

## Resolution Steps

- (1) An in-depth interview with the complainant will be conducted by the investigator(s) within the Office of Civil Rights and Diversity/Title IX Coordinator.
- (2) The investigator(s) will inform the respondent and will interview the respondent to ascertain his/her response to the complaint.
- (3) Where appropriate, the investigator(s) will discuss a potential resolution of the complaint with the complainant, the respondent, and/or both.
- (4) Further investigation may be conducted by the investigator(s), including interviewing witnesses, confirming information, and seeking additional information and/or documentation. In conducting the investigation, the investigator(s) shall have unrestricted access to all pertinent material, records, reports and documents in possession of any university personnel and shall be afforded the opportunity to interview all persons possessing relevant information. When the investigation is completed, a confidential report will be forwarded to the appropriate Vice President.
- (5) If the Vice President determines that further information is needed to make a decision, he/she will request the OCR to gather additional information.
- (6) A written response, setting forth the Vice President's decision on the basis of the evidence gathered during the investigation, will be sent to the Office of Civil Rights and Diversity within twenty (20) business days. In the event the Director determines that further consideration should be given to the complaint, the matter will be referred to the President for consultation before the Vice President's decision is implemented.
- (7) The Office of Civil Rights and Diversity will communicate the Vice President's decision to the complainant and respondent by letter or electronic communication within ten (10) business days.

- (8) If a current student or employee, either the complainant or the respondent may appeal the Vice President's decision to the President within fifteen (15) days after the date notice is received of the Vice President's decision. The President's decision is final.

For information regarding the sexual harassment complaint process including Title IX sexual harassment, refer to [https://castle.eiu.edu/auditing/175\\_2.php](https://castle.eiu.edu/auditing/175_2.php).

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Any questions about this policy can be referred to:  
Office of Civil Rights & Diversity/  
Title IX Coordinator  
1011 Old Main  
(217) 581-5020  
[civil@eiu.edu](mailto:civil@eiu.edu)  
<http://castle.eiu.edu/civil/>

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Complaints may also be filed with the Illinois Department of Human Rights and may be reviewed by the Illinois Human Rights Commission. Complainants are protected from retaliation as outlined in the Illinois Human Rights Act.  
(217) 785-5100.

*Eastern Illinois University is an Affirmative Action/Equal Opportunity Employer - minority/female/disability/veteran - committed to achieving a diverse community.*

# Discrimination Complaint Process



## **A GUIDE FOR STUDENTS, FACULTY, AND STAFF**

### **OFFICE OF CIVIL RIGHTS & DIVERSITY/ TITLE IX COORDINATOR**

1011 Old Main  
217.581.5020  
[civil@eiu.edu](mailto:civil@eiu.edu)

<http://castle.eiu.edu/civil/>

## **Statement of Purpose**

Eastern Illinois University provides equality of opportunity in education and employment for all students and employees. Discrimination is prohibited on the basis of race, color, religion, national origin, ancestry, age, sex, marital status, disability, sexual orientation, gender identity, veteran's status (as protected by law), or other basis of discrimination precluded by federal and state statutes. The university's [discrimination complaint policy is IGP #173](#).

Sexual harassment is a form of sex discrimination. Sexual harassment is unwelcome conduct of a sexual nature, which encompasses a wide range of conduct including sexual violence. It is the policy of Eastern Illinois University that sexual harassment of one member of the campus community by another will not be tolerated. The university's Title IX [sexual harassment policy is IGP#175](#). Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex, including sexual harassment, in education programs and activities. Sexual violence is also covered under the university's [sexual harassment including sexual misconduct policy IGP #175.1](#)

## **Procedure**

All employees and students are encouraged to come forward with any concerns regarding discrimination. Even if you are unsure if you have a discrimination complaint, contact the Office of Civil Rights and Diversity/Title IX Coordinator (OCR). It is the responsibility of faculty chairpersons, other administrators, and supervisors to inform the OCR about any potential instances of sexual harassment or other forms of discrimination. Failure to report could itself be a violation of this policy and/or university expectations.

**No retaliation** may be taken against any university employee or student who seeks redress under this policy.

Initially, the party seeking assistance will be asked to complete an intake form which will include a description of the allegations of discrimination. Both mediated resolutions and formal investigation procedures may be used to address complaints.

## **Mediation Process**

The Office of Civil Rights and Diversity will arrange, with the consent of the parties involved, for information to be shared between the parties regarding applicable issues and appropriate remedies. Through this process, the parties may agree on a resolution, however, each party retains the right to ratify or reject any proposed agreements. Complaints of sexual harassment in the form of sexual violence or assault may not be resolved informally or through a mediation process.

## **Formal Fact Finding Process**

A complainant shall submit a complaint in writing to the Office of Civil Rights and Diversity, stating the nature of the alleged discrimination and the desired remedy. In safety concerns, the OCR can recommend immediate, temporary remedies while the investigation and fact-finding process is underway. It will investigate complaints in a timely, equitable manner. Investigators within the Office of Civil Rights and Diversity/Title IX are neutral fact-finders. Both the complainant and the respondent will have the opportunity to supply evidence and identify witnesses. The university applies the preponderance of the evidence standard. Complainants and respondents are notified concurrently of the outcome of an investigation. Both the complainant and the respondent may appeal the findings to the university president.

Complaints must be submitted within 300 days after the alleged discrimination has occurred in order to permit a prompt resolution. The OCR retains discretion to address complaints older than 300 days in unusual circumstances, but in no event will review

a matter that occurred three years or more from the date of the complaint.

The investigation of a complaint, including attempts at informal resolution, ordinarily will be completed within sixty (60) business days, after receipt of a complaint. If the investigation cannot be completed within sixty (60) business days, the complainant, and other parties as appropriate, will be notified as to the delay.

