UNIVERSITY OF ILLINOIS SYSTEM

Procedures for Resolving Discrimination and/or Harassment Complaints Other than on the Basis of Sexual Misconduct Against System Office Employees

Section 1. Purpose, Discrimination and Harassment Prohibition, and Scope

a. Purpose

These procedures outline the process for investigating and resolving a report of discrimination and/or harassment alleging a violation of the University of Illinois System Non-Discrimination Statement ("Non-Discrimination Statement") other than sexual misconduct, which is addressed by the System Offices Sexual Misconduct Policy ("Sexual Misconduct Policy").

b. Discrimination and Harassment Prohibited

The University of Illinois System ("System") is committed to ensuring its learning and working environments are free from all forms of discrimination and harassment. Accordingly, the Non-Discrimination Statement prohibits discrimination and harassment in admissions, employment, and in access to and treatment in the programs and activities of the System.

c. Scope

1. Persons who believe they have been subjected to discrimination and/or harassment in violation of the Non-Discrimination Statement, other than alleged sexual misconduct, may submit a Complaint using these procedures. Persons alleging sexual misconduct should consult the Sexual Misconduct Policy for guidance.[1]

2. These procedures apply to all members of the System community, including System Students, System Offices Employees, other affiliated individuals, and third parties, including but not limited to System Offices contractors, subcontractors, volunteers, or applicants for employment and visitors.

3. These procedures govern conduct occurring on, or within sight of, property owned or controlled by the System and/or off such property if the alleged conduct:

   a. Occurred in the context of a System program, function, event or activity;

   b. Traveling to or from a System program, function, event or activity; or

   c. Anywhere, if the conduct interferes with, disrupts, or had a continuing adverse effect on the System environment, operations, or function.

[1] Hereinafter, references in these procedures to discrimination and/or harassment under the Non-Discrimination Statement shall not include alleged sexual misconduct because it is covered by the Sexual Misconduct Policy.

4. Allegations of discrimination and/or harassment against individuals who are students at or employees of the University of Illinois Chicago (including the University of Illinois Hospital & Health Sciences System), the University of Illinois Springfield, or the University of Illinois Urbana/Champaign may be resolved in accordance with the relevant university's procedures. After coordination with the appropriate university Office of Access and Equity or equivalent unit, the System Offices Assistant Vice President for Human Resources ("Assistant Vice President for Human Resources") or designee will inform the Complainant which procedures apply. The Respondent will be notified which procedures apply when a Complaint is submitted.

5. If a Complaint alleges both sexual misconduct and non-sexual discrimination and/or harassment arising from the same facts and circumstances, the System Offices Title IX Coordinator and the Assistant Vice President for Human Resources or designee may coordinate to conduct a joint investigation into the allegations and, if appropriate, issue a joint report. Resolution of the investigated allegations will be in accordance with the applicable procedures for each allegation.

6. Subject to applicable law, if a party is under the age of 18, a parent or legal guardian will receive written notice of a report or Complaint of discrimination and/or harassment unless a court order or similar legal directive prohibiting the notification is provided to the Assistant Vice President for Human Resources or designee. Nothing in these procedures may be read in derogation of the legal rights of a parent or guardian to act on behalf of a Complainant, Respondent, or other individual.

Section 2. Assistant Vice President for Human Resources

The Assistant Vice President for Human Resources or designee receives discrimination and/or harassment concerns or reports by e-mail at systemofficetitleIX@uillinois.edu, by mail at 807 S. Wright Street, Suite 440 IUB Champaign, IL 61820, by phone at (217) 333-2600 or anonymous submissions can be made through the electronic from at SO Complaint Form (uillinois.edu). The Assistant Vice President for Human Resources or designee is available to meet in-person upon request at an appropriate System location.

Section 3. Definitions

When used in these procedures, the following defined terms begin with capital letters.

a. **Complaint**. An electronic or paper document filed by a Complainant or the Assistant Vice President for Human Resources or designee alleging discrimination and/or harassment in violation of the Non-Discrimination Statement.

b. **Complainant**. Complainant means an individual who is alleged to be the victim of conduct that could violate the Non-Discrimination Statement.

c. **Days**. Days means calendar days, excluding System Offices holidays and semester breaks.

d. **Interim Measures**. Temporary, non-punitive actions taken prior to the resolution of a report of discrimination and/or harassment to address concerns regarding:

1. Either party's safety or wellbeing or continued access to System employment or System education programs and activities;
2. The safety or educational or work climate for third parties on System-owned or controlled property; and/or
3. The integrity of the investigative or response process.

   Interim measures include but are not limited to counseling, extensions of time or other course-related adjustments, modifications of work or class schedules, facility escorts, restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas, and other similar accommodations.

e. **Investigator**. An Investigator is a System employee or other person designated or retained by the System Offices to investigate Complaints of discrimination and/or harassment under the Non-Discrimination Statement.

f. **Remedies**. Remedies are measures designed to restore or preserve equal access to the System's education programs or activities.

g. **Respondent**. Respondent means an individual who has been reported to be the perpetrator of discrimination and/or harassment in violation of the Non-Discrimination Statement.

h. **Retaliation.** Retaliation means intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by the Non-Discrimination Statement, these procedures, or applicable law, or because the individual has made a report or Complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or other process under these procedures. Retaliation may include, but is not limited to, harassment, discrimination, threats, or adverse employment action. Any person or group within the scope of these procedures who engages in retaliation is subject to a separate Complaint of Retaliation under these procedures.

i. **System Offices Employee.** For the purposes of these procedures, a System Offices Employee is any individual who performs services for the System Offices in exchange for System pay, benefits, or university affiliate status, including graduate and teaching assistants and student employees.

j. **University of Illinois System.** The University of Illinois System is comprised of the universities at Urbana-Champaign, Chicago, and Springfield (the "universities", or individually the "university"); the University of Illinois Hospital & Health Sciences System (the "hospital"); and the System Offices (including Discovery Partners Institute (DPI)).

k. **University of Illinois System Students (or System Students).** Includes students enrolled at the universities or attending classes at DPI.

Section 4. Reporting Alleged Discrimination and/or Harassment

a. Reporting Options

1. Any person may report alleged discrimination and/or harassment involving System Students, System Offices Employees, other affiliated individuals, and third parties, including but not limited to System Offices contractors, subcontractors, volunteers, applicants for employment and visitors (whether or not the person reporting is the person alleged to be the victim), in person, by mail, by telephone, by email, or anonymously from the System Human resources Services website using the contact information listed for the Assistant Vice President for Human Resources or designee in Section 2 of these procedures, or by any other means that results in the Assistant Vice President for Human Resources or designee 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 telephone number or email address, or by mail to the office address listed for the Assistant Vice President for Human Resources or designee.

2. In addition to notifying the Assistant Vice President for Human Resources or designee, persons believing they are the victim of a crime, or who have information about the commission of such offenses, are encouraged to inform the University Police (UIC: 312-996-2830; UIS: 217-206-6690; UIUC: 217-333-1216) or the local police.

3. The Assistant Vice President for Human Resources or designee provides persons reporting as victims of discrimination and/or harassment with their rights and options in writing concerning reporting the allegations, relevant contact information, available assistance, interim measures, accommodations, and Complaint resolution procedures.

b. Interim Measures

1. The System Offices' concern for student, employee, and community safety is paramount. Accordingly, the System Offices provide anyone reporting safety concerns, including Complainants and Respondents, with written notice regarding how to request Interim Measures.

2. Interim Measures are available whether or not a Complaint is filed. The Assistant Vice President for Human Resources or designee assists with identifying Interim Measures taking into account the parties' requests and is responsible for coordinating their effective implementation.

3. The System Offices keep the Interim Measures confidential unless doing so would impair the ability to provide them.

c. Emergency Removal

The System Offices may remove a Respondent from System education programs or activities on an emergency basis. Any such removal will be based upon an individualized safety and risk analysis that determines the Respondent poses an immediate threat to the physical health or emotional safety of any individual arising from the allegations of discrimination and/or harassment justifying removal. Immediately after the removal, the System Offices will provide the Respondent with notice and an opportunity to challenge the decision.

d. Administrative Leave

Subject to applicable laws, regulations and policies, the System Offices may place a Respondent who is a System Offices Employee on paid administrative leave during the pendency of the applicable grievance process.

e. Confidentiality

1. The Assistant Vice President for Human Resources or designee and all System Offices administrators, supervisors, and others engaged in the administration or execution of these procedures shall keep confidential the identity of any individual who has made a report of discrimination and/or harassment, any Complainant, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, or as required by law, or to carry out the purposes of these procedures, including but not limited to the conduct of any investigation or judicial proceeding arising thereunder.

2. All participants in an investigation will be informed that privacy enhances the integrity of the investigation, protects the privacy interests of the parties, and protects the participants from statements that might be interpreted to be retaliatory. Although the System Offices do not restrict the ability of any party to discuss any discrimination and/or harassment allegations under investigation or to gather and present relevant evidence, the System Offices request those involved in the Complaint resolution process to respect confidentiality and keep any information learned in an investigation meeting private, to the extent consistent with applicable law, particularly when confidentiality is required to protect witnesses, prevent evidence from being destroyed, avert a threat that subsequent testimony would be fabricated, or prevent a cover-up.

Section 5. Employees with Grievance Rights

a. Nothing in these procedures overrides provisions in applicable state or federal law, System Offices governing documents, collective bargaining agreements, or other System Offices contractual obligations.

b. For State Universities Civil Service System employees found to have violated the Non-Discrimination Statement and subject to the responsible administrator's recommendation that disciplinary action be taken, the employee is covered by "AN ACT TO CREATE THE STATE UNIVERSITIES CIVIL SERVICE SYSTEM" which specifies that "…no employee shall be demoted, removed or discharged except for cause, upon written charges, and after an opportunity to be heard in his own defense..." before an Advisory Committee of the Merit Board. Please contact System Human Resource Services for additional information and assistance.

Section 6. Conflicts of Interest

a. Persons conducting functions pursuant to these procedures, including but not limited to the Assistant Vice President for Human Resources or designee, Investigators, decision-makers, or anyone designated to facilitate an informal resolution process, must be free

from conflicts of interest and bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

b. System Offices officials with a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent must recuse themselves from taking any part in the Complaint resolution process and notify the appropriate System Offices official so that a substitute can be designated. Either party concerned that an official with authority to make a finding or impose a sanction might have a conflict of interest or bias may request, in writing, a substitution of that official to the Assistant Vice President for Human Resources or designee.

c. When the accused party is the Assistant Vice President for Human Resources, the Senior Associate Vice President and Chief Human Resources Officer shall designate another appropriate administrator to fulfill the responsibilities of the Assistant Vice President for Human Resources for purposes of implementation of these procedures. The designated administrator must have the requisite training and experience and have no conflict of interest or prior involvement in the case. The designated administrator could include an official from the University of Illinois Urbana/Champaign, the University of Illinois Chicago, or the University of Illinois Springfield, subject to the concurrence of the respective Vice President and Chancellor, as appropriate.

Section 7. Truthful Information

All persons providing information for any Complaint, investigation, or appeal under this policy are expected to be truthful. This does not require the disclosure of information protected under a legally recognized privilege unless such privilege has been waived. Knowingly making false statements or knowingly submitting false information may result in discipline. A determination of responsibility, alone, is not sufficient to conclude that false information was intentionally provided.

Section 8. Retaliation Prohibited

a. It is a violation of System policy to retaliate against a person for reporting in good faith an allegation of discrimination and/or harassment, or for assisting, participating, or cooperating in an investigation of the same. The System Offices take immediate and appropriate steps to investigate allegations of Retaliation and protect the parties, as necessary.

b. The reporting party can use the Complaint resolution mechanisms specified in these procedures to allege Retaliation. Retaliation is a basis for disciplinary action or sanctions up to and including termination of employment.

Section 9. Filing Complaints with External Agencies

a. Individuals believing they have experienced discrimination and/or harassment in the System Offices have the right to initiate a complaint with an appropriate state or federal agency. System Offices Employees may file discrimination and/or harassment complaints with the Illinois Department of Human Rights (IDHR). System Students may also file discrimination and/or harassment complaints with the U.S. Department of Education, Office for Civil Rights (OCR). In addition, any System Offices Employee may file a

discrimination and/or harassment complaint with the U.S. Equal Employment Opportunity Commission (EEOC). Contact information for each agency appears below.

Illinois Department of Human Rights
222 S. College St.
Springfield, IL 62704
(217)785-5100

Office for Civil Rights
U.S. Department of Education
Citigroup Center
500 West Madison Street, Suite 1475
Chicago, IL 60661
(312) 730-1650

U. S. Equal Employment Opportunity Commission
500 West Madison Street, Suite 2000
Chicago, IL 60661
(800) 669-4000

b. The System Offices are committed to taking prompt and fair remedial action to address allegations of discrimination and/or harassment regardless of whether a Complaint has been submitted to the System Offices or an external complaint has been filed. Accordingly, even if an external complaint is filed, the System Offices may continue to take appropriate actions consistent with these procedures to address a Complaint.

Section 10. Complaint and Investigation Procedures

a. The System Offices are committed to the prompt and equitable resolution of all allegations of discrimination and/or harassment. When the System Offices become aware of an allegation of discrimination and/or harassment, the System Offices shall take immediate and appropriate steps to investigate or otherwise determine what occurred (subject to confidentiality rules). If the evidence establishes that the alleged discrimination and/or harassment occurred, the System Offices shall take action reasonably calculated to end the misconduct, prevent its recurrence, and, as appropriate, remedy its effects.

b. The System Offices will respond to allegations of discrimination and/or harassment, whether received directly or indirectly. Accordingly, the System Offices may initiate an investigation into potential discrimination and/or harassment even when no Complaint has been filed.

c. The System Offices' ability to investigate in a particular situation may be affected by any number of factors, including whether the Complainant is willing to submit a Complaint or consent to an investigation, whether the Respondent is a System Offices Employee or DPI student, where the alleged discrimination and/or harassment occurred, and the System Offices' access to relevant information. The System Offices are nonetheless committed to investigating alleged discrimination and/or harassment to the fullest extent possible.

d. Any pending criminal investigation or criminal proceeding may impact the timing of the System Offices' investigation, but the System Offices will commence an investigation as soon as possible. The System Offices coordinate with law enforcement investigations and share information to the extent permitted and as appropriate. The System Offices reserve the right to commence and complete their own investigation prior to the completion of any criminal investigation or criminal proceeding.

e. Informal Resolution Process

   1. Issues or concerns may arise or be reported by the Complainant or others that, with the consent of the parties and the concurrence of the Assistant Vice President for Human Resources or designee, might be resolved using an informal resolution process.

   2. Before recommending or concurring with the informal resolution process, the Assistant Vice President for Human Resources or designee will meet with the Complainant to discuss these procedures and confirm that the System Offices Assistant Vice President for Human Resources or designee has a complete understanding of the Complainant's issues or concerns, including all pertinent allegations, and the Respondent to understand all alleged defenses to the allegations. The System Offices Assistant Vice President for Human Resources or designee will also confirm that the Complainant feels comfortable and confident that the Assistant Vice President for Human Resources or designee understands the Complainant's issues or concerns.

   3. If after these discussions, the Assistant Vice President for Human Resources or designee, the Complainant and the Respondent agree that the informal resolution process is appropriate, the Assistant Vice President for Human Resources or designee directly assists and guides effective and equitable problem-solving efforts, working with the Complainant and other relevant parties as appropriate.

   4. If at any time during the informal resolution process either the Complainant desires to formally submit a Complaint, or either party objects to the informal resolution process, the Assistant Vice President for Human Resources or designee will terminate the informal resolution process and address the matter consistent with the other provisions of these procedures.

f. Complaint Resolution Process

   1. Any person may submit a Complaint alleging discrimination and/or harassment. Complaints are submitted in person or in writing to the Assistant Vice President for Human Resources or designee.

   2. Student complaints should be submitted within one year and employee complaints within 180 Days of the occurrence of the matter being complained about. Complaints submitted outside this timeline are normally not investigated unless the Assistant Vice President for Human Resources or designee determines there is an ongoing risk to the safety of the System Offices community, although Interim Measures are generally available for current System Students and System Offices Employees without regard to when the matter being reported occurred.

3. The Assistant Vice President for Human Resources or designee may also initiate the Complaint process on their own accord after becoming aware of possible discrimination and/or harassment.

4. Upon receipt or initiation of a Complaint, the Assistant Vice President for Human Resources or designee confers with the Complainant to establish the nature of the Complaint. The Assistant Vice President for Human Resources or designee also provides the Complainant with a copy of these procedures and written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other available services, both at the System Offices and in the community. The Assistant Vice President for Human Resources or designee also provides information about reporting the allegations to the University Police, local law enforcement authorities, and external civil rights agencies.

5. Whenever possible, Complaints are addressed within 120 Days of filing, including completing the investigation, reaching a determination of responsibility and, if appropriate, considering sanctions, unless the System Offices reasonably determine for good cause that additional time is required. Good cause includes complying with collective bargaining agreements, other System or university policies and procedures, and/or state or federal statutes and regulations. In such cases, the System Offices simultaneously provide written notice of the delay and the reason for it to the Complainant and the Respondent.

6. For System Employee Respondents, resolution of any employment action is in accordance with applicable employment policies, practices, or collective bargaining agreements. Administrators may take additional reasonable steps, as necessary, to prevent the recurrence of the discrimination and/or harassment and may request advice from the System Human Resource Services to implement corrective action.

g. <u>Investigating the Complaint</u>

1. If the Assistant Vice President for Human Resources or designee determines that the issue or concerns presented, if true, would constitute a violation of the Non-Discrimination Statement, they consult with the Complainant to determine if a formal investigation is appropriate. The Complainant has the option of requesting that no formal investigation be conducted. The Assistant Vice President for Human Resources or designee will consider the request in light of broader safety and institutional responsibilities when deciding whether it is appropriate to honor a request for no formal investigation.

    i. If the Assistant Vice President for Human Resources or designee concludes that the alleged conduct would not be a violation of the Non-Discrimination Statement even if true, the Senior Director for Human Resources or designee will inform the Complainant of the decision and that no investigation is warranted. The Complainant may ask the Senior Associate Vice President and Chief Human Resources Officer or designee to review the decision. The Senior Associate Vice President and Chief Human Resource Officer or designee's decision is final.

ii. If the Assistant Vice President for Human Resources or designee concludes an investigation is appropriate, it is conducted by a trained Investigator, who may be the Assistant Vice President for Human Resources or designee, in a prompt, thorough, fair, and impartial manner.

2. As part of the investigation process, the Investigator initially identifies themself to the parties and gives each party the opportunity to request from the Senior Associate Vice President and Chief Human Resources Officer or their designee a different Investigator if there is a conflict of interest. The burden of gathering evidence sufficient to reach a determination regarding the allegations rests with the Investigator, who collects evidence for the investigation and prepares a report of investigation.

3. The Investigator meets separately with the Respondent and others deemed by the Investigator to be necessary to ascertain the factual basis of the Complaint. When initially meeting with the Respondent, the Investigator informs the Respondent of the nature of the Complaint. Any disclosures the Investigator makes regarding the Complaint (including in the case of System Offices Employees to the Respondent's supervisory staff, the appropriate unit head, and the appropriate executive administrator) are made only if deemed necessary to conduct the investigation, provide appropriate services to the Complainant, or protect the rights of either the Complainant or the Respondent. All disclosures are consistent with FERPA or applicable employee privacy rights.

4. The investigation process consists of the Investigator gathering relevant information and completing a written report of investigation. In order to gather relevant information, the Investigator gives both the Complainant and Respondent equal opportunity to be interviewed, to submit written statements, to provide the names and contact information for potential fact and/or expert witnesses or to submit written statements from those witnesses, and to submit or identify other inculpatory or exculpatory evidence for the Investigator's consideration. The Investigator may require that any statements from witnesses offered by the parties, including expert witnesses, be submitted in writing.

5. Prior to completing the report of investigation, the Investigator:

   i. May meet with either party for follow-up fact-finding efforts, or to collect additional information from any source, as required.

   ii. 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 raised in a Complaint so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

   iii. Allows the parties 14 days to submit a written response, which the Investigator will consider prior to completing the report of investigation.

6. After reviewing all relevant evidence and any responses to the evidence submitted by the parties, the Investigator creates a report of investigation that fairly summarizes the investigation and the relevant evidence. The Investigator sends the report of

investigation in an electronic or hard copy format contemporaneously to each party for their review and written response. Any written response must be received by the Investigator within 14 days of the date the report of investigation was sent to the parties.

7. The report of investigation, as well as any response received from either party, is forwarded to the Assistant Vice President for Human Resources or designee.

8. The Investigator may reopen the investigation at any time for good cause shown, including at the request of the parties, the Assistant Vice President for Human Resources or designee, the relevant supervisors, or System Human Resources Services, and issue a revised report of investigation. In such cases, the above notice and comment rights apply to the revised report of investigation.

9. Both parties have the right to have the assistance of and/or to be accompanied by an advisor at any meeting or interview they participate in as part of the investigation provided that the involvement of the advisor does not result in undue delay of the meeting or interview.

10. The advisor may, but need not be, an attorney. Each party is responsible for any costs associated with their advisor. To ensure direct access to relevant facts and circumstances, the Assistant Vice President for Human Resources or designee may restrict the role advisors play in the investigatory process, provided such restrictions are evenly applied to both parties.

11. In conducting the investigation, the Investigator requires access to all pertinent material, records, reports, documents and computerized information in the possession of any System Offices Employee, and the Investigator must be given the opportunity to interview all persons possessing relevant information unless exempt from disclosure or reporting under state or federal law.

12. Obstruction of an investigation into allegations of conduct prohibited by the policy is grounds for disciplinary action or sanctions by the appropriate body, up to and including termination of employment and/or dismissal or expulsion.

Section 11. Resolving Complaints

a. Unless the Complainant's concerns are resolved informally, Complaints are resolved as follows:

b. For System Offices Employee Respondents, the Assistant Vice President for Human Resources or designee reviews the report of investigation, together with any written responses submitted by the parties, and prepares a written determination regarding whether the Respondent committed the alleged discrimination and/or harassment.

c. The standard for determining whether the alleged discrimination and/or harassment occurred is whether it is more likely than not, based on the evidence, that the Respondent committed the discrimination and/or harassment as alleged. This is the "preponderance of the evidence" standard of proof.

d. The Assistant Vice President for Human Resources or designee provides the determination, as well as the report of investigation and any written responses submitted by the parties, to appropriate supervisors of the Respondent and other officials. If the report finds the Respondent committed the alleged discrimination and/or harassment, the Assistant Vice President for Human Resources or designee also provides a copy of the report to the Senior Associate Vice President and Chief Human Resources Officer or designee for appropriate corrective options.

e. The Assistant Vice President for Human Resources or designee also contemporaneously notifies both parties in writing of the determination. The notice also informs the parties that they may appeal the Assistant Vice President for Human Resources or designee's determination within seven days of the date of the notice and/or file a complaint with an appropriate state or federal agency or the courts.

f. After the decision on any appeals, or the deadline for submitting any appeals passes, and after considering the corrective options identified by the Senior Associate Vice President and Chief Human Resources Officer or designee, the Respondent's supervisors or other officials may, if appropriate, take disciplinary action applicable to the Respondent's employee group.

g. The Assistant Vice President for Human Resources or designee encourages the parties to report if any issues resume and/or if retaliatory conduct occurs.

Section 12. Sanctions

a. The range of possible sanctions for System Offices Employee Respondents determined to be responsible for discrimination and/or harassment includes oral warnings, written warnings, or reassignment. Sanctions may also include initiation of processes to effectuate a demotion, paid or unpaid suspension, dismissal, discharge, and/or termination.

Section 13. Appeals

a. Both Complainants and Respondents may appeal the Complaint outcome.

b. For appeals involving System Offices Employee Respondents, both the Complainant and the Respondent may appeal the Assistant Vice President for Human Resources or designee's responsibility determination. Parties may appeal only on the following grounds:

    1. A procedural error occurred, and/or

    2. New information exists that would substantially change the outcome of the finding.

c. Appeals of the Assistant Vice President for Human Resources or designee's responsibility determination must be submitted in writing to the Executive Vice President or her/his designee within seven days of receiving the notice of Complaint outcome. The party opposite the appealing party is given an opportunity to review the appeal, to the extent permitted by law, and to submit additional material to be considered together with the appeal. Any additional material must be submitted within seven days of being notified

the other party has appealed. Any additional material submitted is made available to the appealing party subject to applicable privacy laws.

d. The Executive Vice President may delegate or assign responsibility for reviewing the appeal to an appropriate official at the Vice President level with the requisite training and having no conflict of interest or prior involvement in the case.

e. The Executive Vice President or their designee will thoroughly review the appeal, any material submitted by the other party, and the written record of the Complaint. The Executive Vice President or their designee may also request any additional information, which will be shared with the parties in advance of the Executive Vice President or their designee's decision on the appeal, subject to applicable privacy laws.

f. The Executive Vice President or their designee will issue a written decision within 14 Days following receipt of the appeal and any additional material submitted by the other party, unless they determine additional time is necessary.

g. The Executive Vice President or their designee will simultaneously notify the parties in writing of:

    1. Any extension of time to render a decision and the reason for the extension, and

    2. Within seven days after conclusion of the review, the decision on the appeal.

h. System Offices Employee Respondents should follow the procedures applicable to the Respondent's employee group for appealing or grieving the imposition of any sanctions.

Section 14. Records

The System Offices maintain records documenting any reports or Complaints alleging discrimination and/or harassment and how such reports or Complaints were resolved. Records include, but are not limited to, any agreements reached under the informal resolution process, reports of investigation, and documentation of corrective action taken, follow-up/monitoring activities, and any mandated reporting. All records are confidential and are made available to persons outside of the process only as required or permitted by law.