

## Preventing Sexual Violence in Higher Education Act 2024 Annual Report

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### Executive Summary:

The Illinois Institute of Technology provides distinctive and relevant education, advancing scientific, technological and professional knowledge, creation and innovation. The university is internationally recognized in distinct areas of teaching and research, using as its platform the global city of Chicago. Illinois Tech is driven by a professional and technology-oriented focus based on a culture of innovation and excellence.

The Illinois Institute of Technology is committed to ensuring an environment for all members of its community that is fair, humane, and respectful. This environment supports and rewards student, faculty, and staff performance based on relevant considerations such as ability and effort. Behaviors that inappropriately assert sexuality as relevant to student, faculty, or staff performance damage this environment. Therefore, Illinois Institute of Technology strives to provide for its students, faculty, and staff an educational and employment environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment as defined and otherwise prohibited by local, state, and federal law. Sexual advances, requests for sexual favors, or sexually directed remarks constitute harassment when either a person experiences such conduct and it threatens academic success or employment, or such behavior directed against an individual persists, and it creates a hostile environment. Illinois Institute of Technology is committed to resolving sexual harassment complaints promptly, effectively, fairly, and impartially.

In accordance with the *Illinois Preventing Sexual Violence in Higher Education Act* (the “IPSVHEA”), this report includes state-mandated statistics and information regarding specific categories for the 2024 calendar year. It details training programs offered to students and employees to help maintain a safe and secure environment.

**SECTION I.****PART A – Policy Information**

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 complete policy (*see* 110 ILCS 155/15).

**Post Submission Message**

Thank you for submitting your complaint electronically. Please refer to the information below when reporting sexual misconduct to IL Tech.

**Reporting Sexual Misconduct:****To whom to Report:**

An individual who experienced sexual misconduct may contact the Office of Student Affairs (312-567-3081), the Title IX Coordinator (312-567-5725), Confidential Advisor (312-433-9603 ext 25), Student Health and Wellness Center (312-567-7550), or the Illinois Tech Public Safety Department (312-808-6300).

An individual who has experienced sexual misconduct is encouraged to consider filing a report with the police; filing a report does not obligate the complainant to press charges or pursue legal action. The Chicago Police Department (or relevant local police department) can be contacted by calling 911. Representatives from the Illinois Tech Offices above are available to assist the complainant in notifying law enforcement authorities if the complainant so chooses.

An individual who experienced sexual misconduct may also wish to contact a community-based sexual assault crisis center. Information for such centers including names, addresses, websites, and telephone numbers is available at

**Preserving Evidence:**

It is important to preserve relevant evidence as failure to do so could compromise any subsequent investigation, jeopardize the ability to punish the perpetrator, and/or complicate the ability to obtain an order of protection. Though the decision of whether and when to report is up to the individual who experience sexual misconduct, delayed reporting may make it more difficult to find and convict/discipline the perpetrator.

**Order of Protection or No Contact Order:**

If desired, a victim of sexual misconduct may seek an order of protection (750 ILCS 60/214) or no contact order (740 ILCS 22/101.1 et seq.) from an Illinois court. The decision to grant such an order in any particular instance is at the discretion of the court. If such an order is issued, Illinois Tech will honor it to the extent required by law. Additional information on orders of protection and the process for obtaining such an order is available on the website of the Cook County Clerk of the Circuit Court at

**Illinois Tech Disciplinary Process:**

Complaints will be investigated and, if warranted, disciplinary proceedings will be initiated according to the procedures outlined in the Code of Conduct. The preponderance of the evidence will be used in all investigations and hearings pertaining to any cases of sexual misconduct. Both the complainant and respondent will: have equal access to the same information to be provided in connection with disciplinary

proceedings; be afforded the same opportunity to participate in the process equally; and have the same right to appeal a decision made and/or sanction imposed.

Sexual assaults may not be mediated. Additionally, in cases of sexual misconduct, the complainant and respondent will not be permitted to directly question one another; but, both may suggest questions to be posed by the Campus Judicial Board or the Dean of Students.

**Disciplinary Proceedings:**

Anyone may initiate a complaint for sexual misconduct. Though individuals are encouraged to come forward and report complaints, reports may also be made anonymously by contacting Public Safety at 312-808-6300 or by filing a report at <http://www.iit.edu/incidentreport>. However, the ability of Illinois Tech to investigate and address anonymous reports is generally significantly limited.

All complaints will be reviewed by the Office of Student Affairs. The Office will review the complaints to determine if there is a reasonable basis for believing a violation of the Code of Conduct may have occurred and, if so, determine the appropriate course of action.

**Notification & General Procedures:**

If a complaint is deemed to have merit, students will be notified in writing by the Office of Student Affairs at least five calendar days before any hearing and at least three calendar days before an investigatory meeting. All meetings and hearings are closed to the public.

An investigatory meeting and/or conduct hearing will be provided by the Office of Student Affairs and will include: in the case of an investigatory meeting, a summary of the violation(s) alleged; in the case of a conduct hearing, the specific violations of charges: a summary of the evidence and witnesses that will be presented to substantiate the violation(s) and the time and place of the hearing. Once notification has been given, Illinois Tech will conduct the investigation or hold the hearing on whether or not the student elects to participate.

In any investigatory meeting or conduct hearing, both the complainant and the respondent has the right to: attend the meeting or hearing; be accompanied by his or her parents and an advisor of his or her choosing; and present witnesses.

**Role of Advisor:**

In order to maintain the integrity, civility and efficiency of the process, any advisor and/or parents attending a meeting or hearing will be limited to advising the student and will not be allowed to participate in the meeting and/or hearing; this includes, but is not limited to, presenting the case, answering questions, questioning witnesses or making statements during the hearing. Failure of an advisor or parent to adhere to these standards may result in his or her removal from the hearing.

**Meetings and Hearings:****Investigatory Meeting:**

Prior to a hearing for violation(s) of the Code of Conduct, the Office of Student Affairs may, at its discretion, hold an investigatory meeting. This meeting between the accused student and the Dean of Students or his/her designee is to discuss the matters in the complaint

If an investigatory meeting is held, it will generally occur any time within 15 calendar days of receipt of the complaint, but in any event, the student will be notified in writing at least three school days before the scheduled meeting. Investigatory meetings shall not be recorded and any notes or materials of any investigatory meeting made by the Dean of Students or his/her designee will be the sole property of Illinois Tech.

If an investigatory meeting is not held and the alleged misconduct could result in a sanction of suspension or expulsion, then the matter will proceed to a hearing before the Campus Judicial Board.

If an investigatory meeting is held, but the student fails to attend the investigatory meeting, or one was not held and the alleged misconduct will not result in a sanction of suspension or expulsion, then the matter may, at the discretion of the Dean of Students or designee, be heard administratively and a determination of responsibility made without the student's input.

**Investigatory Meetings in Sexual Misconduct Matters:**

With respect to an alleged violation of sexual misconduct, the expectation is that an investigatory meeting will occur unless the respondent/accused (i) is not a then-registered Illinois Tech student, (ii) is incarcerated or otherwise lawfully detained, or (iii) the determination is made that the substantive value of such meeting to the process is outweighed by the health or safety risks to the campus or one or more staff members or students. If an investigatory meeting is held, it will generally occur any time within 15 school days of receipt of the complaint, but in any event, the student will be notified in writing at least three school days before the scheduled meeting. With respect to any investigatory meetings and hearings related to alleged sexual misconduct violations, but only with respect to such violations, the Dean of Students will provide or will have provided to both the complainant and respondent as well as appropriate Illinois Tech officials involved equal access to any information that will be used during such meetings and hearings.

**Types of Hearings:**

There are two types of disciplinary hearings: *Administrative* and *Campus Judicial Board Hearings*.

**Administrative Hearings:**

A one-on-one meeting between the student and the hearing administrator designated by the Dean of Students to discuss the alleged violation(s). The student may present witnesses and/or witness statement(s) on his/her behalf. Witnesses are defined as individuals who were at the incident in question and/or have information pertinent to the incident in question. The administrator may, in his or her sole discretion, disallow witnesses whose testimony would be redundant or not germane to the charges. The administrator determines responsibility and imposes any applicable sanction(s). Administrative hearings are typically used for cases that are deemed less serious in nature.

**Campus Judicial Board Hearings:**

The accused student and complainant (if applicable) appear before the Campus Judicial Board to discuss the alleged violations. The Campus Judicial Board determines responsibility and imposes any applicable sanction(s). Students appearing before the Campus Judicial Board will be notified of a pre-hearing meeting to review the allegations and the process with the Director of Community Standards or his/her designee; this pre-hearing meeting is separate and distinct from an investigatory meeting and conduct hearing. The student will be notified of the date of the pre-hearing meeting at least three school days in advance, and his or her hearing before the Campus Judicial Board will proceed regardless of whether he or she attends the pre-hearing meeting. Campus Judicial Board hearings will be used for cases where the alleged violation(s) could result in sanctions of suspension or expulsion or the allegations are deemed complex in nature. The Dean of Students or designee may at their sole discretion determine which cases are deemed complex in nature. Students who are referred to the Campus Judicial Board may waive their right to a board hearing and select an administrative hearing. Prior to the student waiving their right to appear before the Board, the Dean of Students or his/her designee must inform the student if the alleged misconduct could result in a sanction of suspension or expulsion. If such sanctions could result and the student wants the matter to be heard administratively by the Dean of Students or his/her designee, the student must sign a statement waiving his or her right to a hearing before the Campus Judicial Board.

Hearings are generally expected to commence at any time within 20 school days after the investigatory meeting or 30 school days after receipt of the complaint if no investigatory hearing is held. With respect to alleged violations of sexual misconduct, hearings will be conducted by individuals who have received training, as required by law, on issues related to dating violence, domestic violence, sexual assault and stalking and how to conduct an investigation that protects the safety of victims and promotes accountability and other such matters.

The Campus Judicial Board will be advised by a designee of the Dean of Students, will conduct itself consistent with applicable policies in a manner that is transparent to all parties, and will be composed of members who do

not have a conflict of interest or bias for or against the complainant or the respondent. A Campus Judicial Board will generally include two faculty members, at least one of whom is not in the student's major department, three students, and two Illinois Tech staff members, at least one of whom will be from the Office of Student Affairs, all appointed by the Dean of Students. The Board shall be chaired by the appointed staff member from the Office of Student Affairs. A Campus Judicial Board hearing may proceed as long as at least one faculty member, two students and one staff member, as described above, are present. A member of a Campus Judicial Board may participate by teleconference, Skype or such other electronic means that permits him or her to see and/or hear the proceedings and participate in them.

At the hearing, a student will have the right to make an oral statement both at the start and the conclusion of the hearing and to submit written evidence to the Campus Judicial Board. Further, as a general rule, a student will have the right (i) to present and to question any witnesses of his or her choosing that have information relevant to the charges against him or her, provided that the chair may, in his or her sole discretion, disallow witnesses whose testimony would be redundant or not germane to the charges; and (ii) to cross-examine any witness that is called to testify in support of the charges, provided that the chair may, in his or her discretion, limit such cross-examination to the extent it is not germane to the charges, is redundant or becomes abusive or harassing. Members of the Campus Judicial Board may, as each deems appropriate, ask questions of any witness called or regarding any evidence submitted. To the extent deemed necessary to maintain decorum or to protect students from harassment or to ensure the integrity of the process, the chair, in his or her sole discretion, may require a student to direct questions to the chair who will then ask them of a witness or witnesses.

A recording of the hearing will be made and will remain the sole property of Illinois Tech. No other record of the hearing may be made. Students will be notified in writing of the decision of conduct proceedings, including sanctions imposed. For additional information on the hearing process, contact the Office of Student Affairs (312.567.3080).

**Possible Sanctions or Protective Measures:**

Sanctions for cases of sexual misconduct will vary based on the nature and severity of the situation as well as the respondent's (accused person) prior disciplinary history. Possible sanctions can range from disciplinary warnings to suspension or expulsion. Sanctions of suspension and expulsion are automatically stayed and referred to the Provost for review. A full range of sanctions is listed under Section C (Conduct Sanctions) of the Code of Conduct.

**Accommodations:**

Upon request of either the responding or reporting party, at any time during the proceedings, Illinois Tech will provide reasonable accommodations to ensure that the complainant and respondent are separated, while still the proceedings take place. Accommodations include options for and available assistance in changing academic; living; dining; transportation and work situations. Requests for accommodations should be made to the Dean of Students (312-567-3080; MTCC, Room 209). The option to seek accommodations is available regardless of whether the complainant has elected to report the crime to campus police or local law enforcement.

**Support Options:**

A list of additional available support options ranging from counseling, health, mental health, victim advocacy, legal assistance, and other services both on-campus and in the area can be found at <http://web.iit.edu/student-affairs/vawa-save-acts>.

**Confidentiality:**

Illinois Tech will generally seek to protect the privacy of all parties to a complaint or other report of sexual misconduct to the extent possible. Illinois Tech will, to the extent permitted by law, also seek to ensure that the name and identifying information of an individual who has experienced sexual misconduct is not included in any publically available records. However, when a complaint of sexual misconduct is received, Illinois Tech may well have an independent legal obligation to investigate the same and to respond in a way that limits the

effects of sexual misconduct and prevents its reoccurrence, even if the individual who experienced the sexual misconduct has elected, as his or her right, not to pursue it or has declined to cooperate.

Accordingly, Illinois Tech reserves the right to share information during or after an investigation with people who reasonably need to know it in order to promote campus safety; comply with law; provide for a prompt, fair, and impartial resolution; and/or institute accommodations or protective measure. Such individuals may include Illinois Tech officials, faculty members, staff, investigators, Campus Judicial Board members, witnesses, the individual who experienced the sexual misconduct, and the person accused of committing such misconduct.

If an individual who experienced sexual misconduct is unsure of someone's duties and abilities to maintain his or her privacy, he or she should ask the individual before speaking to them. Certain limited staff members in certain Illinois Tech departments are generally obligated by law to maintain confidentiality, including certain licensed health professionals acting in their professional capacity; pastoral counselors, meaning individuals who are associated with a religious order or denomination, recognized by that order or denomination as people who provide confidential counseling and acting within the scope of that recognition; designated confidential advisors; and staff or local rape and domestic violence crisis centers.

**Persons with the Legal Ability to Maintain Confidentiality:**

Illinois Tech's Student Health and Wellness Center has licensed health professionals who can meet with victims on a professional basis and discuss matters in confidence. Staff members of the Student Health and Wellness Center, whose official responsibilities include providing mental health counseling to members of the student body, when acting within the scope of their license or certification, are generally obligated by law to maintain confidentiality, and these individuals when so acting are not required by law to report criminal offenses, including sexual misconduct, about which they are informed.

In addition, Illinois law has established the recognized role of "Confidential Advisor", which is an individual employed by a higher education institution who has received certain mandated training and has the duty and ability to provide emergency and ongoing support to students who have experienced sexual misconduct. At Illinois Tech, the following individual has been designated as a Confidential Advisor: Mariá Balata, Director of Advocacy Services, 180 N. Michigan Avenue, Chicago IL, 312-4339603, [advocacy@ourresilience.org](mailto:advocacy@ourresilience.org)

Communications between a Confidential Advisor and an individual who has experienced sexual misconduct and all records related are to remain confidential unless the complainant consents to disclosure in writing, disclosure is mandated by law or court order, or failure to disclose such communication would result in clear, imminent risk of serious physical injury to or death of the individual or another.

A Confidential Advisor will: inform him or her of the choice of possible next steps regarding reporting options and possible outcomes, whether through Illinois Tech's policies and procedures or local law enforcement; notify him or her of the resources and services available both on and off-campus; discuss order of protection and no contact orders; at his or her request, liaise with and assist in contacting and reporting to Illinois Tech officials, local law enforcement or community-based sexual assault crisis centers as well as to secure accommodations from Illinois Tech.

**Contact Information**

**Title IX Coordinator**

312-567-5725

Email: [foster@iit.edu](mailto:foster@iit.edu)

**Office of Student Affairs**

312-567-3081

Email: <http://web.iit.edu/student-affairs>

**Student Health and Wellness Center**

312-567-7550

Email: [http://www.iit.edu/student\\_health](http://www.iit.edu/student_health)

**Confidential Advisor**

Mariá Balata,

Director of Advocacy Services

180 N. Michigan Avenue

Chicago IL

312-433-9603

Email: [advocacy@ourresilience.org](mailto:advocacy@ourresilience.org)

**IIT Public Safety Department**

312-808-6300

Email: [ayocum@iit.edu](mailto:ayocum@iit.edu)

**Local Law Enforcement**

911

**Resilience Domestic and Dating Abuse**

773-907-1062

**Greenlight Counseling Services**

773-750-7077

**Mercy Hospital & Medical Center**

2525 South Michigan Avenue, Chicago

Phone: 312-567-2000

**APPENDIX A**  
**TITLE IX SEX DISCRIMINATION**  
**EFFECTIVE JANUARY 9, 2025**  
**2020 TITLE IX FINAL RULE**

**NON-DISCRIMINATION POLICY**

The Title IX Educational Amendments of 1972 prohibits discrimination based on sex in education programs and activities that receive federal assistance. No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be subjected to discrimination under any education program or activity receiving federal financial assistance.

It is the intention and commitment of Illinois Tech to not discriminate on the basis of sex in our educational program or activities. The types of discrimination that are covered under Title IX include but are not limited to: sex-based harassment, sexual violence (sexual assault, domestic and dating violence, and stalking), admission, employment, disability, marital or parental status including pregnancy or related conditions, and access to and treatment in the programs and activities of Illinois Tech. This policy is effective as of January 9, 2025, and will also be used to resolve reports before January 9, 2025.

**I. TITLE IX DEFINITIONS**

The following terms have the following definitions as used in this Title IX sex discrimination/sex-based harassment grievance process:

1. **AMNESTY**

Amnesty for reporting sex discrimination/sex-based harassment at Illinois Tech is meant to encourage reporting of sex discrimination/sex-based harassment and seeks to remove any barriers to an individual making a report. Illinois Tech recognizes that an individual who was drinking or using drugs at the time of such an incident may be hesitant to make a report because of potential consequences for their own conduct. Accordingly, individual(s), who in good faith, report sex discrimination/sex-based harassment that was directed at them or another person, either as a reporting party or a third-party witness, will not be subject to disciplinary action by Illinois Tech solely for their own personal consumption of alcohol or drugs.

2. **ACTUAL KNOWLEDGE**

Actual Knowledge means notice of sex discrimination/sex-based harassment or allegations of sex discrimination/sex-based harassment to Illinois Tech's Title IX Coordinator or designee or to any Official With Authority. Assumption of knowledge based solely on Illinois Tech's status as an employer or other presumption under the law does not constitute Actual Knowledge. This standard is not met when the only official of Illinois Tech with Actual Knowledge is the respondent. "Notice" as used here includes, but is not limited to, a report or complaint of sex discrimination/sex-based harassment to the Title IX Coordinator or any Official With Authority in person, by mail, by telephone, or by email directly to the Title IX Coordinator, Virginia Foster, foster@iit.edu or by any means that results in the Title IX Coordinator or an Illinois Tech Official With Authority receiving the person's verbal or written report.

### 3. BUSINESS DAYS

Days on which the Illinois Tech main office is open.

### 4. COMPLAINANT

A person who is alleged to be the victim of conduct that could constitute sex discrimination including sex-based harassment.

### 5. CONSOLIDATION OF FORMAL COMPLAINTS

A recipient may consolidate formal complaints as to allegations of 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, where allegation of sexual harassment arises out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this document that refer to the singular complainant, or respondent, include the plural, as applicable.

### 6. CONFIDENTIAL ADVISORS

Confidential Advisors are the only individuals who generally have an obligation to maintain privacy and confidentiality and not to report information that they may learn regarding sex discrimination/sex-based harassment. In addition, Illinois law has established the recognized role of Confidential Advisor, which is an individual retained by a higher education institution that has certain mandated training and has the duty and ability to provide emergency and ongoing support to students who have experienced sex discrimination/sex-based harassment. Illinois Tech has elected to contract for Confidential Advisor services. The provider of such services is:

#### Resilience

180 N. Michigan Ave, STE 600 Chicago, Illinois 60611  
Phone Number: 773-275-8340 (24 hours)

Illinois Tech's Student Health and Wellness Center has licensed health professionals who can meet with victims on a professional basis and discuss matters in confidence. Staff members of the Student Health and Wellness Center, whose official responsibilities include providing mental health counseling to members of the student body, when acting within the scope of their license or certification, are generally obligated by law to maintain confidentiality, and these individuals when so acting are not required by law to report criminal offenses, including some sex discrimination/sex-based harassment, about which they are informed.

### 5. CONSENT

Consent represents the cornerstone of respectful and healthy intimate relationships. Illinois Tech strongly encourages its community members to communicate – openly, honestly, and clearly – about their actions, wishes, and intentions when it comes to sexual behavior, and to do so before engaging in sexual behavior or other forms of intimate conduct. It is always the requirement of

the individual initiating intimate conduct (or undertaking a new type of sexual behavior) to ensure that consent is present before acting and is present during the intimate conduct.

When determining whether consent was present, Illinois Tech will consider whether a reasonable person in the same circumstances should have known whether the other party could or could not consent to the sexual activity. Thus, to have sex with someone who you know to be, or should have known to be incapable of knowingly, voluntarily, and clearly giving permission, by words and/or actions to engage in sexual behavior is a violation of this policy. Consent is not present when an individual cannot give permission, voluntarily or involuntarily, due to age (younger than 17 in Illinois), physical condition, or disability that impairs the individual's ability to give consent. Reasons why one could lack the capacity to give consent due to a physical condition include, but are not limited to, incapacitation due to the consumption of drugs or alcohol (voluntarily or involuntarily) or being in a state of unconsciousness, sleep, or other state in which the person is unaware that sexual activity is occurring. To be clear, a person may appear to be giving consent but may not have the capacity to do so; in which case, the apparent consent is not effective. If there is any doubt as to another person's capacity to give consent, one should assume that the other person does not have the capacity to give consent. Being intoxicated or impaired by drugs or alcohol does not excuse one from the responsibility to obtain consent.

With the foregoing, consent means the existence of clearly understandable words or actions that manifest a knowing, active, voluntary, and present and ongoing agreement to engage in specific sexual behavior or intimate conduct by one not suffering from incapacitation (as defined below).

Consent must be all of the following:

- **Knowing:** Consent must demonstrate that all individuals are in a state of mind to understand, to be aware of, and to agree to the "who" (same partners), "what" (same acts), "where" (same location), "when" (same time), and "how" (the same way and under the same conditions) of sexual or intimate activity.
- **Active:** Consent must be communicated in clearly understandable words or actions that reveal one's expectations and agreement to engage in specific sexual or intimate activity. This means that silence, passivity, submission, or the lack of verbal or physical resistance (including the lack of a "no") should not - in and of itself - be understood as consent. Consent cannot be inferred by an individual's manner of dress, the giving or acceptance of gifts, the extension or acceptance of an invitation to go to a private room or location, or going on a date.
- **Voluntary:** Consent must be freely given and cannot be the result of force (violence, physical restraint, or the presence of a weapon); threat or coercion (defined below); or fraud (misrepresentation or material omission about oneself or the present situation in order to gain permission for sexual or intimate activity).
- **Present and ongoing:** Consent must exist at the time of the sexual or intimate activity. Consent to previous sexual or intimate activity does not imply consent to later sexual or intimate acts; similarly, consent to one type of sexual or intimate activity does not imply consent to other sexual or intimate acts. Consent may also be withdrawn at any time by the person making known, by articulated word or concrete action, his or her intention to withdraw it, and thereupon, the sexual or intimate activity should immediately cease.
- **Threat or Coercion:** The direct or implied threat of force, violence, danger, hardship, or retribution sufficient to persuade a reasonable person one would

have to submit. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. A person's words or conduct cannot amount to coercion unless they wrongfully impair the other's freedom of will or ability to choose whether or not to engage in sexual activity. When someone makes it clear that they do not want to engage in sexual activity, that they want to stop, or they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be threatening or coercive.

- **Incapacitation:** The inability to understand the nature of the activity or to give knowing consent. Incapacitation is also the inability to understand the “*who, what, when, where, & how*” of the intimate conduct that took place. When a person is sufficiently intoxicated, high, intellectually disabled, or the like such that the person is not capable of appreciating what is happening establishes incapacitation. The legal inability to give effective consent because of age or declared incompetent.

#### 6. DISCIPLINARY SANCTIONS

Are consequences imposed on a respondent after a determination has been made that the respondent has violated Illinois Tech’s Title IX prohibition on sex discrimination, including sex-based harassment.

#### 7. EDUCATIONAL PROGRAM or ACTIVITY

Locations, events, or circumstances in the United States over which Illinois Tech exercises substantial control over both the respondent and the context in which Title IX sex discrimination/sex-based harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by Illinois Tech. Depending on the facts, such as whether it was an Illinois Tech sponsored event, this phrase may extend to off-campus reports occurring in the United States.

#### 8. EMERGENCY REMOVAL/ LEAVE OF ABSENCE

Illinois Tech may, after receiving Actual Knowledge or a Formal Title IX Complaint, remove a student respondent from its education program or activity on an emergency basis, provided Illinois Tech makes an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sex discrimination/sex-based harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. Illinois Tech may place a non-student employee Title IX Respondent on paid administrative leave during the pendency of this Title IX sex discrimination/sex-based harassment process. Such emergency removals/leaves of absence must comply with any other relevant laws, policies, administrative procedures, and agreements governing removals of students and/or employees from the institution’s program or activity.

#### 9. FORMAL TITLE IX COMPLAINT

A document filed by a complainant or signed by the Title IX Coordinator alleging sex discrimination/sex-based harassment against a respondent and requesting that Illinois Tech investigate the allegation.

At the time of filing a Formal Title IX Complaint, the complainant must be participating in or attempting to participate in Illinois Tech's education program or activity within which the formal complaint is filed.

A complaint may be filed with the Title IX Coordinator in person, by mail, or submitted electronically by email or using the Illinois Community Reporting Form - Incident Report that contains the complainant's physical or digital signature or otherwise indicates that the complainant is the person filing the complaint.

Where the Title IX Coordinator signs a Formal Title IX Complaint, the Title IX Coordinator is not a complainant or otherwise a party under this sex discrimination policy.

#### 10. INTERNAL INVESTIGATORY REPORTS

A Preliminary Report will be prepared and shared with each party and their advisor, if any, at the conclusion of the investigation and each party shall have 10 calendar days to review and provide a written response prior to the completion of the summary report.

A Summary Report will be prepared prior to the hearing, that summarizes evidence collected and sent to each party and their advisor, if any, 10 calendar days before the hearing for their review and written response.

#### 11. PARTY

This means a complainant or respondent.

#### 12. RESPONDENT

An individual named in a report who is alleged to have violated Illinois Tech's prohibition on sex discrimination including sex-based harassment.

#### 13. RESPONSIBLE EMPLOYEES

Responsible Employees have an obligation to report immediately any information they come to learn regarding sex discrimination/sex-based harassment. At Illinois Tech, Responsible Employees are to report such information to officials designated by Illinois Tech to have authority to institute corrective measures on the institution's behalf. Illinois Tech has designated individuals holding the following titles/positions as Responsible Employees: Office of the Vice Provost for Student Affairs, Title IX Coordinator, President, Provost, Vice Presidents/Provosts and those designated to serve in the role of Associate and Assistant Vice Presidents/Provosts; academic deans, directors and department chairs; including those serving in associate roles; student affairs directors; residential life personnel, including resident advisors; Greek life coordinators; athletic administrators, including directors, assistant directors, coaches, assistant coaches and trainers; student activities coordinators; faculty and staff advisors to Illinois Tech recognized student organizations; academic advisors; and Department of Public Safety staff.

Faculty and staff members who do not meet any of these criteria are not considered Responsible Employees, though all such employees, while safeguarding an individual's privacy, are encouraged to share any information that they may learn regarding sex discrimination/sex-based harassment so that Illinois Tech may address the same. For the avoidance of doubt, Responsible Employees are not the same as Officials With Authority. See the definition of Officials With Authority.

#### 14. SEX-BASED HARASSMENT

Sex-based harassment is a form of sex discrimination and refers to conduct on the basis of sex that satisfies one or more of the following:

##### **Quid Pro Quo Harassment**

An employee of the recipient to provide an aid, benefit, or service under Illinois Tech's educational program or activity conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual behavior.

##### **Hostile Environment Harassment**

Unwelcome sex-based conduct, that based on a reasonable person and the totality of the circumstances, is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Illinois Tech's education program or activity. Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the type, frequency, and duration of the conduct, the parties' ages, and the degree to which the conduct affected the complainant's ability to access their educational program or activity.

##### **Conduct Prohibited by the Violence Against Women Act**

- **Sexual Assault:** An offense classified as a forcible or nonforcible sex offense under the Federal Bureau of Investigation, Criminal Justice Information Services, Uniform Crime Reporting (UCR) Program, National Incident-Based Reporting System (NIBRS), <https://www.fbi.gov/services/cjis/ucr/nibrs>, which includes rape, sodomy, sexual assault with an object, or fondling directed against another person, without the consent thereof, including instances where said other person is incapable of giving consent, as well as incest and statutory rape. Consistent with the NIBRS, the following definitions of these offenses are:
  - **Rape (Except Statutory Rape):** The carnal knowledge of another person, without the consent of said person, including instances where the person is incapable of giving consent because of their age or because of his/her temporary or permanent mental or physical incapacity.
  - **Sodomy:** Oral or anal sexual intercourse with another person without the consent of said person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
  - **Sexual Assault with An Object:** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of said person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
  - **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification without the consent of said person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
  - **Incest:** Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- **Statutory Rape:** Nonforcible sexual intercourse with a person who is under the statutory age of consent.
- **Dating Violence** – Violence committed by a person: (1) who is or has been in a social relationship of a romantic or intimate nature with another person, and (2) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. 34 U.S.C. §12291(a)(10).
- **Domestic Violence** – Any felony or misdemeanor crimes of violence committed by (i) a current or former spouse or intimate partner of a person, (ii) someone with whom a person shares a child in common, (iii) a person who is cohabitating with or has cohabitated with another as a spouse or intimate partner, (iv) a person similarly situated to a spouse under the domestic or family violence laws of the jurisdiction, or (v) any other person against an adult or youth who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction. 34 U.S.C. §12291(a)(8).
- **Stalking** – Engaging in a course of conduct, whether in-person or via any electronic, telephonic computer or digital means, directed at the Title IX Complainant that would cause a reasonable person to: (1) fear for his or her safety or the safety of others, or (2) suffer substantial emotional distress. 34 U.S.C. §12291(a)(30).

#### 15. STUDENT EMPLOYEE

A student whose primary relationship with the Illinois Tech is to receive an education, and the student works for the Illinois Tech, and while performing work-related services learns of conduct that may constitute sex discrimination/sex-based harassment under Illinois Tech’s Title IX policy has a duty to report the alleged conduct to the Office of Title IX Compliance. All Illinois Tech employees (including student employees) and graduate students with teaching or supervisory authority are obligated to promptly report sex discrimination, or sex-based harassment, of which they become aware in the scope of their work for Illinois Tech to the Office of Title IX Compliance.

#### 16. SUPPORTIVE MEASURES

When Illinois Tech is notified of conduct that reasonably may constitute Title IX sex discrimination/sex-based harassment the Title IX Coordinator or designee may offer and coordinate non-disciplinary, non-punitive, individualized services offered as appropriate, and as reasonably available, without fee or charge to a complainant or respondent. Such measures are designed to restore or preserve equal access to the university’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the university educational environment and deter Title IX sex discrimination/sex-based harassment. Supportive Measures may include but are not limited to counseling, extensions of work assignment deadlines, modification of work schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, work and housing changes and other similar measures.

The Title IX Coordinator or designee will be responsible for coordinating the effective implementation of supportive measures; provided, however, the Title IX Coordinator may designate other Illinois Tech Officials to assist with implementing Supportive Measures.

Illinois Tech will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of Illinois Tech to provide the supportive measure. Illinois Tech may not impose any disciplinary sanctions or other actions that are not supportive measures against a respondent until a determination of responsibility has been issued as required by Title IX and its regulations.

17. TITLE IX APPELLATE DECISION-MAKER

An individual designated by Illinois Tech to conduct an appeal required by the Title IX sex discrimination/sex-based harassment process. The Title IX Appellate Decision-maker cannot be the Title IX Coordinator, Title IX Investigator, Title IX Decision-maker or Title IX Informal Resolution Facilitator assigned to the same Formal Title IX Complaint, must be free from conflicts of interest or bias against complainants and respondents generally and against an individual complainant or respondent, and must be trained to properly implement Illinois Tech's Title IX grievance procedures and to serve impartially.

18. TITLE IX COORDINATOR

Title IX at 85 Fed. Reg. 30026, 30026-30579. The identity of and contact information for the Title IX Coordinator is as follows: Virginia Foster, foster@iit.edu, 312-567- 5725 and is also available on the Title IX Office website at <https://www.iit.edu/titleix/title-ix-compliance>. The Title IX Coordinator may delegate authority to perform any task under this

19. TITLE IX DECISION-MAKER

An individual designated by the Title IX Coordinator or designee to reach a determination regarding responsibility in a formal complaint, using the preponderance of the evidence standard of proof, and applying Illinois Tech's Title IX grievance procedures. The Title IX Decision-maker cannot be the Title IX Coordinator, Title IX Investigator, Title IX Informal Resolution Facilitator or Title IX Appellate Decision-maker assigned to the same Formal Title IX Complaint, must be free from conflicts of interest or bias against complainants and respondents generally and against an individual Title IX complainant or respondent, and must be trained to properly

20. TITLE IX INVESTIGATOR

An individual designated by the Title IX Coordinator to investigate a Formal Title IX Complaint according to this Title IX sex discrimination/ sex-based harassment process. The Title IX Investigator cannot be the Title IX Decision-maker, Title IX Informal Resolution Facilitator or the Title IX Appellate Decision-maker assigned to the same Formal Title IX Complaint. The Title IX Investigator must be free from conflicts of interest or bias against complainants and respondents generally and against an individual complainant or respondent. The Title IX Investigator must be trained to properly implement Illinois Tech's Title IX grievance procedures and to serve impartially.

21. TITLE IX INFORMAL RESOLUTION FACILITATOR

An individual designated by the Title IX Coordinator to seek an informal resolution of a Formal Title IX Complaint in accordance with this Title IX sex discrimination/sex-based harassment process. The Title IX Informal Resolution Facilitator cannot be the Title IX Coordinator, Title IX Investigator, Title IX Decision-maker or Title IX Appellate Decision-maker assigned to the same Formal Title IX Complaint, must be free from conflicts of interest or bias against

complainants and respondents generally and against an individual complainant or respondent, and must be trained to properly implement Illinois Tech's Title IX grievance procedures and to serve impartially.

## II. TITLE IX SEX DISCRIMINATION/SEX-BASED HARASSMENT GRIEVANCE PROCESS

If Illinois Tech has Actual Knowledge of sex discrimination/sex-based harassment, the institution shall respond in a manner that is not clearly unreasonable in light of the known circumstances by using this grievance process. No person designated or serving as a Title IX Coordinator or designee, Title IX Investigator, Title IX Decision-Maker, Title IX Appellate Decision-Maker or Title IX Informal Resolution Facilitator will have a conflict of interest or bias for or against complainants or respondents generally or against an individual complainant or respondent. The institution's response will include, at a minimum, the following:

### 1. WHETHER OR NOT A FORMAL TITLE IX COMPLAINT ALLEGING SEX DISCRIMINATION/SEX-BASED HARASSMENT IS FILED:

At a minimum, the Title IX Coordinator or designee will comply with the following:

- **Initial Meeting with the Complainant:** The Title IX Coordinator or designee must promptly contact the Title IX Complainant to:
  - Inquire about and consider the Title IX Complainant's wishes with respect to Supportive Measures;
  - Inform and discuss with the Title IX Complainant the availability of Supportive Measures with or without the filing of a Formal Title IX Complaint; and
  - Explain to the Title IX Complainant the process for filing a Formal Title IX Complaint as set forth in this Title IX sex discrimination/sex-based harassment process.
- **Supportive Measures:** The Title IX Coordinator will be responsible for coordinating the effective implementation of Supportive Measures; provided, however, the Title IX Coordinator may designate other Illinois Tech officials to assist her with implementing Supportive Measures. Illinois Tech will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of Illinois Tech to provide the Supportive Measures. Illinois Tech may not impose any disciplinary sanctions or other actions that are not Supportive Measures against a respondent unless a Formal Title IX Complaint has been filed and a finding of responsibility has been issued against the respondent under this grievance.
- **Emergency Removals/Leaves of Absence:** Illinois Tech may after receiving Actual Knowledge or a Formal Title IX Complaint remove a student-respondent from its education program or activity on an emergency basis, provided that Illinois Tech makes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Title IX sex discrimination/sex-based harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. Illinois Tech also may place a non-student employee respondent on paid administrative leave during the pendency of this grievance process. Such emergency removals/leaves of absence must comply

with any other relevant laws, policies, administrative procedures, and agreements governing removals of students and/or employees from the institution's program or activity.

2. **IF A FORMAL TITLE IX COMPLAINT ALLEGING SEX DISCRIMINATION/SEXBASED HARASSMENT IS FILED OR INITIATED:**

The Title IX Coordinator or designee will, at a minimum:

- Notice of Allegations: Provide written notice to any known Title IX Complainants and Title IX Respondents including:
- A copy or link to this grievance process;
- Notice of the allegations of sex discrimination/sex-based harassment in the Formal Title IX Complaint, including the identities of all known parties involved in the incident(s), the conduct allegedly constituting sex discrimination/sex-based harassment, the date and location of the alleged incident, if known, and any other details necessary to prepare a response; such notice must be provided with sufficient time for the parties to prepare a response before any interview, which in no case shall be less than 48;
- A statement that the respondent is presumed not responsible for the alleged conduct;
- A statement that a determination regarding responsibility is made at the conclusion of the process;
- Notice to the parties that they may have an advisor of choice who may be, but is not required to be an attorney;
- Notice to the parties that they may inspect and review evidence obtained during the investigation; and;
- Notice of any provision of Illinois Tech Code of Conduct that prohibits knowingly making false statements or knowingly submitting false information during the process.

If at any time during the course of the investigation additional allegations of sex discrimination/sex-based harassment arise that will be investigated and that were not included in the written notice, the Title IX Coordinator or designee will, within 7 calendar days of the decision to add the allegations to the investigation, provide notice of the additional allegations as described above to the parties whose identities are then known.

**Mandatory Dismissals:** Within 10 calendar days of receiving a Formal Title IX Complaint filed by a complainant, the Title IX Coordinator or designee will dismiss under this grievance process any allegation in the Formal Title IX Complaint that would not constitute sex discrimination/sex-based harassment, even if true; that did not occur in Illinois Tech's education program or activity; and/or that did not occur against a person in the United States. Nothing precludes action on any dismissed allegations under another policy, procedure, or rule of Illinois Tech or school. Upon such dismissal, the Title IX Coordinator or designee will send written notice of the dismissal and reason(s) therefore simultaneously to the parties.

**Identification of Investigator:** Identify and document one or more qualified Title IX Investigator(s) who will investigate the Formal Title IX Complaint. The Title IX Investigator(s) will investigate the allegations of sex discrimination/sex-based harassment in a Formal Title IX Complaint.

3. **INFORMAL RESOLUTION.** As provided for herein, if the complainant and respondent and Illinois Tech each freely agree, Illinois Tech will offer the option to participate in a voluntary informal resolution process in an attempt to resolve allegations of Title IX sex discrimination/sex-based harassment; provided, however, if a Formal Title IX Complaint involves an allegation of sex discrimination/sex-based harassment by an Illinois Tech employee against a student, then informal resolution is not an available option.
- The Title IX Investigator will, within 7 calendar days of assignment to the Formal Title IX Complaint, notify, in writing, the complainant and respondent of the option to complete informal resolution, which will, among other things, set forth (i) the allegations; (ii) the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a Formal Title IX Complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the sex discrimination/sex-based harassment process with respect to the Formal Title IX Complaint; and (iii) any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared. The complainant and respondent may elect to participate in an informal resolution process at any time prior to a determination regarding responsibility for the allegation(s) in the Formal Title IX Complaint being rendered. Further, either the complainant or respondent may at any time, prior to execution of a resolution agreement, request the informal resolution process be terminated by so notifying the Title IX Informal Resolution Facilitator, in which case processing of the Formal Title IX Complaint under this policy will recommence. Illinois Tech states that it does not require - as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right - waiver of the right to an investigation and adjudication of Formal Title IX Complaints of sex discrimination/sex-based harassment consistent with this policy.
- As noted, the informal resolution process is voluntary and requires written consent from the complainant and respondent. The informal resolution process can only be initiated once a Formal Title IX Complaint has been filed with the Title IX Coordinator. Upon receipt of signed, voluntary consents to participate in the informal resolution process, the Title IX Coordinator or designee will designate a Title IX Informal Resolution Facilitator to facilitate the informal resolution process. To maintain the integrity and impartiality of the informal resolution process, a Title IX Informal Resolution Facilitator may not be called to testify, at any live hearing convened pursuant to this policy, as to any matter related to any informal resolution process to which the Title IX Informal Resolution Facilitator has been assigned.
- During the informal resolution process, all timeframes under this sex discrimination/sex-based harassment process will be tolled. If no resolution is reached within 45 calendar days of commencement of the informal resolution, meaning the day after the Title IX Informal Resolution Facilitator has been assigned, then, unless such 45-day time period is extended by agreement of the parties, or if the parties cease to engage in informal resolution, the sex discrimination/sex-based harassment process and its timeframes will thereafter recommence where it left off.
- In general, an informal resolution process will aim to restore a sense of safety to one who experienced harm, restore or maintain access to educational and/or employment opportunities, and/or in some instances repair harm. To this end, informal resolution processes can utilize a

broad range of conflict resolution strategies, including mediation, facilitated communication, and/or restorative justice practices.

As an initial matter, the Title IX Informal Resolution Facilitator typically will meet with each party separately—in person, by telephone, or by videoconference in one or more meetings, at the Title IX Informal Resolution Facilitator’s discretion—to describe the process, including the role of the Title IX Informal Resolution Facilitator; to gain an understanding of each party’s feelings, positions, and wishes with respect to resolution of the Title IX Formal Complaint; and to gather necessary information to identify any harm caused and opportunities loss. Any remaining steps of the process may be effectuated through separate or joint meetings of the parties with the voluntary agreement from the parties.

Though the facts and circumstances surrounding each Formal Title IX Complaint are unique, in general, the Title IX Informal Resolution Facilitator will seek to facilitate its resolution, and this may be accomplished by one or more of the following options, which options are intended to be exemplary, not exhaustive:

- Participation in educational programming;
- Changes in academic, work, and living arrangements;
- Assistance with requesting academic allowances and extensions;
- Writing an impact statement;
- Writing a statement acknowledging harm caused; and
- Restrictions of contact between the parties.

The Title IX Informal Resolution Facilitator does not have the power to make decision for either party but will attempt to help them fund a mutually agreeable resolution and create a document for execution by all parties that summarizes the freely agreed-upon solutions. Once a resolution agreement has been executed, Illinois Tech will neither resume nor initiate the sex discrimination/sex-based harassment process with respect to any allegations resolved in therein or arising out of the same facts or circumstances as those allegations. If a party fails to fulfill the terms of the resolution agreement, Illinois Tech may initiate a Code of Conduct violation under Article II of the Student Handbook for Failure to Comply with the Code of Conduct charge.

4. **DURING THE INVESTIGATION OF A FORMAL TITLE IX COMPLAINT AND THROUGHOUT THIS SEX DISCRIMINATION/SEX-BASED HARASSMENT PROCESS:**

The Title IX Team must:

- **Burdens:** Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on Illinois Tech and not on the parties, provided that Illinois Tech cannot 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 Illinois Tech obtains the voluntary, written consent to do so from that party. During the investigation, Illinois Tech will meet its burden by undertaking a search for the relevant, available facts and evidence pertaining to a particular case, while operating under the time frames, constraints and procedures set for in this sex discrimination/sex-based

harassment process and without the power to subpoena. Such conditions may limit the extensiveness and comprehensiveness of Illinois Tech's ability to gather evidence.

- **Equal Treatment – Evidence Presentation:** Provide an equal opportunity for the parties to present any inculpatory or exculpatory evidence, including fact and expert witnesses. Illinois Tech will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

- **Equal Treatment – Advisors:** Provide the parties with the same opportunity to be accompanied to any related meeting or proceeding by an advisor of choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or proceeding. During an investigation, advisors are free to act as a support for the party, but they cannot speak on behalf of the party in any way. During the live hearing, the advisor's primary role is to conduct the cross-examination. They may provide other forms of support for the party, but they cannot represent or speak on behalf of the party during the live hearing unless engaged in cross-examination. If a party wishes, Illinois Tech will provide an advisor of its choice, without charge to the party, who may be, but likely not will be, an attorney to conduct cross-examination during the hearing on behalf of the party

- **Written Notice of Meetings:** Provide, to a party whose participation is invited or expected, including, without limitation, the complainant and respondent and witness, written notice of the date, time, location, participants, and purpose of all investigative interviews and other meetings, with sufficient time for the party to prepare to participate, which in no case shall be less than 48 hours.

- **Equal Opportunity – Evidence Review:** Provide both parties and their advisors, if any, 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 Formal Title IX Complaint, including evidence upon which Illinois Tech 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 conclusion of the investigation. Prior to completion of the investigative report, the Title IX Investigator(s) must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least five calendar days to submit a written response, which the Title IX Investigator(s) will consider prior to completion of the Summary Investigative Report.

- **Investigative Report:** Within 90 Business Days of receipt of the Formal Title IX Complaint, the Title IX Investigator will create a Summary Investigative Report that fairly summarizes relevant evidence and, at least five calendar days prior to a live hearing or other time of determination regarding responsibility,

send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

5. **THE PROCESS USED TO INVESTIGATE AND RESOLVE A FORMAL TITLE IX COMPLAINT WILL ALSO MEET THE FOLLOWING ADDITIONAL REQUIREMENTS:**

- The process used must treat complainants and respondents equitably in all manners, including by providing remedies to a complainant where a determination of responsibility for sex discrimination and sex-based harassment has been made against the respondent, and by following this sex discrimination and sex-based harassment process before the imposition of any disciplinary sanctions or other actions that are not Supportive Measures against a respondent.
- No evidence that constitutes or seeks disclosure of information protected under a legally recognized privilege will be required, allowed, or relied on unless the person holding such privilege has waived the privilege.
- The Title IX Investigator and the Title IX Decision-Maker will objectively review all relevant evidence, including both inculpatory and exculpatory evidence, and credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
- All members of the Title IX Team will operate under a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of this grievance process.
- Remedies may include, but are not limited to, the same individualized services described as Supportive Measures in this policy but need not be non-disciplinary or non-punitive and need not avoid burdening the respondent. Student discipline can involve a range of consequences, which may include, but are not limited to, Supportive Measures, a warning, probation, suspension and expulsion, depending on the severity of the action and circumstances of the student(s) involved. For the avoidance of doubt, the Title IX Decision-maker may impose any sanction provided for in this policy upon which a respondent is found responsible, after a live hearing, for sex discrimination/sex-based harassment. Discipline for employees also includes a range of options, including, but not limited to, a letter of reprimand, reassignment, suspension with or without pay, discharge or recommendation for discharge, notifying appropriate legal authorities and/or taking legal action against the employee.
- The Title IX Coordinator or designee may consolidate Formal Title IX Complaints as to allegations of sex discrimination/sex-based 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, where the allegations of sex discrimination/sex-based harassment arise out of the same facts or circumstances.
- E-mail correspondence sent to a student's registered iit.edu e-mail address (or, in the case of a non-Illinois Tech student, such e-mail address as they shall provide) will be considered sufficient written notification in all instances where written notification is required under this policy. It is the party's sole responsibility to monitor their email. The date any such notification is e-mailed will serve as the start date for any time

period within which or after which any subsequent action or proceeding is to commence. Illinois Tech's sole obligation is to send notice to the complainant and respondent and witness; Illinois Tech shall have no obligation also to communicate with the advisors or parents or other representatives of such parties.

6. **AFTER THE INVESTIGATION OF A FORMAL TITLE IX COMPLAINT:**

The Title IX Coordinator or designee and the Title IX Decision-Maker will comply with the following:

- **Designation of Decision-maker:** The Title IX Coordinator or designee will identify one Title IX Decision-maker for the Formal Title IX Complaint, which cannot include the Title IX Coordinator or designee, or the Title IX Investigator or Title IX Informal Resolution Facilitator, if any, assigned to the Formal Title IX Complaint.
- **Live Hearing:** A live hearing will be provided as part of the sex discrimination/sex-based harassment process. The live hearing will comply with the following requirements:
  - The live hearing may, upon the request of either the complainant or the respondent, be held virtually, with parties located in separate rooms with technology enabling the Title IX Decision-Maker and parties to simultaneously see and hear the party or witness answering questions. Any live hearing may, at the discretion of the Title IX Decision-Maker, also be held virtually as outlined above. Unless the live hearing is conducted virtually, all parties must be physically present in the same geographic location.
  - All hearings will be documented through audio recording, audiovisual recording, or transcript, at Illinois Tech's discretion, and will be made available to the parties for inspection or review.
  - At the hearing, the Title IX Decision-Maker must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those that challenge credibility; such questions are referred to as "cross-examination." Only relevant cross-examination may be asked of a party or witness. With respect to cross-examination:
    - Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless 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 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 Title IX Decision-Maker must explain to the party proposing the questions any decision to exclude a question as not relevant.
  - Cross-examination at the live hearing must be conducted by the party's advisor, and never by the party. If a party does not have an advisor present at the

live hearing, Illinois Tech will provide an advisor of its choice, without charge to the party, who may be, but likely not will be, an attorney to conduct cross-examination on behalf of the party.

○ If a party or witness does not submit to cross-examination at the live hearing, the Title IX Decision-Maker may still consider and rely on any statement of that party or witness in reaching a determination regarding responsibility. However, the Decision-Maker cannot draw an inference about the determination regarding responsibility based solely on the party or witness's absence or refusal to answer cross-examination or other questions.

- **Burdens:** Illinois Tech, as the party bearing the burden of proof during the investigation and adjudication of Formal Title IX Complaints, will meet this burden during the live hearing by presenting at the live hearing the relevant evidence gathered by the investigator summarized in the investigative report
- **Statements:** The complainant and respondent shall each be afforded the opportunity to make an opening and closing statement and to suggest to the Title IX Decision Maker what they would consider an appropriate sanction in the event that the Title IX Decision-Maker were to find the respondent responsible for all or some of the allegations brought against the respondent. All such statements are to be made by the complainant and respondent; advisors may not make such statements on their behalf.
- **Live Hearing Procedures.** The Title IX Decision-Maker may establish rules for the live hearing, which may include, but are not limited to, governing decorum, setting time limits for opening and closing remarks, empowering the Title IX Decision-Maker to take a temporary recess, and any such other rules deemed prudent for the effective and efficient conduct of the live hearing; provided, however, any such rules must be consistent with this policy and must apply equally to the complainant and respondent. Any rules applicable to the hearing will be included in the notice of hearing.
- **Written Determination:** Within 21 calendar days of receipt of the final written responses and evidence from the parties, the Title IX Decision-Maker must issue a written determination regarding responsibility. To reach this decision, the Title IX Decision-Maker must apply the preponderance of the evidence standard, regardless of whether the respondent is a student or an employee. The written determination must include:
  - Identification of the allegations potentially constituting sex discrimination/sexbased harassment;
  - A description of the procedural steps taken from the receipt of the Formal Title IX 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;
  - Findings of fact supporting the determination;
  - Conclusions regarding the application of this sex discrimination/sex-based harassment process to the facts;
  - A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions Illinois Tech will impose on the respondent, and whether remedies designed to restore or preserve

equal access to Illinois Tech's education program or activity will be provided by Illinois Tech to the complainant; and

○ Illinois Tech's procedures and permissible bases for the complainant and respondent to appeal.

- **Notice of Written Determination:** The Title IX Decision-maker or a designee must provide the written determination to the parties simultaneously.
- **Appeal:** Both parties may appeal from either a determination regarding responsibility or from Illinois Tech's dismissal of a Formal Title IX Complaint or any allegations therein, on the following bases:
  - Procedural irregularity or error that affected the outcome of the matter;
  - New evidence or information that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
  - Claims that the Title IX Coordinator or designee, Investigator(s), or Decision Maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; and
  - The sanction is disproportionate with the violation.

A complainant or respondent who wishes to appeal must submit a notice of appeal to the Title IX Coordinator within 5 calendar days of the date of the Title IX Decision-Maker's decision. An appeal must be filed by email to the Title IX Coordinator at [foster@iit.edu](mailto:foster@iit.edu).

#### 7. **UPON RECEIPT OF AN APPEAL:**

The Title IX Coordinator or designee must do the following:

- **Notice of Appeal:** Within 5 calendar days of receipt of the appeal, notify the other party in writing that an appeal was filed;
- **Equal Treatment–Appeal:** Implement appeal procedures equally for both parties;
- **Different Title IX Appellate Decision-Maker:** Ensure that the Appellate Decision-Maker is not the same person as the Title IX Decision-maker that reached the determination regarding responsibility or dismissal, the Title IX Investigator(s) or Title IX Informal Resolution Facilitator, if any, assigned to the Formal Title IX Complaint, or the Title IX Coordinator or designee; and
- **Appeal Standards Met:** Ensure that the Title IX Appellate Decision-maker complies with the standards set forth in this policy for appeals.

Upon receipt of an appeal, the Title IX Appellate Decision-Maker must do the following:

- **Equal Treatment – Written Statement:** Given due consideration to the facts and circumstances of a particular case, give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome. In general, this means that each party will be made aware of, on, at least, a summary basis, the reason(s) of any appeal filed by the other party and provided the opportunity to submit a response thereto within 5 calendar days;
- **Written Appeal Decision:** Issue a written decision describing the result of the appeal and the rationale for the result within 30 calendar days after the Title IX Appellate Decision - Maker's receipt of the last written statement from a party; and

- **Notice of Written Appeal Decision:** Provide the written decision on appeal simultaneously to both parties.

If an appeal is successful, the Title IX Coordinator or designee will remand the matter back to the appropriate member of the Title IX Team to remedy the concern. A determination regarding responsibility becomes final on the date that (1) if an appeal is filed, the Title IX Appellate Decision-Maker provides the parties with the written determination of the result of the appeal upholding the determination; or (2) if an appeal is not filed, the date on which an appeal would no longer be considered timely. The Title IX Coordinator or designee is responsible for effective implementation of any remedies.

8. **AFTER THE CONCLUSION OF THE SEX DISCRIMINATION/SEX-BASED HARASSMENT PROCESS:**

Illinois Tech or the parties may exercise any rights ancillary to this Title IX process as necessary, e.g., disciplinary processes for suspensions or expulsions of students; tenured faculty dismissal proceedings; any other pre-remedy process required by any applicable law, agreement, policy, or contract.

### **DISMISSAL OF A FORMAL TITLE IX COMPLAINT**

Illinois Tech must investigate the allegations of sex discrimination/sex-based harassment received in a Title IX Formal Complaint and **must** dismiss the complaint if one or more of the following occurs:

- The conduct alleged in the Formal Complaint would not constitute sex discrimination/sex-based harassment as defined in this policy even if proved;
- The conduct did not occur in Illinois Tech's educational program or activity;
- The conduct did not occur against a person in the United States;

Illinois Tech may dismiss the Title IX Formal Complaint or any allegations therein, if at any time during the investigation or hearing:

- The respondent is no longer enrolled in Illinois Tech education program or activity or is no longer employed by Illinois Tech;
- A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the Formal Complaint or any allegations therein
- Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein
- Upon dismissal, Illinois Tech must promptly send written notice of the dismissal and reason(s) therefore simultaneously.

### **APPEAL THE DISMISSAL OF A FORMAL TITLE IX COMPLAINT**

Illinois Tech will notify the complainant that the Formal Title IX Complaint was received and dismissed and may be appealed and will provide the complainant with an opportunity to appeal the dismissal. If the dismissal occurs after the respondent has received a Notice of Allegations, then Illinois Tech will also notify the respondent that the dismissal of the Formal Title IX Complaint may be appealed.

If the dismissal of a Formal Title IX Complaint is appealed, Illinois Tech will:

- Notify the Complainant of any appeal, including the basis of the appeal, and notify the Respondent only if a Notice of Allegations was sent;
- Ensure that the Title IX Decision-maker for the appeal has been trained consistent with the 2020 Title IX regulations;

- Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Send notification to the complainant of the outcome of the appeal and the rationale for the result and notify the respondent only if a Notice of Allegation was sent;

If a Formal Title IX Complaint is dismissed, Illinois Tech will, at a minimum:

- Offer supportive measures to the complainant as appropriate;
- If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
- Take other prompt and effective steps as appropriate, through the Title IX Coordinator to ensure that sex discrimination/sex-based harassment does not continue or recur within Illinois Tech's education program or activity.

### **RECORD-KEEPING**

The Title IX Coordinator or designee will maintain, for a period of at least seven years, records of:

- Each complaint of sex discrimination/sex-based harassment, records documenting the Informal Resolution process or grievance procedures, and if applicable the resulting outcome and documentation showing that Illinois Tech's response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to an Illinois Tech education program of activity.
- Each determination regarding responsibility and any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to Illinois Tech's education program or activity; (a) any appeal and the results therefrom; (b) any informal resolution and the result therefrom.
- All materials used to train Title IX Coordinators, their designees, Title IX Investigators, Title IX Decision-Makers, Title IX Appellate Decision-Makers, and Title IX Informal Resolution Facilitators.

### **REQUIRED TRAINING**

Any person serving as the Title IX Coordinator or a designee, Title IX Investigator(s), Title IX Decision-maker(s), Title IX Appellate Decision-maker(s), or Title IX Informal Resolution Facilitator, will be trained regarding the definition of sex discrimination, including sex-based harassment, on how to conduct impartial investigations, the informal resolution process, reviewing appeals, and if applicable, how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias, and issues of relevance and credibility. Any person serving as a Title IX Investigator will receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train the Title IX team must not rely on sex stereotypes and must promote impartial investigations and adjudications of complaints and will be made available upon request. Illinois Tech will make all materials used to train Title IX Team members publicly available on its website.

### **CONFIDENTIALITY**

Illinois Tech must keep confidential and not disseminate to the public the identity of any individual who participates in the Title IX process, which includes: any individual making a report or

complaint of Title IX sex discrimination, including sex-based harassment; any person who has filed a Formal Title IX Complaint of Title IX sex discrimination/sex-based harassment; any Title IX Complainant; any individual who has been reported to be the perpetrator of sex discrimination/sex-based harassment; any Title IX Respondent; and any witness, except as may be permitted or required by law or to conduct any investigation, informal resolution, hearing, appeal or other proceeding arising under this Title IX sex discrimination/sex-based harassment process. When an exception is applicable, Illinois Tech will use its best efforts not to disseminate identifying information beyond those who have a need to know, which generally may include the parties to the Formal Title IX complaint, their advisors, investigators, Decision-Makers, appeal Decision-Makers, informal resolution facilitators and witnesses. This includes instances in which the Title IX Coordinator files a Formal Title IX Complaint when an individual who has made a report or complaint of sex discrimination/sex-based harassment elects not to participate in the Title IX sex discrimination/sex-based harassment process. In furtherance of the foregoing, only the Title IX complainant and respondent, their respective advisors, witnesses and any needed language translators or aides necessary to provide reasonable accommodations will generally be allowed into the live hearing.

## **RETALIATION**

**Prohibited** No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by the State or federal Constitution, State or federal statute, Illinois Tech policy, this Title IX sex discrimination/sex-based harassment process, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Title IX sex discrimination/sex-based harassment process.

Charging an individual with a Code of Conduct violation for knowingly making a materially false statement or knowingly providing false information in the course of an investigation under this Title IX sex discrimination/sex-based harassment process is not prohibited retaliation; provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement or knowingly provided false information. Complaints alleging retaliation may be filed under the process and procedures set forth in Article II of this Student Handbook, entitled Code of Conduct and Conduct Discipline.

## **DEADLINES**

All timeframes under this Title IX sex discrimination/sex-based harassment process may be temporarily extended for good cause by the Title IX Coordinator or a designee. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disability; and other circumstances reasonably outside of the institution's control, such as, but not limited to, campus closures; public health emergencies; illness, death or family emergencies experienced by key participants in the process or other such circumstances. The Title IX Coordinator or a designee shall notify the parties in writing when a timeframe is extended.

**PART B – Campus Training, Education Awareness****A. Student Primary Prevention Programming**

Identify any institutional actions and strategies intended to prevent sexual violence before it occurs using changing social norms and other approaches, including, without limitation, training programs, poster/flyer campaigns, electronic communications, films, guest speakers, symposia, conferences, seminars, or panel discussions that occurred during the 2022 calendar year. See 110 ILCS 155/30(b).

<b>Program Name</b>	<b>Type/Description</b>	<b>Date(s)</b>	<b>Location(s)</b>	<b>Target Audience</b>	<b>Number of Attendees</b>
Teaching Assistant Training	Overview of TIX process and procedures for student employees	02/07/2024	Pritzker Hall Room 111	TAs – student employees	35
SAAM Kickoff Event	Teal ribbon pickup and learn about SAAM	04/02/2024, 04/04/2024	MTCC Bridge, Chicago Kent	Students	N/A
SAAM Karate Class	Meditation and exercise to increase self-worth	04/05/2024	Keating Hall	Students	N/A
SAAM Dating While Immigrant	Learn about specific issues related to international relationships	04/09/2024	Galvin Tower	International students	N/A
SAAM Nearu Martial Arts	Meditation and exercise to increase self-worth	04/11/2024	Keating hall	Students	N/A
SAAM Yoga Class	Meditation and exercise to increase self-worth	04/23/2024, 04/25/2024	Chicago Kent, Keating Hall	Students	N/A
Illinois Tech Pre-College Program	Training for students taking on summer employment at Illinois Tech	04/17/2024	N/A	Student employees	N/A
SAAM Denim Day	Annual event to support survivors as part of Sexual Assault Awareness Month	04/26/2024	Campus-wide	Whole community	N/A
SAAM Wear Teal Day	Wear all things teal as a symbol of support for SAAM	04/29/2024	Campus-wide	Whole community	N/A
SOAR Session	Orientation for new students	05/23/2024, 05/24/2024, 06/13/2024	Herman Hall	New students	62, 59, 63
Resident Assistant	Annual RA training on the	08/09/2024	Herman Hall	Resident Assistants	25

Training	role of responsible employees				
Resource Fair	Resource Fair & Orientation for students	08/16/2024	Chicago Kent	Incoming law students	N/A
Annual Student Training	Annual required training for all students regarding sexual assault and hazing awareness	09/01/2024	Virtual	Students	5000
Teaching Assistant Training	Overview of TIX process and procedures for student employees	09/18/2024	Pritzker Hall Room 111	TAs – student employees	35
Delta Tau Delta Training	Fraternity training on TIX process and procedures, bystander intervention, and consent	10/10/2024	Delta Tau Delta Fraternity	Fraternity brothers	25
LGBTQ Protections	N/A	10/26/2024	Morton Arboretum	Chicago community	20
DVAM Self Defense	Learn methods to defend yourself	10/02/2024	Keating Hall	Students	5
DVAM Last Drop Short Film	Short film about boundaries and healthy relationships	10/09/2024	McCormick Tribune Campus Center	Students	30

**B. Employee Training (optional)**

Identify any training provided to higher education institution employees who, concerning 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).

<b>Program Name</b>	<b>Type/Description</b>	<b>Date(s)</b>	<b>Location(s)</b>	<b>Target Audience</b>	<b>Number of Attendees</b>
Chicagoland TIX Consortium Task Force Meeting	Virtual Consortium training	02/07/2024, 05/10/2024, 09/20/2024	Virtual	Chicago TIX professionals	2
Get Inclusive	Annual required employee training on sexual harassment prevention and bystander intervention	02/21/2024	Virtual	All employees	1300
Connecting Dots of Serial Perpetration	N/A	03/26/2024	Virtual	TIX staff	2
Lights, Camera, Higher Ed Action Plan	Learn about the new rules that apply to TIX in 2025	05/02/2024	Virtual	TIX staff	2
Year in Review	Review of TIX	06/12/2024	TIX Office	TIX staff	2
Informal Resolution Training	Webinar for Informal Resolution training with Hush & Blackwell	08/08/2024	Virtual	TIX staff	2
Sexual Violence on College Campus	Informal Resolution training with NASPA	08/13/2024	Virtual	TIX staff	2
New Faculty Orientation	Overview of TIX process	08/15/2024	N/A	New employees	25
Annual Required Title IX Sex Discrimination Training	Annual required training	08/20/2024, 09/09/2024, 09/10/2024	N/A	TIX staff and TIX process volunteers	16, 7, 7
LGBTQIA2+	Safety awareness	10/09/2024	Virtual	TIX staff	2



**SECTION II. REPORTS**

Identify the total number of reports made to the following groups of individuals in the 2022 calendar year. If a higher education institution knows that a student reported an incident more than once, it may explain this or any other information regarding its reports below. See 110 ILCS 155/25 and 110 ILCS 205/9.21(b).

	<b>Reports to the Title IX Coordinator/Responsible Employees</b>	<b>Reports to Confidential and Anonymous Resources</b>
<b>Sexual violence</b>	7	3 <sup>i</sup>
<b>Domestic violence</b>	0	0
<b>Dating violence</b>	0	1 <sup>ii</sup>
<b>Stalking</b>	2	0

**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:

	<b>Survivor requested not to proceed with the complaint resolution procedure</b>	<b>HEI investigated allegation</b>	<b>HEI referred allegation to local or State law enforcement</b>	<b>HEI resolved allegation through complaint resolution procedure</b>
<b>Sexual violence</b>	6 <sup>iii</sup>	1	0	1
<b>Domestic violence</b>	N/A	N/A	N/A	N/A
<b>Dating violence</b>	N/A	N/A	N/A	N/A
<b>Stalking</b>	1 <sup>iv</sup>	0	0	0

**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.

	<b>Found not responsible for violation of comprehensive policy</b>	<b>Dismissed/expelled</b>	<b>Suspended</b>	<b>Otherwise disciplined</b>
<b>Sexual violence</b>	1	0	0	0
<b>Domestic violence</b>	N/A	N/A	N/A	N/A

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Dating violence	N/A	N/A	N/A	N/A
Stalking	0	0	0	1 <sup>v</sup>

### **PART C – Additional Information**

<sup>i</sup> Illinois Tech tracks anonymous reports and reports to confidential advisors separately. In 2024, two reports of sexual assault were made to confidential advisors and 1 report of sexual assault was made anonymously.

<sup>ii</sup> Illinois Tech, in 2024, is aware of one report of dating violence made to confidential advisors.

<sup>iii</sup> Illinois Tech reviews and investigates, as appropriate and to the best of its ability, all complaints of sexual violence. Of the seven reported instances of sexual violence reported in Part B, Section II, only one complainant moved forward with the complaint resolution procedure. Six of the reported incidents could not be resolved through Illinois Tech's Title IX complaint resolution process because (1) the reported incident occurred outside of Illinois Tech; (2) at least one of the parties was not a member of Illinois Tech; or (3) the complainant chose not to file a Formal Title IX Complaint, did not respond to outreach, or chose not to move forward with the process. Regardless of Illinois Tech's ability to resolve an allegation through its complaint resolution procedure, complainants are offered supportive measures and the option to request reasonable accommodations.

<sup>iv</sup> Illinois Tech reviews and investigates, as appropriate and to the best of its ability, all stalking complaints. Of the two reported instances of stalking noted in Part B Section II, one of the complainants chose not to move forward with the process or file a Title IX Complaint Form. Regardless of Illinois Tech's ability to resolve an allegation through its complaint resolution procedure, complainants are offered supportive measures and the option to request reasonable accommodations.

<sup>v</sup> Illinois Tech reviews and investigates, as appropriate and to the best of its ability, all stalking complaints. Of the two reported instances of stalking noted in Part B Section II, one of the complainants moved forward with Illinois Tech's complaint resolution procedure. Said complaint was closed because the respondent was previously barred from campus by another Illinois Tech department.