Interim Administrative Regulation 6:2
Fact Sheet

This Interim Regulation maintains all of the prior policy but also includes all of the changes the University was required to make, and cannot change, in order to comply with the Department of Education Title IX Regulations and federal court decisions. Because the University did not materially alter the prior policy, this Interim Regulation includes more prohibited behaviors and an expanded jurisdictional reach than contemplated by the Department of Education Regulations. The information contained below is a summary of the Interim Administrative Regulation 6:2.

1. Prohibited Behavior under AR 6:2
   a. Sexual Harassment under Title IX
      i. Quid Pro Quo Sexual Harassment
      ii. Hostile Environment Sexual Harassment
      iii. Sexual Assault
      iv. Stalking
      v. Domestic Violence
      vi. Dating Violence
   b. Sexual Misconduct
      i. Sexual Assault
      ii. Stalking
      iii. Domestic Violence
      iv. Dating Violence
      v. Sexual Exploitation
2. Scope of the Regulation
   a. On campus behavior that occurs in an educational program or activity.
   b. Behavior that occurs at a University controlled location or event, include off-campus RSO events.
   c. Behavior that occurs outside of the context of a University controlled location or event if there are continuing adverse effects in the context of University employment or an education program or activity.
3. Reporting
   a. Anyone can file a report.
   b. Complainant (the individual experiencing the behavior) decides what action they're interested in pursuing with the University.
   c. Supportive Measures are available to Complainants regardless of whether they file a formal complaint. Respondents are not notified of supportive measures (unless the measures impact the Respondent) or a report (unless a Formal Complaint is filed).

d. Responsible Employees (any University employee other than those at the VIP Center, Counseling Center, or Student Health Services) are required to report allegations of Sexual Harassment or Sexual Misconduct to the Title IX Coordinator as soon as possible.

4. Formal Complaint
   a. A signed document detailing the behavior and requesting an investigation.
   b. Complainant and Respondent (the individual accused of the behavior) will receive notice of the allegations and their rights as soon as possible.

5. Investigations
   a. Occur within a time frame reasonable for the complaint. Complainants and Respondents will receive regular updates on the status of the investigation.
   b. Opportunity for both parties to present information before the Final Investigative Report is provided to the Title IX Coordinator.

6. Dismissal of a Formal Complaint
   a. Title IX Coordinator is required to dismiss Formal Complaints in some circumstances and may dismiss Formal Complaints in other circumstances. Dismissal of a Complaint of Sexual Harassment under Title IX does not preclude other charges of Sexual Misconduct under AR 6:2.

7. Probable Cause Determination and Resolution Opportunity
   a. If the Title IX Coordinator determines the information contained in the Final Investigative Report constitutes probable cause to move the matter to a hearing, Respondent has the opportunity to accept a resolution and waive their right to a hearing and appeal.
   b. If Respondent chooses to move to a hearing, the Title IX Coordinator refers the matter to the Hearing Officer.

8. Hearings
   a. Hearing Officer makes evidentiary determinations.
   b. Hearing Panel (made up of trained faculty and staff) makes decision whether policy was violated using the preponderance of the evidence standard.
   c. A representative of the party (an attorney) is permitted to directly cross examine the other party. If a party does not have an attorney, the University will provide an attorney for them.
   d. Prior sexual history of Complainant is inadmissible (with some exceptions).

9. Appeals
   a. Both parties may appeal a dismissal of a formal complaint, the outcome of a probable cause determination, or the outcome of a hearing.