

**MADONNA UNIVERSITY'S TITLE IX POLICY
REGARDING SEX-BASED HARASSMENT AND
MISCONDUCT**

Effective August 1, 2024

**Madonna University’s Title IX Policy
Regarding Sex-Based Harassment and Misconduct**

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I. POLICY STATEMENT

Madonna University (the “University”), is committed to creating and maintaining a safe and non-discriminatory campus community that is free from Sex-Based Harassment and Misconduct¹ and that enables individuals engaged in its Programs or Activities (as defined in Section II below) to participate fully in the scholarly, research, educational, patient care, and service missions of the University. The University does not discriminate on the basis of sex or gender in any of its Programs and Activities.

The University’s *Policy on Sex-Based Harassment and Misconduct* (“Policy”) prohibits the following types of conduct as defined in Section XI below (also referred to collectively as “Prohibited Conduct”):

Sexual and Gender-Based Misconduct (i.e., Sexual Assault; Sexual Exploitation; Sexual Harassment; Gender-Based Harassment; Sex and/or Gender-Based Stalking; Dating Violence; Sex and Gender-Based Discrimination; Retaliation and Violation of Supportive Measures); and

Title IX Misconduct (i.e., *Quid Pro Quo* Sexual Harassment; Severe, Pervasive and Objectively Offensive Sexual Harassment; Sexual Assault; and Sex-Based Dating Violence and Stalking; as defined by and within the scope of Title IX).

The University must define and respond to Title IX Misconduct as required by regulations issued by the U.S. Department of Education to implement Title IX of the Education Amendments of 1972, codified at 34 C.F.R. Part 106 (the “Title IX Regulations”), and amended effective August 1, 2024. The Title IX Regulations allow the University to define and regulate Prohibited Conduct that falls outside the definition of Title IX Misconduct, but which the University is committed to addressing as a matter of University policy and/or as required by other applicable law. Accordingly, the University’s Policy prohibiting Sexual and Gender-Based Misconduct and Title IX Misconduct is consistent with the Title IX Regulations, as well as the University’s mission and commitment to ensuring a safe and non-discriminatory campus community.

Prohibited Conduct undermines the character and purpose of the University and the University will take appropriate prompt and effective action to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. Prohibited Conduct may also constitute crimes that violate federal and state law.

The University adopts this Policy with a commitment to: (1) eliminating, preventing, and addressing the effects of Prohibited Conduct; (2) fostering an environment where all individuals are well-informed and supported in reporting Prohibited Conduct; (3) providing a fair and impartial process for all parties; and (4) identifying the procedures by which violations of this Policy will be evaluated. Employees, Students, or Third Parties (as defined in Section II below) who violate this Policy may face, as appropriate, disciplinary action up to and including termination, expulsion, or other actions.

¹ Terms defined in Section II below are capitalized throughout the Policy.

It is the responsibility of every member of the University Community to foster an environment free of Prohibited Conduct. All members of the University Community are encouraged to take reasonable and prudent actions to prevent or stop such behavior.

This Policy sets forth how the University will proceed once it is made aware of possible Prohibited Conduct. The Policy is in keeping with our institutional values and is intended to meet our obligations under Title VII of the Civil Rights Act of 1964 (“Title VII”); Title IX of the Education Amendments of 1972 (“Title IX”) and regulations promulgated thereunder in 2024; the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”), as amended by the Violence Against Women Reauthorization Act of 2013 (“VAWA”), with respect to its application to Prohibited Conduct; and other applicable law and regulations.

II. POLICY DEFINITIONS

For purposes of this Policy, some key terms are defined below. Additional terms are defined within the text of the Policy.

- A. **Complaint:** an oral or written request to the recipient that objectively can be understood as a request for the recipient to investigate and make a determination about alleged discrimination under Title IX.
- B. **Complainant:** “Complainant” means (1) A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or this part; or (2) A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or this part and who was participating or attempting to participate in the recipient's education program or activity at the time of the alleged sex discrimination. For ease of reference, “Complainant” will also be used throughout this Policy and related procedures to refer generally to an individual who is reported to have experienced Prohibited Conduct, even if they do not participate in any related process.
- C. **Confidential Employee:** (1) an employee of the University whose communications are privileged or confidential under federal or state law. The employee’s confidential status is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies; (2) an employee of the University whom the University has designated as confidential for the purpose of providing services to persons related to sex discrimination. The employee’s confidential status is only with respect to information received about sex discrimination in connection with providing those services.
- D. **Confidential Resources:** “Confidential Resources” are available to provide individuals with assistance, support, and additional information and are prohibited from disclosing confidential information unless: (1) given permission by the

person who disclosed the information; (2) there is an imminent threat of harm to self or others; (3) the conduct involves suspected abuse of a minor under the age of 18; or (4) as otherwise required or permitted by law or court order. Confidential Resources may be required to report non-identifying information for crime reporting purposes.

- E. Disciplinary Sanctions:** consequences imposed on a Respondent following a determination under Title IX that the Respondent violated the University's prohibition on sex discrimination.
- F. Madonna University Department of Campus Safety:** Madonna University Department of Public Safety or "Public Safety" refers to Madonna's on-campus public safety, including third parties acting as such pursuant to a contract with the University.
- G. Employee:** "Employee" means all faculty (i.e., regular instructional, adjunct, and visiting faculty), librarians, graduate student instructors, human resource personnel, admissions personnel, and all regular and temporary staff.
- H. Remedies:** Measures provided, as appropriate, to a complainant or any other person the University identified as having their equal access to the University's education program or activity limited or denied by sex discrimination. These measure are provided to restore or preserve that person's access to the University's education program or activity after a University determines that sex discrimination occurred.
- I. Reporting Obligations:** Members of the University community who believe that a Title IX violation may have occurred, should report their concerns to and/or file a report with the Title IX Coordinator.
- J. Education Program or Activity:** This Policy applies to Prohibited Conduct in any University Program or Activity. A University "Program or Activity" includes: (1) any location, event, or circumstance where the University exercises substantial control over both the Respondent and the context in which the conduct occurs; (2) any building owned or controlled by a student organization recognized by the University; and (3) on the University campus. Alleged conduct that occurs outside of the United States in connection with a University Program may not invoke Title IX, unless or until the conduct continues in the United States, or its impact continues in the United States. Conduct that occurs off campus in locations or at events with no connection to the University is unlikely to occur in a Program or Activity of the University.
- K. Pregnancy or related conditions means:**
 - 1. Pregnancy, childbirth, termination of pregnancy, or lactation;
 - 2. Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or

3. Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

- L. Prohibited Conduct:** “Prohibited Conduct” refers to Sexual and Gender-Based Misconduct (Sexual Assault; Sexual Exploitation; Sexual Harassment; Gender-Based Harassment; Sex and/or Gender-Based Stalking; Intimate Partner Violence; Sex and Gender-Based Discrimination; Retaliation and Violation of Supportive Measures) and Title IX Misconduct (i.e., *Quid Pro Quo* Sexual Harassment; Severe, Pervasive and Objectively Offensive Sexual Harassment; Sexual Assault, and Sex-Based Intimate Partner Violence and Stalking; as defined by and within the scope of Title IX). For a definition of each type of Prohibited Conduct, please see below.
- M. Protected Activity:** “Protected Activity” includes most elements of participation in the University’s processes related to this Policy, including but not limited to reporting Prohibited Conduct; pursuing a resolution of Prohibited Conduct; providing evidence in any investigation or hearing; or intervening to protect others who may have experienced Prohibited Conduct. Retaliation against any person because of Protected Activity is prohibited under this Policy, as discussed in Section XI (B)(8).
- N. Reasonable Person:** “Reasonable Person” means a person using average care, intelligence, and judgment in the known circumstances.
- O. Respondent:** “Respondent” is an individual who is reported to have engaged in conduct that could constitute Prohibited Conduct.
- P. Student:** “Student” generally means an individual who was selected “for part-time, full-time, special, associate, transfer, exchange, or any other enrollment, membership, or matriculation in or at a Program or Activity operated by the University.” An individual is a Student from the time they first register for classes or attend on-campus Student orientation until degree conferral, or they are otherwise ineligible to register for courses without seeking readmission. For purposes of Title IX Misconduct as defined in Section XI (C)(1) below, “Student” also means an individual who, for the purpose of obtaining education, is participating in a University Program or Activity.
- Q. Supportive Measures:** “Supportive Measures” means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:
- (1) Restore or preserve that party's access to the recipient's education program or activity, including measures that are designed to protect the safety of the parties or the recipient's educational environment; or

(2) Provide support during the Recipient's grievance procedures or during the informal resolution process.

- R. Third Party:** “Third Party” refers to any other participant in the process, including a witness to the incident or an individual who makes a Report on behalf of someone else.
- S. University Community:** “University Community” refers to University Students and Employees.

III. POLICY SCOPE AND APPLICABILITY

This Policy applies to Students, Employees, and to the extent noted below, Third Parties. This Policy covers two general types of Prohibited Conduct: Sexual and Gender-Based Misconduct and Title IX Misconduct.

This Policy covers acts of Sexual and Gender-Based Misconduct (as defined in Section XI (B) below) committed by or against Students, Employees, and Third Parties when the Prohibited Conduct occurs as part of the Education Program or Activity as defined above.

This Policy supersedes any conflicting information in any other University policies, including in handbooks, with respect to the definitions or procedures relating to Prohibited Conduct.

IV. APPLICABLE PROCEDURES UNDER THIS POLICY

The specific procedures for assessing, reviewing and resolving Prohibited Conduct depend upon the nature of the Respondent’s relationship to the University, and when a Respondent is an Employee or a Third Party, on the type of Prohibited Conduct at issue.

The Respondent is a Student:

If the Respondent is a Student and the alleged conduct would constitute Title IX Misconduct, the University will work with the Title IX Coordinator and the appropriate Student Affairs officer, if necessary.

If the Respondent is a Student and the alleged conduct would constitute conduct that does not fall under Title IX Misconduct, the University will work with the appropriate Student Affairs officer or their designee, if necessary.

The Respondent is an Employee:

If the Respondent is an Employee and the alleged conduct would constitute Title IX Misconduct, the University will work with the Title IX Coordinator and the Department of Human Resources. If the conduct would not constitute Title IX Misconduct, but may be a violation of another University policy, the University will work with the Department of Human resources.

The Respondent is *both* a Student and an Employee:

The Title IX Coordinator will determine whether Student or Employee Procedures apply based upon the facts and circumstances, and whether those circumstances relate more closely to the Respondent's status as a Student or an Employee and whether the conduct falls under Title IX Misconduct or some other University policy.

The Respondent is a Third Party:

The University's ability to take appropriate corrective action against a Third Party will be determined by the nature of the Third Party's relationship to the University. Complaints against Third Parties are addressed through either the Title IX Coordinator, Department of Human Resources, Public Safety or Student Affairs, as determined by the Title IX Coordinator.

When the University receives a report of behavior that could violate this Policy as well as other University policies, the University will determine which policy/ies and procedures apply and whether action will be taken under this Policy exclusively, or under multiple policies and/or procedures of the University. In the event that at the time of a report or the conclusion of an investigation it becomes apparent that the alleged conduct, if true, would not constitute Prohibited Conduct, the matter may be adjudicated under another applicable policy or procedure of the University.

V. CONFIDENTIAL AND NON-CONFIDENTIAL RESOURCES

Supportive resources are available at the University. Some of these resources are designated as confidential. Other resources provide support but may need to involve Public Safety, the local police department or other third parties. Regardless of whether the University determines that Prohibited Conduct occurred, the University will offer resources or assistance to Complainants, Respondents, witnesses, and other affected University Community members after receiving notice of alleged Prohibited Conduct. The University will also assist those individuals in identifying and contacting external law enforcement agencies and community resources.

A. Confidential Resources

Confidential Resources are available to provide individuals with assistance, support, and additional information and are prohibited from disclosing confidential

information unless: (1) given permission by the person who disclosed the information; (2) there is an imminent threat of harm to self or others; (3) the conduct involves suspected abuse of a minor under the age of 18; or (4) as otherwise required or permitted by law or court order. Confidential Resources may be required to report non-identifying information to Public Safety for crime reporting purposes.

- For Students:
Madonna University Counseling and Wellness
734-432-5639

Ulliance Student Assistance Program
24/7/365 Crisis & Support
1-855-774-4700

- For Students and Faculty/Staff:
Haven - 24-HR CRISIS & SUPPORT
248-334-1274

First Step
24-HR Crisis & Support
734-722-6800

- For Faculty/Staff:
Ulliance Employee Assistance Program
24/7/365 Crisis & Support
1-800-448-8326

B. Non-Confidential Resources

Non-Confidential Resources are available to provide individuals with assistance, support, and additional information, but who are not designated as confidential and may have broader obligations to report information that is shared with them. Non-Confidential Resources will make reasonable efforts to respect and safeguard the privacy of the individuals involved. Privacy means that concerns about Prohibited Conduct will only be shared with University representatives, such as the Title IX Coordinator, responsible for assessment, investigation, or resolution of the report or otherwise properly responding to issues raised; to Public Safety for crime statistics reporting; and to the extent required by law or court order.

- Madonna University Campus Safety
734-432-5442
- Wayne County Prosecutor – Sex Crimes
Kellie Gleason

Chief, Special Victims Unit – 313-224-5809

- Livonia Police Department
(734) 466-2470

VI. REPORTING

The University strongly encourages any individual to make a report of suspected Prohibited Conduct directly to the Title IX Coordinator or Public Safety.

Recognizing that some forms of Prohibited Conduct may also constitute crimes, the University also strongly encourages any individual who experiences, witnesses, or learns of possible criminal conduct to report to Public Safety or local law enforcement. Prompt reporting allows law enforcement to collect and preserve evidence.

Set forth below is information regarding how to make a report of any form of Prohibited Conduct to the University, how to file a Complaint, and how to report to DPSS:

A. Reporting to the University

1. Contact the Title IX Coordinator

a. How to Make Reports of Prohibited Conduct

Reports of Prohibited Conduct, whether Sexual and Gender-Based Misconduct or Title IX Misconduct, should be made to the Title IX Coordinator. Making a report means informing the Title IX Coordinator about the suspected Prohibited Conduct.

Individuals may also contact the Title IX Coordinator to ask about this Policy and related procedures, or to otherwise inquire about the University's responses to Prohibited Conduct in its Programs and Activities.

The Title IX Coordinator can be contacted by telephone or in person or by email. Contact information is as follows:

Jesus Hernandez
Title IX Coordinator
Room 1103
(734) 432-5656
titleix@madonna.edu

2. Non-Confidential Resources Reporting Obligations

Individuals who are designated by the University as Individuals with Reporting Obligations (see Section VII) are obligated to report to the Title IX Coordinator any information they learn about Prohibited Conduct, as discussed in more detail below. Individuals with Reporting Obligations should not attempt to determine whether the behavior at issue constitutes Prohibited Conduct; instead, they must report all information about potential Prohibited Conduct to the Title IX Coordinator who will determine how to most appropriately handle the report.

B. Receipt by the University of Reports of Prohibited Conduct

Any individual may report Prohibited Conduct. It is not necessary for a reporting party or Complainant to determine in advance whether the behavior at issue meets the definition of Prohibited Conduct. Upon receipt of a report, the Title IX Coordinator will undertake a continuing assessment to determine the form of Prohibited Conduct at issue and, in cases involving Employees and/or Third Parties, which procedures are applicable.²

When the Title IX Coordinator receives a report of Prohibited Conduct, the Title IX Coordinator will in all cases where the Complainant is identified, contact the Complainant to: (1) discuss the availability of Supportive Measures; (2) ask about the Complainant's wishes with respect to Supportive Measures; (3) inform the Complainant of the availability of Supportive Measures with or without the filing of a Complaint, and (4) explain how to file a Formal Complaint.

The process for filing a Complaint is described in greater detail in Section VIII, but a Complaint may be filed by a Complainant when a report is made or at another time thereafter, and may be filed with respect to conduct that constitutes Sexual and Gender-Based Misconduct or Title IX Misconduct. In some cases, as explained in further detail in Section VIII, the Title IX Coordinator may file a Complaint even where the Complainant has not decided to do so.

C. Additional Information about Reporting

Time Frame for Reporting an Incident to the University

The University strongly encourages individuals to report possible Prohibited Conduct promptly. To promote timely and effective review and appropriate corrective action (when applicable), the University encourages individuals to report possible Prohibited Conduct within 180 calendar days. Although the University does not limit the time for reporting Prohibited Conduct, it may be more difficult

² Consistent with Title IX and applicable law, the University uses the same procedures for all Prohibited Conduct allegations involving Student Respondents. In cases involving Employee Respondents, the University uses one of two procedures, both of which are designed to comply with applicable law while also promoting procedural efficiency and, to the extent practicable, consistency with other University policies, practices and procedures.

for the University to gather relevant and reliable evidence or to take corrective action regarding conduct that is reported to have occurred relatively long ago.

If the Respondent is no longer a Student, Employee, or a person who is participating or attempting to participate in any University Program or Activity at the time of the report, and/or if the reported conduct does not fall within the definition of Prohibited Conduct, the University's ability to take action against the Respondent under the Policy may be limited. The University will, however, help a Complainant identify other options outside the University, such as local law enforcement, and provide support and resources.

VII. INDIVIDUALS WITH REPORTING OBLIGATIONS

Individuals with Reporting Obligations ("IROs") are required as set forth below to share with the Title IX Coordinator details they receive about Prohibited Conduct as soon as possible and within 48 hours of learning of those details to the extent possible. IROs must provide their name, title, and contact information when making their report and can do so by contacting the Title IX Coordinator as set forth above. Failure by an IRO to promptly share with the Title IX Coordinator all details they receive about Prohibited Conduct may subject them to appropriate discipline, up to and including termination of employment, in accordance with an applicable University process.

The positions identified in the list below are IROs. IROs denoted with an asterisk (*) are officials of the University who have the authority to institute corrective measures on behalf of the University. IROs who have the authority to institute corrective measures on behalf of the University, have broader reporting responsibilities and are required to report all information about Prohibited Conduct that they receive, regardless of how and when they learned of the information, e.g., whether the information was shared with them in the scope of their employment or in some other capacity, including if they learned during a classroom or research activity, awareness event, or other exempt disclosures as outlined below. IROs that are not denoted with an asterisk (*) are not obligated to report matters that arise outside of the scope of their employment as outlined below.

The following IROs are required to report to the Title IX Coordinator information about Prohibited Conduct:

Administrators

- Board of Trustees*;
- President*;
- Executive Council*;
- Cabinet Members*;
- Academic Council*;

- Department Chairs;
- Those serving in associate and assistant Department Chair roles; graduate chairs, and undergraduate chairs; and
- Academic and staff supervisors (i.e., employees who have authority to hire, transfer, suspend, layoff, recall, promote, discharge, reward, or discipline other employees).

Student Life

- All staff members (including any individual, whether an Employee or not, who serves as a coach of a club or sports team), excluding clerical, custodial, maintenance, and dining employees; and
- Resident-Advisors in Housing.

Athletics

- Athletic Director and Head Coaches for Athletics*; and
- All athletics staff members, excluding clerical, custodial, maintenance, and dining employees.

Department of Public Safety

- All staff members, excluding clerical, custodial, and maintenance employees.

Other

- All human resource staff members (central, school, college, division, and/or unit) who are responsible for handling employment issues, excluding clerical and transactional employees;
- All faculty and staff members who provide direct oversight of University-related travel abroad experiences for students, including University-sponsored study abroad, research, fieldwork, or internship programs;
- All faculty and staff members who accompany students on University-related travel abroad; or
- Faculty and staff serving as identified advisers to student organizations.

Except for IROs in those positions delineated with an asterisk (*) above, IROs are not required to report to the Title IX Coordinator when incidents of Prohibited Conduct are communicated/disclosed during a classroom discussion, in an assignment for a class and in discussions outside of class time (e.g., during office hours related to the assignment), or as part of a research project directly associated with the class, even when such disclosure would otherwise be considered within the scope of the IRO's employment.

In addition to being designated as an IRO, an individual may also have reporting obligations under the Clery Act as a Campus Security Authority (“CSA”). Pursuant to the Clery Act, the University includes statistics about certain offenses in its annual security report and provides those statistics to the United States Department of Education, but does so in an anonymized manner that does not include the specifics of the crime or any identifying information about persons involved in an incident. For more information about who is a CSA, please refer to the Department of Public Safety website.

VIII. COMPLAINTS

When the Title IX Coordinator receives a report of Prohibited Conduct, he will in all cases contact the Complainant, if their identity is known, and explain the process for making a Complaint. When a Complaint is made, the Title IX Coordinator will evaluate it for a number of things, including whether the Complainant is participating in or attempting to participate in a Program or Activity.

The Title IX Coordinator has discretion to file a Complaint even if the Complainant chooses not to, and even if the Complainant chooses not to participate in a University resolution process. Where the Title IX Coordinator files a Complaint, the Title IX Coordinator is not a Complainant or otherwise a party to a formal or informal resolution process.

After a Complaint has been made or filed by the Complainant or the Title IX Coordinator, the University will commence the appropriate resolution process.

IX. SUPPORTIVE MEASURES

Supportive measures are individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

(1) Restore or preserve that party's access to the recipient's education program or activity, including measures that are designed to protect the safety of the parties or the recipient's educational environment; or

2) Provide support during the recipient's grievance procedures or during the informal resolution process.

Supportive Measures are available regardless of whether the matter is reported to the University for the purpose of initiating a proceeding under this Policy and before, after, and regardless of whether a Complaint is filed. A Complainant who requests Supportive Measures has the right to file a Complaint, either at the time the Supportive Measure is requested or at a later date. Any Complainant who requests Supportive Measures will be informed in writing of their right to simultaneously or subsequently file a Complaint under this Policy.

When the Title IX Coordinator receives a report of possible Prohibited Conduct, they will contact the Complainant to (1) discuss the availability of Supportive Measures; and (2) explain that

Supportive Measures are available with or without filing a Complaint. When the report involves a University Employee, the Title IX Coordinator will also explain the University's obligation to investigate or otherwise respond to the report.

An individual may choose to request Supportive Measures from a Confidential Resource, listed below, regardless of whether any complaint is filed with the Title IX Coordinator or law enforcement. If Supportive Measures are provided through a Confidential Resource, this action will not prompt any other University response.

Supportive Measures may also be requested by and made available to Respondents, witnesses, and other affected members of the University Community.

To determine the appropriate Supportive Measure(s) to be implemented, the University conducts an individualized assessment based on the facts and circumstances of a situation. Supportive Measures will not be disciplinary or punitive in nature and will not unreasonably burden, or unreasonably interfere with the University Program or Activity pursuits of the other party. Whether a possible Supportive Measure would unreasonably burden the other party is a fact-specific determination that takes into account the nature of the programs, activities, opportunities, and benefits in which an individual is participating.

Examples of Supportive Measures include:

- Academic support services and accommodations, including the ability to reschedule classes, exams and assignments; transfer course sections; modify an academic schedule (typically to separate the Complainant and the Respondent) or withdraw from courses;
- Work schedule or job assignment modifications (for University Employees);
- Changes in work or housing location;
- An escort to ensure safe movement on campus;
- On-campus counseling services and/or assistance in connecting to community-based counseling services;
- Assistance in connecting to community-based medical services;
- Mutual restrictions on contact or communication between the parties, although one-way restrictions may be appropriate to help enforce a preliminary injunction, restraining order, or other order of protection issued by a court, or in other special circumstances;
- Temporarily limiting an individual's access to certain University facilities or activities;
- Information about and/or assistance with obtaining personal protection orders;
- Leaves of absence;
- Increased monitoring and security of certain areas of the campus;

- Reassignment of Patient to another physician; or
- Any combination of these measures.

The University will maintain Supportive Measures provided to the Complainant or Respondent as confidential to the extent that maintaining such confidentiality would not impair the University's ability to provide the Supportive Measures.

X. EMERGENCY REMOVAL AND ADMINISTRATIVE LEAVE

The University may enact an emergency removal of Students, Third Parties and administrative leave or suspension for Employees where appropriate for the health and safety of the University Community.

XI. PROHIBITED CONDUCT

Prohibited Conduct under this Policy is detailed below.

Whether someone has engaged in Prohibited Conduct under this Policy will be assessed under a Reasonable Person standard, as defined above in Section II.

1. Sex-Based Harassment

- A. Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:
- (1) Quid pro quo harassment. An employee, agent, or other person authorized by the University to provide an aid, benefit, or service under the University's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
 - (2) Hostile environment harassment. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the University's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 - (i) The degree to which the conduct affected the complainant's ability to access the University's education program or activity;
 - (ii) The type, frequency, and duration of the conduct;
 - (iii) The parties' ages, roles within the University's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 - (iv) The location of the conduct and the context in which the conduct occurred;
 - (v) Other sex-based harassment in the University's education program or activity;
 - or (3) Specific offenses.

(i) Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation; Sex offenses are generally defined as any sexual act including rape, sodomy, sexual Assault with an object, or fondling directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent; also unlawful sexual intercourse. Consent means a knowing, voluntary and affirmatively communicated willingness to participate in a particular sexual activity or behavior.

(ii) Dating violence meaning violence committed by a person:

(A) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) Where the existence of such a relationship shall be determined based on a consideration of the following factors:

(1) The length of the relationship;

(2) The type of relationship; and

(3) The frequency of interaction between the persons involved in the relationship;

(iii) Domestic violence meaning felony or misdemeanor crimes committed by a person who:

(A) Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the recipient, or a person similarly situated to a spouse of the victim;

(B) Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;

(C) Shares a child in common with the victim; or

(D) Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction; or

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

(A) Fear for the person's safety or the safety of others; or

(B) Suffer substantial emotional distress.

2. Retaliation

Retaliation means intimidation, threats, coercion, or discrimination against any person by the recipient, a student, or an employee or other person authorized by the recipient to provide aid, benefit, or service under the recipient's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX, including in an informal resolution process, in grievance procedures, and in any other actions taken by a recipient under § 106.44(f)(1). Nothing

in this definition or this part precludes a recipient from requiring an employee or other person authorized by a recipient to provide aid, benefit, or service under the recipient's education program or activity to participate as a witness in, or otherwise assist with, an investigation, proceeding, or hearing under this part.

3. Violation of Supportive Measures

Supportive Measures are discussed in more detail in Section IX. Failure to comply with Supportive Measures as required is a separate and independent violation of this Policy.

XII. INVESTIGATION AND RESOLUTION PROCESSES WHEN THE RESPONDENT IS A STUDENT

This Section describes the University's investigation and resolution processes for cases in which the Respondent is a Student and in which the conduct alleged falls within this Policy.

A. Informal Resolution

For Complaints with a student Respondent, at the discretion of the Title IX Coordinator, the parties may opt to pursue an Informal Resolution as an alternative to a Resolution Hearing. An Informal Resolution involves a remedies-based, non-judicial process designed to eliminate or address potential sexual misconduct. This process aims to assure fairness, to facilitate communication, and to maintain an equitable balance of power between the parties. The University will not compel face-to-face confrontation between the parties or participation in any particular form of Informal Resolution. The Title IX Coordinator will make an initial decision about whether a case qualifies for an Informal Resolution, and if both parties then agree to pursue that path, the University will halt any investigation or scheduled Resolution Hearing so that the parties can explore the possibility of Informal Resolution. The facilitator for the Informal Resolution process cannot be the same person as the investigator decisionmaker in the University's grievance procedures. Participation in an Informal Resolution is voluntary, and either party can request to end the Informal Resolution conference at any time and return the investigation or proceeding to its pre-conference status. If the parties agree to a resolution during an Informal Resolution process, the Title IX Coordinator will oversee its implementation, the Complaint will be deemed withdrawn, and the matter will be terminated. However, the resolution will be considered binding, and its breach would give rise to a new Complaint, which may restart the investigation and/or Resolution Hearing process. **Investigation**

The University will investigate all complaints of sexual misconduct reported to the Title IX Coordinator. The investigation and adjudication procedures (if needed) will be prompt, fair, and impartial. The process typically will begin with intake meetings conducted by the Title IX Coordinator.

The Title IX Coordinator or his/her designee will conduct an initial review of the Complaint. If the Complaint demonstrates that the case implicates the University's Title IX obligations to provide a safe and nondiscriminatory environment for the broader

University Community, the Title IX Coordinator will initiate an investigation. If the Title IX Coordinator determines that the Complaint does not implicate the University's Title IX obligations, then the Title IX Coordinator will be authorized to close the matter. If the matter may involve another policy violation, the Title IX Coordinator will refer it to the appropriate Department overseeing that policy. If the Respondent is no longer a student or employee of the University, or if Complainant withdraws her Complaint, the University, through its Title IX Coordinator, may also close the matter.

For Complaints which will move forward under the Title IX process, the Title IX Coordinator will appoint an Investigator to handle the investigation. This Investigator will be a different person than the Title IX Coordinator. Following the investigation, the Investigator will draft an investigation report succinctly describing all collected information. Prior to completion of the investigative report, the University will send to each party, and the party's adviser if any, a preliminary investigative report and the relevant evidence subject to inspection and review. The relevant evidence will be available at any hearing, to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross examination. The University retains discretion to elect to send such materials in an electronic format or a hard copy. The provision of such evidence may include data security safeguards that prevent it from being downloaded, printed or forwarded. The parties will have ten (10) days to submit a written response to the preliminary investigative report no later than 5 pm on the tenth (10th) day following the date the parties receive the evidence. Requests for extensions must be submitted to the Investigator prior to the expiration of the ten (10)-day period. The Investigator will consider any such response prior to completion of the final investigative report. The Investigator will then create a final investigative report that fairly summarizes the relevant evidence, typically within 90 business days of the date the Respondent received notice of the investigation. The final investigative report will not make any recommendation as to whether a Protocol violation has occurred or potential sanctions.

At least ten (10) days prior to a hearing, the University will send the final investigative report to each party, and the party's Adviser if any, for their review and written response. Any such response must be received by the Title IX Coordinator within five days of when the final investigative report was delivered to the party, so that the party's response may be available for consideration by the Adjudicator. If warranted, the Investigator may choose to update the final investigative report to take a party's response into account, in which case the hearing date may be postponed. The Investigator will not make any recommendation as to whether a Policy violation has occurred or potential sanctions. Depending on how the Complaint proceeds, the investigation report and other materials related to the investigation may be presented at a Resolution Hearing and/or may be presented during an Informal Resolution process. The University will make reasonable efforts to balance and protect the rights of the parties during any investigation commenced under this Policy. The University will respect the privacy of the parties and any witnesses in a manner consistent with The University's obligations to investigate the alleged incident and take appropriate interim and/or corrective action. The Title IX Coordinator or their designee will keep the parties reasonably informed of the status of the investigation. Both Complainants and Respondents may utilize Advisers at any hearing. Advisers are not permitted to directly participate in Resolution Hearings or Informal Resolution

conferences; they may be present solely to advise or support the party and are prohibited from speaking directly to the Investigator, the Hearing Officer, other parties, or witnesses other than to cross-examine during a hearing.

B. Title IX Hearing

If a Complaint is processed as a potential violation of the Title IX Policy, the Complaint will proceed to a Hearing. If the complaint does not involve Title IX Misconduct and involves an allegation under another University Policy, a Hearing will not be held. In such an instance the Investigator shall be asked to make findings of fact relative to the allegations and the matter may be resolved and finalized under the particular policy and contractual provisions.

A Resolution Hearing is the University's disciplinary proceeding through which a Hearing Officer evaluates evidence related to a Complaint to determine whether a Student Respondent is responsible or not responsible for a violation of the Title IX Policy, based on the criteria of "a preponderance of evidence." Under this standard, the burden of proof is met and a Respondent may be found responsible for a Title IX Policy violation if the Hearing Officer determines that it is more likely than not that the Respondent committed the violation. If the Respondent is found in violation of the Policy, the Respondent may be subjected to disciplinary action.. Cases will be adjudicated by a trained third-party Adjudicator. Respondents are entitled to, and will receive the benefit of, a presumption that they are not responsible for the alleged conduct until the grievance process concludes and a determination regarding responsibility is issued. If the Respondent is found responsible for a violation of this Policy, the Respondent may be subjected to disciplinary action.

At the request of either party, the University will conduct the live hearing with the parties located in separate rooms. Technology must enable the Hearing Officer and parties to simultaneously see and hear the party or witness answering questions. Live hearings may, then, be conducted with all parties physically present in the same location, or any or all parties, witnesses and other participants may appear at the live hearing virtually. The University will create a transcript or recording (audio or audiovisual) of any adjudicative hearing. It will be available to the parties for inspection and review in accordance with the requirements of FERPA. The Title IX Coordinator will identify the Hearing Officer to the parties five days in advance of the hearing. Either party may challenge a Hearing Officer if believed to have a conflict of interest or bias. A challenge must be delivered in writing to the Title IX Coordinator at least two days in advance of the hearing, specifying the reasons for such belief. The Title IX Coordinator has sole discretion to keep or replace the challenged Adjudicator, and if replaced, will postpone the hearing to allow for a replacement Adjudicator. Five days in advance of the hearing, the parties will identify their Adviser and their expected witnesses (including themselves), including the witnesses' expected sequence, via writing to the Title IX Coordinator, who will supply the disclosure to the other party. The parties will not be strictly bound to their disclosures, but they should be submitted in good faith. Typically, the parties will be in charge of choosing and supplying their own witnesses at the hearing. When necessary for the pursuit of truth and to gather evidence sufficient to reach a determination, the Hearing Officer has discretion to ask the Title IX Coordinator to request additional witnesses after receipt of the parties'

witness lists; recognizing, however, that the University generally has no ability to compel any witness to attend. Any such requested witness will be disclosed to the parties. The University may, within its discretion, require the parties to participate in a pre-hearing conference with their Advisers and the Adjudicator. At the hearing, all relevant evidence will be objectively evaluated. Relevant evidence is any evidence that may tend to make the allegations at issue more or less likely to be true. i.e., “inculpatory” or corroborating evidence and “exculpatory” or contradicting evidence. Credibility determinations will not be based on a person’s status as a Complainant, Respondent, or witness. Questions and evidence about the Complainant’s sexual predisposition or prior sexual behavior are not relevant, unless: (1) offered to prove that someone other than the Respondent committed the conduct alleged; or (2) if the questions and evidence concern specific incidents of the Complainant’s prior sexual behavior with respect to the Respondent and are offered to prove consent. While all relevant evidence presented at a hearing by the parties will be considered, the Hearing Officer has discretion to grant lesser weight to last-minute information or evidence introduced at the hearing that was not previously presented for investigation by the Investigator. Each party may be accompanied to the hearing by the Adviser of their choice, who may be, but is not required to be, an attorney. Advisers may be present solely to advise or support the party and are prohibited from speaking directly to the Investigator, Adjudicators, other parties, or witnesses during the hearing, except for conducting cross examination. At the hearing, the Adjudicator will typically ask questions first, before either Adviser. Subsequently, each party’s Adviser is permitted to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Cross examination at the live hearing must be conducted directly, orally, and in real time by the party’s Adviser of choice, and never by a party personally. If a party does not have an Adviser present at the live hearing, The University will provide without fee or charge to that party, an Adviser who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party. If a party does not have an Adviser for the hearing, the party must notify the Title IX Coordinator no later than the party’s pre-hearing disclosures. Otherwise, the hearing may be delayed, and the appointed Adviser may have less time to prepare for the hearing. The University will make available a trained Adviser for each party. Only relevant cross-examination and other questions may be asked of a party or witness. Before a party or witness answers a cross-examination or other question, the Hearing Officer must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Hearing Officer will issue a written determination, typically within 15 days following the hearing. Based on a preponderance of the evidence, the Adjudicator will decide if the Respondent is responsible for engaging in the conduct alleged, and if so, what disciplinary action may be appropriate. The written determination will include:

- Identification of the allegations potentially constituting sexual harassment under this Policy;
- A description of the procedural steps taken from the receipt of the Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;

- Findings of fact supporting the determination;
- Conclusions regarding the application of this Policy to the facts;
- A statement of, and rationale for, the result as to each allegation, including:
 - o A determination regarding responsibility;
 - o Any disciplinary sanctions the Adjudicator imposes on the Respondent; and
 - o Whether remedies designed to restore or preserve equal access to The University’s education program or activity will be provided to the Complainant; and
- Procedures and permissible bases for the parties to appeal the determination. The written determination will be provided to the parties simultaneously. Supportive Measures also may be provided to the Complainant that are designed to restore or preserve equal access to The University’s education program or activity, even if they are not listed in the written determination. Remedies and Supportive Measures that do not impact the Respondent should not be disclosed in the written determination; rather, the determination should simply indicate that “remedies will be provided to the Complainant.” The Title IX Coordinator is responsible for effective implementation of any remedies and Supportive Measures.

Range of Sanctions and Remedies

- Expulsion
- Suspension
- Disciplinary Probation
- Deferred Disciplinary Probation

C. Appeals

Appeals for Title IX Misconduct can only be raised on one or more of the following grounds: (1) a procedural irregularity that affected the outcome of the matter; (2) new evidence that was not reasonably available to the appealing party before or during the time of the hearing and that could alter the decision; (3) the Title IX Coordinator, Investigator, or Adjudicator(s) had a conflict of interest or bias for or against complainants or respondents generally or against the appealing party individually that affected the outcome of the matter. Either Complainant or Respondent may appeal any Hearing Officer decision. Appeals must be submitted in writing to the Title IX Coordinator within 10 days of the date that the written adjudication determination is provided to the parties. The written appeal must state the ground(s) for the appeal, include the name of the appealing party, and bear evidence that it was submitted by the appealing party. The appeal statement must contain a sufficient description supporting the grounds for appeal. If the grounds for appeal is to

consider new evidence that could affect the outcome of the matter that was not reasonably available to the appealing party before or during the time of the hearing or the dismissal, then the written appeal must include such information. If the grounds for appeal is an allegation of conflict of interest or bias, the notice of appeal must describe with specificity the basis upon which such conflict of interest or bias is alleged and how it allegedly affected the outcome. The Title IX Coordinator retains discretion to verify and/or waive minor procedural variations in the timing and content of the appeal submission. Upon receipt of an appeal, the University will:

1. Notify the other party in writing when the appeal is filed and implement appeal procedures equally for both parties;
2. Ensure that the Appellate Officer is not the same person as the decision-maker that reached the original determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
3. Ensure that the Appellate Officer does not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent, and that the Appellate Officer has received the appropriate and necessary training;
4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome. The University will provide a copy of the appeal to the non-appealing party. The non-appealing party may submit a written statement within 10 days that may seek to affirm the initial decision and/or respond to the appeal statement. The Title IX Coordinator has discretion to impose or withhold any applicable sanctions or supportive measures prior to the appeal deadline and prior to the resolution of any appeal. The Appellate Officer will issue a written decision describing the result of the appeal and the rationale for the result within a reasonably prompt time frame, typically within 10 days following receipt of all appeals materials. The appeal will determine whether the Adjudicator made an error on the grounds alleged in the appeal statement. The appeal is typically determined based on the existing record, but the appeal decision-maker has discretion to convene a limited or full hearing if needed. The appeal decision will be given simultaneously to both parties. The Appellate Officer will take action on the appeal based on the relevant ground for appeal as set forth below:
 - In cases where there has been a material procedural error sufficient to affect the determination posed, the Appellate Officer will remand the case to the Title IX Office with instructions, as appropriate.
 - In cases where the Appellate Officer deems there is new evidence that was not reasonably available to the appealing party at the time of the hearing or dismissal, that could affect the outcome of the matter, the Appellate Officer will remand the case to the Title IX Office with instructions, as appropriate.

- In cases where the Appellate Officer deems the Title IX Coordinator or Investigator had a conflict of interest or bias for or against the Complainant or the Respondent generally or the individual Complainant or Respondent that affected the outcome of the matter, the Appellate Officer will refer the case to the Title IX Coordinator to assure the University provides a resolution process without conflict of interest or bias.
- In cases where the Appellate Officer deems the determination cannot reasonably be supported by the evidence, the Appellate Officer will reverse the determination.

XIII. INVESTIGATION AND RESOLUTION PROCESSES WHEN THE RESPONDENT IS NOT A STUDENT AND THE MATTER DOES NOT ASSERT TITLE IX MISCONDUCT

If the Respondent is not a student, then some of the procedures for investigation and resolution may differ from the processes involving Student Respondents described above. The report and notification processes, however, will be consistent with the processes described in this Policy.

When the Complainant is not a Student and the Respondent is Staff

In instances where the Complainant is not a Student and the Respondent is staff, the Investigator will draft an investigative report that includes findings of the investigation and a determination regarding whether the Respondent violated the Policy. The Title IX Coordinator will review the investigative report and send to the staff Respondent's Manager/Department Head, as well as Human Resources, who are responsible for sanctioning, as applicable. Any review of the findings and sanction would take place under applicable Human Resources policies of the University. The Title IX Coordinator or designee will inform the Complainant and the Respondent of the determination as to whether the Respondent violated the Policy and the parties may be informed of the outcome.

When the Complainant is not a Student and the Respondent is Faculty or a Postdoctoral Fellow/Trainee

In instances where the Complainant is not a Student and the Respondent is faculty or a postdoctoral fellow/trainee, the Investigator will draft an investigative report that includes findings of the investigation and a determination regarding whether the Respondent violated the Policy. The Title IX Coordinator will review the investigative report and send to the faculty or postdoctoral fellow/trainee Respondent's Dean and Human Resources, for sanctioning, as well as any other applicable process. Any review of the findings and sanction would take place under the Faculty Handbook for faculty. The Title IX Coordinator or designee will inform the Complainant and the Respondent of the determination as to whether the Respondent violated the Policy and the parties may be informed of the outcome.

When the Complainant is a Student and the Respondent is Staff or Faculty or a Postdoctoral Fellow/Trainee

In instances where the Complainant is a Student and the Respondent is either staff, faculty, or a postdoctoral fellow/trainee, the Investigator will provide the Respondent the opportunity to review the relevant evidence gathered in the investigation prior to making a determination whether the Respondent violated the Policy. The Respondent may submit written comments and examination questions to the other party regarding the evidence. Any such comments are limited to no more than ten (10) double-spaced pages with one (1) inch margins and twelve (12) point font and must be submitted either by hand delivery or mail to the Investigator by no later than 5pm on the tenth (10th) day following the date the Respondent receives the evidence. Requests for extensions must be submitted to the Title IX Office prior to the expiration of the ten (10)-day period. Following review of any comments submitted and additional investigation, as appropriate, the Investigator will prepare the investigative report that includes findings of the investigation and a determination whether the Respondent violated the Policy. The Title IX Coordinator will provide the report on the findings of the investigation to the Complainant and the Respondent. The parties may be informed of the outcome.

Appeals

In investigations in which Students are Complainants and the matter involves a potential Title IX policy violation, the parties may appeal the determination by the Title IX Office. Appeals can only be raised on one or more of the following grounds:

- (1) a procedural irregularity that affected the outcome of the matter;
- (2) new evidence that was not reasonably available to the appealing party before or during the time of the hearing and that could alter the decision;
- (3) the Title IX Coordinator or Investigator had a conflict of interest or bias for or against Complainants or Respondents generally or against the appealing party individually that affected the outcome of the matter; and
- (4) the determination cannot reasonably be supported by the evidence. Appeals must be submitted in writing to the Title IX Coordinator within 10 days of the date that the written adjudication determination is provided to the parties.

The notice of appeal must be no longer than ten (10) double-spaced pages with one (1) inch margins and twelve (12) point font. The written appeal must state the ground(s) for the appeal, include the name of the appealing party, and bear evidence that it was submitted by the appealing party. The appeal statement must contain a sufficient description supporting the grounds for appeal. If the grounds for appeal is to consider new evidence that could affect the outcome of the matter that was not reasonably available to the appealing party before or during the time of the hearing or the dismissal, then the written appeal must include such information. If the grounds for appeal is an allegation of conflict of interest or bias, the notice of appeal must describe with specificity the basis upon which such conflict of interest or bias is alleged and how it allegedly affected the outcome. The Title IX Coordinator retains discretion to verify and/or waive minor procedural variations in the timing and content of the appeal submission. Upon receipt of an appeal, The University will notify the other party in writing when the appeal is filed and implement appeal procedures equally for both parties. The University will provide a copy of the appeal to the

nonappealing party. Both parties will have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome. The non-appealing party may submit a written statement within 10 days that may seek to affirm the initial decision and/or respond to the appeal statement. The non-appealing party's written statement must be no longer than ten (10) double-spaced pages. The Title IX Coordinator has discretion to impose or withhold any applicable sanctions or supportive measures prior to the appeal deadline and prior to the resolution of any appeal. The Appellate Officer will issue a written decision describing the result of the appeal and the rationale for the result within a reasonably prompt time frame, typically within 10 days following receipt of all appeals materials. The appeal is determined based on the existing record, the petition, any new evidence in the petition that was not reasonably available for presentation to the Title IX Office and the introduction of which could reasonably be expected to change the Title IX Office's determination, and any written responses. The appeal decision will be provided simultaneously to both parties.

The appeal decision will be also be provided to the following persons:

- Staff Respondent: The staff Respondent's Manager/Department Head, as well as Human Resources;
- Faculty Respondent: The faculty Respondent's Dean.

The Appellate Officer will take action on the appeal based on the relevant ground for appeal as set forth below:

- In cases where there has been a material procedural error sufficient to affect the determination posed, the Appellate Officer will remand the case to the Title IX Office with instructions, as appropriate.
- In cases where the Appellate Officer deems there is new evidence that was not reasonably available to the appealing party at the time of the hearing or dismissal, that could affect the outcome of the matter, the Appellate Officer will remand the case to the Title IX Office with instructions, as appropriate.
- In cases where the Appellate Officer deems the Title IX Coordinator or Investigator had a conflict of interest or bias for or against the Complainant or the Respondent generally or the individual Complainant or Respondent that affected the outcome of the matter, the Appellate Officer will refer the case to the Chief Operating Officer to assure the University provides a resolution process without conflict of interest or bias.
- In cases where the Appellate Officer deems the determination cannot reasonably be supported by the evidence, the Appellate Officer will reverse the determination.

NON DISCRIMINATION STATEMENT

Madonna University is committed to maintaining an educational environment in which all individuals are treated with dignity and respect, free from discrimination and harassment. The University shall not discriminate on the basis of race, color, national origin, sex (including sexual orientation and gender identity), age, religion, height, weight, marital or family status, disability, military status, genetic information, or any other legally protected category in its programs and activities, including employment. The University shall fully comply with all applicable federal and state civil rights statutes. Discrimination, retaliation, and harassment are prohibited whether occurring at the University, on University property, in a University vehicle, or at any University-related activity or event.

The University does not discriminate on the basis of sex and prohibits sex discrimination, including sexual harassment and sexual assault, in any education program or activity that it operates, as required by Title IX and its regulations, including in admission and employment.

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

To report information about conduct that may constitute sex discrimination or harassment or make a complaint of sex discrimination or harassment under Title IX, please refer to <https://www.madonna.edu/resources/campus-safety/title-ix/>. Individuals can also report via email at titleix@madonna.edu.