

**CHICAGO STATE UNIVERSITY
SEXUAL HARASSMENT & SEXUAL MISCONDUCT POLICY**

I. PURPOSE AND SCOPE

- a. **Purpose.** This policy establishes Chicago State University (CSU)'s commitment to the health, safety, and well-being of all CSU students and employees. The University has a legal obligation to ensure a working and learning environment free from sexual misconduct and harassment. CSU will investigate complaints and take prompt and effective steps reasonably calculated to end the harassment or misconduct.
- b. **Scope.** This policy applies to all students and employees of Chicago State University, as well as vendors and individuals or organizations operating events or programs on campus. The policy applies to Chicago State University's campus, all properties owned or leased by the University, and all off-campus sites at which students, faculty, or staff participate in University-sponsored activities and may apply to off-campus, non-University related incidents involving students or employees of the University. If the prohibited conduct occurs off campus, it is covered by this policy, if the conduct has the effect of causing discrimination in the University's educational programs and activities on campus. Students must also comply with the CSU's Student Code of Conduct. Employees must, in addition to this policy, comply with any and all Human Resource Department policies. This policy replaces all previous University policies regarding Sexual Harassment and any form of Sexual Misconduct.
- c. **General Contacts.**
 - (1) Chicago State University contacts for general information about this policy: Title IX Coordinator (773) 995-2462, Human Resources Office (773) 995-2040; Academic Affairs (773) 995-2402; Dean of Students Office (773) 995-2448, Ethics Office (773) 995-2462.
 - (2) For Employees, you may also contact the Office of Executive Inspector General toll-free at (866) 814-1113 or the Illinois Department of Human Rights at (312) 814-6200 (Chicago) or (217) 785-5100 (Springfield).

II. DEFINITIONS

- a. **Employee.** An employee of Chicago State University includes but is not limited to persons employed full time, part time, regular, short term, and temporary.
- b. **Student.** The term "student" includes:
 - i. all persons taking courses at Chicago State University, either full-time or part-time;
 - ii. persons who are not officially enrolled for a particular term but who have a continuing relationship with the University by participating in programs such as study abroad or domestic exchange programs, or who are on leave;

- iii. persons who have been notified of their acceptance for admission and have made a deposit to CSU; and
- iv. persons who withdraw after allegedly violating this policy or the Student Code of Conduct, until the complaint against them is resolved.

Each student is responsible for his or her conduct during the academic year and between terms of enrollment, even if conduct is not discovered until after a degree is awarded.

- c. **Respondent.** The Respondent is the person accused of sexual harassment or sexual misconduct.
- d. **Complainant.** The Complainant is the person who reports the sexual harassment or sexual misconduct. This policy assumes the Complainant is the person who is the object of alleged sexual harassment or sexual misconduct.
- e. **Consent.** Consent is the act of freely, actively, and willingly agreeing to engage in sexual behavior. Consent requires that a person be able to freely choose between two options: yes and no.
 - i. Silence or non-communication does not constitute consent, and a person in a state of diminished judgment or who is impaired or incapacitated by controlled substances or alcohol cannot be considered to consent.
 - ii. Under this policy, an individual is deemed incapacitated by controlled substances or alcohol when he or she has passed out or blacked out or is otherwise unresponsive. A person is deemed impaired by controlled substances or alcohol, if the individual is unable to understand the fact, nature, or extent of the sexual activity.
 - iii. A person is considered to be incapable of giving consent if she/he is asleep, unconscious, or is otherwise unable to communicate (i.e. impaired, incapacitated, etc.).
 - iv. No one who has been threatened, coerced, or drugged can be considered to consent.
 - v. A current or prior sexual or dating relationship does not constitute consent.
 - vi. A person can withdraw consent at any time during the course of a sexual encounter.
 - vii. The manner of attire of a person at the time of the incident does not constitute consent. (720 ILCS 5/11-1.70 (a)-(c)).
- f. **Sexual Harassment.** Sexual harassment is unwelcomed sexual verbal, graphical, or physical conduct that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the

University's educational program or activities, and is based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.

- i. Sexual harassment includes unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is unwanted, inappropriate, or without consent.
- ii. The same general principles of unwelcomedness, severity or pervasiveness, reasonableness, and hostile working/learning environment that constitute sexual harassment also apply to harassment based on sex, sexual orientation, and gender identity (actual or presumed), and any characteristic protected by law. Harassment includes unwelcomed verbal, physical, or other conduct that would cause a reasonable person to consider the conduct to create an intimidating, hostile, or offensive working environment based on sex, sexual orientation, or gender identity or incitement to commit such conduct, including, but not limited to, derogatory comments, slurs, epithets, graffiti, or physical acts.
- iii. Examples of sexual harassment include:
 1. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion or grades;
 2. Direct, unwelcomed propositions of a sexual nature;
 3. A pattern of unwelcomed, persistent and unnecessary sexually explicit statements, questions, jokes, or anecdotes not related to employment duties, course content, research or other College programs or activities;
 4. Recurring remarks or gestures of a sexual nature about a person's clothing, body, sexual activity, sexual orientation, or gender identity, or previous sexual experience;
 5. Repeatedly using sexually degrading words, gestures or sounds to describe a person;
 6. Repeated invitations of a sexual nature, including but not limited to phone calls, texts (including "sexting"), or email messages, from someone though the recipient has clearly indicated that such communications are unwelcomed;
 7. Unwelcomed touching, patting, hugging, or brushing against a person's body;
 8. Physical or sexual misconduct.
- iv. Examples of sexual harassment in the workplace include:
 1. Deliberate touching, leaning over, or cornering;
 2. Referring to an adult as a "girl," "hunk," "doll," "babe," "honey," or other diminutive term;
 3. Whistling at someone;
 4. Turning work discussions to sexual topics;
 5. Asking about sexual fantasies, preferences, or history;

6. Kissing sounds, howling, and smacking lips;
7. Telling lies or spreading rumors about a person's personal sex life;
8. Neck and/or shoulder massage;
9. Touching an employee's clothing, hair, or body;
10. Hanging around a person uninvited;
11. Hugging or kissing;
12. Patting, stroking, or pinching;
13. Touching or rubbing oneself sexually in the presence of another person;
14. Standing close to or brushing up against a person;
15. Looking a person up and down;
16. Sexually suggestive posters, cartoons, or magazines displayed in the workplace or shown to someone;
17. Playing sexually suggestive or graphic videos or music.

- g. Sexual Misconduct.** Sexual misconduct is a form of sexual harassment and refers to sexual offenses including but not limited to rape, sexual assault, sexual battery, sexual exploitation, sexual coercion, domestic violence, dating violence, stalking, and any other forms of non-consensual sexual activity. Sexual misconduct can be committed by strangers, acquaintances, and family members, as well as casual and long-term dating partners.
- h. Sexual Assault.** Sexual assault (which includes rape) is a form of sexual misconduct that includes forcing or coercing an individual to engage in any non-consensual sexual contact or sexual penetration. Sexual assault includes, but is not limited to, attempted or unwanted sexual activity, such as sexual touching and fondling. This includes the touching of an unwilling person's intimate parts (defined as genitalia, groin, breast or buttock, with or without clothing covering them), or forcing an unwilling person to touch another's intimate parts. It also includes the sexual penetration of a person's vagina, anus, or mouth by a body part of another person, mouth of another person, or an object without consent or by use of force.
- i. Examples of sexual penetration are
 1. vaginal or anal intercourse,
 2. digital penetration, i.e. penetration with use of fingers or hand,
 3. oral copulation, or
 4. genital or anal penetration with a foreign object without consent.
- i. Sexual Exploitation.** Sexual exploitation is a form of sexual misconduct that includes, but is not limited to, prostituting another person, non-consensual visual or audio recording of sexual activity, non-consensual distribution of photos, images or information of an individual's sexual activity or intimate body parts, non-consensual voyeurism, coercing someone against their will to engage in sexual activity, or knowingly transmitting sexually transmitted disease (STD) without disclosing STD status.

- j. **Domestic and Dating Violence.** Dating violence or domestic violence is the intimidation, harassment, physical abuse, sexual abuse, or interference with personal liberty of any person who is a current or former spouse, intimate partner, domestic partner, dating partner, or member of one’s family or household. Individuals encompassed in this definition include but are not limited to: persons who have or have had a dating or engagement relationship; persons who have or have had social relationship of a romantic or intimate nature; current or former spouses, domestic partners, parents, children, stepchildren and other persons related by blood or by current or prior marriage; persons who share or formerly shared a common dwelling (i.e. dormitory roommates); persons who have or allegedly have a child in common; persons who share or allegedly share relationship through a child; and personal assistants and personal caregivers for the elderly or disabled.
- k. **Stalking.** Stalking is a form of sexual misconduct that includes, but is not limited to, a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested, and that actually causes the person to feel terrorized, frightened, intimidated, threatened, harassed or molested.
 - i. Conduct that can amount to stalking may include any actions directed at another person—whether direct or indirect, or through others, or via devices, electronic means, and/or any other methods or means—including but not limited to:
 1. following a person;
 2. being or remaining in close proximity to a person in a manner that threatens or places the person in fear of being harmed or restrained;
 3. entering or remaining on or near a person’s property, residence, or place of employment;
 4. monitoring, observing, or conducting surveillance of a person;
 5. threatening (directly or indirectly) a person;
 6. interfering with or damaging a person’s property; or
 7. engaging in other unwelcomed contact.

III. CHICAGO STATE UNIVERSITY POLICY STATEMENT

- a. **General Policy.** Chicago State University prohibits all sexual harassment, sexual misconduct, domestic violence, dating violence, sexual exploitation, and stalking. Such conduct violates the community values and principles of our institution and disrupts the living, learning, and working environment for students, faculty, staff, and other community members.

Chicago State University does not condone or allow any of the above-mentioned conduct, whether engaged in by students, faculty or staff; by customers, vendors, or other non-employees, who conduct business with the University; or by campus visitors.

In response to every complaint, Chicago State University will promptly investigate, take appropriate corrective and preventive actions to eliminate the offending conduct and prevent its reoccurrence, and address its discriminatory effects on the complainant and others, if appropriate. When appropriate, Chicago State University will impose disciplinary action.

- b. **Attempt.** Chicago State University deems the attempt to commit any of the above-mentioned acts, assisting, or willfully encouraging others to engage in any such acts as a violation of this policy and will impose disciplinary action, if appropriate.
- c. **Consent.** In the context of sexual activity, if the initiator of such activity does not have a reasonable belief that the receiving party has consented, he or she must refrain from such activity. As such, Chicago State University holds the initiator of sexual activity responsible for knowing whether or not the other party is able or unable, for any reason, to give consent to the sexual act and for obtaining consent. There can be no consent provided by an individual who is (1) mentally incapacitated, (2) sleeping or unconscious, (3) a minor child, or (4) impaired or incapacitated by drugs or alcohol. Consent is not valid if obtained by force or threat of force.
- d. **Retaliation.** Retaliation is any adverse action taken by any Chicago State University faculty, staff, or student body member against any individual on the basis of a report made by such individual, or on the basis of such individual's participation in an investigation, hearing, or inquiry by the University or any appropriate authority, or participation in a court proceeding relating to suspected wrongful conduct at the University.
 - i. Retaliation includes but is not limited to harassment, threats of physical or other harm (i.e. blackmail), job termination, punitive work schedule or research assignments, decrease in pay or responsibilities, or negative impact on academic progress.
 - ii. Chicago State University does not tolerate retaliation against anyone who in good faith brings complaints to the attention of the University or participates in investigations of such complaints and will deem any such retaliatory act, or attempt thereof, as a violation of this policy.
- e. **Amnesty.** Any student who, in good faith, reports an alleged violation of this policy, will not receive disciplinary action for certain conduct that may be in violation of CSU's Student Code of Conduct, such as underage drinking at the time of the alleged violation, that may be revealed in the course of filing the report or investigation, so long as said conduct violation did not place the health or safety or any other person at risk.
- f. **Interfering with Reporting.** Chicago State University considers interfering with or dissuading an individual from filing a good faith complaint a violation of this policy.

- g. False Reports and Statements.** It is a violation of this policy to knowingly bring false or malicious statements, or complaints of harassment or of retaliation. Anyone who knowingly brings false charges will be subject to disciplinary action. The action of an individual who brings forth a complaint regarding false reporting shall not be considered an act of retaliation. Malicious gossip about individuals with regard to harassment may irreparably affect the standing of a member of the College community and may be considered a violation of Chicago State University policies and codes.
- h. Recording Sexually Explicit Activity Without Consent.** Recording or otherwise capturing sexually explicit activity of a member of the CSU community by another CSU community member without the former's consent is deemed a violation of this policy.
- i. Disseminating Sexually Explicit Material Without Consent.** Disseminating sexually explicit video recordings or photographs without consent of a member of the CSU community by another CSU community member without the former's consent physically or digitally is deemed a violation of this policy.
- j. Harassment and Academic Freedom.** Chicago State University has a profound commitment to the free expression of ideas, including those that are controversial or unpopular. However, sexual harassment and other behaviors in violation of anti-discrimination laws are not legally protected forms of expression and may prevent some individuals from participating fully in the life of the academic community. Such behavior in violation of this Harassment Policy is not protected by law or the policies of the University.
- k. Education and Training.** Ongoing education regarding sexual harassment and misconduct and related CSU policies is mandated under Illinois law for all students and state employees. Chicago State University educates its employees through mandatory annual training and employee orientation. The University educates students about sexual misconduct through mandatory first-year orientation programs each fall as well as mandatory annual training. The Title IX Coordinator and the Counseling Center Director offer sexual assault education and information programs to CSU students and employees upon request. Information about sexual misconduct education, bystander prevention programming, risk reduction, and CSU's response is available through CSU's website, the Title IX Coordinator's Office (ADM 318), and outside the Counseling Center (SUB 190).

IV. SURVIVING SEXUAL MISCONDUCT

If you have been subjected to sexual misconduct:

1. Get to a safe place and contact someone who can help you: a friend, colleague, Resident Assistant (RA), counselor, family member, CSU Police Department (773-995-2111), or Chicago Police Department (911).
2. Do not change clothes, bathe, shower, eat or drink. These activities could destroy important physical evidence, if you decide to press legal charges.
3. Get medical attention at the CSU Wellness Center (ADM 131) (773-995-2010) or the emergency of:

Roseland Community Hospital

45 West 111th Street
Chicago, IL 60628

Trinity Hospital

2320 E. 93rd Street
Chicago, IL 60617

4. If you wish to make a police report, contact CSU Police Department at (773) 995-2111 or the Chicago Police Department (911)
5. Contact the **Chicago Domestic Violence Hotline** (877) 863-6338, **Chicago Rape Crisis Hotline** (888) 293-2080, Rape Victim Advocates (312) 443-9603, **Safe Horizon** (800-621-HOPE (4673)) **National Domestic Violence Hotline** (800) 799-7233 for immediate crisis support.
6. If you are able, write down your account of the incident. Though difficult, this will be helpful if you choose to pursue action against the accused through the University's process and/or the legal system.

V. RESPONDING TO MISCONDUCT

- a. **Independent Resolution.** An individual may choose to communicate with an accused that their behavior is unwelcomed and must stop. However, the University will investigate and take appropriate action where complaints of harassment or misconduct are brought to its attention. An inappropriate situation will likely continue if it is not addressed or reported.
- b. **Making a Complaint.** An employee or student may wish to make a complaint about harassment or sexual misconduct. Complaints may be informal or formal. Students, staff, and faculty members can file complaints with the Title IX Coordinator, Dean of Students, Academic Affairs, Human Resources, Ethics Office, or CSU police. Employees can also file a complaint against another employee with the Human Resources

Department, Ethics Officer, Office of Executive the Illinois Inspector General, or the Illinois Department of Human Rights.

- c. **Pursue Legal Action.** Legal action involves the complainant reporting the incident to the CSU or municipal Chicago Police Department. A police investigation usually follows. This option can be pursued simultaneously with or separate from any University resolution or disciplinary processes, and University staff will help facilitate this reporting, if requested by the complainant. The University will cooperate with legal investigations pursuant to local, state, and federal law. The complainant may decline to notify law enforcement authorities, including University police.
- d. **Personal Protection Orders.** If Chicago State University is notified by a student or employee that they have secured a Personal Protective Order (PPO), order of protection, no contact order, restraining order or similar order (collectively referred to as Personal Protective Orders (PPOs)) pertaining to another student or employee, the University will make a good faith effort to reasonably respond to the conditions of the PPO. The Departments of Student Affairs and Human Resources in conjunction with the University police, will work with the appropriate individuals to develop a plan to meet the requirements of the PPO as fully as reasonably possible. This might include plans for travel across campus, scheduled events, and the like. Information about the PPO and its conditions will be shared with others on campus, who need to know of it to provide accommodations. If the complainant rescinds the PPO, they must follow the formal legal process for doing so before the College will change its accommodations. The presence of a PPO does not constitute a harassment complaint or put CSU on notice of harassment.
- e. **Bystander Intervention.** Bystanders can help create an empowering climate free of interpersonal violence by diffusing problem behaviors before they escalate. Bystanders can help by noticing an incident, interpreting the incident as an emergency, assuming responsibility, and attempting to help (such as helping the person leave the situation, confronting a behavior, diffusing a situation, or calling others for support) while keeping their own safety or risk thereto in mind as well as how their intervention could impact the victim of an unfolding incident.
- f. **Risk Reduction.** Students and employees can minimize their risk of becoming targets of sexual misconduct by clearly communicating intentions, understanding and respecting personal boundaries, making personal limits known as early as possible, telling an aggressor “no” clearly and firmly, or asking someone for help. Students and employees can also minimize risk by recognizing warning signs of abusive behavior, such as extreme jealousy, constant put-downs, explosive temper, severe mood swings, preventing the other person from doing things he or she wants to do, isolating the other person from family and friends, and calling/emailing/texting the other person too frequently or at odd hours to checkup on the person.

NOTE: Students and employees can minimize their risk of being accused of sexual misconduct by not making assumptions about consent or not taking advantage of their authority over another person, or of someone’s impaired or incapacitated state.

VI. REPORTING MISCONDUCT

Chicago State University encourages students and employees to report harassment and any form of sexual misconduct immediately. **Note that most employees are required to report sexual harassment or misconduct under Title IX as soon as they become aware of an incident or behavior having taken place.**

- a. **Who Must Report.** Under Title IX, all Chicago State University employees – faculty and staff - are required to report any instances of sexual harassment and/or misconduct that they observe or of which they learn to the Title IX Coordinator immediately, even if the individuals involved do not report it.
 - i. Failure to report may subject an employee to disciplinary action. **Exempt CSU employees are:** licensed mental health counselors employed by the University to provide counseling services in the Counseling Center, and the CSU Chaplain.
 - ii. If a faculty or staff member has reason to believe that a student is about to disclose a reportable incident, said faculty or staff member should alert the student of their mandatory reporting responsibility while encouraging the student to proceed with the disclosure.

- b. **What to Report.** Employees must report everything they know as soon as they know it. This includes but is not limited to the name of the complainant, the name of the respondent, dates, times, and specifics of the incident.

- c. **To Whom to Report.** Concerns about conduct that may violate this policy should be reported to the Title IX Coordinator (773) 995-2462, Human Resources Office (773) 995-2040); Dean of Students Office (773) 995-2448; or Academic Affairs (773) 995-2402.

- d. **Confidentiality vs. Privacy.** Chicago State University is committed to respect the privacy of all parties involved. Some level of disclosure, however, may be necessary to ensure a complete and fair investigation, although the University will comply with requests for confidentiality to the extent possible. No promise of non-action or anonymity can be made once a complaint has been reported. Chicago State University has a legal duty to conduct an investigation. Information will be released on a need-to-know basis. Within these constraints, all parties involved are requested to maintain confidentiality and respect privacy. Publicly available records will be kept without including identifying information about the complainant to the extent permissible by law.

Students may speak confidentially to licensed mental health counselors employed by CSU to provide counseling services in the Counseling Center as well as to the CSU Chaplain. These resources provide students who may be interested in bringing a complaint of sexual misconduct or harassment with a confidential place to discuss their concerns.

- e. **Anonymous Reporting.** Anonymous reports may be made at <https://www.csu.edu/legalcounsel/titleIX.htm> or by calling a voicemail-answering 24-hour hotline (773) 821-2882. However, the more information CSU has about sexual harassment or misconduct, the better it can prevent and redress it. The University may be limited in its investigation if it does not have information specific to a complaint.

- f. **Amnesty/Statement on alcohol and drug use.** Chicago State University strongly encourages students to report incidents violating this policy. Therefore, students who act responsibly by reporting to the appropriate authority information about conduct violating this policy typically will not face disciplinary action for their own drug or alcohol possession or consumption in connection with the reported incident, so long as said conduct violation did not place the health or safety or any other person at risk.

VII. COMPLAINT RESOLUTION PROCEDURE

Chicago State University's Complaint Resolution Procedure can be found here. Regardless of the department with which the complainant is filed and regardless of whether the parties involved are students, faculty, or staff, any sexual harassment and/or misconduct complaint will be investigated by Title IX. At the conclusion of the investigation, the investigation and recommended finding are referred to the Title IX Review Panel for adjudication, if the Respondent is a student. If the Respondent is a faculty member, the investigation and recommended finding are referred to the Office of the Provost. If the Respondent is a non-faculty employee, the investigation and recommended finding are referred to Human Resources, for further steps or potential sanctions, if deemed necessary.

Alternative resolution mechanisms are available, except for cases in which the allegation is sexual assault. For these alternative resolution mechanisms, both parties have to agree to employ it. Note that electing an alternative resolution mechanism is not mandated, is contingent on the severity (or lack thereof) of the alleged conduct, and can be terminated by the Complainant at any time.

VIII. TITLE IX INVESTIGATION

The Title IX Coordinator:

- promotes the creation of policies, procedures, and notifications designed to ensure University's compliance with Title IX;
- periodically reviews and assesses University policies and proposed modifications that relate to Title IX compliance, making recommendations for compliance as needed;
- serves as a resource for University faculty, staff, and students when they see a policy or process related to Title IX that is not being properly administered;
- reviews cases involving Title IX issues during University investigative and disciplinary processes and makes recommendations if s/he believes these processes have not been properly administered;
- answers questions and provides guidance about Title IX compliance and the University's related policies and procedures;

- serves as a liaison to the state and federal agencies that enforce Title IX;
- helps ensure the campus community and University employees with Title IX compliance responsibilities are adequately trained and educated; and
- monitors all other aspects of the University's Title IX compliance.

Chicago State University's Title IX Coordinator is:

Carla Madeleine Kupe-Arion, Esq.
 Associate General Counsel & Title IX Coordinator
 Office of Labor & Legal Affairs
ckupe@csu.edu
 (773) 995-2462

- Process.** The first step of a Title IX Complaint Investigation is to gather information about the complaint. This usually involves interviewing the Complainant as well as collecting all information, including documentation and names of witnesses, if any. Complainants are strongly encouraged to share all information they have regarding the matter. After the investigator understands the nature and scope of the complaint, the Respondent is asked about the allegations and given a full and fair opportunity to respond. The Respondent is also asked to provide any documentation and identify witnesses relevant to the complaint. The Complainant is not present during the Respondent's interview and vice versa. After the Respondent's interview, the investigator will interview witnesses identified by the parties and other persons with relevant knowledge the parties may not have identified. The investigator reserves the right not to interview witnesses identified by the parties if there is reason to believe that they do not possess relevant knowledge in regards to the complaint. The investigator may also re-interview the Parties, for clarification purposes.
- Interim Measures.** The Title IX coordinator is charged with determining and implementing interim measures, where appropriate. Such measures may include (1) on-campus housing accommodations, (2) academic accommodations, (3) extracurricular or athletic accommodations, (4) University employment accommodations, (5) security escort services, (6) no contact order, (7) assistance obtaining a court order of protection, and (8) appointment of a support advocate. Failure to comply with interim measures imposed by the University is a violation of this policy. Interim measures can be requested by both the Complainant and the Respondent. The Parties will be instructed to not have any direct or indirect conduct with each other until the investigation has been concluded.
- Document/Evidence Collection.** The investigator will collect and review documentation that the investigator deems relevant to the complaint from the Complainant, Respondent, and, when available and where appropriate, any witnesses. The investigator may also contact the Complainant and Respondent with additional questions or to request additional information.

- d. **Report Review.** The investigator will draft a written investigation report summarizing all interviews and evidence submitted, a credibility assessment, as well as a recommended finding, which is not a final decision. The Complainant and Respondent will both be provided with a copy of said interim report. To ensure accuracy, both the Complainant and Respondent are given the opportunity to provide comments to clarify their respective statements. The investigator then reviews any clarifying comments by either of the parties, if any, and determines whether the report should reflect those comments.
- e. **Investigation Closure & Referral.** After the report is finalized, the investigation and recommended finding are referred to the Title IX Review Panel for adjudication, if the Respondent is a student. If the Respondent is a faculty member, the investigation is referred to the Office of Academic Affairs. If the Respondent is a non-faculty employee, the investigation and recommended finding are referred to Human Resources, for further steps or potential sanctions, if deemed necessary.
- f. **Appeal.** After a final decision has been rendered, both parties have the right to appeal the decision. If the Respondent is a student, the appeal will be heard by the Dean of Students Affairs via hearing panel. If the Respondent is a faculty or employee, the respective grievance processes will be used.

IX. EDUCATION & TRAINING

- a. **Annual Communication of Policy.** Pursuant to 110 ILCS 155/30(b), Chicago State University shall, at the beginning of each academic year, provide each student with an electronic copy or hard copy of CSU's Harassment, Sexual Harassment, and Sexual Misconduct Policy and Procedure, and related protocols.
- b. **Mandatory Annual Title IX and Sexual Violence Education Student Body Training.** Pursuant to 110 ILCS 155/30(b), Chicago State University students must participate in annual Title IX and sexual violence primary prevention and awareness training.
- c. **Mandatory Annual Title IX and Sexual Violence Education Training.** Pursuant to 110 ILCS 155/30(c), all Chicago State University employees, including all faculty and staff, the Title IX Coordinator, police department, and any employee who may be involved in the receipt of a student report of an alleged incident of sexual misconduct, in the referral or provision of services to the sexual misconduct survivor, or any institutional complaint resolution procedure that results from an alleged incident, must participate in an annual survivor-centered and trauma-informed response training.

X. TITLE IX COORDINATOR AUTHORITY

- a. Title IX Coordinator or his/her designee resolves any question of interpretation or application of this policy.

b. The IX Coordinator shall review the Chicago State University Policy on Sexual Harassment and Sexual Misconduct annually to ensure compliance with local, state, and federal laws.

c. The President gives the Title IX Coordinator the discretionary authority to periodically review and, where appropriate, amend this policy to ensure continuous compliance with state and federal law.