



## Policy on Harassment, Discrimination, and Sexual Misconduct

### The University of Chicago Policy on Harassment, Discrimination, and Sexual Misconduct<sup>1</sup>

<sup>1</sup>Sexual misconduct includes but is not limited to sexual harassment, sexual abuse, sexual assault, domestic violence, dating violence, and stalking.

#### I. Introduction

The University of Chicago is a community of scholars dedicated to research, academic excellence, and the pursuit and cultivation of learning. Members of the University community cannot thrive unless each is accepted as an autonomous individual and is treated without regard to characteristics irrelevant to participation in the life of the University. Freedom of expression is vital to our shared goal of the pursuit of knowledge and should not be restricted by a multitude of rules. At the same time, unlawful discrimination, including harassment, compromises the integrity of the University. The University is committed to taking necessary action to prevent, correct, and, where indicated, discipline unlawful discrimination.

Sexual misconduct may violate the law, does violate the standards of our community, and is unacceptable at the University of Chicago. Sexual misconduct can be devastating to the person who experiences it directly and can adversely impact family, friends, and the larger community. Regardless of the definitions provided below, people who believe they have experienced any sexual misconduct are encouraged to report the incident and to seek medical care and support as soon as possible.

Matters that constitute Title IX Sexual Harassment under the University Policy on Title IX Sexual Harassment (<https://titleixpolicy.uchicago.edu>) are not within the scope of this Policy and will be addressed under the procedures set forth in the Policy on Title IX Sexual Harassment.

#### II. Policy Basis and Application

This policy expresses the University's commitment to an environment free from discrimination, unlawful harassment, sexual misconduct, sexual assault, domestic violence, dating violence, and stalking and conforms to legal requirements. The University provides education and prevention resources, offers numerous support services and referrals for anyone who has experienced discrimination, unlawful harassment, or sexual misconduct, encourages and facilitates reporting, which can assist prosecution, and is committed to disciplining anyone determined to have violated this policy pursuant to University procedure.

#### Policy Application: Individuals Covered

This Policy applies to students and other program participants, staff, postdoctoral researchers, faculty, and other academic appointees, volunteers, as well as to anyone on whom the University has formally conferred a title, regardless of employment status.

This policy also applies to matters involving complaints made against staff or faculty at the University of Chicago Laboratory Schools. The Laboratory Schools are home to the youngest members of the University of Chicago's academic community, and the age and developmental stage of the student(s) involved in a matter under this Policy will be considered when determining whether a Policy violation occurred, as well as in determining the appropriate response by the University.

#### Policy Application: Location of Conduct Covered

This policy applies to misconduct that occurs: (1) on University property; or (2) off University property, if: (a) the conduct occurred in connection with a University or University-sponsored or recognized program or activity; or (b) the conduct has or reasonably may have the effect of creating a hostile educational or work environment for a member of the University community.

For example, this policy applies to misconduct that occurs between students during an off-campus party in a private residence, during a University-sponsored study abroad program, or during research- or conference-based University-supported travel.

Misconduct that occurs off-campus and involves an alleged student perpetrator and an unaffiliated complainant is subject to investigation and adjudication, although the circumstances may be such that the inquiry is limited to assessing whether the student poses a threat to campus safety.

#### III. Unlawful Harassment and Discrimination

##### A. Discrimination

Discrimination based on factors irrelevant to admission, employment, or program participation violates the University's principles. In keeping with its long-standing traditions and policies, the University of Chicago considers students, employees, applicants for admission or employment, and those seeking access to programs on the basis of individual merit. The University does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender, gender identity or expression, national or ethnic origin, shared ancestry, age, status as an individual with a disability, military or veteran status, genetic information, or other protected classes under the law.<sup>[1]</sup> Such discrimination is unlawful.

##### B. Unlawful Harassment

Unlawful harassment is a form of discrimination and violates University's principles and the law. Unlawful harassment is:

- Verbal or physical conduct or conduct using technology that is so severe or pervasive,
- That targets individual(s) based on the actual or perceived protected identity characteristics listed above,
- Such that it has the purpose or effect of unreasonably interfering with an individual's work performance or educational program participation, or that creates an intimidating, hostile, or offensive work or educational environment.

A person's subjective belief that behavior is intimidating, hostile, or offensive does not make that behavior harassment. The behavior must be objectively unreasonable.

Expression occurring in an academic, educational, or research context is considered a special case and is broadly protected by academic freedom. Such expression will not constitute harassment unless (in addition to satisfying the above definition) it is targeted at a specific person or persons, is abusive, and serves no bona fide academic purpose.

Harassment includes same-sex harassment and peer harassment among students, staff, other academic appointees, postdoctoral researchers, faculty members, program participants, volunteers, and anyone on whom the University formally confers a title, regardless of employment status. Harassment by a faculty member, instructor, or teaching assistant of a student over whom the individual has authority, or by a supervisor of a subordinate, is particularly serious.

[1] This Policy is consistent with federal, state, and local regulations governing non-discrimination and harassment including: the Age Discrimination in Employment Act, the Americans with Disabilities Act (as amended), the Civil Rights Acts of 1964 and 1991, Executive Order 11246, the Equal Pay Act of 1963, the Rehabilitation Act of 1973 (as amended), Title IX of the Education Amendments of 1972, Genetic Information Nondiscrimination Act of 2008, Lilly Ledbetter Fair Pay Act of 2009, the Illinois Human Rights Act, the City of Chicago Human Rights Ordinance, and the Cook County Human Rights Ordinance.

#### IV. Sexual Misconduct and Definitions

Sexual misconduct encompasses a range of conduct, from sexual assault (a criminal act that the U.S. Department of Education defines as a form of sexual harassment) to conduct such as unwanted touching or persistent unwelcome comments, e-mails, or pictures of an insulting or degrading sexual nature, which may constitute unlawful harassment, depending upon the specific circumstances and context in which the conduct occurs. For example, sexual advances, requests for sexual favors, or sexually-directed remarks or behavior constitute sexual harassment when (1) submission to or rejection of such conduct is made, explicitly or implicitly, a basis for an academic or employment decision, or a term or condition of either; or (2) such conduct directed against an individual persists despite its rejection.

In compliance with the Violence Against Women Reauthorization Act of 2013 ("VAWA") and the Clery Act, the University uses the State of Illinois Criminal Code's definitions of sexual assault and sexual abuse. The University incorporates the State's definitions of several other important terms, including domestic violence, dating violence, and stalking and recognizes that sexual assault, domestic violence, dating violence, and stalking are not gender-specific crimes. To aid searches, definitions are provided in alphabetical order. Additional definitions are included in the Appendix, below.

"Dating violence" means the use or threat of use of physical abuse, mental or emotional abuse, or sexual violence by a person who is in a social relationship of a romantic or intimate nature with the victim.

"Domestic violence" means harassment, interference with personal liberty, intimidation of a dependent, physical abuse, or willful deprivation by a person who is or was a family or household member of the victim. A family or household member includes: a spouse, former spouse, parent, child, stepchild, or other person related by blood or by present or prior marriage; a person who shares or formerly shared a common dwelling; a person who has or allegedly has a child in common or shares a blood relationship through a child; a person who has a dating or engagement relationship; a personal assistant to a person with a disability; and a caregiver.

"Sexual abuse" means an act of sexual conduct:

- Without consent; or
- By the use of force or threat of force; or
- When the accused knew that the victim was unable to understand the nature of the act or was unable to give knowing consent; or
- Where the accused is under 17 years of age and the victim was at least 9 years of age but under 17 years of age when the act was committed; or
- In which the accused delivered (by injection, inhalation, ingestion, transfer of possession, or any other means) to the victim without their consent, or by threat or deception, and for other than medical purposes, any controlled substance.

"Sexual assault" means an act of sexual penetration:

- Without consent; or
- By the use of force or threat of force, including threatening or endangering the life of the victim or any other person; or
- Where the accused knew that the victim was unable to understand the nature of the act or was unable to give knowing consent; or
- With a victim who was under age 17 when the act was committed, or with a victim who was under age 18 when the act was committed and the accused was age 17 or more and held a position of trust, authority, or supervision in relation to the victim; or
- In which the accused delivered (by injection, inhalation, ingestion, transfer of possession, or any other means) to the victim without their consent, or by threat or deception, and for other than medical purposes, any controlled substance.

"Stalking" means a course of conduct (two or more acts) directed at a specific person that would cause a reasonable person to fear for their safety or the safety of a third person, or to suffer emotional distress. Stalking behavior includes, but is not limited to: following a person; appearing at a person's home, work, or school; making unwanted phone calls; sending unwanted emails or text messages; leaving objects for a person; vandalizing a person's property; injuring a person's pet; and monitoring or placing a person under surveillance.

#### V. Consent

##### What is Consent?

- Consent means voluntary, active and clear agreement, communicated by words or actions, to participate in specific sexual activity. Consensual sexual activity happens when each participant willingly chooses to participate. It is the responsibility of the person who wants to engage in a sexual activity to obtain the consent of the other person for that sexual activity. Consent may also be withdrawn or modified at any time by the use of clearly understandable words or actions.
- In cases where a victim asserts that sexual activity occurred without consent, the standard is whether a sober, reasonable person in the same circumstances as the accused should have known that the victim did not or could not consent to the sexual activity in question.

- The definition of consent does not vary based upon a person's sex, sexual orientation, gender identity, or gender expression.
- Consent is best obtained through direct communication about the decision to engage in specific sexual activity. Consent need not be verbal, but verbal communication is the most reliable and effective way to seek, assess, and obtain consent. Non-verbal communication often is ambiguous. For example, heavy breathing can be a sign of arousal, but it also can be a sign of distress. Talking with sexual partners about desires, intentions, boundaries and limits can be uncomfortable, but it serves as the best foundation for respectful, healthy, positive and safe intimate relationships.

## What is not Consent?

- Consent cannot be obtained by threat of harm, coercion, intimidation, or by use or threat of force.
- The lack of explicit consent does not imply consent and likewise, the lack of verbal or physical resistance does not constitute consent. Thus, silence, passivity, submission, and/or the lack of resistance (including the absence of the word "no") do not—in and of themselves—constitute consent.

## Incapacitation

Consent cannot be obtained from someone who is unable to understand the nature of the activity or give knowing consent due to circumstances. A person is mentally or physically incapacitated when that person lacks the ability to make or act on considered decisions to engage in sexual activity, i.e., when a person's perception and/or judgment is so impaired that the person lacks the cognitive capacity to make or act on conscious decisions, including without limitation the following circumstances:

- The person is incapacitated due to the use or influence of alcohol or drugs, or due to a mental disability. Alcohol and drugs can impair judgment and decision-making capacity, including the ability to rationally consider the consequences of one's actions. The effects of alcohol and drug consumption often occur along a continuum. For example, alcohol intoxication can result in a broad range of effects, from relaxation and lowered inhibition to euphoria and memory impairment, and to disorientation and incapacitation. Incapacitation due to alcohol or drug use is a state beyond "mere" intoxication or even being drunk. Indicators of incapacitation may include inability to communicate, lack of control over physical movements, and/or lack of awareness of circumstances. An incapacitated person can also experience a blackout state during which they appear to give consent but does not have conscious awareness or the capacity to consent. Some medical conditions also can cause incapacitation.
- The person is asleep or unconscious.
- The person is under the legal age of consent. In Illinois, the legal age of consent is 17 but rises to 18 if the accused holds a position of trust, authority, or supervision in relation to the victim. This means that there can be no consent when one participant in the sexual activity is under the legal age of consent and any other participant is at or over the legal age of consent.

In sum, an act will be deemed non-consensual if a person engages in sexual activity with an individual who is incapacitated, and who the person knows or reasonably should know is incapacitated, or with an individual who is asleep, unconscious, or under the legal age of consent.

## Other Important Points regarding Consent

- The existence of a romantic or sexual relationship does not, in and of itself, constitute consent.
- Consent on a prior occasion does not constitute consent on a subsequent occasion.
- Consent to one sexual act does not constitute consent to another sexual act.
- Consent to sexual activity with one person does not constitute consent to engage in sexual activity with another.
- Consent cannot be inferred from a person's manner of dress or other contextual factors, such as alcohol consumption, dancing, or agreement to go to a private location like a bedroom.
- Accepting a meal, a gift, or an invitation for a date does not imply or constitute consent.
- Silence, passivity, or lack of resistance alone or in combination does not constitute consent.

Incapacitation by the person initiating sexual activity does not in any way lessen their obligation to obtain consent.

## VI. Reporting Options Reporting Options

To make a report directly to the University's Associate Provost for Equal Opportunity Programs, a person may report online (<https://cares.uchicago.edu/make-a-report/>), or by contacting the Associate Provost for Equal Opportunity Programs or designees, as follows. Such a report will be anonymous if filed without disclosing one's name or contact information. Any person may report a potential violation of this Policy through any of the means listed in this Policy.

### Associate Provost for Equal Opportunity Programs and Title IX Coordinator for the University

The University official responsible for coordinating compliance with this Policy is Bridget Collier, Associate Provost for Equal Opportunity Programs. Ms. Collier also serves as the University's Title IX Coordinator for the University, Affirmative Action Officer, and Section 504/ADA Coordinator and coordinates compliance with federal, state and local regulations governing non-discrimination, including Title VI, Title VII, Title IX and VAWA. You may contact Ms. Collier in person, by mail, by telephone, by electronic mail, or by any other means that results in Ms. Collier receiving a verbal or written report, using the following contact information:

Report online: <https://cares.uchicago.edu/make-a-report/> (<https://cares.uchicago.edu/make-a-report/>)

Bridget Collier

The University of Chicago, Office of the Provost

Associate Provost for Equal Opportunity Programs and Title IX Coordinator for the University

[bcollier@uchicago.edu](mailto:bcollier@uchicago.edu) (<mailto:bcollier@uchicago.edu>)

773.702.5671

6030 S. Ellis Ave., Chicago, IL 60637

A person may contact the Associate Provost for Equal Opportunity Programs or designee to report any complaints of discrimination, unlawful harassment, sexual misconduct, and retaliation. The Associate Provost for Equal Opportunity Programs or designee can also assist you in the following ways:

- If you are unsure of where to turn for help.
- If you have questions regarding this Policy, the University's Policy on Sex-Based Discrimination or Sexual Misconduct, or the University's Policy on Consensual Relationships.
- If you have questions regarding federal, state and local regulations governing non-discrimination, including Title IX of the Education Amendments of 1972, Title VI, Title VII or VAWA.
- If you are seeking information regarding or the implementation of Supportive Measures and accommodations related to a sexual misconduct matter.
- If you have a complaint or question regarding postdoctoral researchers, staff, faculty members, or other academic appointees engaging in discrimination, unlawful harassment, sexual misconduct, dating violence, domestic violence, stalking, or retaliation.
- If you need information regarding campus accessibility and accommodations for individuals with disabilities.
- If you need information regarding support for pregnancy or related conditions.

Please see <https://equalopportunityprograms.uchicago.edu/> (<https://equalopportunityprograms.uchicago.edu/>) for additional information.

Appendix. Additional information on the Associate Provost for Equal Opportunity Programs or designees and CARES, the Center for Awareness, Resolution, Education and Support, is included in the appendix, below.

## Confidential Support Options

Some persons may want to seek out additional information regarding their options before making a report to the University. The Confidential Resources listed in this Policy do not have an obligation to report any form of discrimination, unlawful harassment, sexual misconduct, including sexual assault, dating violence, domestic violence, or stalking, or retaliation to the Associate Provost for Equal Opportunity Programs/Title IX Coordinator or designees and will not do so without the explicit consent of the complaining party. A complete list of Confidential Resources, is included in the Appendix, below, and also available in the "Confidential Support Services (<https://cares.uchicago.edu/support-and-resources/confidential-support-services/>)" page of the Support and Resources section of the CARES website.

Students may confidentially seek support from the following resources:

- Sexual Assault Dean-on-Call (SaDoC) by calling the UCPD Dispatch at 773.702.8181 and asking UCPD to page the Sexual Assault Dean-on-Call. Students should be prepared to provide a 10-digit call-back number. The Sexual Assault Dean-on-Call can also be reached via text through the UChicago Safe App ([https://safety-security.uchicago.edu/services/uchicago\\_safe\\_mobile\\_safety\\_app/](https://safety-security.uchicago.edu/services/uchicago_safe_mobile_safety_app/)). Once in the UChicago Safe App, press the UChicago HELP button and a text option will be provided. A student may contact the Sexual Assault Dean-on-Call even if the student has not yet decided whether to report the incident to the police or to receive guidance and support in helping a peer or friend.
- Confidential Advisor by calling Student Wellness at 773.834.WELL and asking for an appointment with the Confidential Advisor.
- Student Wellness by calling 773.834.WELL.
- Ordained Religious Advisors by calling 773.834.1885 or emailing [spirit@uchicago.edu](mailto:spirit@uchicago.edu) (<mailto:spirit@uchicago.edu>).

Faculty, Other Academic Appointees, Postdoctoral Researchers and Staff may seek confidential support through the Employee Assistance Program (Perspectives, an All One Health Company) 24-hours: 800.456.6327 <http://www.perspectivesltd.com/> (<http://www.perspectivesltd.com/>). For additional information on how to access Perspectives, visit UChicago's Intranet, Staff and Faculty Assistance Program (<https://intranet.uchicago.edu/benefits-and-career/benefits/additional-benefits/staff-and-faculty-assistance-program>).

## Individuals with Reporting Responsibilities

As noted above, some University employees (referred to as "Individuals with Reporting Responsibilities") must promptly notify the Associate Provost/Title IX Coordinator for the University all known details related to a possible incident of sexual misconduct (including sexual harassment), dating violence, domestic violence, and stalking that is reported to them directly, indirectly, or through a third party, or that they may have observed. Individuals with Reporting Responsibilities must report such information regardless of where the incident occurred. Individuals with Reporting Responsibilities include (among others) faculty and instructors, Resident Assistants, Resident Heads, Resident Deans, Teaching Assistants, preceptors, UCPD staff, and other university employees.

Please note that reporting an incident to the Associate Provost/Title IX Coordinator for the University (or their designees) is private, and it does not mean the person who experienced sexual misconduct, dating violence, domestic violence, or stalking somehow loses control of the process. To the contrary, the Title IX Coordinators are here to advise members of our community on their options regarding remaining anonymous, confidentiality, the University's process for investigating complaints of sexual misconduct (including sexual harassment), dating violence, domestic violence, and stalking, and the University's disciplinary process. Indeed, in some cases, individuals choose not to move forward with the investigation process, but still request support services. When the University receives a report that someone in our community experienced sexual misconduct (including sexual harassment), dating violence, domestic violence, or stalking, the University will provide that person with a written summary of their rights and options, including information on contacting local law enforcement and community-based resources.

While only Individuals with Reporting Responsibilities are required to report all incidents of sexual misconduct (including sexual harassment), dating violence, domestic violence, and stalking to the Title IX Coordinator for the University, all other members of our community (including students) are encouraged to report such incidents to the Title IX Coordinator or their designees.

## Additional Reporting Responsibilities for Individuals with Supervisory, Managerial, or Administrative Authority

Individuals with supervisory, managerial, or administrative authority – both academic and staff – (referred to as “Individuals with Supervisory, Managerial or Administrative Authority”) must promptly notify the Associate Provost for Equal Opportunity Programs (or designee) of all known details related to a possible incident of discrimination or unlawful harassment in the workplace context on the basis of the protected identity characteristics outlined above, and of retaliation. They must provide this information if it is reported to them directly, indirectly, or through a third party, or that they may have observed. Individuals with Supervisory, Managerial, or Administrative Authority must report such information regardless of where the incident occurred.

“Individuals with Supervisory, Managerial, or Administrative Authority” are individuals – both academics and staff – who exercise supervisory, managerial, or administrative authority in University work environments. If an academic or staff member is unsure whether they are supervisors or exercise supervisory, managerial, or administrative authority, they may contact their Human Resources Partner.

Individuals with Supervisory, Managerial, or Administrative Authority also have additional reporting responsibilities to report all known details related to a possible incident of sex-based discrimination or sexual misconduct, including sexual harassment, sexual assault, dating violence, domestic violence, and stalking that is reported to them directly, indirectly, or through a third party, or that they may have observed.

While only Individuals with Supervisory, Managerial, or Administrative Authority are required to report all incidents of discrimination or unlawful harassment on the basis of a protected identity characteristic and retaliation to the Associate Provost for Equal Opportunity Programs, all other members of our community (including students) are encouraged to report such incidents in all other University contexts to the Associate Provost for Equal Opportunity Programs or their designees.

### VII. Response to a Report or Complaint

The University’s procedures for responding to incidents depends on the nature of the incident, the relationship of the respondent to the institution, and, to the extent possible, the wishes of the person bringing forward the complaint. If the Associate Provost for Equal Opportunity Programs (or designee) receives a report or complaint and, following a preliminary assessment of the initial report or complaint, determines the conduct reported could fall within the scope of this Policy, the Associate Provost for Equal Opportunity Programs (or designee) will take the following steps:

- Promptly contact the complainant to discuss the availability of supportive measures, as detailed in the Support and Resources section of this Policy, and to explain to the complainant the process for filing a complaint. If applicable, the Associate Provost for Equal Opportunity Programs (or designee) will provide information regarding the importance of preserving physical evidence and the availability of a medical forensic examination at no charge to the victim.
- Where there is a known respondent, the Associate Provost for Equal Opportunity Programs (or designee) will conduct an individualized pattern/safety and risk analysis and determine if there is an immediate threat to the physical health or safety of any student or other individual arising from the allegations. This information will also be considered by the Associate Provost for Equal Opportunity Programs in the absence of a complaint. The Associate Provost or their designee will explain that a report may be resolved by: 1) the imposition of supportive measures only; 2) the filing of a complaint by the complainant (as discussed in the Resolution Options section of this Policy); or 3) the filing of a complaint by the Associate Provost for Equal Opportunity Programs (as discussed in the Institutional Obligation to Respond section of this Policy). In all cases, the University is committed to providing a prompt, fair, impartial, and thorough investigation and resolution that is consistent with the University’s policies and is transparent to the complainant and the respondent. Such an investigation may occur alongside an independent law enforcement investigation. Third parties found to have violated the Policy may be banned from campus and/or otherwise restricted from attending or participating in University activities and programs.

## A. Support and Resources

### i. Generally

The needs of someone who has experienced discrimination, unlawful harassment, sexual misconduct, or retaliation vary from person to person and may vary over time. The University offers a diverse array of services and external resources, many of which may be accessed 24 hours a day, so that a person may choose whatever would be most helpful and healing. A complete summary of these resources is included in the Appendix to this Policy and are also available online on the CARES website (<https://cares.uchicago.edu/support-and-resources/>).

Written information regarding these support services and resources will be provided to individuals who report experiences of discrimination, unlawful harassment, sexual misconduct, or retaliation. Exercising reasoned discretion, the University will provide support and resources to all parties involved in resolution processes to preserve equal access to the University’s educational programs or activities. These may include, but are not limited to:

- On and off-campus referrals and resources (e.g., to mental health/counseling services, legal services, including referrals for civil orders of protection or no-contact orders, etc.)
- Assistance in accessing and navigating campus and local services (e.g., requesting leaves of absences),
- Issuing a No Contact Directive from the University,
- Accommodations and changes (academic, living, dining, working, transportation, extracurricular) (e.g., extensions of deadlines or other course-related adjustments, modifications of work or class schedules, changes in work or housing locations, adjustments in dining arrangements, campus escort services, increased security, and monitoring of certain areas of campus, etc.).

Support services and resources are non-disciplinary, non-punitive, and offered as appropriate and reasonably available at the discretion of the Associate Provost for Equal Opportunity Programs or designee. The University may, as appropriate, modify, terminate, or continue support services and resources following the conclusion of investigative and resolution procedures.

### Emergency Removal or Leaves of Absence

The University may remove a respondent from an education program or activity on an emergency basis while an investigation and resolution process is pending. The University will only remove a respondent on an emergency basis if, after making an individualized safety and risk analysis, it determines that an immediate and serious threat to the physical health or safety of a complainant or any students, employees, or other persons arising from the allegations of discrimination or unlawful harassment justifies removal. The University also may place a non-student employee that is a respondent on paid administrative leave during the pendency of an investigation and resolution under this Policy.

Request for Review. The University will provide the respondent with notice and an opportunity to request a review of the decision immediately following the removal. Requests for review may be submitted in writing to Ingrid Gould, Associate Provost for Faculty Affairs, [igould@uchicago.edu](mailto:igould@uchicago.edu) (*mailto:igould@uchicago.edu*).

## Institutional Obligation to Respond

If a person reports an incident of discrimination, unlawful harassment, sexual misconduct, or retaliation to the University and asks to remain anonymous during the investigation and/or asks that the University refrain from investigating, the Associate Provost for Equal Opportunity Programs will consider how to proceed.

The Associate Provost for Equal Opportunity Programs will take into account the complainant's wishes, and factors including, but not limited, to the following: (a) was a weapon involved in the incident, (b) were multiple assailants involved in the incident, (c) is the accused a repeat offender, (d) does the incident create a risk of occurring again, (e) the results of the individualized safety and risk analysis, (f) the University's obligation to provide a safe and non-discriminatory environment, and (g) the respondent's right to have specific notice of the allegations and an opportunity to be heard if the University were to take action that affects them.

In such circumstances, the Associate Provost for Equal Opportunity Programs may arrange for limited fact-finding to better understand the context of the complaint and explore viable options for addressing safety concerns, and any options for investigation, adjudication, and remediation.

Because sexual misconduct may constitute a serious crime that threatens the community as a whole, in some instances the University may be obliged to address allegations through internal resolution procedures without the cooperation of the individual making the allegation. In such instances, the Title IX Coordinator may file a complaint and initiate investigation and resolution procedures. In such instances, the University will respect the parties' privacy to the extent possible consistent with its legal obligations and will inform the victim of its obligation to address a community safety issue. All publicly available recordkeeping, including Clery Act reporting and public disclosures, will not contain personally identifying information about the victim.

## Resolution Options

The University has adopted disciplinary procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating in its education program or activity, or by the Associate Provost of Equal Opportunity Programs, alleging any action that would be discrimination, unlawful harassment, sexual misconduct, or retaliation in violation of this Policy. The University will treat complainants and respondents equitably.

As explained below, although the procedures for investigating an alleged violation of this policy depend upon the status of the accused individual, such investigations will generally include: (1) assisting and interviewing the complainant (and the alleged victim, if that person is not the complainant); (2) identifying and locating witnesses; (3) contacting and interviewing the respondent; (4) if applicable, contacting and cooperating with law enforcement; and (5) providing information, including information regarding the importance of preserving physical evidence of the alleged sexual violence and the availability of a medical forensic examination at no charge to the victim.

In all cases, the University is committed to providing a prompt, fair, impartial, and thorough investigation and resolution that is consistent with the University's policies and is transparent to the complainant and the respondent. Third parties found to have violated the Policy may be banned from campus and/or otherwise restricted from attending or participating in University activities and programs.

### i. Complaint - Filing, Dismissal, and Notice

#### Filing a complaint

To file a complaint, the complainant must submit a written request to the University's Associate Provost for Equal Opportunity Programs or designee that can reasonably be understood as a request for the University to investigate and make a determination about the allegations under this Policy.

#### Consolidated Complaints

The University may, using reasoned judgment, consolidate complaints of discrimination, unlawful harassment, sexual misconduct, or retaliation against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of discrimination or unlawful harassment arise out of the same facts or circumstances. If the complaint involves a student complainant or a student respondent and consistent with FERPA, the University must also obtain prior written consent from the student (or parent or legal guardian, as appropriate).

Upon receipt of a Complaint under this Policy, the Associate Provost for Equal Opportunity Programs or designee will do the following:

- Conduct an initial assessment to determine whether the alleged conduct in the Complaint, if substantiated, would constitute discrimination, unlawful harassment, sexual misconduct,<sup>[1]</sup> or retaliation under this Policy.
- Following the initial assessment, if the allegations forming the basis of the Complaint would, if substantiated, constitute discrimination, unlawful harassment, sexual misconduct, or retaliation, assign an Investigator, who will initiate an investigation of the allegations under this Policy.
- Promptly contact the Respondent to discuss the availability of support and resources, as appropriate, and to explain to the Respondent the resolution procedures.
- Initiate the relevant resolution procedures, as detailed in this part, and provide the complainant and respondent with a written document (separate from this Policy) listing the available rights, options, and resources, including support and resources, and describing the resolution processes in plain, concise language.

#### Dismissal of a Complaint

The Associate Provost for Equal Opportunity Programs, or where the complaint is against an academic respondent, the Faculty Chair (as described in the Process for the Investigation of Complaints Made Against Academics under this Policy), may dismiss a complaint of discrimination, unlawful harassment, sexual misconduct, or retaliation if:

- The University is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in the University's education program or activity and is not employed by the University;
- The complainant voluntarily withdraws in writing any or all of the allegations in the complaint, the Associate Provost for Equal Opportunity Programs declines to initiate a complaint, and the University determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute discrimination, unlawful harassment, sexual misconduct, or retaliation even if proven; or
- The University determines the conduct alleged in the complaint, even if substantiated, would not constitute discrimination, unlawful harassment, sexual misconduct, or retaliation under this Policy. Before dismissing the complaint, the University will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, the Associate Provost for Equal Opportunity Programs (or designee) will promptly send written notice of the dismissal to the complainant, or to the parties simultaneously if the dismissal occurs after the respondent has been notified of the allegations. The notice will include:

- The reason(s) for the dismissal;
- That complainant (or both complainant and respondent, if respondent has been notified of the allegations) have equal opportunity to request review of the dismissal;
- Information that dismissal may be reviewed on the bases outlined in the request for review process described in the resolution procedures.

The determination regarding dismissal becomes final either on the date that the parties are provided with the written determination of the result of a request for review, if filed, or if a request for review is not filed, the date on which a request for review would no longer be considered timely. Once a dismissal is final, a complainant cannot file a complaint under this Policy concerning the same alleged conduct.

The matter may also be referred by the Associate Provost for Equal Opportunity Programs or a designee to other applicable policies.

#### Initial Outreach and Written Notice of Allegations

Upon initiation of the disciplinary procedures, the Associate Provost for Equal Opportunity Programs (or designee) will send the parties a notice of investigation and allegations, notifying the parties in writing of the following:

- This Policy and related resolution procedures;
- Sufficient information available at the time to allow the parties to respond to the allegations, including
  - the identities of the known parties involved in the incident(s),
  - the conduct alleged to constitute a violation of this Policy, and
  - the date(s) and location(s) of the alleged incident(s);
- A timeframe for scheduling an initial meeting;
- Retaliation is prohibited;
- The Respondent is presumed not responsible for the allegations until a determination is made at the conclusion of the resolution process;
- The name of the Investigator(s) and information on how to raise a conflict of interest regarding the investigator, decision-makers, or other personnel involved in the resolution procedures; and
- Information about confidentiality, as described in the Policy.

#### ii. Investigative/Administrative Resolution

##### *Investigative/Administrative Resolution Process Where a Student is the Respondent*

If the person accused of a violation of this Policy is a student, an administrative complaint shall be made using the administrative resolution procedures for student discipline described in the Student Manual. (<https://studentmanual.uchicago.edu/student-life-conduct/university-disciplinary-systems/university-wide-disciplinary-system/>) The complaint should be addressed to the Associate Dean of Students in the Center for Student Integrity.

##### *Investigative/Administrative Resolution Process Where an Academic Appointee or Postdoctoral Researcher is the Respondent*

If the person accused of a violation of this Policy is an academic appointee or postdoctoral researcher, an administrative complaint shall be made using the administrative procedures described in the Faculty Handbook (<https://provost.uchicago.edu/welcome-handbook-faculty-and-other-academic-appointees>) or the Postdoctoral Researcher Policy Manual, (<https://postdocs.uchicago.edu/postdocmanual/>) respectively.

##### *Investigative/Administrative Resolution Process Where a Staff Member is the Respondent*

If the person accused of a violation of this Policy is a staff employee, Human Resources or their designee will normally conduct the investigation in partnership with the Associate Provost for Equal Opportunity Programs or their designee. Both parties will be simultaneously informed of the outcome of the investigation. When a policy violation is found, a report of the complaint, including any disciplinary action, is placed in the respondent's official file.

#### iii. Investigative/Hearing Body Resolution

##### *Investigative/Hearing Body Resolution Process Through the University-Wide Disciplinary Committee Where a Student is the Respondent*

If the person accused of a violation of this Policy is a student, a complaint resolved through the University-Wide Disciplinary Committee shall be made using the procedures for student discipline described in the Student Manual (<https://studentmanual.uchicago.edu/student-life-conduct/university-disciplinary-systems/university-wide-disciplinary-system/>). The Student Manual describes sanctions that may be imposed upon a student found responsible for a violation of this Policy.

#### *Investigative/Hearing Body Resolution Process Through the Faculty Panel of the University-Wide Disciplinary Committee Where an Academic Appointee or Postdoctoral Researcher is the Respondent*

If the person accused of a violation of this Policy is an academic appointee or postdoctoral researcher, a complaint resolved by the Faculty Panel of the University-Wide Disciplinary Committee shall be made using the hearing procedures described in the Faculty Handbook (<https://provost.uchicago.edu/handbook/clause/harassment-discrimination-and-sexual-misconduct-policy/>) or the Postdoctoral Researcher Policy Manual (<https://postdocs.uchicago.edu/postdocmanual/>), respectively.

#### *Access to Information*

The complainant, the respondent, and appropriate University officials will receive timely and equal access to information that will be used during the Investigative/Hearing Body Resolution Process. As described in the procedures, the complainant and respondent are simultaneously informed, in writing, of the result of a hearing, and the procedures for seeking review of the result and when the result becomes final. This notification will include the determination of whether a violation occurred, any sanction, and the rationale for the result and sanction. If the complainant or respondent seeks review of the result, both will be simultaneously informed in writing of any change to the outcome.

#### iv. Right to Pursue Other Remedies

Anyone may choose to bring forward a complaint within the University instead of, or in addition to, seeking redress outside the institution in the legal system. Someone with a complaint of discrimination, unlawful harassment, retaliation, or sexual assault, domestic violence, dating violence, or stalking may also opt to pursue their complaint via the legal system without engaging the University's disciplinary process, although, in the interest of community safety, the University may be obliged to address an alleged sexual assault, dating violence, domestic violence, or stalking through internal disciplinary procedures.

Use of this Policy and the resolution procedures are not a prerequisite to the pursuit of other remedies. If a person is pursuing another remedy to address the same allegations related to a Complaint under this Policy, the University will conduct its own investigation, although in some cases delays due to another process may be warranted or required.

#### v. Other Considerations

##### 1. Prior Sexual History and Privileged Information

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by the University to determine whether the information is privileged; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- The complainant's and/or respondent's sexual history with others will generally not be sought or used in determining whether sexual assault has occurred. However, in certain circumstances the sexual history between the parties may have limited relevance to explain context. Specifically, questions and evidence about the complainant's sexual predisposition or prior sexual behavior may be relevant if the evidence is offered to prove that someone other than the respondent committed the reported conduct, or it addresses the complainant's prior sexual behavior with respect to the respondent and is offered to prove Consent. Additionally, under limited circumstances necessary to understand the context, sexual history between the parties may be relevant to explain an injury, to provide proof of a pattern, or to address an allegation within a resolution process.
- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality in writing; and
- A party's or witness's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the University obtains that party's or witness's voluntary, written consent for use in its disciplinary procedures.

##### 2. Standard of Evidence and Presumption of Non-Responsibility

The standard used in such proceedings is a preponderance of the evidence, i.e., whether it is more likely than not that this Policy has been violated. The University presumes that the Respondent is not responsible for the alleged conduct unless and until a determination regarding responsibility is made at the conclusion of the disciplinary process.

##### 3. Support Person

The complainant and the respondent have the opportunity to be accompanied to any meeting or proceeding by a support person of their choice whose role is entirely limited to providing support. A support person may be, but is not required to be, an attorney.

- The University will not limit the choice or presence of the support person for the complainant or respondent in any meeting or resolution proceeding.
- The support person does not function as an advocate or participate directly in any way during the proceeding, as detailed in the resolution procedures. The University may establish expectations of advisors related to their participation in proceedings, which will apply equally to both parties.

If the support person is a lawyer, a representative of the University's Office of Legal Counsel also will attend the hearing. Regardless of whether a complainant, respondent, or witness is represented by counsel, at all times they are expected to speak for themselves, directly communicate with the University personnel involved in the investigatory and resolution processes, and submit their own written statements.

##### 4. Conflict of Interest

All investigators, decisionmakers, including members of the University-Wide Disciplinary Committee, ("Policy Personnel") who have responsibilities under this Policy must be free of any conflict of interest or bias for or against complainants or respondents generally, or any individual complainant or respondent, or they should recuse themselves. As long as there is no conflict of interest or bias, a decisionmaker may be the same person as the Associate Provost for Equal Opportunity Programs (or designee) or investigator.

The Associate Provost for Equal Opportunity Programs (or designee) will notify the complainant and respondent of the identities of those involved in the investigation and resolution procedures before those individuals initiate contact with either party.

Process for Reporting & Resolving Concern Regarding Conflict.

Either party may report a potential conflict of interest or bias and request substitution relating to any Policy Personnel to the Associate Provost for Equal Opportunity Programs, along with a written statement detailing the nature of the conflict or bias. Such requests must be made in writing to the Associate Provost for Equal Opportunity Programs within 2 business days of receiving notice of the Policy Personnel. Requests must identify with specificity the alleged nature of the conflict of interest or bias.

The Associate Provost for Equal Opportunity Programs will review the particular facts of the situation and use an objective, common sense approach to evaluate whether a particular person serving in a role under this Policy is conflicted or biased (i.e., whether a reasonable person would believe a material conflict or bias exists). An example of a conflict of interest could be the identification of a personal or social relationship between a person serving in a role under this Policy and one of the parties, which may have a real or perceived effect on the judgment of the Policy Personnel.

The Associate Provost for Equal Opportunity Programs will exercise caution not to apply generalizations that might unreasonably conclude that bias exists, for example, assuming that all self-professed feminists or self-described survivors are biased against men, or that a man is incapable of being sensitive to women. Past experience, including prior work as a victim advocate or as a defense attorney, does not in and of itself constitute a conflict of interest. The training required under this Policy is intended to provide personnel with the tools needed to serve impartially and without bias.

Based on the review described above, the Associate Provost for Equal Opportunity Programs may remove Policy Personnel from their roles, and another trained University official or external subject matter expert will be assigned to investigate and/or resolve the case. Both parties will be notified in writing in the event of a removal or change in Personnel.

## 5. Investigation Timeframe

In most cases, the University's investigation and resolution process will be complete within 60-90 days of receiving a complaint. The University, in its discretion, may extend its investigation for good cause. If the timeframe for the investigation is extended, the University will provide written notice to the complainant and the respondent of the extension and the reason for the extension.

## 6. No Time Limits on Reporting

There is no time limit for filing a complaint under this Policy. However, complainants should report as soon as possible to maximize the University's ability to respond promptly and effectively. Delayed reporting often results in the loss of relevant evidence, and/or in faded and unreliable memories; it also impairs the University's ability to summon witnesses, assess evidence, and, if appropriate, adjudicate claims and impose sanctions and other remedies. Furthermore, if the respondent is no longer affiliated with the University at the time of the complaint, it is likely that the University will be unable to summon the respondent or take disciplinary action against him or her, although the University will take reasonable steps to understand the facts, assess whether the respondent poses a present or ongoing risk of safety to the University community, and take any measures necessary to mitigate safety risk.

## 7. Bad Faith Complaints and False Information

It is a violation of this Policy for any person to submit a report or complaint that the person knows, at the time the report or complaint is submitted, to be false or frivolous. It is also a violation of this Policy for any person to knowingly make a materially false statement during the course of an investigation, hearing, or request for review under this Policy. Violations of this Section are not subject to the investigation and hearing processes under this Policy; instead, they will be addressed under the Student Manual (<https://studentmanual.uchicago.edu/>) in the case of students and other University policies and standards, as applicable, for faculty, other academic appointees, postdoctoral researchers, or staff, or other participants in University education programs and activities.

[1] If the alleged conduct, if substantiated, would constitute Title IX Sexual Harassment or Retaliation under the University's Policy on Title IX Sexual Harassment, the Associate Provost for Equal Opportunity Programs/ Title IX Coordinator will refer the matter for resolution pursuant to the procedures under the University of Chicago Policy on Title IX Sexual Harassment.

## VIII. Confidentiality and Privacy Considerations

The University must protect privacy and confidentiality to fulfill its commitment to address complaints of harassment, discrimination, sexual misconduct, and retaliation fairly and expeditiously. Every member of the University community should recognize that confidentiality breaches erode the community's trust in this process, impair its effectiveness, and may have the purpose or effect (unintended or intended) of retaliating against those who participate in the process.

Fidelity to confidentiality is more likely to encourage parties and witnesses to participate in the process and share all information they possess, which is necessary for achieving fair outcomes. If parties or witnesses fear that their participation and the information they share will be revealed, then concerns about reputation, peer pressure, and retaliation may deter them and others from participating or even bringing forward complaints in the first instance.

The University will take reasonable steps to protect the privacy of the parties and witnesses. However, the University will not restrict the ability of parties to discuss the allegations of a complaint under investigation. A party may discuss the allegations under investigation and/or gather and present evidence, including by speaking to witnesses; consulting with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the disciplinary procedures.

Retaliation of any kind, however, is prohibited under the Policy, including against other parties and witnesses. Retaliation includes, but is not limited to, intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege provided by this Policy. A complaint of retaliation may result in a separate complaint and disciplinary action under this Policy.

Further, the University will keep confidential, from persons outside of the investigation process, personally identifiable information of any individual who has made a report or complaint under this Policy, including any person who has filed a complaint; any respondent(s) involved in a complaint; and any witnesses. Please note that the University must disclose to the Respondent(s) the identity of the person(s) who has filed a Complaint, and the University may be required to disclose the identity of a person who has filed a Complaint to other individuals as permitted by FERPA, required by law, and/or as necessary to conduct the investigation process.

While the University will keep matters confidential to the extent possible, the University may have to disclose information related to the matter, such as in the following situations:

(1) to take action to address conduct that reasonably may constitute discrimination, unlawful harassment, sexual misconduct, or retaliation, including to disclose information to those to whom it is necessary to give fair notice of the allegations and to conduct the investigation;

(2) to law enforcement consistent with state and federal law;

(3) to other University officials as necessary for coordinating support services or resources or for health, welfare, and safety reasons;

(4) to government agencies that review the University's compliance with federal law; and

(5) to third parties as permitted or compelled by law (e.g., in response to a lawful subpoena or in compliance with federal privacy law, or to parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue).

A final, cautionary note is in order. There may be serious and personal legal consequences for those who breach the requirement of confidentiality. Facts surrounding allegations of misconduct are often deeply disputed and thus breaches of confidentiality have the potential to seriously affect the reputations of the individuals involved. Although statements made in good faith as part of University disciplinary proceedings are legally protected and should not be used as the basis for a defamation lawsuit, statements made outside of the proceedings lack that protection and could lead to a legal claim by a person who believes that the statements are false, identify them to others, or have harmed their reputation.

#### **IX. Amnesty for Other Policy Violations**

To encourage reports of sexual misconduct, the University normally will offer leniency to a student who reports an alleged violation of this Policy in good faith with respect to other student conduct violations that come to light as a result of such reports. For example, the University ordinarily will not pursue disciplinary charges related to underage drinking by the reporting person if that policy violation comes to light as the result of a sexual assault complaint. The University will not discipline a reporting student for such conduct violations unless the University determines that the violation was egregious, including without limitation an action that places the health or safety of any other person at risk.

#### **X. Non-Retaliation**

The University prohibits retaliation against any person who exercises any rights or responsibilities under this policy.

Retaliation under this policy means any adverse action taken against a person participating in a protected activity because of their participation in that protected activity. Retaliation against an individual for alleging discrimination, unlawful harassment, sexual misconduct, or retaliation, supporting a party bringing a complaint, or assisting in providing information relevant to a claim under this Policy is a serious violation of University policy and will be treated as another possible instance of discrimination, unlawful harassment, sexual misconduct, or retaliation.

Retaliation for reporting sexual harassment is illegal in Chicago. Acts of alleged retaliation should be reported immediately to the Associate Provost for Equal Opportunity Programs, and will be promptly investigated.

#### **XI. Required Training for Policy Personnel**

All Policy Personnel will participate in training annually as required by law, including 8 hours of training annually training on issues related to this Policy, sexual violence, domestic violence, dating violence, and stalking, in addition to annual survivor-centered and trauma-informed response training. Depending on the individual's role, the training may include some or all of the following subject matters: the definition of discrimination, harassment, sexual misconduct, and retaliation, how to conduct a complaint resolution process, how to conduct a request for review, and as applicable, how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

Any person serving as an investigator or on a hearing body will receive training on the issues of relevance of questions and evidence, including about when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Any person serving as an Investigator will receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train Policy Personnel must not rely on stereotypes and must promote impartial investigations and adjudications of complaints.

#### **XII. Training and Prevention Education Programs**

All employees must participate in a minimum of one hour of sexual harassment prevention training and one hour of bystander training annually. Supervisors or managers of employees must participate in a minimum of two hours of sexual harassment prevention training annually. The University provides numerous education programs and awareness campaigns to prevent and promote awareness of sexual harassment, sexual assault, sexual abuse, domestic violence, dating violence, and stalking. In addition to covering the information addressed in this Policy, these programs will, among other things, provide information regarding options for bystander intervention and information on risk reduction strategies. Descriptions of these prevention and education programs can be found in the University's annual security report titled Annual Security and Fire Safety Report ([https://safety-security.uchicago.edu/clery\\_act\\_reporting/annual\\_security\\_report/](https://safety-security.uchicago.edu/clery_act_reporting/annual_security_report/)).

#### **XIII. Appendix A: Definitions**

##### **A. Definitions**

The following definitions as used within this Policy and related Resolution Procedures. In compliance with the Violence Against Women Reauthorization Act of 2013 ("VAWA") and the Clery Act, the University uses the State of Illinois Criminal Code's definitions of sexual assault and sexual abuse. The University incorporates the State's definitions of several other important terms, including domestic violence, dating violence, and stalking and recognizes that sexual assault, domestic violence, dating violence, and stalking are not gender-specific crimes. To aid searches, definitions are provided in alphabetical order.

"Accused" or "Respondent" means a person accused of conduct prohibited by this policy and does not imply pre-judgment.

"Complainant" is a person who files a complaint under this Policy and does not imply pre-judgment.

"Complaint" is a written request by a complainant, as defined in this Policy, to the University's Associate Provost for Equal Opportunity Programs or designee that can reasonably be understood as a request for the University to investigate and make a determination about the allegations under this Policy.

"Consent" means voluntary, active, and clear agreement, communicated by words or actions, to participate in specific sexual activity. Consensual sexual activity happens when each participant willingly chooses to participate. In cases where a victim asserts that sexual activity occurred without consent, the standard is whether a sober, reasonable person in the same circumstances as the respondent should have known that the victim did not or could not consent to the sexual activity in question.

In Illinois, the legal age of consent is 17 but rises to 18 if the respondent holds a position of trust, authority, or supervision in relation to the victim. This means that there can be no consent when one participant in the sexual activity is under the legal age of consent and any other participant is at or over the legal age of consent.

Consent is such a critical factor that Section V of this Policy is entirely dedicated to discussing it.

"Dating violence" means the use or threat of use of physical abuse, mental or emotional abuse, or sexual violence by a person who is in a social relationship of a romantic or intimate nature with the victim.

"Decisionmaker" is an individual designated by the Associate Provost for Equal Opportunity Programs or designee to reach a determination regarding responsibility in a Complaint by applying the preponderance of the evidence standard of proof. As long as there is no conflict of interest or bias, a decisionmaker may be the same person as the Associate Provost for Equal Opportunity Programs (or designee) or investigator. The Decisionmaker must be free of any conflicts of interest or bias for or against complainants or respondents generally, or any individual the Complainant or Respondent.

"Domestic violence" means harassment, interference with personal liberty, intimidation of a dependent, physical abuse, or willful deprivation by a person who is or was a family or household member of the victim. A family or household member includes: a spouse, former spouse, parent, child, stepchild, or other person related by blood or by present or prior marriage; a person who shares or formerly shared a common dwelling; a person who has or allegedly has a child in common or shares a blood relationship through a child; a person who has a dating or engagement relationship; a personal assistant to a person with a disability; and a caregiver.

"Force or threat of force" means the use of force or violence, or the threat of force or violence, including but not limited to (1) when the respondent threatens to use force or violence on the victim or on any other person, and the victim under the circumstances reasonably believes that the respondent has the ability to execute that threat or (2) when the respondent has overcome the victim by use of superior strength or size, physical restraint, or physical confinement.

"Harassment" as a form of unlawful discrimination means verbal conduct, physical conduct, or conduct using technology that is based on a protected class and that is so severe or pervasive that it has the purpose or effect of unreasonably interfering with an individual's work performance or educational program participation, or that creates an intimidating, hostile, or offensive work or educational environment. "Harassment" for purposes of domestic violence is knowing conduct that is not necessary to accomplish a purpose, would cause emotional distress to a reasonable person and does cause emotional distress to the victim.

"Individual with Reporting Responsibilities" means any faculty member, other academic appointee, postdoctoral researcher, or staff employee who would reasonably be expected to have the authority or duty to report or take action to redress sexual misconduct. An Individual with Reporting Responsibilities must promptly notify the Title IX Coordinator for the University all known details related to a possible incident of sexual misconduct (including sexual harassment), dating violence, domestic violence, and stalking that is reported to them directly, indirectly, or through a third party, or that they may have observed. Individuals with Reporting Responsibilities include (among others) faculty and instructors, Resident Assistants, Resident Heads, Resident Deans, Teaching Assistants, preceptors, UCPD staff, and other University employees.

"Investigator" is an individual designated to investigate a Complaint according to the Discrimination and Unlawful Harassment Resolution Process.

"Interference with personal liberty" is committing or threatening physical abuse, harassment, intimidation, or willful deprivation to force a victim to engage in conduct from which that person has the right to abstain, or to abstain from conduct in which that person has a right to engage.

"Intimidation of a dependent" is subjecting a person who is a dependent because of age, health, or disability to participate in or to witness physical force, physical confinement, or restraint of another person.

"Policy Personnel" includes anyone with a role under this Policy, including but not limited to the Associate Provost/ Title IX Coordinator or designee, Deputy Title IX Coordinator(s), Investigator(s), Decisionmaker(s), Review Decisionmaker(s), or Other Persons Responsible for Implementing Resolution Processes.

"Physical abuse" includes sexual abuse and means any of the following: (1) the knowing or reckless use of physical force, confinement, or restraint; (2) knowing, repeated, and unnecessary sleep deprivation; and/or (3) knowing or reckless behavior that creates an immediate risk of physical harm.

"Respondent" is a person who is alleged to have violated the University's prohibition on discrimination or unlawful harassment as outlined in this Policy and does not imply pre-judgment.

"Retaliation" means any adverse action taken against a person participating in a protected activity because of their participation in that protected activity. Retaliation against an individual for alleging discrimination, unlawful harassment, sexual misconduct, or retaliation, supporting a party bringing a complaint, or assisting in providing information relevant to a claim of harassment is a serious violation of University policy and will be treated as another possible instance of discrimination, unlawful harassment, sexual misconduct or retaliation. Retaliation for reporting sexual harassment is illegal in Chicago. Acts of alleged retaliation should be reported immediately to the Title IX Coordinator for the University, and will be promptly investigated.

"Review Decisionmaker" is one or more individuals designated to conduct a request for review under the Discrimination and Unlawful Harassment Resolution Process. The Review Decisionmaker cannot be the Associate Provost for Equal Opportunity Programs or the Investigator or Decisionmaker assigned to the same Complaint. The Review Decisionmaker must be free of any conflict of interest or bias for or against complainants or respondents generally, or any individual the Complainant or Respondent.

"Sexual abuse" means an act of sexual conduct:

Without consent; or

- By the use of force or threat of force; or
- When the accused knew that the victim was unable to understand the nature of the act or was unable to give knowing consent; or
- Where the accused is under 17 years of age and the victim was at least 9 years of age but under 17 years of age when the act was committed; or
- In which the accused delivered (by injection, inhalation, ingestion, transfer of possession, or any other means) to the victim without their consent, or by threat or deception, and for other than medical purposes, any controlled substance.

"Sexual assault" means an act of sexual penetration:

Without consent; or

- By the use of force or threat of force, including threatening or endangering the life of the victim or any other person; or
- Where the accused knew that the victim was unable to understand the nature of the act or was unable to give knowing consent; or
- With a victim who was under age 17 when the act was committed, or with a victim who was under age 18 when the act was committed and the accused was age 17 or more and held a position of trust, authority, or supervision in relation to the victim; or
- In which the accused delivered (by injection, inhalation, ingestion, transfer of possession, or any other means) to the victim without their consent, or by threat or deception, and for other than medical purposes, any controlled substance.

"Sexual conduct" means any intentional or knowing touching or fondling by the victim or the accused, either directly or through clothing, of the sex organs, anus, or breast of the victim or the accused, or any part of the body of a child under 13 years of age, or any transfer or transmission of semen by the accused upon any part of the clothed or unclothed body of the victim, for the purpose of sexual gratification or arousal of the victim or the accused.

"Sexual harassment" means any (i) unwelcome sexual advances or unwelcome conduct of a sexual nature; (ii) requests for sexual favors or conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or (2) submission to or rejection of such conduct by an individual is used as the basis for any employment decision affecting the individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment; or (iii) sexual misconduct, which means any behavior of a sexual nature which also involves coercion, abuse of authority, or misuse of an individual's employment position. Sexual harassment is illegal in Chicago.

"Sexual penetration" means any contact, however slight, between the sex organ or anus of one person and an object, the sex organ, mouth, or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person, including but not limited to cunnilingus, fellatio, or anal penetration.

"Stalking" means a course of conduct (two or more acts) directed at a specific person that would cause a reasonable person to fear for their safety or the safety of a third person, or to suffer emotional distress. Stalking behavior includes, but is not limited to: following a person; appearing at a person's home, work, or school; making unwanted phone calls; sending unwanted emails or text messages; leaving objects for a person; vandalizing a person's property; injuring a person's pet; and monitoring or placing a person under surveillance.

"Supportive Measures" are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to a Complainant or Respondent. Such measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment and deter sexual misconduct. Supportive Measures may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between parties, changes in work or housing locations, adjustments to dining arrangements, leaves of absence, increased security or monitoring of certain areas of the campus, and honoring an order of protection or no-contact order entered by a State civil or criminal court. The University will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the Supportive Measures.

"Victim" means a person alleging to have been subjected to conduct prohibited by this policy and does not imply pre-judgment. The term "victim" is used interchangeably with the term "complainant" in this policy.

"Willful deprivation" is the purposeful denial of medication, medical care, shelter, food, or other assistance to a person who requires such things because of age, health, or disability, thereby putting that person at risk of physical, mental, or emotional harm.

#### XIV. Appendix B: Reporting

### B. Reporting

#### i. Associate Provost for Equal Opportunity Programs

The University official responsible for coordinating compliance with this Policy is Bridget Collier, Associate Provost for Equal Opportunity Programs. Ms. Collier also serves as the University's Title IX Coordinator for the University, Affirmative Action Officer, and Section 504/ADA Coordinator. You may contact Ms. Collier in person, by mail, by telephone, by electronic mail, or by any other means that results in Ms. Collier receiving a verbal or written report, using the following contact information:

Report online: [cares.uchicago.edu/make-a-report](https://cares.uchicago.edu/make-a-report) (<https://cares.uchicago.edu/make-a-report/>)

Bridget Collier

The University of Chicago, Office of the Provost

Associate Provost for Equal Opportunity Programs and Title IX Coordinator for the University

bcollier@uchicago.edu (<mailto:bcollier@uchicago.edu>).

773.702.5671

6030 S. Ellis Ave., Chicago, IL 60637

A person may contact the Associate Provost for Equal Opportunity Programs or designee to report any complaints of discrimination, unlawful harassment, and retaliation. The Associate Provost for Equal Opportunity Programs or designee can also assist you in the following ways:

- If you are unsure of where to turn for help.
- If you have questions regarding this Policy, the University's Policy on Sex-Based Discrimination or Sexual Misconduct, or the University's Policy on Consensual Relationships.
- If you have questions regarding federal, state, and local regulations governing non-discrimination, including the Title IX of the Education Amendments of 1972, Title VI, Title VII, or VAWA.
- If you are seeking information regarding the implementation of supportive measures and accommodations related to a matter involving sex-based discrimination or sexual misconduct, retaliation, or other forms of discrimination or harassment.
- If you have a complaint or question regarding postdoctoral researchers, staff, faculty members, or other academic appointees engaging in discrimination, unlawful harassment, sexual misconduct, dating violence, domestic violence, stalking, or retaliation.
- If you need information regarding campus accessibility and accommodations for individuals with disabilities.
- If you need information regarding support for pregnancy or related conditions.

Please see [equalopportunityprograms.uchicago.edu](https://equalopportunityprograms.uchicago.edu) (<https://equalopportunityprograms.uchicago.edu/>) for additional information.

ii. Designees of the Associate Provost for Equal Opportunity Programs

## UChicago CARES: the Center for Awareness, Resolution, Education & Support

*Executive Director, Center for Awareness, Resolution, Education & Support (UChicago CARES) and Senior Deputy Title IX Coordinator*

Elizabeth Honig, who serves as the Executive Director of UChicago CARES and Senior Deputy Title IX Coordinator, and as a designee for the Associate Provost for Equal Opportunity Programs/ Title IX Coordinator, is also available to assist the community on all matters related to this Policy, the Policy on Title IX Sexual Harassment, and the Consensual Relationships Policy. You may contact Ms. Honig by emailing [ehonig@uchicago.edu](mailto:ehonig@uchicago.edu) (<mailto:ehonig@uchicago.edu>), by calling 773.702.4913, or by writing to Elizabeth Honig, Office of the Provost, The University of Chicago, 6030 S. Ellis Ave., Chicago, IL 60637.

*Director, Resolution Services and Deputy Title IX Coordinator*

Janelle Stubbs, who serves as Director of Resolution Services and Senior Deputy Title IX Coordinator, within UChicago CARES and as a designee for the Associate Provost for Equal Opportunity Programs/ Title IX Coordinator, is also available to assist the community on all matters related to this Policy, the Policy on Title IX Sexual Harassment, and the Consensual Relationships Policy. You may contact Ms. Stubbs by emailing [janellestubbs@uchicago.edu](mailto:janellestubbs@uchicago.edu) (<mailto:janellestubbs@uchicago.edu>), by calling 773.702.1032, or by writing to Janelle Stubbs, Office of the Provost, The University of Chicago, 6030 S. Ellis Ave., Chicago, IL 60637.

*Director, Response and Support Services, Deputy Title IX Coordinator for Students*

Renae DeSautel is the Director of Response and Support Services, and Deputy Title IX Coordinator for Students, within UChicago CARES and as a designee for the Associate Provost for Equal Opportunity Programs/ Title IX Coordinator, is available to assist the members of community on supportive measures and matters related to this Policy, the Policy on Title IX Sexual Harassment, and the Consensual Relationships Policy. You may contact Ms. DeSautel by emailing [desautel@uchicago.edu](mailto:desautel@uchicago.edu) (<http://desautel@uchicago.edu>), by calling 773.702.0438, or by writing to Renae DeSautel, Office of the Provost, The University of Chicago, 6030 S. Ellis Ave., Chicago, IL 60637.

*Associate Director, Resolution Options, UChicago CARES, Deputy Title IX Coordinator*

Kerri True-Funk is the Associate Director of the Resolution Options within UChicago CARES, and Deputy Title IX Coordinator, and as a designee for the Associate Provost for Equal Opportunity Programs/Title IX Coordinator, is available to assist the community all matters related to this Policy, the Policy on Title IX Sexual Harassment, and the Consensual Relationships Policy. You may contact Ms. True-Funk by emailing [ktruefunk@uchicago.edu](mailto:ktruefunk@uchicago.edu) (<mailto:ktruefunk@uchicago.edu>), by calling 773.834.6411, or by writing to Kerri True-Funk, Office of the Provost, The University of Chicago, 6030 S. Ellis Ave., Chicago, IL 60637.

## Office for Equal Opportunity & Access

*Executive Director, Office for Equal Opportunity & Access and Deputy Title IX Coordinator*

Scott Velasquez, who serves as the Executive Director of the Office for Equal Opportunity & Access and Deputy Title IX Coordinator, and as a designee for the Associate Provost for Equal Opportunity Programs/Title IX Coordinator, is also available to assist the community on matters related to this Policy, the Policy on Title IX Sexual Harassment, and the Consensual Relationships Policy, and Affirmative Action. You may contact Mr. Velasquez by emailing [svelasquez@uchicago.edu](mailto:svelasquez@uchicago.edu) (<mailto:svelasquez@uchicago.edu>), by calling 773.702.7994, or by writing to Scott Velasquez, Office of the Provost, The

University of Chicago, 6030 S. Ellis Ave., Chicago, IL 60637.

## Other Designees & Relevant University Contacts

### *Associate Dean of Students in the University, Center for Student Integrity*

Jeremy Inabinet, who serves as the Associate Dean of Students in the University, Center for Student Integrity, and as a designee for the Associate Provost for Equal Opportunity Programs, is available to assist the student community on matters related to this Policy, the Policy on Title IX Sexual Harassment, and the Consensual Relationships Policy. You may contact Dr. Inabinet by emailing [inabinet@uchicago.edu](mailto:inabinet@uchicago.edu) (*mailto:inabinet@uchicago.edu*), by calling [773.702.7994](tel:7737027994), or by writing to Jeremy Inabinet, The University of Chicago, 6030 S. Ellis Ave., Chicago, IL 60637.

### *Assistant Dean of Students in the University, Center for Student Integrity*

Melissa Vergara, who serves as the Assistant Dean of Students in the University, Center for Student Integrity, and as a designee for the Associate Provost for Equal Opportunity Programs, is available to assist the student community on matters related to this Policy, the Policy on Title IX Sexual Harassment, and the Consensual Relationships Policy. You may contact Ms. Vergara by emailing [mbmvergara@uchicago.edu](mailto:mbmvergara@uchicago.edu) (*mailto:mbmvergara@uchicago.edu*), by calling [773.702.2610](tel:7737022610), or by writing to Melissa Vergara, The University of Chicago, 6030 S. Ellis Ave., Chicago, IL 60637.

### *Assistant Vice President, Human Resources*

Brett Leibsker, who serves as the Assistant Vice President, Human Resources, and as a designee for the Associate Provost for Equal Opportunity Programs, is available to assist the staff community on matters related to this Policy, the Policy on Title IX Sexual Harassment, and the Consensual Relationships Policy. You may contact Mr. Leibsker by emailing [bleibsker@uchicago.edu](mailto:bleibsker@uchicago.edu) (*mailto:bleibsker@uchicago.edu*), by calling [773.834.2657](tel:7738342657), or by writing to Brett Leibsker, The University of Chicago, 6054 South Drexel Avenue, Chicago, IL 60637.

## XV. Appendix C: Support Services and Resources

### C. Support Services and Resources

The needs of someone who has experienced discrimination, unlawful harassment, retaliation, sexual assault, sexual abuse, domestic violence, dating violence, or stalking, vary from person to person and may vary over time. The University offers a diverse array of services and external resources, many of which may be accessed 24 hours a day, so that a person may choose whatever would be most helpful and healing. Written information regarding these services and resources will be provided to individuals who report experiences of discrimination, unlawful harassment, retaliation, sexual assault, sexual abuse, domestic violence, dating violence, or stalking. Exercising reasoned discretion, the University will provide Supportive Measures and accommodations. Any Supportive Measures or accommodations will be confidential so long as confidentiality will not impair the University's ability to provide the Supportive Measures or accommodations.

The University urges anyone who has experienced sexual assault, domestic violence, dating violence, or stalking to seek support as soon as possible to minimize and treat physical harm, assist with processing the unique and complex emotional aftermath, and help preserve and understand options for pressing charges. Individuals have many options with regard to reporting sexual assault, domestic violence, dating violence, and stalking, including reporting to the University of Chicago Police Department, the Chicago Police Department, and to various campus authorities. Additionally, victims have recourse through the civil and criminal court systems, by being able to seek orders of protection, no-contact orders, and other similar court orders. As feasible, the University will honor an order of protection or no-contact order entered by a State civil or criminal court so long as it has been notified of the order and its terms. Victims also have the option to decline to notify such authorities.

Even for someone who does not wish to report the event to the police or pursue disciplinary action, seeking medical attention as soon as possible is important. This may assist with preserving evidence, which may be necessary to the proof of criminal sexual assault, domestic violence, dating violence, or stalking, or to obtain an order of protection.

#### i. Medical Facilities

##### Hyde Park

*University of Chicago Medicine Adult Emergency Room: Medical and Counseling Services: [773.702.6250](tel:7737026250), 5656 S. Maryland Ave., Chicago (24-hours)*

The University of Chicago Emergency Room is the nearest medical facility to the Hyde Park campus and follows specific policies and procedures, approved by the State, in treating an individual who has been sexually assaulted. The State will pay for emergency room care for victims who have been sexually assaulted and do not have health insurance; if a victim provides health insurance information to the emergency room, the emergency room will bill the insurance company and the policy holder will be notified as usual.

- The victim is placed in a private room.
- Medical care is given as soon as possible.
- A Sexual Assault Survivor Advocate or a Sexual Assault Dean-on-Call (for a student) may be called based on a victim's preferences.
- By law, city police are notified, and the victim may choose to file a report.
- The victim may have a medical forensic examination completed at no cost, pursuant to the Sexual Assault Survivors Emergency Treatment Act.

##### Gleacher Center

Northwestern Memorial Hospital Emergency Department is the medical facility offering sexual assault evidence collection and treatment nearest to the Gleacher Center.

251 E. Huron St., Chicago (24-hours) Telephone: [312.926.2000](tel:3129262000)

##### Other Campuses

Medical providers near each of the University of Chicago's other campuses are listed below. However, please note that outside the state of Illinois, hospitals are not subject to the Illinois law requiring the provision of certain services to sexual assault survivors free of cost.

## Beijing

Haidian Hospital: 29th Zhongguancun Dajie, Haidian District, Beijing,

Telephone: 62583042/62583093

Beijing United Family Hospital

Beijing United Family Hospital is farther from campus than Haidian Hospital, but offers English-speaking staff. #2 Jiangtai Road, Chaoyang District, Beijing, China, 100015

Telephone: 400.891.9191

Delhi (All public or private medical hospitals in Delhi are required by law to provide free medical assistance to victims of sexual assault.)

Primus Super Specialty Hospital

2, Chandragupt Marg, Chanakyapuri, New Delhi 110 021, India

Telephone: (011) 66206620/30/40

## Hong Kong

Queen Mary Hospital

102 Pok Fu Lam Road, Hong Kong Emergency Room (24 hours); +852.2255.3838 Private Clinic (limited hours); +852.2255.5688

## London

The Havens

The Havens are self-contained centers located near London hospitals which are dedicated to providing assistance to victims of sexual assault. Among other things, the Havens offer forensic medical examinations, first aid, advice, emergency contraception, medical aftercare, and specialist support (e.g., counseling, psychology, and advocacy).

The Havens locations are: Camberwell Haven, near to King's College Hospital (south); Whitechapel Haven, near to Royal London Hospital (east); and Paddington Haven, near to St Mary's Hospital (west). For urgent advice and appointments, call 020.3299.6900 (available 24/7). For non-urgent information, call 020.3299.1599.

Marine Biological Laboratory (Woods Hole, Massachusetts)

Falmouth Hospital

100 Ter Heun Drive, Falmouth, MA 02540

Telephone: 508.548.5300

## Paris

Hopital Saint Joseph

185 Rue Raymond Losserand, 75014 Paris

Telephone: 01.44.12.33.33

Please note that hospitals in France will not conduct a medical forensic examination without a police order. Local law enforcement nearest to the Paris campus is: Commissariat du 13ème arrondissement de Paris, 144 boulevard de l'Hôpital, 75013 Paris.

## Singapore

Raffles Hospital

585 North Bridge Road Singapore 188770

Telephone: (65) 6311.1555 (emergency); (65) 6311.1111 (24/hr hotline for appointments)

## ii. Law Enforcement

University of Chicago Police Department: [773.702.8181](tel:773.702.8181) or 1-2-3 from a campus phone (24- hours)

The University of Chicago Police Department (UCPD) urges anyone who has been sexually assaulted to call immediately in order to strengthen the likelihood of successful prosecution. A UCPD officer can be summoned by calling [773.702.8181](tel:773.702.8181), pressing the red button on any of the emergency phones located throughout the community, or coming directly to the UCPD office at 6054 South Drexel Ave. Responsibilities of the UCPD when receiving a report of sexual assault, dating violence, domestic violence, or stalking are described in Section IV of this Policy.

The UCPD recommends the prompt reporting of sexual assault, domestic violence, dating violence, and stalking. Nevertheless, individuals should not be reluctant to file a report at a later date. Reporting an incident does not obligate a person to press charges.

Chicago Police Department: 911 (24-hours) or 9-911 from a campus phone

Anyone preferring not to report a matter to the University of Chicago Police Department may contact the Chicago Police Department.

## iii. Religious Organizations

A variety of groups offer pastoral care and a community of faith to address individual needs. For more information, visit [spirit.uchicago.edu](https://spirit.uchicago.edu) (<https://spirit.uchicago.edu/>)

## iv. Office of International Affairs

The Office of International Affairs can provide information and assistance regarding visas and immigration. For more information, visit [internationalaffairs.uchicago.edu](https://internationalaffairs.uchicago.edu) (<https://internationalaffairs.uchicago.edu/>).

[773.702.7752; international-affairs@uchicago.edu](mailto:international-affairs@uchicago.edu) (<mailto:international-affairs@uchicago.edu>)

## v. Resources Especially for Students

Sexual Assault Dean-on-Call: [773.702.8181](tel:773.702.8181), via University Police (24-hours) or via text through the UChicago Safe App

At any time, students may contact a Sexual Assault Dean-on-Call (<https://csl.uchicago.edu/get-help/sexual-abuse-assault/sexual-assault-dean-call-program>), who is trained to respond to sexual assault, domestic violence, dating violence, and stalking emergencies. A student may contact this Dean-on-Call even before deciding whether to report the sexual assault, domestic violence, dating violence, or stalking to the police. The Sexual Assault Dean-on-Call is available to answer any general or personal questions related to sexual assault, domestic violence, dating violence, and stalking, and can help with:

- Finding emotional support
- Getting medical care
- Reporting the crime to the police
- Preserving evidence, and pressing charges
- Obtaining information regarding the rights of victims and the University's responsibilities regarding orders of protection, no-contact orders, and other similar court orders.
- Adjusting living arrangements
- Managing academic obligations
- Getting counseling

Director, Response and Support Services, UChicago CARES, and Deputy Title IX Coordinators

Renae DeSautel (Director) can be reached at [desautel@uchicago.edu](mailto:desautel@uchicago.edu) (<mailto:desautel@uchicago.edu>) or [773.702.0438](tel:773.702.0438). You may contact Renae:

- If you are a student in need of any support services related to an incident of sexual assault, sexual abuse, sexual harassment, dating violence, domestic violence, or stalking (referred to here as "sexual misconduct").
- If you are a student who has questions regarding this Policy, the University's Policy on Sex-Based Discrimination and Sexual Misconduct, or the University's Policy on Consensual Relationships.
- If you are a student who has questions regarding Title IX of the Education Amendments of 1972.
- If you are a student seeking information regarding or the implementation of supportive measures and accommodations related to a sexual misconduct matter.

Student Wellness: 773.834.WELL, 840 East 59th Street

Physicians and certified nurse practitioners provide for students ongoing follow-up health care and services, including pregnancy testing, counseling, and referral services; and sexually transmitted disease testing, diagnosis, and treatment. There is a 24-hours-a-day advice line available to students for consultation. While acute, immediate post-assault treatment is provided at the Emergency Room at 5656 S. Maryland Ave, the Student Health Service offers follow-up care, including health care services for students who have chosen not seek care immediately after an assault.

Student Wellness also supports students who are working through an experience of sexual assault, domestic violence, dating violence, or stalking, or questions about relationships and sexuality. Consultation with a staff member is available in person during regular business hours and by telephone for after-hours emergencies.

For more information, visit [wellness.uchicago.edu](https://wellness.uchicago.edu) (<https://wellness.uchicago.edu/>)

Student Health Service Nurse Triage Line: 773.834.WELL

Confidential Advisor: 773.834.WELL, 840 East 59th Street (Ask to Speak with a Confidential Advisor)

A Confidential Advisor is available by appointment through Student Wellness. This is a licensed clinician who has received an additional 40 hours of training on Sexual Violence. Communication with a Confidential Advisor is considered privileged communication.

## Area Deans of Students

At any time, students may contact their area Dean of Students or Campus and Student Life. Deans of Students are available to help and work with students throughout the process, addressing short-term and long-term personal or academic issues that arise, including options for with changing academic, living, transportation, and working situations if requested and available. Click here (<https://csl.uchicago.edu/get-help/area-dean-of-students/>) for more information.

## Resources for Sexual Violence Prevention (RSVP): 773.834.7738

RSVP organizes interactive peer workshops and educational programs on acquaintance rape prevention, sexual violence, and gender issues. For more information, visit [cares.uchicago.edu](https://cares.uchicago.edu/) (<https://cares.uchicago.edu/>).

## Peer Health Educators: 773.702.8935

Organized by Health Promotion and Wellness, this group of students develops programs and presentations for students on a variety of sensitive subjects, including sexual health. For more information, visit [wellness.uchicago.edu](http://wellness.uchicago.edu) (<http://wellness.uchicago.edu>).

## Financial Aid

The University's financial aid offices can provide information regarding and assistance navigating the University's financial aid programs. Students may find contact information for their applicable financial aid office here (<https://csl.uchicago.edu/resources/policies-and-disclosures/disclosures/>).

vi. Resources Especially for Faculty, Other Academic Appointees, Postdoctoral Researchers, and Staff

## Equal Opportunity Programs

The Office of the Provost's Equal Opportunity Programs leads and coordinates University efforts to address reports of discrimination, unlawful harassment, and sexual misconduct; to ensure accessibility; and to provide equal employment opportunities. EOP staff contact information is located in Section IV of this Policy, you may find more information at: [equalopportunityprograms.uchicago.edu](https://equalopportunityprograms.uchicago.edu) (<https://equalopportunityprograms.uchicago.edu/>)

## Human Resources Employee and Labor Relations (for Staff)

Brett Leibsker serves as the Assistant Vice President, Human Resources. You may contact Mr. Leibsker regarding complaints of misconduct by a staff member. You may contact Mr. Leibsker by emailing [elrelations@uchicago.edu](mailto:elrelations@uchicago.edu) (<mailto:elrelations@uchicago.edu>), or by calling 773.834.2657 or by writing to Brett Leibsker, University of Chicago Human Resources, 6054 South Drexel Avenue, Chicago, IL 60637.

## Perspectives (Employee Assistance Program) 24-hours: 800.456.6327

Faculty, Other Academic Appointees, Postdoctoral Researchers and Staff may seek confidential support through the Employee Assistance Program (Perspectives, an All One Health Company) 24-hours: 800.456.6327, [perspectivesltd.com](http://www.perspectivesltd.com) (<http://www.perspectivesltd.com/>). For additional information on how to access Perspectives, visit UChicago's Intranet, Staff and Faculty Assistance Program (<https://intranet.uchicago.edu/benefits-and-career/benefits/additional-benefits/staff-and-faculty-assistance-program>).

Non-University Resources for Everyone

vii. Community-based, State, and National Sexual Assault Crisis Centers

## Chicago Rape Crisis Hotline (24 hours): 888.293.2080

Immediate and long-term referrals, information, and counseling.

## LGBTQ Crisis Hotline (24 hours): 773.871.2273

Information, counseling, and referrals.

## Chicago Women's Health Center: 773.935.6126

Gynecological care and counseling.

1025 W. Sunnyside Ave., Suite 201, Chicago, 60640

[chicagowomenshealthcenter.org](http://www.chicagowomenshealthcenter.org) (<http://www.chicagowomenshealthcenter.org>)

YWCA Metropolitan Chicago: 312.372.6600

Counseling and legal advocacy.

1 N. LaSalle St. #1150, Chicago, 60602

ywcachicago.org (<http://www.ywcachicago.org/>)

Parks Francis YWCA: 773.955.3100

Counseling and legal advocacy.

6600 S. Cottage Grove Ave., Chicago, 60637

The Center on Halsted: 773.472.6469

Services for the LGBTQ community.

3656 N. Halsted, Chicago, 60613

centeronhalsted.org (<http://www.centeronhalsted.org/>)

Resilience: 312.443.9603

Counseling and legal advocacy.

180 N. Michigan Ave. #600, Chicago, 60601

ourresilience.org (<https://www.ourresilience.org/>)

Mayor's Office for Domestic Violence Help Line (24 hours): 877.863.6338

Information and referrals for shelters, counseling, legal advocacy, and more.

Chicago Bar Association: 312.554.2000

Lawyer referral service

For more Illinois community-based sexual assault crisis centers, visit the Illinois Coalition on Sexual Assault, [icasa.org](http://www.icasa.org) (<http://www.icasa.org>).

Marine Biological Laboratory (Woods Hole, Massachusetts)

Independence House, Inc.

Counseling, advocacy, and group counseling for survivors of rape, incest, stalking, sexual harassment, molestation, childhood sexual assault, and intimate partner violence.

220 Main St. Fl. Ste. 200, Falmouth, MA 02540

800.439.6507

viii. International Resources for Victims of Sexual Assault

Delhi

Rape Crisis Cell Delhi

Free legal services for rape victims; also assists with contacting law enforcement and obtaining medical examinations.

2nd Floor, 'C' Block, Vikas Bhawan, I.P. Estate, New Delhi - 110002.

Nearest Metro Station: ITO

Telephone: +91-11-23370557

Delhi Commission for Women Telephone: 23378317, 23378044

Hong Kong

## RainLily

24-hour crisis support, coordination with healthcare workers, social workers and police, and forensic medical examinations.

Room 405-410, Kin Man House, Oi Man Estate, Ho Man Tin, Kowloon, Hong Kong Telephone: 2392 2569; 2375 5322 (hotline)

Additional information regarding Hong Kong resources may be found on the U.S. Consulate's website (<https://hk.usconsulate.gov/>).

## London

### The Havens

As described above, the Havens are self-contained centers located near London hospitals which are dedicated to providing assistance to victims of sexual assault. In addition to medical examinations and first aid, the Havens offer advice, emergency contraception, medical aftercare, and specialist support (e.g., counseling, psychology, and advocacy).

Locations: Camberwell Haven, near to King's College Hospital (south); Whitechapel Haven, near to Royal London Hospital (east); and Paddington Haven, near to St Mary's Hospital (west). For urgent advice and appointments, call 020 3299 6900 (available 24/7). For non-urgent information, call 020 3299 1599.

### Rape Crisis England and Wales

Counseling, advocacy, and support to rape victims (women and girls only).

East London: PO Box 58203, London, N1 3XP

Telephone (helpline): 020 7683 1210

North London: Head Office, Unit 5-7 Blenheim Court, 62 Brewery Road, London, N7 9NY Telephone (helpline): 0808 801 0305

South London: P.O. Box 383, Croydon, London, CR9 2AW

Telephone (helpline): 0808 802 9999

West London: PO Box 56663, London, W13 3BJ

Telephone (helpline): 0808 801 0770

## Singapore

Sexual Assault Care Center (SACC) at Association of Women for Action and Research (AWARE)

Counseling, legal services, and social work services for victims of sexual assault.

Drop-in center: 5 Dover Crescent #01-22

Telephone (hotline): 6779 0282

### XVI. Appendix D: Notice of Non-Discrimination

In keeping with its long-standing traditions and policies, the University of Chicago considers students, employees, applicants for admission or employment, and those seeking access to University programs on the basis of individual merit. The University does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender, gender identity or expression, national or ethnic origin, shared ancestry, age, status as an individual with a disability, protected military or veteran status, genetic information, or other protected classes under the law.[1]

Sexual harassment, is a form of sex discrimination prohibited by Title IX, which provides

that: *No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity rece*

University prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, 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 ([https://ocr.cases.ed.gov/contact-ocr?field\\_state\\_value=652](https://ocr.cases.ed.gov/contact-ocr?field_state_value=652)), or both.

To report information about conduct that may constitute discrimination, unlawful harassment, retaliation or sexual misconduct or make a complaint under the University's non-discrimination policies, please refer to the CARES website (<https://cares.uchicago.edu/make-a-report/>) or the other reporting options described in the Policy on Title IX Sexual Harassment, the Policy on Harassment, Discrimination and Sexual Misconduct and/or the Policy on Consensual Relationships.

The University official responsible for coordinating compliance with this Notice of Nondiscrimination is Bridget Collier, Associate Provost for Equal Opportunity Programs, who also serves as the University's Title IX Coordinator, Affirmative Action Officer, and Section 504/ADA Coordinator and coordinates compliance with federal, state and local regulations governing non-discrimination, including Title VI, Title VII, Title IX and VAWA. You may contact her by emailing [bcollier@uchicago.edu](mailto:bcollier@uchicago.edu) (<mailto:bcollier@uchicago.edu>), calling 773.702.5671, or writing to Bridget Collier, Office of the Provost, The University of Chicago, 6030 S. Ellis Ave., Chicago, IL 60637.

For information regarding the University of Chicago's non-discrimination policies, reporting and related resolution processes, please see:

Policy on Harassment, Discrimination, and Sexual Misconduct (<https://harassmentpolicy.uchicago.edu/>)

[harassmentpolicy.uchicago.edu](https://harassmentpolicy.uchicago.edu/)

Policy on Title IX Sexual Harassment (<https://titleixpolicy.uchicago.edu/>)

[titleixpolicy.uchicago.edu](https://titleixpolicy.uchicago.edu/)

Policy on Consensual Relationships (<http://consensualrelationships.uchicago.edu>)

[consensualrelationships.uchicago.edu](http://consensualrelationships.uchicago.edu)

#### XVII. Appendix E: Yearly Report on Harassment and Sexual Misconduct to the Council of the University Senate

A yearly report will be made to the Council of the University Senate: (1) detailing the number of different types of incidents of harassment and sexual misconduct brought to the attention of the University-wide Student Disciplinary Committee, Title IX Coordinators, Human Resources, and the University-Wide Disciplinary Committee ; and (2) describing the goals of the University-wide program to prevent harassment and sexual misconduct and the ways in which those goals were implemented during the year. The report will be prepared by the Associate Provost for Equal Opportunity Programs and reviewed and approved by the University-Wide Disciplinary Committee, the Chair of which will present the report to the Council.

#### XVIII. Appendix F: Compliance and Locating This Policy

##### Regulations Prohibiting Discrimination

This Policy is consistent with federal, state, and local regulations governing non-discrimination and harassment including: the Age Discrimination in Employment Act, the Americans with Disabilities Act (as amended), the Civil Rights Acts of 1964 and 1991, Executive Order 11246, the Equal Pay Act of 1963, the Rehabilitation Act of 1973 (as amended), Title IX of the Education Amendments of 1972, Genetic Information Nondiscrimination Act of 2008, Lilly Ledbetter Fair Pay Act of 2009, the Illinois Human Rights Act, the City of Chicago Human Rights Ordinance, and the Cook County Human Rights Ordinance.

The crimes of domestic violence, dating violence and stalking were added by VAWA (effective March 7, 2014) as crimes reportable under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"). Pursuant to the Clery Act, these crimes are reported in the publication Annual Security and Fire Safety Report.

##### IDHR, IHRC, OCR, and EEOC Legal Recourse and Investigative/Complaint Process

Illinois Department of Human Rights (IDHR) and Illinois Human Rights Commission (IHRC)

A University of Chicago employee has the right to contact the Illinois Department of Human Rights (IDHR) for further information or to file a formal charge of unlawful discrimination, harassment, or retaliation. Charges must be filed within 180 days of alleged sexual harassment or other alleged discrimination unless it is a continuing offense. An appeal process is available through the Illinois Human Rights Commission (IHRC) after IDHR has completed its investigation of the complaint. The investigative, charge, and complaint process, and legal recourse processes are described in more detail at <https://dhr.illinois.gov/filing-a-charge.html> (<https://dhr.illinois.gov/filing-a-charge.html%2%A0>)

IDHR may be reached at:

Illinois Department of Human Rights

555 W. Monroe St., Suite 700

Chicago, IL 60661

[312.814.6200](tel:3128146200)

[866.740.3953](tel:8667403953) (TTY)

Other IDHR Offices:

Springfield:

[217.785.5100](tel:2177855100)

[866.740.3953](tel:8667403953) (TTY)

IHRC may be reached at:

Illinois Human Rights Commission

Michael A. Bilandic Building

160 N. LaSalle St, Suite N-100

Chicago, IL 60601

[312.814.6269](tel:3128146269)

[866.832.2298](tel:8668322298) (TTY)

Other IHRC Office:

Springfield:

[217.785.4350](tel:2177854350)

[866.832.2298](tel:8668322298) (TTY)

Office of Civil Rights, U.S. Department of Education (OCR)

All members of the University community may also contact the Office for Civil Rights (a division of the United States Department of Education) to file a complaint pertaining to Title IX:

## Office for Civil Rights Chicago Office

U.S. Department of Education

JCK Federal Building

230 S. Dearborn St., 37th Floor

Chicago, IL 60604

312.730.1560

TDD: 800.877.8339

U.S. Equal Employment Opportunity Commission

Members of the University community may also contact the U.S. Equal Employment Opportunity Commission, which enforces federal anti-discrimination laws. An individual may file a complaint with the EEOC within 300 days from the alleged harassment or discrimination unless it is a continuing offense. Additional information on the investigation process is available here

*(<https://www.eeoc.gov/employees/index.cfm>).*

EEOC may be reached at:

Equal Employment Opportunity Commission

Chicago District Office

JCK Federal Building

230 S. Dearborn St., Suite 1866

Chicago, IL 60604

312.872.9777

TTY: 800.669.6820

ASL Video Phone: 844.234.5122

There may be additional federal, state, and local complaint processes available to University of Chicago employees.

## Access to Information on Harassment, including Title IX Sexual Harassment, Discrimination, and Sexual Misconduct

This Policy, the University's Policy on Title IX Sexual Harassment, and the University's Policy on Consensual Relationships can be found in the Student Manual (<https://studentmanual.uchicago.edu/>) of University Policies and Regulations, on the Human Resources' (<https://humanresources.uchicago.edu/fpg/policies/>) website, and on this Policy's website (<https://harassmentpolicy.uchicago.edu/>).

[1] This Policy is consistent with federal, state, and local regulations governing non-discrimination and harassment including: the Age Discrimination in Employment Act, the Americans with Disabilities Act (as amended), the Civil Rights Acts of 1964 and 1991, Executive Order 11246, the Equal Pay Act of 1963, the Rehabilitation Act of 1973 (as amended), Title IX of the Education Amendments of 1972, Genetic Information Nondiscrimination Act of 2008, Lilly Ledbetter Fair Pay Act of 2009, the Illinois Human Rights Act, the City of Chicago Human Rights Ordinance, and the Cook County Human Rights Ordinance.

### XIX. Appendix G: Related Policies

Policy on Title IX Sexual Harassment (<http://titleixpolicy.uchicago.edu>)

[titleixpolicy.uchicago.edu](http://titleixpolicy.uchicago.edu)

Policy on Consensual Relationships (<http://consensualrelationships.uchicago.edu>)

[consensualrelationships.uchicago.edu](http://consensualrelationships.uchicago.edu)

Business Conduct Policy (Personnel Policy U104) (<http://humanresources.uchicago.edu/fpg/policies>)

[humanresources.uchicago.edu/fpg/policies](http://humanresources.uchicago.edu/fpg/policies)

Counseling Service-Staff and Faculty Assistance Program (Personnel Policy U402) (<http://humanresources.uchicago.edu/fpg/policies>)

[humanresources.uchicago.edu/fpg/policies](http://humanresources.uchicago.edu/fpg/policies)

Disciplinary Systems for Students (<http://studentmanual.uchicago.edu/student-life-conduct/university-disciplinary-systems>)

[studentmanual.uchicago.edu/student-life-conduct/university-disciplinary-systems](http://studentmanual.uchicago.edu/student-life-conduct/university-disciplinary-systems)

Discipline for Faculty and Other Academic Appointees (<http://provost.uchicago.edu/handbook/clause/termination-or-removal-cause>)

[provost.uchicago.edu/handbook/clause/termination-or-removal-cause](http://provost.uchicago.edu/handbook/clause/termination-or-removal-cause)

Nepotism Policy for Faculty and Other Academic Appointees (<http://provost.uchicago.edu/handbook/clause/nepotism-policy-faculty-and-other-academic-appointees>)

[provost.uchicago.edu/handbook/clause/nepotism-policy-faculty-and-other-academic-appointees](http://provost.uchicago.edu/handbook/clause/nepotism-policy-faculty-and-other-academic-appointees)

Nepotism Policy for Staff (Personnel Policy U206) (<http://humanresources.uchicago.edu/fpg/policies>)

[humanresources.uchicago.edu/fpg/policies](http://humanresources.uchicago.edu/fpg/policies)

Progressive Corrective Action (Personnel Policy U703) (<http://humanresources.uchicago.edu/fpg/policies>)

[humanresources.uchicago.edu/fpg/policies](http://humanresources.uchicago.edu/fpg/policies)

Termination of Employment Information (Personnel Policy U208) (<http://humanresources.uchicago.edu/fpg/policies>)

[humanresources.uchicago.edu/fpg/policies](http://humanresources.uchicago.edu/fpg/policies)

Treatment of Confidential Information (Personnel Policy U601) (<http://humanresources.uchicago.edu/fpg/policies>)

[humanresources.uchicago.edu/fpg/policies](http://humanresources.uchicago.edu/fpg/policies)

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