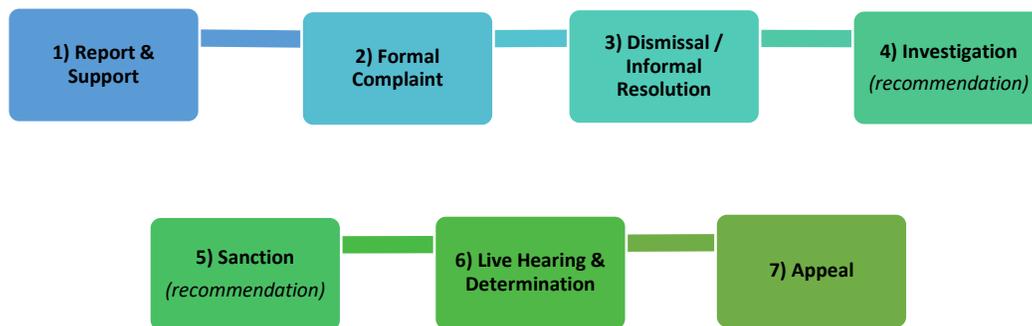


UVU TITLE IX PROCESS

(UVU Policy 162 as of August 7, 2020)



ALL COMPLAINTS MUST HAVE A FORMAL COMPLAINT FORM COMPLETED

<https://www.uvu.edu/equalopportunity/report.html>

- 1) Report & Support – Support and resources are offered to parties, including referrals to counseling services or Victim Advocate, contacting professors for course-related adjustments, campus police safety escort services, off campus resources, etc.
- 2) Formal Complaint – A complaint form is filed and signed by the complainant and submitted to the Title IX Office. A determination is made as to whether the complaint must be handled formally per Policy 162 and/or if a formal complaint is desired by the Complainant to address the complaint of sexual harassment.
- 3) Dismissal / Informal Resolution – If the complaint is not to be handled formally, the Title IX Coordinator will determine if there is cause for dismissal, which only occurs if the incident does not meet the Policy 162 definition of sexual harassment, did not occur during a UVU educational program or activity, or did not occur against a person in the United States. In order to proceed with a formal investigation, the incident(s) must be considered severe, pervasive, and objectively offensive. If the complaint is *not* dismissed, informal options can be offered, which must be agreed upon in writing by both parties. These can include such options such as mediation or providing education to the parties on UVU Policy 162.
- 4) Investigation – A formal investigation will occur if the complaint is not dismissed or resolved informally. Parties may have a support person with them during the formal process. A formal investigation will include impartially interviewing both parties and witnesses, collecting documentary evidence, and preparing a written report of recommended findings as to whether or not a policy violation occurred. All information collected during the investigation are required to be provided to the parties for the Live Hearing.
*Per Policy 162, UVU shall presume the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the process.
- 5) Sanction – The appropriate Sanctioning Official(s) will review the report and recommended findings from the Title IX Investigator and will recommend sanctions and remedies based on the final investigative report. Sanctions can include counseling, written warnings, suspension/expulsion, termination, banning the individual from campus, etc.
- 6) Live Hearing & Determination – A live hearing will occur after the recommended sanctions have been issued. The live hearing will allow *indirect* cross-examination of the parties through each party's advisor. Advisors will be provided if parties do not have one. The Hearing Panel will make a written determination of responsibility and sanctions.
- 7) Appeal – An Appeal regarding the Hearing Panel's determination may be brought by either party if one or more of three conditions for Appeal are met: 1) procedural irregularities, 2) new evidence, or 3) bias on the part of the Title IX Coordinator, Investigators, or Hearing Panel. The Appeal determination is final.