment, is a form of discrimination. Illinois does not tolerate any form of harassment in work, study or residential life. Illinois considers such behavior – whether physical or verbal – to be a breach of its standards of conduct. It will seek to prevent such incidents and will investigate and take corrective actions in response to alleged or suspected violations of this policy.

   a. Harassment: Harassment is unwelcome conduct that is based on: race, color, religion, sex, pregnancy, disability, national origin, citizenship status, ancestry, age, order of protection status, genetic information, marital status, sexual orientation including gender identity, arrest record status, military status, and unfavorable discharge from military service. Harassment becomes unlawful when:
      • the conduct is severe or pervasive enough to create a work or learning environment that a reasonable person would consider intimidating, hostile, or abusive; and
      • enduring the offensive conduct becomes a condition of continued employment or participating in an educational program or activity.

   b. Sexual Harassment: Sexual harassment is a form of sex discrimination when the conduct is based on an individual's sex, gender, or sexual orientation. Sexual harassment, can involve persons of the same or opposite sex. Conduct not of a sexual nature but that is based on sex or sex-stereotyping is considered sex-based harassment and is similarly prohibited.

   Sexual harassment includes, but is not limited to: unwelcome sexual advances, requests for sexual favors, repeatedly pressuring an individual for dates or sexual favors, displaying sexually explicit visual material, giving or sending inappropriate gifts, calls, letters or e-mails, or any unwelcome conduct of a sexual nature (including sexual assault, sexual abuse, and other forms of sexual misconduct).

   To constitute a violation of the policy:
   • submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education status in an academic course or program, or participation in an activity; or
   • submission to or rejection of such conduct by an individual is used as the basis for employment decisions or a decision affecting an individual's education, status in an academic course or program, or participation in an activity; or
   • such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive working or educational environment. Generally, a pattern of unwelcome behavior is required; however, if sufficiently severe, one incident may constitute a hostile environment.
(1) Sexual Assault: Sexual assault is a severe form of sexual harassment. Sexual assault is a violation of Illinois’ sexual harassment policy as well as the State Criminal Code. Sexual assault occurs when there is sexual penetration by force or the threat of force, or when there is sexual penetration and the victim is unable to understand the nature of the act or give knowing consent.

(2) Sexual Abuse: Sexual abuse is a severe form of sexual harassment. Sexual abuse is a violation of Illinois’ sexual harassment policy as well as the State Criminal Code. Sexual abuse includes:
  - sexual penetration by force or the threat of force, or when there is sexual penetration and the alleged victim is unable to understand the nature of the act or give knowing consent; or
  - sexual conduct or penetration when the alleged victim is under 17 years old.

(3) Sexual Misconduct: Sexual misconduct includes, but is not limited to: intentional and undesired physical contact, stalking, attempted or actual kissing or fondling, intimate partner violence, coerced sexual activity, indecent exposure, repeated unsolicited propositions for dates and/or sexual relations, and any other conduct of a sexual nature that is nonconsensual, or has the purpose or effect of threatening, intimidating, or coercing (physically or psychologically) a person or persons.

3. Title IX: Title IX is a federal law that prohibits sex-based discrimination in education programs and activities receiving federal financial assistance. Title IX states as follows: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” Discrimination on the basis of sex (i.e., sex discrimination) includes sexual harassment, sexual assault, and sexual violence. Title IX also prohibits gender-based harassment, which includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

Title IX also applies to admissions, employment, financial aid, athletics, academic matters, career services, housing, counseling and medical services, and all other Illinois programs and activities.

Title IX may be invoked in, but is not limited to, the following circumstances:

1. The provision of less than a fair share of funds for athletic scholarships to females;

2. Inequitable pay for female employees holding similar positions to those held by male counterparts;

3. Discrimination against female students on the basis of pregnancy; and

4. Student-on-student harassment that creates a hostile environment and in which Illinois has failed: to take immediate action to eliminate the harassment, prevent
its recurrence, and address its effects; and to investigate a complaint of sexual misconduct promptly, thoroughly, and impartially.

B. Retaliation
It is unlawful to retaliate against an individual for opposing practices that discriminate based on a protected class or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation. Illinois strictly prohibits and will not tolerate reprisals or retaliation against persons due to their assertion of their protected civil rights.

C. Policy Application:
This policy may be invoked by visitors, students, faculty, staff, applicants, or former employees of the University of Illinois Urbana-Champaign and by students, applicants, employees, or former employees of University Administration who are located on the Urbana-Champaign campus.

If an employee leaves the University, the employee is encouraged to file a complaint relating to alleged discrimination and/or harassment occurring during that individual’s employment with the University within 30 days following the employee’s termination of employment from the University.

The procedures described in this document will apply to complaints against a graduate assistant, teaching assistant, pre-professional graduate student or research assistant acting in their capacity as a University employee.

II. REPORTING
Individuals alleging violation of the policies herein are encouraged to report the alleged violation immediately upon experiencing the alleged misconduct or learning of the alleged misconduct. Individuals reporting alleged or suspected violations of this policy during non-business hours or University designated holidays should contact the Office of Diversity, Equity, and Access at (217) 333-0885 or diversity@illinois.edu, or the Emergency Dean at (217) 333-0050 for student-related matters. University employees to whom misconduct is reported are required to report the alleged misconduct to the appropriate campus office immediately. Reports of sexual misconduct shall be promptly investigated and also reported to the University of Illinois Police Department at (217) 333-1216. Employees who fail to report alleged or suspected violations of this policy to the appropriate campus office in a timely manner may be subject to disciplinary action, up to and including termination.

1. Students:
Students alleging discrimination or harassment allegedly committed by a student in their capacity as a student may submit a report as specified in this policy or by contacting the Office for Student Conflict Resolution. Such complaints should be referred to the Office for Student Conflict Resolution at (217) 333-3680 or conflictresolution@illinois.edu for investigation and resolution under the student disciplinary system procedures.

Students alleging discrimination or harassment as perpetrated by an employee in violation of this policy should contact the Office of Diversity, Equity, and Access at (217) 333-0885 or
via email at diversity@illinois.edu. The procedures outlined in Section III below will govern these complaints.

2. Employees:
Employees who believe that they have been subjected to discrimination or harassment in violation of this policy should contact the Office of Diversity, Equity, and Access. Employees may also contact Academic Human Resources, or Staff Human Resources.

3. Applicants and Visitors:
An applicant who has submitted an application for admission or employment and believes that he/she has been denied employment or the opportunity for employment on the basis of a protected class (see section I, A, 1) should contact the Office of Diversity, Equity, and Access at (217) 333-0885 or diversity@illinois.edu.

Persons visiting the campus who believe that he/she is subject to conduct that would constitute a violation of the policies herein as perpetrated by a University employee or student should contact the Office of Diversity, Equity, and Access at (217) 333-0885 or diversity@illinois.edu.

III. PROCEDURES FOR ADDRESSING DISCRIMINATION AND HARASSMENT

Illinois is committed to the prompt and equitable resolution of all alleged or suspected violations of this policy about which the University knows or reasonably should know, regardless of whether a complaint alleging a violation of this policy has been filed and regardless of where the conduct at issue occurred. Illinois’ ability to investigate in a particular situation, or the extent of the investigation in any given situation, may be affected by any number of factors, including whether the complainant is willing to file a complaint or to consent to an investigation, the location where the alleged conduct occurred, and Illinois’ access to information relevant to the alleged or suspected violation of this policy. Illinois is nonetheless committed to investigating all alleged and suspected violations of this policy to the fullest extent possible under the circumstances. Illinois may, upon finding good cause, modify these procedures in the interests of promoting full and fair resolution of suspected or alleged violations of this policy in accordance with applicable law.

A. Informal Resolution
To the extent they feel comfortable, individuals are encouraged to first discuss and seek resolution with the individual(s) against whom the complaint is alleged. Any member of the campus community may consult with the Office of Diversity, Equity, and Access, Staff Human Resources, Academic Human Resources, and the Office of the Dean of Students for advice about conduct that they believe may violate this policy. At any point, an individual may choose to engage the resolution procedures outlined below.

Informal resolutions are designed to operate in an expeditious manner and to empower the parties to reach a mutually satisfactory agreement with the assistance of a neutral third party. The investigator does not make a determination of fact as to whether Illinois policy has been violated as part of the informal resolution process. Instead, the investigator will use conflict resolution techniques to attempt to resolve the concern(s) brought forward in a manner that is
satisfactory to all parties. Informal resolution is flexible and invites active participation of all the parties in order to resolve the matter. Moreover, the investigator will only speak to the individuals whose involvement is necessary to facilitate a resolution. In some instances, this might include only the parties directly involved.

*Informal resolution techniques will not be employed in instances in which sexual misconduct that constitutes sexual assault or sexual violence is alleged.*

1. **Informal Resolution Request**
   The investigator who receives a complaint or request for informal resolution will attempt to resolve concerns by informal or collegial processes, including mediation, if the complaining party seeks such assistance. To request resolution via informal means, individuals must (1) contact the Office of Diversity, Equity, and Access within 180 days following the last occurrence of the behavior or incident of discrimination that is the subject of the informal resolution, and (2) complete an Informal Resolution Request Form. The Informal Resolution Request Form must provide details sufficient to inform the investigator about the behavior or incident of discrimination and the protected category at issue. The investigator will review the request for resolution and determine if the matter is appropriate for informal resolution and whether the allegations set forth in the request form, if substantiated, would constitute a violation of this policy. If not, the investigator will make a referral to an appropriate office.

   If the individual declines to complete the Informal Resolution form, the investigator will either (1) close the matter; or (2) invoke the formal investigation process below if the alleged or suspected misconduct would constitute prohibited discrimination, harassment, or retaliation in violation of this policy.

2. **Informal Resolution Disposition**
   If the investigator determines that the allegations are sufficient to establish a claim of discrimination, harassment, or retaliation, he/she shall initiate the informal resolution process. The investigator will attempt to achieve a mutually acceptable resolution within 30 days from the receipt of the Informal Request Form. Any party may pursue a formal investigation if he or she is dissatisfied with a proposed informal resolution.

   Informal efforts to address the allegations will conclude with one of the following: (1) a resolution of the complaint by agreement of the parties; or (2) a decision to stop further action. Possible resolutions by agreement of the parties may include, but are not limited to: an apology to the initiating party; assisting the responding party to better understand the effects of his or her conduct and ways in which this behavior could be changed; participation in educational programs about equal opportunity or harassment; verbal or written reprimands; or other interventions or actions aimed at ending the alleged misconduct.

   In concluding the informal resolution phase, the investigator shall submit a report to the parties involved in the allegation and the appropriate executive officer if necessary, but not normally to any other campus-level office. Informal resolution reports will usually be brief. Reports prepared by an investigator, and all records collected during the investigation, shall be kept separate from the official personnel files of the parties.
B. Formal Investigation
If a complaint proceeds to a formal investigation or the matter is not appropriate for informal resolution, a prompt, thorough, and impartial investigation is conducted to determine if a violation of this policy occurred. A formal investigation includes interviewing the parties and relevant witnesses, and reviewing written statements, documents, records, and other communications. At the conclusion of the investigation, a determination based on all of the evidence is provided to the appropriate unit executive along with a recommendation for further action if warranted.

1. Investigation Request
If there is no mutually acceptable informal resolution, a request for a formal investigation may be submitted within 14 days of the informal resolution disposition, or the University may invoke the formal investigation process on its own. A request for a formal investigation should be submitted in writing. Individuals are encouraged to provide as much information as possible, including a description of the discriminatory decisions and/or alleged incident(s) of harassment or other actions that form the basis of the complaint, together with relevant date(s), name(s) of the individual alleged to have violated the policy, i.e. Respondent. The complainant should also include the name(s) of any witnesses, if applicable. The complaint should also state which protected categories are involved. Even absent a complaint or investigation request, Illinois will nonetheless investigate suspected violations of this policy to the extent possible and to the extent necessary to comply with applicable law.

2. Investigation Notification
Prompt notification of a complaint will be provided by the Office of Diversity, Equity, and Access to the Respondent(s), to the department head or supervisor, and to the appropriate executive officer by delivery of a copy of the written complaint. The notification to the Respondent(s) will include a copy of any written complaint or a description of any complaint submitted orally, the identity of the Complainant(s), and these Procedures. Delivery by electronic means is appropriate.

The Respondent(s) will be requested to respond in writing to the complaint within a reasonable time, not to exceed 14 days from the date of delivery of the notification of the complaint. Any extension of time must be approved by the Office of Diversity, Equity, and Access. A copy of the Respondent(s)’s response will be provided to the Complainant.

3. Investigation Assurances
Both the Complainant and Respondent will be provided with the following in connection with the investigation of alleged or suspected violations of this policy:

- The opportunity to speak on their own behalf.
- The opportunity to identify witnesses who can provide information about the alleged conduct at issue.
- The opportunity to submit other evidence on their behalf.
- The opportunity to review any information that will be offered by the other party in support of the other party’s position (to the greatest extent possible and consistent with the Family Educational Rights and Privacy Act (“FERPA”) or other applicable law).
• The right to be informed of the outcome of the investigation (to the greatest extent possible and consistent with FERPA or other applicable law).
• The opportunity to appeal the outcome of the investigation.

4. Investigation Disposition
All employees and students have an obligation to cooperate in the conduct of these Procedures. Failure to do so may result in disciplinary action. In the event that a Complainant does not cooperate by failing to furnish information requested by the investigator or to make himself or herself available for interview by the investigator, that may affect the University’s ability to investigate the matter and may result in the complaint being dismissed. The investigator shall provide written notice of the outcome of the investigation to the Complainant(s) and the Respondent(s). In the event that a Respondent does not cooperate by failing to furnish information requested by the investigator or to make himself or herself available for interview by the investigator, the investigator may conclude that such information or interview, if provided or conducted, would be adverse to the Respondent.

The investigator’s findings of fact shall be made using the preponderance of the evidence standard (i.e., more likely than not). Individuals are presumed innocent unless a preponderance of the evidence supports a finding of misconduct. The preponderance of the evidence standard requires that the evidence supporting each finding is more convincing than the evidence offered in opposition to it. If there is evidence that the complaint was filed without a reasonable basis in fact and honest belief, the investigator shall include that evidence in his or her report. Such conduct could constitute a violation of this policy and shall be reported to the appropriate unit executive, in consultation with the Office of Diversity, Equity, and Access, for appropriate action, including possible disciplinary action.

The investigator will prepare a report at the conclusion of the investigation within 60 days from the date the investigator receives the complaint (or as soon as feasible when extensions are necessary to ensure a thorough investigation). The investigator shall submit his or her conclusion and recommendation to the Complainant, the Respondent, and the appropriate unit executive officer(s). The unit executive officer (i.e., department head, dean or director, provost or vice-chancellor, as appropriate), in consultation with Legal Counsel, Academic Human Resources or Staff Human Resources as appropriate, and the Office of Diversity, Equity and Access, shall make his or her decision as to the disposition of the case as soon as possible, but no later than 28 days of the receipt of the investigator’s report (or as soon as feasible when extensions are necessary). This decision shall be in writing and shall include an explanation of the decision. (See Imposition of Sanctions in General Provisions, below.) Copies of the decision will be sent to the Complainant, the Respondent, and other appropriate executive officers, as well as the Office of Diversity, Equity, and Access. The Complainant and Respondent shall be informed of the decision contemporaneously to the greatest extent possible. Illinois may also disclose to the Complainant information about any sanctions or corrective actions taken that relate directly to the complainant (e.g., a “no contact” order).

C. Appeals
This part of the procedure allows either the Complainant or the Respondent to appeal the executive officer’s disposition to the Associate Chancellor for Strategic Affairs.
1. **Appeal filing**
   The Complainant and the Respondent each have the right to appeal the executive officer’s decision to the Associate Chancellor for Strategic Affairs within 14 days of the investigator’s written decision from the formal investigation. This appeal may be based on either substantive or procedural grounds. The appeal must be submitted in writing with all supporting materials attached.

2. **Appeal resolution**
   The Associate Chancellor shall decide the appeal as soon as possible, but no later than 45 days of the final submission of appeal materials (or as soon as feasible when extensions are necessary). The Associate Chancellor’s decision shall be in writing, shall include an explanation, and shall be submitted to the Complainant, the Respondent, the unit executive officer, and the Office of Diversity, Equity, and Access. This written decision on the appeal shall constitute the final administrative action of the university.

D. **Student-on-Student Discrimination or Harassment**
   The Office for Student Conflict Resolution has procedural jurisdiction in instances in which one student accuses another student of engaging in activity that violates this policy. These procedures can be accessed at http://www.conflictresolution.illinois.edu/student_discipline/default.asp or http://www.conflictresolution.illinois.edu/student_discipline/disciplineProcedures.pdf (pdf).

IV. **TITLE IX REPORTING AND PROCEDURES**
   A. **Role of the Lead Title IX Coordinator and Contact Information**
      The Lead Title IX Coordinator is responsible for overseeing all of Illinois’ Title IX compliance efforts, including gender discrimination, sexual harassment, retaliation, sexual assault, and athletics. The Title IX Coordinator coordinates Illinois’ efforts to end the alleged discrimination, prevent its recurrence, and remedy its effects on the victim and the Illinois community.

      The Lead Title IX Coordinator can be reached by contacting the Office of Diversity, Equity, and Access via email at: diversity@illinois.edu, via telephone at (217) 333-0885, or in person by visiting 100 Swanlund Administration Building; 601 E. John Street; Champaign, IL 61820.

   B. **Reporting**
      Individuals alleging a violation of Title IX shall contact the Lead Title IX Coordinator or a Deputy Title IX Coordinator. Deputy Title IX Coordinators are University employees who have been trained and designated by the Lead Title IX Coordinator to receive and investigate allegations of sexual harassment.

      Individuals may also seek guidance from and/or file a complaint with the Office for Civil Rights. See http://www2.ed.gov/about/offices/list/ocr/docs/howto.html for additional information.
C. Procedures

Upon receipt of a Title IX allegation, the Lead Title IX Coordinator shall assign the complaint to a Deputy Title IX Coordinator to investigate the alleged violation. The investigation shall be conducted pursuant to the procedures outlined above.

The Lead Title IX Coordinator shall confer with and/or seek guidance from the Title IX Advisory Committee on matters that he/she deems appropriate.

A student or employee who has experienced a sexual assault or other act of sexual violence may also contact proper law enforcement authorities (e.g., by calling 911), including Illinois police or local police, about possibly filing a criminal complaint. The Lead and Deputy Title IX Coordinators are available to assist students in making contact with appropriate law enforcement authorities upon request. Any pending criminal investigation or criminal proceeding may have some impact on the timing of Illinois’ investigation, but Illinois will commence its own investigation as soon as is practicable under the circumstances. Illinois reserves the right to commence and/or complete its own investigation prior to the completion of any criminal investigation or criminal proceeding.

D. Title IX Advisory Committee

A Title IX Advisory Committee convenes biannually (or more frequently as needed) to review and discuss reported incidents of sexual harassment (including sexual assault and sexual violence) undergo training, identify educational opportunities for the campus, and make policy recommendations. The committee is chaired by the Lead Title IX Coordinator and is comprised of the Deputy Title IX Coordinators and individuals from select Illinois departments.

V. GENERAL PROVISIONS

A. Terminology:

1. Employee is any individual who performs services for the campus or the University in exchange for pay, benefits, or University affiliate status, including but not limited to: tenure and tenure track faculty, adjunct faculty, lecturers, instructors, teaching associates, academic professionals, visiting academic professionals, civil service personnel, extra-help personnel, academic hourly personnel, graduate assistants, pre and postdoctoral fellows, and undergraduate and graduate hourly students.

2. Student includes any person enrolled in a course or program of study at Illinois or another University campus. Student includes but is not limited to persons classified as: undergraduate, graduate, professional, and individuals enrolled in a degree or non-degree granting curriculum.

3. Complainant is the individual(s) alleging a violation of the policies herein.

4. Respondent is the individual(s)/entity (i.e., department, unit, agency) against whom a complaint is filed and/or is the designee for responding to the charge of discrimination or harassment.
5. Deputy Title IX Coordinators are University employees who have been trained and designated by the Lead Title IX Coordinator to receive and investigate allegations of sexual harassment.

B. Administrative Responsibility: The Associate Chancellor will serve as the Lead Title IX Coordinator in the operation of these procedures. To assure consistent assessment and handling of complaints, the Associate Chancellor will have the lead responsibility for overseeing all aspects of this policy. Vice chancellors, deans, directors and department heads will share the responsibility for the effective functioning of these procedures within their units, subject to oversight by the Office of Diversity, Equity, and Access.

When a complaint concerns a University Administration employee, the Office of the President shall be responsible for implementing the procedures described in this policy, and the final decision or concurrence shall rest with the President, or his or her designee, rather than with the Office of Diversity, Equity, and Access.

C. Alteration of procedure: Illinois can unilaterally initiate any and all steps under this policy and procedures when it learns, either directly or indirectly, that discrimination, harassment or retaliation is alleged to be taking or has taken place. The Office of Diversity, Equity, and Access may alter any of the requirements of these procedures, including extending timelines, provided that the alteration does not impair the ability of the complainant to bring a complaint or the respondent to defend himself or herself. Any substantive alterations of these procedures will be communicated to the pertinent parties.

D. Confidentiality: Illinois strives to maintain confidentiality to the greatest extent possible and may require those involved to maintain confidentiality, particularly when confidentiality is required to protect witnesses, prevent evidence from being destroyed, avert a threat that subsequent testimony would be fabricated, or prevent a cover-up. Information will be protected to the extent permitted by law. Complainants are advised, however, that confidentiality can only be respected insofar as it does not interfere with Illinois’ obligation to investigate alleged or suspected violations of this policy and to take corrective action.

E. Conflict of interest: A conflict of interest may arise if a participant, administrator, or investigator has a significant professional or personal involvement with the facts or the parties to a dispute. Any participant, administrator, or investigator who has a conflict of interest in a dispute covered by these procedures, or a concern about a conflict on the part of another, shall report it to the Associate Chancellor. The Associate Chancellor shall decide how to address the situation. If there is a conflict of interest involving the Associate Chancellor, the Chancellor shall decide how to address the situation. If there is a conflict of interest involving the Chancellor, the President shall decide how to address the situation.

F. Interim corrective administrative action: At any time after informal resolution or a complaint has been filed, and before final disposition of the dispute, the Office of Diversity, Equity, and Access may authorize corrective/interim administrative action to protect the best interests of the University. For example, Illinois reserves the right to suspend any member of the Illinois community suspected or accused of violating this policy or to take any other interim measures deemed appropriate, pending the outcome of an investigation or grievance, so long as such action is permitted by and taken in accordance with any other applicable disciplinary
procedures. Other interim measures can include, but are not limited to, removing a student from campus housing or an employee from a particular work environment, modifying work or course schedules, and issuing a “no contact” order. In situations involving suspected or alleged sexual harassment, sexual assault, or sexual violence, Illinois also reserves the right to take steps to protect the complainant as deemed necessary during the pendency of the investigation and resolution process (e.g., allowing for a change in academic situation, issuing a “no contact” order to the accused, etc.). Any such interim steps will be taken in a manner that minimizes the burden on the complainant to the extent possible and in accordance with any other applicable disciplinary procedures.

G. Days: All references to days mean calendar days unless specified otherwise.

H. Exclusivity: Except as otherwise noted above, these procedures are intended to be the exclusive procedures used for all complaints alleging violations of this policy. However, these procedures shall not deprive students or employees of access to other appeal or problem-solving processes on campus, including those offered through their units, the Office for Student Conflict Resolution, the Faculty Advisory Committee or the Professional Advisory Committee, Policy and Rules Non-Academic, and negotiated grievance procedures in collective bargaining agreements.

These procedures may be implemented irrespective of any criminal proceeding or administrative action pursued in accordance with applicable departmental or University policies.

I. Impartiality: Investigators and Deputy Title IX Coordinators do not function as advocates for complainants or respondents. Rather, they are designated to serve as problem solvers, fact finders or investigators as appropriate. Investigators and Deputy Title IX Coordinators will inform complainants and respondents about other campus offices where they may seek support or advocacy.

In cases in which a complainant files his/her complaint with a federal or State agency while his/her complaint is pending with the Office of Diversity, Equity, and Access, the internal complaint may be terminated if it is determined that the Office of Diversity, Equity, and Access’ ability to continue its inquiry or investigation in an impartial manner is compromised.

J. Imposition of sanctions: The imposition of sanctions or discipline, if recommended, will proceed in accordance with Illinois and federal statutes and relevant campus policy, rules and regulations.

K. Records: The reports and other records created or compiled under these procedures are to be generated, distributed and maintained as specified at the different steps. Records are not intended to become part of the official personnel files of the Complainant or the Respondent, although there are circumstances where this may be appropriate. Access to records is to be limited to the disputants and, on a need-to-know basis, to appropriate unit-level or campus-level administrators.

L. Representation: Any party to a dispute may be accompanied by an advisor of choice at any meeting that occurs under these procedures. If any party’s adviser of choice at a meeting is to be an attorney, all participants must be informed at least three working days prior to the meeting. The investigator may request the advice of legal counsel at any time. An advisor or
support person may not, however, stand in place of either the Complainant or the Respondent, or otherwise participate in the process.

M. **Resources:** The following offices are resources for members of the campus community who believe they have been subject to discrimination and harassment: the Office of Diversity, Equity, and Access, Office of the Dean of Students, Office for Student Conflict Resolution, the Lead and Deputy Title IX Coordinators, the ADA/Section 504 Coordinator(s), Graduate College, Staff Human Resources, Academic Human Resources Office, and departmental human resource staff.

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