

Loyola University of Chicago

## Comprehensive Policy and Procedures

### Addressing Discrimination, Sexual Misconduct, and Retaliation

Updated and Published 8/23/2023

LOYOLA

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Alternative resolution options include non-disciplinary processes such as conflict resolution (mediation, restorative justice), directed discussions, or other negotiated resolution, and constitute one set of procedural options that may be available for the resolution of some complaints.

any affected party receives timely and accurate information about their rights and options; (c) to determine how to most appropriately and efficiently respond to a reported incident, and (d) to assess the potential need for responsive intervention(s).

A preponderance of the evidence is the evidentiary standard used at Loyola to determine whether a respondent is responsible for violating the Comprehensive Policy. This standard requires that the totality of the evidence, considered impartially, must indicate that it is more likely than not that the Comprehensive Policy was violated.

Pregnancy or related conditions includes pregnancy, childbirth, termination of pregnancy, lactation, medical conditions related to any of the above (such as gestational diabetes), and recovery from any of the above.

In January 2019, the University created the Office for Equity & Compliance ("OEC") to centralize and coordinate University-wide compliance with Title IX and other equity-based federal and state laws and regulations. The OEC staff includes the EDEC, who also serves as the Title IX Coordinator, and a team of Equity Investigators, who also serve as Deputy Title IX Coordinators.

The EDEC acts with independence and authority free from bias or conflicts of interest. The EDEC, with the assistance of the OEC staff, oversees the resolutions of reports and complaints arising under the Comprehensive Policy and ensures that all University representatives who assist with administration of the Comprehensive Policy act with objectivity and impartiality and are assessed with respect to conflicts of interest and/or potential bias.

The work of the OEC is also supported University-wide by several key partners, including the University's Department of Campus Safety ("Campus Safety"), the Wellness Center, Human Resources, the Office of the Dean of Students ("DOS"), and the Office of the Provost. Notably, the DOS is a key resource for students involved in any



TDD (877) 521-2172

[OCR@ed.gov](mailto:OCR@ed.gov)

[www.ed.gov/ocr](http://www.ed.gov/ocr)

OCR Chicago Office

U.S. Department of Education

Loyola University Retreat and Ecology Center (LUREC):

- (advocacy) The CARE Center in Crystal Lake, 104 Minnie St. Crystal lake, IL 60014, phone: (815) 671-4004
- (evidence collection) Emergency Room, 4201 Medical Center Dr. McHenry, IL 60050, phone:

gender identity or expression, national or ethnic origin, ancestry, disability, marital status, parental status, military/veteran status, or any other characteristic protected by applicable law.<sup>2</sup>

This Nondiscrimination Policy prohibits discrimination in employment and in providing access to educational opportunities. Therefore, any member of the Loyola community who acts to deny, deprive, or limit the educational or employment benefits or opportunities of any student, employee, guest, or visitor on the basis of their actual or perceived membership in the protected classes listed above is in violation of the Nondiscrimination Policy.

This Nondiscrimination Policy also includes protections for those opposing discrimination or participating in any University resolution process or within the Equal Employment Opportunity Commission or other human rights agencies.

If you have questions about this Nondiscrimination Policy, Title IX, Title VI of the Civil Rights Act of 1964 ("Title VI"), Title VII of the Civil Rights Act of 1964 ("Title VII"), the Americans with Disabilities Act of 1990 ("ADA"), or Section 504 of the Rehabilitation Act of 1973 ("Section 504"), or if you believe you have been discriminated against based on your membership in a protected class, please contact Tim Love, Executive Director for Equity & Compliance, or

## *2. Accommodations for Faculty and Staff Employees with Disabilities*

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

Any faculty or staff employee with a disability is responsible for requesting an accommodation in writing to Human Resources and providing appropriate documentation. For more information about this process, see [Human Resources' online accommodation notice](#), [Faculty Handbook](#), or collective bargaining agreement, as applicable.

If, after working with Human Resources/the Provost's Office, a faculty or staff employee feels that the University has failed to accommodate them appropriately, a report may be submitted to the OEC.





of sexual misconduct meet the definitional and jurisdictional requirements of Title IX sexual harassment, the requirements for Grievance Process complaints and the Grievance Process will apply (see Article 1, subsection X(A) and Article 3).

Certain forms of sexual misconduct are among the most harmful violations that any individual can undertake against the safety and dignity of our University community; the University therefore reserves the right to impose any level of sanction, up to and including suspension or expulsion/termination, for any sexual violation based on the facts and circumstances of the particular case.

Acts of sexual misconduct may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity or expression of those involved. Specific violations include:

### *1. Non-Consensual Sexual Penetration*

Non-consensual sexual penetration is defined as:

- x any sexual penetration or attempted penetration,

verbal, written, online, and/or physical conduct.<sup>6</sup>

Sexual harassment occurs without regard to the respondent's intent and is based on the totality of the circumstances. Loyola may remedy any form of sexual harassment when substantiated, whether or not the behavior constitutes *quid pro quo* or hostile environment sexual harassment.

Sexual voyeurism (such as watching a person undressing, using the bathroom, or engaging in sexual acts without the consent of all persons observed).

Taking pictures or video or audio recording another in a sexual act or in other private activity without the consent of all involved, or exceeding the boundaries of consent (such as disseminating otherwise consensual sexual pictures without the photographed person's consent).

Prostitution of oneself or others.

Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease or infection without first disclosing the infection.

Administering alcohol or drugs (such as "date rape" drugs) to another person without the other person's knowledge or consent and with the intent of taking sexual advantage of them.

Exposing one's genitals or breasts



Retaliation is defined as any adverse action taken against a person (including peer-to-peer retaliation among students or among faculty or staff employees) because of their participation in a protected activity, as defined below.

"Adverse action" includes but is not limited to: any action that would keep an individual from reporting discrimination, harassment or retaliation; shunning and avoiding an individual who reports discrimination, harassment, or retaliation; express or implied threats or intimidation intended to coerce or prevent an individual from reporting discrimination, harassment, or retaliation; and denying employment benefits because a faculty or staff employee reported discrimination, harassment, or retaliation or participated in the reporting and investigation process described in the Comprehensive Policy.

"Protected activity" includes submitting a report or filing a complaint under the Comprehensive Policy under one's own or another's behalf; participating in or providing information related to an internal or agency investigation of alleged discrimination, sexual misconduct, or retaliation; exercising one's right to an accommodation for disability, pregnancy



Reporters and/or affected parties may therefore want to consider carefully whether they share personally  
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anonymous statistical information to the OEC for Clery Act purposes unless they believe it would be harmful to their client, patient, or parishioner.

directed to concise information, written in plain language, concerning the rights and resources available to affected parties.<sup>15</sup> These resources are also publicly available on the OEC website, at [www.luc.edu/equity](http://www.luc.edu/equity).

Unless a report is anonymous, upon receiving the report, a representative of the OEC (or DOS for students) will contact the affected party and/or third party reporter to communicate the availability of supportive measures and describe the available rights and processes that may be applicable to the reported circumstances. The affected party will be invited to meet with a representative of the OEC (and/or DOS, for students) to consider the affected party's wishes with respect to supportive measures, responsive interventions, and any complaint, and to answer any questions concerning the University's applicable policies or procedures. Affected parties will be informed that supportive measures are available regardless of whether or not they choose to file a complaint.

## *2. Supportive Measures*

When applicable, Loyola will offer and/or implement appropriate and reasonably available supportive measures for reporters, affected parties, complainants, respondents, and/or witnesses in response to a report or complaint of alleged discrimination, sexual misconduct, or other related offenses.

Supportive measures are non-disciplinary, and are designed to restore or preserve equal access to the University's education programs or activities without unreasonably burdening other parties, including measures designed to

If the alleged violation is substantiated, the violating party may be subject to a range of outcomes, including additional restrictions, disciplinary action, or other responsive

Violation of a LUAA issued under the Comprehensive Policy may be grounds for additional informal or formal intervention, including disciplinary action.

Affected parties may be satisfied with receiving resources and supportive measures provided upon the University's response to a report, and may not intend or desire to pursue further intervention facilitated by the University. However, in cases where an affected party intends to initiate the University's intervention to investigate, adjudicate, or otherwise resolve an incident of alleged misconduct





respondent may be made aware of the allegation(s); and the University may satisfy its obligation to address every complaint equitably and appropriately to the circumstances at hand.

Directed discussions are non-disciplinary in nature, and do not result in sanctions or other corrective action. However, because a non-disciplinary record is still generated and maintained by the OEC as a result of a directed discussion, the respondent may elect to respond in writing for the record if desired. The response may be shared with the affected party, depending on the wishes of the parties.

Where the facts alleged in a complaint are not contested, where the respondent has admitted or wishes to admit responsibility, or where both parties want to resolve the case without a completed investigation or adjudication, the case may be eligible for No Contest Resolution. The EDEC determines if No Contest Resolution is appropriate based on the interest/willingness of the parties, the nature of the conduct at issue, and the amenableness of the conduct to such a process. No Contest Resolution must be agreed upon, voluntarily and in writing, by both parties and approved by the EDEC.

Under the No Contest Resolution process, the available evidence is documented in a report and



In such circumstances, co-complainants or co-respondents may obtain access to sensitive information about other co-complainants or co-respondents, and all parties are expected to maintain privacy to ensure the reliability of the investigative process.

Investigators and administrative resolution officers are trained specifically to impartially review distinct sets of facts to negate any prejudicial impact of knowing about multiple, related allegations. In all instances, separate determinations of responsibility





Throughout any delay or extension, the University may implement supportive measures as deemed appropriate, and parties are periodically updated on the status of their case.

An ERP advisor for students only (referred to in this subsection only as "advisor") is a person who may accompany a student or recognized student organization who is an affected party, complainant, or respondent during any meeting or proceeding related to a report or ERP complaint. Advisors are strictly optional, and the choice of whether or not to utilize an advisor is up to each party.

Student complainants and respondents involved in the ERP may be accompanied by one advisor of their choice,

specific policies implicated, a description of the applicable University procedures, a reminder that retaliation is prohibited, and a statement of the potential sanctions that could result.

NOAs also identify the assigned investigator and provide parties the opportunity to raise any concerns regarding a conflict of interest before the parties are contacted by the investigator. The EDEC, investigator, or other designee may inform parties of additional allegations or other material changes to the scope of the investigation by providing an updated or modified NOA.

NOAs are provided in writing and are typically delivered by email to the parties' University-issued email accounts, but may also be delivered in person or mailed to the local or permanent addresses of the parties on file with the University. Once emailed, mailed, and/or received in-person, notice is presumptively delivered.

When the respondent is a faculty or staff employee, the employee's department chair, dean, director, supervisor, Human Resources manager, or other necessary party may also be notified that an ERP complaint has been filed. Such information will be treated as private, but is necessary to ensure that supervisory employees are informed and prepared for any potential operational disruption.

ERP investigations include the thorough and impartial collection, review, and analysis of all available evidence by one or more impartial investigators, and conclude with the investigator making a finding of either “responsible” or “not responsible” for each alleged violation based on the application of the Comprehensive Policy to the evidenced facts. In preparation for an investigation of an ERP complaint, an investigator is assigned as described below.

If an investigation results in no finding of responsibility, then the complaint is resolved (and may be subject to appeal). If the investigation results in one or more findings of responsibility, then the case is promptly referred for administrative resolution to an appropriate administrative resolution officer (“ARO”), based on the classification of the respondent (i.e., student, faculty employee, or staff employee). The ARO determines appropriate sanctions for the respondent based on the severity of the violation and other factors.

Investigations are thorough, reliable, impartial, prompt, and fair to both parties, and may involve interviews with relevant parties and witnesses; obtaining and reviewing available, relevant evidence; identifying sources of expert information; and other investigative steps, as needed.

Upon receipt of an ERP complaint, the EDEC typically appoints one or more investigators from among the OEC staff to conduct an investigation overseen by the OEC staff. Notwithstanding the foregoing, certain instances (such as conflicts of interest, logistical, or other concerns) may cause the University to utilize an outside consultant or expert to facilitate the investigation. In such instances, all policies, procedures, and standards in the Comprehensive Policy will apply.

Though investigations vary in nature based on the context of the underlying allegations, parties have a full and fair opportunity to present evidence and to review and respond to all relevant evidence that will be relied on by any investigator or other ERP administrator in making a decision.

Formal rules of evidence do not apply. Any evidence that the investigator believes is relevant and credible may be considered, with the following exceptions: (1) other incidents not directly related to the possible violation, unless they evidence a pattern or cumulative impact on a protected class in the aggregate; (2) the sexual history of an individual (though a limited exception may be made regarding sexual history between parties when related to past practices of communicating consent); or (3) the general character of an individual (as distinct from evidence that goes towards credibility, which may always be considered).

The investigator is responsible for addressing any evidentiary concerns prior to and/or during the investigation, and the investigator may exclude irrelevant or immaterial evidence and/or disregard evidence lacking in credibility or that is improperly prejudicial. The investigator will consult with the EDEC on all questions of procedure and evidence.

One of the most critical investigative steps is meeting with and interviewing the primary parties in a case

To afford both parties the opportunity to present questions of one another, the investigator invites parties to propose questions that they believe should be asked of other parties or witnesses. Such questions must be submitted in writing to the investigator before the conclusion of the investigation phase. Upon receipt of requested/proposed questions, the investigator either (a) presents the question (re-worded as needed) to the intended party/witness, or (b) indicates to the requesting party the reasons why the question will not be asked. The investigator has absolute discretion to determine which questions are relevant to the investigation and may decline to pose or permit certain questions. Responses to questions – including a refusal to answer a given question – are noted and included in the final investigation report.

Both parties have an equal opportunity to present relevant witnesses and recommended questions for the witnesses to be considered by the investigator. Upon the presentation of relevant witnesses, parties are asked to explain what relevance the witness has to the allegation(s) under investigation. Investigators are not compelled to interview all presented witnesses, but if an investigator declines to interview a witness for lack of relevance, the investigator must provide a rationale for determining that the witness was not relevant.

Witnesses (as distinguished from the parties) who are students or faculty or staff employees are expected to cooperate with and participate in the University's investigation and administration resolution processes. Failure of such witnesses to cooperate with and/or participate in good faith in an investigation – absent good cause such as a superseding safety interest – may warrant discipline.

Investigative interviews may be conducted in-person or remotely/virtually, using available audiovisual technology such as Zoom™. Witnesses are interviewed separately. In some cases, witnesses may also provide written statements in lieu of interviews, but written statements may be afforded limited weight as an investigator may not be able to assess credibility without interviewing a witness.

No audio or video recording of any kind is permitted by anyone other than the investigator, during any meetings or interviews associated with the ERP. If the investigator elects to audio and/or video record interviews, all parties present are first made aware of and must consent to the recording. If a party does not consent to recording an interview, the interview may be facilitated through the exchange of written questions and answers. Transcriptions of recorded interviews are included as part of the Prelim ryan



disciplinary action of any kind involving the respondent may be considered in determining the appropriate sanction(s).

AROs may consult with the investigator, EDEC, relevant supervisors, Human Resources personnel, or others to ensure that the administrative resolution aligns with the University's values and behavioral expectations.

Each administrative resolution format is referenced briefly here, but parties should also consult with the respective source of authority for additional information and details. Allegations involving student-worker respondents or other respondents who hold dual classifications will be routed to the most appropriate administrative resolution format depending on the individual context of the alleged misconduct, at the discretion of the EDEC.

### *1. When the Respondent is a Student*

Upon a finding by the investigator that a student respondent<sup>25</sup> is responsible for one or more policy violations, the matter is referred to the director of the Office of Student Conduct & Conflict Resolution ("OSCCR"), who

University Suspension  
University Expulsion  
Residence Hall Probation  
Residence Hall Suspension  
Residence Hall Expulsion  
Withholding of Transcript or Degree  
Revocation of Admission or Degree  
Loss of University Privileges  
Educational Experiences  
Extension of Supportive Measures (No Contact Directive, Limitation on University Activities and Access, etc.)  
Recognized Student Organization Outcomes (suspension, loss of recognition, loss of some or all privileges for a specified period of time, etc.)  
Other Actions (in addition to or in place of those listed above, the University may assign any other sanctions as deemed appropriate)

The sanctions described here are not exclusive of, and may be in addition to, other actions undertaken by the University or imposed by outside authorities.

Sanctions for a student respondent are implemented as soon as feasible following the final resolution of the case (i.e., upon the conclusion of the appeal window or the resolution of any appeal, if one is requested). Additionally, parties' activities and/or access (e.g. graduation, study abroad, internships/externships/assistantships, access to workplace, residence halls, or facilities, etc.) may be postponed or restricted on an interim basis pending the resolution of a pending appeal.

The ARO issues a Notice of Administrative Resolution, which is communicated by the EDEC to all respondents and complainants simultaneously and in writing notifying them of the administrative resolution decision. The information provided to respondents and complainants may not be identical, as the exact details of some actions undertaken may be withheld to protect the privacy of the parties. Notices of Administrative Resolution in cases of student respondents include a restatement of the findings, a summary of and rationale for sanctions (of which some details may be withheld for privacy reasons), and relevant information necessary for the parties to assess their safety moving forward. Notices of Administrative Resolution may also include information about eligibility for appeal where applicable.

Notices of Administrative Resolution may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official University records, or emailed to the parties' University-issued email account. Once mailed, emailed, and/or received in-person, notice is presumptively delivered.

The University reserves the right to redact or withhold information from Notices of Administrative Resolution to protect privacy or safety interests.

When the respondent is a student, either party (complainant or respondent) may appeal the investigative findings (whether “responsible” or “not responsible”), the administrative resolution decision, or both, on the following limited grounds:

- A substantial procedural error or bias that significantly impacted the investigative findings or administrative resolution.
- The discovery of substantial new evidence, not reasonably available during the investigation, that could substantially impact the original finding or administrative resolution.
- The sanction or sanctions are disproportionate to the violation(s).

A concise written appeal request must be submitted by the appealing party to the OEC as directed in the decision letter within five business days following delivery of the decision letter. Notice of and access to appeal requests will be delivered to the non-appealing party, after which the non-appealing party may respond in writing to the appeal request. Written responses must be submitted within five business days following delivery of the notice of appeal request. Appealing parties will receive notice of and access to any responses received. Appeal requests and responses must be submitted by 11:59 PM CST on the respective deadline date.

All appeal requests are reviewed by the EDEC to ensure basic eligibility requirements are met (i.e., timely submission, applicable grounds articulated). If an appeal request does not meet the basic eligibility requirements, the appealing party will be informed (and if still within the eligible time frame, the appealing party may resubmit a modified request). If no eligible appeal request has been submitted by the end of the appeals window, the original finding(s) and sanction(s) stand and become final.

Eligible appeal requests (and responses, if applicable) are reviewed by one or more assigned appeal administrator(s) from among eligible CPAs to determine the merits of the appeal. If any appeal grounds are substantiated by the appeal administrator(s), the appeal will be granted. Otherwise the appeal will be denied, the matter will be closed, and the original finding(s) and sanction(s) will stand and become final. Appeal administrators will notify both parties in writing of the outcome of the appeal.

If the appeal is granted:

- due to a substantial procedural error or bias, the matter will be remanded to the appropriate investigator or ARO (or, as in a case of bias, to a new investigator and/or ARO) for reconsideration to remedy the error;
- due to the discovery of new evidence not reasonably available at the time of the initial investigation/resolution, the matter will be remanded to the appropriate investigator or ARO for reconsideration in light of the new evidence;
- due to a sanction that is deemed disproportionate to the violation, the sanction may be administratively modified by the appeal administrator(s) or remanded to the appropriate ARO for reconsideration.

When a matter is remanded for reconsideration, written instructions will be provided to the receiving investigator and/or ARO to ensure that any error is remedied. The resulting outcome following any remand is final and not subject to further appeal.

Decisions by appeal administrators are deferential to the original decision, which may be modified or overturned only when there is clear error and a compelling justification. An appeal is not an opportunity for an appeal administrator to substitute their judgment for that of the original investigator or ARO merely because they disagree with the finding or administrative resolution decision. Appeal administrators may consult with the investigator, ARO, or EDEC at any time and for any reason, if needed.

For students, sanctions imposed as part of an administrative resolution decision that is under appeal will not be fully implemented until the final resolution of the case. However, students' activities and/or access (e.g., graduation, study abroad, internships/externships/assistantships, access to workplace/residence halls/facilities, etc.) may be postponed or restricted on an interim basis pending the resolution of a pending appeal.

In cases where the appeal results in reinstatement to the University or resumption of privileges, all reasonable attempts will be made to restore the respondent to their prior status, recognizing that some lost opportunities may be irreparable.

## *2. When the Respondent is a Staff Employee*

Upon a finding by the investigator that a staff employee respondent is responsible for one or more violations of the Comprehensive Policy, the matter is referred to the respondent's supervising director or other designee and the respective Human Resources manager responsible for the respondent's business unit, t



burdening a respondent. The University will maintain the privacy of any remedies, provided privacy does not impair the University's ability to implement the remedies.

All individuals and other involved organizations and/or departments are expected to comply fully with any sanctions, remedies, and/or other responsive interventions within the timeframe specified. The implementation and monitoring of such outcomes are primarily the responsibility of the ARO who assigned them; however, assistance and coordination is provided by the OEC to ensure overall University compliance.





Loyola is fully compliant with Title IX and related regulations, but considers them to be a minimum standard for ensuring a safe and inclusive University environment. Accordingly, alleged sexual harassment that does not fall within the narrow definition of Title IX sexual harassment (either due to location of the incident, nature of the misconduct, or both) may still be addressed under the ERP described in Article 2 or under other applicable University policies or procedures.<sup>31</sup> Where the alleged misconduct arises from the same facts and circumstances as an allegation of Title IX sexual harassment, the allegation may be addressed under the ERP or the Grievance Process (see Article 3, subsection III(C)). In either case, the EDEC will inform the parties of this decision and applicable next steps simultaneously and in writing.

A preponderance of the evidence is the evidentiary standard used at Loyola to determine whether a respondent is responsible for violating the Comprehensive Policy. This standard requires that the totality of the evidence, considered impartially, must indicate that it is more likely than not that the Comprehensive Policy was violated. This standard is required by Illinois law in cases of alleged student violations, and is applied to all cases under the Comprehensive Policy.

Determinations of responsibility are not made until the end of the Grievance Process, following a hearing. The burden of proof and the burden of gathering evidence sufficient to reach an informed determination regarding responsibility rest with the University and not with the parties.

Unless and until a respondent is determined to be responsible by a preponderance of the evidence for a policy violation at the conclusion of the





The written notice also informs the parties of their rights under the Grievance Process (such as the right to an advisor and right to inspect and review evidence) and that knowingly making false statements or knowingly submitting false information during the grievance process is prohibited.

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In cases of alleged Title IX sexual harassment, the University strives to conclude alternative resolution within two months of the initiation of the alternative resolution option, subject to reasonable delay or extension for good cause as described in Article 3, subsection II(E).

Investigations pursuant to a Grievance Process complaint include the thorough and impartial collection of all available evidence by one or more impartial investigators, and concludes with the investigator producing and presenting a Final Investigation Report to the parties for their review and preparation before a hearing.

Investigations are prompt, thorough, reliable, impartial, and fair to both parties, and may involve interviews with relevant parties and witnesses; gathering and presenting available, relevant evidence; and other investigative steps, as described below.

Upon receipt of a Grievance Process complaint, the EDEC typically appoints one or more investigators from among the OEC staff to conduct an investigation overseen by the OEC staff. Notwithstanding the foregoing, certain instances (such as conflicts of interest, logistical, or other concerns) may cause the University to utilize an outside consultant or expert to facilitate the investigation. In such instances, all policies, procedures, and standards in the Comprehensive Policy will apply.

Though investigations vary based on the context of the underlying allegations, parties have a full and fair opportunity to present relevant evidence and to review and respond to all related evidence collected by the investigator, whether or not the evidence is considered relevant and/or will be relied upon by the hearing administrator(s) in making a decision.

Formal rules of evidence as used in a court of law do not apply. The investigator may seek and consider any evidence that is directly related to the allegation(s) at issue, with the following exceptions:

(1) The University may not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do so for the purposes of the Grievance Process.<sup>35</sup>

(2)











Appeals are reviewed by one or more appeal administrators who are trained and qualified to serve in that role (i.e., free from any conflict of interest or bias; was/were not the original investigator, hearing administrator, or Title IX Coordinator). Appeal administrators may consult with the investigator, hearing administrator(s), sanctioning administrator(s), and/or EDEC at any time and for any reason, if needed.

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