

University of North Carolina School of the Arts Title IX Regulation

Effective Date: August 1, 2024

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The University of North Carolina School of the Arts (“UNCSA” or “University”) does not tolerate Sex-Based Harassment. Such conduct is harmful to the well-being of our community members, our learning and working environments, and the collegial relationships among students, faculty, and staff. All forms of prohibited conduct under this policy are regarded as serious University offenses, and violations may result in discipline, including the possibility of separation from the University. State and federal laws may also address conduct that meet the University’s definitions of prohibited conduct, and criminal prosecution may take place independently of any disciplinary action instituted by the University.

UNCSA’s Title IX Regulation (“Title IX Policy”) is based on definitions set forth in regulations issued by the U.S. Department of Education under Title IX of the Education Amendments Act of 1972, and updated most recently on April 19, 2024. Please note there is now an additional policy that outlines the different procedures for students, faculty, staff, or third parties titled UNCSA Title IX Grievance Procedures (“Title IX Procedures”).

This Title IX Policy applies to incidents that occur on or after August 1, 2024. Any incidents reported that occurred on or before July 31, 2024, will be processed through the institution’s [Interim Title IX Regulation](#) or the [Prohibited Discrimination, Harassment, and Related Misconduct Regulation #121](#).

Should any portion of the 2024 Title IX Final Rule (89 Fed. Reg. 33474 (Apr. 29, 2024)), be stayed or held invalid by a court of law, or if the 2024 Title IX Final Rule is withdrawn or modified to not require elements of this Title IX Policy, the Title IX Policy in their entirety, or the invalidated elements of this Title IX Policy, they will be deemed revoked as of the publication date of the opinion or order from the Court and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by the date of the opinion or order publication by the Court. If this Title IX Policy is revoked in this manner, any conduct covered under this Title IX Policy shall be investigated and adjudicated under the previous [Interim Title IX Regulation](#) or the [Prohibited Discrimination, Harassment, and Related Misconduct Regulation #121](#). The University will update this Title IX Policy as soon as practicable to reflect any court rulings or changes that invalidate parts of the Title IX Policy, if applicable.

I. Scope of Procedure¹

Sex-Based Harassment is considered discrimination on the basis of sex if it includes harassment due to actual or perceived sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and/or gender identity.

¹ 34 C.F.R. 106.10.

II. Related Policies and Procedures

In order to address incidents of Sex-Based Harassment that do not fall within the definition of Title IX Policy, the University has two policies that can address Sex-Based Harassment: (1) Title IX Policy and (2) the [University Prohibited Discrimination, Harassment, and Related Misconduct Policy #121](#) (“Policy #121”). [Policy #121](#) may cover forms of Sex-Based Harassment that do not fall under the scope of the Title IX Policy.

These policies may cover similar allegations so each report will be evaluated by the Title IX Coordinator to determine the relevant policy to apply to any allegations involving Sex-Based Harassment. If the allegations forming the basis of a formal complaint, if substantiated, would constitute prohibited conduct under the Title IX Policy then the Title IX Procedures will be applied in the investigation and adjudication of the allegations.

If the allegations, if substantiated, would not constitute prohibited conduct under this Title IX Policy, then they would be assessed under [Policy #121](#) to determine if the allegations would constitute prohibited conduct under [Policy #121](#). If the determination is yes, then there may be an investigation and adjudication of the allegations. If the determination is no, then there is not sufficient information to proceed with an investigation into the allegations under either policy and the reporting party will be notified there is insufficient information to proceed with an investigation. However, even if there is insufficient information to proceed with an investigation, there may still be options for supportive measures or accommodations.

The University will respond to all reports with measures designed to stop the prohibited conduct, prevent its recurrence, and remediate any adverse effects of such conduct on campus or in University-related programs or activities.

The University will not deprive an individual of rights guaranteed under federal and state law (or federal and state anti-discrimination provisions; or federal and state law prohibiting discrimination on the basis of sex) when responding to any claim under the Title IX Policy.

III. Non-Discrimination in Application

The requirements and protections of this Title IX Policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by applicable federal, state or local law. All requirements and protections are equitably provided to individuals regardless of such protected status(es) or status as a Complainant, Respondent, or Witness. Individuals who wish to file a Complaint about the institution’s policy or process may contact the U.S. Department of Education’s Office for Civil Rights using contact information available at <https://ocras.ed.gov/contact-ocr>.

IV. The Title IX Coordinator

The [Title IX Coordinator](#) oversees the University’s compliance with Title IX and all University policies related to Sex-Based Harassment.

Non-Confidential Reports

Any person may report sex discrimination, including Sex-Based Harassment (whether or not the person reporting is the person alleged to be the victim of the conduct that may constitute sex discrimination or Sex-Based Harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Confidential Reports²

The following officials at UNCSA will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited by Title IX:

- Title IX Coordinator or designee(s);
- Officials with Authority to institute corrective measures under Title IX;
- all other employees at UNCSA that are not designated as confidential resources

The following officials at UNCSA may be confidential resources:

- [Counseling Services](#) (students)
- [Student Health and Wellness](#) (students)
- [Gender Violence Prevention and Survivor Advocacy](#) (students)
- [Ombuds](#) (faculty and staff)

All faculty and staff who are not designated Confidential Resources are [required to notify the Title IX Coordinator](#) of suspected violations of this policy and cannot guarantee the confidentiality of a report under this policy.

The Title IX Coordinator will be informed of all reports or formal complaints of violations of this policy and oversees the University's centralized response to ensure compliance with Title IX and the 2013 Amendments to the Violence Against Women Act (VAWA). The Title IX Coordinator's responsibilities include (but are not limited to):

- Communicating with all members of the University community regarding Title IX and VAWA, and providing information about how individuals may access their rights;
- Reviewing applicable University policies to ensure institutional compliance with Title IX and VAWA;
- Monitoring the University's administration of its own applicable policies, including this policy and the University Prohibited Discrimination Policy and all related record keeping, timeframes, and other procedural requirements;

² 34 C.F.R. 106.44(d).

- Conducting training regarding Title IX, VAWA, and prohibited conduct defined in this policy and related policies; and
- Responding to any report or formal complaint regarding conduct that violates this policy. For any report of which the University has actual knowledge (and any formal complaint), the Title IX Coordinator shall oversee and implement the explanation and provision of any supportive measures. For any formal complaint, the Title IX Coordinator oversees the investigation and resolution of such alleged misconduct, directs the provision of any additional supportive measures, and monitors the administration of any related appeal.

The Title IX Coordinator may delegate certain responsibilities under this policy to designated staff and administrators, who will be appropriately trained.

The Title IX Coordinator's contact information is as follows:

Valerie Thelen
Chief Compliance Officer and Title IX Coordinator
UNCSA Library Room 3209
1533 S Main St
Winston-Salem, North Carolina, 27127
thelenv@uncsa.edu
336-932-3917

Make a report now: [Title IX Reporting Form](#)

The University provides the contact information of the Title IX Coordinator to students, faculty, staff, applicants for admission, applicants for employment, and all labor unions or professional organizations agreements with the University.

V. Definitions

1. *Admission* means selection for part-time, full-time, special, associate, transfer, exchange, or any other enrollment, membership, or matriculation in or at an education program or activity operated by UNCSA.
2. *Consent* means a knowing, voluntary, and mutual decision among all participants to engage in mutually acceptable sexual activity freely given by clear actions or words. Consent may not be inferred from silence, passivity, or lack of resistance alone. A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity.
3. *Complainant* means:

(1) a Student or employee who is alleged to have been subjected to conduct that could constitute Sex-Based Harassment as defined in this Title IX Policy and who was participating or attempting to participate in UNCOSA's Education Program or Activity; or

(2) a person other than a Student or employee who is alleged to have been subjected to conduct that could constitute Sex-Based Harassment under this Title IX Policy and who was participating or attempting to participate in UNCOSA's Education Program or Activity at the time of the alleged Sex-Based Harassment.

4. *Complaint* means an oral or written request to UNCOSA that objectively can be understood as a request for UNCOSA to investigate and make a determination about alleged Sex-Based Harassment at the institution.

5. *Confidential Employee* means:

(1) an employee of UNCOSA whose communications are privileged under Federal or State law. The employee's confidential status is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies;

(2) an employee of UNCOSA whom the institution has designated as confidential for the purpose of providing services to persons related to Sex-Based Harassment. If the employee also has a duty not associated with providing those services, the employee's confidential status is only with respect to information received about Sex-Based Harassment in connection with providing those services; or

(3) an employee of UNCOSA who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about Sex-Based Harassment. The employee's confidential status is only with respect to information received while conducting the study.

6. *Disciplinary Sanctions* means consequences imposed on a Respondent following a determination under the Grievance Procedure that the Respondent violated UNCOSA's prohibition Sex-Based Harassment.

7. *Education Program or Activity* means any academic, extracurricular, research, occupational training or other Education Program or Activity operated by UNCOSA that receives Federal financial assistance.

8. *Party* means Complainant or Respondent.

9. *Peer Retaliation* means Retaliation by a Student against another Student.

10. *Relevant* means related to the allegations of Sex-Based Harassment under investigation as part of this Grievance Procedure. Questions are Relevant when they seek evidence that may aid in showing whether the alleged Sex-Based Harassment occurred, and evidence is Relevant when it may aid a decisionmaker in determining whether the alleged Sex-Based Harassment occurred.
11. *Remedies* means measures provided, as appropriate, to a Complainant or any other person UNCOSA identifies as having had their equal access to UNCOSA's Education Program or Activity limited or denied by Sex-Based Harassment. These measures are provided to restore or preserve that person's access to UNCOSA's Education Program or Activity after UNCOSA determines that Sex-Based Harassment occurred.
12. *Report* refers to information brought to the Title IX Office alleging conduct prohibited under this Title IX Policy; a report is not considered to be a formal complaint. A party may bring a report and then subsequently file a formal complaint.
13. *Respondent* means a person who is alleged to have violated UNCOSA's prohibition on Sex-Based Harassment.
14. *Retaliation* means intimidation, threats, coercion, or discrimination by any person, by UNCOSA, a Student, or an employee or other person authorized by UNCOSA to provide aid, benefit, or service under UNCOSA's Education Program or Activity, for the purpose of interfering with any right or privileged secured by Title IX, or because the person has reported information, made a Complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing.
15. *Sex-Based Harassment* means sexual harassment and other harassment on the basis of sex, including harassment because of gender identity, sexual orientation, sex characteristics, sex stereotypes, and/or pregnancy and other conditions, that is:
 - (1) *Quid pro quo harassment*. An employee, agent or other person authorized by UNCOSA's Education Program or Activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
 - (2) *Hostile Environment harassment*. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from UNCOSA's Education Program or Activity (i.e., creates a Hostile Environment). Whether a Hostile Environment has been created is a fact-specific inquiry that includes consideration of the following: (i) the degree to which the conduct affected the Complainant's ability to access UNCOSA's Education Program or Activity; (ii) the type, frequency, and duration of the conduct; (iii) the Parties' ages, roles within UNCOSA's Education Program or Activity,

previous interactions and other factors about each Party that may be Relevant to evaluating the effects of the conduct; (iv) the location of the conduct and the context in which the conduct occurred; and (v) other Sex-Based Harassment in UNCSCA's Education Program or Activity;

(3) *Sexual Assault* (as defined in the Clery Act, 20 U.S.C. 1092(f)) means any sexual act directed against another person, without the Consent of the victim, including instances where the victim is incapable of giving Consent;

(4) *Dating Violence* (as defined in the Violence Against Women Act (VAWA) Reauthorization of 2022 and the VAWA Amendments to the Clery Act) means any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) Where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.

(5) *Domestic Violence* means any felony or misdemeanor crimes committed by a person who: (A) is a current or former partner of the victim under the family or Domestic Violence laws of North Carolina or a person similarly situated to a spouse of the victim; (B) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner; (C) shared a child in common with the victim; or (D) commits acts against a youth or adult victim who is protected from those acts under the family or Domestic Violence laws of North Carolina.

(6) *Stalking* means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress.

16. *Student* means a person who has gained Admission.

17. *Supportive Measures* means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a Complainant or Respondent, not for punitive or disciplinary reasons, and without fee or charge to the Complainant or Respondent to: (1) restore or preserve that Party's access to UNCSCA's Education Program or Activity, including measures that are designed to protect the safety of the Parties or UNCSCA's educational environment; or (2) provide support during UNCSCA's Grievance Procedure for Sex-Based Harassment or during the informal resolution process.

18. *Third Party* refers to any individual who is not a University student, member of faculty or staff, (e.g., vendors, alumni/ae, or local residents).

19. Witness refers to any individual who shares information relating to an allegation of prohibited conduct under this policy.

VI. Disability Accommodations³

This Title IX Policy does not alter any institutional obligations under applicable federal, state, or local disability laws, including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973, among others. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

If the Complainant or Respondent discloses a disability, the Title IX Coordinator may consult, as appropriate, with the [Director of Learning Resources](#) to provide support to Students with disabilities to determine how to comply with applicable law including, without limitation, Section 504 of the Rehabilitation Act of 1973 in the implementation of any Supportive Measures, or any other reasonable accommodations requested.

VII. Prohibited Conduct

UNCSA's Title IX Coordinator will determine if this Policy applies to a Complaint. The Title IX Policy will apply when the following elements are met, in the reasonable determination of the Title IX Coordinator:

- The conduct alleged occurred on or after August 1, 2024;
- The conduct alleged occurred in the United States;
- The conduct alleged occurred in UNCSA's Education Program or Activity; and
- The conduct alleged, if true, would constitute Sex-Based Harassment as defined in this Title IX Policy.

NOTE: UNCSEA has an obligation to address a sex-based Hostile Environment under its Education Program or Activity, even when some conduct alleged to be contributing to the Hostile Environment occurred outside UNCSEA's Education Program or Activity, or outside of the United States. UNCSEA's Title IX Coordinator will work with all Complaints to assess such Complaints that may fall under these criteria, and direct to appropriate UNCSEA Policies and Procedures that may apply if this Policy does not. UNCSEA will communicate all such decisions in writing to the Complainant. Any such dismissals shall be subject to appropriate appeal rights under this Policy as outlined in the Dismissals section.

Conduct that occurs under UNCSEA's Education Program or Activity includes but is not limited to conduct that occurs in a building owned or controlled by a Student organization that is officially

³ 34 C.F.R. 106.8(e).

recognized by UNCSEA, and conduct that is subject to UNCSEA's disciplinary authority under UNCSEA's Code of Conduct

If all elements of jurisdiction are met, UNCSEA will investigate the allegations according to the Title IX Procedure as appropriate, unless informal resolution is pursued or there are grounds for dismissal of the Complaint.

VIII. Confidentiality, Privacy, and Related Responsibilities

Issues of privacy and confidentiality play important roles in this policy, and may affect individuals differently. Privacy and confidentiality are related but distinct terms that are defined below.

In some circumstances, the reporting responsibilities of University faculty or staff, or the University's responsibility to investigate, may conflict with the preferences of the complainant and/or respondent with regard to privacy and confidentiality. Individuals are encouraged to familiarize themselves with their options and responsibilities, and make use of Confidential Resources, if applicable, in determining their preferred course of action.

Requests for confidentiality or use of anonymous reporting may limit the University's ability to conduct an investigation.

The following officials at UNCSEA may be confidential resources:

- [Counseling Services](#) (students)
- [Student Health and Wellness](#) (students)
- [Gender Violence Prevention and Survivor Advocacy](#) (students)
- [Ombuds](#) (faculty and staff)

1. Confidentiality and Confidential Resources

The term "confidential" refers to the circumstances under which information will or will not be disclosed to others.

Several campus professionals are designated Confidential Resources, who are not obligated to report information that is provided to them. This allows individuals to explore their options in a non-pressured environment while they make informed decisions. There may be exceptions in cases involving child abuse, imminent risk of serious harm, emergent hospitalization, or a court order. In addition, non-identifying information about violations of the Title IX Policy may be submitted to the University Police Department for purposes of the anonymous statistical reporting under the Clery Act.

An individual who is not prepared to make a report or formal complaint, or who may be unsure how to label what happened, but still seeks information and support, is strongly encouraged to contact a Confidential Resource.

2. Options for Complainants, Respondents, and Other Reporting Individuals

A complainant, respondent, or witness has many options, including counseling and support services. Information regarding contact information for local law enforcement as well as contact information for confidential resources that are available to provide support to parties and witnesses are listed below.

A complainant may:

- Request supportive measures from the Title IX Coordinator;
- File a formal complaint with the Title IX Coordinator, begin the Title IX Grievance Procedures process;
- Contact the University Police Department or local law enforcement to file a criminal complaint and preserve physical evidence; the University Police Department can assist a complainant who decides to pursue a criminal process if local law enforcement if the incident does not fall under University Police Department's jurisdiction.

An individual may pursue some or all of these steps at the same time. When initiating any of the above, an individual does not need to know whether they wish to request any particular course of action.

IX. Employees' Responsibility to Report

In non-emergency situations, employees must promptly report suspected or known violations of this policy to the Title IX Coordinator. Students are encouraged to report any suspected violation of this policy.

In emergency situations, if there is a suspected crime in progress or imminent or serious threats to the safety of anyone, employees must immediately contact the Department of Public Safety or call 911.

Anonymous Reporting

If a reporting individual makes an anonymous report, Title IX Coordinator will consider how to proceed, considering the individual's articulated concerns; the best interests of the University community; fair treatment of all individuals involved; and the University's obligations under Title IX. A complainant cannot file a formal complaint anonymously.

Any individual may make an anonymous report concerning a violation of this policy through the online reporting form. Anonymous reporting does not satisfy employees' reporting obligation. However, if the reporter provides limited information, the University may be limited in its ability to take action.

Timeliness of Report

Complainants and other reporting individuals are encouraged to report any violation of this policy as soon as possible in order to maximize the University's ability to respond promptly and effectively. Reports and formal complaints may be made at any time without regard to how much

time has elapsed since the incident(s) in question. If the respondent is no longer a student or employee at the time of the report or formal complaint, the University may not be in a position to gather evidence sufficient to reach a determination as to the formal complaint and/or the University may not be able to take disciplinary action against the respondent. However, the University will still seek to provide support for the complainant and seek to take steps to end the prohibited behavior, prevent its recurrence, and address its effects.

Amnesty

In order to encourage reports of conduct that is prohibited under this policy, the University may offer leniency with respect to other violations which may come to light as a result of such reports, depending on the circumstances involved.

X. Supportive and Interim Measures⁴

Complainants who report allegations of Sex-Based Harassment have the right to receive Supportive Measures from UNCSEA regardless of whether they file a Complaint. Supportive Measures are non-disciplinary and non-punitive. Supportive Measures may vary depending upon what is reasonably available at UNCSEA.⁵

As appropriate, Supportive Measures may include without limitation:

- Counseling services
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules
- Campus escort services, as available
- Restrictions on contact applied to one or more Parties (no contact directives)
- Changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative
- Leaves of absence
- Increased security and monitoring of certain areas of the campus
- Training and education programs related to Sex-Based Harassment

Supportive Measures must not unreasonably burden either Party and must be designed to protect the safety of the Parties or UNCSEA's educational environment, or to provide support during or after UNCSEA's Sex-Based Harassment grievance procedure.

UNCSEA may modify or terminate Supportive Measures at the conclusion of the grievance or informal resolution process, or may continue them beyond that point within UNCSEA's discretion.

⁴ 34 C.F.R 106.44(g).

⁵ 34 C.F.R. 106.44(g).

UNCSA will not disclose information about any Supportive Measures to persons other than the person to whom they apply, including informing one Party of Supportive Measures provided to another Party, unless necessary to provide the supportive measure or restore or preserve a Party's access to UNCSEA's education program or activity, or there is an exception that applies, such as:

- UNCSEA has obtained prior written consent from a person with the legal right to consent to the disclosure;
- When the information is disclosed to an appropriate third Party with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue;
- To carry out the purpose of the policy when it is necessary to address conduct that reasonably may constitute Sex-Based Harassment under Title IX in UNCSEA's education program or activity;
- As required by Federal law, federal regulations, or the terms and conditions of a federal award; or
- To the extent such disclosures are not otherwise in conflict with Title IX, when required by State or local law or when permitted under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232g, or its implementing regulations, 34 CFR Part 99).

Process for Review of Supportive Measures⁶

UNCSEA provides for a Complainant or Respondent to seek modification or reversal of UNCSEA's decision to provide, deny, modify or terminate a Supportive Measure. Grounds for challenge of Supportive Measures include, but are not limited to:

- Whether a Supportive Measure is reasonably burdensome;
- Whether a Supportive Measure is reasonably available;
- Whether a Supportive Measure is being imposed for punitive or disciplinary reasons;
- Whether the Supportive Measure is being imposed without fee or charge; and
- Whether the Supportive Measure is effective in meeting the purposes for which it is intended, including to restore or preserve access to the Education Program or Activity, provide safety, or provide support during Title IX Procedure.

This review will be conducted by an impartial employee of UNCSEA, who did not make the challenged decision on the original supportive measure request. The impartial employee of UNCSEA who makes this determination will have the authority to modify or reverse the decision if that impartial employee determines that the decision to provide, deny, modify or terminate the supportive measure was inconsistent with the procedures as outlined above for providing Supportive Measures in accordance with the Title IX regulations.

⁶ 34 C.F.R. 106.44(g)(4).

Parties are only allowed to challenge their own individual Supportive Measures. Challenges by one Party will not be heard to Supportive Measures afforded to the opposite Party, unless that supportive measure directly impacts the Party making such challenge (i.e., two-way no contact orders).

UNCSA has a webpage, safe@uncsa designated to keeping the most up to date information on resources, events, programming, and training available for anyone seeking additional information on Sex-Based Harassment or other related areas that impact students, faculty, or staff. This page contains information for anyone who is looking for more in-depth information on how to get help for themselves or others.

Emergency Removal⁷

UNCSA retains the authority to remove a Respondent from all or part of⁸ UNCOSA's education program or activity on an emergency basis, where UNCOSA (1) undertakes an individualized safety and risk analysis, and (2) determines that an imminent and serious threat to the health or safety of a Complainant or any Students, employees, or other persons arising from the allegations of Sex-Based Harassment justifies removal.

UNCOSA will provide the Respondent with notice and an opportunity to challenge the decision immediately following the removal under the Title IX Procedure.

The decisionmaker who hears a challenge to an emergency removal must not be involved in any decision regarding responsibility or appeal of a determination.

Emergency removals will not be considered Relevant evidence that can be considered in reaching a determination of whether Sex-Based Harassment occurred.⁹

Administrative Leave¹⁰

UNCOSA retains the authority to place a non-Student employee Respondent on administrative leave during the Title IX Procedures.

Note on Student employees: when a Complainant or Respondent is both a Student and an employee of UNCOSA, UNCOSA must make a fact-specific inquiry to determine whether these procedures apply to that Student employee. UNCOSA will consider if the Complainant or Respondent's primary relationship with UNCOSA is to receive an education and whether the alleged Sex-Based Harassment occurred while the Party was performing employment-related work.¹¹

⁷ 34 C.F.R. 106.44(h).

⁸ 89 FR 33617.

⁹ 89 FR 33618.

¹⁰ 34 C.F.R. 106.44(i).

¹¹ 34 C.F.R. 106.46(b).

XI. Title IX Grievance Procedure

Please refer to the Title IX Grievance Procedure for information and options regarding formal and informal processes for adjudication or resolution of alleged violations of the Title IX Policy.