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EQUAL OPPORTUNITY, HARASSMENT, AND NONDISCRIMINATION  
FOR ALL FACULTY, STUDENTS, EMPLOYEES, AND THIRD-PARTIES

## POLICY & PROCEDURES : Equal Opportunity, Harassment, and Nondiscrimination Policy

### 1. Glossary

< *Advisor*

< *Complainant*

< *Complaint (formal)*

< *Confidential Resource*

< *Mandated Reporter*

2. Rationale for Policy

3. Applicable Scope

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4. Title IX Coordinator



Title IX Team Members

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## 10. Promptness



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Consensual Relationship Policy:

Sanctions

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Student Sanctions:

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c. Force, Coercion, Consent, and Incapacitation<sup>6</sup>

Force:

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Coercion \_\_\_\_\_

Consent is:

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<sup>6</sup> The state definition of consent is:

(a)(i) The victim was compelled to submit due to the use of force or threat of force or coercion, or (ii) the victim expressed a lack of consent through words, or (iii) the victim expressed a lack of consent through conduct, or (iv) the consent, if any was actually given, was the result of the actor's deception as to the identity of the actor or the nature or purpose of the act on the part of the actor;

(b) The victim need only resist, either verbally or physically, so as to make the victim's refusal to consent genuine and real and so as to reasonably make known to the actor the victim's refusal to consent; and

(c) A victim need not resist verbally or physically where it would be useless or futile to do so.

Neb. Rev. Stat. §28-318(8).

which is applicable to criminal prosecutions for sex offenses in Nebraska but may differ from the definition used on campus to address policy violations.



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## 18. Retaliation

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## 19. Mandated Reporting

### a. Confidential Resources

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b. Anonymous Notice

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c. Mandated Reporters and Formal Notice/Complaints

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20. When a Complainant Does Not Wish to Proceed



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## 22. False Allegations and Evidence

## 23. Amnesty for Complainants and Witnesses

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INTERIM RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE POLICY ON EQUAL OPPORTUNITY,  
HARASSMENT, AND NONDISCRIMINATION (PROCESS "A")

1. Overview

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### 3. Initial Assessment

a. Violence Risk Assessment

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i. Expectations of the Parties with Respect to Advisors









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8. Formal Grievance Process: Notice of Investigation and Allegations

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## 9. Resolution Timeline

## 10. Appointment of Investigators

## 11. Ensuring Impartiality

### 13. Delays in the Investigation Process and Interactions with Law Enforcement

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28. Investigator Presents the Final Investigation Report

29. Testimony and Questioning

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### 30. Refusal to Submit to Cross-Examination and Inferences

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### 31. Recording Hearings

### 32. Deliberation, Decision-making, and Standard of Proof



34. Statement of the Rights of the Parties (See Appendix B)

35. Sanctions

< *Expulsion:*







c. Appeal Considerations

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APPENDIX A: POLICY EXAMPLES

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APPENDIX B: STATEMENT OF RIGHTS OF THE PARTIES

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