Preventing Sexual Violence in Higher Education Act Annual Report 2025

For Loyola University Chicago (submitted 2026)

Name of Higher Education Institution: Loyola University Chicago
Campus (*if applicable*): All Illinois Campuses (Lake Shore, Water Tower, Health Sciences, etc)
Completed By/Primary Contact: Tim Love, Executive Director and Title IX Coordinator
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PART A

Provide one copy of the most recent version of each of the following documents:

☑ The higher education institution's comprehensive policy (*see* 110 ILCS 155/10); and
☑ The higher education institution's concise, written notification of a survivor's rights and options under its comprehensive policy (*see* 110 ILCS 155/15).

PART B

I. Campus Training, Education and Awareness

A. Student Primary Prevention Programming

Identify any and all institutional actions and strategies intended to prevent sexual violence before it occurs by means of changing social norms and other approaches, including, without limitation, training programs, poster and flyer campaigns, electronic communications, films, guest speakers, symposia, conferences, seminars or panel discussions that occurred during the preceding calendar year. *See* 110 ILCS 155/30(b). If necessary, append additional pages.

Program name	Type/description	Date(s)	Location(s)	Target audience	Number of attendees
	See Attached				

B. Employee Training (*optional*)

Identify any and all training provided to higher education institution employees who, with respect to reports of sexual violence, domestic violence, dating violence or stalking: (1) receive student reports, (2) refer or provide services to survivors or (3) participate in the complaint resolution procedure. *See* 110 ILCS 155/30(c). If necessary, append additional pages.

Program name	Type/description	Date(s)	Location(s)	Target audience	Number of attendees
	See Attached				

II. Reports

Identify the total number of reports made to the following groups of individuals in the preceding calendar year. If a higher education institution is aware that a student reported an incident more than once, it may provide an explanation for this or any other additional information regarding its reports in Part C below. *See* 110 ILCS 155/25 and 110 ILCS 205/9.21(b).

*SEE ALSO, PART C	Reports to the Title IX coordinator/responsible employees	Reports to confidential and anonymous resources
Sexual violence	10	61
Domestic violence	8	9
Dating violence	0	15
Stalking	7	20

A. Responses to Reports to the Title IX Coordinator or Responsible Employees

Of the total number of reports or disclosures made to the Title IX coordinator or responsible employees at the higher education institution (identified in Part B, Section II), please report the number of times the following occurred:

	Survivor requested not to proceed with the complaint resolution procedure	HEI investigated allegation	HEI referred allegation to local or State law enforcement	HEI resolved allegation through complaint resolution procedure
Sexual violence	4	6	4	2
Domestic violence	5	3	1	2
Dating violence	0	0	0	0
Stalking	2	6	0	3

B. Complaint Resolution Procedure Outcomes

Of the total number of reports reviewed through the complaint resolution procedure, identify the number of students who received the following outcomes. Please provide a description of the other types of discipline students received for violating the comprehensive policy in Part C of this report.

	Found not responsible for violation of comprehensive policy	Dismissed/ expelled	Suspended	Otherwise disciplined
Sexual violence	1	1	0	1
Domestic violence	1	1	0	0
Dating violence	0	0	0	0
Stalking	2	0	0	2

PART C

Use this space to provide any explanations or clarifications for information and data provided as part of the report. (Append additional pages as necessary.)

SEE ATTACHED

Submit completed reports via mail or email to the addresses below by **November 1st**:

- Office of the Illinois Attorney General
  Civil Rights Bureau
  115 S. LaSalle St.
  Chicago, IL 60603
  CivilRights@ilag.gov

- Illinois Department of Human Rights
  555 W. Monroe Street, Suite 700
  Chicago, IL 60661
  IDHR.LiaisonUnit@illinois.gov

PART A

Comprehensive Policy and Procedures
for
Addressing Discrimination, Sexual Misconduct, and Retaliation

Updated and Published 8/24/2026

LOYOLA UNIVERSITY CHICAGO

BASED ON THE ATIXA 2020 ONE POLICY, TWO PROCEDURES (1P2P) MODEL.
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Introduction from Loyola's Executive Director for Equity and Compliance & Title IX Coordinator

August 24, 2026

Dear Loyola Community:

I am pleased to present to you this updated *Comprehensive Policy for Addressing Discrimination, Sexual Misconduct, and Retaliation*, which applies to all students, faculty, staff, and administrators of Loyola University Chicago.

The Office for Equity & Compliance ("OEC") is honored to serve the Loyola community by coordinating the University's response to alleged discrimination, sexual misconduct, retaliation, and other related offenses. Such violations of human rights and dignity contradict the University's commitment to providing a safe, non-discriminatory, and inclusive academic and workplace environment, in alignment both with our legal obligations and with our institutional values as a Jesuit, Catholic university.

As the implementing stewards of the Comprehensive Policy, we in the OEC hope that each member of our community will receive this information with the clear understanding that **discrimination, sexual misconduct, and retaliation have no place at Loyola**, and that the responsibility to ensure this commitment is upheld rests with all of us.

On behalf of the entire OEC staff, we remain steadfastly committed to continued excellence in this area, and we are honored to have a coordinating role in this important work.

Very sincerely,



Tim Love
Executive Director for Equity and Compliance & Title IX Coordinator

Article 1: Comprehensive Policy for Discrimination, Sexual Misconduct, and Retaliation at Loyola University Chicago

I. Rationale for a Comprehensive Policy

Loyola University Chicago ("Loyola" or the "University") is committed to providing an educational and employment environment where the full richness of our diverse community can be explored and celebrated. To this end, the University maintains the highest standards for safety and inclusivity. Such standards are part of a larger ethical imperative rooted in our mission as "Chicago's Jesuit, Catholic University – a diverse community seeking God in all things and working to expand knowledge in the service of humanity through learning, justice, and faith."

In maintaining the *Comprehensive Policy and Procedures for Addressing Discrimination, Sexual Misconduct, and Retaliation* (the "Comprehensive Policy"), the University meets or exceeds the requirements of federal and state civil rights laws and regulations to provide for a prompt, fair, and equitable administrative process.

II. Applicable Scope and Key Terminology

The core purpose of the Comprehensive Policy is to consistently and effectively prohibit all forms of discrimination, sexual misconduct, and retaliation across all campuses and stakeholder groups at Loyola. For this reason, the standards contained in the Comprehensive Policy apply to all students, recognized student organizations, faculty and staff employees, guests, and visitors across all campuses and programs of the University within the United States and abroad, including to programs at the University's Rome Center Campus ("Loyola Rome"). Except as otherwise provided herein, for the purposes of the Comprehensive Policy, staff includes all non-faculty employees of the University, including officers and student workers when acting in an employment capacity.

Discrimination, sexual misconduct, and retaliation can take place in many forms, and often occur in overlapping or intersecting ways. Additionally, some specific violations (such as domestic violence and stalking) may be more appropriately categorized as either discriminatory or sexual misconduct or neither, depending on the specific circumstances of the particular alleged incident. The University addresses alleged misconduct that is discriminatory or sexual in nature under the Comprehensive Policy with procedural frameworks appropriate to the unique circumstances of each case, whereas misconduct that is not sexual or discriminatory in nature is addressed under the Community Standards or other applicable University policies.

The following are several key terms that are important to understanding and navigating the Comprehensive Policy:

Administrative resolution is a general term used to describe the various processes by which the University resolves a substantiated complaint under the Equitable Resolution Process (after a finding of responsibility has been made following investigation and/or admission). Administrative resolution processes may be governed by the Community Standards, Faculty Handbook, collective bargaining agreements, and/or Employee Staff Handbook, depending on the applicable classification of the respondent. Allegations involving student-worker respondents or other respondents who hold dual classifications will be routed to the most appropriate administrative resolution format depending on the individual context of the alleged misconduct, at the discretion of the Executive Director for Equity & Compliance. An **administrative resolution officer** ("ARO") is a general term to describe trained and qualified individuals who have a role in these processes.

An **affected party** is a member of the University community (student, faculty employee, or staff employee) who reports having experienced (or has been reported by another to have experienced) prohibited conduct under the Comprehensive Policy. Affected parties may be eligible to request supportive measures and/or file a complaint under either the Equitable Resolution Process or Title IX Sexual Harassment Grievance Process ("Grievance Process"), as applicable.

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

A **complainant** is an affected party who, at the time of the alleged misconduct, was a student or employee of the University or was participating or attempting to participate in the University's education programs or activities and has chosen to file a complaint against a respondent or otherwise participate in the Equitable Resolution Process or the Grievance Process.

A **complaint** is a physical or electronic document submitted in writing by a complainant or initiated by the EDEC, alleging one or more violations of the Comprehensive Policy by a respondent who is a current member of the University community (student, faculty employee, or staff employee), and requesting that the University intervene and investigate and/or adjudicate the matter under either the Equitable Resolution Process or the Grievance Process for Title IX Sexual Harassment (or alternative resolution options, if applicable).

Comprehensive Policy Administrator ("CPA") describes an employee of the University with a professional role in the administration of the policies and procedures of the Comprehensive Policy. This includes, but is not limited to, Office for Equity & Compliance staff, investigators, hearing administrators, administrative resolution officers, appeal administrators, and alternative resolution facilitators.

Education programs or activities includes locations, events, or circumstances over which the University exercises substantial control over both the conduct of a respondent and the context in which the conduct is alleged to have occurred. This also includes any building owned or controlled by a recognized student organization.

Equitable Resolution Process ("ERP") refers to the steps by which the University resolves complaints of alleged misconduct under the Comprehensive Policy, excluding allegations that meet the specific definitional and jurisdictional requirements of Title IX Sexual Harassment. The ERP is explained in Article 2 of the Comprehensive Policy.

The **Executive Director for Equity & Compliance ("EDEC")** is the director of the Office for Equity & Compliance and serves as the University's Title IX Coordinator. Throughout the Comprehensive Policy, some responsibilities of the EDEC may be delegated to other University personnel as needed to ensure efficient and effective service for all stakeholders.

A **finding** is a determination made at the conclusion of an investigation (ERP) or hearing (Grievance Process) as to whether or not the alleged violation has been substantiated under a preponderance of the evidence standard. A finding of either "responsible" or "not responsible" is assigned to each alleged policy violation individually. In cases involving multiple complainants and/or multiple allegations of the same violation, a respondent may be found responsible for multiple violations of the same policy.

The **Grievance Process for Title IX Sexual Harassment ("Grievance Process")** is the set of procedures used by the University to address alleged misconduct that meets the definitional and jurisdictional requirements of Title IX Sexual Harassment, as required under applicable Title IX regulations (34 CFR 106.45). The Grievance Process is explained in Article 3 of the Comprehensive Policy.

Heightened risk factors is a term used to describe elements that, if suggested in a report of alleged misconduct, may warrant the University initiating a complaint irrespective of the wishes and/or participation of the affected party. Heightened risk factors may include, without limitation, indications of predation, threatened or actual violence, weapons, minors, a pattern of alleged misconduct, and/or a potential threat to the safety of the University community.

An **OEC Review** is an internal review of a report or complaint conducted by the OEC (a) to assess the potential applicability of the Comprehensive Policy or other University policies to the reported incident; (b) to ensure that any affected party receives timely and accurate information about their rights and options; and (c) to appropriately and efficiently respond to a reported incident consistent with applicable legal and policy requirements.

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

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

Protected classes are categories of individuals who share a characteristic such that they qualify for protections against discrimination under the law (and under the Comprehensive Policy). Protected classes at Loyola include race[1], color, religion[2], sex, age, sexual orientation, gender identity or expression[3], national or ethnic origin, ancestry, disability, marital status, parental status, military/veteran status, and any other characteristic protected by applicable law.

Recognized student organization means a student organization recognized by the University according to applicable policy. The term "recognized student organization" includes both registered student organizations ("RSOs") and sponsored student organizations ("SSOs"), as defined by applicable policies in the Division of Student Development.

A **report** is a disclosure or other communication to the Office for Equity & Compliance or to another University official with the authority to institute corrective measures on behalf of the University that directly notifies the University of an allegation of prohibited conduct under the Comprehensive Policy. A report may be made by any individual (including referrals from third parties) or may be anonymous, and is distinct from a complaint.

A **reporter** is an individual who informs the University of an alleged incident and/or violation of the Comprehensive Policy. The reporter may be the same as the affected party (the person who experienced the alleged misconduct) or may be a third party.

A **respondent** is an individual who has allegedly engaged in prohibited conduct that could constitute a violation of the Comprehensive Policy. For the purposes of reports and ERP complaints only (i.e., not applicable to Grievance Process complaints), a respondent may also be a recognized student organization.

A **responsive intervention** is an action undertaken by the University in response to a report or complaint that is intended to ensure or improve the safety and inclusivity of the University community. Responsive interventions range from referring a matter to be addressed by a supervisor to issuing an emergency removal directive, and are undertaken with balanced consideration for the needs of the individual parties, the broader University community, and the University as an institution.

Sanctions (also known as "assigned outcomes" under the Community Standards applicable to students) are individual consequences assigned to a respondent after a finding of responsibility under either the ERP or the Grievance Process, as applicable.

Student means any person in attendance (in person or online) at Loyola, including its Arrupe College. Students include undergraduate, graduate, doctoral, and non-degree-seeking persons.

Title IX Sexual Harassment is a category of offenses that includes Quid Pro Quo and Title IX Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking, when the offense(s) are alleged to have occurred within the definitional and jurisdictional requirements of Title IX. Complaints alleging Title IX Sexual Harassment that meet these requirements, as assessed by the EDEC, are addressed under the Grievance Process.

[1] Race includes traits associated with race, including but not limited to hair texture and protective hairstyles such as braids, locs, and twists.

[2] Except where religion is a bona fide occupational qualification for specific employment.

[3] Gender-related identity is a protected class in Illinois, encompassing gender identity and expression under the Illinois Human Rights Act, 775 ILCS 5/1-103(O-1).

III. The Office for Equity & Compliance

The Office for Equity & Compliance ("OEC") exists to centralize and coordinate University-wide compliance with Title IX and other equity-based federal and state laws and regulations. The OEC staff includes the Executive Director for Equity & Compliance ("EDEC"; who also serves as Loyola's Title IX Coordinator), a team of Equity Investigators, and a dedicated Case Manager.

Office for Equity & Compliance
Loyola University Chicago
Granada Center, Suite 403
6439 N. Sheridan Rd.
Chicago, IL 60626
(773) 508-7766 (office)
equity@luc.edu
LUC.edu/equity

The OEC acts with independence and authority free from bias or conflicts of interest to oversee the resolution of reports and complaints arising under the Comprehensive Policy and to ensure that all University representatives who assist with administration of the Comprehensive Policy act with objectivity and impartiality.

The work of the OEC is also supported University-wide by several key partners, including the University's Department of Campus Safety ("Campus Safety"), the Wellness Center, Human Resources, the Office of the Dean of Students ("ODOS"), and the Office of the Provost. Notably, the ODOS is a key resource for students involved in any matter covered by the Comprehensive Policy, from resourcing affected parties to supporting and advising respondents.

More information about the OEC and other critical campus partners may be found at the OEC website: LUC.edu/equity.

A. Comprehensive Policy Administrators

The OEC also relies on a pool of trained and qualified Comprehensive Policy Administrators ("CPAs") who assist with the University's response to reports and the administration of the ERP and the Grievance Process. CPAs are otherwise employed by the University and serve in such a capacity based on their respective roles. CPAs perform various functions impartially and free from conflicts of interest and bias, at the coordination and direction of the EDEC.

CPAs are trained in compliance with applicable federal and state laws and regulations. This training is designed to ensure the consistent application of the Comprehensive Policy (including the ERP and the Grievance Process) and maintain CPAs' understanding of relevant processes and concepts.

IV. Related Federal and State Laws

Various federal and state civil rights laws apply to Loyola, including but not limited to Title IX of the Educational Amendments of 1972 and its implementing regulations (collectively referred to as "Title IX"), Title VI of the Civil Rights Act of 1964 and its implementing regulations (collectively referred to as "Title VI"), relevant parts of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 ("ADA/504"), Jeanne Clery Campus Safety Act ("Clery Act"), Illinois Preventing Sexual Violence in Higher Education Act ("PSVHE Act"), and Illinois Abused and Neglected Child Reporting Act ("ANCRA").

These laws and others require that Loyola respond in a prescribed manner to reports and complaints of discrimination, sexual misconduct, and related misconduct occurring within the University's education programs or activities. The Comprehensive Policy is designed to comply fully with these various obligations, where applicable, and to enable the University to identify, stop, prevent, and remedy any hostile environment that may exist at Loyola due to such misconduct. Additional information about select applicable laws is found in Appendix A.

V. University Nondiscrimination Policy

Loyola adheres to all applicable federal and state civil rights laws and regulations prohibiting discrimination in private institutions of higher education. Loyola does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of race, color, religion, sex, age, sexual orientation,

gender identity or expression, national or ethnic origin, ancestry, disability, marital status, parental status, military/veteran status, or any other characteristic protected by applicable law.[4]

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

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

If you have questions about this Nondiscrimination Policy, Title IX, Title VI, or Title VII of the Civil Rights Act of 1964 ("Title VII"), or the ADA/504, or if you believe you have been discriminated against based on your membership in any protected class, please contact Tim Love, EDEC, or another member of the OEC at (773) 508-7766 or equity@luc.edu, and/or submit a report online at LUC.edu/equity.

A. Disability Discrimination and Accommodations Information

Loyola is committed to full compliance with applicable sections of ADA/504, which prohibit discrimination against qualified persons with disabilities, as well as other federal and state laws pertaining to individuals with disabilities. Under ADA/504, a person has a disability if they have a physical or mental impairment that substantially limits one or more major life activities. ADA/504 also protect individuals who have a history or record of a substantially limiting impairment, or who are perceived by others as having such an impairment.

If you have questions about disability discrimination or believe you have been discriminated against based on disability, please contact Tim Love, Executive Director for Equity & Compliance, or another member of the Office for Equity & Compliance, at (773) 508-7766 or equity@luc.edu, and/or you may submit a report online at LUC.edu/equity.

If you are a student or faculty or staff employee seeking accommodations for a disability, please review the following information.

1. Accommodations for Students with Disabilities

Loyola provides qualified students with disabilities the reasonable accommodations and support needed to ensure equal access to the education programs and activities of the University. All accommodations are made on a case-by-case basis. A student requesting any accommodation should first contact the Student Accessibility Center ("SAC"), which coordinates services for students with disabilities. The SAC reviews documentation provided by a student and, in consultation with the student, determines which accommodations are appropriate to the student's particular needs and programs. For information about faculty employees' obligations to cooperate with the SAC regarding academic accommodations based on students' disabilities, see the Faculty Handbook.

If, after working with the SAC, a student feels that the University has failed to accommodate them appropriately, a report may be submitted to the OEC.

2. Accommodations for Faculty and Staff Employees and Applicants with Disabilities

Pursuant to ADA/504, Loyola provides reasonable accommodation(s) to all qualified faculty and staff employees and applicants with known disabilities, where their disability affects the performance of their essential job functions, except where doing so would be unduly disruptive or would result in undue hardship.

[4] It should be noted that while the Faculty Handbook uses a slightly different phrasing to describe the University Nondiscrimination Policy, the substance of these policies is consistent.

Any faculty or staff employee or applicant with a disability is responsible for requesting an accommodation and providing appropriate documentation according to the University's established procedures. For more information about these procedures, see Human Resources' online accommodation notice, Faculty Handbook, or collective bargaining agreement, as applicable.

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

3. Accommodations for OEC Processes

Loyola is committed to providing reasonable accommodations and support to qualified students, faculty and staff employees, or others with disabilities to ensure equal access to OEC processes, including but not limited to OEC Reviews, the ERP, and the Grievance Process. Anyone needing such accommodations or support should inform the OEC, which may connect the individual with the SAC (for students) or Human Resources (for employees) to evaluate any requests and, in consultation with the person requesting the accommodation and the EDEC, determine what accommodations are appropriate and necessary for full participation in the relevant process.

B. Pregnancy or Related Conditions Information

The University is firmly committed to creating a welcoming, accessible, and inclusive environment for pregnant and parenting students and faculty and staff employees. Discrimination against any student or faculty or staff employee based on pregnancy or related conditions is a form of sex discrimination and prohibited under Title IX. Additional information is available at LUC.edu/equity.

1. Information for Pregnant and Parenting Students

Reasonable assistance for pregnancy or related conditions varies and is provided in response to a student's circumstances. Such assistance may include, but is not limited to: counseling services; option for voluntary leave of absence; utilization of lactation spaces; breaks during class or work to attend to health, breastfeeding, or lactation needs; extension of time for coursework and rescheduling of tests and examinations; and changes in physical equipment or supplies**.** Students seeking to request assistance or additional information related to pregnancy or related conditions should submit the Pregnant & Parenting Assistance Request Form, available at LUC.edu/equity, or contact any staff in either the OEC or ODOS.

2. Information for Pregnant and Parenting Employees

Faculty or staff employees seeking to request assistance or additional information related to pregnancy or related conditions should contact Human Resources.

VI. Jurisdiction

The Comprehensive Policy applies to conduct by any current University student or employee (faculty and staff) that takes place on any of Loyola's campuses (in the United States or abroad), within the University's education programs or activities, and/or in any other circumstances (including off-campus and online) when the OEC determines that the conduct affects a University interest.

Regardless of where the conduct occurred and whether the affected party is a member of the University community, the University will review all allegations to determine whether the conduct occurred in the context of its employment or education programs or activities and/or has continued effects therein. University interests may include, but are not limited to:

1. Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law;
2. Any situation where it appears that a respondent may present a danger or threat to the health or safety of oneself or others;

3. Any situation that significantly impinges on the rights, property, or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or
4. Any situation that is detrimental to the educational, professional, or operational interests of the University.

Loyola reserves the right, at its sole discretion, to impose limitations on respondents who are not current students or faculty or staff employees, but who are reported to have engaged in prohibited conduct as defined by the Comprehensive Policy or another University policy. Such a limitation may include but is not limited to barring an individual from all University property and/or events.

Respondents in this category may include, but are not limited to: guests and visitors to the University; individuals who are admitted and/or deposited to Loyola but are not yet in attendance; individuals who attend post-secondary educational institutions other than Loyola while residing in a Loyola residence facility; and former students, alumni, and others who are not enrolled for a particular term but who have a continuing relationship with or educational interest in Loyola (e.g., students under suspension, on a leave of absence, or participating in an activity in preparation for attendance, such as orientation, Bridge to Loyola, Arrupe Summer Enrichment Program, and residence hall check-in).

If a respondent is unknown or is not a student or employee of the University, the OEC or ODOS can still assist the affected party in accessing supportive measures and other resources on or off-campus, including (when applicable) assisting the affected party with reporting to local law enforcement and/or Campus Safety.

Reports from affected parties who are not current students or employees of the University community (including applicants and former students and employees) alleging prohibited conduct by a respondent who is a current student or employee will be reviewed by the University to assess whether University interests may still warrant responsive action.

VII. Prohibited Conduct

The following behaviors conflict with the University's values and expectations for members of the University community (and in some cases, applicable laws), and are therefore prohibited at Loyola. The following policies may be applied to single incidents as well as patterns and/or climate, all of which may be investigated or otherwise addressed in accordance with the Comprehensive Policy. The University also reserves the right to address these behaviors through other University processes when they are of a general nature and/or do not appear to have been motivated by a person's status in a protected class. Except as otherwise required by applicable law, none of these policies are meant to restrict academic freedom as described in the Faculty Handbook or a collective bargaining agreement, as applicable.

Unless otherwise indicated, all definitions provided below are as applied for the purposes of the Comprehensive Policy, and may differ from definitions used by law enforcement and/or courts for criminal, civil, or other legal purposes, including reporting under the Clery Act (see Article 1, subsection XIV(A)). Illustrative examples and additional information may be found at LUC.edu/equity.

A. Discrimination

Discrimination is the different treatment of another person, based wholly or partially on a person's actual or perceived membership in a protected class. When substantiated, discrimination will be appropriately addressed and remedied, whether through sanctions, responsive interventions, and/or other means.

The following are various forms of discrimination, each of which is strictly prohibited at Loyola:

1. Disparate Treatment Discrimination

Disparate treatment discrimination is the intentional differential treatment of a person based wholly or partially on actual or perceived membership in any protected class(es) and that excludes a person from participation in, denies the person the benefits of, or otherwise adversely affects the person's participation in the University's education programs or activities.

2. Programmatic Discrimination

Programmatic discrimination occurs when, in a systematic way, and based on an institutional policy or practice, a group of persons in one or more protected class is adversely affected such that the group (or some members thereof) is excluded from participation in or denied the benefits of the University's education programs or activities because of their membership in the protected class.

Disparate treatment discrimination may result in sanctions; whereas programmatic discrimination (when not attributed to an individual respondent) may instead be remedied through responsive interventions that restore equal access to the education programs or activities, as applicable.

3. Discriminatory Harassment

Discriminatory harassment is intentional, unwelcome, and offensive conduct towards a person on the basis of one or more actual or perceived protected class characteristic(s). Objective offensiveness is assessed from the position of a reasonable person in the same or similar circumstances as the affected party. Discriminatory harassment may – but need not – include physical or verbal abuse, the use of slurs, epithets, or derogatory terms, threats, mockery, intimidation, bullying, and/or hazing. The affected party need not necessarily be a member of the protected class at issue for the harassment to be objectively offensive.

4. Hostile Environment Discriminatory Harassment

A hostile environment may be created when unwelcome conduct based on one or more actual or perceived protected class characteristic(s), based on the totality of the circumstances, is both 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 programs or activities. A hostile environment may result from the cumulative actions of one or more individuals, whether acting together or separately, and may involve conduct targeting multiple protected classes. Unwelcome conduct need not constitute discriminatory harassment *per se* for the conduct to contribute to a hostile environment.

When a hostile environment has been created, Loyola will take reasonable, timely, and effective steps to eliminate the hostile environment and to remedy the resulting harm.

5. Failure to Accommodate for Disability, Pregnancy or Related Conditions, or Religious Belief

Loyola is committed to making reasonable accommodations for qualified individuals with disabilities, pregnancy or related conditions, or religious beliefs, in compliance with applicable University policies and state and federal laws.

Failure to provide a reasonable accommodation in compliance with applicable University policies and state and federal laws is a form of discrimination and is prohibited at Loyola. This includes failing to provide an approved accommodation that has been properly invoked or asserted by a student or employee, or otherwise denying a person the ability to request or seek such an accommodation through an appropriate University process.[5]

Any individual who believes they have not been accommodated as required by University policies and/or by law may report the matter to the OEC for investigation.

[5] Requests for disability accommodations are not initially reviewed or approved by the OEC; rather, requests for academic accommodations for students are processed and decided by the SAC and requests for workplace accommodations for employees are processed and decided by Human Resources, in accordance with applicable law and University procedures. Any student or employee who believes an accommodation decision of SAC or Human Resources was noncompliant may report the matter to the OEC to initiate an OEC Review.

6. Other Discriminatory Misconduct

Violation of any other University policy may constitute other discriminatory misconduct when the violation is motivated by the affected party's actual or perceived membership in a protected class.

B. Sexual Misconduct

Acts of sexual misconduct[6] may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity or expression of those involved. Specific violations include the following:

1. Sexual Harassment

Sexual harassment is broadly defined[7] as:

- unwelcome sexual conduct (including verbal, written, online, and/or physical conduct),
- that is subjectively and objectively offensive.

Sexual harassment may occur without regard to the respondent's intent and is based on the totality of the circumstances. Unwelcomeness 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.

Sexual harassment also includes digital sexual harassment, defined as technology-facilitated abusive acts, including but not limited to unwelcome electronic communications based on sex or containing sexually-explicit material, and actual or threatened dissemination of a private or digitally altered sexual image without the depicted individual's consent.

Loyola reserves the right to remedy any form of sexual harassment when substantiated, whether or not the behavior constitutes *quid pro quo* or hostile environment sexual harassment. Sexual harassment may result in the imposition of sanctions and/or may be addressed through respectful conversation, remedial actions, education, alternative resolution, or referral to be addressed through other applicable University policies and procedures.

The following are specific forms of sexual harassment, each of which is strictly prohibited at Loyola:

a. Quid Pro Quo Sexual Harassment

Quid pro quo sexual harassment occurs when:

- an employee or other person authorized by the University,
- provides an aid, benefit, or service under the University's education programs or activities, and
- explicitly or impliedly conditions the provision of such aid, benefit, or service,

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[6] Various federal and state laws define violent and/or non-consensual sexual acts as different crimes in different contexts. For the purposes of the Comprehensive Policy, Loyola applies its own definitions and standards prohibiting sexual misconduct in the University community, which are informed by our institutional values and meet or exceed the minimum standards required by law.

[7] In addition to federal and state prohibitions, sexual harassment in the employment context is also prohibited by Chicago city ordinance. Chicago Municipal Code 6-010-040 defines sexual harassment as "any (i) unwelcome sexual advances or unwelcome conduct of a sexual nature or (ii) requests for sexual favors or conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or (2) submission to or rejection of such conduct by an individual is used as the basis for any employment decision affecting the individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment; or (iii) sexual misconduct, which means any behavior of a sexual nature which also involves coercion, abuse of authority, or misuse of an individual's employment position." All conduct falling under this definition is also prohibited by Loyola and covered under the Comprehensive Policy.

- on a person's participation in unwelcome sexual conduct.

b. Hostile Environment Sexual Harassment

A hostile environment is created when sexual harassment is:

- so severe or pervasive,
- that it unreasonably interferes with, limits, or effectively denies a person's ability to access, participate in, or benefit from Loyola's education programs or activities.

This definition applies to situations in the workplace (under Title VII), in any residential setting owned by the University (under the Fair Housing Act), and in other circumstances where the definitional or jurisdictional requirements of Title IX Sexual Harassment are not met.

c. Title IX Hostile Environment Sexual Harassment

Title IX hostile environment sexual harassment occurs when sexual harassment is so severe, pervasive, and objectively offensive that it effectively denies a complainant equal access to the University's education programs or activities.

This definition applies only in situations where the requirements of Title IX Sexual Harassment are met, as assessed by the EDEC. If the higher standard of Title IX hostile environment sexual harassment is not met, the allegation must be dismissed for Title IX purposes, but the allegation of hostile environment sexual harassment may instead be applied.

2. Sexual Assault

Sexual assault[8] is an umbrella term referring to forcible or nonforcible sex offenses under the Uniform Crime Reporting System of the Federal Bureau of Investigation. A sex offense is any sexual act directed against another person, without the consent of the complainant, including instances where the complainant is incapable of giving consent.

Specific sex offenses constituting sexual assault are defined and categorized at Loyola as follows[9]:

a. Non-Consensual Sexual Penetration

Non-consensual sexual penetration (also known as rape) is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration of a sex organ of the complainant or by a sex organ of the

[8] The definitions for sexual assault listed here (including rape, criminal sexual contact, incest, and statutory rape) encompass all behaviors that may constitute forcible and nonforcible sexual offenses under the National Incident-Based Reporting System (NIBRS). In Illinois, criminal sexual assault is defined as follows: *"A person commits criminal sexual assault if that person commits an act of sexual penetration and (1) uses force or threat of force; (2) knows that the victim is unable to understand the nature of the act or is unable to give knowing consent; (3) is a family member of the victim, and the victim is under 18 years of age; or (4) is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age"* (720 ILCS 5/11-1.20). This definition is applicable to criminal prosecutions for criminal sexual assault in Illinois; however, this definition differs from the language used by Loyola to address violations of the Comprehensive Policy.

[9] This general definition of sexual assault does not constitute a specific offense under the Comprehensive Policy; rather, it is a description encompassing six specific offenses. For the purposes of the Comprehensive Policy, Loyola classifies these offenses into four types of prohibited conduct (i.e., non-consensual sexual penetration, non-consensual sexual contact, incest, and statutory rape), which is consistent with the University's Clery Act reporting obligations and still encompasses all forms of sexual assault prohibited under Title IX.

respondent, without the consent of the complainant, including instances where the complainant is unable to give consent because of their age or because of a temporary or permanent mental or physical incapacity.[10]

b. Non-Consensual Sexual Contact

Non-consensual sexual contact (also known as fondling or criminal sexual contact) is the intentional touching of the clothed or unclothed genitals, buttocks, groin, breasts, or other body parts of the complainant for the purpose of sexual gratification[11], sexual degradation, or sexual humiliation, without the consent of the complainant, including instances where the complainant is incapable of giving consent because of their age or because of a temporary or permanent mental or physical incapacity. Forced touching of the respondent's clothed or unclothed genitals, buttocks, groin, breasts, or other body parts by the complainant for the purpose of sexual gratification, sexual degradation, or sexual humiliation, without complainant's consent, may also constitute non-consensual sexual contact.

c. Incest

Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Illinois law.[12]

d. Statutory Rape

Statutory rape is sexual intercourse with a person who is under the statutory age of consent (which in Illinois is 17).

3. Dating Violence

Dating violence is violence[13] committed by a respondent (a) who is or has been in a social relationship of a romantic or intimate nature with the complainant; 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, (iii) the frequency of interaction between the persons involved in the relationship. Dating violence does not include acts otherwise covered under the definition of domestic violence.

[10] As used here, the term "rape" is inclusive of "rape," "sodomy," and "sexual assault with an object" as defined under NIBRS.

[11] Contact with private body parts is considered to be done for the purpose of sexual degradation, sexual gratification, or sexual humiliation unless: (1) the contact can be proven inadvertent; (2) the contact is for a legitimate medical (or other privileged) purpose and thus is conduct for which consent should have been sought and obtained by the provider; (3) the contact involves a respondent who is pre-sexual, based on maturity/age (thus their intent is not sexual); (4) the contact involves a respondent who cannot developmentally understand sexual contact or that their contact is sexual; or (5) the contact is something like "butt-slapping" on an athletic team and is both minimal and unlikely to have sexual motivation or purpose, as shown by the context of the act(s).

[12] This includes as between (a) an ancestor and a descendent or between siblings, whether by half or whole blood or by adoption; (b) an uncle/aunt and nephew/niece, whether by half or whole blood; (c) between cousins of the first degree, with limited exceptions (750 ILCS 5/212).

[13] For purposes of the Comprehensive Policy, violence includes situations where the respondent intentionally or recklessly causes the complainant serious physical, emotional, or psychological harm. Limited exceptions include: legitimate use of violence for self-defense (because the purpose is safety, not harm); consensual use of violence (such as in kink relationships); and threats to harm oneself (which may instead be referred to Loyola's Behavioral Concerns Team).

4. Domestic Violence

Domestic violence[14] is violence committed by a current or former spouse or intimate partner of the complainant, by a respondent with whom the victim shares a child in common, by a respondent who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a respondent similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction, or by any other respondent against an adult or youth complainant who is protected from that respondent's acts under the domestic or family violence laws of the jurisdiction.

5. Sexual Exploitation

Sexual exploitation is when a person takes non-consensual or harmful sexual advantage of another (for their own benefit or for the benefit of anyone other than the person being exploited, and where the behavior does not otherwise constitute sexual harassment, sexual assault, dating violence, domestic violence, or stalking as defined in the Comprehensive Policy. Examples of sexual exploitation include, but are not limited to, the following:

- Sexual voyeurism (such as watching a person undressing, using the bathroom, or engaging in sexual acts without the consent of all persons observed).
- Taking pictures or video or audio recording another in a sexual act or in other private activity without the consent of all involved, or exceeding the boundaries of consent (such as disseminating otherwise consensual sexual pictures without the photographed person's consent).
- Knowingly making an unwelcome disclosure of (or threatening to disclose) a person's sexual orientation, gender identity, or gender expression.
- Prostitution of oneself or others.
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus ("HIV") or a sexually transmitted disease or infection without first disclosing the infection.
- Administering alcohol or drugs (such as "date rape" drugs) to another person without the other person's knowledge or consent and with the intent of taking sexual advantage of them.
- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections (e.g., "spoofing").
- Exposing one's genitals or breasts ("flashing") in non-consensual circumstances.
- Knowingly soliciting a minor for sexual activity.
- Knowingly creating, possessing, or disseminating child sexual abuse images or recordings.
- Creating or disseminating synthetic media, including images, videos, or audio representations of persons doing or saying sexually related things that never happened, or placing identifiable real people in fictitious pornographic or nude situations without their consent (e.g., "deepfakes").

[14] To categorize an incident as domestic violence under the policy, the relationship between the respondent and the complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship. In Illinois, "*A person commits domestic battery if he or she knowingly without legal justification by any means: (1) causes bodily harm to any family or household member; [or] (2) makes physical contact of an insulting or provoking nature with any family or household member*" (720 ILCS 5/12-3.2). This definition is applicable to criminal prosecutions and Clery reporting in Illinois; however, it differs from the language used by Loyola to address violations of the Comprehensive Policy.

6. Stalking

Stalking[15] is engaging in a course of conduct 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.[16]

For purposes of the Comprehensive Policy, a "course of conduct" requires that there be more than one incident, and the conduct must be directed at a specific individual. Stalking can occur in person or using technology, and the duration, frequency, and intensity of the conduct may be considered. Stalking incidents may include, but are not limited to, watching, following, using tracking devices, monitoring online activity, unwanted contact, property invasion or damage, hacking accounts, threats, violence, sabotage, and attacks. Merely annoying conduct, even if repeated, may be a nuisance but may not constitute stalking.

In instances where stalking is found not to have been motivated by a person's membership in a protected class, the report may be referred elsewhere to be investigated and/or adjudicated under other University policies (such as the Community Standards for student respondents) as applicable.

C. Retaliation Based on Protected Activity

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

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

"Protected activity" includes submitting a report or filing a complaint under the Comprehensive Policy under one's own or another's behalf; participating in or providing information related to an internal or agency investigation of alleged discrimination, sexual misconduct, or retaliation; exercising one's right to an accommodation for disability, pregnancy or related conditions, or religious observance; opposing a practice believed reasonably and in good faith to be discriminatory or harassing; or otherwise exercising one's rights under the Comprehensive Policy. Protected activity does not include intentionally making a materially false statement in bad faith.

Retaliation is a serious violation[17]; acts of alleged retaliation should be reported immediately to the OEC and will be promptly addressed. Supportive measures may also be available to proactively protect individuals who fear that they may be subjected to retaliation for reporting, filing a complaint, or otherwise participating in an investigative process under the Comprehensive Policy.

Reports of retaliation that are not governed by the Comprehensive Policy (e.g., retaliation for reporting fraud or other employee misconduct) may be referred elsewhere to be addressed under other applicable University policies and procedures.

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[15] In Illinois, "*A person commits stalking when he or she knowingly engages in a course of conduct directed at a specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to: (1) fear for his or her safety or the safety of a third person; or (2) suffer other emotional distress.*" (720 ILCS 12-7.3). This definition is applicable to criminal prosecutions and Clery reporting in Illinois; however, it differs from the language used by Loyola to address violations of the Comprehensive Policy.

[16] In the context of stalking, a complainant is not required to obtain medical or other professional treatment, and counseling is not required to show substantial emotional distress.

[17] Pursuant to Chicago Municipal Code 2-160-040, retaliation for reporting sexual harassment is illegal in Chicago.

D. Other Related Offenses

1. *Unauthorized Disclosure*

It is a violation of the Comprehensive Policy for any party, witness, or other person to distribute or otherwise publicize materials created or produced during an investigation or resolution process except as required by law or as expressly permitted by the University.[18] It is also a violation to publicly disclose a party's personally identifiable information without proper authorization or consent.

Unauthorized disclosure may result in any sanctions up to and including University suspension (for students) or termination (for employees).

2. *Failure to Comply/Process Interference*

Loyola students and employees are expected to comply with the reasonable directives of the OEC staff in the performance of their official duties. The following behaviors are prohibited:

- Intentional failure to comply with a reasonable directive, including a No Contact Directive or Limitation on University Activities or Access (LUAA);
- Intentional failure to comply with emergency removal or interim suspension terms;
- Intentional failure to comply with sanctions;
- Intentional failure to adhere to the terms of an agreement achieved through alternative resolution;
- Intentional failure to comply with the responsible campus partner reporting obligations (for applicable employees) as defined in the Comprehensive Policy; and
- Intentional interference with the ERP or Grievance Process, including but not limited to destroying or concealing evidence, soliciting or attempting to solicit knowingly false testimony, knowingly filing a false report or complaint, knowingly providing false testimony or evidence, or intimidating or bribing a witness or party.

VIII. Information Regarding Consent, Force, Coercion, Incapacitation, and Loyola's Consensual Relationships Policy

The following concepts are integral to understanding the Comprehensive Policy.

A. Consent

Consent is freely given, mutually understandable permission to engage in a specific sexual activity.[19] Since persons may experience the same interaction in different ways, it is the responsibility of each party to make certain that

[18] Nothing in this subsection restricts the ability of parties to: obtain and present evidence, including by speaking to witnesses (as long as it does not constitute retaliation); consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in an investigative or adjudicative process under the Comprehensive Policy. Additionally, nothing in this subsection prohibits, prevents, or otherwise limits any party, witness, or other individual from filing a charge with or participating, testifying, or assisting in any investigation, hearing, or other proceeding before any federal, state, and/or local government agency, or in any legislative or judicial proceeding, nor does anything in this subsection preclude, prohibit or otherwise limit, in any way, a party's, witness', or other individual's rights and abilities to contact, communicate with, or report matters to federal, state, and/or local officials for investigation or otherwise participate in any whistleblower program administered by such agencies.

[19] In Illinois, consent is defined as follows: "*a freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force*

the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other person consents to the specific nature and circumstances of the sexual conduct. Neither silence nor the absence of resistance convey consent. Consent also cannot be gained by force or coercion, and a person who is incapacitated cannot give consent.

Whether or not consent was communicated is based on the totality of the circumstances, including the context in which the sexual activity occurred and (if applicable), how the parties may have communicated consent in the past. However, past consent for sexual activity does not automatically convey current consent for sexual activity. Similarly, consent to some sexual activity (such as kissing or fondling) cannot be presumed to extend consent for other sexual activity (such as intercourse). The existence of a current or previous dating relationship also does not establish or convey consent.

Consent can be withdrawn at any time, and once the withdrawal of consent has been clearly communicated, the sexual activity must cease immediately.

B. Force

Force is the use or threat of physical violence and/or imposing on someone physically to gain sexual access. Sexual activity that is forced is by definition non-consensual.

C. Coercion

Coercion is the use of pressure, intimidation, or threats to gain sexual access. Coercive behavior differs from seductive or sexually inviting behavior or the negotiation of boundaries/desires. When a person communicates that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, pressuring, intimidating, or threatening that person to overcome their resistance can constitute coercion.

D. Incapacitation

Incapacitation is defined as a state in which a person cannot fully understand or comprehend the nature or context of their decisions and/or actions. An incapacitated person cannot, by definition, consent to sexual activity because they cannot understand or appreciate the "who, what, when, where, why, or how" of the sexual activity in question. Incapacitation may result from a person consuming a large amount of alcohol or other drugs, having a mental disability, being asleep or passed out, or being involuntarily physically restrained. Incapacitation is a state beyond intoxication.

A person cannot consent to sexual activity if they are incapacitated. A person who engages in sexual activity when that person knows or reasonably should know that the other person is physically or mentally incapacitated has violated the Comprehensive Policy. The intoxication of a respondent, such that the respondent may not have realized the incapacity of an affected party, does not excuse such a violation.

Under Illinois law[20], a person under 17 years old does not have the capacity to consent to sexual activity under any circumstances. This means that any sexual activity with a person under 17 is both a crime and a violation of the Comprehensive Policy, even if the person wanted to engage in the activity.

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or threat of force by the accused shall not constitute consent. The manner of dress of the victim at the time of the offense shall not constitute consent" (720 ILCS 5/11-0.1). Additionally, a *"person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct"* (720 ILCS 5/11-1.70). This definition is applicable to criminal prosecutions in Illinois; however, this definition differs from the language used by Loyola to address violations of the Comprehensive Policy.

[20] In Illinois, a person commits criminal sexual abuse (or other related crime) who, "*commits an act of sexual penetration or sexual conduct with a victim who was…under 17 years of age…*" (720 ILCS 5/11-1.50). This definition

E. Loyola's Consensual Relationships Policy

In order to protect the integrity of the University academic and work environment, Loyola's Consensual Relationships Policy outlines the limitations on consensual relationships between faculty, staff, affiliates, and students at the University, as more specifically described in that policy, available at LUC.edu/hr/policies/consensualrelationshipspolicy/.

IX. Reporting Discrimination, Sexual Misconduct, Retaliation, and Other Related Offenses

Loyola encourages anyone who experiences misconduct under the Comprehensive Policy to report the incident to the University, so that the University may respond promptly and equitably. For the purposes of the Comprehensive Policy, ***reports*** are distinguished from ***complaints***, which are addressed separately in Article 1, subsection XII.

The University recognizes the privacy and sensitivity of reports, and only shares information internally on a need-to-know basis when necessary to respond effectively to a report. The University also understands that for various reasons an affected party may prefer to report anonymously or to share only limited information. To ensure that accurate information and resources are provided in a timely and consistent manner, the following policies apply University-wide.

A. Reporting Options

Any individual may report all forms of discrimination, sexual misconduct, and/or retaliation using any of the following methods. There is no time limitation on reporting allegations. However, if the respondent is no longer subject to the University's jurisdiction or if substantial time has passed since the underlying incident occurred, the University's ability to investigate, substantiate alleged violations, take disciplinary action, provide remedies, or otherwise respond to the allegations may be limited.

1. **(PREFERRED OPTION)** Report concerns directly to the OEC using the publicly available Online Referral/Report Form available at LUC.edu/equity. Online reporting is available year-round, 24 hours a day, 7 days a week (including University holidays).
2. Report to the OEC via email at equity@luc.edu or by emailing the Title IX Coordinator or any Deputy Title IX Coordinator at the contact information provided in Appendix A, subsection I(A).
3. Report to the OEC via phone, in person, or by postal mail using the following directory information for the office, located at Loyola's Lake Shore Campus:

   Loyola University Chicago
   Office for Equity & Compliance
   Granada Center, Suite 403
   Chicago, IL 60626
   (773) 508-7766

   The OEC office is open year-round, Monday through Friday, from 8:30 AM – 5:00 PM CST (except for University holidays).
4. *(For concerns about a student only)* Report online or in person to the CURA Network, under the Office of the Dean of Students. The Office of the Dean of Students will in turn notify the OEC.
5. *(For concerns about a faculty or staff employee only)* Report in person, by phone, or electronically to the Department of Human Resources. Human Resources will in turn notify the OEC.

All reports are acted upon promptly, and every effort is made by the University to preserve the privacy of reports. For more information about privacy, see Article 1, subsection XIV.

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is applicable to criminal prosecutions in Illinois; however, this definition differs from the language used by Loyola to address violations of the Comprehensive Policy.

If the alleged misconduct is criminal in nature, any member of the community, including guests and visitors, may also contact Campus Safety and/or local police to make a report. Campus Safety will inform the OEC when a violation of the Comprehensive Policy is reported to them directly or from an outside source.

B. Anonymous Reporting

Any individual may report an incident anonymously using the Online Referral/Report Form posted at LUC.edu/equity. Depending on the nature of the anonymous report and the information provided, anonymous reports may still prompt the EDEC to file a complaint and investigate according to the ERP or the Grievance Process. However, it should be noted that the University's ability to offer and/or provide supportive measures, investigate the alleged incident(s), impose sanctions, provide appropriate remedies, and otherwise respond to a report is limited in cases where no affected party or complainant is identified.

C. Responsible Campus Partner Reporting Obligation

With very limited exceptions (see subsections (1-5), below), **all Loyola faculty and staff employees must report any known, disclosed, alleged, or otherwise reported (formally or informally) incidents of sexual misconduct** that satisfy any of the following criteria:

- Sexual misconduct **against any individual who is currently a minor**[21] by any individual
- Sexual misconduct ***against*** **any individual who is or was a student at the time of the incident**
- Sexual misconduct ***by*** **any individual who is or was a student or employee (faculty or staff) at the time of the incident**

Faculty and staff employees and others with such a duty are referred to as "responsible campus partners," and are to report such incidents within 24 hours of becoming aware of the incident. Responsible campus partners are not permitted to submit an anonymous report to discharge their reporting responsibilities.

In order not to betray the trust of any student or other affected party, responsible campus partners should be forthright and transparent about this obligation at all times. Additionally, responsible campus partners should maintain strict privacy with respect to student disclosures and reports; the OEC will notify individuals with a legitimate business need to know, as necessary.

Reporters and/or affected parties may therefore want to consider carefully whether they share personally identifiable details with responsible campus partners, as responsible campus partners must promptly share all details of such reports they receive – including the identities of all known parties – preferably via the Online Referral/Report Form available at LUC.edu/equity.

Failure of a responsible campus partner, as described in this subsection, to report an incident of sexual misconduct of which they are aware is a violation of the Comprehensive Policy and may subject the responsible campus partner to disciplinary action.

Note that this obligation is for reports and disclosures of sexual misconduct only, and except as applied to supervisors/managers (see "Obligation for Supervisors/Managers to Report Discrimination and Retaliation" below), does not apply to reports of discrimination or retaliation. **However, all responsible campus partners are strongly encouraged to consult with the OEC regarding all reported/alleged instances of discrimination, sexual misconduct, and equity-based retaliation occurring within the University's education programs or activities.** Doing so ensures that appropriate resources and support are always provided to affected parties and that the University's response is compliant with its obligation to prevent and address any potential hostile environment concerns.

[21] For purposes of the Comprehensive Policy, "minor" means any student under 18 years of age and any non-student guests or visitors under 18 years of age at any University-sponsored or affiliated program – including camps, community programs, and special events. All employees of Loyola are mandatory reporters of child abuse and neglect under Illinois' Abused and Neglected Child Reporting Act (325 ILCS 5, Section 4).

1. Exception for Affected Party Employees

The responsible campus partner obligation does not apply to an employee who has personally been subject to conduct that reasonably may constitute sexual misconduct. However, such employees are, of course, encouraged to report such matters so that assistance may be provided.

2. Exception for Student Employees

Students (including student workers and graduate assistants) are excluded from the responsible campus partner obligation at all times and regardless of whether the student is acting in an employment or student capacity.[22]

3. Exception for Select Designated Employees

At Loyola, students wishing to speak to a member of the University about an experience of sexual misconduct without initiating an OEC report should contact the Sexual Assault Advocates ("Advocates") of the Wellness Center. Advocates are the only University employees who are designated as "confidential advisors" under the PSVHE Act (110 ILCS 155, Section 20), and as such, Advocates can help students access available supports and resources in the University and/or in the local community without triggering a duty to have the matter reported to the OEC. Advocates can be contacted free of charge through the Advocacy Services at the Wellness Center or by calling the Advocacy Hotline at 773-494-3810 during the extended business hours posted online.

In addition, the following categories of employee are also exempt from the reporting obligations of responsible campus partners in certain situations, **only when the employee is acting in the professional capacity indicated**, and subject to the limitations below:

- Licensed professional counselors and staff
- Health service providers and staff
- Catholic priests (only when offering the Sacrament of Reconciliation/"confession") and other pastoral counselors[23]

Students and employees seeking confidential services off-campus may also want to consult with local community resources, such as:

- Licensed professional counselors
- Local rape crisis counselors, such as Resilience (888) 293-2080 in Chicagoland
- Some local or state assistance agencies
- Perspectives, Loyola's Employee Assistance Program (for employees)

It should be noted that even the above-listed individuals may have an obligation to report matters to the University, law enforcement, or others, in cases where either (a) the failure to disclose would result in a clear, imminent risk of serious physical injury to or death of any person, (b) the matter involved the alleged abuse of a minor, or (c) disclosure is otherwise required by law. Additionally, these individuals may still be required to submit anonymous statistical information to the OEC for Clery Act purposes unless they believe it would be harmful to their client, patient, or parishioner.

4. Exception for Safe Haven Programs

Programming around sexual assault and harassment, intimate partner and/or domestic violence, and stalking is an important educational tool. At times, it may be appropriate or reasonable to expect that students would disclose

[22] Some student leadership roles (e.g., Resident Assistants, Orientation Leaders, etc.) may require internal reporting to a professional staff member as a function of their duties.

[23] "Pastoral counselor" here refers to a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor. For assistance identifying a pastoral counselor from a non-Catholic faith tradition, contact the Department of Campus Ministry, at 773-508-2200.

personal experiences with these topics during these programs. “Safe Haven” events are events where, even if one or more responsible campus partners are present, a personal disclosure or allegation of sexual misconduct would not trigger an obligation to report the matter to the OEC. Safe Haven designation must be pre-approved by the EDEC, and several elements must be in place before the event will be designated a Safe Haven event. These requirements include:

- A trained advocate must be present for the entirety of the program
- Advertisements must label the program as a Safe Haven event
- Information about how to report sexual misconduct to the OEC must be provided

When planning to host or facilitate a Safe Haven event (or any educational program about sexual misconduct), planners are encouraged to contact the Wellness Center or OEC to receive information about best practices. To request a trained advocate to be present at a proposed event, please contact the Advocacy Coordinator in the Wellness Center.

5. Exception for IRB-Approved Research

Loyola provides a narrow exemption to its responsible campus partner reporting obligation for research activities that have been approved by the Institutional Review Board (“IRB”). The University will exempt a faculty member who may otherwise be a responsible campus partner from the reporting obligation when acting in a researcher role. This exemption reflects the fact that student participants in research studies would expect confidentiality, which is fundamental to conducting ethical research with human participants.

Student participants in research studies will be informed that relevant disclosures in IRB-approved research will not be shared with the University and do not constitute notice to the University of an allegation or report of sexual misconduct. Applicable disclosures made to researchers in all other settings (e.g., during office hours, academic advising, classroom discussions, informal discussions, or classroom assignments) must still be reported to the OEC. For further information about the limitations of this exemption, see the IRB website: LUC.edu/irb.

D. Obligation for Supervisors/Managers to Report Discrimination and Retaliation

To the extent required by law, faculty and staff employees who hold supervisory or managerial responsibilities have an obligation to report any known, disclosed, alleged or otherwise reported (formally or informally) incidents of discrimination or retaliation against or by a current Loyola student or faculty or staff employee. Note that as with other Responsible Campus Partners, managers are not permitted to submit an anonymous report to discharge their reporting responsibilities.

E. Encouraged Referral of Pregnant Students for Resourcing

Under Title IX, all University employees to whom a pregnant student (or person authorized to act on the pregnant student’s behalf) discloses a pregnancy are encouraged to inform the student that the student has rights related to their pregnancy or related conditions under Title IX and to provide contact information for the Title IX Coordinator. Employees may also submit an Online Referral/Report Form, and the EDEC or their designee will follow up with the student to inform them of their rights. See the OEC’s website at LUC.edu/equity for additional information about navigating disclosures of pregnancy or related conditions.

F. Good Samaritan and Medical Amnesty Protocol (Students Only)

Loyola encourages students to report all incidents of discrimination, sexual misconduct, and retaliation. Sometimes, students in particular may be hesitant to report such matters to University officials or participate in resolution processes because they fear that they themselves may become subject to disciplinary action for their own misconduct, such as an underage student who was drinking alcohol when they were sexually assaulted. To encourage reporting and alleviate such barriers, Loyola maintains the *Good Samaritan and Medical Amnesty Protocol*, which offers protections against some disciplinary action for certain students who come forward to

report or otherwise assist with crises involving sexual misconduct and other specific circumstances. More information about the Good Samaritan and Medical Amnesty Protocol can be found in the Community Standards.

G. False Reports, Allegations, or Information

Deliberately submitting a false report, filing a false complaint, or intentionally providing materially false information in bad faith by any affected party, complainant, witness, or respondent in relation to the policies and procedures of the Comprehensive Policy are serious offenses and may subject the offender to disciplinary action. Such offenses are distinct from erroneous and/or inaccurate allegations or information made or provided in good faith.

Disciplining an individual under any applicable University policy (such as the Community Standards, for students) for making a materially false statement in bad faith in the course of a proceeding under the Comprehensive Policy does not constitute retaliation by the University. However, a determination of responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

X. Advisor Support

An advisor is a person who may accompany an individual (or recognized student organization) who is an affected party, complainant, or respondent during any meeting or proceeding related to a report or complaint under the Comprehensive Policy. Advisors are only available for student parties unless otherwise required by law. Except where required by Title IX under the Grievance Process (Article 3), advisors are strictly optional, and the choice of whether or not to utilize an advisor is up to each party.

An advisor may not speak, write, or otherwise communicate on behalf of a party, with the limited exception of presenting the advisee's proposed questions to other parties or witnesses during a Grievance Process hearing according to the procedures described in Article 3. Advisors may not engage in behavior or communications that harass, abuse, or intimidate any party, witness, or other individual involved in the matter. Advisors who do not abide by these guidelines may be removed from any meeting and excluded from serving in an advisor role, to be replaced with another advisor of choice or, if needed, an advisor assigned by the University.

An advisor may be any person of the party's choosing, including an attorney. When an advisor is also an attorney, this must be disclosed to the University, and the advisor is still limited to the supportive and non-representative role described here. An attorney of the University's choosing may also attend any proceeding whenever an attorney serving as an advisor is present. Choosing an advisor who is also a potential witness (such as a roommate or colleague who was present during the alleged incident) creates potential for bias and conflicts of interest. A party who chooses an advisor who is also a witness can anticipate that issues of potential bias will be explored by the Investigator.

Advisors are expected to maintain the privacy of any records shared with them. Such records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the University, unless required by law. Advisors will not be compelled to participate as a witness in any investigation or hearing (if applicable). The University may restrict the role of any advisor who does not respect the sensitivity of the matter or who fails to abide by the University's privacy expectations.

A. Advisors for Students

Student or student organization parties involved in any OEC process may be accompanied by one advisor of their choice, provided that the selection of the advisor does not cause an undue delay of resolution of the matter. It is the responsibility of each party to coordinate scheduling with their advisor for any meetings. The University will not delay meetings or proceedings to accommodate an advisor's availability.

Any student party may request assistance from the OEC in identifying an available advisor, and an advisor will be provided who is aligned with the party's interests.[24] However, the University cannot ensure or guarantee the quality of any University-provided advisor.

B. Advisors for Employees

As employees of the University, faculty and staff employee parties are expected to represent themselves for the purpose of the internal, administrative processes under the Comprehensive Policy, subject to limited exceptions where required by law. These exceptions include: (a) a faculty or staff employee who is a member of a union and is a respondent (and may therefore be subject to potential disciplinary action) may be accompanied by a union representative as an advisor;[25] and (b) a faculty or staff employee who is a party in a Title IX Grievance Process may be accompanied by an advisor of their choosing.

Nothing in this subsection precludes a faculty or staff employee from consulting privately with counsel or other confidential resources about an OEC matter; but such resources may not speak on behalf of or otherwise represent an employee for the purposes of the University's internal, administrative processes unless explicitly permitted under the Comprehensive Policy.

XI. OEC Review

The OEC conducts a timely and impartial OEC Review upon receipt of all incoming reports and complaints. OEC Review is an internal review of a report or complaint conducted by the OEC (a) to assess the potential applicability of the Comprehensive Policy or other University policies to the reported incident; (b) to ensure that any affected party receives timely and accurate information about their rights and options; and (c) to appropriately and efficiently respond to a reported incident consistent with applicable legal and policy requirements. OEC Reviews may include but are not limited to the following:

- Assessing whether the reported conduct, if substantiated, may reasonably constitute a violation of the Comprehensive Policy.
- Determining whether the University has jurisdiction over the reported conduct and applicable parties, as defined in the Comprehensive Policy.
- Notifying the affected party, complainant, and/or third party reporter of their rights as applicable to the circumstances, including: the right to supportive measures; the right to pursue available resolution pathways (including a supportive and remedial response, alternative resolution, and/or the ERP or Grievance Process) as applicable to the circumstances; and the right to be protected from retaliation.
- Coordinating supportive measures for any affected party, complainant, respondent, or other party, as applicable.
- Determining whether a complaint – if initiated – would fall under either the ERP or Grievance Process and whether such a complaint will be initiated by an affected party or by the EDEC.
- Assessing whether any timely warning may be necessary under the Clery Act, in consultation with Campus Safety, as needed.[26]

OEC Reviews may entail an internal, administrative review of the reported facts and circumstances, and may include interviews with relevant parties or other University personnel, review of departmental policies or procedures, or review of other relevant documentation. The results of OEC Reviews are only shared with those who have a legitimate, operational need to know.

No audio or video recording of any kind is permitted by anyone other than the investigator, during any meetings associated with OEC Reviews. If the investigator elects to audio and/or video record meetings, all parties present

[24] The University will not provide an advisor for faculty or staff employees.

[25] Nothing in this subsection will limit or abridge rights otherwise afforded under a collective bargaining agreement.

[26] See also, Article 1, subsection XIV(B).

are first made aware of and must consent to the recording. Meeting recordings remain a part of the case file through the final resolution of the matter.

OEC Reviews are less formal than investigations conducted under the ERP or Grievance Process and do not usually result in disciplinary outcomes but may result in responsive interventions designed to help University departments or leadership identify and remedy shortcomings in policies or procedures, recognize a need for additional training or awareness, or otherwise enhance the University culture or climate, consistent with legal requirements and/or the University's Catholic, Jesuit values.

Reports and complaints that challenge a University policy or procedure, attribute misconduct to a Univeristy office or department, or allege that some aspect of University operations is noncompliant with equity laws or the Comprehensive Policy may be addressed through an OEC Review.

If, in the course of an OEC Review, evidence is discovered to suggest a serious violation of the Comprehensive Policy may have occurred, the EDEC may escalate the matter by filing a complaint on behalf of the University, which will initiate the ERP or Grievance Process, as applicable. In the event that a respondent admits to violating the Comprehensive Policy in the course of an OEC Review, the matter may be referred immediately for administrative resolution (i.e., corrective action). Information shared with OEC staff during an OEC Review may be relied upon in any ERP or Grievance Process arising from an OEC Review.

If the conduct as alleged would not reasonably constitute a violation of the Comprehensive Policy, or if the OEC does not have jurisdiction over the reported conduct, then the matter may be dismissed, consistent with applicable dismissal provisions.

A. Outreach to Affected Parties

Immediately upon electronic submission of a report by any individual (whether reported by the affected party or a third party reporter) using the Online Referral/Report Form, the reporter is automatically directed to concise information, written in plain language, concerning the rights and resources available to affected parties.[27] These resources are also publicly available on the OEC website, at LUC.edu/equity.

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

B. Supportive Measures

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

Supportive measures are non-disciplinary, and are designed to restore or preserve equal access to the University's education programs or activities without unreasonably burdening other parties, including measures designed to protect the safety of all parties or the University's educational environment, or deter prohibited conduct. The University treats supportive measures as private, provided that privacy does not impair the University's ability to implement the supportive measures. Supportive measures are available independently of whether a complaint is filed by the affected party or the EDEC, and are provided at no cost to parties.

Supportive measures may include, but are not limited to:

[27] Consistent with the University's obligations under the PSVHE Act to provide such information to students within 12 hours of receiving an electronic report of sexual misconduct.

- Referral to counseling, medical, advocacy, and/or other health services
- Referral to the Employee Assistance Program (for faculty and staff employees)
- Mutual restrictions on contact between parties (see "No Contact Directives," below)
- Referral to alternative resolution options as described below (subject to requirements of Title IX, where applicable)
- Advocating to faculty for adjustments to academic deadlines, course schedules, etc.
- Student financial aid counseling
- Education to the community or community subgroup
- Altering campus housing situation
- Altering work locations or arrangements for faculty or staff employees or student workers
- Safety planning
- Providing transportation/parking assistance
- Referral for academic support
- Referral for visa or immigration assistance

1. No Contact Directives

Upon receipt of a report or complaint of alleged violation of the Comprehensive Policy, the EDEC may implement mutually applicable restrictions preventing contact of any kind between two or more parties. Such a measure, referred to as a No Contact Directive ("NCD") is non-disciplinary in nature and does not suggest any presumption of responsibility for the alleged violation(s). NCDs may be implemented at the initiative of the EDEC or at the request of a complainant, respondent, or other relevant individual, when warranted. In all cases in which a NCD is implemented, the relevant parties will be promptly informed in writing of the conditions, duration, and applicable parameters of the restriction.

Allegations that an individual has violated the terms of a NCD will be reviewed based on the totality of the circumstances. Alleged violations by students may be referred to the Office of the Dean of Students for expedited adjudication under the Community Standards as a Category B "Failure to Comply" violation (see Community Standards, subsection 201(8)). Alleged violations by faculty or staff employees may be referred to Human Resources or the Office of the Provost.

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

C. Responsive Interventions: Balancing Individual and Community Interests

As part of an OEC Review or at the conclusion of an ERP or Grievance Process, and independent of any findings and/or sanctions (if applicable), the OEC may recommend or mandate non-disciplinary responsive interventions to preserve or enhance the safety and/or inclusivity of the University community. Responsive interventions are undertaken with balanced consideration for the needs of the individual parties, the broader University community, and the University as an institution.

In determining how to respond most appropriately and effectively to a report or complaint, the OEC may consider a broad range of information, including but not limited to the information provided in the report, other relevant documentation or evidence (such as law enforcement or arrest records), the presence or absence of heightened risk factors (as defined in Article 1, subsection II), and the availability of various resources and services throughout the University (such as conflict resolution services or other adjudicative processes).

Responsive interventions may apply to the parties or other individuals specifically and/or the campus community broadly. Examples of responsive interventions may include, but are not limited to:

- Referral of a matter to a supervising authority or other University resource (such as the Office of the Dean of Students, Human Resources, or the Office of the Provost)
- Implementation or extension of non-disciplinary, mutually applicable No Contact Directives between parties

- Implementation or extension of temporary Limitations on University Activities and/or Access (see below)
- Mandated individual, group, or community training or education
- Administration of climate surveys or other assessments
- Review and/or revision of other University policies or procedures
- Emergency removal (see below)

The University will maintain the privacy of any responsive interventions, provided privacy does not impair the University's ability to implement the interventions.

If a reporting or affected party does not respond to the University's outreach, declines University assistance or intervention, wishes to receive information or supportive measures only, or otherwise declines to file a complaint, then the OEC may pursue an appropriate responsive intervention on its own or may close the matter without further action.

If the EDEC determines that the alleged behavior falls outside the scope of the Comprehensive Policy or would otherwise more appropriately be addressed by another University department (such as Human Resources or the Office of the Dean of Students), the report may be referred to the other department to be addressed.

1. Limitations on University Activities and/or Access ("LUAA")

The University may place interim limits or restrictions on a student, recognized student organization, or faculty or staff employee when, in the judgment of the EDEC and considering the totality of the circumstances, such a measure will help de-escalate a conflict and/or preserve the safety and inclusity of the University community. Such interim limits or restrictions are communicated to parties through an instrument known as a Limitation on University Activities or Access ("LUAA").

As a condition of a LUAA, a student, student organization, or faculty or staff employee may have limited or no access to University facilities or activities, including but not limited to the following: University housing; University campuses (or parts of campuses); specific facilities or information systems of the University; and/or University academic offerings, social activities, programs, or events. The University will determine the parameters of a LUAA on an individualized, case-by-case basis.

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

Additionally, the University reserves the right to place interim limits or restrictions on a faculty or staff employee, or place a faculty or staff employee on paid or unpaid administrative leave.

2. Emergency Removals

The University may remove a student from the University on an emergency basis when, in the judgment of the EDEC and following an individualized safety and risk analysis, an immediate threat to the physical health or safety of any student or other individual arises from allegations of misconduct under the Comprehensive Policy.

Students who are removed on an emergency basis may not access any University facility or education programs or activities, may not attend class or participate in coursework, and must obtain approval before visiting campus to attend to any University business.

When an emergency removal directive is issued, the restricted student will be promptly notified and provided the opportunity to request an administrative review of the decision. When requested by an undergraduate student, the review will be conducted by the Vice President for Student Development (or designee); when requested by a graduate student, the review will be conducted by the Vice Provost for Graduate Education (or designee). A review of an emergency removal is not a hearing or investigation regarding the merits of any underlying allegation(s); rather it is an administrative review of the emergency removal decision alone, to determine whether the removal is appropriate under the circumstances. The University may re-evaluate an emergency removal decision at any time to consider its continued necessity.

Violation of an emergency removal directive issued under the Comprehensive Policy may be grounds for additional informal or formal intervention, including disciplinary action.

Additionally, the University reserves the right to remove a faculty or staff employee from the University on an emergency basis in accordance with applicable University policies.

XII. Complaints

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

A complaint may be initiated by any affected party who is currently participating in or attempting to participate in the University's education programs or activities, for any alleged conduct that, if supported by evidence, would constitute a violation of the Comprehensive Policy.[28] Complaints must be filed in writing, whether through the OEC's Online Complaint Form (the University's preferred method) or by in person, mail, or email delivery.

Upon receipt of a complaint, the EDEC assesses whether the alleged conduct, if substantiated, would constitute a violation of the Comprehensive Policy. If it would not, then the complaint may be dismissed and/or referred elsewhere for resolution.

If a potential Comprehensive Policy violation is alleged, the EDEC next assesses whether the requirements of Title IX Sexual Harassment apply to the allegations such that the Grievance Process would apply. All other complaints alleging conduct prohibited by the Comprehensive Policy are addressed under the ERP.

Complaints which allege misconduct by one or more identified respondents will be addressed as described below. Allegations of misconduct (a) by unknown or unidentified individuals; (b) by any offices, departments, or other units of the University; or (c) by any other parties outside the disciplinary authority of the University may also be addressed, but the process may depart from specific procedural steps otherwise followed for complaints against identified respondents (for example, through an OEC Review).

The EDEC may also initiate a complaint irrespective of the wishes and/or participation of the affected party when deemed necessary by the EDEC to demonstrate appropriate responsiveness to a report. The decision of whether or not to initiate a complaint under such circumstances is at the discretion of the EDEC, and will be undertaken with care and in balanced consideration of the interests of the individuals involved (affected party/complainant and respondent), the interests of the larger University community (e.g., when heightened risk factors, as defined in Article 1, subsection II, are alleged), and the interests of the institution in responding in a manner that meets its legal requirements.

When the EDEC initiates a complaint, the EDEC does not become the complainant. Rather, the affected party is invited to participate in the applicable resolution process to the extent they are comfortable, and the case proceeds without a complainant.

A. ERP Complaints

Complaints of alleged discrimination, sexual misconduct, retaliation, or other related offenses under the Comprehensive Policy are addressed under the ERP, unless the alleged misconduct would meet the definitional and jurisdictional requirements of Title IX Sexual Harassment. Such complaints are considered "ERP complaints" and may be addressed via alternative resolution options described in Article 1, subsection XIII, or according to the ERP as described in Article 2.

[28] In cases of an affected party/complainant who is a minor (under the age of 18), a complaint may also be filed by a parent or legal guardian on behalf of the complainant.

B. Grievance Process Complaints

Complaints of alleged sexual misconduct meeting the definitional and jurisdictional requirements of Title IX Sexual Harassment are addressed under the Grievance Process. Such complaints are considered "Grievance Process complaints" and, according to Title IX, may only be addressed via alternative resolution options described in Article 1, subsection XIII, or according to the Grievance Process as described in Article 3.

XIII. Alternative Resolution Options

Alternative resolution options may be available in certain circumstances prior to reaching a determination regarding the respondent's responsibility, when both parties agree and when the EDEC determines that the matter is appropriate for alternative resolution.

Before facilitating any alternative resolution option (including mediation, restorative justice, directed discussions, no contest resolutions, and other negotiated resolutions), the University must provide to all parties a written notice disclosing the allegations, the requirements of the alternative resolution process, and any consequences resulting from participating in the alternative resolution process (including the records that will be maintained or could be shared).

General information about the availability of alternative resolution options may be included in the University's responsive communications to reports and/or complaints. In cases of alleged misconduct falling under Title IX, alternative resolution options may only be requested after a Grievance Process complaint has been filed.

Additionally, both/all parties must provide voluntary, written consent to alternative resolution for the University to proceed with facilitating alternative resolution; the University may not require or compel any party to participate in an alternative resolution process; and alternative resolution is never available to resolve allegations that a faculty or staff employee engaged in Title IX Sexual Harassment towards a student.

At any point prior to resolving a matter through alternative resolution, any party may withdraw from the alternative resolution process and resume the ERP or the Grievance Process (as applicable) with respect to a complaint. However, once a matter has been resolved through alternative resolution, it may not be raised again.

Alternative resolution may be facilitated internally by a trained and qualified University employee or externally by an outside organization, such as the Center for Conflict Resolution, with logistical support provided by the OEC. Parties interested in exploring the possibility of alternative resolution should discuss these options with the EDEC or assigned investigator.

A. Mediation

Mediation[29] is a voluntary, confidential, participant-focused, and structured dialogue facilitated by a neutral and impartial mediator, where parties' needs and interests are explored without judgement to reach a mutually agreeable resolution.

The EDEC determines if mediation is appropriate based on the interest/willingness of the parties, the nature of the conduct at issue, and the amenableness of the conduct to such a process. Disciplinary sanctions are not assigned as a result of mediation, although if all parties agree to any remedy or other course of action, the resolution agreement will be documented and become binding upon the parties. The OEC only maintains records of any final agreement that is reached, and has a limited role in implementing and enforcing agreed upon resolutions.

Mediation may not be used to address reports of violent conduct of any kind or where a respondent appears to present an ongoing threat to the University community. However, mediation may be made available after the resolution of a complaint, if the parties and the EDEC believe it could help repair harm. Mediation is never used in cases of sexual assault (as defined in Article 1, subsection VII(B)(2)).

[29] Mediation as referenced in the Comprehensive Policy is distinct from mediation as provided for under some collective bargaining agreements, the latter of which is not governed by the Comprehensive Policy.

B. Restorative Justice Conferencing

Restorative justice ("RJ") is an alternative framework for promoting justice that – in circumstances where the respondent accepts responsibility for causing harm – focuses on the harm rather than the guilt or responsibility of the respondent. A restorative justice conference (or "RJ conference") is one restorative practice where the party who experienced harm, the party who caused harm, and a representative of the University community (represented by a University employee), come together to discuss the perspectives, feelings, needs, and expectations of each party. The intent of RJ conferencing is to acknowledge and understand the harm caused and to work collaboratively to identify ways to repair that harm and restore community.

The EDEC determines if RJ is appropriate based on the interest/willingness of the parties, the nature of the conduct at issue, and the amenableness of the conduct to such a process. Disciplinary sanctions are not assigned as a result of RJ, although if all parties agree to any remedy or other course of action, the resolution agreement will be documented and become binding upon the parties. The OEC only maintains records of any final agreement that is reached and has a limited role in implementing and enforcing agreed upon resolutions.

RJ may not be used to address reports of violent conduct of any kind or where a respondent appears to present an ongoing threat to the University community. However, RJ may be made available after the resolution of a complaint, if the parties and the EDEC believe it could help repair harm. RJ is never used in cases of sexual assault (as defined in Article 1, subsection VII(B)(2)).

C. Directed Discussion

At times, a party may request that the University take only a very limited role in addressing alleged misconduct. For example, a complainant who does not want to subject a respondent to the possibility of discipline may request assistance in notifying the respondent how the alleged behavior affected the complainant and/or request a change in the respondent's future behavior.

When appropriate, the EDEC may approve a directed discussion as a way to communicate the perspective of an affected party to a respondent without engaging the ERP or the Grievance Process. To this end, the EDEC may, after notifying the respondent that a complaint has been filed, request a meeting with the respondent to discuss the complainant's perspective and requested change in behavior or other responsive action from the respondent. The respondent is thereby made aware that the University has received a complaint involving them, although they will not be subject to disciplinary action. In this manner, a complainant may communicate their perspective; the respondent may be made aware of the allegation(s); and the University may satisfy its obligation to address every complaint equitably and appropriately to the circumstances at hand.

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

D. No Contest Resolution

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

Under the No Contest Resolution process, the available evidence is documented in a report and both parties are afforded the opportunity to meet separately with a designated decision-maker (from the pool of CPAs) prior to the determination of sanctions. The decision-maker determines appropriate sanctions based on the uncontested complaint, the respondent's disciplinary history within the institution (if any), and the discussions (if applicable) with each party. The decision-maker's determination of sanctions (only) is subject to appeal, following the

procedure that would have been applicable had the complaint been resolved through the ERP or the Grievance Process.

E. Other Negotiated Resolution

The EDEC, with the written consent of both parties, may negotiate and implement an agreement to resolve the allegations that satisfies all parties and the University. Such resolution is highly case-specific and depends on the individual circumstances of the report. In all cases, however, the general requirements for all alternative resolution options will apply.

XIV. Privacy and Recordkeeping

All reports, complaints, and proceedings that arise under the Comprehensive Policy are understood to be sensitive and private. All persons participating in or administering those proceedings are expected to maintain the privacy of the proceedings.

The University reserves the right to designate which University officials have a need to know about incidents that fall within the Comprehensive Policy, in compliance with the Family Educational Rights and Privacy Act ("FERPA") and other applicable laws.[30] Also in accordance with FERPA, the University reserves the right to notify parents/guardians of students regarding any health or safety risk, change in student status, or conduct situation, when such notifications are permitted by law, such as when a significant and articulable health and/or safety emergency is present.

Parties should exercise caution and care if they choose to discuss their experience outside of the processes referenced under the Comprehensive Policy, as spreading inaccurate information intentionally or maliciously may constitute harassment, retaliation, or other violations. Except as may be necessary for a party to discuss allegations or gather and present relevant evidence in the course of a complaint, parties may not share or publicize (e.g., via traditional or social media) evidence, documentation, or records pertaining to an investigation or other proceeding (see, Article 2, subsection II(B) and Article 3, subsection II(B)). Violating this prohibition may impact the outcome of a pending case, to include dismissal of a report or complaint; additionally, students and faculty or staff employees may be subject to disciplinary action. The University also reserves the right to redact or limit information shared with parties or other individuals (including withholding a Preliminary or Final Investigation Report) to protect privacy or safety interests. Notwithstanding the foregoing, nothing in the Comprehensive Policy prohibits a faculty or staff employee from exercising rights under the National Labor Relations Act, government whistleblower programs, or whistleblowing statutes or regulations.

The University retains records of allegations, investigations, proceedings, and training materials for a minimum of seven years. Some records, such as expulsions or employee records, may be retained longer. Records related to reports or complaints of Title IX Sexual Harassment are subject to additional recordkeeping policies, which are described in Article 3, subsection XI.

A. Federal and State Statistical Reporting Obligations

Certain campus officials – those deemed "Campus Security Authorities" under the Clery Act – have a duty to report the following for federal statistical reporting purposes:

- All "primary crimes," which include all criminal homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson;
- Hate crimes, which include any bias motivated primary crime as well as any bias motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property;

[30] Any party utilizing a University employee/official as their advisor (when applicable) must grant explicit permission for the employee to serve in the advisor role. Serving as a party's advisor does not grant a faculty or staff employee a "need to know" as otherwise described in this subsection. Likewise, a faculty or staff employee with a designated need to know about incidents reported is not, by extension, granted permission to be present during investigatory or adjudicatory proceedings.

- VAWA-based crimes[31], which include sexual assault, domestic violence, dating violence, and stalking; and
- Arrests and referrals for disciplinary action for weapons-related law violations, liquor related law violations, and drug abuse-related law violations.

All personally identifiable information is withheld, but statistical information must be passed along to Campus Safety regarding certain types of incidents and their general location (on- or off-campus, in residential housing, in the surrounding area, etc., but with no addresses provided) for publication in the Annual Security Report and daily campus crime log. Similar information must also be shared annually with the Illinois Office of the Attorney General under the PSVHE Act.

The information to be shared under the Clery Act includes the date, the location of the incident (using Clery Act location categories), and the Clery Act crime category. The information to be shared under state law also includes what actions were taken by the University in response to the report. All such reporting is conducted in a manner that protects the identities of all parties. These reports help to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety.

B. Federal Timely Warning Obligations

Parties reporting misconduct under the Comprehensive Policy should be aware that under the Clery Act, University administrators must issue timely warnings for incidents reported to the University that pose a serious or continuing threat of bodily harm or danger to members of the University community. In such cases, the University ensures that an affected party's name and other personally identifying information are not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

C. Multiple-Party Cases

In cases involving more than one respondent or where multiple complainants have alleged substantially similar misconduct by the same respondent, the University reserves the right either to investigate and resolve the allegations jointly, or to investigate and resolve them separately.

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

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

D. Limitations on Recordings

For the purpose of all meetings and proceedings under the Comprehensive Policy, no audio or video recording of any kind is permitted by anyone other than OEC staff, who may record any meeting for investigative/record-keeping purposes. All parties present will first be made aware of and must consent to such recordings, except where such recordings are mandated by law (i.e., Grievance Process hearings). Any audio and/or video recordings created in the course of such proceedings remain a part of the case file through the final resolution of the matter.

Furthermore, Illinois is a "two-party consent" state with respect to surreptitious (or secret) recordings. As such, the University does not ever encourage or condone eavesdropping or making surreptitious recordings without the consent of the recorded person(s). Making surreptitious recordings may subject the recorder to legal consequences if initiated by the recorded party, and the University will not consider surreptitious recordings as evidence unless otherwise required by law.

[31] VAWA is the Violence Against Women Act, first enacted in 1994 and codified in part at 42 U.S.C. 13701-14040.

XV. Revision of the Comprehensive Policy

The University reserves the right to revise, update, or otherwise change this Comprehensive Policy at any time as necessary, and once the changes are published online at LUC.edu/equity, they are in effect.

If government laws, regulations, or court decisions change the University's legal requirements in a way that affects the Comprehensive Policy, the Comprehensive Policy will be construed to comply with the most recent government regulations. This document does not create legally enforceable protections beyond the protection of applicable state and federal laws.

Article 2: Equitable Resolution Process

Any complaint filed by a complainant or by the EDEC that alleges conduct prohibited under the Comprehensive Policy that does not meet the requirements of Title IX Sexual Harassment is investigated and adjudicated under the Equitable Resolution Process, or "ERP."

The ERP is intentionally broad in its scope and application, informed by the University's mission and values and in compliance with applicable laws. As described in Article 1, the University's response to reports is oriented towards informing the affected party of available supportive measures and the *option* to file a complaint, while ensuring that the University takes appropriate action when necessary.Upon the filing of an applicable complaint, however, the University will initiate the ERP to thoroughly, fairly, and impartially assess the available evidence and implement an appropriate response.[32]

I. When the ERP is Applicable

A. Prohibited Conduct Actionable Under the ERP

The ERP may be applied upon the filing of an ERP complaint by a complainant or by the EDEC that alleges misconduct under the Comprehensive Policy, except for allegations that meet the definitional and jurisdictional requirements of Title IX Sexual Harassment (see Article 3, subsection I). The ERP may also be applied to resolve allegations of prohibited conduct that have been dismissed by the EDEC for not satisfying the definitional and jurisdictional requirements of Title IX Sexual Harassment.

B. Other Misconduct

The ERP may also be used to address other misconduct as prohibited by other University policies, such as the Community Standards (for students) or the Faculty Handbook, collecting bargaining agreements, or Employee Staff Handbook, as applicable, when the allegations arise from the same facts and circumstances as alleged misconduct under the Comprehensive Policy. However, allegations of other misconduct that are unrelated to any alleged violation of the Comprehensive Policy are instead referred elsewhere to be addressed under other University processes, as applicable.

II. General ERP Information

The following information applies to the ERP following receipt by the OEC of an ERP complaint.

A. Evidentiary Standard

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

Determinations of responsibility are not made until the end of the ERP, when the investigator has made a finding as documented in the Final Investigation Report.

Unless and until a respondent is determined to be responsible by a preponderance of the evidence for a policy violation at the conclusion of the ERP, the University operates with the presumption that the respondent is not responsible for violating the Comprehensive Policy.

[32] Complaints alleging Title IX Sexual Harassment, however, are addressed according to the procedures set forth in Article 3.

B. Equitable Treatment of Complainants and Respondents

Complainants and respondents are treated equitably under the ERP. This means:

- All relevant evidence is evaluated objectively, including evidence that suggests responsibility and evidence that suggests no responsibility.
- Both complainants and respondents are expected to speak and write on their own behalf throughout the ERP, unless assistance is needed under an approved disability accommodation.
- Credibility determinations are not to be based on a person's status as a complainant, respondent, or witness.
- Both complainants and respondents may request appropriate and reasonably available supportive measures, ranging from referrals for counseling to facilitated academic/housing/transportation/ workplace modifications. For a full description of available supportive measures, see Article 1, subsection XI(B).
- Both parties whose participation is invited or expected are provided written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.
- Complainants are provided appropriate remedies where a respondent is found responsible for an alleged violation.
- Respondents are provided a fair and impartial process under the ERP before the imposition of any sanctions or other responsive interventions that are not supportive measures.
- Neither party is restricted from discussing the allegations under investigation or from gathering and presenting relevant evidence.[33]

C. Comprehensive Policy Administrators and the ERP

All CPAs who are involved in the facilitation and resolution of the ERP, including the EDEC, deputy coordinators, investigators, administrative resolution officers, appeal administrators, and alternative resolution facilitators, may not have a conflict of interest or bias for or against complainants or respondents generally or for or against an individual complainant or respondent.

Parties may raise a concern to the EDEC regarding bias or a conflict of interest at any time, at which point the EDEC will determine whether a bias or conflict of interest exists. If so, the biased or conflicted individual will be removed from involvement with the case and the impact of the bias or conflict, if any, will be remedied. A CPA's actual or perceived membership in a protected class (e.g., race, sex/gender, national origin, etc.) is not itself grounds for establishing bias.

Such individuals receive training in compliance with the requirements of state and federal laws. For more information about CPAs, see Article 1, subsection III(A).

D. Timely Resolution of the ERP

The University strives to resolve all ERP complaints in a prompt and timely manner; however, the precise timeline for an ERP case may vary based on the circumstances at hand.

The ERP may be delayed and/or individual time frames may be extended to a limited extent for good cause and with written notice to the parties of the delay or extension and the reasons therefor. Good cause may include various considerations, including but not limited to, the absence of a party, or a witness; extraordinary complexity

[33] Subject to prohibitions on retaliation as described in Article 1, subsection VII(C).

or scope of the case; concurrent law enforcement activity[34]; the need for language/translation assistance; or accommodations for disabilities or health conditions.

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

E. ERP Advisors (for Students Only)

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

For more information about the role and responsibilities of an advisor, see Article 1, subsection X.

III. Notice, Dismissal, and Consolidation of ERP Complaints

A. Notice of ERP Complaint

Before any investigator initiates contact with the parties, the OEC provides a written Notice of ERP Complaint to each party. Notices include a summary of the allegations, including (if known) the identity of the parties involved, the nature of the alleged misconduct, the date and location of the alleged incident(s) (if known), the specific policies implicated, a description of the applicable University procedures, a reminder that retaliation is prohibited, and a statement of the potential sanctions that could result.

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

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

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

B. Dismissal of ERP Complaints

If, at any point during the ERP the OEC determines that the alleged conduct would not, if proven, constitute a violation of the Comprehensive Policy, the OEC may end the process immediately and dismiss the complaint.

The OEC may also dismiss the complaint or any allegations therein, if at any time during the investigation: (a) the complainant notifies the OEC in writing that the complainant would like to withdraw the complaint or any allegations therein; (b) the respondent is no longer enrolled in or employed by the University; or (c) specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the complaint or allegations therein.

Complaints and/or allegations that are dismissed under this subsection may be referred elsewhere to be addressed under other applicable University policies and/or procedures. Such decisions are at the discretion of the OEC. Upon

[34] It should be noted that the ERP is entirely distinct from civil or criminal proceedings; accordingly, the ERP is not typically delayed or precluded due to pending civil or criminal charges or the dismissal or reduction of such charges. However, the University seeks to cooperate with law enforcement personnel to ensure that University processes do not interfere with law enforcement activity.

a dismissal under this subsection, the OEC will promptly send written notice of the dismissal and the reasons for the dismissal to the complainant; if the respondent has already been made aware of the complaint, then written notice will be provided simultaneously to both parties.

ERP dismissal decisions may be appealed by any party (student, faculty employee, or staff employee), on the following grounds:

- **Procedural irregularity** that would change the outcome;
- **New evidence** that would change the outcome and that was not reasonably available at the time the determination regarding dismissal was made; and/or
- The OEC personnel dismissing the matter had a **conflict of interest or bias** for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

Appeals of ERP dismissals are reviewed by the EDEC unless the EDEC made the dismissal decision. If the EDEC made the dismissal decision, then the appeal will be reviewed instead by the EDEC's direct supervisor. Appeal decisions are final and not subject to further review.

C. Consolidation of ERP Complaints

The University may, but is not required to, consolidate complaints as to allegations of prohibited conduct under the Comprehensive Policy against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party (including "cross-claims" brought by a respondent against a complainant), where the consolidated allegations arise out of the same facts or circumstances.

Investigators and hearing administrators are trained to impartially review distinct sets of facts to negate any prejudicial impact of knowing about multiple, related allegations. In all instances, separate determinations of responsibility will be made for each distinct alleged policy violation against each respondent.

Where the ERP involves more than one complainant or more than one respondent, references in Article 2 to the singular "party," "complainant," or "respondent" include the plural, as applicable.

D. Cross-Claims

The University permits a respondent to submit a cross-claim (a report alleging that the complainant violated the Comprehensive Policy instead of or in addition to the original respondent), but may conduct an OEC Review, as described in Article 1, subsection XI, to assess whether the cross-claim was made in good faith. The University is obligated to ensure that the resolution process is not abused for retaliatory purposes.

Cross-claims determined to have been made in good faith may be processed using the ERP. Investigation of such claims may take place after resolution of the underlying allegation, in which case a delay may occur. Cross-claims may also be resolved through the same investigation as the underlying allegation, at the discretion of the EDEC. When cross-claims are not made in good faith, they will be considered retaliatory, and may constitute a separate violation of the Comprehensive Policy.

IV. ERP Investigations

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

If an investigation results in no finding of responsibility, then the complaint is resolved unless otherwise subject to appeal (as described below), if applicable. If the investigation results in one or more findings of responsibility, then the case is promptly referred for administrative resolution to an appropriate administrative resolution officer ("ARO"), based on the classification of the respondent (i.e., student, faculty employee, or staff employee). The ARO determines appropriate sanctions for the respondent based on the severity of the violation and other factors, after which parties may, if applicable, appeal the decision, the sanctions, or both (as described below).

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

A. Assignment of Investigators

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

B. Evidentiary Considerations

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

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

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

C. Interviews and Exchanges with Primary Parties

One of the most critical investigative steps is meeting with and interviewing the primary parties in a case (complainant and respondent). The purpose of these interviews includes collecting as much information as possible about the relevant details of the allegation(s); asking probing and clarifying questions; soliciting suggested witnesses or other individuals with whom the investigator may wish to follow up to corroborate information; reviewing and exploring available relevant documentation or other physical evidence (including video footage, digital communications, photographs, etc.); and assessing the credibility of the parties.

Investigative interviews may be conducted in-person or remotely/virtually, using available audiovisual technology such as Zoom. Parties are interviewed separately, as the University maintains that the ERP is an administrative, non-adversarial process, separate and distinct from any criminal or civil court process.

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

D. Presentation and Interviews of Relevant Witnesses

Both parties have an equal opportunity to present relevant witnesses and recommended questions for the witnesses to be considered by the investigator. Upon the presentation of relevant witnesses, parties are asked to explain what relevance the witness has to the allegation(s) under investigation. Investigators are not compelled to

interview all presented witnesses, but if an investigator declines to interview a witness for lack of relevance, the investigator must provide a rationale for determining that the witness was not relevant.

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

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

E. Recording of Interviews

No audio or video recording of any kind is permitted by anyone other than the investigator, during any meetings or interviews associated with the ERP. If the investigator elects to audio and/or video record interviews, all parties present are first made aware of and must consent to the recording. If a party does not consent to recording an interview, the interview may be facilitated through the exchange of written questions and answers. Transcriptions of recorded interviews are included as part of the Preliminary Investigation Report and Final Investigation Report, and may be accessed by the parties, hearing administrator(s), or appeal administrator(s) during any hearing or appellate review.

Interview recordings remain a part of the case file through the final resolution of the matter (including any applicable appeal), and may be accessed as needed by any ERP administrator who takes part in the process (including appellate officers), upon request.

F. Review of Relevant Evidence

Prior to the conclusion of the investigation, investigators will provide parties a reasonable opportunity to respond to relevant evidence that has been collected. Investigators may draft a Preliminary Investigation Report ("PIR") that includes or summarizes the relevant evidence that will be relied on in making a decision.

When a PIR is drafted, parties are invited (though not required) to review the PIR and provide a written response to the report within five business days. Upon receiving responses from either party, the investigator may share information in the response with the other party to solicit additional information, or may otherwise conduct further inquiry as needed. Investigators then add any additional relevant information to the PIR and finalize the investigation by converting the PIR to a Final Investigation Report (see Article 2, subsection IV(H)). The University also reserves the right to redact or limit information shared with parties or other individuals (including withholding a PIR), to protect privacy or safety interests.

G. Acceptance of Responsibility

The respondent may accept responsibility for all or some of the alleged policy violations at any point during an investigation or resolution of a complaint. If a respondent accepts responsibility for the alleged misconduct, such an acceptance may be noted in the Final Investigation Report, with a finding of responsibility potentially entered, and the matter may be promptly referred to an appropriate ARO, who determines sanctions.

If the respondent only accepts responsibility for some of the alleged policy violations, then the investigator notes the acceptance of responsibility and focuses the remainder of the investigation on the remaining, contested, allegations. Any such acceptance is noted in the Final Investigation Report as distinct from an investigator's findings regarding contested allegations.

H. Final Investigation Report and Notice of Findings

Upon the conclusion of the investigation, the investigator drafts a comprehensive Final Investigation Report ("FIR"), which includes a credibility assessment (when applicable) and a balanced, impartial analysis of the facts as

supported by available evidence. Credibility determinations may not be based in any way on an individual's mere status as a complainant, respondent, or witness.

The FIR concludes with the investigator's findings, based on the investigator's professional expertise and understanding of the Comprehensive Policy as applied to the relevant facts under a preponderance of the evidence standard. The FIR clearly indicates whether the respondent is found to be **"responsible"** or **"not responsible"** for each allegation, and these findings are accompanied by an analysis and rationale.

Once the FIR has been finalized, the investigator, EDEC, or other designee, sends the parties a written notice of findings ("NOF"), providing access to review the FIR, informing the parties of the outcome of the investigation, and either referring the matter for administrative resolution and/or informing the parties of their rights to appeal (if applicable). The University reserves the right to redact or limit information shared with the parties or other individuals to protect privacy or safety interests.

V. Administrative Resolution

"Administrative resolution" is a general term used to describe the various processes by which the University resolves a complaint, after a finding of responsibility has been made under the ERP. Administrative resolution processes may be governed by the Community Standards, Faculty Handbook, a collective bargaining agreement, or Employee Staff Handbook, as applicable, depending on the circumstances of the alleged behavior and the classification of the respondent as a student, faculty employee, or staff employee. An administrative resolution officer ("ARO") is a general term to describe trained and qualified individuals who have a role in these processes. For cases involving allegations against faculty or staff employees, nothing in this subsection provides additional recourse beyond the processes outlined in the Faculty Handbook, the collective bargaining agreements, or Employee Staff Handbook.

At the conclusion of an ERP investigation, parties are informed of the name and contact information for any ARO to whom the case is being referred. The EDEC may also, at their own discretion, provide the ARO with non-binding recommendations or other information to assist with the administrative resolution.

A. General Considerations During Administrative Resolution

In each of the formats indicated in Article 2, subsection V(B), the following principles apply:

- An investigative finding of responsibility may not be modified at the administrative resolution phase.
- The purpose of administrative resolution is to identify appropriate and proportional sanctions and/or other responsive interventions upon a finding of responsibility that are reasonably designed to stop the substantiated misconduct, prevent its reoccurrence, and remedy its effects.
- Any evidence that the ARO believes is relevant and credible may be considered, including respondent's prior conduct/employment history and any evidence indicating a pattern of misconduct. Previous disciplinary action of any kind involving the respondent may be considered in determining the appropriate sanction(s).
- AROs may consult with the investigator, EDEC, relevant supervisors, Human Resources personnel, or others to ensure that the administrative resolution aligns with the University's values and behavioral expectations.

B. Administrative Resolution Formats Based on Respondent Classification

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

1. When the Respondent is a Student

Upon a finding by the investigator that a **student respondent**[35] is responsible for one or more policy violations, the matter is referred to the Associate Dean for Student Rights, Responsibilities, and Conflict Resolution in the Office of the Dean of Students, who serves as the ARO or delegates the matter to an alternative ARO, typically assigned from among the staff of the Office of the Dean of Students. The administrative resolution phase for students substantially follows the principles for sanctions[36] codified within the Community Standards, and includes a thorough review of the investigative documentation and findings, including the FIR and all associated evidence on which the investigative decision relied.

When the respondent is a student, parties may object to any assigned ARO for cause (e.g., conflict of interest or bias) in writing to the EDEC as soon as possible. An ARO may be replaced or removed if the EDEC concludes that a bias or conflict of interest exists. Similarly, any ARO who cannot make an objective determination must recuse themselves from the process. If an ARO is unsure of whether a bias or conflict of interest exists, they must raise the concern to the EDEC as soon as possible.

Additional information regarding the administrative resolution process for complaints against students is as follows:

a. Sanctions for Students

Factors that may be considered by the ARO when determining sanctions for students may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation
- The respondent's student conduct/disciplinary history
- Previous allegations or allegations involving similar conduct
- The need for the University's intervention to stop, prevent, and remedy the effects of the discrimination, sexual misconduct, and/or retaliation
- The impact on the parties
- Any other information deemed relevant by the ARO

Sanctions for a student respondent who is responsible for discrimination, sexual misconduct, and/or retaliation may include the following (for further information about these and other sanctions for students, please consult the Community Standards):

- University Warning
- University Probation
- University Suspension
- University Expulsion
- Residence Hall Probation
- Residence Hall Suspension
- Residence Hall Expulsion
- Withholding of Transcript or Degree
- Revocation of Admission or Degree
- Loss of University Privileges
- Educational Experiences
- Extension of Supportive Measures (No Contact Directive, Limitation on University Activities and Access, etc.)
- Recognized Student Organization Outcomes (suspension, loss of recognition, loss of some or all privileges for a specified period of time, etc.)

[35] The administrative resolution format for students is also utilized when addressing allegations against recognized student organizations.

[36] Sanctions are referred to as "assigned outcomes" in the Community Standards.

- Other Actions (in addition to or in place of those listed above, the University may assign any other sanctions as deemed appropriate)

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

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

b. Notice of Administrative Resolution for Student Respondents

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

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

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

c. Withdrawal of Student Respondent with Allegations Pending

Should any student respondent decline to participate in the ERP at any point, the ERP may proceed to a finding and administrative resolution or other reasonable resolution absent the student's participation. A student respondent who withdraws or leaves with unresolved allegations pending may not return to the University until and unless they complete any sanctions or other requirements to the satisfaction of the University, as applicable. Additionally, the University may still address and remedy any systemic issues or factors that contributed to the alleged violation(s) and any ongoing effects of the alleged misconduct. Meanwhile a hold may be placed on the respondent's student account, preventing them from being readmitted.

d. Appeals When Respondent is a Student

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

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

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

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

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

If the appeal is granted:

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

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

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

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

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

2. When the Respondent is a Staff Employee

Upon a finding by the investigator that a **staff employee respondent** is responsible for one or more violations of the Comprehensive Policy, the matter is referred to the respondent's supervising director or other designee and the respective Human Resources manager responsible for the respondent's business unit, to be resolved in accordance with the Employee Staff Handbook and/or the respondent's collective bargaining agreement, if applicable. For the purposes of the Comprehensive Policy, the respondent's supervising director and Human Resources manager (or other Human Resources designee) are considered the AROs assigned to the case.

When the respondent is a staff employee, additional information regarding the administrative resolution process is as follows:

a. Sanctions for Staff Employee Respondents

Factors that may be considered by the ARO when determining sanctions for staff employees may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation
- The respondent's employment records
- Previous allegations or allegations involving similar conduct
- The need for the University intervention to stop, prevent, and remedy the effects of the discrimination, sexual misconduct, and/or retaliation
- The impact on the parties
- Any other information deemed relevant by the ARO(s)

Sanctions for a **staff employee** respondent who is responsible for discrimination, sexual misconduct, and/or retaliation may include the following (for further information about these and other disciplinary measures for staff employees, please consult the Employee Staff Handbook or collective bargaining agreement, as applicable):

- Warning – Verbal
- Warning – Written
- Performance Improvement/Management Process
- Required Counseling
- Required Training or Education
- Probation
- Loss of Future Pay Increase
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Suspension with Pay
- Suspension without Pay
- Termination
- Other Actions (in addition to or in place of those listed above, the University may assign any other sanctions as deemed appropriate)

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

For staff employees, sanctions are implemented as soon as feasible following the final resolution of the case. Additionally, parties' activities and/or access may be restricted on an interim basis pending the resolution of a pending appeal.

b. Notice of Administrative Resolution for Staff Employee Respondents

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

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

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

c. Withdrawal of Staff Respondent with Allegations Pending

Should any staff employee decide to not participate in the ERP at any point, the ERP may proceed to a finding and administrative resolution or other reasonable resolution absent their participation. Should a staff respondent resign from the University, no sanction will be assigned, as the University will no longer have disciplinary

jurisdiction over the resigned staff employee. However, the University may still address and remedy any systemic issues or factors that contributed to the alleged violation(s) and any ongoing effects of the alleged misconduct. A staff employee who resigns with unresolved allegations pending is not eligible for rehire with the University, and the records retained by the OEC and/or Human Resources will reflect that status. Additionally, any University responses to future inquiries regarding employment references for that individual may include that the former employee resigned during a pending disciplinary matter.

d. Appeals When Respondent is a Staff Employee

When the respondent is a staff employee, appeals may be governed exclusively by the Employee Staff Handbook and/or a collective bargaining agreement, if applicable, and may only be initiated by the respondent.

In cases where the staff respondent is a non-unionized staff employee, an appealing respondent must submit a written request for appeal to the Chief Human Resources Officer, as directed in the decision letter. The Chief Human Resources Officer serves as the appeal administrator under the Employee Staff Handbook.

In cases where the respondent is a unionized staff employee, please consult the applicable collective bargaining agreement.

3. When the Respondent is a Faculty Employee

For procedural information about faculty conduct, discipline, and appeals, please refer to the Faculty Handbook and/or any applicable collective bargaining agreement.

C. Remedies under the ERP

Following the conclusion of an ERP complaint that has resulted in a finding of responsibility, the EDEC may also provide remedies to the complainant designed to restore or preserve the complainant's equal access to the University's education programs or activities.

Remedies may range from supportive measures to any other responsive action requested by the complainant and deemed appropriate by the University to repair harm caused by substantiated misconduct, and need not avoid burdening a respondent. The University will maintain the privacy of any remedies, provided privacy does not impair the University's ability to implement the remedies.

D. Monitored Compliance with ERP Sanctions, Remedies, and Responsive Interventions

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

Failure to comply with sanctions/remedies/responsive interventions, whether by refusal, neglect, or any other reason, may result in additional disciplinary action, which may result in additional or increased sanctions, remedies, or other responsive interventions, up to and including suspension, expulsion, and/or termination from the University, and which may be noted in an individual's disciplinary or employment record.

A suspension will only be lifted when compliance with all sanctions is demonstrated to the satisfaction of the EDEC or designee, and may warrant informing complainants who have a continuing educational interest at Loyola of the respondent's status change as needed.

Article 3: Grievance Process for Title IX Sexual Harassment

The Grievance Process, as distinct from the ERP, is narrow in its scope, and is only applied to allegations of misconduct that meet the definitional and jurisdictional requirements of Title IX Sexual Harassment.

Upon the filing of an applicable complaint, the University employs the Grievance Process to thoroughly, fairly, and impartially assess the available evidence and implement an appropriate response.

I. When the Grievance Process is Applicable

Loyola must address all complaints of Title IX Sexual Harassment according to the Grievance Process (which reflects the prescribed procedures under the law) when the definitional and jurisdictional requirements of Title IX Sexual Harassment are met. These requirements – each of which must be satisfied – are as follows:

1) The alleged conduct, if proven, would constitute Quid Pro Quo Sexual Harassment, Title IX Hostile Environment Sexual Harassment, Sexual Assault (including Non-Consensual Sexual Penetration, Non-Consensual Sexual Contact, Incest, and Statutory Rape), Dating Violence, Domestic Violence, or Stalking, as defined in the Comprehensive Policy;
2) The alleged incident(s) occurred in the United States;
3) The alleged incident(s) occurred within the University's education programs or activities; and
4) At the time the complaint was filed, the complainant was participating or attempting to participate in the University's education programs or activities.

At least one allegation of Title IX Sexual Harassment must be included in a complaint for the Grievance Process to apply.

Loyola is dedicated to full compliance with Title IX and related regulations but considers them to be a minimum standard for ensuring a safe and inclusive University environment. Accordingly, alleged sexual misconduct that does not fall within the narrow definition of Title IX Sexual Harassment (either due to location of the incident, nature or circumstances of the misconduct, or both) may still be addressed under the ERP described in Article 2 or under other applicable University policies or procedures.[37]

Where alleged misconduct other than Title IX Sexual Harassment also arises from the same facts and circumstances as alleged Title IX Sexual Harassment, the other allegation(s) may also be addressed under the same Grievance Process, at the discretion of the EDEC.

II. General Grievance Process Information

A. Evidentiary Standard and Burden of Proof

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

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

[37] It should be noted that Loyola also has other obligations under Title VII and other equity laws to address other forms of sexual misconduct that do not constitute Title IX Sexual Harassment.

Unless and until a respondent is determined to be responsible by a preponderance of the evidence for a policy violation at the conclusion of the Grievance Process, the University operates with the presumption that the respondent is not responsible for violating the Comprehensive Policy.

B. Equitable Treatment of Complainants and Respondents

Complainants and respondents are treated equitably under the Grievance Process. This means:

- All relevant evidence is evaluated objectively, including evidence that suggests responsibility and evidence that suggests no responsibility.
- Credibility determinations are not to be based on a person's status as a complainant, respondent, or witness.
- Both complainants and respondents may request appropriate and reasonably available supportive measures, ranging from referrals for counseling to facilitated academic/housing/transportation/ workplace modifications. For a full description of available supportive measures, see Article 1, subsection XI(B).
- Neither party is restricted from discussing the allegations under investigation or from gathering and presenting relevant evidence.[38]
- Both parties whose participation is invited or expected are provided written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
- Complainants are provided appropriate remedies where a respondent is found responsible for Title IX Sexual Harassment.
- Respondents are provided a fair and impartial process under the Grievance Process before the imposition of any sanctions or other responsive interventions that are not supportive measures.

C. Right of Nonparticipation

Any party has the right not to participate in the Grievance Process. Where a party chooses not to participate, the University may still proceed with the Grievance Process. In such circumstances, the University will continue to send to the nonparticipating party notices required under the Comprehensive Policy (for example, a written notice of the date, time, and location of a hearing). However, no party will be retaliated against, nor will any inferences as to a respondent's responsibility be made based on any party's choice not to participate in the Grievance Process.

D. Comprehensive Policy Administrators and the Grievance Process

All CPAs who are involved in the facilitation and resolution of the Grievance Process, including the Title IX Coordinator, deputy coordinators, investigators, hearing administrators, appeal administrators, and alternative resolution facilitators, may not have a conflict of interest or bias for or against complainants or respondents generally or for or against an individual complainant or respondent.

Parties may raise a concern to the EDEC regarding bias or a conflict of interest at any time, at which point the EDEC will determine whether a bias or conflict of interest exists. If so, the biased or conflicted individual will be removed from involvement with the case and the impact of the bias or conflict, if any, will be remedied. A CPA's actual or perceived membership in a protected class (e.g., race, sex/gender, national origin, etc.) is not itself grounds for establishing bias.

CPAs involved in administering the Grievance Process receive training to comply with the requirements of Title IX and other applicable laws. For more information about CPAs, see Article 1, subsection III(A).

[38] Subject to prohibitions on retaliation as described in Article 1, subsection VIII(C).

E. Timely Resolution of the Grievance Process

The University strives to resolve all Grievance Process complaints in a prompt and timely manner, within six months from the receipt of a Grievance Process complaint through the delivery of the written determination. Grievance Process appeals, if applicable, may take up to an additional two months.

All time frames referenced in the Comprehensive Policy may be extended to a limited extent for good cause and with written notice to the parties of the delay or extension and the reasons therefor. Good cause may include various considerations, including but not limited to, the absence or unavailability of a party, or a witness; extraordinary complexity or scope of the case; concurrent law enforcement activity;[39] the need for language/translation assistance; or the need for accommodations for disabilities or health conditions.

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

F. Grievance Process Advisors

An Grievance Process advisor (referred to in this subsection only as "advisor") is a person who may accompany a student or faculty or staff employee who is an affected party, complainant, or respondent during any meeting or proceeding related to a Grievance Process complaint. Advisors are strictly optional, with the exception of being required to present the advisee's proposed questions during a Grievance Process hearing, and the choice of whether or not to utilize an advisor throughout the rest of the Grievance Process is up to each party.

For more information about the role and responsibilities of an advisor, see Article 1, subsection X.

III. Notice, Dismissal, and Consolidation of Grievance Process Complaints

A. Notice of Grievance Process Complaint

Upon receipt of a Grievance Process complaint, the OEC must provide written notice to the parties who are known, informing the parties of the Comprehensive Policy and the applicability of the Grievance Process to the allegations. This notice includes the allegations that may constitute Title IX Sexual Harassment as defined under the Comprehensive Policy, as well as sufficient details for the respondent to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Title IX Sexual Harassment, and the date and location of the alleged incident, if known.

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

If, in the course of an investigation, the University decides to investigate allegations about the complainant or respondent that are not included in the original written notice, the University will provide notice of the additional allegations to the parties whose identities are known.

[39] It should be noted that the Grievance Process is entirely distinct from civil or criminal proceedings; accordingly, the Grievance Process is not typically altered or precluded due to pending civil or criminal charges or the dismissal or reduction of such charges. However, the University seeks to cooperate with law enforcement personnel to ensure that University processes do not interfere with law enforcement activity.

B. Dismissal of Grievance Process Complaint

The University must investigate the allegations in a Grievance Process complaint. However, if the alleged conduct would not, if proven, meet the definitional or jurisdictional requirements of Title IX Sexual Harassment, the University must dismiss the complaint with regard to that conduct for purposes of Title IX.

The University may also dismiss the complaint or any allegations therein, if at any time during the investigation or hearing: (a) a complainant notifies the EDEC in writing that the complainant would like to withdraw the complaint or any allegations therein; (b) the respondent is no longer enrolled in or employed by the University; or (c) specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the complaint or allegations therein.

Complaints and/or allegations that are dismissed for Title IX purposes may be addressed instead under the ERP or may be consolidated with other allegations of Title IX Sexual Harassment to the extent that they arise under the same facts and circumstances. Such decisions are at the discretion of the EDEC. Upon a required or permitted dismissal under this subsection, the OEC will promptly send written notice of the dismissal and the reasons for the dismissal to the complainant; if the respondent has already been made aware of the complaint, then written notice will be provided simultaneously to both parties.

Grievance Process dismissal decisions may be appealed by any party (student, faculty employee, or staff employee), on the following grounds:

- **Procedural irregularity** that would change the outcome;
- **New evidence** that would change the outcome and that was not reasonably available at the time the determination regarding dismissal was made; and/or
- The EDEC had a **conflict of interest or bias** for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

The procedure for appealing a Grievance Process dismissal follows the applicable Grievance Process appeal procedure as described in Article 3, subsection IX(B).

C. Consolidation of Grievance Process Complaints

The University may, but is not required to, consolidate complaints as to allegations of Title IX Sexual 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 (including "cross-claims" of Title IX Sexual Harassment brought by a respondent against a complainant), where the allegations of Title IX Sexual Harassment arise out of the same facts or circumstances. Such determinations are at the discretion of the EDEC.

The University may also, at the discretion of the EDEC, consolidate allegations that do not meet the definitional and jurisdictional requirements of Title IX Sexual Harassment with allegations of Title IX Sexual Harassment (and address both under the same Grievance Process) when both allegations arise from the same set of facts and circumstances.

Investigators and hearing administrators are trained to impartially review distinct sets of facts to negate any prejudicial impact of knowing about multiple, related allegations. In all instances, separate determinations of responsibility will be made for each distinct alleged policy violation against each respondent.

Where the Grievance Process involves more than one complainant or more than one respondent, references in this Article 3 to the singular "party," "complainant," or "respondent" include the plural, as applicable.

IV. Availability of Alternative Resolution Options

Upon filing of a Grievance Process complaint, alternative resolution options may be available prior to reaching a determination regarding the respondent's responsibility, when both parties agree and when the EDEC determines that the matter is appropriate for alternative resolution, subject to the parameters set forth in Article 1, subsection XIII.

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

V. Investigation of a Grievance Process Complaint

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

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

A. Assignment of Investigators

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

B. Gathering of Relevant Evidence

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

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

(1) The University may not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do so for the purposes of the Grievance Process.[40]

(2) The Grievance Process may not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

The investigator consults with the EDEC on all questions of procedure and evidence.

C. Interviews and Exchanges with Primary Parties

One of the most critical investigative steps is meeting with and interviewing the primary parties in a case (complainant and respondent). The purpose of these interviews includes collecting relevant information about the details of the allegation(s); asking probing and clarifying questions; providing the opportunity for parties to present inculpatory or exculpatory evidence and/or relevant witnesses, including fact or expert witnesses, to be interviewed by the investigator; and reviewing and exploring available documentation or other relevant physical evidence (including video footage, digital communications, photographs, etc.).

[40] If a student is under 18 years old, then the University must obtain the voluntary, written consent of a parent or legal guardian.

Parties should present all relevant evidence and witnesses during the investigation, or else such evidence and/or witnesses may not be presented at the hearing.[41] This ensures that both parties have an equal opportunity to be aware of evidence that may be referenced at the hearing.

Investigative interviews may be conducted in-person or remotely/virtually, using available audiovisual technology such as Zoom.

D. Presentation and Interviews of Relevant Witnesses

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

Investigative interviews may be conducted in-person or remotely/virtually, using available audiovisual technology such as Zoom. Witnesses are interviewed separately. In some cases, witnesses may also provide written statements in lieu of interviews.

E. Recording of Interviews

No audio or video recording of any kind is permitted by anyone other than the investigator, during any meetings or interviews associated with the Grievance Process. If the investigator elects to audio and/or video record interviews, all parties present are first made aware of and must consent to the recording. If a party does not consent to recording an interview, the interview may be facilitated through the exchange of written questions and answers. Transcriptions of recorded interviews are included as part of the preliminary inspection and review of evidence prior to the conclusion of the investigation, and may be accessed by the parties, hearing administrator(s), or appeal administrator(s) during any hearing or appellate review.

Interview recordings are maintained pursuant to the recordkeeping policy described in Article 3, subsection XI, and may be made available to parties, hearing administrator(s), or appeal administrator(s) upon request.

F. Preliminary Inspection and Review and Final Investigation Report

Prior to the conclusion of the investigation, the investigator provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations – including evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source – so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

This opportunity to conduct a preliminary inspection and review of all directly related evidence is facilitated by the investigator, who makes the applicable evidence available for review by each party and their advisor (if applicable). The parties then have at least 10 business days to complete the preliminary inspection and review and submit a written response, if desired, which the investigator will consider prior to concluding the investigation. The evidence subject to preliminary inspection and review is also available to both parties at any hearing, such that

[41] If a compelling need arises to consider testimony or other evidence that was not previously collected and documented during the investigation process, the hearing administrators may, at their sole discretion, temporarily adjourn the hearing to permit further investigation and exchange of information before reconvening and proceeding with the hearing. Alternatively, the hearing administrators may permit the limited introduction of new evidence that was not reasonably available before the Final Investigation Report was distributed to the parties, as long as both parties are provided a reasonable opportunity to review and respond to the evidence. If such evidence was permitted to be considered during the hearing, it may not be presented later under "new evidence" grounds for appeal.

both parties have an equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination as described in Article 3, subsection VI(B).

After reviewing and considering any written responses submitted by the parties following the preliminary inspection and review, the investigator creates a Final Investigation Report ("FIR") that fairly summarizes relevant evidence and, at least 10 business days prior to a hearing, is made available for review by each party and their advisor (if applicable) for their review and preparation of any written response (which may be submitted by parties in advance of the hearing, if desired).

When the FIR is delivered to each party, information is provided regarding the live hearing (as described in Article 3, subsection VI) and an opportunity for each party and their advisor to participate in a voluntary pre-hearing conference. The purpose of the pre-hearing conference is to go over logistics of the hearing, including but not limited to, hearing protocols, expectations for order and decorum, confirm scheduling, review technology, and address any procedural questions. Attendance is not required of any party or advisor, but is highly recommended. Failure to attend the pre-hearing conference will not delay or disqualify the hearing from proceeding as scheduled.

VI. Grievance Process Hearings

As required by Title IX, the Grievance Process provides for a mandatory live hearing. Live hearings may be conducted with all parties physically present in the same geographic location, but may also, at the University's discretion, be facilitated virtually such that any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling all participants simultaneously to see and hear each other.

A. Hearing Format

Hearings are facilitated by one or more hearing administrators who are trained and qualified CPAs tasked with reviewing and examining all relevant evidence, presenting questions to parties and witnesses as needed to make findings of responsibility, and, where applicable, facilitating the determination of sanctions appropriate to the policy violation at issue. A Grievance Process hearing is an administrative process, and formal rules of evidence (such as those applied to courtroom hearings) do not apply.

One hearing administrator serves as the hearing chairperson, who is responsible for ensuring order and decorum, and for directing the hearing procedures. Other individuals who may be present for a hearing include other hearing administrator(s), EDEC, investigator, parties and their advisors, and witnesses (who are admitted to the hearing when called upon by the hearing chairperson). When any party is accompanied by an advisor who is also an attorney, the University also reserves the right to have an attorney present to represent the University.

Hearings begin with introductions of all individuals present and a brief introduction of the case by the hearing chairperson. Opening statements by the parties may be permitted at the discretion of the hearing chairperson. After the introduction and any opening statements, the hearing administrators call upon the parties to respond to questions, usually in the following order: complainant, respondent, witnesses. Following the direct questioning of each individual by the hearing administrators, both parties are afforded the opportunity to present questions of their own – through their advisor – to the individual who was just questioned (i.e., cross-examination). Following the direct questioning of a party, that party's own advisor is not permitted to cross-examine their own advisee/party.

B. Cross-Examination by Advisors

During the hearing, the parties' advisors will have the opportunity to cross-examine other participating parties and witnesses (if any). Such cross-examination must be conducted directly, orally, and in real time by the party's advisor and never by a party personally.

The role of the advisor at a live hearing is not to represent a party, but only to relay the party's cross-examination questions that the party wishes to have asked of the other party and witnesses. If a party does not have an advisor present at the live hearing, the University will provide – without fee or charge to the party – an advisor of the

University's choice, to perform the limited function of presenting the advisee's questions to the other party and/or witnesses.

Each party must prepare their questions, including any follow-up questions, for the other party and witnesses, and provide them to their advisor. The advisor will ask the questions as the party has provided them, and may not ask questions that the advisor has developed without their party. Each party's advisor may pose relevant and permissible questions to the opposing party and witnesses, subject to the limitations set forth in Article 3, subsection VI(C), including those challenging credibility.

The protocol for presenting questions by an advisor is as follows. Each question will first be proposed by the advisor to the hearing chairperson (or a designee), who will assess whether the question is relevant. If the question is relevant, the hearing chairperson will "affirm" the question and direct the questioned individual to respond. If the question is not relevant or is otherwise prohibited, the hearing chairperson will "exclude" the question, direct the questioned individual not to answer the question, and immediately and succinctly explain the reasoning for exclusion. Parties and their advisors may not object to proposed questions; the hearing chairperson has sole discretion in affirming or excluding questions.

If a party or witness does not participate in the live hearing, does not submit to cross-examination, or refuses to answer permissible questions from the hearing administrators or advisors, the hearing administrators may, at their discretion and based on the totality of the circumstances, assign limited or no weight to statements or information provided by that party or witness in reaching a determination regarding responsibility.[42] The hearing administrators may not make any inferences regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

C. Excluded Questions

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless (a) such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or (b) if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The University does not permit questions by hearing administrators or by other parties through their advisors that seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Additionally, the University does not permit questions that are unduly repetitive or that are presented in a rude, hostile, or abusive manner. If an otherwise permissible question is presented in an impermissible manner, the hearing chairperson may instruct the advisor to rephrase the question. Advisors who do not abide by these guidelines may be removed from any meeting and excluded from serving in an advisor role, to be replaced with another advisor of choice or, if needed, an advisor assigned by the University.

D. Concluding the Hearing

Before concluding the hearing, each complainant may present an optional closing statement. Thereafter, each respondent will have the same opportunity. Following the respondent's closing statement, the hearing adjourns. The hearing administrator(s) deliberate in private following the conclusion of the hearing before making a finding as to responsibility for each alleged policy violation.

[42] Where a party does not propose (through their advisor) any questions for the other party and/or witness, but the other party and/or witness has appeared/participated in the hearing, the other party/witness will be considered to have submitted to cross-examination; the hearing administrators may therefore still rely on the statements of the other party/witness.

E. Recording of Hearing

The University creates an audio or audiovisual recording of all hearings, which are made available to the parties for inspection and review upon request and are maintained pursuant to the recordkeeping policy described in Article 3, subsection XI.

VII. Grievance Process Sanctioning and Remedies

If a hearing results in one or more findings of responsibility for a respondent having violated the Comprehensive Policy, the matter will proceed to sanctioning determination. Sanctions are determined differently depending on whether the respondent is a student, faculty employee, or staff employee. Allegations involving student-worker respondents or other respondents who hold dual classifications will be routed to the most appropriate sanctioning administrator depending on the individual context of the alleged misconduct, at the discretion of the EDEC.

A. Sanctioning Student Respondents

For student respondents, sanctions are determined by the hearing administrator(s) and incorporated into the written determination as described in Article 3, subsection VIII.

B. Sanctioning Staff Respondents

For staff respondents, upon a decision of responsibility by the hearing administrator(s), sanctions are determined by a designated representative of Human Resources, according to the following staff disciplinary process.

The hearing chairperson delivers a hearing report to the designated representative of Human Resources. The Human Resources representative may consult with the appropriate supervisory authority under whom the respondent reports, decides the sanction(s) to be assigned to the staff respondent, and provides the sanctioning decision and rationale to the hearing chairperson, who incorporates the decision into the written determination as described in Article 3, subsection VIII.

During the staff disciplinary process, any documents provided to either party will be provided to the other, and both parties will have an equal opportunity to respond to any inquiries made by the designated representative of Human Resources, if applicable.

C. Sanctioning Faculty Respondents

For faculty respondents, upon a decision of responsibility by the hearing administrator(s), sanctions are determined by the Senior Academic Officer (as defined in the Faculty Handbook) in accordance with the disciplinary process set forth in the Faculty Handbook.

At the conclusion of the disciplinary process, the Senior Academic Officer decides the sanction(s) to be assigned to the faculty respondent, and provides the sanctioning decision and rationale to the hearing chairperson, who incorporates the decision into the written determination as described in Article 3, subsection VIII.

During the faculty disciplinary process, any documents provided to either party will be provided to the other; and both parties will have an equal opportunity to respond to any discipline recommendations.

D. Range of Sanctions

Factors that may be considered by the hearing and/or sanctioning administrator(s) when determining sanctions for Title IX Sexual Harassment may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation;
- The respondent's student and/or employee conduct/disciplinary history (or absence thereof), whether or not the previous discipline was related to the current violation;
- The existence or circumstances of previous reports or complaints alleging similar conduct (or absence thereof);

- The University's obligation to stop, prevent, and remedy the effects of the misconduct; and
- The impact of the violation on the parties

Sanctions for Title IX Sexual Harassment may range from intensive educational sanctions (e.g., extended mandated training or professional coaching) to disciplinary sanctions such as temporary or permanent separation from the University (e.g., suspension or expulsion for students, or unpaid leave of absence or termination for employees). The range of sanctions described here is not exclusive of, and may be in addition to, other responsive interventions or other actions undertaken by the University or imposed by outside authorities.

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

E. Remedies

Following the conclusion of the Grievance Process that has resulted in a finding of responsibility by the respondent, the EDEC may also provide remedies to and in consultation with the complainant, designed to restore or preserve the complainant's equal access to the University's education programs or activities.

Remedies may range from actions that previously constituted "supportive measures" to any other responsive action requested by the complainant and deemed appropriate by the University to make the complainant whole, and need not avoid burdening the respondent. The University will maintain the privacy of any remedies, provided privacy does not impair the University's ability to implement the remedies.

VIII. Written Determination

Following the conclusion of the hearing and after any sanctions are determined (if applicable), the hearing chairperson issues a written determination, which is communicated by the EDEC to both parties simultaneously and in writing (and presumptively received upon delivery). The written determination:

- Identifies the allegations that may constitute Title IX Sexual Harassment and any other prohibited conduct addressed in the hearing, if applicable;
- Describes the procedural steps taken from the receipt of the complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Presents findings of fact supporting the determination;
- Presents conclusions regarding the application of the Comprehensive Policy to the facts;
- Provides a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any sanctions the University imposes on the respondent, and whether remedies will be provided to the complainant; and
- Describes the University's procedures and permissible bases for the complainant and respondent to appeal.

IX. Appeals of the Grievance Process Outcome

Both parties may appeal findings and/or sanctions resulting from the Grievance Process, as described below. Appeal requests must be submitted within 10 business days. Following the conclusion of the appeal window, if a timely appeal request is received from any party, all other parties (complainants and respondents) are provided notice of and access to the appeal request(s) and any supporting documentation provided. Any non-appealing party then has 10 business days to respond in writing, if desired. Following the end of the appeal response window, any written responses received are shared with the appealing party, but no further response (i.e., "response to a response") is permitted. Appeal requests and responses must be submitted by 11:59 PM CST on the respective deadline date; requests and responses received thereafter will not be accepted or considered.

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

An appeal administrator's responsibility is strictly limited to determining if, based on the applicable appeal grounds, there is cause for the original decision to be modified, overturned, or remanded. Decisions by appeal administrators are deferential to the original decision, which may be modified or overturned only when there is clear error and a compelling justification. An appeal is not an opportunity for an appeal administrator to substitute their judgment for that of a hearing or sanctioning administrator merely because the appeal administrator disagrees with the finding(s) or sanction(s) assigned.

During the appeal process, any opportunity provided to either party to review or respond to appeal documents, meet with the appeal administrator, or otherwise participate in the process will be provided equally to the other party.

At the end of the appeal window, if no timely appeal request has been received, the original outcome stands and becomes final within the University.

A. Grounds for Appeal

Appeals may be requested by any party (e.g., student, faculty employee, or staff employee), on the following grounds:

- **Procedural irregularity** that would change the outcome;
- **New evidence** that would change the outcome and that was not reasonably available at the time the determination regarding responsibility or dismissal was made; and/or
- The EDEC, investigator(s), or hearing administrator(s) had a **conflict of interest or bias** for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

In cases involving student respondents (only), both parties may also appeal on the grounds that the sanction or sanctions are disproportionate to the violation(s).

In cases involving unionized staff respondents (only), both parties may also appeal on any applicable grounds as described in the applicable collective bargaining agreement.

B. Requesting and Processing Appeals

The procedures for requesting an appeal, like the procedures for determining sanctions, differ depending on whether the respondent is a student, faculty employee, or staff employee. Allegations involving student-worker respondents or other respondents who hold dual classifications will be routed to the most appropriate appeal administrator depending on the individual context of the alleged misconduct, at the discretion of the EDEC.

1. Appeals When Respondent is a Student

In cases where the respondent is a student, an appealing party must submit a written request for appeal to the EDEC, as directed in the written determination letter. The EDEC facilitates the exchange of appeal request(s) and responses, if applicable, and assigns the matter to one or more appeal administrators from among the pool of qualified CPAs.

2. Appeals When Respondent is a Non-Unionized Staff Employee

In cases where the respondent is a non-unionized staff employee, an appealing party must submit a written request for appeal to the Vice President for Human Resources, as directed in the written determination letter. The Vice President for Human Resources or a designee facilitates the exchange of appeal request(s) and responses, if applicable, and the Vice President for Human Resources serves as the appeal administrator under the Employee Staff Handbook.

3. *Appeals When Respondent is a Unionized Staff Employee*

In cases where the respondent is a unionized staff employee, please consult the applicable collective bargaining agreement.

4. *Appeals When Respondent is a Faculty Employee*

In cases where the respondent is a faculty employee, an appealing party must submit a written request for appeal to the University President, as directed in the written determination letter. The President or a designee facilitates the exchange of appeal request(s) and responses, if applicable, and the President or a designee reviews the appeal in accordance with the procedures set forth in the Comprehensive Policy.

C. Appeal Decisions

Upon rendering an appeal decision, the appeal administrator notifies all parties simultaneously and in writing of the decision, and any sanction(s) are implemented as soon as feasible. In cases where the appeal results in reinstatement to the University or resumption of privileges, all reasonable attempts will be made to restore the respondent to their prior status, recognizing that some lost opportunities may be irreparable in the short term.

X. Monitored Compliance with Grievance Process Sanctions, Remedies, and Responsive Interventions

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

Failure to comply with sanctions/remedies/responsive interventions, whether by refusal, neglect, or any other reason, may result in additional disciplinary action, which may result in additional or increased sanctions, remedies, or other responsive interventions, up to and including suspension, expulsion, and/or termination from the University, and which may be noted in an individual's disciplinary or employment record.

A suspension will only be lifted when compliance with all sanctions is demonstrated to the satisfaction of the EDEC or designee, and may warrant informing complainants who have a continuing educational interest at Loyola of the respondent's status change as needed.

XI. Grievance Process Recordkeeping

As required by Title IX, the University will maintain for a period of seven years, records and accompanying rationale for any actions, including supportive measures, taken in response to a report or complaint of Title IX Sexual Harassment.

The University will also maintain for seven years: records of each investigation conducted in response to a complaint of Title IX Sexual Harassment (including any audio or audiovisual recording or transcript generated as part of the Grievance Process); any determination regarding responsibility; any sanctions imposed on the respondent; any remedies provided to the complainant; any appeal and the results therefrom; any alternative resolution and the results therefrom; and all training materials applicable to Title IX and/or the Grievance Process used to train the EDEC, deputy coordinators, investigators, hearing administrators, and any person who facilitates an alternative resolution process.

Training materials applicable to Title IX and/or the Grievance Process are also publicly available on the OEC website, at LUC.edu/equity.

Approved and published, effective August 24, 2026.

Appendix A – Related Policy Statements

I. Title IX and Title VI Policy Statement

Loyola adheres to all federal, state, and local civil rights laws prohibiting discrimination and harassment in employment and education, including Title IX of the Educational Amendments of 1972 and Title VI of the Civil Rights Act of 1964, as administered by the Office for Civil Rights of the Department of Education. Loyola does not discriminate in its admissions practices, employment practices, or education programs or activities on the basis of sex, race, color, or national origin, except as may be permitted by law.

As a recipient of federal financial assistance, Loyola is required by these laws to ensure that all of its education programs or activities do not discriminate on the basis of sex (under Title IX) or race, color, or national origin (under Title VI).

Sex includes sex, sex stereotypes, sex characteristics, gender identity, sexual orientation, and Pregnancy or Related Conditions. Sex discrimination is prohibited under Title IX and Loyola's Comprehensive Policy, and includes sex-based harassment, sexual assault, dating and domestic violence, stalking, *quid pro quo* harassment, hostile environment harassment, disparate treatment, and disparate impact discrimination.

National origin includes shared ancestry or ethnic characteristics, such as persons from Jewish, Palestinian, Muslim, Arab, and/or South Asian descent, as well as citizenship or residency in a country with a dominant religion or distinct religious identity, and association with such a national origin/shared ancestry. Discrimination based on race, color, or national origin is prohibited under Title VI and Loyola's Comprehensive Policy, and includes discriminatory harassment, hostile environment harassment, disparate treatment, and disparate impact discrimination.

Loyola also prohibits retaliation against any person opposing discrimination or harassment or participating in any internal or external investigation or complaint process related to allegations of such discrimination or harassment.

Any Loyola faculty member, employee, or student who acts to deny, deprive, or limit the education, employment, residential, or social access, opportunities, or benefits of any member of the Loyola community on the basis of these protected characteristic(s) is in violation of the Comprehensive Policy.

Any person may report discrimination or harassment (whether or not the person reporting is alleged to have experienced the conduct) in person, by mail, by telephone, by video, or by email, using the contact information for the Office for Equity & Compliance, listed below. A report may be made at any time (including during non-business hours) by completing an Online Referral/Report Form (additional information available at LUC.edu/equity).

Within any resolution process related to the Comprehensive Policy, Loyola provides reasonable accommodations to persons with disabilities and religious accommodations, when such accommodations are consistent with federal, state, and/or local laws.

Questions regarding Title IX, including its application and/or concerns about noncompliance, should be directed to the Title IX Coordinator. For a complete copy of the Comprehensive Policy or more information, please visit LUC.edu/equity or contact the Title IX Coordinator.

A. Contact Information for the Title IX Coordinator and Deputy Title IX Coordinators

Every educational institution receiving federal financial assistance must designate a "Title IX Coordinator" to carry out the institution's obligations under Title IX. At Loyola, the Executive Director for Equity & Compliance is the Title IX Coordinator and is assisted in this function by Deputy Title IX Coordinators and other staff in the Office for Equity & Compliance ("OEC") and Office of the Dean of Students.

The OEC is located on the Lake Shore Campus, in Granada Center, Suite 403 (6439 N. Sheridan Rd., Chicago, IL 60626). The OEC is open Monday-Friday from 8:30 AM – 5:00 PM (except for University holidays). The OEC phone number is (773) 508-7766, and email address is equity@luc.edu.

Contact information for the Title IX Coordinator and Deputy Title IX Coordinators is as follows:

Title IX Coordinator
Timothy Love, Executive Director for Equity & Compliance
Office for Equity & Compliance
direct (773) 508-3733
tlove@luc.edu

Deputy Title IX Coordinator
Nika Arzoumanian, Equity Investigator
Office for Equity & Compliance
direct (773) 508-3784
narzoumanian@luc.edu

Deputy Title IX Coordinator
Karolina Bartosik, Equity Investigator
Office for Equity & Compliance
direct (773) 508-8694
kbartosik@luc.edu

Deputy Title IX Coordinator
Meghan Tobin, Equity Investigator
Office for Equity & Compliance
direct (773) 508-3824
mtobin8@luc.edu

Deputy Title IX Coordinator
Samantha Maher Sheahan, Associate Dean of Students
Office of the Dean of Students
Damen Student Center 3rd Floor, 6511 N. Sheridan Rd., Chicago, IL 60626
office (773) 508-8840
direct (773) 508-3618
smaher1@luc.edu

A person may also file a complaint with the appropriate federal, state, and/or local agency within the time frame required by law. Depending on the nature of the Complaint, the appropriate agency may be the U.S. Department of Education Office for Civil Rights, the Equal Employment Opportunity Commission, U.S. Department of Health and Human Services Office for Civil Rights, and/or another appropriate federal or state agency.

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Ave., SW, Washington, DC 20202-1100
(800) 421-3481
TDD (800) 877-8339
OCR@ed.gov
www.ed.gov/ocr

Equal Employment Opportunity Commission (EEOC)
Chicago District Office
JCK Federal Building, 230 S. Dearborn St., Chicago, IL 60604
(800) 669-4000
ASL Video Phone: (844) 234-5122
www.eeoc.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
TDD: (800) 537-7697
ocrmail@hhs.gov
www.hhs.gov/ocr

To raise any concern or conflict of interest regarding the Title IX Coordinator, or to report any alleged misconduct or discrimination committed by the Title IX Coordinator, contact the Vice President for Human Resources ("Chief Human Resources Officer") at (312) 915-6175 or HR-WTC@luc.edu. To raise concerns regarding a potential conflict of interest with or allegation of misconduct by any other administrator involved in the administration of the Comprehensive Policy, please contact the Title IX Coordinator.

II. Illinois Preventing Sexual Violence in Higher Education Act Policy Statement

As an institution in the state of Illinois, Loyola also complies with the Illinois Preventing Sexual Violence in Higher Education Act ("PSVHE Act," 110 ILCS 155), which provides state-specific requirements responding to sexual misconduct against students at institutions of higher education in Illinois.

The Comprehensive Policy meets or exceeds all compliance requirements for a "comprehensive policy" created and implemented by the University to address student allegations of sexual violence, domestic violence, dating violence, and stalking. Under the PSVHE Act, the following information is also provided for students:

A. Nearest Medical Facilities

If an affected party wishes to report to law enforcement, it is important to preserve any physical evidence when possible. Pursuant to the Illinois Sexual Assault Survivors Emergency Treatment Act, an affected party may have a medical forensic examination and/or medical treatment related to the sexual assault completed in Illinois at no cost to the affected party.

Please note that although medical treatment is available regardless of the time since the incident, an evidence collection kit may be offered only within seven (7) calendar days of an assault, and certain specific medical support may only be available if administered within 72 hours of the incident. The following are medical facilities and/or agencies nearest to each campus where an affected party may ask for a "sexual assault advocate," support, or other services upon check-in.

- Lake Shore Campus:
  Thorek Memorial Hospital Andersonville, 5025 N. Paulina St., Chicago, IL 60640, phone: (773) 271-9040
- Water Tower Campus:
  Northwestern Memorial Hospital, 251 E. Huron St., Chicago, IL 60611, phone: (312) 926-2000
- Health Sciences Campus:
  Loyola University Medical Center, 2160 S 1st Ave, Maywood, IL 60153, phone: (888) 584-7888
- Loyola Rome:
  Policlinico Universitario Agostino Gemelli, Largo Agostino Gemelli, 00136 Roma, Italia, phone: +39-06-30151
- Loyola University Retreat and Ecology Center (LUREC):
  Emergency Room, 4201 Medical Center Dr. McHenry, IL 60050, phone: (815) 344-5000

B. Local Law Enforcement Contact Information

- Lake Shore Campus:
  - Department of Campus Safety: 773-508-6039

    - Chicago Police (24th District): 312-744-5907 (6464 N. Clark Street, Chicago, IL 60626)
- Water Tower Campus:
    - Department of Campus Safety: 773-508-6039
    - Chicago Police (18th District): 312-742-5870 (1160 N. Larrabee St., Chicago, IL 60610)
- Health Sciences Campus:
    - Department of Campus Safety: 773-508-6039
    - Cook County Sheriff's Police: 708-865-4700 (1401 S. Maybrook Dr., Maywood, IL 60153)
- Loyola Rome:
    - Polizia (Police): 113
    - Carabinieri (Military Police): 112
    - Loyola Rome Emergency: 011.39.06.355881
    - LUC.edu/rome/resources/parentsandguardians/emergencycontacts/
- Loyola University Retreat and Ecology Center (LUREC):
    - Woodstock Police Department 24-Hour Non-Emergency: 815-338-2131 (656 Lake Avenue, Woodstock, IL 60098)
- Cuneo Mansion and Gardens:
    - Vernon Hills Police Department Non-Emergency (847) 362-4449 (740 Lakeview Parkway, Vernon Hills, IL 60061)

C. Community-Based, State, and National Sexual Assault Crisis Centers and Resources

- Greenlight Family Services (confidential counseling): 773-750-7077
- Resilience (Chicago-based, confidential resource): 312-443-9603
- YWCA Chicago Rape Crisis Hotline:
    - 888-293-2080 in Chicago Metropolitan Area
    - 630-971-3927 in DuPage County
    - 708-748-5672 in the South Suburbs
- Illinois Coalition Against Sexual Assault (ICASA):
    - Find a rape crisis center in Illinois
- RAINN National Sexual Assault Hotline: 800-656-HOPE (4673)
    - https://hotline.rainn.org/online
    - https://rainn.org/es (Spanish language services)

III. Illinois Abused and Neglected Child Reporting Act Policy Statement

Illinois law requires certain persons, called "mandated reporters", to immediately report suspected child abuse or neglect to the Illinois Department of Child and Family Services (IDCFS) Child Abuse Hotline at 1-800-25-ABUSE.

Under the law, all "personnel of institutions of higher education" are mandated reporters and must immediately report any instance where there is reasonable cause to believe that a child known to them in their official capacity may be abused or neglected. This means that all University faculty, staff, and other employees, regardless of rank or compensation status, are mandated reporters.

Consistent with the law, Loyola thus requires all University faculty, staff, and other employees to immediately report to IDCFS if they have reasonable cause to believe a child known to them in their official capacity may be abused or neglected.

In addition, Loyola encourages any person who is not a mandated reporter to report abuse to IDCFS if they have reasonable suspicion that a child has been abused or neglected.

Failure by a mandated reporter to immediately report suspected instances of child abuse or neglect to IDCFS constitutes a Class A misdemeanor. Moreover, reporting suspicions to any other person – but not to IDCFS – does not satisfy the legal duty to report. The only means of fulfilling one's legal obligation and avoiding legal penalty is to report the suspected child abuse or neglect to IDCFS.

RESOURCES FOR STUDENTS: SEXUAL MISCONDUCT

All Loyola students have a right to be free from all forms of sexual and gender-based misconduct in the University community. Loyola takes seriously its obligation to provide an academic environment free from such misconduct and will provide appropriate support upon notice/request. The information below is intended to provide notice of various rights and resources to parties who may be affected by such conduct. If you have any questions or are seeking information regarding resources not referenced below, please contact the Office for Equity & Compliance ("OEC") and one of our staff will be happy to assist you further.

Loyola's Relevant Policies for Students

Comprehensive Policy and Procedures for Addressing Discrimination, Sexual Misconduct, and Retaliation

- Applicable to students, faculty, and staff
- Contains the University's policies addressing discrimination and sexual misconduct, including Title IX matters
- LUC.edu/comprehensivepolicy

Community Standards

- Applicable to students only
- In particular, see Article V, "Title IX Notification and Sexual Misconduct Under the Comprehensive Policy"
- LUC.edu/communitystandards

**Other contracts, collective bargaining agreements, and policies may also apply.*

Title IX

Title IX is a federal law that explicitly prohibits discrimination based on sex by any institution of higher education that receives federal funds (which includes Loyola). Under Title IX, certain types of sexual harassment, when occurring within the United States and within the University's education programs or activities, constitute a form of prohibited sex discrimination.

Title IX requires a specific grievance process for complaints of Title IX sexual harassment, as distinct from other forms of Title IX sex discrimination and other forms of sexual harassment. Every educational institution receiving federal financial assistance must designate a "Title IX Coordinator" to carry out the institution's obligations under Title IX. At Loyola, the Executive Director of the OEC is the Title IX Coordinator and is assisted in this function by several Deputy Title IX Coordinators.

Any person may report Title IX sex discrimination, including Title IX sexual harassment (whether or not the person reporting is the affected party), via the publicly available online reporting form available at LUC.edu/equity; in person; by mail, telephone, or email (see contact information below); or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the online reporting form or other contact information provided.

Inquiries about Title IX at Loyola, or reports or complaints of any alleged Title IX violation may be directed internally to:

Title IX Coordinator
Timothy Love, Executive Director for Equity & Compliance
Office for Equity & Compliance
Granada Center 4th Floor, 6439 N. Sheridan Rd., Chicago, IL 60626
office (773) 508-7766 | direct (773) 508-3733 | email: tlove@LUC.edu

Contact Information for Other OEC Staff

Ashonda Walker, *Case Manager/Paralegal*	773-508-3731	awalker5@LUC.edu
Nika Arzoumanian, *Deputy Title IX Coordinator/Equity Investigator*	773-508-3784	narzoumanian@LUC.edu
Meghan Tobin, *Deputy Title IX Coordinator/Equity Investigator*	773-508-3781	mtobin8@LUC.edu
Karolina Bartosik, *Deputy Title IX Coordinator/Equity Investigator*	773-508-8694	kbartosik@LUC.edu

Right to Report

Any student who has experienced sexual and/or gender-based misconduct (including but not limited to sexual assault; sexual harassment; sexual exploitation; intimate-partner, dating, and/or domestic violence; and stalking) has a right to report the incident to Loyola, law enforcement (Chicago Police Department), both, or neither. Reports received by faculty or staff will be directed to the Office for Equity & Compliance ("OEC") and will be considered private and sensitive.

- Any person may **report** Title IX sex discrimination or sexual harassment (whether or not the person reporting is the affected party), via the report form found here: https://cm.maxient.com/reportingform.php?LoyolaUnivChicago&layout_id=9
- Any student or employee (or prospective student/employee) may also file a **complaint** at any time. We recommend anyone considering a complaint first connect with a member of the OEC staff (equity@LUC.edu) to understand the implications.
    - For more information, visit the OEC's "Reporting Discrimination and Sexual Misconduct" page: LUC.edu/equity/gethelp/reportingcomplaintoptions
    - Complaint Form: https://cm.maxient.com/reportingform.php?LoyolaUnivChicago&layout_id=24

If any student wishes to receive *confidential* support (without triggering any additional outreach or action by the University), they should instead contact one of the following ***confidential University resources***:

- Confidential Advisor/Advocate: Samantha Hammett, Violence Prevention & Advocacy Specialist (shammett@luc.edu)
- **The Line** at Loyola: 773-494-3810 or LUC.edu/wellness/gender-basedviolence/advocacyline
- The Wellness Center: LUC.edu/wellness

ETHICSLINE

EthicsLine is an additional reporting tool to provide you with an automated and anonymous way to report activities and behavior that may involve misconduct or violations of University policies. These activities may include, but are not limited to, fraud, abuse, behavioral concerns, and other misconduct in the workplace.

Due to the nature of certain claims, the University may be limited with respect to the actions it may be able to take in response to a report if the individual submitting the report chooses to do so anonymously.

- To file a report, call 855-603-6988 or utilize the online reporting form available at LUC.edu/ethicline.

Right to Assistance

Any individual who would like assistance notifying law enforcement or accessing and navigating campus and local medical and mental health services, counseling, and advocacy services may contact any of the campus resources listed below to request assistance. The primary points of contact for students requesting assistance with sexual misconduct matters are:

- The CURA Network: LUC.edu/cura
- Office of the Dean of Students: LUC.edu/dos
- Advocacy Services within the Wellness Center: LUC.edu/wellness/gender-basedviolence/advocacyline
- Office for Equity & Compliance: LUC.edu/equity

Right to Supportive Measures

Supportive measures are non-disciplinary and are designed to restore or preserve equal access to the University's education program or activity without unreasonable burdening other parties, including measures designed to protect the safety of all parties or the University community, or deter prohibited conduct.

Affected parties, complainants, respondents, and witnesses involved in cases of alleged sexual misconduct may request supportive measures through the Office for Equity & Compliance – regardless of whether a complaint is filed. Additional information available at LUC.edu/equity.

Students can request supportive measures through the Office for Equity & Compliance, CURA Network (coordinated by the Office of the Dean of Students), and/or Advocacy Services within the Wellness Center. Available supportive measures may include but are not limited to:

- Temporary No Contact Directive (prevents another student, faculty member, or other employee from contacting you)
- Referrals for *confidential* counseling, advocacy services, or other wellness resources
- Reasonable accommodations to ensure safe access to academic spaces, housing, dining options, work, or transportation services
- Referrals for academic support, including faculty notifications
- Referrals to community-based resources for assistance with legal, visa, and immigration issues

Additional Resources and Contact Information

MEDICAL AND MENTAL HEALTH (available regardless of whether you submit a complaint or report to law enforcement)

- **The Line at Loyola:** 773-494-3810, or LUC.edu/wellness/gender-basedviolence/advocacyline
  - Resources and Support for Sexual and Relationship Violence (confidential; can assist with accommodations)
  - Confidential Advisor/Advocate: Samantha Hammett, Violence Prevention and Advocacy Specialist (shammett@LUC.edu)
- **Loyola University Chicago's Wellness Center** (confidential counseling and medical treatment): 773-508-2530
  - Dial-A-Nurse: 773-508-8883
  - LUC.edu/wellness
- **Greenlight Counseling** (confidential counseling for sexual assault): 773-728-7800; 800-572-2390
  - https://greenlightfamilyservices.org/services/counseling
- **Chicago Rape Crisis Hotline**: 888-293-2080
  - https://ywcachicago.org/our-work/sexual-violence-support-services/rapecrisis
- **Resilience** (confidential advocacy for survivors of sexual violence): 312-443-9603
  - www.ourresilience.org
- **Supported Medical Facilities** – The following facilities are recommended if pursuing a forensic evidence collection kit ("rape kit"); ask for a "victim's advocate" upon check-in; note that the exam/kit must be obtained within **7 days** of an assault, and certain medical support is only available in the first **72 hours**.
  - Lake Shore Campus: Illinois Masonic Medical Center, 836 W. Wellington Ave., Chicago, IL 60657
  - Water Tower Campus: Northwestern Memorial Hospital, 251 E. Huron St., Chicago, IL 60611
  - Health Sciences Campus: Loyola University Medical Center, 2160 S. First Ave., Maywood, IL 60153

LAW ENFORCEMENT (assistance notifying law enforcement is available)

- **Loyola University Chicago's Department of Campus Safety**: 773-508-6039
- **Nearest Police Departments** (you can always call 911 as well)
  - Lake Shore Campus: Chicago Police (24th District): 312-744-5907 (6464 N. Clark St., Chicago, IL 60626)
  - Water Tower Campus: Chicago Police (18th District): 312-742-5870 (1160 N. Larrabee St., Chicago, IL 60610)
  - Health Sciences Campus: Cook County Sheriff's Police: 708-865-4700 (1401 S. Maybrook Dr., Maywood, IL 60153)
  - Loyola University retreat and Ecology Center (LUREC): Woodstock Police Department 24-Hour Non-Emergency: 815-338-2131 (656 Lake Avenue, Woodstock, IL 60098)

LEGAL

- Circuit Court of Cook County (to request a legal "order of protection"): 312-325-9006 or 312-325-9037 (555 W. Harrison, Chicago, IL 60607)
  - Note that Loyola's Campus Safety can escort you to court but cannot provide legal advice.
  - Samantha Hammett, Violence Prevention and Advocacy Specialist (shammett@LUC.edu) can refer students to external legal advocacy services offered through community partners.

PART B

2025 IL Preventing Sexual Violence in Higher Education Act – Annual Report
Part B(I)(A) – Student Primary Prevention Programming

Identify any and all institutional actions and strategies intended to prevent sexual violence before it occurs by means of changing social norms and other approaches, including, without limitation, training programs, poster and flyer campaigns, electronic communications, films, guest speakers, symposia, conferences, seminars or panel discussions that occurred during the 2025 calendar year. See 110 ILCS 155/30(b). If necessary, append additional pages.

Program Name	Type/Description	Date(s)	Location(s)	Target Audience	Number of Attendees
Advocacy and Advisors in the Title IX Process	Title IX Training	3/31/25	Law School	Law Students	23
SAAM Tabling	Sexual Assault Awareness Tabling	4/1/25	LSC	Students	12
SAAM Tabling	Sexual Assault Awareness Tabling	4/8/25	LSC	Students	11
Club Consent	Alcohol and GBV Awareness Program	4/8/25	LSC	Students	17
SAAM Tabling	Sexual Assault Awareness Tabling	4/15/25	LSC	Students	12
Ask an Advocate	GBV Myth-Busting Event	4/15/25	LSC	Students	18
SAAM Tabling	Sexual Assault Awareness Tabling	4/22/25	LSC	Students	17
Empathy in Action	Co-Survivor Response Training	4/22/25	LSC	Co-Survivors	8
LUCO Resource Fair	Tabling at summer orientations for incoming students (6/6, 6/10, 6/11, 6/17, 6/24, 6/27, 7/1, 7/2, 7/11, 7/15, 7/16)	7/16/2025	LSC	New incoming students	855
Annual Athletics Training	Online Harassment Training for Athletes	8/11/25	LSC	Athletes	50
School of Law Orientation	OEC presentation to new SOL students	8/13/2025	WTC	SOL students	170
Graduate School New Student Orientation	OEC presentation to new Graduate School students	8/18/2025	LSC	Graduate School Students	80
Peer Navigators Training	OEC presentation to Peer Navigators	8/19/2025	LSC	Peer Navigator (student leaders)	50
OEC presentation to ROTC cadets	OEC presentation to ROTC cadets	8/19/2025	LSC	ROTC students	45
Graduate School Teaching/Research Assistant Training	OEC training for graduate students who will be teaching and research assistants, on reporting obligations and support	8/19/2025	LSC	Teaching, Research, and Graduate Assistants	43

Program Name	Type/Description	Date(s)	Location(s)	Target Audience	Number of Attendees
SRCR Student Leader Presentation	OEC and Wellness presentation to SRCR student leaders on reporting and supporting affected parties	8/20/2025	LSC	SRCR Student Leaders	40
ABSN Orientation	OEC presentation on Comprehensive Policy to incoming ABSN (Nursing) students	8/20/2025	HSC	Nursing students	58
RA In-Service	OEC presentation with Wellness Center to RAs during Fall In-Service	9/2/2025	LSC	Resident Assistants	115
CURA+OEC Training for Graduate UNIV Instructors	OEC and ODOS presentations to graduate UNIV 101 instructors on trauma-informed support and reporting obligations	9/4/2025	Online	Graduate students	18
U GOT THIS	Online Sexual Assault Prevention Training	9/11/25	Online	Incoming Undergraduate Students	2137
U GOT THIS 2	Online Sexual Assault Prevention Training	9/11/25	Online	Incoming Graduate Students	949
U REALLY GOT THIS	Online Sexual Assault Prevention Training	9/11/25	Online	Returning Students	1319
The Line Tabling	GBV Resources Awareness Tabling	9/15/25	LSC	Students	22
The Line Tabling	GBV Resources Awareness Tabling	9/16/25	LSC	Students	36
Coloring with The Line	GBV Resources Awareness Program	9/16/25	LSC	Students	25
The Line Tabling	GBV Resources Awareness Tabling	9/17/25	LSC	Students	35
The Line Tabling	GBV Resources Awareness Tabling	9/18/25	LSC	Students	27
Ask an Expert	GBV Myth-Busting Event	9/18/25	LSC	Students	12
Active Bystander Training	Prevention Training	9/23/25	LSC	First-year students	
OEC Tabling at Wellness Fair	OEC awareness tabling at Wellness Fair	10/1/2025	LSC	Students	563
OEC Workshop for TES	OEC workshop/presentation for Teaching Effectiveness Seminar (graduate students)	10/8/2025	LSC	Graduate students	18
Layers of Love	Healthy Relationships Event	10/13/25	LSC	Students	95
Love Bytes	Online Harassment Program	10/16/25	LSC	Students	17
Annual Athletics Training	Online Harassment Training for Athletes	10/20/25	LSC	Athletes	35
New SFL Orientation	OEC presentation for new Sorority and Fraternity Life students	10/28/2025	LSC	Students	20

Program Name	Type/Description	Date(s)	Location(s)	Target Audience	Number of Attendees
History of Advocacy and Title IX	Class Guest Lecture	11/4/25	LSC	WSGS Students	40
Annual Athletics Training	Online Harassment Training for Athletes	11/6/25	LSC	Athletes	40
Consent and Identifying Desires	Sorority Presentation	11/10/25	LSC	Sorority Members	30

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Part B(I)(B) – Employee Training

Identify any and all training provided to higher education institution employees who, with respect to reports of sexual violence, domestic violence, dating violence or stalking: (1) receive student reports, (2) refer or provide services to survivors, or (3) participate in the complaint resolution procedure. See 110 ILCS 155/30(c). If necessary, append additional pages.

Program Name	Type/ Description	Date(s)	Location(s)	Target Audience	Number of Attendees
Facilities Management Staff OEC Training	OEC presentation to Facilities Management staff and student workers	2/21/2025	LSC	Facilities employees	12
Title IX Grievance Process Advisor Refresher	Training for GP advisors	3/4/2025	LSC	Comprehensive Policy Administrators	10
OEC Presentation to SPEAK UP Democracy	OEC Presentation to SPEAK UP Democracy staff and faculty	7/8/2025	Online	Faculty/Staff	15
Res Life Prostaff Training	Annual Training for Residence Life professional staff	7/22/2025	LSC	Residence Life	25
Arrupe OL Training	OEC training for Arrupe College Orientation Leaders	7/25/2025	LSC	Arrupe OLs	11
New Faculty Orientation	OEC training for new faculty	8/11/2025	LSC	Faculty	55
RA Training	GBV reporting and response training	8/12/25	LSC	Resident Assistants	120
Res Life Behind Closed Doors	Practical training for RAs responding to crisis	8/13/2025	LSC	Resident Assistants	115
FOTL Conference Tabling	OEC Tabling at Focus on Teaching and Learning Conference	8/13/2025	LSC	Faculty	5
GSC/MSW Student Training	GBV reporting and response training	8/18/25	LSC	Student Counselor Trainees	10
I'm Here for You	GBV reporting and response training	8/19/25	LSC	Campus Ministry Staff	75
Fall UCWR 110 Orientation	OEC presentation to UCWR writing instructors	8/19/2025	LSC	Faculty	35
Peer Navigator Training	GBV reporting and response training	8/21/25	LSC	Peer Navigators	80
Mock Trial Volunteers Training	OEC presentation to Mock Trial Volunteer Coaches	8/22/2025	Online	Staff	5

Program Name	Type/ Description	Date(s)	Location(s)	Target Audience	Number of Attendees
Comprehensive Policy Administrators Training	Annual training provided for employees with role in administering the Comprehensive Policy	9/12/2025	LSC	Comprehensive Policy Administrators	24
ATIXA Training: Criminal Sexual Contact	Update on change in NIBRS from Fondling to CSC	9/16/2025	Online	Comprehensive Policy Administrators	11
I'm Here For You	GBV reporting and response training	9/24/25	LSC	Wellness Center Staff	10
OEC Presentation to QSB Leadership	OEC presentation to Quinlan School of Business administration	10/01/2025	WTC	Faculty	8
Sexual Harassment Prevention Training (Vector)	Annual harassment and discrimination prevention training for all employees	10/7/2025	LSC, WTC, HSC, and online	All employees	3000
HR Investigation Best Bets	Training for OEC and HR staff about employee misconduct	10/30/2025	LSC	Staff	8

PART C

2025 IL Preventing Sexual Violence in Higher Education Act – Annual Report Part C

Use this space to provide any explanations or clarifications for information and data provided as part of the report. (Append additional pages as necessary.)

Loyola University Chicago maintains as a policy that, with the limited exception of confidential resources, all University employees (faculty and staff) are "Responsible Campus Partners" with an obligation to report all incidents of sexual misconduct to the Office for Equity & Compliance ("OEC") that meet any of the following three criteria: (1) sexual misconduct involving a minor (regardless of location or classification of parties); (2) sexual misconduct experienced by a student (regardless of location and/or classification of offender); and/or (3) sexual misconduct alleged to have been perpetrated by a student or employee (regardless of location and/or classification of victim/survivor).

Consistent with the Illinois Attorney General's reporting guidelines, with the exception of reports to confidential resources (see below), all counts included in this report are limited to those cases that were both (a) reported to the OEC, and (b) within Loyola's "Clery geography." This means that some reports to the OEC will not be included in this report (e.g., if the incident did not occur within Loyola's Clery geography), and some reports that are included will be based on incidents that fall outside the University's disciplinary jurisdiction (such as incidents where the offender was not in any way affiliated with Loyola, but the incident is reported to have occurred on campus).

Counts of reports made to confidential resources, in contrast, are not bound by Clery geography, and include any/all reports made to confidential resources (i.e., Wellness Center, Advocacy Services) that would otherwise have needed to be reported to the OEC under the University's Responsible Campus Partner reporting parameters (stated above). This is because, as a trauma-informed practice, confidential resources do not inquire about incident details (including location) unless the victim/survivor chooses to disclose such detail on their own.

It should be noted also that counts include incidents where the respondent is an employee, and not a student. In such instances, student-specific discipline such as "expulsion" or "suspension" is not applicable; whereas other discipline (such as termination) may be noted under the "otherwise disciplined" category.

Finally, consistent with the Illinois Attorney General's reporting guidelines, and as distinct from the Annual Security Report published under the Clery Act, all report counts are consolidated among Loyola's campuses, which include Lake Shore Campus, Water Tower Campus, Health Sciences Campus, Loyola University Retreat and Ecology Campus, and Loyola Rome (Italy).