

University Policy

related to sexuality may cause some individuals discomfort it is recognized that academic freedom ensures the free exchange of ideas an essential part of a functioning democracy

The Title IX Sexual Harassment Policy Policy and related Western Carolina University Title IX Procedures Procedures provides for a Title IX complaint resolution process which seeks to resolve allegations of Title IX

- communicate with all members of the University community regarding Title IX and provide information about how individuals may access their rights
- review applicable University policies to ensure institutional compliance with Title IX
- respond to general inquiries regarding Title IX Sexual Harassment
- monitor the University's administration of its own applicable policies including record keeping timeframes and other procedural requirements
- conduct training regarding Title IX and prohibited conduct defined in this policy and
- respond to any complaint or report regarding conduct that violates this policy In this capacity the Title IX Coordinator oversees the invest ~~ves~~/st

ii Resolution The University will make every effort to ensure that a typical case starting with the filing of a Formal Complaint with the Title IX Coordinator including the Formal Investigation and ending with a finding by a Title IX Hearing Body will not exceed

University's education program or activity within the United States. The University may dismiss a Formal Complaint if the Respondent is no longer enrolled or employed by the University or if specific circumstances prevent the University from gathering sufficient evidence to reach a determination. Upon notice of a mandat

a. If the Title IX Board determines a policy violation occurred, the Title IX Board may

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medical center. Complainant, as long as these support the medical center, shall not unduly burden
or prejudice Respondent.

d. Failure to comply with sanctions may result in additional sanctions pursuant to relevant
policy and procedure.

e. In the event that a final sanction results in an suspension or expulsion, the record
keeping and appeal process as described in the student code of conduct shall apply.

Notice. The Title IX Board shall provide a Notice of Action informing the parties of the
outcome of the Title IX Grievance Hearing, the rationale for the decision, and the sanctions
imposed, if any, pursuant to this Policy and Procedure. The Notice of Action shall provide
information regarding each party's right of appeal.

iii. Appeal

Grounds for Appeal. Either Complainant and/or Respondent may appeal the finding of
responsibility or the University's dismissal of a Formal Complaint on the following grounds:

- a. Procedural irregularity that affected the outcome of the case;
- b. New evidence that was not reasonably available when the determination of responsibility
was made that could affect the outcome; and/or
- c. The Title IX Coordinator, Investigator, or member of the Title IX Board had a general or
specific conflict of interest or bias against the complainant or respondent that affected
the outcome.

Filing an Appeal. Either party may file a written appeal within seven calendar days,
including the weekends but not including University holidays or days that the University is not
in session, to the Appeal Officer, which must state in detail the reasons for the appeal.
Upon appeal, any sanction shall be stayed until the conclusion of the appeal.

Procedure. The University shall appoint an Appeal Officer who will review the appeal and
make a determination.

Notice of Outcome. The Appeal Officer will provide a written Notice of Outcome within ten
business days from the date of review for consideration, and this decision is final,
marking the conclusion of the matter.

Retaliation. No person shall be subject to restraints, interference, coercion, or reprisal for action taken in
good faith to seek advice concerning an alleged violation of this policy, to file a report, to initiate the
Western Carolina University's internal complaint resolution process, or to serve as a witness. Board

member or representative in the investigation and reso

