

Affirmative Action Plan

Southern Illinois University Edwardsville

Plan Effective Date: January 20, 2025

Plan Expiration Date: January 31, 2026

EEO Administrator: Mary Zabriskie
Director of Equal Opportunity, Access, and Title IX Coordination

Prepared By: Mindy Kinnaman
Assistant Director of Equal Opportunity, Access, and Title IX
Coordination

Establishment's Name: Southern Illinois University Edwardsville
Edwardsville Campus

Establishment's Address: 2800 College Avenue
Alton, IL 62002

PART ONE

Affirmative Action Plan for Women and Minorities

I. INTRODUCTION

A. History of the University

Southern Illinois University Edwardsville (SIUE) traces its origin to a recommendation in 1956 by the Southwest Illinois Council of Higher Education to locate an institution of higher education in the region bordering Missouri in the greater St. Louis area. The council was convinced that higher education facilities were needed in the Metro-East part of the greater St. Louis area. Council members hired consultants, whose reports documented that need and appealed to Southern Illinois University, 100 miles south, to establish satellite campuses. In 1957, SIUE opened “residence centers” in Alton and East St. Louis, Illinois. The University expected to enroll 800 students. Nineteen hundred applied. By 1959, the number of students had doubled to 3,800, greatly exceeding the physical facilities and demanding services faster than the University could develop and supply them. A planning team investigated sites in the Metro-East counties and selected one just south of Edwardsville. In 1960, the Illinois legislature authorized a bond issue for construction of a new state University campus. Voter approval came in November 1960. After two and one-half years of planning, University officials and area residents attended ground-breaking ceremonies for the first permanent buildings. The Edwardsville campus was created in response to these needs. Classes were first held on the Edwardsville campus in the fall of 1965.

The University Mission is to create an environment of learning, research, and public service that provides the people of Southern Illinois with opportunities and benefits of a comprehensive University. According to the [University Statement on Diversity](#), “All societies and peoples have contributed to the rich mix of contemporary humanity. In order to achieve domestic and international peace, social justice and the development of full human potential, we must build upon diversity and inclusion. ... Integral to this commitment Southern Illinois University Edwardsville strives for a student body and a workforce that is both diverse and inclusive.”

SIUE continues to provide educational services and opportunities to citizens of the state, but its commitment goes beyond Illinois. The University is also committed to preparing well-educated, sensitive, and responsible students to make positive contributions to the region, the nation, and the world.

A. Organizational Profile/Organizational Chart – See Appendix C

B. Requirements for Affirmative Action Plan

SIUE is a federal contractor and recipient of federal funds. This Affirmative Action Plan is required by Executive Order 11246, Illinois Human Rights Act as amended, and its implementing guidelines developed by the U.S. Department of Labor's Office of Federal Contract Compliance Programs. The Plan sets forth current and future action the University will take regarding affirmative action and equal employment opportunity. The Plan also includes sections for veteran categories and individuals with disabilities. This Affirmative Action Plan is available for inspection by any employee or applicant for employment upon request, during normal business hours, in the Office of Equal Opportunity, Access, and Title IX Coordination. Interested persons should contact the Office of Equal Opportunity, Access, and Title IX Coordination, Rendleman Hall, Box 1025, Edwardsville, IL, 62026-1025, 618.650.2333 for assistance. The Plan is also available online at <http://www.siu.edu/EOA>.

I. AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY POLICY

A. Policy Statement

As a federal contractor, Southern Illinois University Edwardsville complies with several employment laws and regulations, including, but not limited to, the following:

- Equal Pay Act of 1963
- Titles VI and VII of the Civil Rights Act of 1964
- Executive Order 11246
- The Age Discrimination in Employment Act of 1967
- Title IX of the Educational Amendments of 1972
- Sections 503 and 504 of the Rehabilitation Act of 1973
- The Americans with Disabilities Act Amendments Act of 2008
- The Vietnam Era Veterans' Readjustment Act of 1974
- The Illinois Human Rights Act
- The Rules and Regulations of the Board of Trustees of the Southern Illinois University System.

Southern Illinois University Edwardsville (SIUE) is committed to an academic atmosphere and workplace free from inappropriate conduct of a discriminatory nature and that to the extent provided by the applicable laws, no person shall, on the basis of age, color, disability, marital status, national origin, race, religion, sex, sexual orientation, or veteran status, be denied the benefits of, or be subject to discrimination under, any program or activity which it sponsors or conducts. It is also SIUE's policy to maintain an environment free from discrimination on the basis of sexual harassment.

This policy also assures that employees will receive fair consideration for promotional opportunities and equitable treatment throughout their employment. This includes upgrades, transfers, promotions, recruitment, layoffs, terminations, and rates of pay or other forms of compensation, tenure, and promotions. This policy assures that applicants for employment receive fair consideration for employment opportunities. The Director of Equal Opportunity, Access, and Title IX Coordination is responsible for the continuing development, implementation, and monitoring of the Affirmative Action/Equal Employment Opportunity Policy by:

- Measuring the effectiveness of the University's Affirmative Action Program;
- Providing indications of need for remedial action; and
- Determining the degree to which University goals and objectives are met.

B. Affirmative Action/Equal Employment Opportunity Objectives

In support of this policy, specific objectives include, but are not limited to:

1. Recruiting, hiring, training, and promoting persons in all job classifications without regard to age, color, disability, marital status, national origin, race, religion, sex, sexual orientation, or veteran status;
2. Ensuring that wages, training, selection for training, transfers, demotions, layoffs, callbacks from layoff, recruitment, hiring, promotions, granting of tenure, discipline, terminations, and all other conditions and privileges of employment are job-related and comply with the principles of affirmative action and equal opportunity;
3. Ensuring that reasonable procedures are in place for responding to requests for disability, religious, national origin, and other types of accommodations;
4. Establishing goals and objectives to address underutilization and/or underrepresentation of women or minorities; and
5. Ensuring equal opportunity in all personnel actions.

C. Reporting and Monitoring Procedures

The university utilizes internal auditing and reporting systems, which measure the effectiveness of the Affirmative Action Plan. These procedures are described in this Plan.

D. Distribution of Policy

The University's Equal Opportunity Policy statement is available to employees and applicants for employment. The policy is discussed with management employees having responsibility for making employment decisions.

External dissemination includes, but is not limited to, notifying recruitment sources, community organizations, and labor unions.

E. Reaffirmation of Equal Employment Opportunity Policy

Southern Illinois University Edwardsville reaffirms its support of affirmative action/equal employment opportunity as set forth in this policy. Full cooperation and assistance is expected from the University community. Questions regarding this policy should be discussed with the Office of Equal Opportunity, Access, and Title IX Coordination, Rendleman Hall, Box 1025, Edwardsville, IL, 62026-1025, 618.650.2333.

II. ADMINISTRATION OF THE PLAN

A. Overview

This Affirmative Action Plan sets forth action-oriented steps the University commits itself to achieve equal opportunity through affirmative action. This Plan applies to all organizational units administered by or affiliated with Southern Illinois University Edwardsville, including the School of Dental Medicine and the East St. Louis Center.

B. Authority and Responsibility

The primary authority and responsibility for implementing the Affirmative Action Plan resides with the Chancellor of Southern Illinois University Edwardsville. The Vice Chancellors, Deans, Directors, Chairs, and others having supervisory or administrative authority are responsible for ensuring compliance with the principles of affirmative action and equal employment opportunity.

The Director of Equal Opportunity, Access, and Title IX Coordination is responsible for daily implementation of the Affirmative Action Plan as outlined in Section IV.

C. Dissemination of Affirmative Action Plan

The Affirmative Action Plan is updated annually, and copies are distributed to appropriate University administrators. A copy of the plan is available at the Office of Equal Opportunity, Access, and Title IX Coordination and online at www.siue.edu/EOA.

III. IMPLEMENTATION AND RESPONSIBILITY

A. Chancellor

The Chancellor, as the Chief Executive Officer of the University, assumes final responsibility for implementation of the Affirmative Action Plan.

B. Director, Equal Opportunity, Access, and Title IX Coordination

The Director of Equal Opportunity, Access, and Title IX Coordination is responsible for the continuing development, implementation, auditing, and monitoring of the Affirmative Action Plan. The Director of Equal Opportunity, Access, and Title IX Coordination reports to the Vice Chancellor for Anti-racism, Diversity, Equity, and Inclusion and has the support of higher-level management in carrying out this assignment.

Responsibilities include:

1. Developing affirmative action programs and guidelines;
2. Identifying affirmative action problem areas;
3. Assisting the administration in resolving affirmative action/equal employment opportunity issues;
4. Designing and implementing auditing and monitoring systems that:
 - a. Measure the effectiveness of the University's Affirmative Action Plan;
 - b. Provide indication of need for remedial action; and
 - c. Determine the degree to which the University's Affirmative Action goals and objectives are met.
5. Serving as liaison between the University and compliance agencies;

6. Serving as University liaison with minority and women's organizations and other groups concerned with employment opportunities for protected class members;
7. Keeping the University administration informed about developments in equal opportunity and affirmative action; and
8. Investigating discrimination complaints.

C. Office of Institutional Research and Studies

The Office of Institutional Research and Studies will provide appropriate statistical data for analyses and reporting purposes.

D. Human Resources

Human Resources will assist with implementation, monitoring, and assessment of the Plan.

E. Vice Chancellors

The Vice Chancellors' responsibilities include:

1. Developing, implementing, and auditing Unit Action Plans when appropriate;
2. Assisting the Office of Equal Opportunity, Access, and Title IX Coordination in developing and meeting coordinated goals and objectives within their respective areas;
3. Communicating unit goals and objectives to administrators responsible for affirmative action and equal employment opportunity;
4. Assisting with reporting procedures required by the University's Affirmative Action Plan; and
5. Assuming responsibility for sensitizing administrators regarding their obligations to affirmative action, equal opportunity, and cultural diversity.

F. Deans, Directors, and Chairs

The Deans, Directors, and Chairs' responsibilities include:

1. Assisting with establishing unit goals and objectives;
2. Communicating with minorities, women, students, and community service organizations to enhance recruitment efforts and results;

3. Monitoring unit personnel activities, such as hires, promotions, and terminations to determine whether goals and objectives are being met;
4. Reviewing qualifications of applicants and employees to ensure that minorities and women are given full consideration for employment opportunities;
5. Inspecting work locations to ensure that:
 - a. EEO posters are displayed;
 - b. Campus facilities are integrated; and
 - c. University programs and activities are open and accessible to all employees.
6. Conducting evaluations of supervisors' efforts in promoting affirmative action and equal opportunity;
7. Assisting in developing Unit Action Plans when required, which summarizes:
 - a. Good faith efforts; and
 - b. Goals and timetables for increasing the representation of minority and female employees where appropriate.

G. Managers and Supervisors

Managers and supervisors lend their individual and collective support to affirmative actions and equal opportunity by:

1. Identifying minorities and women for possible employment consideration;
2. Encouraging minority and female employees to apply for promotional opportunities; and
3. Endorsing principles of affirmative action, equal employment opportunity, and cultural diversity.

H. Hiring Officials and Employees

Each employee and hiring official shares the responsibility of ensuring nondiscrimination and achieving our affirmative action goals. It is through this shared responsibility that the University can fulfill its mission of having a diverse and inclusive work and learning environment.

IV. **RECRUITMENT AND SELECTION POLICIES**

A. General Affirmative Action Policies and Guidelines

Southern Illinois University Edwardsville shall provide equal opportunity through the implementation of procedures outlined in this Affirmative Action Plan. Employment

policies, practices, and procedures, which produce an adverse impact¹ on members of protected groups are prohibited. All populations of University employees are embraced by this Plan, which includes faculty, professional staff, administrators, Civil Service employees, student employees, veterans, employees with disabilities, and contractors of services. Clarification and assistance in implementing these policies and guidelines may be obtained from the Office of Equal Opportunity, Access, and Title IX Coordination.

Several guidelines shall apply:

- Position descriptions, duties, and selection criteria shall be job related.
- Recruitment processes shall be conducted in a manner to attract a diverse pool of qualified applicants.
- All selection procedures shall be conducted according to law and this Plan.
- Training programs may be developed and implemented to enhance the University's commitment to affirmative action, equal opportunity, and diversity.
- Compensation, working conditions, and fringe benefits are provided in a non-discriminatory manner.
- Affirmative action and equal opportunity measures may be taken to address underutilization of protected groups.
- Records pertinent to employment (e.g., copies of advertisements, letters of application, vitae, replies to applicants, recommendations, interview questionnaire notes, priority lists, letters offering appointments, and other pre-employment records) and applicant flow data shall be maintained by hiring units and/or the Office of Equal Opportunity, Access, and Title IX Coordination.
- University positions resulting from receipt of special funds (i.e., grants, gifts, and other external funding sources) may be advertised unless the hiring unit is granted a waiver as outlined in Part V, Section F of this Plan.

¹ Adverse impact occurs when a significantly different rate of selection in hiring or other employment decisions work to the disadvantage of a particular work group (minorities, men and/or women).

- The termination of employees shall be conducted in a non-discriminatory manner. Reasons for termination shall be unrelated to age, color, disability, marital status, national origin, race, religion, sex, sexual orientation, or veteran status, or other factors prohibited by law and this Plan.
- All employees shall have equal and ready access to appropriate University grievance procedures for the redress of alleged discrimination.

B. Policies and Guidelines for Faculty

The governance of the University grants the faculty original jurisdiction in academic matters within the guidelines established by the Board of Trustees, University policies, and other related legal requirements.

The Office of Equal Opportunity, Access, and Title IX Coordination will recommend specific reporting systems and procedures to monitor and implement the following policies and guidelines. When appropriate, the Office of Equal Opportunity, Access, and Title IX Coordination may determine affirmative action deficiencies and recommend specific strategies for schools, departments, or units. All goals and strategies will be established in a manner consistent with the letter and spirit of this Plan.

1. Policies and Guidelines for Full-Time Faculty:

- a. Each unit requesting permission to employ a faculty member shall develop a position description and specific selection criteria that are job-related. Consideration shall also be given to the unit's affirmative action goals and timetables.
- b. Faculty vacancies shall be advertised openly for a length of time sufficient to allow individuals to apply. Hiring units shall also take steps to identify qualified members of protected groups and inform them of available positions and the University's commitment to affirmative action and equal employment opportunity.
- c. Hiring units shall affirmatively seek participation and suggestions from members of protected groups during the recruitment/selection process. Every reasonable effort shall be made to diversify the composition of the search and interview committee. The assistance of protected group members is encouraged.

Complete records of recruitment/selection activities shall be maintained by the hiring unit for a period of not less than three years.

- d. When hiring units are deficient in women and minorities, qualified applicants identified as members of a protected group may be interviewed. Such factors as race or gender may be considered as factors (but not the only factor) in the selection process where there are affirmative action goals. A minimum of three qualified applicants generally shall be identified for each full-time faculty position, unless, for compelling reasons, an exception is granted by the Office of Equal Opportunity, Access, and Title IX Coordination as outlined in Part V, Section F of this Plan. If three qualified applicants are not identified, the Office of Equal Opportunity, Access, and Title IX Coordination may recommend further affirmative action efforts as appropriate.
- e. Conditions and privileges of employment (e.g., research opportunities, teaching loads, committee assignments, and use of facilities) shall be uniformly and without discrimination applied to all individuals performing essentially the same duties with essentially the same competence. Each unit shall provide a working environment that fosters cooperation and participation among all faculty members. Qualified members of protected groups shall be invited to participate in major research projects, serve on important committees, and participate fully in all other academic matters.
- f. Opportunities for career development, promotion and tenure, salary increases, and fringe benefits shall be provided on an equal basis and in accordance with the law, University policies, and the spirit of this Plan. Units shall be responsive to the potential and unique abilities of all faculty members. Members of protected groups shall be encouraged to take advantage of development opportunities and fringe benefits.
- g. A written offer(s) of employment shall be extended to a successful applicant(s) within 30 days from the date the Office of Equal Opportunity, Access, and Title IX Coordination has approved the search and selection process.

2. Policies and Guidelines for Part-Time Faculty

- a. Units requesting permission to employ a part-time faculty member shall develop position descriptions and specific selection criteria that are job-related.

- b. Part-time faculty positions shall be advertised locally or regionally for a length of time sufficient to allow interested individuals to apply. Position announcements shall be readily available to members of the protected groups. Hiring units shall also take positive steps to inform qualified women and minorities of the available positions and the University's commitment to affirmative action and equal employment opportunity. The hiring unit shall maintain complete records of the recruitment/selection activities for a period of not less than three years.
 - c. When the hiring unit is deficient in protected group representation, qualified applicants identified as members of a protected group may be interviewed. Such factors as race or gender may be considered, but not the only factor, when there are affirmative action goal deficiencies. Hiring units shall maintain clear and specific justifications for all selections and rejections for a period of not less than three years.
 - d. Benefits, privileges, compensation, and conditions for part-time appointments and opportunities shall be provided on an equal basis and in accordance with the spirit of this Plan and applicable University policies.
 - e. A written offer(s) of employment shall be extended to a successful applicant(s) within 30 days from the date the Office of Equal Opportunity, Access, and Title IX Coordination approved the search and selection process.
3. Policies and Guidelines for Distinguished Visiting Faculty:
- a. Units employing a distinguished visiting faculty member shall conduct a selection process in accordance with this Plan and University policies. Units shall remain aware of the University's commitment to affirmative action and seek to ensure the inclusion of qualified members of protected groups as distinguished visiting faculty members.
 - b. A written offer(s) of employment shall be extended to a successful applicant(s) within 30 days from the date the Office of Equal Opportunity, Access, and Title IX Coordination approved the search and selection process.
4. Policies and Guidelines for "Acting" Academic Positions:
- a. When pressing administrative concerns preclude normal recruitment and selection procedures, individuals may be appointed to serve in an "acting"

capacity. The Unit shall present clear and specific documentation of the reasons for the “acting” appointment and justification for the selection to the Office of Equal Opportunity, Access, and Title IX Coordination.

- b. The Unit shall conduct a search for the permanent position within two calendar years. The Unit shall follow University procedures and guidelines for the recruitment/selection for the permanent position unless an approved exception is granted (see Part V, Section F).
- c. A written offer(s) of employment shall be extended to a successful applicant(s) within 30 days from the date the Office of Equal Opportunity, Access, and Title IX Coordination has approved the search and selection process.

5. Policies and Guidelines for Graduate Assistant Positions:

- a. Units requesting graduate assistants shall develop a position description and specific selection criteria that is job-related.
- b. Graduate assistant positions shall be advertised for a length of time sufficient to allow interested individuals to apply. Hiring units shall take positive and demonstrable steps to identify qualified members of the protected groups and inform them of the available position and the University’s commitment to affirmative action and equal employment opportunity.
- c. Benefits, privileges, compensation, and conditions of a graduate assistant position shall be provided on an equal basis in accordance with applicable University policies.
- d. Hiring units shall maintain clear and specific justifications for all selections and rejections for a period of not less than three years.

6. Policies and Guidelines for Consultants and Contracted Services

- a. Units seeking consultants and contracted services shall take positive steps to identify members of the protected groups who are qualified to render the needed services.
- b. Units shall maintain records of the services received, as well as affirmative action profile data on selected consultants.

C. Policies and Guidelines for Administrators and Professional Staff

Administrators and professional staff perform a variety of specialized managerial functions. All goals and strategies pertaining to employing administrators and professional staff will be established in a manner consistent with this Plan.

1. Policies and Guidelines for Full-Time Administrators and Professional Staff:

- a. Each unit requesting permission to employ a full-time administrator or professional staff employee shall develop a position description and specific selection criteria that are job-related.
- b. Administrative and professional staff openings shall be advertised for a length of time sufficient to allow interested individuals to apply. Hiring units shall also take positive steps to identify qualified members of the protected groups and inform them of the openings and the University's commitment to affirmative action and equal opportunity.
- c. Hiring units shall affirmatively seek participation and guidance from members of protected groups during the recruitment/selection process. Every reasonable effort should be made to diversify the composition of search and interview committees. The participation of protected group members is encouraged. Complete records of the recruitment/selection activities shall be maintained by the hiring unit for a period of not less than three years.
- d. Race or gender may be considered as factors (but not the only factor) in the selection process when there are affirmative action goals.
- e. A minimum of three qualified applicants shall be identified for each full-time administrative and professional staff position. If three qualified applicants are not identified, the Office of Equal Opportunity, Access, and Title IX Coordination may recommend further affirmative action efforts as appropriate.
- f. Conditions and privileges of appointment (e.g., fiscal authority, office space, support budgets, and other conditions of appointment) shall be provided uniformly and without discrimination to individuals performing essentially the same duties with essentially the same competence. Each unit shall provide a

working environment that fosters cooperation and participation among all employees.

- g. Opportunities for career development, promotion, salary increases, and fringe benefits shall be provided on an equal basis and in accordance with applicable University policies and this Plan. Members of protected groups shall be encouraged to take advantage of available developmental opportunities.
- h. A written offer(s) of employment shall be extended to a successful applicant(s) within 30 days from the date the Office of Equal Opportunity, Access, and Title IX Coordination approved the search and selection process.

2. Policies and Guidelines for Part-Time Administrators and Professional Staff:

- a. Units requesting to employ a part-time administrative or professional staff person shall develop a position description and specific selection criteria that relate directly to job functions.
- b. Part-time administrative and professional staff positions shall be advertised openly for a length of time sufficient to allow interested individuals to apply. Position announcements shall be readily available to members of the protected groups. Hiring units shall also take positive steps to identify qualified members of the protected groups and inform them of the available position and the University's commitment to affirmative action and equal opportunity. Complete records of the recruitment/selection activities shall be maintained by the hiring unit for a period of not less than three years.
- c. The benefits, privileges, compensation, and conditions of part-time administrative and professional staff appointments, opportunities for career development, promotions, and other related employment decisions shall be provided on an equal basis and in accordance with the applicable University policies and this Plan. Qualified members of protected groups shall be encouraged to seek the full benefit from development opportunities.
- d. Changing the status of part-time administrative and professional staff employees shall be conducted in a manner consistent with the affirmative action, personnel, and University policies.

- e. A written offer(s) of employment shall be extended to a successful applicant(s) within 30 days of the date of approval of the selection and hiring process by the Office of Equal Opportunity, Access, and Title IX Coordination.
3. Policies and Guidelines for “Acting” Administrative and Professional Staff Positions:
- a. When pressing administrative concerns preclude normal recruitment and selection procedures, individuals may be appointed to serve in an “acting” capacity. Units requesting an “acting” appointment shall review the professional qualifications of various employees who could, with minimal or no training, fill the “acting” position, giving particular attention to all qualified individuals. The unit shall present clear and specific documentation of the reasons for the “acting” appointment and justifications for the selection to the Office of Equal Opportunity, Access, and Title IX Coordination.
 - b. The unit shall conduct a search for the permanent position within two calendar years. The unit shall follow University procedures and the guidelines of this Plan in the recruitment/selection process for the permanent position, unless an exception is granted (see Part V, Section F).
 - c. A written offer(s) of employment shall be extended to a successful applicant(s) within 30 days from the date the Office of Equal Opportunity, Access, and Title IX Coordination approves the search and selection process.
4. Policies and Guidelines for Consultants and Contracted Services:
- a. Units seeking consultants and contract services shall take positive steps to identify members of the protected groups who are qualified to render the needed services.
 - b. Units shall maintain records of the services received, as well as affirmative action profile data on the selected consultants.

D. Policies and Guidelines for Civil Service Employees

The selection and hiring process for Civil Service staff at SIUE is governed by the State Universities Civil Service System, negotiated contracts, and/or memoranda of

understanding. The specific employment policies and procedures of the Civil Service System may vary according to position classifications.

1. Policies and Guidelines for Full-Time Status Civil Service Employees:

- a. Each unit requesting the employment of a full-time Civil Service employee shall use the Civil Service position descriptions and qualifications appropriate for the job classification as determined by Human Resources. When the hiring unit is deficient in protected group representation or if the available position classification underutilizes the protected groups, the unit may consider employing an apprentice, learner, or trainee for available positions, provided the unit has adequate personnel and resources to offer appropriate training programs.
- b. With some exceptions related to collective bargaining agreements or to memoranda of understanding, available full-time status Civil Service positions shall be advertised openly for a length of time sufficient to allow interested individuals to apply. In addition, positive steps shall be taken to identify qualified protected group members and inform them of the available positions and the University's commitment to affirmative action.
- c. Employment examinations and/or oral board reviews shall be conducted in accordance with Civil Service rules in a non-discriminatory manner. Special testing accommodations shall be available for individuals with disabilities. Efforts shall be made to include qualified members of the protected groups on examining boards.
- d. After completion of the recruitment process and the entry of applicants to the appropriate register, the hiring unit shall interview and select the applicant from those referred by Human Resources in accordance with Civil Service rules and this Plan. Hiring units shall maintain clear and specific justifications for selections and rejections for a period of not less than three years.
- e. Rates of compensation shall be determined by the position classification and the skills and experience of the applicant, according to Civil Service rules, University policies, and/or collective bargaining agreements.
- f. Fringe benefits and conditions of employment (e.g., insurance programs, retirement benefits, leaves, credit union privileges, and other benefits) shall be provided uniformly to all individuals performing essentially the same duties in

accordance with law, Civil Service rules, collective bargaining agreements, and/or University policies.

- g. Opportunities for career development, promotion, and retraining shall be available to all full-time status Civil Service employees in a non-discriminatory manner and in accordance with Civil Service rules, collective bargaining agreements, applicable University policies, and the spirit of this Plan. Members of the protected groups shall be encouraged to take advantage of available development opportunities and benefits.

2. Policies and Guidelines for Part-Time Status Civil Service Employees:

- a. Units requesting a part-time status Civil Service employee shall use the Civil Service position descriptions and qualifications appropriate for the job classification as determined by Human Resources.
- b. With the exception of those part-time status Civil Service positions governed by collective bargaining agreements, part-time status Civil Service positions shall be advertised openly for a length of time sufficient to allow interested individuals to apply. Positive steps shall also be taken to identify qualified members of the protected groups and inform them of the available position and the University's commitment to affirmative action.
- c. All employment examinations and/or oral board reviews shall be conducted in accordance with Civil Service rules in a non-discriminatory manner, without regard for such factors as age, color, disability, marital status, national origin, race, religion, sex, sexual orientation, or veteran status. Special testing accommodations shall be available for qualified disabled individuals. Efforts shall be made to include qualified members of the protected groups on examining boards.
- d. After completion of the recruitment process and the entry of applicants to the appropriate register, the hiring unit shall interview and select an applicant from those referred by Human Resources in accordance with Civil Service rules and this Plan. Hiring units shall maintain clear and specific justification for all selections and rejections for a period of not less than three years.
- e. Fringe benefits and conditions of employment (e.g., insurance programs, retirement benefits, leaves, credit union privileges, and other benefits) as applicable for part-time Civil Service positions shall be provided uniformly and

without discrimination to all individuals performing essentially the same duties in accordance with law, Civil Service rules, collective bargaining agreements, and/or University policies.

- f. Opportunities for career development, promotion, and retraining opportunities shall be provided in a non-discriminatory manner and in accordance with Civil Service rules, collective bargaining agreements, applicable University policies, and this Plan. Members of protected groups shall be encouraged to take advantage of such opportunities and benefits available to part-time Civil Service employees.
- g. Changing the status of part-time Civil Service employees shall be conducted in a manner consistent with Civil Service rules, applicable collective bargaining agreements, and the affirmative action goals and timetables of the unit.

E. Policies and Guidelines for Student Employees

Students are employed to perform a variety of functions throughout the University. The Office of Student Financial Aid shall develop and implement general policies and procedures that govern the Student Work Program in accordance with the law, Board of Trustees and University policies, and the general employment policies of this Plan. The Office of Equal Opportunity, Access, and Title IX Coordination may develop guidelines for monitoring student work positions.

1. Units desiring to hire a student worker shall develop a position description and specific selection criteria that relate directly to job function.
2. All student work positions shall be advertised for a length of time sufficient to allow interested individuals to apply. The Office of Student Financial Aid shall take positive steps to inform members of protected groups of available positions and the University's commitment to affirmative action and equal employment opportunity.
3. The Office of Student Financial Aid shall refer applicants in accordance with appropriate University policies and without regard for such factors as age, color, disability, marital status, national origin, race, religion, sex, sexual orientation, or veteran status.
4. Hiring and selection decisions shall be based on non-discriminatory job-related criteria.

5. Salaries and/or wages paid to students shall be consistent with the Office of Student Financial Aid and the University's pay guidelines.

F. Waiver of Search Requirements

Every effort should be made to advertise, post, and evaluate applicants for vacant positions. Additionally, promotional opportunities should generally be filled through a competitive process. Search procedures have been developed in order to ensure an open and competitive process to fill vacant positions. Filling vacancies through the search process assures that the University maintains compliances with Federal and state affirmative action legislation, in addition to offering assurance that units are hiring the most qualified candidates. However, in rare instances, a limited number of appointments and some promotions may be made without going through standard search procedures.

These positions are eligible for search waiver requests due to (a) the existence of University policy guidelines governing the appointment or search process; (b) urgent departmental/unit teaching needs that cannot be addressed through the normal search process (i.e., increased class enrollment at the beginning of a semester requiring an immediate teaching appointment); or (c) the unique talents and skills required for the position. Any request for a search waiver should include documentation of how the individual for whom the waiver is sought was identified.

Note: The eligibility of a position for a search waiver does not exempt a position from affirmative action requirements and equal employment opportunity regulations, including documenting good faith efforts to achieve diversity and ensuring non-discrimination.

To obtain a waiver, a Request for Waiver of Search Process form must first be approved by the appropriate Vice Chancellor and then submitted for consideration and approval to Human Resources and the Office of Equal Opportunity, Access, and Title IX Coordination. Refer to the EOA website regarding "Hiring Forms" for more information. <https://www.siu.edu/eoa/affirmative-action-planning-hiring/hiring-forms.shtml>.

V. ANALYSES

To meet compliance requirements, the University prepares a series of reports. These reports are a major component of the compliance function and the basis for conducting

analyses required by Executive Order 11246. These analyses help identify areas of progress and good faith efforts, as well as areas needing further attention. The Office of Institutional Research and Students and Human Resources provide employment data for these analyses.

A. Workforce Analyses

1. Utilization Analysis

The Utilization Analysis is comprised of three reports summarizing certain aspects of the University Workforce. These reports include the Job Group Analysis, Availability Analysis, and the Underutilization Analysis. The Job Group Analysis displays the Workforce combined into job groups (defined as one or more jobs with similar content, wage rates, and opportunities) and shows where women and minorities are employed throughout the University.

The Availability Analysis calculates availability estimates for women and minorities for each job group. These estimates are used in the goal-setting process.

The Underutilization Analysis compares the current availability rates to current incumbency rates for women and minorities. This comparison is the basis for the establishment of placement goals for women and minorities. Data on women and minorities are analyzed separately to determine their respective utilizations, availability rates, and placement goals. After accomplishing the utilization analysis and determining whether or not underutilization exists², goals equal to availability rates are set in job groups in which underutilization occurs. Only full-time employee counts are included in the analyses.

2. EEO-6 Categories

The University's workforce is grouped into seven macro-groups for reporting purposes. These categories and their corresponding 2-digit identification codes are:

01 – Executive, Administrative, Managerial

02 – Faculty

03 – Professional/Non-Faculty

² If the availability rate for a particular job group is larger than the corresponding utilization rate, then that job group is cited as being underutilized for that affected class. Goals are not established for those job groups in which utilization is equal to or greater than availability.

- 04 – Secretarial and Clerical
- 05 – Technical and Paraprofessional
- 06 – Skilled Crafts
- 07 – Service Maintenance

3. Job Groups

Job Groups consist of job titles that are similar and based on guidelines outlined in 41 CFR 60-2.12:

- Contain similar job content, compensation, and opportunities.
- Parallel employment categories used in published data on the availability rates for minorities and women.
- Reflect, as nearly as possible, the logical structure inherent to the University.
- Where appropriate, a job group will contain a sufficient number of employees for valid statistical analysis.

Job Groups are listed in Appendix F.

4. Determination of Availability

Availability is an estimate of the percentage of qualified women and minority candidates that are available for employment for each job group. This estimate is used as a benchmark to determine if barriers exist to women and minorities in the University's workforce.

In accordance with 41 CFR 60-2.14, the University considered the following factors in determining availability:

- The percentage of women and minorities with the requisite skills available within what would be deemed a reasonable recruitment area (external availability).
- The percentage of women and minorities available within the SIUE workforce who are promotable, transferable, trainable (internal availability).

5. Reasonable Recruitment Area (Geographical)

The University's recruitment area has been identified for each job group through determining what may be the most likely and reasonable areas in which we may identify candidates for our positions. In determining the reasonable recruitment areas, SIUE takes appropriate measures to assure that areas are not drawn in such a way that may exclude potential women or minority candidates.

6. Determination of Internal Availability

SIUE analyzes promotion and other internal movements to determine which job groups serve as feeder groups. We use this data to determine who is promotable, transferable, and trainable within the institution. Furthermore, we have taken appropriate measures to ensure that internal availability is not constructed in such a way that has the effect of excluding women and minorities.

7. Goal Analysis

This analysis measures the overall goal performance of the University and identifies areas where good faith efforts occurred. Goals are established for job groups in which women and minorities are underutilized. Goals represent placement rates for the current year. For example, if the availability rate for female faculty is 20%, then the corresponding goal or placement rate is 20% for that year. Therefore, a unit having ten placement opportunities should hire two females.

The Office of Equal Opportunity, Access, and Title IX Coordination distributes and discusses unit goals with appropriate administrators. Vice Chancellors, Deans, Chairs, Directors, Managers, and Supervisors review goals established for their areas and develop plans to meet these goals. Human Resources also receives copies of this information to assist units with meeting goals.

8. Use of Placement Goals

Placement goals are important because they provide a means for quantitative evaluation. Goals are not quotas and are not used to discriminate against any applicant or employee. Goals are established and reviewed annually. Moreover, the University's establishment of placement goals does not constitute a finding or admission of discrimination.

B. Personnel Activity Analyses

1. Applicant Flow and Hire Analysis

Affirmative Action information is maintained on applicants seeking employment with the University. The Office of Equal Opportunity, Access, and Title IX Coordination maintains applicant flow data on faculty, administrative and professional staff applicants, while Human Resources keeps information on applicants applying for Civil Service positions. This analysis determines the rate at which applicants and employees apply for and are selected for employment opportunities.

2. Promotional Analysis

This analysis measures how successful women and minorities were in applying for and obtaining advancement within their areas of employment or in other areas within the University. This analysis is conducted for both faculty and non-faculty promotions.

3. Termination Analysis

Terminations are defined as any separation from University employment (voluntary or involuntary). The Office of Equal Opportunity, Access, and Title IX Coordination reviews terminations periodically to identify areas of potential adverse impact for women and minorities.

VI. IDENTIFICATION OF PROBLEM AREAS

Southern Illinois University Edwardsville performs in-depth analysis of its total employment process to determine if there are areas where minority and/or female groups may face impediments to equal opportunity. The following analyses are conducted in order to reveal any potential problem areas:

1. **Placement Goals:** An analysis of incumbency versus availability is performed to determine whether there are problems of minority or female utilization. Whenever a problem exists, as defined by the methodology Southern Illinois University Edwardsville uses, Placement Goals are set (see the Placement Goals report in Appendix B).

For job groups that have Placement Goals, steps will be taken to encourage and increase the percentage of qualified females and/or minorities applying for positions both externally and internally. These steps may include, as appropriate, but are not limited to the following:

- Recruiting at colleges and universities with a significant percentage of minority and female students;
- Publishing job advertisements in newspapers and/or magazines that target females and/or minorities;
- Offering mentorship programs for female and minority employees;
- Offering job training to females and minorities currently employed by the University in order to increase their chances of advancing within the University;
- Offering tuition reimbursement to employees to obtain training that will increase their chances of advancing within the University;
- Using recruitment companies that specifically target females and minorities; and
- Continuing to use the services of their State Employment Service.

2. **Review of Employment Decisions:** Review of employment decisions is made in order to determine whether or not females/minorities are selected at a less favorable rate than males/non-minorities.

Review of Hires/Promotions: Whenever females/minorities are selected at a lower rate than males/non-minorities, a review of the applicant flow is conducted to determine the possible reasons why females/minorities were not selected at a more favorable rate. If the University is attracting fewer than expected females/minorities that fit the qualifications for the job groups, good faith efforts will be put into place to attempt to improve the applicant flow of qualified females/minorities.

Review of Terminations: For non-voluntary terminations, if females/minorities are being terminated at a higher rate than males/non-minorities, a review of the employee files will be made to ensure that the University is applying its policies and procedures for termination equally for protected, as well as non-protected, classes.

3. **Compensation:** Compensation is reviewed at least annually in order to determine if there are significant discrepancies in pay when comparing female to male rates of pay and minorities versus non-minorities rates of pay. If discrepancies do exist, a thorough review is conducted to determine if the difference in pay is justified due to appropriate factors. If the difference in pay cannot be justified, Southern Illinois University Edwardsville will put a plan in place to address the issue.

VII. INTERNAL AUDITING AND REPORTING

The University Auditing and Monitoring systems measure the overall effectiveness of the Affirmative Action Plan. These systems include procedures for auditing and monitoring goal progress, as well as analyzing employment activities. The Office of Equal Opportunity, Access, and Title IX Coordination is responsible for implementing these systems as outlined below.

A. Internal Audits

Internal Audits consist of periodically reviewing personnel activities (e.g., hires, promotions/transfers, terminations, and other related employment activities) by job groups having the greatest impact on the University's affirmative action goals and objectives. Other auditing steps include:

1. Reviewing the selection process, specifically how decisions are made, criteria used, and documentation supporting such decisions, especially where women and minorities are applicants.
2. Auditing selection and hiring processes in goal-related job groups.
3. Developing programs to assist units in meeting AA/EEO goals and objectives.

These and other audit tools enhance the University's ability to assess its equal employment opportunity commitment.

B. Reports

The University will maintain all necessary reports and supporting data necessary for auditing and monitoring purposes. These reports focus on goal progress, good faith efforts, problem areas, and include summaries of AA/EEO trends and patterns.

C. Monitoring

The University monitors its selection and hiring procedures to ensure that applicants and employees are afforded equal opportunity in employment and advancement opportunities. These include hires, promotions, transfers, and upgrades. To enhance this process, the Office of Equal Opportunity, Access, and Title IX Coordination will:

1. Monitor opportunities occurring in goal-related areas.
2. Inform hiring official or a search committee when a position is targeted for monitoring purposes. The committee or hiring official may:
 - a. Meet with the Office of Equal Opportunity, Access, and Title IX Coordination concerning monitoring procedures.
 - b. Develop a written recruitment plan designed to attract women and minority applicants.
 - c. Develop an interview questionnaire that:
 1. Is job-related, and
 2. Solicits information useful in selecting candidates.
 - d. Review applicant pool with the Office of Equal Opportunity, Access, and Title IX Coordination within the following stages:
 1. After the close of the advertising period but before the review and selection process starts;
 2. After the first “cut” of applicants; and
 3. After finalists are selected.
 - e. Provide specific reasons why candidates are selected or rejected, focusing on applicants’ education, experience, and background.

D. Documentation of Selection Process

Documentation of the selection process is an essential personnel practice, not only for affirmative action purposes but for use as a written record of how employment decisions are made. Departments are responsible for retaining all materials associated with personnel selection decisions for up to three (3) years. This includes copies of advertisements, resumes, correspondence with applicants, scoring or rating sheets, and other materials associated with the selection process. These materials are available to the Office of Equal Opportunity, Access, and Title IX Coordination upon request.

VIII. ACTION-ORIENTED PROGRAMS

The University continually develops procedures to address areas cited in Appendix B during the currently plan year, including employment practices to ensure that equal employment policies and procedures are being carried out.

- The Office of Equal Opportunity, Access, and Title IX Coordination will continue Monitoring hiring practices in job groups where underutilization³ or underrepresentation⁴ have been identified in Utilization Analysis.
- The Office of Equal Opportunity, Access, and Title IX Coordination will develop appropriate procedures to address the underutilization and concentration of women and minorities within the workforce.
- The Office of Equal Opportunity, Access, and Title IX Coordination will deliver ongoing search and selection training for search committees when the position is in job groups where underutilization or underrepresentation has been identified.
- The Office of Equal Opportunity, Access, and Title IX Coordination, in concert with Human Resources, will continue its outreach to recruit, hire, and retain Hispanic and American Indian/Alaskan Native applicants and employees.
- The Office of Equal Opportunity, Access, and Title IX Coordination continues to review personnel activities, including hiring, selection, and terminations to ensure that those activities are free from discriminatory actions.
- The Office of Equal Opportunity, Access, and Title IX Coordination will develop other appropriate auditing measures to assess the University's compliance status, where and when appropriate.

IX. COMPLIANCE GUIDELINES

A. Sex Discrimination

SIUE is committed to maintaining work and educational environments free of discrimination. In keeping with this commitment, the University does not tolerate discrimination against any employee, student, or applicant because of gender or sex. Personnel policies and practices are reviewed to ensure that:

1. Policies and practices relating to promotion, training programs, and educational programs conform to these Guidelines and the Illinois Human Rights Act.

³ Underutilization occurs when there are fewer minorities and/or women in a specific job group than is reasonably expected by their availability.

⁴ Underrepresentation occurs when minorities and/or women are located in job groups in numbers significantly fewer than would be expected in terms of their overall representation in the University's Workforce.

2. Employment advertising contains no sex or gender bias and contains the words “SIUE is an equal opportunity employer.”
3. Employment policies and practices apply equally to either gender.
4. Fringe benefits are accorded equally, regardless of gender.
5. Wages and salaries are set on the basis of job content and responsibility and not gender.
6. Employment will not be denied because of an applicant’s pregnancy (The Pregnancy Disc. Act of 1978).
7. Personnel actions are not based upon general assumptions about employment characteristics of women, nor on stereotyped characterizations of the sexes, nor on arbitrary preferences of hiring personnel.
8. The University will consider women and men for all jobs unless sex is a bona fide occupation qualification.

B. Family Medical Leave Act

The Family Medical Leave Act of 1993 (FMLA or Act) allows “eligible” University employees to take job-protected, unpaid leave, or to substitute appropriate paid leave if the employee has earned or accrued it, for up to a total of 12 workweeks in any 12 months because of the birth of a child or to care for a newborn child, because of the placement of a child with the employee for adoption or foster care, because the employee is needed to care for a family member (child, spouse, or parent) with a serious health condition, or because the employee’s own serious health condition makes the employee unable to perform the functions of their job. In certain cases, this leave may be taken on an intermittent basis, rather than all at once, or the employee may work a part-time schedule.

(a) An employee on FMLA leave is also entitled to have health benefits maintained while on leave as if the employee had continued to work instead of taking the leave.

(b) An employee generally has a right to return to the same position or an equivalent position with equivalent pay, benefits, and working conditions at the conclusion of the

leave. The taking of FMLA leave cannot result in the loss of any benefit that accrued prior to the start of the leave.

(c) The University has a right to 30 days advance notice from the employee where practicable. In addition, the University may require an employee to submit certification from a health care provider to substantiate that the leave is due to the serious health condition of the employee or the employee's immediate family member. Failure to comply with these requirements may result in a delay in the start of FMLA leave. Pursuant to a uniformly applied policy, the University may also require an employee present a certification of fitness to return to work when the absence was caused by the employee's serious health condition. The University may delay restoring the employee to employment without such certificate relating to the health condition which caused the employee's absence. [60 FR 2237, Jan. 6, 1995; 60 FR 16383, Mar. 30, 1995]

The University personnel policies comply with Federal and state guidelines in that employment will not be terminated or otherwise placed in jeopardy due to an employee's pregnancy, childbirth, or related medical conditions. Employees may be eligible for up to 12 workweeks of unpaid leave during any 12-month period.

C. Sexual Harassment

Sexual harassment is a form of discrimination and is prohibited by University policy. The University's Sexual Harassment Policy and Procedures gives examples of prohibited conduct, the discipline that can be expected for engaging in such behavior, and procedures for handling complaints and conducting investigations.

Individuals seeking more information regarding allegations of sexual harassment should contact the Office of Equal Opportunity, Access, and Title IX Coordination, Room 3310, Rendleman Hall, 618.650.2333. Copies of the University's Sexual Harassment Policy and the University's Sexual Harassment Complaint Procedures are available online at the following sites:

<https://siusystem.edu/board-of-trustees/legislation/board-legislation-policies.shtml#7D>

<https://www.siue.edu/policies/table-of-contents/2c5.shtml>

D. Religion and National Origin

The University prohibits discrimination based on religion and/or national origin. Religious beliefs, religious observances and practices of students and employees may be accommodated, unless an accommodation causes an undue hardship on the University. To determine whether an accommodation is unreasonable, the University considers at least the following factors:

- University necessity,
- Financial cost and expenses to the University, and
- Personnel problems that may result from an accommodation.

Questions regarding religious and/or national origin accommodations should be addressed to the Office of Equal Opportunity, Access, and Title IX Coordination.

E. Women and Minorities Not in the Workplace

The University will notify women and minorities not currently in the workforce of employment opportunities. Openings will be posted with local and state agencies and groups and organizations with clients who are either women and/or minorities.

F. Review of Qualifications and Obligations to Individuals with Disabilities and Veterans

The University periodically reviews job descriptions and job qualifications to ensure that individuals with disabilities, disabled veterans, qualified protected veterans are not being unfairly eliminated from employment considerations. SIUE takes affirmative action to employ, advance in employment, and otherwise treat qualified individuals with a disability without regard to their disability, including, but not limited to, recruitment, employment, promotion, compensation, training, layoffs, transfers, terminations, and job benefits.

G. Identification Invitation

The University will post notices inviting veterans and individuals with disabilities to identify themselves for affirmative action purposes. These notices are posted in Human Resources. Such information is strictly confidential and used for affirmative action purposes.

H. Compensation

The University does not reduce an employee's wages or salary because of disability income, pension, or other similar sources of payment.

I. Age Discrimination

The University prohibits discrimination on the basis of age in employment, benefits, training, promotional opportunities, terminations, wages and hours, and other related employment activities. It is against University policy to discriminate against a person age 40 or older. It is also illegal to discriminate against individuals within the group based on age. For example, preferring someone in their 40s over someone in their 50s.

J. Listing of Employment Openings

The University provides copies of current openings to the Vietnam Veterans Outreach Programs, the Illinois Employment Security Agency, and other related community organizations and agencies.

K. Coverage and Waivers

The University complies with all applicable coverage and waivers concerning affirmative action for individuals with disabilities, disabled veterans, and qualified protected veterans when appropriate.

L. Physical and Mental Qualifications

1. The University makes known its policy regarding physical and mental qualifications of individuals with disabilities, disabled veterans, and qualified protected veterans.
 - a. The University takes affirmative action to employ, advance, and otherwise treat individuals with disabilities, disabled veterans, and qualified protected veterans without discrimination.
 - b. The University complies with rules, regulations, and relevant orders of the Secretary of Labor, issued pursuant to Section 503 of the Vocational Rehabilitation Act of 1973, Sec. 402 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, and the Americans with Disabilities Act of 1990.

2. The University may require an employee to undergo a comprehensive medical, mental, physical and/or psychological examination prior to employment or promotion provided that the results of such examination are used to meet the requirements of this Plan.
3. The University maintains confidential information obtained from any source regarding an applicant's or employee's physical or mental condition, except under the following conditions:
 - a. Supervisors and Managers are informed of restrictions of work or duties of individuals with disabilities regarding accommodations.
 - b. Medical and safety personnel are notified if a condition requires emergency treatment.
 - c. Government officials are provided relevant and appropriate information when reviewing compliance requirements or complaints.

M. Promotions and Transfers

The University will make a good faith effort to advance and promote qualified individuals with disabilities, disabled veterans, and qualified protected veterans, when appropriate, through affirmative action efforts.

N. Good Faith Efforts

The University will make a good faith effort to recruit qualified individuals with disabilities, disabled veterans, and qualified protected veterans not currently in the workforce, through affirmative action efforts.

O. Individuals with Disabilities

The University fully embraces the policy of affirmative action and equal opportunity for individuals with disabilities as required by the Rehabilitation Act of 1973, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), and the Illinois Humans Rights Act as amended. The University prohibits discrimination on the basis of disability in employment practices and policies or the provision of services, educational programs

and activities, and other programs or benefits offered by Southern Illinois University Edwardsville.

University employees, students, applicants for employment and others needing information or seeking assistance regarding accommodations or complaint procedures may contact the University's ADAAA Coordinator in the Office of Equal Opportunity, Access, and Title IX Coordination, Room 3310, Rendleman Hall, 618.650.2333. Students seeking assistance or information can contact ACCESS. Their website is located at <https://www.siu.edu/access/>.

P. Determination of Disability

The University may require an employee to provide medical documentation of impairment or may require the employee to undergo a medical examination to determine a person's disability and any reasonable accommodation if appropriate.

The University prohibits employment discrimination against "qualified individuals with disabilities." A qualified individual with a disability is:

- An individual with a disability who meets the skill, experience, education, and other job-related requirements of a position held or desired and who, with or without reasonable accommodation, can perform the essential functions of a job.

A person with a "disability" is an individual who:

- Has a physical or mental impairment that substantially limits one or more of their major life activities;
- Has a record of such an impairment; or
- Is regarded as having such an impairment.

Q. Request for an Accommodation

The University will attempt to make good faith efforts to analyze requests (written or verbal) for an accommodation and enter into an interactive process with the requester, the requester's supervisor, the University ADAAA Coordinator, and Human Resources to determine whether a reasonable accommodation exists or is appropriate.

Individuals who feel their request for an accommodation was not given serious consideration may contact the EOA for assistance.

R. Filing Complaints of Discrimination

The University has adopted policies and procedures against discrimination and harassment. Any SIUE employee, student, applicant for employment or admission, or participant in a University program or activity who believes they have been unlawfully discriminated against on the basis of age, color, disability, marital status, national origin, race, religion, sex, sexual orientation, or veteran status may contact the Office of Equal Opportunity, Access, and Title IX Coordination, Rendleman Hall, Room 3310, 618.650.2333. Copies of the University's Non-Discrimination Complaint Procedures and Sexual Harassment Complaint Procedures are available at <https://www.siue.edu/ea/>.

S. Title IX Compliance

The University fully complies with the provisions of Title IX of the Education Amendment of 1972, which prohibits discrimination on the basis of sex in University activities and programs, including Intramural and Intercollegiate Athletics. See Appendix E for Title IX Policy Statement.

T. Illinois Laws

The University complies with appropriate provisions of the Illinois Constitution, the Illinois Human Rights Act, the State Officials and Employees Ethics Act, and other Illinois statutes that prohibit discrimination⁵.

⁵ The IL Human Rights Act (775 ILCS 5/101), IL Worker's Compensation Retaliation Act (820 ILCS 305/4), IL Minimum Wage Law (820 ILCS 105/1), IL Equal Pay Act of 2003 (820 ILCS 112/1), The Victim's Economic Security and Safety Act (820 ILCS 180/1), Family Military Leave Act (820 ILCS 151/1), Civil Rights Act of 2003 (740 ILCS 23/1), IL Whistleblower Act (740 ILCS 174), IL Educational Labor Relations Act & Public Sector Labor Relations Act, and the IL Right to Privacy in Workplace (820 ILCS 55/1).

PART TWO

Affirmative Action Plan for Qualified Individuals with Disabilities and
Qualified Protected Veterans

I. INTRODUCTION

This Section of the Affirmative Action Plan is designed to meet requirements that Southern Illinois University Edwardsville create an affirmative action plan for individuals with disabilities and covered veterans as required by Federal and state law.

II. POLICY STATEMENT ON DISABILITY AND VETERAN STATUS

Under the affirmative action obligations imposed by Section 503 of the Rehabilitation Act of 1973 and Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA), as amended, it is the policy of the University to provide Equal Employment Opportunities and to advance in employment qualified individuals with a disability as well as qualified protected veterans. This policy is designed to employ and advance all qualified individuals with a disability and qualified protected veterans at all levels of employment, including the executive level. The University's policy of providing Equal Employment Opportunities to qualified persons with a disability and qualified protected veterans shall apply to all employment practices, including, but not limited to: upgrading, demotion or transfer, tenure or promotion, layoff or termination, rates of pay or other forms of compensation, and selection for training. The University attempts to comply with all the rules, regulations, and relevant orders of the Secretary of Labor and the Office of Federal Contract Compliance Programs (OFCCP), issued pursuant to Section 503 of the 1973 Rehabilitation Act and the 1974 Vietnam Era Veterans' Readjustment Assistance Act, as amended.

The University's Affirmative Action Program for qualified persons with a disability and qualified protected veterans is reviewed and updated annually. If there are any significant changes in the University's procedure, or if employee rights or benefits are modified as a result of an annual updating, these changes are communicated to employees and to applicants for employment.

On a strictly voluntary basis, the University invites all qualified protected veterans who are either employees or applicants for employment and employees who have a disability and who wish to benefit under the University's Affirmative Action Program to identify themselves to either their immediate supervisor or to the Office of Equal Opportunity, Access, and Title IX Coordination. Any individual who identifies themselves will not be subjected to any form of harassment or retaliation based on their status or self-identification. Further, this self-identification will be kept confidential.

Employees and applicants shall not be subjected to harassment, intimidation, threats, coercion, or discrimination because they have engaged in or may engage in any of the following activities: (1) filing a complaint; (2) assisting or participating in an investigation,

compliance review, hearing, or any other activity related to the administration of Section 503 of the Rehabilitation Act of 1973, as amended, VEVRAA, as amended, or any other Federal, state, or local law requiring equal opportunity for disabled persons or qualified protected veterans; or (3) opposing any act or practice made unlawful by Section 503 of the Rehabilitation Act of 1973, VEVRAA or its implementing regulations in this part, or any other Federal, state, or local law requiring equal opportunity for disabled persons or for qualified protected veterans; or (4) exercising any other right protected by Section 503 of the Rehabilitation Act of 1973, or its implementing regulations in this part of any other right protected by VEVRAA or its implementing regulations in this part.

The University reviews personnel activities to determine whether present practices give careful, thorough, and systematic consideration of the qualifications of individuals with disabilities, disabled veterans, and qualified protected veterans for employment opportunities filled either by hiring or promotion, and for all training opportunities offered or available.

SIUE will make good faith efforts to analyze requests (written or verbal) for an accommodation and enter into an interactive process with the requester, the requester supervisor, the University ADA/AA Coordinator, and Human Resources to determine whether a reasonable accommodation exists, is appropriate, or unless it is demonstrated that an accommodation would impose an undue hardship on the University.

University employees, students, supervisors, applicants for employment, and others needing information or seeking assistance regarding this policy, accommodations, or complaint procedures may contact the University's ADA Coordinator in the Office of Equal Opportunity, Access, and Title IX Coordination, Room 3310, Rendleman Hall, 618.650.2333. Students seeking assistance or information regarding disabilities services or programs can contact ACCESS. Their website is located at <https://www.siu.edu/access/>.

III. REVIEW OF PERSONNEL PROCESSES

Southern Illinois University Edwardsville reviews annually its personnel processes to determine whether its present procedures ensure careful, thorough, and systematic consideration of the qualifications of known qualified individuals with disabilities and qualified protected veterans. This review covers all procedures related to the filling of job vacancies either by hire or by promotion, as well as all training opportunities offered or made available to employees.

In determining the qualifications of veterans, Southern Illinois University Edwardsville limits its consideration of a qualified protected veteran's military record, including

discharge papers, to only that portion of the record relevant to the specific job qualifications for which the veteran is being considered.

Based upon Southern Illinois University Edwardsville's review of its personnel processes, Southern Illinois University Edwardsville will modify the personnel processes when necessary and will include the development of new procedures in this Affirmative Action Program to ensure Equal Employment Opportunity.

IV. PHYSICAL AND MENTAL QUALIFICATIONS

The physical and mental job qualifications of all jobs have been reviewed and are reviewed as new ones are established to ensure that, to the extent that such qualification requirements tend to screen out qualified individuals with disabilities and qualified disabled veterans, job qualifications are consistent with business necessity and the safe performance of the job.

No qualification requirements were identified which had a screening effect. All job qualification requirements were found to be job-related and consistent with business necessity and safety.

The University will continue to review physical and mental job qualification requirements whenever a job is vacated and the University intends to fill it through hiring, promotion, or transfer and will conduct a qualifications review whenever job duties change.

If at any time Southern Illinois University Edwardsville should inquire into an employee's physical or mental condition or should conduct a medical examination prior to a change in employment status, Southern Illinois University Edwardsville affirms that information obtained as a result of the inquiry will be kept confidential, except as otherwise provided for in Section 503 of the Rehabilitation Act of 1973 regulations. The results of the examination or inquiry will be used in accordance with the aforementioned regulations:

1. Supervisors, managers, and University officials may be informed regarding restrictions and accommodations for the work or duties of individuals with a disability.
2. Employees familiar with first aid may be informed, where and to the extent appropriate, if an individual with a disability might require emergency treatment.
3. OFCCP officials investigating compliance with either the 1973 Rehabilitation Act or VEVRAA, as amended.

V. REASONABLE ACCOMMODATION TO PHYSICAL AND MENTAL LIMITATIONS

It is the University's policy to make a reasonable accommodation to the physical and mental limitations of any employee with a disability and qualified applicants with a disability unless their accommodation imposes an undue hardship on the University's business (41 C.F.R. - 741.44(d); 250-44(d)). In determining the extent of the University's accommodation obligations, the following factors, among others, are considered:

1. Business and necessity; and
2. Financial cost and expense.

Each applicant or employee is dealt with on an individual basis. Reasonable accommodations are made whenever possible, and ongoing efforts include revision of facilities to make them accessible. The University makes every effort to provide suitable employment for those employees who become disabled while employed by us.

Some examples of reasonable accommodations include:

- Job restructuring;
- Modifying work schedules;
- Reassignment to a vacant position;
- Acquiring or modifying equipment or devices;
- Adjusting or modifying examinations, training materials, or policies; and
- Providing qualified readers or interpreters.

The University is not required to lower quality or quantity standards to make an accommodation. Nor is the University obligated to provide personal use items, such as glasses or hearing aids, as accommodations.

VI. HARASSMENT PREVENTION PROCEDURES

Employees of and applicants to Southern Illinois University Edwardsville will not be subject to harassment, intimidation, threats, coercion, or discrimination because they have engaged or may engage in filing a complaint, assisting in a review, investigation, or hearing, or have otherwise sought to obtain their legal rights related to any Federal, state, or local law regarding EEO for qualified individuals with disabilities or qualified protected veterans. Any employees or applicants who feel that they have been subject to harassment, intimidation, threats, coercion, or discrimination because of their disability or status as a

qualified protected veteran should contact the Office of Equal Opportunity, Access, and Title IX Coordination for assistance. This policy is posted for employees and applicants to view.

VII. AUDIT AND REPORTING SYSTEMS

The University has designed and implemented audit and reporting systems that:

1. Measure the effectiveness of the University's programs;
2. Document personnel activities;
3. Identify problem areas where remedial action is needed; and
4. Determine the degree to which Southern Illinois University Edwardsville's AAP goals and objectives have been attained.

Southern Illinois University Edwardsville's audit system includes periodic reports documenting Southern Illinois University Edwardsville's efforts to achieve its EEO/AAP responsibilities. Managers and supervisors are asked to report any current or foreseeable EEO problem areas and are asked to outline their suggestions/recommendations for solutions. During the reporting, the following occurs:

1. The Office of Equal Opportunity, Access, and Title IX Coordination will discuss any problems relating to significant rejection ratios, EEO charges, etc., with management; and
2. The Office of Equal Opportunity, Access, and Title IX Coordination will report the status of the University's AAP goals and objectives to management. The Office of Equal Opportunity, Access, and Title IX Coordination will recommend remedial actions for the effective implementation of the AAP.

VIII. RESPONSIBILITIES AND OBLIGATIONS

A. Responsibility for Implementing Equal Opportunity Policy

The Chancellor assumes final responsibility for implementation of the Equal Opportunity Policy. However, the Office of Equal Opportunity, Access, and Title IX Coordination is responsible for the continuing development, implementation, and monitoring of the policy. This includes:

1. Discussing and explaining provisions of the plan with top administration;

2. Designing and implementing auditing and monitoring systems that:
 - a. Measure the effectiveness of affirmative action for veterans and individuals with disabilities;
 - b. Indicate the need for remedial action; and
 - c. Determine the degree to which the University's goals and objectives are met.
3. Serving as liaison between the University and compliance agencies;
4. Serving as liaison between the University and veterans' organizations and community action groups concerned with employment opportunities for individuals with disabilities; and
5. Reviewing qualifications of employees with disabilities, disabled veterans, qualified protected veterans, to ensure that they are given full opportunities for transfers and promotions.

B. Development of Programs

In establishing this section of the Affirmative Action Plan, the following guidelines apply:

1. Reviewing and modifying job qualification requirements when necessary;
2. Analyzing the selection process to ensure that employees and/or applicants with disabilities, disabled veterans, and qualified protected veterans have access to employment opportunities;
3. Training appropriate personnel involved in the recruitment, screening, selection, promotion, discipline, and other related personnel functions in affirmative action and equal opportunity guidelines;
4. Advising recruiting units of the Affirmative Action Plan and soliciting assistance in recruitment and placement of qualified individuals with disabilities, disabled veterans, qualified protected veterans; and
5. Including qualified employees with disabilities, disabled veterans, and qualified protected veterans on the Human Resources staff.

IX. DETERMINATION OF DISABILITY STATUS

In determining an individual's disability status, the University may:

1. Require an applicant or employee to provide medical documentation of impairment, or, in the alternative, may require the applicant or employee to undergo a medical examination at the University's expense.
2. Require a disabled veteran to submit documentation from the Veteran's Administration or military service or a release indicating their disability status. Such documentation should be updated as required.
3. Make determination of a disability under 41 CFR 60-250 and CFR 60-741 for affirmative action purposes only and is not used to exclude or otherwise limit employment opportunities of qualified veterans and individuals with disabilities.

APPENDIX A

Progress Report, Fall 2024 to Fall 2024

Women and Minorities in the Workforce Report

I. Introduction

The University employed over 1,900 full-time permanent employees in faculty, administrative, and professional staff. For this workforce, 60% identify as women, and 40% identify as men. In terms of racial composition, the workforce is 76% white, 13% Black, and 10% other races. This composition does reflect the diversity of the region.

II. Workforce Compositions, Changes, and Challenges

Based on current workforce, the Alton campus has met its previously established goals for hiring female and minority employees in the areas of Clerical/Secretarial, Service/Maintenance, Skilled Crafts, and Technical and Paraprofessional. Minorities are underrepresented in the Executive/Administrative/Managerial roles. Women are underrepresented in Professional, Non-Faculty roles.

The composition of the faculty (66.67%) exceeds the campus' composition of females (59%). However, with regard to race, there is variance, with some races exceeding goals (Hispanic and Two or More Races), while other races still feature underrepresentation (Black, Asian, Native American, and Pacific Islander).

It is important to note the critical role that higher education plays in developing the pipeline of qualified candidates from diverse backgrounds. Because affirmative action goals are not quotas, the goals only influence the hiring of qualified candidates. Because systemic and structural barriers continue to exist for women and minority candidates in many fields, minority candidate pools are typically small, and competition for these candidates is robust. In order to increase these pools over time, colleges and universities must work actively to minimize the barriers to education which have historically limited minority candidates.

While this period's report shows some modest progress in some areas, the results also challenge the University to continue to develop initiatives and strategies to attract, hire, and retain women, minorities, and employees with disabilities.

III. Conclusion

The report shows the University's efforts in meeting its affirmative action and equal opportunity obligations during hard economic times. However, the University continues to maintain a positive level of women and minorities in all categories of employment. Areas

targeted for improvement during FY25-26 continue to be in faculty and staff job groups where underutilization and/or underrepresentation continue to exist.

APPENDIX B

Selected Glossary of IPEDS Terms⁶

1. Clerical and Secretarial: A primary function or occupational activity category used to classify persons whose assignments typically are associated with clerical activities or are specifically of a secretarial nature. Includes personnel who are responsible for internal and external communications, recording and retrieval of data (other than computer programmer) and/or information and other paperwork required in an office. Also includes such occupational titles as switchboard operators, including answering service; telephone operators; bookkeeping, accounting, and auditing clerks; payroll and timekeeping clerks; procurement clerks; file clerks; clerical library assistants; human resources assistants, except payroll and timekeeping; shipping, receiving, and traffic clerks; secretaries and administrative assistants; computer operators; data entry and information processing workers; desktop publishers; mail clerks and mail machine operators (except postal service); office clerks (general); office machine operators (except computer); and proofreaders and copy markers.
2. Executive, Administrative, and Managerial: A primary function or occupational activity category used to classify persons whose assignments require management of the institution or a customarily recognized department or subdivision thereof. Assignments require the performance of work directly related to management policies or general business operations of the institution, department, or subdivision. Assignments in this category customarily and regularly require the incumbent to exercise discretion and independent judgement. Included in this category are employees holding titles such as top executives; chief executives; general and operations managers; advertising, marketing, promotions, public relations, and sales managers; operations specialties managers; administrative services managers; computer and information systems managers; financial managers; human resources managers; purchasing managers; postsecondary education administrators, such as presidents, vice presidents (including assistants and associates), deans (including assistants and associates) if their principal activity is administration and not primarily instruction, research, or public service, directors (including assistants and associates), department heads (including assistants and associates) if their principal activity is administration and not primarily instruction, research, or public service, and assistant and associate managers (including first-line managers of service, production, and sales workers

⁶ For more information about the Integrated Postsecondary Education Data System (IPEDS), go to <http://nces.ed.gov/ipeds/>

who spend more than 80 percent of their time performing supervisory activities); engineering managers; food service managers; lodging managers; and medical and health services managers.

3. Faculty: Persons identified by the institution as such and typically those whose initial service as a principal activity (or activities). They may hold academic rank titles of professor, associate professor, assistant professor, instructor, lecturer, or the equivalent of any of those academic ranks. Faculty may also include the chancellor/president, provost, vice provosts, deans, directors, or the equivalent, as well as associate deans, assistant deans, and executive officers of academic departments (chairpersons, heads, or the equivalent) if their principal activity is instruction combined with research and/or public service. The designation as “faculty” is separate from the activities to which they may be currently assigned. For example, a newly appointed president of an institution may also be appointed as a faculty member. Graduate, instruction, and research assistants are not included in this category.
4. Full-Time Instructional Faculty: Those members of the instruction/research staff who are employed full time and whose major regular assignment is instruction, including those with released time for research. Also includes full-time faculty for whom it is not possible to differentiate among teaching, research, and public service because each of these functions is an integral component of their regular assignment.
5. Graduate Assistants: Graduate-level students who are employed on a part-time basis for the primary purpose of assisting in classroom or laboratory instruction or in the conduct of research. Graduate students having titles such as graduate assistant, teaching assistant, teaching associate, teaching fellow, or research assistant typically hold these positions.
6. Other Professional (Support/Service): A primary function or occupational activity category used to classify persons employed for the primary purpose of performing academic support, student service, and institutional support, whose assignments would require either a baccalaureate degree or higher or experience of such kind and amount as to provide a comparable background. Included in this category are all employees holding titles such as business operations specialists; buyers and purchasing agents; human resources, training, and labor relations specialists; management analysts; meeting and convention planners; miscellaneous business operations specialists; financial specialists; accountants and auditors; budget analysts; financial analysts and advisors; financial examiners; loan counselors and officers; computer specialists; computer and information scientists, research; computer programmers; computer software engineers; computer support specialists; computer systems analysts; database administrators; network and computer systems administrators; network systems and data communication analysts; counselors,

social workers, and other community and social service specialists; counselors; social workers; health educators; clergy; directors, religious activities and education; lawyers; librarians, curators, and archivists; museum technicians and conservators; librarians; artists and related workers; designers; athletes, coaches, and umpires; dancers and choreographers; music directors and composers; chiropractors; dentists; dietitians and nutritionists; optometrists; pharmacists; physicians and surgeons; podiatrists; registered nurses; therapists; and veterinarians.

7. Professional Staff: Employees of an institution whose primary function or occupational activity is classified as one of the following: faculty; executive, administrative, managerial; or other professional.
8. Race/Ethnicity: Categories used to describe groups to which individuals belong, identify with, or belong in the eyes of the community. The categories do not denote scientific definitions of anthropological origins. A person may be counted in only one group. The groups used to categorize U.S. citizens, resident aliens, and other eligible non-citizens are as follows: American Indian/Alaskan Native; Asian/Pacific Islander; Black, non-Hispanic; Hispanic; White, non-Hispanic.
9. Service/Maintenance: A primary function or occupational activity category used to classify persons whose assignments require limited degrees of previously acquired skills and knowledge and in which workers perform duties that result in or contribute to the comfort, convenience, and hygiene of personnel and the student body or that contributes to the upkeep of the institutional property. Includes titles such as fire fighters; law enforcement workers; parking enforcement workers; police officers; security guards; lifeguards; ski patrol; cooks and food preparation workers; food and beverage serving workers; fast food and counter workers; waiters and waitresses; other food preparation- and serving-related workers; building cleaning and pest control workers; grounds maintenance workers; electrical and electronic equipment mechanics; installers and repairers; radio and telecommunications equipment installers and repairers; avionics technicians; electric motor, power tool, and related repairers; vehicle and mobile equipment mechanics, installers, and repairers; control and valve installers and repairers; heating, air conditioning, and refrigeration mechanics and installers; air transportation workers; motor vehicle operators; and parking lot attendants.
10. Skilled Crafts: A primary function or occupational activity category used to classify persons whose assignments typically require special manual skills and a thorough and comprehensive knowledge of the processes involved in the work, acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes occupational titles such as welders, cutters, solderers, and brazers; bookbinders

and bindery workers; printers; cabinetmakers and bench carpenters; plant and system operators; stationary engineers and boiler operators; water and liquid waste treatment plant and system operators; crushing, grinding, polishing, mixing, and blending workers; medical, dental, and ophthalmic laboratory technicians; painting workers; photographic process workers and processing machine operators; and etchers and engravers.

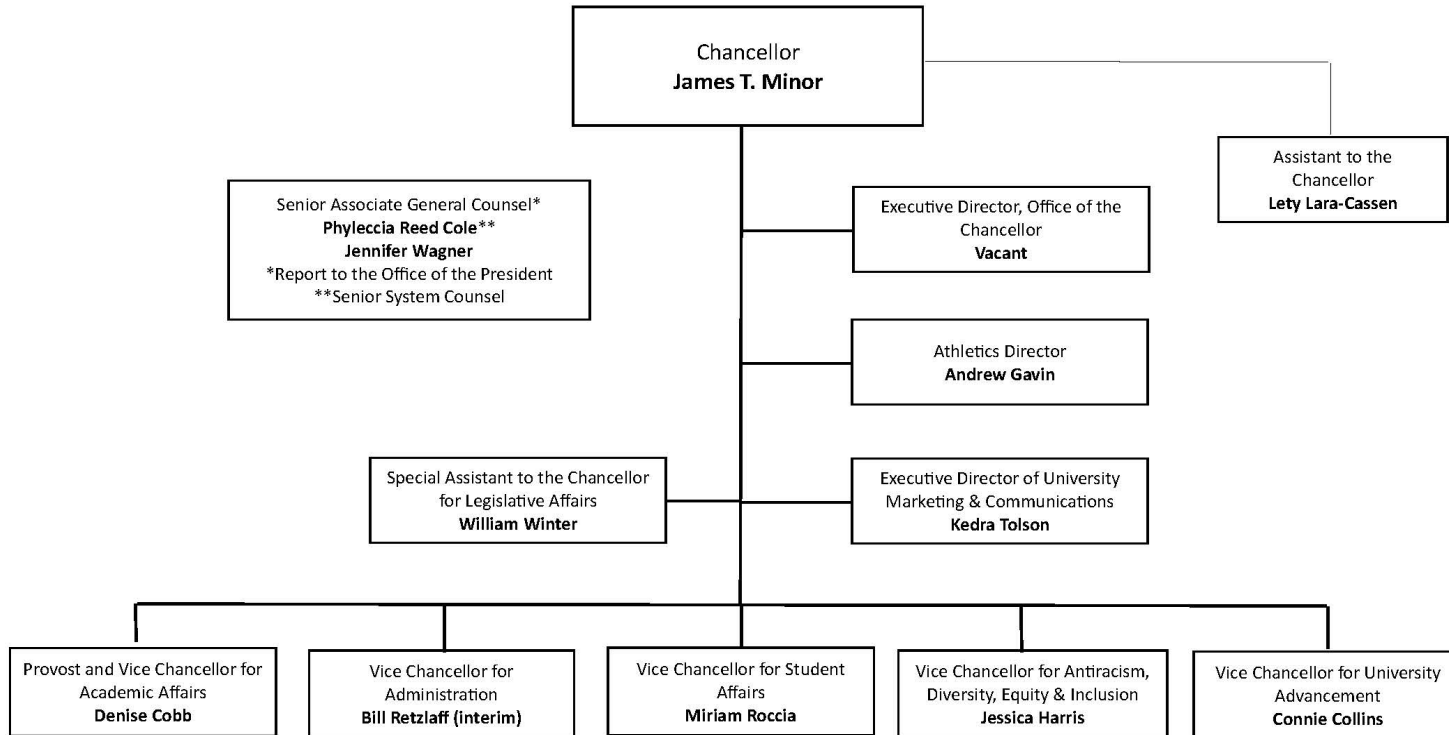
11. Technical and Paraprofessional: A primary function or occupational activity category used to classify persons whose assignments require specialized knowledge or skills, which may be acquired through experience, apprenticeship, on-the-job training, or academic work in occupationally specific programs that result in a 2-year degree or other certificate or diploma. Includes persons who perform some of the duties of a professional in a supportive role, which usually requires less formal training and experience than normally required for professional status. Includes mathematical technicians; life, physical, and social science technicians; agricultural and food science technicians; chemical technicians; geological and petroleum technicians; nuclear technicians; paralegals and legal assistants; miscellaneous legal support workers; health technologists and technicians; dietetic technicians; pharmacy technicians; licensed practical and licensed vocational nurses; medical records and health information technicians; opticians, dispensing; healthcare support occupations; nursing aides, orderlies, and attendants; physical therapist assistants and aides; massage therapists; dental assistants; medical assistants; and pharmacy aides.

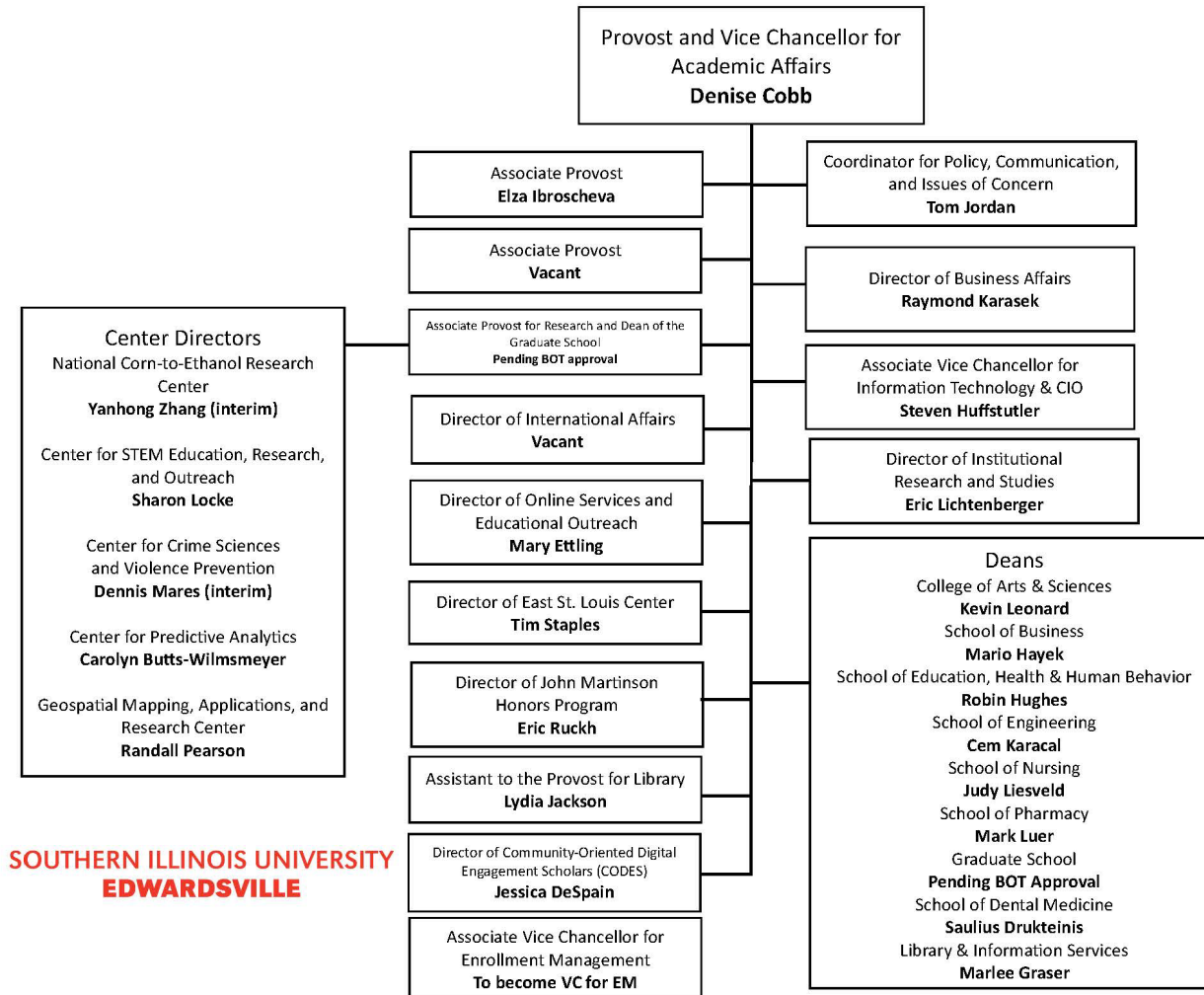
APPENDIX C

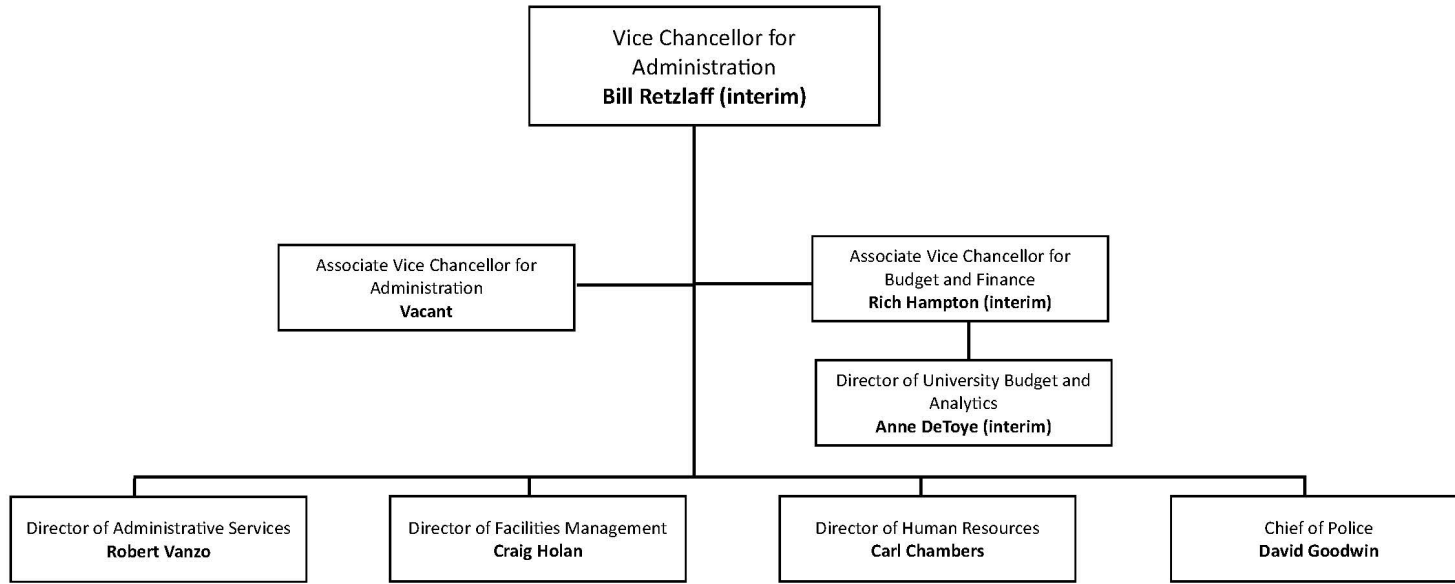
List of Organizational Charts

- Chart 1. Office of the Chancellor
- Chart 2. Provost and Vice Chancellor for Academic Affairs
- Chart 3. Vice Chancellor for Administration
- Chart 4. Vice Chancellor for Student Affairs
- Chart 5. Vice Chancellor for Antiracism, Diversity, Equity, and Inclusion
- Chart 6. Vice Chancellor for University Advancement
Chief Executive Officer for SIUE Foundation

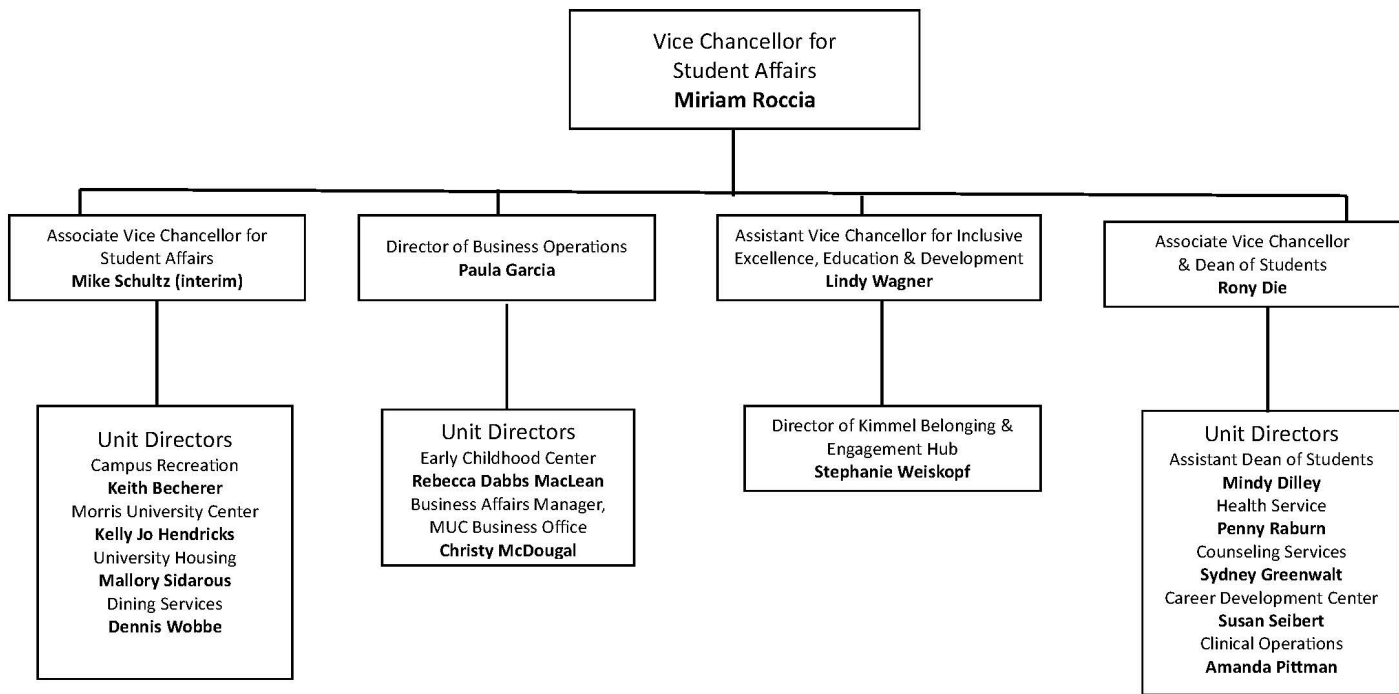
University Organizational Chart



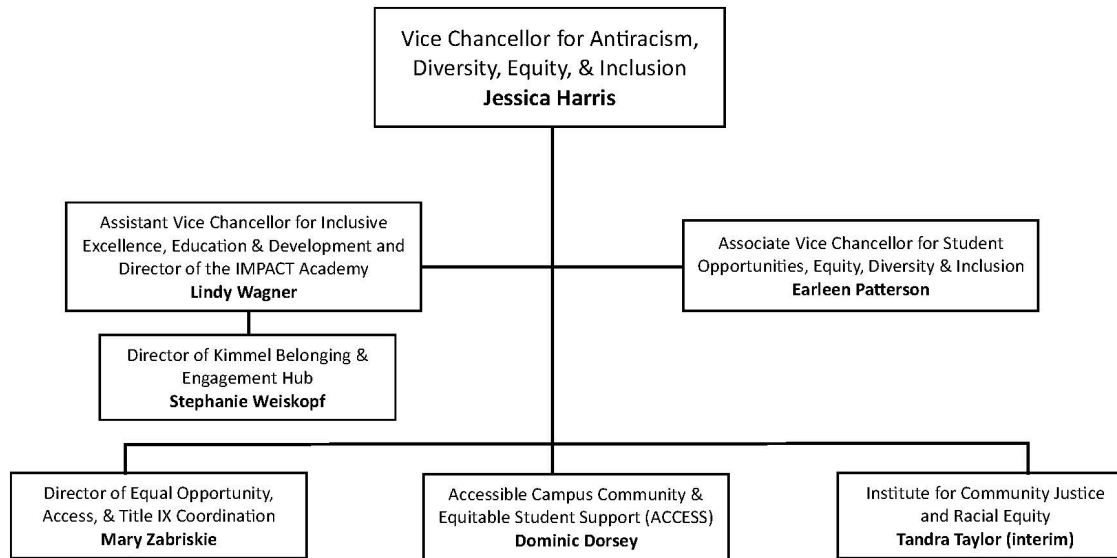




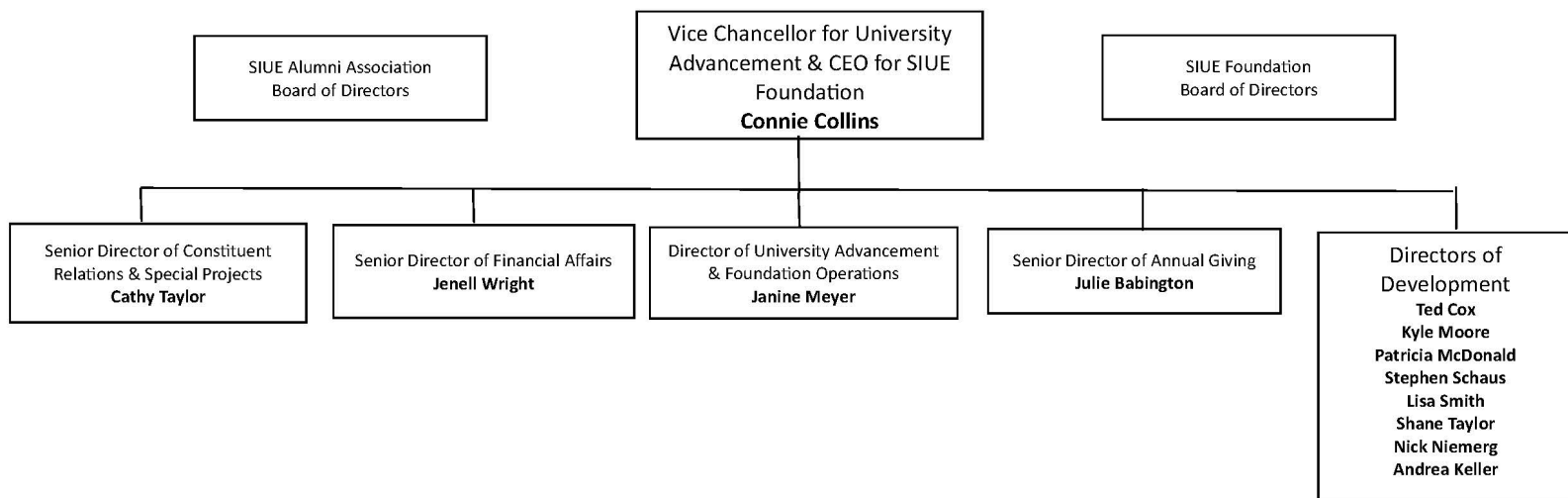
SOUTHERN ILLINOIS UNIVERSITY
EDWARDSVILLE



SOUTHERN ILLINOIS UNIVERSITY
EDWARDSVILLE



SOUTHERN ILLINOIS UNIVERSITY
EDWARDSVILLE



SOUTHERN ILLINOIS UNIVERSITY
EDWARDSVILLE

APPENDIX D

Title IX General Policy Statement (2020 and 2024 Policies)

At the start of 2024, educational institutions were still working under the 2020 Title IX regulations set forth by the Department of Education. In May 2024, the Department of Education announced that new regulations would be forthcoming and told institutions to have them in place by August 1, 2024. While many states sued to keep the new regulations from going into effect, Illinois was not one of those states. On August 1, 2024, the new regulations went live. However, on January 10, 2025, a federal judge vacated the 2024 Title IX regulations, meaning that all educational institutions would operate using the 2020 regulations. Because SIUE operated under both sets of regulations during the AAP operating period, both policies are listed in this document.

Title IX Policy & Grievance Procedure - Sex Based Harassment- 2C9 & 3C8 (August 1, 2024, through January 9, 2025)

I. General Policy Statement

- a. Southern Illinois University Edwardsville (the University) is committed to maintaining a learning and working environment that is free from discrimination based on sex in accordance with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex (including sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity) in education programs or activities; Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits sex discrimination in employment; and the Campus Sexual Violence Elimination Act (SaVE Act), Violence Against Women Act (VAWA), and Clery Act. Sexual Misconduct, Retaliation, and other conduct prohibited under this Policy will not be tolerated and will be subject to disciplinary action.
- b. The University will promptly discipline any individuals or organizations within its control who violate this Policy. The University encourages you to promptly report incidents that could constitute violations of this Policy to the Title IX Coordinator (as outlined in Section 4 of this Policy).
- c. SIUE student-athletes with inquiries concerning the application of Title IX to programs and activities may contact the Assistant Title IX Coordinator: Mr. Mark Izquierdo, Associate Athletic Director, Intercollegiate Athletics, Vadalabene Center, Room 1602, Campus Box 1129, SIUE Campus, Edwardsville, IL 62026-1129, Telephone: (618) 650-5475, Email: maizqui@siue.edu.

II. Scope of Procedure

Sex-Based Harassment is considered discrimination on the basis of sex if it includes harassment due to actual or perceived sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and/or gender identity.

III. Jurisdiction of Procedure

The University's Title IX Coordinator* (*throughout this policy, any reference to "EOA Director/Title IX Coordinator" includes "or their designee" unless specifically stated otherwise) will determine if this Grievance Procedure applies to a Complaint. This Grievance Procedure will apply when the following elements are met, in the reasonable determination of the Title IX Coordinator:

- a. The conduct alleged occurred on or after August 1, 2024;
- b. The conduct alleged occurred in the United States;

- c. The conduct alleged occurred in the University's Education Program or Activity; and
- d. The conduct alleged, if true, would constitute Sex-Based Harassment as defined in this Grievance Procedure.

*"Title IX Coordinator (or their designee)" applies throughout these procedures unless specifically noted otherwise.

The University has an obligation to address a sex-based Hostile Environment under its Education Program or Activity, even when some conduct alleged to be contributing to the Hostile Environment occurred outside a University Education Program or Activity, or outside of the United States, when the conduct potentially affects a person's education or employment with the University or potentially poses a risk of harm to members of the University community. The University's Title IX Coordinator will work with all Complainants to assess such Complaints that may fall under these criteria, and direct to appropriate University Policies and Procedures that may apply if this Grievance Procedure does not. The University will communicate all such decisions in writing to the Complainant. Any such dismissals shall be subject to appropriate appeal rights under this Grievance Procedure as outlined in the Dismissals section.

Conduct that occurs under an University Education Program or Activity includes, but is not limited to, conduct that occurs in a building owned or controlled by a student organization that is officially recognized by the University, and conduct that is subject to the University's disciplinary authority under the Student Code of Conduct.

If all elements of jurisdiction are met, the University will investigate the allegations according to this Grievance Procedure as appropriate, unless informal resolution is pursued or unless there are grounds for dismissal of the Complaint.

IV. **Non-Discrimination in Application**

The requirements and protections of this Grievance Procedure apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by applicable federal, state, or local law. All requirements and protections are equitably provided to individuals regardless of such protected status(es) or status as a Complainant, Respondent, or Witness. Individuals who wish to file a Complaint about the institution's policy or process may contact the U.S. Department of Education's Office for Civil Rights using contact information available at <https://ocrcas.ed.gov/contact-ocr>.

This Policy applies to all University administrators, faculty, staff, students, and third parties within the University's control, including visitors and applicants for admission or employment. It applies to conduct that occurs off campus when the conduct potentially affects a person's education or employment with the University or potentially poses a risk of harm to members of the University community. It also applies regardless of the gender, gender identity or sexual

orientation of the parties.

V. Definitions

- a. Admission. "Admission" means selection for part-time, full-time, special, associate, transfer, exchange, or any other enrollment, membership, or matriculation in or at an Education Program or Activity operated by the University.
- b. Business Days. "Business Days" are weekdays that are not specified as University holidays or closure days.
- c. Complainant. "Complainant"
 - i. a student or employee who is alleged to have been subjected to conduct that could constitute Sex-Based Harassment as defined in this Grievance Procedure and who was participating or attempting to participate in the University's Education Program or Activity; or
 - ii. a person other than a student or employee who is alleged to have been subjected to conduct that could constitute Sex-Based Harassment under this Grievance Procedure and who was participating or attempting to participate in the University's Education Program or Activity at the time of the alleged Sex-Based Harassment.
- d. Complaint. "Complaint" is an oral or written request to the University that objectively can be understood as a request for the University to investigate and make a determination about alleged Sex-Based Harassment at or related to the institution.
- e. Confidential Employee. "Confidential Employee" is defined as:
 - i. an employee whose communications are privileged under Federal or State law. The employee's confidential status is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies; or
 - ii. an employee of the University who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about sex discrimination. The employee's confidential status is only with respect to information received while conducting the study.
- f. Education Program or Activity. "Education Program or Activity" means any academic, extracurricular, research, occupational training, or other Education Program or

Activity operated by the University.

- g. Party. "Party" means Complainant or Respondent.
- h. Relevant. "Relevant" means related to the allegations of Sex-Based Harassment under investigation as part of this Grievance Procedure. Questions are Relevant when they seek evidence that may aid in showing whether the alleged Sex-Based Harassment occurred, and evidence is Relevant when it may aid a decisionmaker in determining whether the alleged Sex-Based Harassment occurred.
- i. Remedies. "Remedies" are measures provided, as appropriate, to a Complainant or any other person the University identifies as having had their equal access to a University Education Program or Activity limited or denied by Sex-Based Harassment. These measures are provided to restore or preserve that person's access to an Education Program or Activity after the University determines that Sex-Based Harassment occurred.
- j. Respondent. "Respondent" is a person who is alleged to have violated the University's prohibition on Sex-Based Harassment.
- k. Retaliation "Retaliation" is defined as intimidation, threats, coercion, or discrimination by any person at SIUE, a student, or an employee or other person authorized by the University to provide aid, benefit, or service under SIUE's Education Program or Activity, for the purpose of interfering with any right or privileged secured by non-discrimination laws or policies, or because the person has reported information, made a Complaint, testified, assisted or participated, or refused to participate in any manner in an investigation, proceeding, or hearing.
- l. Sanctions. "Sanctions" are consequences imposed on a Respondent following a determination under this procedure that the Respondent violated the University's prohibition on discrimination.
- m. Sex-Based Harassment. "Sex-Based Harassment" means sexual harassment and other harassment on the basis of sex, including harassment because of gender identity, sexual orientation, sex characteristics, sex stereotypes, and/or pregnancy and other conditions, that is:
 - i. *Quid Pro Quo Harassment*. An employee, agent, or other person authorized by a University Education Program or Activity explicitly or impliedly conditioning

the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;

- ii. *Hostile Environment Harassment*. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the University's Education Program or Activity (i.e., creates a Hostile Environment). Whether a Hostile Environment has been created is a fact-specific inquiry that includes consideration of the following: (i) the degree to which the conduct affected the Complainant's ability to access the University's Education Program or Activity; (ii) the type, frequency, and duration of the conduct; (iii) the Parties' ages, roles within the University's Education Program or Activity, previous interactions and other factors about each Party that may be Relevant to evaluating the effects of the conduct; (iv) the location of the conduct and the context in which the conduct occurred; and (v) other Sex-Based Harassment in the University's Education Program or Activity;
- iii. *Sexual Assault* (as defined in the Clery Act, 20 U.S.C. 1092(f)) means any sexual act directed against another person, without the Consent of the victim, including instances where the victim is incapable of giving Consent;
- iv. *Dating Violence* (as defined in the Violence Against Women Act (VAWA) Reauthorization of 2022 and the VAWA Amendments to the Clery Act) means any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.
- v. *Domestic Violence* - any felony or misdemeanor crimes committed by a person who: (A) is a current or former partner of the victim under the family or Domestic Violence laws of Illinois, or a person similarly situated to a spouse of the victim; (B) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner; (C) shared a child in common with the victim; or (D) commits acts against a youth or adult victim who is protected from those acts under the family or Domestic Violence laws of Illinois;

- vi. *Stalking* - engaging in a course of conduct (2 or more acts) directed at a specific person that would cause a reasonable person to: (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress.
- vii. *Sexual Exploitation* is taking advantage of the sexuality of another person without consent or in a manner that extends the bounds of consensual sexual activity without the knowledge of the other individual for any purpose, including sexual gratification, financial gain, personal benefit, or any other non-legitimate purpose. Examples of sexual exploitation include:
 1. non-consensual video or audio-taping of sexual activity;
 2. going beyond the boundaries of consent (such as letting others hide in the closet to watch you having consensual sex);
 3. engaging in voyeurism;
 4. knowingly transmitting an STD or HIV to another person;
 5. exposing one's genitals in non-consensual circumstances;
 6. inducing another to expose their genitals;
- n. *Student*. "Student" is an individual who has gained admission to the University.
- o. *Supportive Measures*. "Supportive Measures" are individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a Complainant or Respondent, not for punitive or disciplinary reasons, and without fee or charge to the Complainant or Respondent to: (1) restore or preserve that Party's access to the University's Education Program or Activity, including measures that are designed to protect the safety of the Parties or the University's educational environment; or (2) provide support during the University's Grievance Procedure for Sex-Based Harassment or during the informal resolution process.

VI. Effective Date

This policy and procedure will be applicable to incidents which occur on or after August 1, 2024. For incidents which occurred before August 1, 2024, the University's **Sexual Assault, Sexual Misconduct and Relationship Violence Policy & Procedures** or Title IX Policy will be applicable.

VII. Disability Accommodations

This Grievance Procedure does not alter any institutional obligations under applicable federal,

state, and/or local disability laws, including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973, among others. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX Grievance Procedure that do not fundamentally alter the Procedure. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

Requests for Reasonable Accommodations During the Title IX Grievance Procedure:

If the Complainant or Respondent discloses a disability, the Title IX Coordinator (or their designee) may consult, as appropriate, with the Office for Accessible Campus Community & Equitable Student Support (ACCESS) to provide support to students with disabilities to determine how to comply with applicable law including, without limitation, Section 504 of the Rehabilitation Act of 1973, in the implementation of any Supportive Measures, or any other reasonable accommodations requested during the Grievance Procedure.

VIII. Basic Requirements of the Grievance Procedure

The University is required to:

- a. Treat Complainants and Respondents equitably;
- b. Ensure that any person designated by the University as a Title IX Coordinator, investigator, or decisionmaker does not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent;
- c. Establish reasonably prompt timeframes for the major stages of this Grievance Procedure, including a process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the Parties that includes the reason for the delay;
- d. Ensure that reasonable steps to protect the privacy of the Parties and witnesses during the pendency of the Grievance Procedure are taken, provided that the steps do not restrict the abilities of the Parties to obtain and present evidence, including by speaking to witnesses (as long as such does not result in Retaliation), consult with their family members, confidential resources, or advisors, or otherwise prepare for or participate in this Grievance Procedure;
- e. Ensure an objective evaluation of all evidence that is Relevant and not otherwise impermissible under this procedure, including both inculpatory and exculpatory evidence, and provide that credibility determinations must not be based on a person's status as a Complainant, Respondent, or Witness;

- f. Exclude impermissible evidence from consideration as defined in the Grievance Procedure; and
- g. Clearly articulate principles for how the University will determine which policies and procedures apply if not all such Complaints are handled under this institutional Grievance Procedure.
- h. The decisionmaker may be the same person as the Title IX Coordinator or investigator as allowed by the 2024 Title IX Regulations; no inference of bias or conflict of interest can be drawn solely because the decisionmaker is the same person as the Title IX Coordinator or investigator in a case.

IX. **Reporting Sex-Based Harassment to the University**

Non-Confidential Reports

Any person may report sex discrimination, including Sex-Based Harassment (whether or not the person reporting is the person alleged to be the victim of the conduct that may constitute sex discrimination or Sex-Based Harassment), in person, using electronic reporting form available online (see EOA page on SIUE website), by email, by mail, or telephone, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Contact Information for the Title IX Coordinator

Mary Zabriskie

Director for Equal Opportunity, Access & Title IX Coordination

618-650-2333

EOA@siue.edu

Rendleman Hall 3314

Campus Mail Box 1025

The following individuals will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited by Title IX:

- a. Title IX Coordinator, Deputy Title IX Coordinator(s), or designee(s);
- b. all other employees at the University that are not designated as confidential resources.

Confidential Reports

The following officials at the University may provide confidentiality. Students may discuss an

incident with Confidential Employees without concern that the person's identity will be reported to the Title IX (EOA) Office:

- **Counseling Services** provides individual counseling to students who have been sexually assaulted or have experienced sexual misconduct, or relationship violence. Students in need of information, emotional support, and/or counseling may seek confidential help at the Counseling Services office. Speaking with a licensed counselor may be helpful in deciding how to proceed. Because of the privileged nature of these conversations, Counseling Services will not share information about a patient/client (including whether or not that individual has received services) with the Title IX Coordinator or any other employee of the University without that person's express written permission.
- **Health Service** can provide students with non-emergent or follow-up medical services, including STD testing, and provide an opportunity to discuss any health care concerns related to the incident in a confidential medical setting. Health Service is committed to protecting the privacy and confidentiality of all patient/client health information. All patient interactions with Health Service are considered strictly confidential.
- **Confidential Advisor** provides emergency and ongoing support to students impacted by sexual violence and relationship violence. The Confidential Advisor will provide confidential services and have privileged and confidential communications on topics including possible next steps regarding reporting options and possible outcomes, will notify the survivor of resources and services on-campus and in the community, will inform the survivor of their rights and the University's responsibilities to enforce orders of protection and no contact orders, and if requested, the Confidential Advisor will liaise with campus officials to secure interim protective measures and accommodations, and will liaise with campus officials, law enforcement and community resources to assist with making contact about and/or reporting an assault.

The Confidential Advisor is:
Metro East Every Survivor Counts
618-397-0975

- **Employee Assistance Program & Counseling (EAP)** Employees have access to the Employee Assistance Program (**EAP**), which is a free and confidential resource. More information is available on the Central Management Services [Employee Assistance Program](#) web site.

Anonymity. An anonymous report can be made by telephone, in writing, or electronically on the forms found on the [EOA](#) page of the University's website. It's important to understand that a

decision to remain anonymous may limit the University's ability to stop the alleged conduct, collect evidence, or take action against parties accused of violating this Policy.

Timeliness of Reporting. Mandatory Reporters (all employees other than those designated as Confidential employees) are required to report known incidents and information of Sexual Misconduct promptly to the Title IX Coordinator. For others in the University community, you are strongly encouraged to report Sexual Misconduct, Retaliation, and any other conduct prohibited under this Policy as soon as you become aware of such conduct.

Reporting to Law Enforcement. Individuals may also file a police report with Southern Illinois University Edwardsville Police Department at 618-650-3324 (non-emergency) or 911 (emergency) or to the City of Edwardsville Police Department 618-656-2131 (non-emergency) or 911 (emergency) or to other local law enforcement authorities. The Title IX Office can help individuals contact these law enforcement agencies. Employees and students with protective or restraining orders relevant to a complaint are encouraged to provide a copy to the University Police Department.

Reporting to Outside Entities. You may also contact the following external agencies:

For students:

Office for Civil Rights
Chicago Office
U.S. Department of Education
John C. Kluczynski Federal Building
230 S. Dearborn Street, 37th Floor
Chicago, IL 60604
Telephone: (312) 730-1560
Facsimile: (312) 730-1576
Email: OCR.Chicago@ed.gov

Office for Civil Rights
U.S. Department of Health and Human Services
233 N. Michigan Ave., Suite 240
Chicago, IL 60601
Customer Response Center: (800) 368-1019
Fax: (202) 619-3818
TDD: (800) 537-7697
Email: ocrmail@hhs.gov

For employees:

U.S. Equal Employment Opportunity Commission
St. Louis District Office

1222 Spruce Street
Room 8.100
St. Louis, MO 63103
Phone: 1-800-669-4000
Fax:314-798-1960
TTY:1-800-669-6820
ASL Video:844-234-5122
<https://www.eeoc.gov/>

Illinois Department of Human Rights

Chicago Office
555 West Monroe Street
Suite 700
Intake Unit
Chicago, IL 60601
(312) 814-6200
(866) 740-3953 (TTY)
(312) 814-1436 (FAX)

Springfield Office
524 S. 2nd Street
Suite 300
Intake Unit
Springfield, IL 62702
(217) 785-5100
(866) 740-3953 (TTY)
(217) 785-5106 (FAX)

Amnesty for Personal Use of Alcohol or Other Drugs by Students

The University seeks to remove any barriers to reporting. The University will generally offer any student, whether the Complainant or a third party, who reports sexual assault, sexual misconduct or relationship violence limited immunity from being charged for policy violations related to the personal ingestion of alcohol or other drugs, provided that any such violations did not and do not place the health and safety of another person at risk. The University may choose, however, to pursue educational or therapeutic remedies for those individuals.

X. **Parties' Rights Regarding Confidentiality, Requests to Not Investigate, and Requests to Dismiss Formal Complaints.**

The University recognizes the importance of privacy considerations of the parties identified in a report involving Sex-Based Harassment. However, Mandatory Reporters (all employees other than those designated as Confidential) who receive information of alleged Sexual-Based Harassment must share that information with the Title IX Coordinator. As such, the University may need to act to maintain campus safety and must determine whether to investigate further, regardless of the Complainant's request for confidentiality or request to not investigate a report received by the Title IX Coordinator.

In making determinations regarding requests for confidentiality, Complainants' requests to not investigate, Complainants' requests to dismiss Complaints, and/or requests to not

disclose identifying information to Respondents, the Title IX Coordinator must deliberately weigh the rights, interests, and safety of the Complainant, the Respondent, and the campus community. Factors the University must consider when determining whether to investigate an alleged incident of Sex-Based Harassment include, but are not limited to:

- a. The seriousness of the alleged incident;
- b. Whether the University has received other reports of alleged Sex-Based Harassment by the alleged Respondent;
- c. Whether the alleged incident poses a risk of harm to others; and
- d. Any other factors the University determines relevant.

When a Complaint of Sex-Based Harassment remains confidential, the University is often limited in the ways it can respond and address any issues raised.

In the course of the Grievance Process, the University may share information only as necessary with people who need to know in compliance with the law, which may include but is not limited to the investigators, witnesses, Complainant, Respondent, parties' advisors, hearing officer, and the appellate officer—if applicable. The University will take all reasonable steps to ensure there is no retaliation against the parties or any other participants in the investigation or in any other part of the Grievance Process.

Mandatory Reporter Obligations

Sex-Based Harassment Responsibilities

Mandatory Reporters (all employees other than those designated as Confidential) who receive information of alleged Sexual-Based Harassment must share that information with the Title IX Coordinator. If a Mandatory Reporter knowingly fails to report all information concerning an incident the employee reasonably believes constitutes stalking, dating violence, sexual assault, or sexual harassment committed by or against a student or employee at the time of the incident, the employee is subject to disciplinary action pursuant to applicable procedures, up to and including termination.

Notification to Students of Pregnancy and Pregnancy Related Rights Under Title IX

When a student (or student's legal representative) notifies a college employee of a pregnancy or pregnancy-related condition, the employee will be required to provide the student or student representative with the institution's Title IX Coordinator contact information.

Once the Title IX Coordinator is notified, the college will be required to:

- Inform the student of the college's obligations to students who are pregnant or experiencing pregnancy related conditions and restrictions on recipient disclosure of personal information.

- Provide the student with the option of individualized, reasonable modifications as needed to prevent discrimination and ensure equal access to the recipient’s education program or activity.
- Allow the student a voluntary leave of absence for, at minimum, the medically necessary period and reinstatement upon return.
- Provide pregnant employees with a clean and private space, as well as reasonable break time, for lactation purposes.

XI. **Resources and Assistance.**

Immediate Assistance

Sexual Assault

- a. Metro East Every Survivor Counts: 618-397-0975; [Metro East Every Survivor Counts website](#)
- b. Anderson Hospital – Sexual Assault Nurse Examiners (SANE) are medical professionals trained to collect forensic evidence from sexual assault survivors. Address: 6800 Illinois 162, Maryville, Illinois 62062; Phone: 618-288-5711
- c. Illinois Coalition Against Sexual Assault: 217-753-4117 or [ICASA](#)
- d. National Sexual Assault Hotline: 800-656-HOPE(4673); [National Sexual Assault Hotline website](#)

Relationship Violence

- Oasis Women’s Center: 618-465-1978 or 800-244-1978
- National Domestic Violence Help Line: 877-863-6338; [National Domestic Violence Help Line](#)
- AARDVARC – An Abuse, Rape and Domestic Violence Aid and Resource Collection at [AARDVARC website](#)
- The Illinois Coalition Against Domestic Violence: 217-789-2830; [Illinois Coalition Against Domestic Violence](#)
- Madison County State’s Attorney Domestic Violence Special Prosecution Unit: 618-692-6290; [Madison County State's Attorney](#)
- Illinois Department of Children and Family Services: 800-25-ABUSE (800-252-2873); [Illinois DCFS website](#)

XII. **Supportive Measures**

Providing Supportive Measures

Complainants who report allegations of Sex-Based Harassment have the right to receive Supportive Measures from the University, regardless of whether they file a Complaint. Supportive Measures are non-disciplinary and non-punitive. Supportive Measures may vary

depending upon what is appropriate and reasonably available.

As appropriate, Supportive Measures may include without limitation:

- a. Counseling services;
- b. Extensions of deadlines or other course-related adjustments;
- c. Modifications of work or class schedules;
- d. Campus escort services, as available;
- e. Restrictions on contact applied to one or more Parties (no contact orders);
- f. Changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative;
- g. Leaves of absence;
- h. Increased security and monitoring of certain areas of the campus;
- i. Training and education programs related to Sex-Based Harassment.

Pursuant to these Procedures, only the EOA may issue a mutual restriction on contact between the parties as a supportive measure.

- EOA shall not impose a mutual restriction on contact as an interim measure unless the allegations and the information available to it indicate that (i) discriminatory harassment or other unlawful conduct may have occurred, and (ii) further discriminatory harassment or unlawful conduct is likely to result if the mutual restriction on contact is not issued.
- Any such mutual restriction on contact issued shall automatically expire at the conclusion of the investigation process.
- At any time during which a mutual restriction on contact is in effect, a party may object to the mutual restriction on contact and the University will review the decision and the basis for the objection. Based on the review, the EOA may rescind, modify, or leave in place the mutual restriction on contact.

Supportive Measures must not unreasonably burden either Party and must be designed to protect the safety of the Parties or the University's educational environment, or to provide support during Sex-Based Harassment grievance procedure under this policy or during informal resolution under this procedure.

The University may modify or terminate Supportive Measures at the conclusion of the grievance procedure or at the conclusion of the informal resolution process or may continue them beyond that point within the University's discretion.

The University will not disclose information about any Supportive Measures to persons other than the person to whom they apply, including informing one Party of Supportive Measures provided to another Party, unless necessary to provide the supportive measure or restore or

preserve a Party's access to the University's education program or activity, or there is an exception that applies, such as:

- The University has obtained prior written consent from a person with the legal right to consent to the disclosure;
- When the information is disclosed to an appropriate third Party with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue;
- To carry out the purpose of the policy when it is necessary to address conduct that reasonably may constitute Sex-Based Harassment under Title IX in the University's education program or activity;
- As required by Federal law, federal regulations, or the terms and conditions of a federal award; or
- To the extent such disclosures are not otherwise in conflict with Title IX, when required by State or local law or when permitted under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232g, or its implementing regulations, 34 CFR Part 99).

Process for Review of Supportive Measures

The University provides for a Complainant or Respondent to seek modification or reversal of a decision to provide, deny, modify or terminate a Supportive Measure. Grounds to challenge Supportive Measures include, but are not limited to:

- Whether a Supportive Measure is reasonably burdensome;
- Whether a Supportive Measure is reasonably available;
- Whether a Supportive Measure is being imposed for punitive or disciplinary reasons;
- Whether the Supportive Measure is being imposed without fee or charge; and
- Whether the Supportive Measure is effective in meeting the purposes for which it is intended, including to restore or preserve access to the Education Program or Activity, provide safety, or provide support during the Grievance Procedure.

This review will be conducted by an impartial employee of the University, who did not make the challenged decision on the original supportive measure request. The impartial employee who makes this determination will have the authority to modify or reverse the decision if that impartial employee determines that the decision to provide, deny, modify or terminate the supportive measure was inconsistent with the procedures as outlined above for providing Supportive Measures in accordance with the Title IX regulations.

Parties are only allowed to challenge their own individual Supportive Measures. Challenges by one Party will not be heard to Supportive Measures afforded to the opposite Party, unless that

supportive measure directly impacts the Party making such challenge (i.e., two-way no contact orders).

XIII. Emergency Removal and Employee Administrative Leave.

a. Emergency Removal.

A Respondent may be removed from all or part of the University's education program or activity on an emergency basis if, after an individualized safety and risk analysis, it is determined that such a removal is justified because the Respondent poses an imminent and serious threat to the health or safety of a Complainant or any students, employees, or other persons arising from the allegations of Sex-Based Misconduct.

Under these circumstances, the Respondent will be notified in writing of the Emergency Removal from all or part of the University's education program or activity, and the Respondent will have an opportunity to immediately challenge the decision following the emergency removal. Such challenges must be in writing and submitted to the Title IX Coordinator. Detailed information as to why emergency removal should not take place (including possible modification of terms) should be included.

If a challenge to an emergency removal is filed, a review will be conducted by an impartial employee of the University, who did not make the challenged decision on the original emergency removal decision. The impartial employee who makes this determination will have the authority to modify or reverse the decision.

Emergency removals will not be considered Relevant evidence that can be considered in reaching a determination of whether Sex-Based Harassment occurred.

b. Employee Administrative Leave.

An employee Respondent may be placed on administrative leave, in accordance with the University's policy and procedures on employee administrative leave, during the pendency of a Grievance Process, as outlined in this Policy.

XIV. The Title IX Grievance Procedure for Allegations of Sex-Based Harassment.

a. Filing A Complaint

Who can make a Complaint?

i. A Complainant

ii. The Title IX Coordinator

Note on Title IX Coordinator-Initiated Complaints: In the absence of a Complainant or the withdrawal of any or all of the allegations in a Complaint, and in the absence or termination of an informal resolution process, the Title IX Coordinator must determine whether to initiate a Complaint of Sex-Based Harassment. This determination is fact-specific, and the Title IX Coordinator must consider:

- The Complainant's request not to proceed with the initiation of a Complaint;
- The Complainant's reasonable safety concerns regarding initiation of a Complaint;
- The risk that additional acts of Sex-Based Harassment would occur if a Complaint is not initiated;
- The severity of the alleged Sex-Based Harassment, including whether the Sex-Based Harassment, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the Sex-Based Harassment and prevent its recurrence;
- The age and relationship of the Parties, including whether the Respondent is an employee of the recipient;
- The scope of the alleged Sex-Based Harassment, including information suggesting a pattern, ongoing Sex-Based Harassment, or Sex-Based Harassment alleged to have impacted multiple individuals;
- The availability of evidence to assist a decisionmaker in determining whether Sex-Based Harassment occurred; and
- Whether the University could end the alleged Sex-Based Harassment and prevent its recurrence without initiating these grievance procedures.

If after considering these and other Relevant factors, the Title IX Coordinator determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the Complainant or other person, or that the conduct as alleged prevents the University from ensuring equal access on the basis of sex to its education program or activity, the Title IX Coordinator may initiate a Complaint.

If the Title IX Coordinator does initiate the Complaint after making this determination, the Title IX Coordinator must notify the Complainant prior to doing so and appropriately address reasonable concerns about the Complainant's safety or the safety of others, including by providing Supportive Measures as listed in Section X of these procedures.

Is there a particular format that the Complaint needs to be in?

As defined in these procedures, a Complaint can be an oral or written request to the University that objectively can be understood as a request for the University to investigate and make a determination about alleged Sex-Based Harassment at the institution.

Who can I report a Complaint to?

Any reports of Sex-Based Harassment may be made directly to the Title IX Coordinator, Deputy Coordinator(s), or EOA staff member. The Title IX Coordinator's contact information is listed at the beginning of this Grievance Procedure. Contact information for the Deputy Title IX Coordinator(s) and EOA staff can be found on the University's website. There are other ways in which a Party may report a Complaint.

The University requires that any employee who is not a Confidential Employee must notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination, including Sex-Based Harassment.

What is the timeframe for evaluating if the Title IX Coordinator is initiating an investigation under this Grievance Procedure?

The Title IX Coordinator will evaluate whether the Complaint falls under this Grievance Procedure no more than 20 business days after the Complaint is made and must issue the Notice of Allegations as soon as practicable after the Complaint is evaluated. If there are any delays or extensions, the Title IX Coordinator must appropriately notify the Parties in writing, on a case-by-case basis, with good cause and the rationale for the extension or delay.

Can I make a Complaint and request initiation of the Grievance Procedure even if I have made a complaint to law enforcement?

Yes. The University has an obligation to appropriately evaluate all Complaints, regardless of whether there is a concurrent Complaint before law enforcement. This process is an administrative process that is different from the criminal justice process.

B. Multi-Party Situations and Consolidation of Complaints

The University may consolidate Complaints alleging Sex-Based Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of Sex-Based Harassment arise out of the same facts or circumstances.

The University can consider factors when making this fact-specific determination, which include, but are not limited to:

- a. The facts and circumstances of the particular Complaints when deciding whether to consolidate, including the toll of separate proceedings on the Parties; and
- b. Any risks to the fairness of the investigation or outcome.

C. Dismissal of a Complaint

Grounds for Dismissal

The University may dismiss a Complaint of Sex-Based Harassment for any of the following reasons:

- a. The University is unable to identify the Respondent after taking reasonable steps to do so;
- b. The Respondent is not participating in the University's education program or activity and is not employed by the University.
- c. The Complainant voluntarily withdraws any or all of the allegations in the Complaint, the Title IX Coordinator declines to initiate a Complaint through this Grievance Procedure, and the University determines that, without the Complainant's withdrawn allegations, the conduct that remains alleged in the Complaint, if any, would not constitute Sex-Based Harassment under Title IX or this Grievance Procedure even if proven; or
- d. The University determines that the conduct alleged in the Complaint, even if proven, would not constitute Sex-Based Harassment under Title IX or these procedures. The University will make reasonable efforts to clarify the allegations with the Complainant before dismissing under this basis.

Notice of Dismissal

If the University dismisses a Complaint, the Complainant will be promptly notified of the basis for dismissal.

If the dismissal of the Complaint occurs before a Notice of Allegations is issued to the Respondent, the Title IX Coordinator does not need to notice the Respondent at that time. However, if the Complainant appeals the dismissal, the Respondent will be provided notice of the Complaint allegations and given an opportunity to respond to the dismissal.

If the dismissal occurs after the Respondent has been notified of the allegations, then the University will notify the Respondent and Complainant of the dismissal and the basis for the dismissal simultaneously in writing.

Appeal rights must also be outlined in any notification of dismissal of a Complaint, as included below under Appeal of Dismissals.

Appeals of Dismissals

The University will notify the Complainant that a dismissal may be appealed and provide the Complainant with an opportunity to appeal the dismissal of a Complaint on the following grounds:

- *Procedural irregularity*: procedural irregularity that affected the outcome of the matter (i.e., a failure to follow the University's own policy to a degree that had material effect on the outcome of the matter);
- *New evidence*: New evidence that could change the outcome and that was not reasonably available when the determination whether Sex-Based Harassment occurred or dismissal of the Complaint was made; and
- *Bias or Conflict of Interest*: The Title IX Coordinator, investigator(s), or decisionmaker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that could change the outcome of the matter.

If the dismissal occurs after the Respondent has been notified of the allegations, then the University will also notify the Respondent that the dismissal may be appealed on the grounds set out above.

If a Party appeals, the institution will as soon as practicable notify the other Party in writing of the appeal; however, the time for appeal shall be offered equitably to all Parties and shall not be extended for any Party solely because the other Party filed an appeal.

Appeals must be submitted in writing and submitted to the Title IX Coordinator no more than 5 business days after the Notice of Dismissal is issued and provide the specific grounds on which the appeal is based and facts that support it.

Appeals will be decided by a University official who will be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or hearing decisionmaker in the same matter.

Outcome of appeal will be provided in writing simultaneously to both Parties and include rationale for the decision.

D. Allegations Potentially Falling Under Two Policies:

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Grievance Process will be applied in the investigation and adjudication of all of the allegations.

E. Notice of Allegations

Upon initiating the University's Grievance Procedure, the Title IX Coordinator shall provide a Notice of Allegations in writing to the Parties whose identities are known. Such notice will occur as soon as practicable after the University receives a Complaint, if there are no extenuating circumstances. The University will provide the Notice of Allegations within 20 business days after receiving a Complaint.

What does the Notice of Allegations Include?

The written Notice of Allegations will Include:

- a. The University's Grievance Procedure and Informal Resolution Process;
- b. Sufficient information available at the time of the issuance of the Notice of Allegations to allow the Parties to respond to the allegations, which includes the identities of the Parties involved in the incident(s), the conduct alleged to constitute Sex-Based Harassment under the Grievance Procedure, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available to the University.
- c. A statement that the Parties are entitled to:
 - i. an equal opportunity to access the Relevant and not otherwise impermissible evidence;
- d. A statement that the Respondent is presumed not responsible for the alleged Sex-Based Harassment until a determination is made at the conclusion of the University's Grievance Procedure and that prior to the determination, the Parties will have an opportunity to present Relevant and not otherwise impermissible evidence to a trained, impartial decisionmaker;
- e. Parties may have an advisor of their choice, and that the advisor may be, but is not required to be, an attorney;
- f. The University's Student Code of Conduct prohibits knowingly making false statements or knowingly submitting false information to the University, including as part of this grievance process.

If, in the course of an investigation, the University decides to investigate additional allegations of Sex-Based Harassment by the Respondent toward the Complainant that are not included in the original written Notice of Allegations provided, the University is required to provide written notice of any additional allegations to the Parties whose identities are known.

What if I have safety concerns about a Notice of Allegations being issued to a Respondent?

To the extent that the University has reasonable concerns for the safety of any person as a result of providing a written Notice of Allegations, the University through the Title IX Coordinator, may reasonably delay providing the written Notice of Allegations in order to address the safety concern appropriately. Reasonable concerns must be based on individualized safety and risk analysis and not on mere speculation or stereotypes.

F. Advisor of Choice and Participation of Advisor of Choice

The University will provide the Parties with the same opportunities to be accompanied to any meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of the advisor for the Complainant or Respondent in any meeting or proceeding. An advisor may not speak on behalf of a Party or directly participate in any meeting, or other grievance procedure event they attend. If an Advisor does not comply with stated expectations, they will not be allowed to participate in the process.

G. Investigation

General Rules of Investigations

The Title IX Coordinator and/or an investigator designated by the Title IX Coordinator will perform an investigation of the conduct alleged to constitute Sex-Based Harassment in a reasonably prompt timeframe, after issuing the Notice of Allegations.

The University, and not the Parties, have the burden to conduct an investigation that gathers sufficient evidence to determine whether Sex-Based Harassment occurred under this Grievance Procedure. This burden does not rest with either Party, and either Party may decide not to share their account of what occurred or may decide not to participate in the investigation or hearing. This does not shift the burden of proof away from the University and does not indicate responsibility.

The University cannot access, consider, or disclose medical records without a waiver from the Party to whom the records belong, or of whom the records include information.

The University will provide an equal opportunity for the Parties to present witnesses, including fact and expert witnesses, and other inculpatory or exculpatory evidence, as described below.

Notice of Participation

The University will provide written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time for the Party to prepare to participate, if a Party

is invited or expected to participate in any such meeting or proceeding.

Access to and Review of the Investigative Report

The Title IX Coordinator and/or investigator designated by the Title IX Coordinator will provide each Party with a reasonable opportunity to respond to the investigative report. Both Parties will have the opportunity to respond to the investigative report prior to the report being issued and findings made. In the event of a live hearing, both Parties will have the opportunity to respond to the investigative report prior to the hearing.

The University will take reasonable steps to prevent and address the Parties' and their advisors of choice's unauthorized disclosure of information and evidence obtained solely through this Grievance Procedure. Participating individuals who engage in the unauthorized disclosure of information and evidence obtained solely through this Grievance Procedure may be subject to Student Code of Conduct charges if applicable and other University policies and/or procedures that may apply.

Note: Disclosures of information and evidence for purposes of administrative proceedings or litigation related to the Complaint of Sex-Based Harassment are authorized and not considered unauthorized disclosures potentially subject to other disciplinary action.

Review and Access to Relevant and Not Otherwise Impermissible Evidence

Each Party will have an equal opportunity to present fact witnesses and other inculpatory and exculpatory evidence that are Relevant and not otherwise impermissible, to the Title IX Coordinator and/or an investigator designated by the Title IX Coordinator. The Title IX Coordinator and/or investigator designated by the Title IX Coordinator will review all evidence gathered through the investigation and determine what evidence is Relevant and what evidence is impermissible regardless of relevance, consistent with this Grievance Procedure.

Each Party and their advisors of choice will have an equal opportunity to review and access the evidence that is Relevant to the allegations of Sex-Based Harassment and not otherwise impermissible regardless of relevance, prior to the conclusion of the investigation. Each Party will be provided with a reasonable opportunity to respond to the evidence prior to the issuance of a final report with findings or prior to a live hearing.

Relevant Evidence

Evidence is Relevant when it is related to the allegations of Sex-Based Harassment under

investigation as part of this Grievance Procedure.

Questions are Relevant when they seek evidence that may aid in showing whether the alleged Sex-Based Harassment occurred, and evidence is Relevant when it may aid a decisionmaker in determining whether the alleged Sex-Based Harassment occurred.

Impermissible Evidence

The following types of evidence, and questions seeking that evidence, are excluded as impermissible (i.e., must not be accessed or considered, except by the University to determine whether an exception applies, must not be disclosed, and must not otherwise be used) regardless of whether they are Relevant:

- a. Evidence that is protected under a privilege as recognized by Federal or State law or evidence provided to a Confidential Employee/Advisor, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- b. A Party's or witness's records that are made or maintained by a physician, 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 the University's Grievance Procedure; and
- c. Evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct or is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered to prove Consent to the alleged Sex-Based Harassment. Note: the fact of prior consensual sexual conduct between the Complainant and Respondent does not by itself demonstrate or imply the Complainant's Consent to the alleged Sex-Based Harassment or preclude determination that Sex-Based Harassment occurred.

Timeframes

An investigation shall take no more than 30 business days to complete. If there are any delays or extensions, the Title IX Coordinator must appropriately notice the Parties in writing, as detailed below.

Extensions and Delays

The University allows for the reasonable extension of timeframes on a case-by-case basis for good cause with written notice to the Parties that includes the reason for the extension or delay.

H. Grievance Resolution Process

The University will not issue a finding or assign sanctions arising from an allegation of Sex-Based Harassment without making a determination of responsibility utilizing one of the following:

- a. Live Hearing;
- b. Single Investigator; or
- c. Informal Resolution Process.

Selection of which process will be undertaken will be made by the Title IX Coordinator. In cases where the Respondent is a student who, based on the seriousness of the allegations or prior findings of violation of University sex-based harassment or student conduct policies is facing a sanction that would likely include suspension or expulsion from the University, a live hearing will be conducted.

Informal Resolution is available to the Parties only when all conditions for participation are met.

1. Live Hearing

The University may elect to utilize a Live Hearing through which findings may be issued and Sanctions imposed from an allegation of Sex-Based Harassment.

The live hearing may be conducted with the Parties physically present in the same geographic location. The University has the discretion to conduct the live hearing with the Parties physically present in separate locations, with technology enabling the decisionmaker and Parties to simultaneously see and hear the Party or the witness while that person is speaking. A Party may also request this option prior to the hearing.

The University shall create an audio or audiovisual recording or transcript of any live hearing and make it available to the Parties for inspection and review.

Participants in the Live Hearing

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

Complainant and Respondent (The Parties)

If a Party chooses not to participate in the process or the hearing, the live hearing may still proceed in the absence of a Party, and the University may reach a determination of responsibility in their absence, including through any evidence gathered and other witness statements. The

University will not threaten, coerce, intimidate or discriminate against any Party in an attempt to secure the Party's participation. The decisionmaker cannot draw an inference about the determination regarding responsibility based solely on a Party's absence from the live hearing, or a refusal to answer questions.

The parties and all participants shall be subject to the University's rules of decorum.

The Decisionmaker

The hearing body will consist of a panel of 3 decisionmakers. No member of the hearing body will have served as the Title IX Coordinator, Title IX investigator, or advisor to any Party in the case, nor may any member of the hearing body serve on the appeals body in the case. No member of the hearing body will have a conflict of interest or bias in favor of or against Complainants or Respondents generally, or in favor of or against the Parties to the particular case. The hearing body will be trained prior to serving during any hearing. The Parties will have an opportunity to raise any objections regarding a decisionmaker's actual or perceived conflicts of interest or bias at the commencement of the live hearing.

Advisor of Choice

The Parties have the right to select an advisor of their choice, who may be, but is not required to be, an attorney. The advisor of choice may accompany the Parties to any meeting or hearing they are permitted to attend but may not speak for the Party. An advisor of choice is not prohibited from being a witness in the hearing

Witnesses

Witnesses cannot be compelled to participate in the live hearing and have the right not to participate in the hearing free from Retaliation.

Hearing Procedures

For all live hearings conducted, a member of the hearing panel will be appointed by the Title IX Coordinator to serve as the Hearing Panel Chair. In this capacity, the Chair will open the hearing by establishing rules and expectations for the duration of the proceedings. The Parties will each be given an opportunity to provide opening statements if they wish to. Opening statements will be no more than 10 minutes in duration. The Hearing Panel Chair will indicate to each Party when they have reached the 10 minute time limit.

Questioning of the Parties and witnesses will occur according to the procedures below.

Pre-Hearing meetings may be called by the Hearing Panel Chair for purposes of reviewing evidence, establishing hearing expectations for the parties, and addressing any questions the parties may have prior to the commencement of the live hearing.

Questioning Parties and Witnesses

During a live hearing, each Party is allowed to ask Relevant and not otherwise impermissible questions and follow-up questions of the Parties and witnesses through the hearing board. No questioning of another Party or witness will be conducted by a Party personally.

Procedures for Decisionmaker's Evaluation of Questions and Limitation on Questions

The Hearing Panel Chair will determine whether a proposed question is Relevant and not otherwise impermissible as described in this Grievance Procedure, prior to the question being posed, and will explain any decision to exclude a question as not Relevant or otherwise impermissible.

If the Hearing Panel Chair determines that a Party's question is Relevant and not otherwise impermissible, then the question must be asked unless such question is unclear or harassing of the Party or witness being questioned. The Hearing Panel Chair will give a Party an opportunity to clarify or revise a question that has been determined as unclear or harassing and, if the Party sufficiently clarifies or revises a question so that it is no longer unclear or harassing, the question will be asked.

Refusal to Respond to Questions and Inferences Based on Refusal to Respond to Questions

Hearing Panel Members may choose to place less or no weight upon statements by a Party or witness who refuses to respond to questions deemed Relevant and not impermissible.

Hearing Panel Members must not draw an inference about whether Sex-Based Harassment occurred based solely on a Party's or witness's refusal to respond to such questions.

Closing Statements

At the conclusion of testimony, the Parties will be provided with the opportunity to make a closing statement which will be no more than 10 minutes in duration. Once the time limit is reached, the Hearing Panel Chair notify the Party speaking that they are out of time.

Continuances or Granting Extensions

The University may determine those multiple sessions or a continuance (a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, the University will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

Hearing Panel Deliberations

When a Live Hearing is the method of resolution, the deliberations of the Hearing Panel will be

conducted in private. A majority of Hearing Panel members must agree that a Respondent is responsible for violating University policy before such a finding can be made.

2. Single Investigator

In cases where a Live Hearing option is not made available to the Parties, Title IX requires that there be live questioning to assess a Party's or witness's credibility to the extent credibility is both in dispute and Relevant to evaluating one or more allegations of Sex-Based Harassment.

The investigator/decisionmaker will question Parties and witnesses to adequately assess a Party's or witness's credibility to the extent credibility is both in dispute and Relevant to evaluating one or more allegations of Sex-Based Harassment. This will occur during individual meetings with a Party or witness.

Each Party shall have the opportunity to propose questions that the Party wants asked of any Party or witness and have those questions asked by the investigator/decisionmaker during one or more individual meetings, including follow-up meetings, with a Party or witness, subject to the appropriate procedures outlined below regarding the decisionmaker's advance evaluation of all questions. Each Party will be provided with an audio or audiovisual recording or transcript with enough time for the Party to have a reasonable opportunity to propose follow-up questions.

I. Determination of Responsibility

Standard of Proof

The University uses the preponderance of the evidence standard of proof to determine whether or not Sex-Based Harassment occurred. This means that the investigation and hearing determine whether it is more likely than not that a violation of the Grievance Procedure occurred.

General Considerations for Evaluating Evidence and Testimony

The decisionmaker is required to evaluate Relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that Sex-Based Harassment occurred, whatever the quantity of the evidence is, the decisionmaker must not determine that Sex-Based Harassment occurred.

Determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the decisionmaker. Decisionmakers shall not draw inferences regarding a Party or witness' credibility based on the Party or witness' status as a Complainant, Respondent, or witness, nor shall it base its judgments in stereotypes about how a Party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the Party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence. However, credibility judgments should not rest on whether a Party or witness' testimony is non-linear or incomplete, or if the Party or witness is displaying stress or anxiety.

Decision makers will afford the highest weight relative to other testimony to first-hand testimony by Parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

A witness' testimony regarding third-Party knowledge of the facts at issue will be allowed but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

Where a Party or witness' conduct or statements demonstrate that the Party or witness is engaging in retaliatory conduct, including without limitation, witness tampering and intimidation, the decisionmaker may draw an adverse inference as to that Party or witness' credibility.

Communication of the Determination in Writing

All determinations on whether Sex-Based Harassment occurred will be communicated to the Parties in writing, simultaneously, no more than 7 Business Days after the determination is reached by the Decisionmaker(s).

The written determination will include:

- a. A description of the alleged Sex-Based Harassment;
- b. Information about the policies and procedures that the University used to evaluate the allegations;
- c. The Decisionmaker's evaluation of the Relevant evidence and determination on whether Sex-Based Harassment occurred;
- d. The Decisionmakers recommendations as to Sanctions for the Respondent and whether any Remedies, other than the imposition of Disciplinary Sanctions, are recommended for the Complainant and to the extent appropriate, other students identified by the University to be experiencing the effects of Sex-Based Harassment, if there is a finding that Sex-Based Harassment occurred; and
- e. The University's procedures for Complainant and Respondent to appeal.

Timeline of Determination Regarding Responsibility

If there are no extenuating circumstances, the determination regarding responsibility will be issued by the University within 7 business days of the completion of the hearing.

Finality of Determination

The determination regarding responsibility becomes final either on the date that the University provides the Parties with the written determination of the result of any appeal, or, if no Party appeals, the date on which an appeal would no longer be considered timely.

J. Sanctions

Employees

If there is a finding that an employee's behavior violated the University's Title IX Sex-Based Harassment Policy, a determination as to appropriate sanctions will be made, based in whole or in part on the Decisionmaker's recommendations, pursuant to the applicable disciplinary process or collective bargaining agreement. Imposed sanctions may include, but are not limited to:

- a. Letter of apology to the victim;
- b. Advising and counseling sessions;
- c. Required attendance at EOA training;
- d. Letter of reprimand;
- e. Written warning; and
- f. Probation, suspension without pay, or termination.

Students

If there is a finding that a student or student group violated the University's Title IX Sex-Based Harassment Policy, a determination as to appropriate Sanctions will be made by the Dean of Students (or their designee). Sanctions imposed may include, but are not limited to:

- Letter of apology to the victim;
- Advising and counseling sessions;
- Attending diversity training program for students;
- Transferring the student to another class or job;
- Transferring the student to a different housing unit or prohibiting the student from living in campus housing;
- Letter of reprimand;

- Written warning; and
- Probation, suspension, or dismissal from the University.

K. Appeals

Each Party may appeal a determination regarding responsibility. To appeal, a Party must submit their written appeal within 5 business days of being notified of the decision, indicating the specific ground(s) for appeal.

Grounds for Appeal

The limited grounds for appeal available are as follows:

- a. Procedural irregularity that could change the outcome;
- b. New evidence that could change the outcome and that was not reasonably available when the determination whether Sex-Based Harassment occurred or dismissal was made; and
- c. The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that could change the outcome.

Additional Procedures for Appeal Process

The University will notify the Parties of any appeal, provide the Parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome, and will notify the Parties of the result of the appeal and the rationale for the result.

The submission of an appeal stays (or pauses) any sanctions for the period during which an appeal determination is being assessed. Supportive Measures and remote learning opportunities (if applicable) remain available while an appeal is being deliberated and before a final decision has been made.

Appeal of Sanctions

Each Party may appeal a determination regarding Sanctions. To appeal, a party must submit their written appeal within 5 business days of being notified of the sanction, indicating the specific ground(s) for the appeal.

Grounds for Appeal of Sanctions

- *The official(s) who issued the sanction had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that could change the outcome.*
- *the sanction is disproportionate with the violation.*

L. Informal Resolution Option.

After the parties have been provided a copy of the written notice of a Formal Complaint, both parties may, in writing, voluntarily agree to use this Informal Resolution option, if applicable, at any point prior to reaching a determination regarding responsibility, but the parties are not required to do so. The Informal Resolution entails the parties forgoing the Grievance Process (including the investigation and hearing, depending on when the parties agree to engage in an Informal Resolution). The Informal Resolution may include a mediation process, for example.

At any point prior to agreeing to an Informal Resolution, each party has a right to withdraw from the Informal Resolution process and resume the Grievance Process with respect to the Formal Complaint.

Alternate Resolution is an informal process [including mediation or restorative practices, etc.] by which a mutually agreed upon resolution of an allegation is reached. All parties must consent to the use of Alternate Resolution.

All facilitators must have specialized training, required by law and regulation. Such training includes:

- a. The University's obligation to address sex discrimination, including Sex-Based Harassment, in its Education Program or Activity;
- b. The scope of conduct that constitutes sex discrimination, including Sex-Based Harassment, under Title IX, including the definition of Sex-Based Harassment;
- c. All applicable notification and information requirements related to parental, family, or marital status, including pregnancy and related conditions, and the University's response to sex discrimination;
- d. The rules and practices associated with the University's informal resolution process; and
- e. How to serve impartially, including by avoiding conflicts of interest and bias.

Contents of Informal Resolution Agreements

Potential terms that may be included in an informal resolution agreement between the Parties include but are not limited to:

- Restrictions on contact; and
- Restrictions on the Respondent's participation in one or more of the University's education programs or activities or attendance at specific events, including restrictions the University could have imposed as Remedies or Disciplinary Sanctions had the

University determined at the conclusion of the Grievance Procedure that Sex-Based Harassment occurred.

Breach of Informal Resolution Agreements

If a Party breaches the resolution or if the University has other compelling reasons, such as if it learns of any fraud by a Party in entering into the agreement, The University may void the agreement and initiate or resume the Grievance Procedure.

Determination as to Appropriateness of Informal Resolution Process for Complaint

The Title IX Coordinator may look to the following factors to assess whether Alternate Resolution is appropriate, or which form of Informal Resolution may be most successful for the parties:

- The parties' amenability to Alternate Resolution;
- Likelihood of potential resolution taking into account any power dynamics between the parties;
- The parties' motivation to participate;
- Civility of the parties;
- Cleared violence risk assessment/ongoing risk analysis;
- Disciplinary history;
- Whether an emergency removal is needed;
- Skill of the Alternate Resolution facilitator with this type of complaint;
- Complaint complexity;
- Emotional investment/intelligence of the parties;
- Rationality of the parties;
- Goals of the parties;
- Adequate resources to invest in Alternate Resolution (time, staff, etc.)

Confidentiality

In entering the informal resolution process, the Parties agree that any testimony and evidence (including admissions of responsibility) they share or receive during the informal resolution process concerning the allegations of the Complaint are confidential while the Parties participate in the informal resolution process. No evidence concerning the allegations obtained within the informal resolution process may be disseminated to any person, provided that any Party to the informal resolution process may generally discuss the allegations under investigation with a parent, friend, advisor, or other source of emotional support, or with an advocacy organization. Should the Parties withdraw from the informal resolution process, information disclosed or obtained for purposes of the informal resolution process may be incorporated into the Grievance

Procedure, provided that this information is disclosed and reviewed by the Parties under the University's Grievance Procedure.

Informal Resolution Options

Informal Resolution will be offered to the Parties in a format best suited to the case. These include, but are not limited to, Administrative Resolution (when the Respondent elects to accept responsibility for the allegations in the Complaint). Mediation, Restorative Justice.

The ultimate determination of whether Alternate Resolution is available or successful is to be made by the Title IX Coordinator. The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions. Results of complaints resolved by Informal Resolution or Alternate Resolution are not appealable.

The Title IX Coordinator will monitor the Parties' adherence to their proposed solution and reserves the right to close the matter when compliance is satisfactory.

XV. Additional Conduct Violations under this Policy.

a. Retaliation

Any person who retaliates against (a) anyone filing a report of Sexual Misconduct or Formal Complaint, (b) the parties or any other participants (including any witnesses or any University employee) in a Grievance Process relating to a Formal Complaint, (c) any person who refuses to participate in a Grievance Process, or (d) any person who under this Policy opposed any unlawful practice, is subject to disciplinary action up to and including dismissal or separation from the University. If any participant in a Grievance Process believes they have been subject to Retaliation (as defined in this Policy), they should immediately report the alleged retaliatory conduct to the Title IX Coordinator.

b. False Information and False Complaints.

Any person, who in bad faith, knowingly files a false complaint under this Policy or provides materially false information is subject to disciplinary action up to and including dismissal or separation from the University. A determination that a Respondent is not responsible for allegations of Sexual Misconduct does not imply a report, Formal Complaint, or information provided was false. Similarly, a determination that a Respondent is responsible for a policy violation does not imply

that a Respondent's statements disclaiming responsibility were false.

c. Interference with the Grievance Process.

Any person who interferes with the Grievance Process is subject to disciplinary action up to and including dismissal or separation from the University. Interference with a Grievance Process may include, but is not limited to:

- i. Attempting to coerce, compel, or prevent an individual from providing testimony or relevant information;
- ii. Removing, destroying, or altering documentation relevant to the Grievance Process; or
- iii. Knowingly providing false or misleading information to the Title IX Coordinator, investigator or hearing officer, or encouraging others to do so.

1. **Sexual Exploitation** is taking advantage of the sexuality of another person without consent or in a manner that extends the bounds of consensual sexual activity without the knowledge of the other individual for any purpose, including sexual gratification, financial gain, personal benefit, or any other non-legitimate purpose. Examples of sexual exploitation include:

- a. non-consensual video or audio-taping of sexual activity;
- b. going beyond the boundaries of consent (such as letting others hide in the closet to watch you having consensual sex);
- c. engaging in voyeurism;
- d. knowingly transmitting an STD or HIV to another person;
- e. exposing one's genitals in non-consensual circumstances;
- f. inducing another to expose their genitals;

XVI. **Understanding Consent and Related Definitions**

Consent is a freely and knowingly given agreement to the act of sexual conduct or sexual penetration in question. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage freely in sexual activity. While consent can be given by words or actions, non-verbal consent is more ambiguous than explicitly stating one's wants and limitations. Silence cannot be assumed to indicate consent. Lack of verbal or physical resistance or submission resulting from the use of force or threat of force by the accused shall not constitute consent.

Guidance for Consent:

One is expected to obtain consent to each sexual activity prior to initiating such activity. Consent to one form of sexual activity does not constitute consent to engage in other forms of sexual activity.

Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Relying on non-verbal communication can lead to misunderstandings. Consent may not be inferred from silence, passivity, lack of resistance, or lack of an active response alone. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent.

When consent is requested verbally, the absence of any explicit verbal response constitutes lack of consent. A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive. If at any time during the sexual activity, any confusion or ambiguity arises as to the willingness of the other individual to proceed, both parties should stop and clarify verbally the other’s willingness to continue before continuing such activity.

Either party may withdraw consent at any time. Withdrawal of consent should be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease.

Individuals with a previous or current sexual relationship do not automatically give either initial or continued consent to sexual activity. Even in the context of a relationship, there must be mutually understandable communication that clearly indicates a willingness to engage in sexual activity.

Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another.

Consent is not valid if it results from the use or threat of physical force, intimidation, or coercion, or any other factor that would eliminate an individual’s ability to exercise their own free will to choose whether or not to have sexual contact.

In the State of Illinois, persons under the age of 17 cannot legally consent to sexual activity. Thus, in Illinois, any sexual activity with persons under the age of 17 could constitute sexual assault of a minor, and implicate mandatory child abuse reporting. For additional information regarding child abuse and mandatory reporting see information on the [Human](#)

[Resources website.](#)

Incapacitation, Alcohol, Coercion, and Related Concepts:

A person violates the Title IX Policy if he or she has sexual contact with someone he or she knows, or should know, to be mentally incapacitated or has reached the degree of intoxication that results in incapacitation. The test of whether an individual should know about another's incapacitation is whether a reasonable, sober person would recognize the incapacitation. An accused person cannot rebut a Sexual Assault or Sexual Misconduct charge merely by asserting that he or she was intoxicated or otherwise impaired and, as a result, did not know that the other person was incapacitated. Alcohol, drugs or other intoxicants do not dismiss the responsibility of an individual to obtain valid consent.

A person is considered incapacitated, or unable to give consent, if they are unable to understand the nature of the activity or give knowing consent due to the circumstances at the time in question.

The below policy applies to allegations that occurred prior to August 1, 2024, and after January 9, 2025

I. General Policy Statement

- a. Southern Illinois University Edwardsville (the University) is committed to maintaining a learning and working environment that is free from discrimination based on sex in accordance with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in education programs or activities; Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits sex discrimination in employment; and the Campus Sexual Violence Elimination Act (SaVE Act), Violence Against Women Act (VAWA), and Clery Act. Sexual Misconduct, Retaliation, and other conduct prohibited under this Policy will not be tolerated and will be subject to disciplinary action.
- b. The University will promptly discipline any individuals or organizations within its control who violate this Policy. The University encourages you to promptly report incidents that could constitute violations of this Policy to the Title IX Coordinator (as outlined in Section 4 of this Policy).
- c. SIUE student-athletes with inquiries concerning the application of Title IX to programs and activities may contact the Assistant Title IX Coordinator: Mr. Mark Izquierdo, Associate Athletic Director, Intercollegiate Athletics, Vadalabene Center, Room 1602, Campus Box 1129, SIUE Campus, Edwardsville, IL 62026-1129, Telephone: (618) 650-5475, Email: maizqui@siue.edu.

II. Applicability

This Policy applies to all University administrators, faculty, staff, students, and third parties within the University's control, including visitors and applicants for admission or employment. It applies to conduct that occurs on University owned or controlled premises, in an education program or activity including University sponsored or supported events, buildings owned or controlled by student organizations officially recognized by the University, or off campus when the conduct potentially affects a person's education or employment with the University or potentially poses a risk of harm to members of the University community. It also applies regardless of the gender, gender identity or sexual orientation of the parties.

III. Effective Date

This policy and procedure will be applicable to incidents which occur on or after August 14th, 2020. For incidents which occurred before August 14th, 2020, the University's **Sexual Assault, Sexual Misconduct and Relationship Violence Policy & Procedures** will be applicable.

IV. Reporting Incidents

- a. This policy distinguishes between **reporting** sexual misconduct incidents on the one hand and **filing Formal Complaints** on the other. Reporting Sexual Misconduct

incidents informs the University of the incident, which allows the institution to provide Supportive Measures (as outlined in Section 6A of this Policy) to the Complainant and does not necessarily result in the initiation of the Grievance Process (as outlined in Section 7 of this Policy). All Complainants who *report* incidents of Sexual Misconduct will be offered individualized Supportive Measures. If Complainants wish to initiate the Grievance Process, they should file a Formal Complaint. The Grievance Process may involve an investigation into the incident and a hearing to determine the responsibility of the Respondent.

- b. Any person may report Sexual Misconduct, Retaliation, or other conduct prohibited under this Policy to the Title IX Coordinator. Any person may report an incident, whether or not the person reporting is the person alleged to be the victim of the incident, and it can be a verbal or written report to the Title IX Coordinator:

Mary Zabriskie

Director for Equal Opportunity, Access & Title IX Coordination

618-650-2333

EOA@siue.edu

Rendleman Hall 3314

Campus Mail Box 1025

1. **Filing a Formal Complaint.** The Complainant may file a Formal Complaint with the Title IX Coordinator, as outlined in Section 7B of this Policy.
2. **Anonymity.** You may make an anonymous report by telephone, in writing or electronically on the forms found at [EOA](#). It's important to understand that your decision to remain anonymous may limit the University's ability to stop the alleged conduct, collect evidence, or take action against parties accused of violating this Policy.
3. **Confidentiality.** You can discuss an incident in strict confidence by using the confidential resources outlined in Section 4E of this Policy.
4. **Timeliness of Reporting.** Responsible Employees are required to report known incidents and information of Sexual Misconduct promptly to the Title IX Coordinator. For others in the University community, you are strongly encouraged to report Sexual Misconduct, Retaliation, and any other conduct prohibited under this Policy as soon as you become aware of such conduct.

- C. **Reporting to Law Enforcement.** You may also file a police report with Southern Illinois University Edwardsville Police Department at 618-650-3324 (non-emergency) or 911 (emergency) or to the City of Edwardsville Police Department 618-656-2131 (non-emergency) or 911 (emergency) or to other local law enforcement authorities. The Title IX Office can help individuals contact these law enforcement agencies. Employees and students with protective

or restraining orders relevant to a complaint are encouraged to provide a copy to the University Police Department.

D. Reporting to Outside Entities. You may also contact the following external agencies:

For students:

Office for Civil Rights
Chicago Office
U.S. Department of Education
John C. Kluczynski Federal Building
230 S. Dearborn Street, 37th Floor
Chicago, IL 60604
Telephone: (312) 730-1560
Facsimile: (312) 730-1576
Email: OCR.Chicago@ed.gov

Office for Civil Rights
U.S. Department of Health and Human Services
233 N. Michigan Ave., Suite 240
Chicago, IL 60601
Customer Response Center: (800) 368-1019
Fax: (202) 619-3818
TDD: (800) 537-7697
Email: ocrmail@hhs.gov

For employees:

U.S. Equal Employment Opportunity Commission
St. Louis District Office
1222 Spruce Street
Room 8.100
St. Louis, MO 63103
Phone: 1-800-669-4000

Illinois Department of Human Rights

Chicago Office
100 West Randolph Street
10th Floor
Intake Unit
Chicago, IL 60601
(312) 814-6200

Springfield Office
535 West Jefferson
1st Floor
Intake Unit
Springfield, IL 62702
(217) 785-5100

(866) 740-3953 (TTY)

(866) 740-3953 (TTY)

(312) 814-1436 (FAX)

(217) 785-5106 (FAX)

- E. **Confidential Support and Resources.** Students may discuss an incident with Confidential Employees or an off-campus resource (e.g. rape crisis center, doctor, psychologist, clergyperson, etc.) without concern that the person’s identity will be reported to the Title IX (EOA) Office. Employees may also seek assistance from the Employee Assistance Program, their own personal health care provider, the clergyperson of their choice, or an off-campus rape crisis resource without concern that the person’s identity will be reported to the Title IX (EOA) Office.

The following resources are considered Confidential Resources and would not be obligated to share information that you disclose without explicit permission:

Confidential Advisor provides emergency and ongoing support to student survivors of sexual violence and relationship violence. The advisor will provide confidential services and have privileged and confidential communications with survivors. The advisor will inform the survivor of possible next steps regarding reporting options and possible outcomes, will notify the survivor of resources and services on-campus and in the community, will inform the survivor of their rights and the University’s responsibilities to enforce orders of protection and no contact orders; and if requested by the survivor, the advocate will liaise with campus officials to secure interim protective measures and accommodations, and will liaise with campus officials, law enforcement and community resources to assist the survivor with making contact and/or reporting an assault.

The Confidential Advisor is:

Metro East Every Survivor Counts

618-397-0975

Counseling Services provides individual counseling and legal and medical advocacy to students who have been sexually assaulted or have experienced sexual misconduct, or relationship violence. Students in need of information, emotional support, and/or counseling for issues of sexual assault, sexual misconduct, and relationship violence may seek confidential help at the Counseling Services office. Speaking with a licensed counselor may be helpful in deciding how to proceed. Because of the privileged nature of these conversations, Counseling Services will not share information about a patient/client (including whether or not that individual has received services) with the Title IX Coordinator or any other employee of the University without that person’s express written permission. Counseling Services may submit however, non-identifying information about the incident for purposes of making a statistical report under the Clery Act.

Counseling Services is located on the Edwardsville Campus in the Student Success Center, lower level, Room 0220. Office hours are Monday-Friday, 8:00 am - 4:30 pm, phone 618/650-2842. A counselor from Counseling Services can be available at the Alton Campus. After hours or weekend services may be obtained by calling University Police, 618/650-3324, and requesting a callback from a counselor.

Health Service can provide students with non-emergent or follow-up medical services, including STD testing, and provide an opportunity to discuss any health care concerns related to the incident in a confidential medical setting. Health Service is committed to protecting the privacy and confidentiality of all patient/client health information. All patient interactions with Health Service are considered strictly confidential.

Health Service is located on the Edwardsville Campus in the Student Success Center, lower level, Room 0222. Office hours are Monday-Friday, 8:00am-4:30pm, phone 618-650-2842.

Employees have access to the **Employee Assistance Program & Counseling (EAP)**, which is a free and confidential resource. More information is available on the Central Management Services [Employee Assistance Program](#) web site.

V. Parties' Rights Regarding Confidentiality, Requests to Not Investigate, and Requests to Dismiss Formal Complaints.

The University has great respect for the privacy of the parties identified in a report or Formal Complaint. Under state law, however, Responsible Employees who receive information of alleged Sexual Misconduct must share that information with the Title IX Coordinator. As such, the University may need to act to maintain campus safety and must determine whether to investigate further, regardless of the Complainant's request for confidentiality or request to not investigate a report received by the Title IX Coordinator.

In making determinations regarding requests for confidentiality, Complainants' requests to not investigate, Complainants' requests to dismiss Formal Complaints, and/or requests to not disclose identifying information to Respondents, the Title IX Coordinator must deliberately weigh the rights, interests, and safety of the Complainant, the Respondent, and the campus community. Factors the University must consider when determining whether to investigate an alleged incident of Sexual Misconduct include, but are not limited to:

- The seriousness of the alleged incident;
- Whether the University has received other reports of alleged Sexual Misconduct by the alleged Respondent;
- Whether the alleged incident poses a risk of harm to others; and
- Any other factors the University determines relevant.

If the University dismisses a Formal Complaint (as outlined in Section 7B(3) of this Policy), the University must provide the Complainant and Respondent a written notice of the dismissal and the reason(s) for the dismissal.

In the course of the Grievance Process, the University may share information only as necessary with people who need to know in compliance with the law, which may include but is not limited to the investigators, witnesses, Complainant, Respondent, parties' advisors, hearing officer, and the appellate officer—if applicable. The University will take all reasonable steps to ensure there is no retaliation against the parties or any other participants in the investigation or in any other part of the Grievance Process.

VI. Resources and Assistance.

Immediate Assistance

Sexual Assault

- Metro East Every Survivor Counts: 618-397-0975; [Metro East Every Survivor Counts website](#)
- Anderson Hospital – Sexual Assault Nurse Examiners (SANE) are medical professionals trained to collect forensic evidence from sexual assault survivors. Address: 6800 Illinois 162, Maryville, Illinois 62062; Phone: 618-288-5711
- Illinois Coalition Against Sexual Assault: 217-753-4117 or [icasa](#)
- National Sexual Assault Hotline: 800-656-HOPE(4673); [National Sexual Assault Hotline website](#)

Relationship Violence

- Oasis Women's Center: 618-465-1978 or 800-244-1978
- Wellspring Resources: 24-hour adult crisis line 618/465-4388 or 618/462-2331 (Alton), 618/639-2016 (Jerseyville) or 24-hour child crisis line (800)345-9049 or go to [Wellspring Resources website](#) for more information
- National Domestic Violence Help Line: 877-TO END DV (877-863-6338); [reference](#)
- AARDVARC – An Abuse, Rape and Domestic Violence Aid and Resource Collection at [AARDVARC website](#)
- The Illinois Coalition Against Domestic Violence: 217-789-2830; [ILCADV website](#)
- Madison County State's Attorney Domestic Violence Special Prosecution Unit: 618-692-6290; [reference](#)
- Illinois Department of Children and Family Services: 800-25-ABUSE (800-252-2873); [Illinois DCFS website](#)

A. Supportive Measures

The University will offer reasonably available individualized services, without any fee or charge, to the parties involved in a reported incident of Sexual Misconduct with or without the filing of a Formal Complaint, when applicable.

Supportive Measures may include but are not limited to housing reassignment, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, withdrawal from or retake of a class without penalty, campus escort services, mutual restrictions on contact between the parties, change in work or housing locations, leaves of absences, increased security and monitoring of certain areas of campus, or other similar measures tailored to the individualized needs of the parties.

1. Pursuant to this Policy, only the EOA may issue a mutual restriction on contact between the parties as an interim measure.
2. EOA shall not impose a mutual restriction on contact as an interim measure unless the allegations and the information available to it indicate that (i) discriminatory harassment or other unlawful conduct may have occurred, and (ii) further discriminatory harassment or unlawful conduct is likely to result if the no-contact order is not issued.
3. Any such mutual restriction on contact issued shall automatically expire at the conclusion of the investigation process.
4. At any time during which a mutual restriction on contact is in effect, a party may object to the mutual restriction on contact and the University will review the decision and the basis for the objection. Based on the review, the EOA may rescind, modify, or leave in place the mutual restriction on contact.
5. Upon issuing any mutual restriction on contact as an interim measure, EOA shall inform the respondent of the identity of the complainant(s) and the conduct alleged against the respondent, including the date(s), time(s), and location(s) of alleged conduct known by EOA.
6. Notwithstanding the above, EOA may issue a mutual restriction on contact between the parties with the consent of both parties.

Notwithstanding the above, EOA may issue a mutual restriction on contact between the parties with the consent of both parties.

Supportive Measures are non-disciplinary and non-punitive measures that do not unreasonably burden the other party. Any disciplinary or punitive measures may only be implemented following the conclusion of the Grievance Process, unless an emergency removal (as outlined in Section 8A) is appropriate.

The University will maintain the confidentiality of Supportive Measures provided to the parties, to the extent that maintaining such confidentiality does not impair the ability of the University to provide the Supportive Measures.

VII. The Grievance Process.

- a. Key Officials in the Grievance Process.
 - i. Title IX Coordinator. The Title IX Coordinator is the senior University administrator who oversees the University's compliance with Title IX. The Title IX Coordinator is responsible for administrative response to reports and Formal Complaints of Sexual Misconduct, Retaliation, and other conduct prohibited under this Policy. The Title IX Coordinator is available to discuss the Grievance Process, coordinate Supportive Measures, explain University policies and procedures, and provide education on relevant issues. The Title IX Coordinator may designate one or more Deputy Title IX Coordinators to facilitate these responsibilities.

Any member of the University community may contact the Title IX Coordinator with questions.

2. Investigator(s). The University will ensure that Formal Complaints are properly investigated under this Policy by investigators assigned to the Formal Complaint. The investigators are neutral and impartial fact-finders, and gather evidence during the investigation. The investigators are responsible for completing an investigation report at the conclusion of the investigation. The Title IX Coordinators may supervise and advise the Title IX investigators when conducting investigations and update the Title IX Coordinator as necessary to ensure compliance with Title IX.
3. Hearing Officer/Panel. The hearing officer/panel is responsible for conducting the hearing in an orderly manner, controlling the conduct of all participants and attendees of the hearing, and rendering a written determination regarding responsibility of the Respondent's alleged conduct charges in an impartial, neutral, and objective manner.

B. Formal Complaints Against Students and Employees.

- a. Applicability of the Grievance Process. The Grievance Process in this Policy applies to the following situations:
 - i. The Respondent is an employee at the University at the time of the alleged conduct;
 - ii. The conduct alleged is Sexual Harassment under this Policy;
 - iii. The alleged conduct occurred against a person in the United States; and
 - iv. Where the Complainant was participating or attempting to participate in an education program or activity at the University. This element is met if the conduct occurred in any of the following: on any University property; during any University activity; in a building owned or controlled by a student organization that is officially recognized by the University; or in instances

where the University exercised substantial control over the Respondent and the context in which the alleged conduct occurred.

- b. To begin the Grievance Process, the Complainant must sign a Formal Complaint (requesting an investigation) and submit it to the Title IX Coordinator. The Complainant must submit a written statement setting out the known details of the alleged conduct that is the subject of the Formal Complaint, including the following:
 - i. Complainant's name and contact information;
 - ii. Respondent's name;
 - iii. Detailed description of the alleged conduct or event that is the basis of the alleged violation under this Policy;
 - iv. Date(s) and location(s) of the alleged occurrence(s); and
 - v. Names of any witnesses to the alleged occurrence(s); the resolution sought.

The Complainant may also submit any documents or information that is relevant to the Formal Complaint.

The Title IX Coordinator may also sign a Formal Complaint against a Respondent (requesting an investigation) and in doing so will initiate the Grievance Process.

3. Mandatory and Discretionary Formal Complaint Dismissals.
 - a. Under Title IX regulations, universities are required to distinguish between prohibited conduct that is "under Title IX" and prohibited conduct that is a violation of university policy. Under Title IX, the University must dismiss a Formal Complaint or the part of the allegations in a Formal Complaint, if applicable, where:
 - Sexual Harassment is alleged and where:
 1. The conduct alleged does not meet the definition of Sexual Harassment;
 2. The alleged conduct did not occur in the University's education program or activity; or,
 3. The alleged conduct did not occur against a person in the United States.

A dismissal under this provision only applies to allegations of Sexual Harassment under Title IX (See Sec. 10, below) In such an instance, the University may still investigate a Formal Complaint for allegations of Sexual Harassment under the **University Sexual Harassment Complaint Procedure, as the definition of sexual harassment under that policy is broader than the definition required under Title IX. The University may also investigate allegations of prohibited conduct but it will not technically be "under Title IX."**

- b. The University may dismiss a Formal Complaint, at its discretion, under this Policy's Grievance Process for any of the following circumstances:
 - If the Complainant requests in writing to dismiss a Formal Complaint (e.g. withdraws the Formal Complaint or any allegations therein), as outlined in Section 5 of this Policy;
 - If the Respondent is an employee and no longer employed by the University at the time the Formal Complaint is filed;
 - Any specific circumstances that prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or any allegations therein; or
 - The conduct alleged does not meet the definition of any prohibited conduct under this Policy.
 - c. If the University dismisses a Formal Complaint, the University must provide both parties a written notice of the dismissal and the reason(s) for the dismissal.
4. Concurrent Criminal or Civil Proceedings. The University will not, as a matter of course, wait for the outcome of a concurrent criminal or civil justice proceeding to take action on a Formal Complaint in a University Grievance Process. The University has an independent duty to respond to Formal Complaints of Sexual Misconduct. At the University's discretion, the University may delay the investigation or Grievance Process for a brief period due to concurrent criminal or civil proceedings on a case-by-case basis.

C. Written Notice of the Formal Complaint, and Notification of University Offices Offering Assistance.

After receiving a Formal Complaint, the Title IX Office will provide a written notice to the parties of the Formal Complaint and available University resources and assistance. The written notice of the Formal Complaint will include the following:

- A notice of the Grievance Process, as outlined in this Policy;
- A notice of the allegations that potentially constitute prohibited conduct under this Policy, including sufficient details about the alleged conduct, including the identity of the parties, if known, and the date(s), time(s), and location(s) of alleged conduct known by the University at the time of the Formal Complaint;
- A statement of the potential policy violations being investigated;
- A statement that the Respondent is presumed not responsible for the alleged conduct and that the determination regarding responsibility will be made at the conclusion of the Grievance Process;
- Both parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review all evidence;
- A statement that the parties may review evidence gathered as part of any investigation;

- Provision of this Policy that knowingly making false statements or knowingly submitting false information during the Grievance Process is prohibited and subject to disciplinary action; and
- Any other relevant information for the written notice.

D. Informal Resolution Option.

After the parties have been provided a copy of the written notice of a Formal Complaint, both parties may, in writing, voluntarily agree to use this Informal Resolution option, if applicable, at any point prior to reaching a determination regarding responsibility, but the parties are not required to do so. The Informal Resolution entails the parties forgoing the Grievance Process (including the investigation and hearing, depending on when the parties agree to engage in an Informal Resolution). The Informal Resolution may include a mediation process, for example.

At any point prior to agreeing to an Informal Resolution, each party has a right to withdraw from the Informal Resolution process and resume the Grievance Process with respect to the Formal Complaint.

Alternate Resolution is an informal process [including mediation or restorative practices, etc.] by which a mutually agreed upon resolution of an allegation is reached. All parties must consent to the use of Alternate Resolution.

The Title IX Coordinator may look to the following factors to assess whether Alternate Resolution is appropriate, or which form of Alternate Resolution may be most successful for the parties:

- The parties' amenability to Alternate Resolution;
- Likelihood of potential resolution, taking into account any power dynamics between the parties;
- The parties' motivation to participate;
- Civility of the parties;
- Cleared violence risk assessment/ongoing risk analysis;
- Disciplinary history;
- Whether an emergency removal is needed;
- Skill of the Alternate Resolution facilitator with this type of complaint;
- Complaint complexity;
- Emotional investment/intelligence of the parties;
- Rationality of the parties;
- Goals of the parties;
- Adequate resources to invest in Alternate Resolution (time, staff, etc.)

The ultimate determination of whether Alternate Resolution is available or successful is to be made by the Title IX Coordinator. The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions. Results of complaints resolved by Informal Resolution or Alternate Resolution are not appealable.

E. Investigation of the Formal Complaint – Gathering of Evidence.

- a. After the University provides written notice of a Formal Complaint to the parties, the Respondent will be allowed a reasonable time to respond in writing and through an interview with the investigator.
- b. The University will provide written notice to a party whose participation is invited or expected of the date, time, location, participants, and purpose of all meetings, investigative interviews, or other proceedings in the Grievance Process.
- c. Evidence. The parties in the investigation may present any information and evidence that may be relevant to the Formal Complaint, and may have an advisor of their choice attend any related interview, meeting, or proceeding in the Grievance Process. Advisors are not permitted to actively participate in meetings or proceedings in the Grievance Process, unless explicitly outlined in Section 7.G(10) of this Policy. The parties may present the names of any fact or expert witnesses who may provide relevant information, and how the witnesses may be relevant to the Formal Complaint. The parties may submit to the investigator any questions they would like asked of any known potential witnesses or parties.
- d. Witness Interviews. The investigators will interview relevant and available witnesses. Neither the Complainant nor the Respondent will normally attend these interviews; however, if either one is permitted to attend, the other shall have the same right.
- e. Investigation Timeframe. The investigation of a Formal Complaint will be concluded within 90 days of the filing of a Formal Complaint. The parties should be provided updates on the progress of the investigation, as needed.
- f. Access to Evidence. Prior to the completion of the investigation report, the investigators will provide access to all evidence obtained (whether relevant or not) as part of the investigation to both parties (and the party's advisor, if any, upon a party's signed information release for their advisor of choice). Both parties will have 10 days to inspect, review, and respond to the evidence. All responses to the evidence must be submitted by the party in writing to the investigator. Advisors are not permitted to submit written responses to the evidence on their own or on behalf of the party they are advising. The investigators will consider all timely responses submitted by the parties.
- g. Completed Investigation Report. The completed investigation report will outline each of the allegations that potentially constitutes prohibited conduct under this Policy, provide the timeline (e.g. procedural steps) of the investigation, and fairly summarize

relevant evidence, participant statements, and responses to questions. The investigator will provide a completed investigation report concurrently to both parties and each party's advisor, if any, upon a party's signed information release for their advisor of choice at least 10 days prior to the date of the scheduled hearing to review and provide a written response at the hearing. A copy of the completed investigation report will be issued to the Title IX Coordinator, and to the hearing officer assigned for the hearing.

F. Standard of Evidence & Presumption of Not Responsible.

All Grievance Processes will use the preponderance of the evidence standard, as defined in this Policy. By law, it is presumed that the Respondent is not responsible for the alleged conduct unless that determination regarding responsibility is made at the conclusion of the Grievance Process.

G. Live Hearing – Determination of Responsibility.

- a. Absent a Formal Complaint dismissal or the parties' decision to reach an Informal Resolution agreement (if applicable), the University will provide a live hearing for all Formal Complaints subject to the Grievance Process as outlined in this Policy.
- b. Written Notice of the Hearing. The University will provide at least 10 days written notice to participants of the hearing (and the participant's advisor, if any, upon a participant's signed information release for their advisor of choice), including the date, time, location, names of all participants of the hearing (including the hearing officer, and all parties and participants in the investigation report), purpose of the hearing, a statement of the alleged conduct charges, and a summary statement of the evidence gathered.
- c. Challenges to the Hearing Officer(s). Either party may challenge the fairness, impartiality or objectivity of a hearing officer. The challenge must be submitted in writing to the hearing officer through the office coordinating the hearing within 4 days after notice of the identity of the hearing officer, and must state the reasons for the challenge. The hearing officer will be the sole judge of whether he or she can serve with fairness, impartiality, and objectivity. In the event that the hearing officer recuses themselves, an alternative hearing officer will be assigned in accordance with the institution's procedures.
- d. Hearing Officer Duties at the Hearing. The hearing officer will rule on all procedural matters and on objections regarding exhibits and testimony of participants at the hearing, may question participants who testify at the hearing, and is entitled to have the advice and assistance of legal counsel from the Office of General Counsel of the Southern Illinois University System.

- e. Access to Evidence. Each party will have access to all of the evidence from the investigation, including a copy of the completed investigation report, as outlined in Section 7.E(6). in this Policy.
- f. Separate Rooms and Virtual Participation. At the request of either party, the University will provide the hearing to occur with the parties located in separate rooms with technology enabling the hearing officer and the parties to simultaneously see and hear the participants answering questions. Participants may appear at the hearing virtually, and are not required to be physically present at the same physical location of the hearing.
- g. Each party may make opening and closing statements.
- h. Privileged Information Excluded. No person will be required to disclose information protected under a legally recognized privilege. The hearing officer must not allow into evidence or rely upon any questions or evidence that may require or seek disclosure of such information, unless the person holding the privilege has waived the privilege. This includes information protected by the attorney-client privilege.
- i. Advisor of Choice. Each party may have an advisor of their choice at the hearing. If a party does not have an advisor, the University will provide one. Advisors are not permitted to actively participate in the hearing, except for asking questions of the other party and any other witnesses. In addition, witnesses may have an advisor of their choice at the hearing.
 - i. Questioning of the participants in the hearing: The hearing officer may, at the hearing officer's discretion, ask questions during the hearing of any party or witness and may be the first person to ask questions of any party or witness. Each party's advisor will have an opportunity to ask relevant questions and follow-up questions of the other party and of any witnesses that participate in the hearing, including questions that challenge credibility. Each advisor has the ability to ask questions directly, orally, and in real time at the hearing. The parties will not be permitted to personally ask questions of the other party or any witnesses that participate in the hearing. The advisors may ask questions under the following procedure:

The advisor will ask a question of the applicable participant.

- Before the participant answers a question, the hearing officer will rule as to whether the advisor's question is relevant to the alleged conduct charges.
- If the hearing officer rules the advisor's question as not relevant, then the hearing officer must explain any decision to exclude a question as not relevant. If the hearing officer allows the question as relevant, the participant will answer it.

10. **Prior Sexual History:** A Complainant's sexual predisposition or prior sexual behavior are not relevant except where questions and evidence about a Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the alleged conduct charged by the Complainant or if the questions or evidence concern specific incidents of the Complainant's prior sexual behavior with the Respondent and are offered to prove the Complainant's consent of the alleged conduct.

Not submitting to cross-examination: If a party or witness refuses to submit to any cross-examination questions during the hearing, the hearing officer will not rely on any statement of that party or witness, when reaching a responsibility determination. The hearing officer will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the hearing or refusal to answer questions.

11. **Hearing Officer Determination.** The hearing officer will issue a written determination, which must include the following:
 - a. The allegations that potentially constitutes prohibited conduct under this Policy;
 - b. A description of all of the procedural steps of the Grievance Process under this Policy (from receipt of a Formal Complaint to the determination regarding responsibility of the Respondent, including any notifications of the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held);
 - c. The findings of fact supporting the hearing officer's determination;
 - d. The conclusion(s) and a rationale as to whether the Respondent is responsible for each allegation;
 - e. The disciplinary sanctions, if applicable;
 - f. The remedies, if applicable, designed to restore the Complainant's access to the education program or activity; and
 - g. The institution's procedures and permissible bases for the parties to appeal, if applicable.

The hearing officer will send a copy of the written determination concurrently to the parties, in addition to the Dean (for student Respondents) or appropriate administrator (for employee Respondents), and the Title IX Coordinator.

12. The hearing will be recorded in audio or audiovisual format and may be transcribed at the discretion of the University. The recording or transcript, if applicable, will be available for the parties to inspect and review, upon request.

H. Sanctions and Remedies.

- a. Possible Sanctions and Remedies for Student Respondents:
 - i. Educational training;
 - ii. No shared classes or extra-curricular activities;

- iii. Disciplinary probation;
- iv. Withholding of grades, official transcript, and/or degree;
- v. Bar against readmission, bar against enrollment, drop from one or more classes, and/or withdrawal from the University;
- vi. Suspension of rights and privileges, including but not limited to participation in athletic or extracurricular activities;
- vii. Denial of degree;
- viii. Suspension from the University for a specific period of time. Suspension is noted on the academic transcript with the term “Disciplinary Suspension.” The notation can be removed upon the request of the student in accordance with the University’s procedures when all conditions of the suspension are met;
- ix. Expulsion (permanent separation from the University). Expulsion creates a permanent notation on the student’s academic transcript;
- x. Revocation of degree and withdrawal of diploma; and/or
- xi. Other sanction(s) or remedies as deemed appropriate under the circumstances.

b. Possible Sanctions and Remedies for Employee Respondents:

- i. Employment probation;
- ii. Job demotion or reassignment;
- iii. Suspension with or without pay for a specific period of time;
- iv. Dismissal or termination;
- v. Ineligible for rehire; and/or
- vi. Other sanction(s) or remedies as deemed appropriate under the circumstances

- c. To impose a mutual restriction on contact as a sanction, the University must determine, based on a preponderance of the evidence, that further conduct prohibited under this policy would result if the restriction is not issued. The University must document in writing the reasons for and evidence supporting the issuance of any mutual restriction on contact.

I. Appeals and Additional Processes Provided to Students and Employees.

Appeals. Either party may appeal in writing to a hearing officer’s determination regarding a Respondent’s responsibility under the Grievance Process or from the University’s dismissal of a Formal Complaint (or any allegations in the Formal Complaint) within 10 days of notification of such a determination, on the following bases:

- A procedural irregularity that affected the outcome of the matter;

- There is new evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; or
- The Title IX Coordinator, investigator(s), or hearing officer had a conflict of interest or bias for or against the parties (generally, or specifically in this matter) that affected the outcome of the matter.

The appellate officer must not be the same person as the Title IX Coordinator, investigator(s), or hearing officer in the Grievance Process. Both parties will be notified in writing when an appeal is filed and the appeal procedures will apply equally for both parties.

Any non-appealing party (or the University) will have 7 days from the notification of an appeal to submit a written statement in support of the outcome. The decision-maker on the appeal will release a written decision within 21 days from the date of the appeal.

The appellate officer will release a written decision within 21 days from the date of the appeal to:

- Affirm the hearing officer’s determination regarding the Respondent’s responsibility and affirm the disciplinary sanctions and remedies, if applicable;
- Affirm the hearing officer’s determination regarding the Respondent’s responsibility and amend the disciplinary sanctions and remedies, if applicable;
- Remand the process back to the hearing stage for the hearing officer to remedy any procedural irregularity or consider any new evidence; or
- Reverse the hearing officer’s determination of the Respondent’s responsibility and amend the disciplinary sanctions and remedies, if applicable.

J. Grievance Process Documentation.

The University (through the appropriate office) will retain all of the documentation included in the Grievance Process (outlined in Section 6 of this Policy) for seven years, in accordance with state and federal records laws and University policy. All documentation of records are private and confidential to the extent possible under law. Student records of the Grievance Process are disciplinary records under FERPA. Employee records of the Grievance Process are subject to the Freedom of Information Act (FOIA) and the Illinois Freedom of Information Act, and included in the employee’s official employment record.

K. Grievance Process Timeframe.

The entire Grievance Process (outlined in Section 6 of this Policy, including any appeal) will be completed in no more than 150 days from the filing of the Formal Complaint. However, the circumstances may require a temporary delay in this timeframe and the University may extend this timeframe for good cause. In such an instance, the University will provide written

notice to the parties of the delay or extension and the reason(s) for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The time period in this section does not include the period the parties attempted but failed to reach an agreement in the Informal Resolution Process, if applicable, and in such a case, the Grievance Process timeframe will be extended by the period the parties attempted to reach an Informal Resolution (outlined in Section 7D of this Policy).

VIII. Emergency Removal and Employee Administrative Leave.

a. Emergency Removal.

A Respondent may be removed from the University's education program or activity on an emergency basis if, after an individualized safety and risk analysis, it is determined that such a removal is justified because the Respondent poses an immediate threat to the physical health or safety of an individual arising from the allegations of Sexual Misconduct. Under these circumstances, the Respondent will be notified in writing of the emergency removal from the University's education program or activity, and the Respondent will have an opportunity to immediately challenge the decision following the emergency removal.

B. Employee Administrative Leave.

An employee Respondent may be placed on administrative leave, in accordance with the University's policy and procedures on employee administrative leave, during the pendency of a Grievance Process, as outlined in this Policy.

IX. Dissemination of Policy and Educational Programs.

a. Dissemination.

This Policy will be made available to all University administrators, faculty, staff, and students online at [Policy 2C9](#) and in University student catalog(s) and any employee handbook of operating procedures. Periodic notices will be sent to University administrators, faculty, staff and students about the University's Sexual Misconduct Policy, including but not limited to at the beginning of each fall and spring semester. The notice will include information about Sexual Misconduct, Retaliation, and other conduct prohibited under this Policy, including the Formal Complaint procedure, the University Grievance Process, and available resources, such as support services, health, and mental health services. The notice will specify the right to file a Formal Complaint under this Policy, right to file a police report to law enforcement, the Title IX Coordinator's contact information, and will refer individuals to designated offices or officials for additional information.

B. Ongoing Sexual Misconduct Training.

The University's commitment to raising awareness of the dangers of Sexual Misconduct includes providing ongoing education through annual training and lectures by faculty, staff, mental health professionals, and/or trained University personnel. Preventive education and training programs will be provided to University administrators, faculty, staff, and students and will include information about primary prevention, risk reduction, and bystander intervention: [EOA](#)

C. Training of Title IX Coordinator(s), Investigators, Hearing Officers and Appellate Authorities.

All Title IX Coordinators, Deputy Coordinators, investigators, and those with authority over University Grievance Processes, and appeals shall receive training each academic year about applicable prohibited conduct, Grievance Processes, due process, and University policies related to Sexual Misconduct. All training materials used to train Title IX-related personnel (e.g. Title IX Coordinators, deputies, investigators, hearing officers, and appellate officers (among others)) will be made available on the University's website: [EOA](#)

D. Annual Reporting and Notice.

The University's Title IX General Policy Statement will be made available to all students, faculty, and employees online siue.edu/eoa in required publications and in specified departments.

X. Additional Conduct Violations under this Policy.

a. Retaliation.

Any person who retaliates against (a) anyone filing a report of Sexual Misconduct or Formal Complaint, (b) the parties or any other participants (including any witnesses or any University employee) in a Grievance Process relating to a Formal Complaint, (c) any person who refuses to participate in a Grievance Process, or (d) any person who under this Policy opposed any unlawful practice, is subject to disciplinary action up to and including dismissal or separation from the University. If any participant in a Grievance Process believes they have been subject to Retaliation (as defined in this Policy), they should immediately report the alleged retaliatory conduct to the Title IX Coordinator.

B. False Information and False Complaints.

Any person, who in bad faith, knowingly files a false complaint under this Policy or provides materially false information is subject to disciplinary action up to and including dismissal or separation from the University. A determination that a Respondent is not responsible for allegations of Sexual Misconduct does not imply a report, Formal Complaint, or information provided was false. Similarly, a

determination that a Respondent is responsible for a policy violation does not imply that a Respondent's statements disclaiming responsibility were false.

C. Interference with the Grievance Process.

Any person who interferes with the Grievance Process (outlined in Section 7 of this Policy) is subject to disciplinary action up to and including dismissal or separation from the University. Interference with a Grievance Process may include, but is not limited to:

- a. Attempting to coerce, compel, or prevent an individual from providing testimony or relevant information;
- b. Removing, destroying, or altering documentation relevant to the Grievance Process; or
- c. Knowingly providing false or misleading information to the Title IX Coordinator, investigator or hearing officer, or encouraging others to do so.

D. Failure to Report for Responsible Employees.

If a Responsible Employee knowingly fails to report all information concerning an incident the employee reasonably believes constitutes stalking, dating violence, sexual assault, or sexual harassment committed by or against a student or employee at the time of the incident, the employee is subject to disciplinary action, including termination.

XI. Definitions and Examples

- a. **Sexual Harassment** is defined by Title IX regulations to be conduct on the basis of sex that satisfies one or more of the following:
 - i. Quid Pro Quo:
 1. an employee of the recipient,
 2. conditions the provision of an aid, benefit, or service of the recipient,
 3. on an individual's participation in unwelcome sexual conduct; and/or
 - ii. Sexual Harassment:
 1. unwelcome conduct,
 2. determined by a reasonable person,
 3. to be so severe, and
 4. pervasive, and,
 5. objectively offensive,
 6. that it effectively denies a person equal access to the University's education program or activity.^[1]
- b. **"Sexual Assault"** is any type of sexual contact or sexual intercourse with another that occurs without that person's knowing and voluntary consent.

- c. **"Sexual Contact"** includes intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.
- d. **"Sexual Intercourse"** includes vaginal or anal penetration, however slight, with a body part (e.g., penis, tongue, finger, hand, etc.) or object, or oral penetration involving mouth to genital contact.
- e. **"Sexual Exploitation"** is taking advantage of the sexuality of another person without consent or in a manner that extends the bounds of consensual sexual activity without the knowledge of the other individual for any purpose, including sexual gratification, financial gain, personal benefit, or any other non-legitimate purpose. Examples of sexual exploitation include:
 - i. non-consensual video or audio-taping of sexual activity;
 - ii. going beyond the boundaries of consent (such as letting others hide in the closet to watch you having consensual sex);
 - iii. engaging in voyeurism;
 - iv. knowingly transmitting an STD or HIV to another person;
 - v. exposing one's genitals in non-consensual circumstances;
 - vi. inducing another to expose their genitals;
- f. **"Stalking"** is when any person purposely and repeatedly (two or more times) engages in an unwanted course of conduct that would cause a reasonable person to fear for his, her, or others' safety, or to suffer substantial emotional distress. Stalking can be a form of Sexual Harassment. Such harassment can be either physical stalking or cyber stalking. Stalking may present a safety concern or be an indicator of a potential safety concern.
- g. **"Dating Violence"** refers to violence by a person who has been in a romantic or intimate relationship with the Complainant. Whether a relationship exists will depend on the length, type, and frequency of interaction.
- h. **"Domestic Violence"** refers to violence committed by a current or former spouse or relationship partner, current or former cohabitant, a person with whom a Complainant shares a child in common, a person similarly situated to a spouse under domestic or family violence law, or anyone else protected under domestic or family violence law.
- i. **"Aiding or Facilitating"** refers to when any individual or group of individuals aids, facilitates, promotes, or encourages another to commit a violation under this Policy. Aiding or facilitating may also include failing to take action to prevent an imminent act when it is reasonably prudent and safe to do so.
- j. **"Retaliation"** refers to any acts, threats, or attempts to discourage a person from reporting prohibited conduct or participating in the investigation or hearing process.

Retaliation also refers to any acts, threats, or attempts to seek retribution against a Complainant, Reporting Party, the Accused Party, or any individual or group of individuals involved in the investigation and/or resolution of an allegation of sexual misconduct. Retaliation can be committed by any individual or group of individuals, not just a Reporting Party or Accused Party.

^[4] Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is below the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances (“in the shoes of the Complainant”), including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

XII. Understanding Consent and Related Definitions

Consent is a freely and knowingly given agreement to the act of sexual conduct or sexual penetration in question. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage freely in sexual activity. While consent can be given by words or actions, non-verbal consent is more ambiguous than explicitly stating one’s wants and limitations. Silence cannot be assumed to indicate consent. Lack of verbal or physical resistance or submission resulting from the use of force or threat of force by the accused shall not constitute consent.

Guidance for Consent:

One is expected to obtain consent to each act^[1]_{SEP} of sexual activity prior to initiating such activity. Consent to one form of sexual activity does not constitute consent to engage in other forms of sexual activity.

Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Relying on non-verbal communication can lead to misunderstandings. Consent may not be inferred from silence, passivity, lack of resistance, or lack of an active response alone. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent.

When consent is requested verbally, absence^[1]_{SEP} of any explicit verbal response constitutes lack of consent. A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive. If at any time during the sexual activity, any confusion or ambiguity arises as to the willingness of the other individual to proceed, both parties should stop and clarify verbally the other’s willingness to continue before continuing such activity.

Either party may withdraw consent at any^[1]_{SEP} time. Withdrawal of consent should be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease.

Individuals with a previous or current sexual relationship do not automatically give either initial or continued consent to sexual activity. Even in the context of a relationship, there must be mutually understandable communication that clearly indicates a willingness to engage in sexual activity.

Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another.

Consent is not valid if it results from the use or threat of physical force, intimidation, or coercion, or any other factor that would eliminate an individual's ability to exercise his or her own free will to choose whether or not to have sexual contact. It is a violation of the Sexual Harassment Policy if faculty members, coaches, advisors, or other staff members become involved in amorous or sexual relationships with students who are enrolled in their classes or subject to their supervision, even when both parties appear to have consented to the relationship. Likewise, it is a violation for a supervisor and a directly reporting employee to have a consensual amorous or sexual relationship with each other.

A person's manner of dress does not constitute consent.

An individual who is incapacitated from alcohol or other drug consumption (voluntarily or involuntarily) or is asleep, unconscious, unaware, or otherwise physically helpless is considered unable to give consent.

In the State of Illinois, persons under the age of 17 cannot legally consent to sexual activity. Thus, in Illinois, any sexual activity with persons under the age of 17 could constitute sexual assault of a minor, and implicate mandatory child abuse reporting. For additional information regarding child abuse and mandatory reporting see [Human Resources](#).

Incapacitation, Alcohol, Coercion, and Related Concepts:

A person violates the Title IX Policy if he or she has sexual contact with someone he or she knows, or should know, to be mentally incapacitated or has reached the degree of intoxication that results in incapacitation. The test of whether an individual should know about another's incapacitation is whether a reasonable, sober person would recognize the incapacitation. An accused person cannot rebut a Sexual Assault or Sexual Misconduct charge merely by asserting that he or she was intoxicated or otherwise impaired and, as a result, did not know that the other person was incapacitated. Alcohol, drugs or other intoxicants do not dismiss the responsibility of an individual to obtain valid consent.

A person is considered incapacitated, or unable to give consent, if they are unable to understand the nature of the activity or give knowing consent due to the circumstances at the time in question.

A person is NOT able to give effective consent in the following situations:

- An individual who is incapacitated due to the consumption of alcohol or other drugs cannot consent to sexual activity. An individual is incapacitated if he/she is physically helpless, unconscious, or unaware due to drug or alcohol consumption (voluntarily or involuntarily) or for some other reason.
- Where alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. Some indicators of incapacitation may include but are not limited to, lack of control over physical movements, being unaware of circumstances or surroundings, slurred speech, vomiting, or being unable to communicate for any reason.
- When an individual is sleeping or unconscious
- When a person's mental capacity is not at the level of an adult, such as an individual with a mental or developmental disability.

In some situations, an individual's ability to freely, willingly, and knowingly consent is taken away by another person or circumstance. Examples include, but are not limited to:

- When an individual is physically forced to participate. Force is the use of physical violence and/or imposing on someone physically in order to gain sexual access. There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. Any sexual activity that is forced is by definition without consent.
- When an individual is intimidated, threatened – even by a perceived threat – isolated or confined.
- When an individual is coerced or unreasonably pressured for sexual activity. When someone makes clear that they do not want to engage in sexual activity, that they want something to stop, or that they do not want to go past a certain point of sexual interaction – continued pressure past that point can be coercive behavior. When evaluating coercive behavior, factors such as the frequency, duration, location (isolation of recipient of unwanted contact), and intensity of coercive behaviors will be considered.

APPENDIX E

Job Groups, EEO Codes, and Census Occupations Assigned to Job Titles

Census Codes and Job Titles

Analysis Data as of 01/07/2025

Alton

Job Group: 1 - Exec/Admin/Mgrl

Census Code	Job Title	EEO Code
S110 - Management	Dean	1.1
	Dean, Asc	1.2
	Dean, Ast	1.2

Job Group: 3 - Professional Non-Fac

Census Code	Job Title	EEO Code
S110 - Management	Director	1.2
S130 - Business and Financial Operations	Accounting Associate	2
	Admissions & Records Associate	2
S250 - Educational Instruction and Library	Fellow	2
S430 - Office and Administrative Support	Admissions & Records Coord.	2

Job Group: 4 - Clerical/Secretarial

Census Code	Job Title	EEO Code
S430 - Office and Administrative Support	Accounting Officer	5
	Accounting Specialist	5
	Aide, Administrative	5
	Associate, Medical Insurance	5
	Clerk II Dental Clin	5
	Coord Dental Unit	5
	Office Support Specialist	5
	Representative, Admissions/Rec	5
	Specialist, Medical Insurance	5
	Supervisor, Stores	5
	Supv Departmentl Info	5

Job Group: 5 - Technical and Paraprof

Census Code	Job Title	EEO Code
S130 - Business and Financial Operations	Spec III Equip	3

Census Codes and Job Titles

Analysis Data as of 01/07/2025

Alton

Job Group: 5 - Technical and Paraprof

Census Code	Job Title	EEO Code
S150 - Computer and Mathematical	IT Mgr/Admin. Coord.	3
	IT Support Associate	3
	IT Technical Asc	3
S290 - Healthcare Practitioners and Technical	Hygienist Dental	3
S310 - Healthcare Support	Dental Assistant I	3
	Dental Assistant II	3
	Dental Assistant III	3
	Dental Assistant IV	3
S430 - Office and Administrative Support	Supv Tech Service	3

APPENDIX F

List of Tables

Workforce Analysis – Staff

Job Group Analysis

Incumbency vs. Availability

Availability Analysis

Placement Goals

Utilization Analysis for Individuals with Disabilities

Utilization Analysis for Protected Veterans

Utilization Analysis Problem Areas – Individuals with Disabilities

Utilization Analysis Problem Areas – Protected Veterans

Workforce Analysis

Analysis Data as of 01/07/2025

Alton

**Department: Dental Med, School of
 Manager Name: Saulius E. Drukteinis**

Incl/ Excl	Job Title	EEO Code	Salary Code	Total			Total	White	Black	Asian	Native American	Hispanic	Pacific Islander	Two or more races	Unknown
				Employees	Minorities										
	Accounting Associate	2	NA	2	0	Male	1	1	0	0	0	0	0	0	0
						Female	1	1	0	0	0	0	0	0	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0
	Accounting Officer	5	NA	1	0	Male	0	0	0	0	0	0	0	0	0
						Female	1	1	0	0	0	0	0	0	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0
	Accounting Specialist	5	NA	1	0	Male	0	0	0	0	0	0	0	0	0
						Female	1	1	0	0	0	0	0	0	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0
	Admissions & Records Associate	2	NA	1	0	Male	0	0	0	0	0	0	0	0	0
						Female	1	1	0	0	0	0	0	0	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0
	Admissions & Records Coord.	2	NA	1	0	Male	0	0	0	0	0	0	0	0	0
						Female	1	1	0	0	0	0	0	0	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0
	Aide, Administrative	5	NA	2	0	Male	0	0	0	0	0	0	0	0	0
						Female	2	2	0	0	0	0	0	0	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0

*Incl - employee is included in this plan and department
 Excl - employee is excluded from this plan and department*

Workforce Analysis

Analysis Data as of 01/07/2025

Alton

**Department: Dental Med, School of
Manager Name: Saulius E. Drukteinis**

Incl/ Excl	Job Title	EEO Code	Salary Code	Total			Total	White	Black	Asian	Native American	Hispanic	Pacific Islander	Two or more races	Unknown
				Employees	Minorities										
	Associate, Medical Insurance	5	NA	7	2	Male	0	0	0	0	0	0	0	0	0
Female						7	5	0	0	1	0	0	1	0	
Non-binary						0	0	0	0	0	0	0	0	0	
Unknown						0	0	0	0	0	0	0	0	0	
	Clerk II Dental Clin	5	NA	7	0	Male	0	0	0	0	0	0	0	0	0
Female						7	7	0	0	0	0	0	0	0	
Non-binary						0	0	0	0	0	0	0	0	0	
Unknown						0	0	0	0	0	0	0	0	0	
	Coord Dental Unit	5	NA	6	0	Male	0	0	0	0	0	0	0	0	0
Female						6	6	0	0	0	0	0	0	0	
Non-binary						0	0	0	0	0	0	0	0	0	
Unknown						0	0	0	0	0	0	0	0	0	
	Dean	1.1	NA	1	0	Male	1	1	0	0	0	0	0	0	0
Female						0	0	0	0	0	0	0	0	0	
Non-binary						0	0	0	0	0	0	0	0	0	
Unknown						0	0	0	0	0	0	0	0	0	
	Dean, Asc	1.2	NA	2	0	Male	1	1	0	0	0	0	0	0	0
Female						1	1	0	0	0	0	0	0	0	
Non-binary						0	0	0	0	0	0	0	0	0	
Unknown						0	0	0	0	0	0	0	0	0	
	Dean, Ast	1.2	NA	3	1	Male	1	1	0	0	0	0	0	0	0
Female						2	1	0	0	0	1	0	0	0	
Non-binary						0	0	0	0	0	0	0	0	0	
Unknown						0	0	0	0	0	0	0	0	0	

*Incl - employee is included in this plan and department
Excl - employee is excluded from this plan and department*

Workforce Analysis

Analysis Data as of 01/07/2025

Alton

**Department: Dental Med, School of
 Manager Name: Saulius E. Drukteinis**

Incl/ Excl	Job Title	EEO Code	Salary Code	Total			Total	White	Black	Asian	Native American	Hispanic	Pacific Islander	Two or more races	Unknown
				Employees	Minorities										
	Dental Assistant I	3	NA	3	1	Male	0	0	0	0	0	0	0	0	0
						Female	3	2	1	0	0	0	0	0	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0
	Dental Assistant II	3	NA	9	3	Male	1	0	0	0	0	1	0	0	0
						Female	8	6	0	1	0	0	0	1	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0
	Dental Assistant III	3	NA	5	0	Male	0	0	0	0	0	0	0	0	0
						Female	5	5	0	0	0	0	0	0	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0
	Dental Assistant IV	3	NA	1	0	Male	0	0	0	0	0	0	0	0	0
						Female	1	1	0	0	0	0	0	0	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0
	Director	1.2	NA	1	0	Male	1	1	0	0	0	0	0	0	0
						Female	0	0	0	0	0	0	0	0	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0
	Fellow	2	NA	3	1	Male	3	2	0	1	0	0	0	0	0
						Female	0	0	0	0	0	0	0	0	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0

*Incl - employee is included in this plan and department
 Excl - employee is excluded from this plan and department*

Workforce Analysis

Analysis Data as of 01/07/2025

Alton

Department: Dental Med, School of
 Manager Name: Saulius E. Drukteinis

Incl/ Excl	Job Title	EEO Code	Salary Code	Total			Total	White	Black	Asian	Native American	Hispanic	Pacific Islander	Two or more races	Unknown
				Employees	Minorities										
	Hygienist Dental	3	NA	5	0	Male	0	0	0	0	0	0	0	0	0
Female						5	5	0	0	0	0	0	0	0	
Non-binary						0	0	0	0	0	0	0	0	0	
Unknown						0	0	0	0	0	0	0	0	0	
	IT Mgr/Admin. Coord.	3	NA	1	0	Male	0	0	0	0	0	0	0	0	0
Female						1	1	0	0	0	0	0	0	0	
Non-binary						0	0	0	0	0	0	0	0	0	
Unknown						0	0	0	0	0	0	0	0	0	
	IT Support Associate	3	NA	4	1	Male	4	3	1	0	0	0	0	0	0
Female						0	0	0	0	0	0	0	0	0	
Non-binary						0	0	0	0	0	0	0	0	0	
Unknown						0	0	0	0	0	0	0	0	0	
	IT Technical Asc	3	NA	4	0	Male	3	3	0	0	0	0	0	0	0
Female						1	1	0	0	0	0	0	0	0	
Non-binary						0	0	0	0	0	0	0	0	0	
Unknown						0	0	0	0	0	0	0	0	0	
	Office Support Specialist	5	NA	8	2	Male	0	0	0	0	0	0	0	0	0
Female						8	6	0	1	0	0	0	1	0	
Non-binary						0	0	0	0	0	0	0	0	0	
Unknown						0	0	0	0	0	0	0	0	0	
	Representative, Admissions/Rec	5	NA	1	0	Male	0	0	0	0	0	0	0	0	0
Female						1	1	0	0	0	0	0	0	0	
Non-binary						0	0	0	0	0	0	0	0	0	
Unknown						0	0	0	0	0	0	0	0	0	

Incl - employee is included in this plan and department
 Excl - employee is excluded from this plan and department

Workforce Analysis

Analysis Data as of 01/07/2025

Alton

**Department: Dental Med, School of
 Manager Name: Saulius E. Drukteinis**

Incl/ Excl	Job Title	EEO Code	Salary Code	Total			Total	White	Black	Asian	Native American	Hispanic	Pacific Islander	Two or more races	Unknown
				Employees	Minorities										
	Spec III Equip	3	NA	1	1	Male	1	0	0	0	0	0	0	1	0
						Female	0	0	0	0	0	0	0	0	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0
	Specialist, Medical Insurance	5	NA	1	0	Male	0	0	0	0	0	0	0	0	0
						Female	1	1	0	0	0	0	0	0	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0
	Supervisor, Stores	5	NA	1	0	Male	0	0	0	0	0	0	0	0	0
						Female	1	1	0	0	0	0	0	0	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0
	Supv Departmntl Info	5	NA	1	0	Male	0	0	0	0	0	0	0	0	0
						Female	1	1	0	0	0	0	0	0	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0

*Incl - employee is included in this plan and department
 Excl - employee is excluded from this plan and department*

Workforce Analysis

Analysis Data as of 01/07/2025

Alton

**Department: Dental Med, School of
 Manager Name: Saulius E. Drukteinis**

Incl/ Excl	Job Title	EEO Code	Salary Code	Total			Total	White	Black	Asian	Native American	Hispanic	Pacific Islander	Two or more races	Unknown
				Employees	Minorities										
	Supv Tech Service	3	NA	1	0	Male	1	1	0	0	0	0	0	0	0
						Female	0	0	0	0	0	0	0	0	0
						Non-binary	0	0	0	0	0	0	0	0	0
						Unknown	0	0	0	0	0	0	0	0	0
Totals				84	12	Male	18	14	1	1	0	1	0	1	0
					14.29	%	21.43	16.67	1.19	1.19	0.00	1.19	0.00	1.19	0.00
						Female	66	58	1	2	1	1	0	3	0
						%	78.57	69.05	1.19	2.38	1.19	1.19	0.00	3.57	0.00
						Non-binary	0	0	0	0	0	0	0	0	0
						%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
						Unknown	0	0	0	0	0	0	0	0	0
						%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

*Incl - employee is included in this plan and department
 Excl - employee is excluded from this plan and department*

Job Group Analysis

Analysis Data as of 01/07/2025

Alton

Job Group: 1 - Exec/Admin/Mgrl

Location	Job Title	Total Employees		Female	Minority
		#	%		
Alton	Dean	1	16.67	0	0
Alton	Dean, Asc	2	33.33	1	0
Alton	Dean, Ast	3	50.00	2	1
Totals:		6		3	1
				50.00%	16.67%

Job Group: 3 - Professional Non-Fac

Location	Job Title	Total Employees		Female	Minority
		#	%		
Alton	Accounting Associate	2	25.00	1	0
Alton	Admissions & Records Associate	1	12.50	1	0
Alton	Admissions & Records Coord.	1	12.50	1	0
Alton	Director	1	12.50	0	0
Alton	Fellow	3	37.50	0	1
Totals:		8		3	1
				37.50%	12.50%

Job Group: 4 - Clerical/Secretarial

Location	Job Title	Total Employees		Female	Minority
		#	%		
Alton	Accounting Officer	1	2.78	1	0
Alton	Accounting Specialist	1	2.78	1	0
Alton	Aide, Administrative	2	5.56	2	0
Alton	Associate, Medical Insurance	7	19.44	7	2
Alton	Clerk II Dental Clin	7	19.44	7	0
Alton	Coord Dental Unit	6	16.67	6	0
Alton	Office Support Specialist	8	22.22	8	2
Alton	Representative, Admissions/Rec	1	2.78	1	0
Alton	Specialist, Medical Insurance	1	2.78	1	0
Alton	Supervisor, Stores	1	2.78	1	0

Job Group Analysis

Analysis Data as of 01/07/2025

Alton

Job Group: 4 - Clerical/Secretarial

Location	Job Title	Total Employees		Female	Minority
		#	%		
Alton	Supv Departmentl Info	1	2.78	1	0
Totals:		36		36	4
				100.00%	11.11%

Job Group: 5 - Technical and Paraprof

Location	Job Title	Total Employees		Female	Minority
		#	%		
Alton	Dental Assistant I	3	8.82	3	1
Alton	Dental Assistant II	9	26.47	8	3
Alton	Dental Assistant III	5	14.71	5	0
Alton	Dental Assistant IV	1	2.94	1	0
Alton	Hygienist Dental	5	14.71	5	0
Alton	IT Mgr/Admin. Coord.	1	2.94	1	0
Alton	IT Support Associate	4	11.76	0	1
Alton	IT Technical Asc	4	11.76	1	0
Alton	Spec III Equip	1	2.94	0	1
Alton	Supv Tech Service	1	2.94	0	0
Totals:		34		24	6
				70.59%	17.65%

Total Employees in the Plan:		84		66	12
				78.57%	14.29%

Job Group Analysis

eeo6-alt-2025

Analysis Data as of 01/07/2025

Edwardsville

Job Group: 2 - Faculty

Location	Total #	Female	Minority
Alton		10	5

Incumbency vs Availability

Analysis Data as of 01/07/2025

Alton

Job Group: 1 - Exec/Admin/Mgrl

Factor	Weight	Total Female		Total Minorities		Black		Asian		Native American		Hispanic		Pacific Islander		Two or more races	
		Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd
Requisite skills in recruitment area	80.00	40.38	32.31	19.80	15.84	7.60	6.08	3.97	3.18	0.32	0.25	6.38	5.10	0.07	0.06	1.46	1.17
Internally available	20.00	47.50	9.50	15.83	3.17	0.00	0.00	2.50	0.50	0.00	0.00	13.33	2.67	0.00	0.00	0.00	0.00
Total Weighted Availability			41.81		19.00		6.08		3.68		0.25		7.77		0.06		1.17
Current Utilization			50.00		16.67		0.00		0.00		0.00		16.67		0.00		0.00
Incumbents	Total: 6		3		1		0		0		0		1		0		0
Expected Incumbents			2.51		1.14		0.36		0.22		0.02		0.47		0.00		0.07
Shortfall in Persons			0.00		0.14		0.36		0.22		0.02		0.00		0.00		0.07
Difference is greater than or equal to 0.01 persons			No		Yes		Yes		Yes		Yes		No		No		Yes

Incumbency vs Availability

Southern Illinois University Edwardsville

Analysis Data as of 01/07/2025

Alton

Job Group: 3 - Professional Non-Fac

Factor	Weight	Total Female		Total Minorities		Black		Asian		Native American		Hispanic		Pacific Islander		Two or more races	
		Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd
Requisite skills in recruitment area	50.00	66.48	33.24	7.81	3.91	3.91	1.95	1.01	0.50	0.06	0.03	1.76	0.88	0.01	0.00	1.06	0.53
Internally available	50.00	54.04	27.02	15.07	7.54	2.94	1.47	7.72	3.86	0.00	0.00	1.47	0.74	0.00	0.00	2.94	1.47
Total Weighted Availability			60.26		11.44		3.43		4.36		0.03		1.62		0.00		2.00
Current Utilization			37.50		12.50		0.00		12.50		0.00		0.00		0.00		0.00
Incumbents	Total: 8		3		1		0		1		0		0		0		0
Expected Incumbents			4.82		0.92		0.27		0.35		0.00		0.13		0.00		0.16
Shortfall in Persons			1.82		0.00		0.27		0.00		0.00		0.13		0.00		0.16
Difference is greater than or equal to 0.01 persons			Yes		No		Yes		No		No		Yes		No		Yes

Incumbency vs Availability

Southern Illinois University Edwardsville

Analysis Data as of 01/07/2025

Alton

Job Group: 4 - Clerical/Secretarial

Factor	Weight	Total Female		Total Minorities		Black		Asian		Native American		Hispanic		Pacific Islander		Two or more races	
		Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd
Requisite skills in recruitment area	80.00	80.03	64.02	8.83	7.07	4.03	3.23	0.80	0.64	0.20	0.16	2.45	1.96	0.00	0.00	1.36	1.08
Internally available	20.00	100.00	20.00	11.11	2.22	0.00	0.00	2.78	0.56	2.78	0.56	0.00	0.00	0.00	0.00	5.56	1.11
Total Weighted Availability			84.02		9.29		3.23		1.19		0.71		1.96		0.00		2.20
Current Utilization			100.00		11.11		0.00		2.78		2.78		0.00		0.00		5.56
Incumbents	Total: 36		36		4		0		1		1		0		0		2
Expected Incumbents			30.25		3.34		1.16		0.43		0.26		0.70		0.00		0.79
Shortfall in Persons			0.00		0.00		1.16		0.00		0.00		0.70		0.00		0.00
Difference is greater than or equal to 0.01 persons			No		No		Yes		No		No		Yes		No		No

Incumbency vs Availability

Southern Illinois University Edwardsville

Analysis Data as of 01/07/2025

Alton

Job Group: 5 - Technical and Paraprof

Factor	Weight	Total Female		Total Minorities		Black		Asian		Native American		Hispanic		Pacific Islander		Two or more races	
		Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd
Requisite skills in recruitment area	80.00	69.41	55.53	13.26	10.61	10.11	8.09	0.68	0.55	0.06	0.05	1.80	1.44	0.00	0.00	0.60	0.48
Internally available	20.00	70.59	14.12	17.65	3.53	5.88	1.18	2.94	0.59	0.00	0.00	2.94	0.59	0.00	0.00	5.88	1.18
Total Weighted Availability			69.65		14.14		9.27		1.13		0.05		2.03		0.00		1.66
Current Utilization			70.59		17.65		5.88		2.94		0.00		2.94		0.00		5.88
Incumbents	Total: 34		24		6		2		1		0		1		0		2
Expected Incumbents			23.68		4.81		3.15		0.39		0.02		0.69		0.00		0.56
Shortfall in Persons			0.00		0.00		1.15		0.00		0.02		0.00		0.00		0.00
Difference is greater than or equal to 0.01 persons			No		No		Yes		No		Yes		No		No		No

Incumbency vs. Availability

Analysis Data as of 01/07/2025

Faculty

Job Group: 1 - Dentistry (DDS, DMD)

Factor

Factor	Weight	Total Female		Total Minorities		Black		Asian		Native American		Hispanic		Pacific Islander		Two or more races	
		Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd
Requisite skills in recruitment discipline	100.00	54.52	54.52	0.09	0.09	2.19	2.19	9.51	9.51	0.06	0.06	4.01	4.01	0.03	0.03	0.00	0.00
Total Weighted Availability			54.52		0.09		2.19		9.51		0.06		4.01		0.03		0.00
Current Utilization			66.67		0.00		0.00		6.67		0.00		6.67		0.00		20.00
Incumbents	Total: 15		10		0		0		1		0		1		0		3
Binomial Probability			0.8869		0.9871		0.7170		0.5756		0.9914		0.8803		0.9957		1.0000
Exact Binomial less than or equal to 0.0500			No		No		No		No		No		No		No		No

Availability Analysis

Analysis Data as of 01/07/2025

Alton

Job Group: 1 - Exec/Admin/Mgrl

Factor	Weight	Total Female		Total Minorities		Black		Asian		Native American		Hispanic		Pacific Islander		Two or more races	
		Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd
Requisite skills in recruitment area	80.00	40.38	32.31	19.80	15.84	7.60	6.08	3.97	3.18	0.32	0.25	6.38	5.10	0.07	0.06	1.46	1.17
<i>Census Areas:</i>																	
10.00% Madison County, IL																	
40.00% St. Louis, MO-IL Metro Area																	
50.00% United States																	
Internally available	20.00	47.50	9.50	15.83	3.17	0.00	0.00	2.50	0.50	0.00	0.00	13.33	2.67	0.00	0.00	0.00	0.00
<i>Feeders:</i>																	
80.00% 1 - Exec/Admin/Mgrl																	
20.00% 3 - Professional Non-Fac																	
Total Weighted Availability			41.81		19.00		6.08		3.68		0.25		7.77		0.06		1.17

Availability Analysis

Analysis Data as of 01/07/2025

Alton

Job Group: 3 - Professional Non-Fac

Factor	Weight	Total Female		Total Minorities		Black		Asian		Native American		Hispanic		Pacific Islander		Two or more races	
		Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd
Requisite skills in recruitment area	50.00	66.48	33.24	7.81	3.91	3.91	1.95	1.01	0.50	0.06	0.03	1.76	0.88	0.01	0.00	1.06	0.53
<i>Census Areas:</i>	30.00%	Calhoun+Jersey+Macoupin countyset, IL															
	70.00%	Madison County, IL															
Internally available	50.00	54.04	27.02	15.07	7.54	2.94	1.47	7.72	3.86	0.00	0.00	1.47	0.74	0.00	0.00	2.94	1.47
<i>Feeders:</i>	50.00%	3 - Professional Non-Fac															
	50.00%	5 - Technical and Paraprof															
Total Weighted Availability		60.26		11.44		3.43		4.36		0.03		1.62		0.00		2.00	

Availability Analysis

Analysis Data as of 01/07/2025

Alton
Job Group: 4 - Clerical/Secretarial

Factor	Weight	Total Female		Total Minorities		Black		Asian		Native American		Hispanic		Pacific Islander		Two or more races	
		Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd
Requisite skills in recruitment area	80.00	80.03	64.02	8.83	7.07	4.03	3.23	0.80	0.64	0.20	0.16	2.45	1.96	0.00	0.00	1.36	1.08
<i>Census Areas:</i>	30.00%	Calhoun+Jersey+Macoupin countyset, IL															
	70.00%	Madison County, IL															
Internally available	20.00	100.00	20.00	11.11	2.22	0.00	0.00	2.78	0.56	2.78	0.56	0.00	0.00	0.00	0.00	5.56	1.11
<i>Feeders:</i>	100.00%	4 - Clerical/Secretarial															
Total Weighted Availability			84.02	9.29		3.23		1.19		0.71		1.96		0.00		2.20	

Availability Analysis

Analysis Data as of 01/07/2025

Alton

Job Group: 5 - Technical and Paraprof

Factor	Weight	Total Female		Total Minorities		Black		Asian		Native American		Hispanic		Pacific Islander		Two or more races	
		Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd	Avail	Wtd
Requisite skills in recruitment area	80.00	69.41	55.53	13.26	10.61	10.11	8.09	0.68	0.55	0.06	0.05	1.80	1.44	0.00	0.00	0.60	0.48
<i>Census Areas:</i>	30.00%	Calhoun+Jersey+Macoupin countyset, IL															
	70.00%	Madison County, IL															
Internally available	20.00	70.59	14.12	17.65	3.53	5.88	1.18	2.94	0.59	0.00	0.00	2.94	0.59	0.00	0.00	5.88	1.18
<i>Feeders:</i>	100.00%	5 - Technical and Paraprof															
Total Weighted Availability			69.65	14.14		9.27		1.13		0.05		2.03		0.00		1.66	

Placement Goals

Analysis Data as of 01/07/2025

Alton

Job Group	Class	Goal Placement Rate %
1 - Exec/Admin/Mgrl	Minority	19.00
3 - Professional Non-Fac	Female	60.26

Placement Goals by Department

eeo6-alt-2025

Analysis Data as of 01/07/2025

Edwardsville

Job Group	Class	Employees as of Plan Date
2 - Faculty	Minority	
	Departments	
	Dentistry	5

Utilization Analysis for Individuals with Disabilities

Analysis Data as of 01/07/2025

Alton

Goal for Individuals with Disabilities: 7.00%

Job Group	Employees			Goal Set?	Underutilized #	Shortfall	
	Total #	Disabled #	%			#	>= 0.01?
1 - Exec/Admin/Mgrl	6	0	0.00	Yes	0.42	0.42	Yes
3 - Professional Non-Fac	8	0	0.00	Yes	0.56	0.56	Yes
4 - Clerical/Secretarial	36	0	0.00	Yes	2.52	2.52	Yes
5 - Technical and Paraprof	34	0	0.00	Yes	2.38	2.38	Yes
Total	84	0	0.00				

Utilization Analysis for Protected Veterans

Southern Illinois University Edwardsville

Analysis Data as of 01/07/2025

Alton

Benchmark for Veterans: 5.50%
 Plan Representation for Veterans: 2.38%

Total Employees in Plan: 84
 Total Veterans in Plan: 2

Job Group	Employees			Goal Set?	Underutilized #	Shortfall	
	Total #	Veteran #	%			#	>= 0.01?
1 - Exec/Admin/Mgrl	6	0	0.00	Yes	0.33	0.33	Yes
3 - Professional Non-Fac	8	0	0.00	Yes	0.44	0.44	Yes
4 - Clerical/Secretarial	36	0	0.00	Yes	1.98	1.98	Yes
5 - Technical and Paraprof	34	2	5.88	No		0.00	No
Total	84	2	2.38				

The Veteran Utilization Analysis is only for internal workforce analysis and should not be submitted for OFCCP purposes.

Utilization Analysis Problem Areas - Disabled

Analysis Data as of 01/07/2025

Plan: Alton

Goal for Individuals with Disabilities: 7.00%

Job Group	Employees		
	Total	Disabled	
	#	#	%
1 - Exec/Admin/Mgrl	6	0	0.00
3 - Professional Non-Fac	8	0	0.00
4 - Clerical/Secretarial	36	0	0.00
5 - Technical and Paraprof	34	0	0.00

Only underutilized Job Groups are displayed.

Utilization Analysis Problem Areas - Veteran

Analysis Data as of 01/07/2025

Plan: Alton

Benchmark for Veterans: 5.50%

Total Employees in Plan: 84

Plan Representation for Veterans: 2.38%

Total Veterans in Plan: 2

Job Group	Employees		
	Total	Veteran	
	#	#	%
1 - Exec/Admin/Mgrl	6	0	0.00
3 - Professional Non-Fac	8	0	0.00
4 - Clerical/Secretarial	36	0	0.00

Only underutilized Job Groups are displayed.

The Veteran Utilization Analysis is only for internal workforce analysis and should not be submitted for OFCCP purposes.