

# Rights and Options of Employees Who Have Experienced Sexual Misconduct

When you have personally experienced incidents that may constitute sexual misconduct, University of Illinois at Urbana-Champaign (U of I) cares and wants you to know the resources and reporting options available to you.

Our We Care website contains information about resources, support services, reporting options, and answers to frequently asked questions. Please visit [wecare.illinois.edu](http://wecare.illinois.edu) for more information.

## REPORTING OPTIONS

You have the right to report (or not report) an incident of sexual misconduct to the U of I, or law enforcement, or both.

### Reporting Options: Law Enforcement

If you are experiencing an emergency, dial 911 immediately. For non-emergencies, call Champaign County dispatch at (217) 333-8911 and they will connect you with U of I, Champaign, or Urbana Police Department if the incident happened in Champaign County.

### Reporting Options: University of Illinois Title IX Coordinator, Reporting Form, & University

You may report to the U of I at any time using the university's [online reporting form](#).

**University of Illinois Title IX Coordinator:** Danielle Fleenor, can be contacted in person at the Title IX Office, 614 E. Daniel Street, Suite 303, Champaign, IL 61820; by phone at (844) 616-7978; or by email at [titleixcoordinator@illinois.edu](mailto:titleixcoordinator@illinois.edu) for any reports of sexual misconduct, including Title IX Sexual Harassment. The Title IX Office can meet with you to go over supportive measures, resources, and reporting options available to you and answer any questions you may have about the process.

**Office for Student Conflict Resolution (OSCR):** You may report incidents involving student respondents (persons reported to be the perpetrator of the conduct that could constitute sexual misconduct) to OSCR, 300 Turner Student Services Bldg., 610 E. John Street, Champaign, IL 61820, as well by contacting them to set up an appointment by phone at (217) 333-3680 or email at [conflictresolution@illinois.edu](mailto:conflictresolution@illinois.edu).

**Office for Access & Equity (OAE):** Incidents involving employee respondents may be reported OAE, 614 E. Daniel Street, Suite 303, Champaign, IL 61820, by contacting them to set up an appointment by phone at (217) 333-0885, by email at [eeodivision@illinois.edu](mailto:eeodivision@illinois.edu), or by submitting the [online reporting form](#). Please see [I Want to Report an Incident](#) and [FAQs about Reporting](#) for additional information.

## PRIVACY INFORMATION

You may request that your identity be kept private and/or that U of I not investigate your allegations or choose not to file a formal complaint. The Title IX Coordinator, or a designated staff member, will evaluate your request, taking into account your desires, U of I's responsibility to provide a safe and nondiscriminatory environment for all students and employees, and other relevant factors. It is important to understand that if the U of I agrees to either of these requests, U of I's ability to respond fully to the incident, including initiating disciplinary action, may be limited. Please note, retaliation against reporters of sexual misconduct, or retaliation against any individual for the purpose of interfering with any right or privilege secured by Title IX, is prohibited by Title IX and/or U of I's Sexual Misconduct Policy.

## CAMPUS CONFIDENTIAL RESOURCES FOR EMPLOYEES

You have the right to use confidential resources. Individuals at these locations are not required to report incidents of sexual misconduct to law enforcement or to the U of I.

### On Campus Confidential Resources include:

- [Confidential Advisors](#) (serving people of all gender identities, located in the Women's Resources Center, WRC): (217) 333-3137. The following WRC staff members have been designated campus Confidential Advisors: Associate Director, Gabrielle Schwartz and Assistant Director, MK Kim.
- Faculty Staff Assistance & Well-Being Services: (217) 244-5312, 24-hour crisis line (217) 244-7739

## Champaign-Urbana Confidential Resources

- Rape Advocacy, Counseling, & Education Services (RACES) 24-Hour Crisis Hotline: (217) 384-4444
- Courage Connection (Domestic Violence Support Services): (217) 384-4390

**A more comprehensive list of resources, including state and national resources, is available at: [wecare.illinois.edu/resources/employees](http://wecare.illinois.edu/resources/employees)**

## REQUESTING ASSISTANCE, SUPPORTIVE MEASURES, RESOURCES

You can request and receive assistance in notifying law enforcement. You can request assistance with accessing and navigating available supportive measures and resources, including campus and local health and mental health services, counseling, and advocacy services. If you desire this assistance, you can contact the Title IX Office (217-333-3333), the Office for Access & Equity (217-333-0885), or a Confidential Advisor in the Women's Resources Center (217-333-3137).

You may request **supportive measures**, including interim protective measures as well as adjustments. The Title IX Office can coordinate supportive measures to immediately assist your well-being, including but not limited to changes to academic, living, dining, working, transportation situations, and no contact options.

For example, the office can help get you connected with safe housing information or meeting with a campus safety expert for safety planning. You can also request assistance in changes to your work environment. You can also request assistance in obtaining a campus-issued and enforced no contact directive, and/or an order of protection or no contact order in State court. If you are taking classes and feel your academics may be impacted by your experience, the Title IX Office can assist you with any academic adjustments you might request, including communicating with your professors if you are experiencing difficulty completing assignments or attending class due to safety or health concerns.

Visit [Resources for Employees](#) on We Care for additional resource information.

## FORMAL COMPLAINT/INVESTIGATION OPTIONS: UNIVERSITY

You have the **right to file a formal complaint of a violation of U of I's Sexual Misconduct Policy** (as referred to by [§ 1-302](#) of the Student Code or [HR-79 of the Campus Administrative Manual](#) for employees) through the **Title IX Coordinator**, the **Office for Student Conflict Resolution** (OSCR) for student respondents or the **Office for Access & Equity** (OAE) for employee respondents. If you request a formal investigation/file a formal complaint, and/or if the university concludes an investigation is appropriate so the Title IX Coordinator files the formal complaint, the investigation and grievance process will be conducted in a prompt, thorough, and timely manner by individuals without a conflict of interest or bias against complainants or respondents generally or a party individually. It will be determined whether the incident falls under Title IX Sexual Harassment or other Prohibited Sexual Misconduct under the [policy](#) in order to determine which procedures apply. Parties will be informed once that decision has been made. If the university dismisses a formal complaint of Title IX Sexual Harassment (while preserving the ability to pursue action under another provision of the University's policy or Student Code), the university will send written notice of the dismissal and its reasoning to parties simultaneously, and both parties will be offered the ability to appeal the dismissal of the formal Title IX Sexual Harassment complaint.

The Title IX Coordinator, investigators, decision-makers, and any person who facilitates informal resolutions are trained on issues related to sexual misconduct, the sexual misconduct policy definitions and scope of the university's program and activities, the complaint resolution procedures including the grievance process, and how to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The following **summaries of the complaint resolution procedures** of the student discipline processes and employee discipline processes are provided to help you better understand U of I's practices when investigating claims of sexual misconduct.

Note: If a qualified student or employee with a disability needs reasonable accommodations through either process, please contact: Disability Resources and Educational Services (DRES) at (217) 333-4603 or [disability@illinois.edu](mailto:disability@illinois.edu) (for students) or the Accessibility & Accommodations Division of the Office for Access & Equity at (217) 333-0885 or [accessibility@illinois.edu](mailto:accessibility@illinois.edu) (for employees).

**The comprehensive University of Illinois Sexual Misconduct Policy is available via links at [Campus Policies & Procedures on We Care](#) and in the Student Code Handbook.**

#### **OAE DISCIPLINE PROCESS SUMMARY FOR EMPLOYEES**

**Information on investigations of employees** is available through the Office for Access & Equity. Their procedures for addressing Title IX Sexual Harassment Complaints, including informal and formal resolution, is available in the [Procedures for Addressing Title IX Sexual Harassment Complaints](#). The OAE procedures for addressing Non-Title IX Sexual Misconduct complaints is available in the [Procedures for Addressing Discrimination, Harassment, and Non-Title IX Sexual Misconduct Complaints](#).

During the formal investigative process, EEO Associates from OAE meet separately with both the person who is alleged to be the victim of conduct that could constitute sexual misconduct, including Title IX Sexual Harassment, (the "complainant") and the person reported to be the perpetrator of the conduct (the "respondent"). The investigation consists of gathering relevant information and interviewing witnesses, evaluating that information, providing parties the ability to review and respond to evidence prior to the conclusion of the investigation, and compiling a **written investigative report**. Parties can have an advisor of choice, who may be, but is not required to be, an attorney, with them at any meeting during the investigation process or with the Title IX Office.

In OAE, the decision-making panel, consisting of faculty and staff members of the campus community, renders a decision after a formal hearing and a thorough review of the investigative report and collected, relevant evidence, both inculpatory and exculpatory, for allegations of Title IX Sexual Harassment. For other Prohibited Sexual Misconduct, EEO Associates may serve as decision makers.

During Title IX Sexual Harassment hearings, each party must have an advisor present. This may be an advisor of the party's choice. If the party does not have an advisor present at the live hearing, the university will provide a University Provided Hearing Advisor of the university's choice, without fee or charge to the party. In the hearing, the advisor will relay the party's questions that the party wishes to have asked of other parties or witnesses, so the parties never personally question each other. Prior to an answer, the chair of the hearing will determine if a question is relevant.

The **standard of proof** used to determine whether U of I's Sexual Misconduct Policy has been violated is the preponderance of the evidence standard (whether it is more likely than not, based on relevant information gathered and examined, that the policy was violated).

In OAE the formal investigatory report should be complete within 90 calendar days. If there is a delay the University will provide written notice to the Parties of the delay, the cause of the delay, and an estimate of the additional time that will be needed as a result. Throughout the process, both the complainant and the respondent have **the right to receive email notification of the charges, to respond to those charges, to identify witnesses and provide relevant information, to review and to comment on the investigation within a specified time period, to receive a timely written decision, and to appeal that OAE decision**. In addition, both the complainant and the respondent may have an **advisor** of their choice accompany them to any meeting with OAE staff and may choose not to answer any question during the investigation.

Employees found in violation of the Sexual Misconduct Policy will have a sanction/corrective action issued through the relevant university unit in consultation with human resources. If the finding involves Title IX Sexual Harassment, the Decision-Maker Panel will consult with other appropriate administrators in determining the appropriate sanction. **[Possible sanctions/outcomes for employee respondents can be found on the We Care website](#)**. If there is a determination of responsibility against a respondent under Title IX Sexual Harassment, remedies to the complainant may also be needed. [Information about remedies and supportive measures](#) is also available on the We Care website.

#### **OSCR DISCIPLINE PROCESS SUMMARY FOR STUDENTS**

**For the complete student conduct process for complaint resolution** pertaining to allegations of Title IX Sexual Harassment, please see [the Student Conduct Procedures for Allegations of Title IX Sexual Harassment](#). For the procedures pertaining to Other Prohibited Sexual Misconduct, please see [the Student Conduct Procedures for Allegations of Non-Title IX Sexual Misconduct](#). For informal resolution options, please see [Article IV Section 4.07 of the Student Disciplinary Procedures](#). For further information on the student discipline process, please see [FAQs about the Student Disciplinary Process](#), or contact the Office for Student Conflict Resolution at (217) 333-3680.

During the investigative process, case coordinators from **OSCR** meet separately with both the person who is alleged to be the victim of conduct that could constitute sexual misconduct, including Title IX Sexual Harassment, (the "complainant") and the person reported to be the perpetrator of the conduct (the "respondent"). The investigation consists of gathering relevant information and interviewing witnesses, evaluating that information, providing parties the ability to review and respond to evidence prior to the conclusion of the investigation, and compiling a **written investigative report**. Parties can have an advisor of choice, who may be, but is not required to be, an attorney, with them at any meeting during the investigation process or with the Title IX Office.

A panel of three members of the **Subcommittee on Sexual Misconduct**, a group of trained faculty, staff, and students, renders a decision after a formal hearing and a thorough review of the investigative report and collected, relevant evidence, both inculpatory and exculpatory, for allegations of Title IX Sexual Harassment. For other Prohibited Sexual Misconduct, case coordinators or the Subcommittee on Sexual Misconduct can serve as the decision-makers using these [procedures](#). The complainant and respondent will have the opportunity to request a substitution of panel members if there is a conflict of interest.

During Title IX Sexual Harassment hearings, each party must have an advisor present. This may be an advisor of the party's choice. If the party does not have an advisor present at the live hearing, the university will provide a University Provided Hearing Advisor of the university's choice, without fee or charge to the party. In the hearing, the advisor will relay the party's questions that the party wishes to have asked of other parties or witnesses, so the parties never personally question each other. Prior to an answer, the chair of the hearing will determine if a question is relevant.

Depending upon the allegations, some cases involving other Prohibited Sexual Misconduct may be resolved by a hearing. During a panel hearing for other Prohibited Sexual Misconduct, parties will have the opportunity to suggest questions to the panel to be posed to the other party or witnesses and to respond to questions from the other party.

The **standard of proof** used to determine whether U of I's Sexual Misconduct Policy has been violated is the preponderance of the evidence standard (whether it is more likely than not, based on information gathered and examined, that the policy was violated).

**The anticipated duration of an OSCR sexual misconduct investigation is approximately 40 business days** following notification of the allegations, but the **actual duration of each investigation may vary** depending on the complexity of the investigation, the severity and extent of the allegations, the number of witnesses, and the possibility of interruption by break periods.

Throughout the process, both the complainant and the respondent have **the right to receive email notification of the charges, to respond to those charges, to identify witnesses and provide relevant information, to review and to comment on the investigation within a specified time period, to receive a timely written decision, and to appeal that decision**. In addition, both the complainant and the respondent may have an **advisor** of their choice accompany them to any meeting with OSCR staff and may choose not to answer any question during the investigation.

Any student found in violation of the Sexual Misconduct Policy will be assigned a formal sanction, ranging from a university reprimand to dismissal from the university. Furthermore, most of these individuals will also be assigned one or more educational sanctions. The university may also restrict a respondent from contacting specific individuals, going to particular campus locations or participating in certain events or organization. **A more complete list of actions/outcomes possible in individual student discipline cases can be found on the We Care website**. If there is a determination of responsibility against a respondent under Title IX Sexual Harassment, remedies to the complainant may also be needed. [Information about remedies and supportive measures](#) is also available on the We Care website.

#### **UNIVERSITY NO CONTACT DIRECTIVES**

If the alleged offender is a student, you can contact the [Office for Student Conflict Resolution \(OSCR\)](#) at (217) 333-0885 (8:30 am–5 pm, Monday–Friday) to discuss your concerns and your options for obtaining a directive from OSCR that the alleged offender have no contact with you.

If the alleged offender is an employee, you can contact the [Office for Access & Equity](#) at (217) 333-3680 (8:30 am–5 pm, Monday–Friday) to discuss your concerns and your options for obtaining a no contact directive.

**For more information about University Options, visit [FAQs about University Options](#).**