

Rights and Options

Regarding Nebraska Wesleyan University's Sex Discrimination and Sex-based Harassment Resolution Processes

The following information provides a summary of rights and options following a report or a complaint of an alleged violation of Nebraska Wesleyan University's policies regarding sex discrimination and sex-based harassment. Please contact the Title IX coordinator if you have any questions about this information.

Rights:

- 1) You can report a sex discrimination or sex-based harassment concern to anyone.
 - a) Two main categories of resources on the Nebraska Wesleyan campus include:
 - i) Confidential Resources (university minister, campus advocate, NWU counselor, and employee assistance program): Confidential Resources are not required to report to the Title IX Office.
 - ii) Private Resources (Title IX coordinators): Privacy means that once the Title IX coordinator receives a report, information will only be shared with those who need it to assess, investigate, resolve the matter, or ensure the safety of individuals or the campus.
 - (1) While all are encouraged to report to a Title IX coordinator, there are employees and student employees with specific job responsibilities that are required to report to a Title IX coordinator. Job categories that are required to report include:
 - (a) Advisors, academic and club
 - (b) Chief of staff
 - (c) Coaches (all)
 - (d) Deans, assistant deans
 - (e) Department chairs, program directors
 - (f) Directors, assistant directors
 - (g) Faculty, full-time, part-time, adjuncts
 - (h) Provost/vice presidents
 - (i) Student life/affairs personnel
 - (j) Supervisors
 - (k) Title IX personnel
 - (l) University president

For clarification about the difference between confidentiality and privacy, please refer to Section IV of NWU's Title IX policy on NWU's [Title IX Webpage](#).

- 2) To be treated with appropriate compassion and respect, and in a manner considerate of your privacy.

As noted above, confidentiality cannot be guaranteed unless disclosing to a confidential resource.

- 3) To a prompt and efficient processing of all reports and complaints received by NWU's Title IX Office, in accordance with NWU's resolution procedures.
- 4) To be informed of a complaint, and the alleged misconduct on which the complaint is based, if you are the complainant or the respondent.

- 5) To decide whether or not to participate in the resolution process.

Please note, if a complaint is filed and either party chooses not to participate or chooses not to answer certain questions during the resolution process, the process will continue nonetheless. Decisions will be made without that party's participation.

- 6) To request reasonable accommodations, including but not limited to language translation or interpretation services, in order to allow for participation in the Title IX reporting and resolution process.
- 7) To be supported/advised by a support person/advisor of choice, at your own expense, during any part of the reporting, assessment, or resolution process. The support person/advisor of choice may speak only to the individual being supported/advised.
 - a) When the support person/advisor of choice is an attorney, the administrator hosting the meeting must be given two days advance notice.
 - b) If you desire the support of a support person/advisor of choice, but cannot find someone that you are comfortable with, please contact a Title IX coordinator, at titleIX@nebrwesleyan.edu.
- 8) To request the recusal of any member of the reporting and resolution process because of potential bias.
- 9) To be advised of the determination of the resolution process.
- 10) To appeal the findings if there are grounds for an appeal.

Options:

- 1) To request that the Title IX coordinator assists victims in contacting local law enforcement regarding incidents that are considered a criminal offense. The Title IX coordinator will follow mandatory reporting laws involving abuse or neglect of a minor by an adult.
- 2) To request that the Title IX coordinator assist complainants or respondents in contacting resources that may provide legal advice.
- 3) To request that Nebraska Wesleyan University provides supportive measures for the parties or witnesses involved in order to ensure equal access to NWU's educational programs and activities.
 - a) Protection Orders: If you have obtained or obtain a temporary protection order, or other no contact order, against the alleged perpetrator from a criminal, civil, or tribunal court, please provide that information to the Title IX coordinator. Nebraska Wesleyan University will take all reasonable action to implement the order.
 - b) Supportive Measures: facilitation of connections to on- and off-campus resources, issuance of a No Contact/Limited Contact Order, change of work or class assignment/location/schedule, change of living space, change of class schedule, and/or security escort.
- 4) To request to participate in an informal resolution process: This process involves a facilitated resolution that is voluntary, agreed upon, and acceptable to, the complainant, respondent, and the university.

Other Considerations:

- 1) **Preservation of Evidence:** It is important that you consider the preservation of evidence. Please see the Medical Care and Evidence Collection document located on NWU's [Title IX Webpage](#) for information on how to protect physical evidence

Evidence in all electronic formats should also be retained (e.g., text messages, emails, photos, social media posts, screenshots, etc.).

- 2) **Retaliation:** NWU prohibits retaliation by any party against respondents, complainants, witnesses, reporters, or anyone involved in or participating in a resolution process. Engaging in retaliation is a separate violation of university policy and can result in disciplinary action regardless of the outcome of the investigation and resolution of the initial complaint.