



Q: I JUST RECEIVED A LETTER FROM THE OFFICE OF EQUAL OPPORTUNITY AND ACCESS & TITLE IX INFORMING ME THAT SOMEONE HAS FILED A COMPLAINT. WHAT DOES THIS MEAN?

If you have received a Letter of Notice informing you that a complaint has been filed against you, it means that the Office of Equal Opportunity and Access & Title IX has received a report that alleges that you engaged in conduct that is prohibited by the Office of Equal Opportunity and Access along with Title IX policies. You can learn more about what conduct is prohibited by reviewing the [WIU Discrimination, Harassment, and Sexual Misconduct Policy](#). This letter does NOT mean that the Office has determined you engaged in prohibited conduct; it simply means that there has been an allegation that the Office will need to investigate to determine what, if anything, has happened.

Q: AM I REQUIRED TO PARTICIPATE IN AN INVESTIGATION WITH THE OFFICE OF EQUAL OPPORTUNITY AND ACCESS & TITLE IX?

No. You may decide whether, or to what extent, you wish to participate. All Respondents may attend an informational meeting with the Director of Equal Opportunity and Access or the Title IX Coordinator. The meeting is designed to help you make an informed decision regarding whether or how you would like to participate. You will also be invited to participate in an investigative interview with the assigned Investigator of the case, where you may also decide whether, or to what extent, you wish to participate. Please note that the investigation will proceed without your perspective should you choose not to participate in an interview and that the Investigators can only make a determination regarding alleged policy violations based on the information provided during the investigation process.

Q: MAY I BRING SOMEONE ELSE WITH ME TO A MEETING OR INTERVIEW?

Yes! You may bring a support person/advisor, of your choice, to any meeting or interview with our Office. The support person/advisor may be any person who does not have first-hand information that would be valuable to an investigation. While this person may provide you guidance, please note that the support person/advisor may not speak on your behalf.



Q: WHAT HAPPENS NEXT?

After a Letter of Notice is sent, you can schedule an informational meeting with a member of the Equal Opportunity and Access Office. At the informational meeting, you will review the procedures, discuss your responsibilities, and be given the opportunity to ask any questions you may have. At that time, the investigators will ask for a written statement from you and will schedule your interview.

Q: WILL I HAVE THE OPPORTUNITY TO GIVE MY OWN PERSPECTIVE ABOUT THE ALLEGATIONS?

Yes! After your informational meeting is complete, or after the deadline passes for the Respondent to attend such a meeting, the Investigator assigned to the complaint will invite you to participate in an investigative interview. You will have ten (10) business days after the formal Letter of Notice is sent to complete this interview. You are not required to participate. Please note that the investigation will proceed, even if you choose not to participate. At that time, you may also provide evidence and names of other people who you would like the Investigator to interview.

Q: DO I GET TO SEE THE COMPLAINANT'S ALLEGATIONS IN WRITING?

Yes! Both the Complainant and Respondent will have the opportunity to view all relevant information in a written Preliminary Report at the end of the fact-gathering process, and to respond with any additional information that should be considered. For the purpose of gathering candid perspectives from all parties, complaints and interview statements are not disclosed to any participant before the Preliminary Report is issued. However, you will have an opportunity to respond to details of the specific allegations during the interview process and following the release of the Preliminary Report.

Q: HOW LONG DOES A FORMAL INVESTIGATION TAKE?

There is no fixed time frame to complete an investigation. In previous years, the average time to complete an investigation has been about 60-90 days. A formal investigation begins the date that a complainant submits their final statement. The Office strives to complete the investigation in a timely manner balancing principles of thoroughness and fundamental fairness with promptness. An investigation may take longer depending on the complexity of a case, the number of witnesses, volume of information provided by the parties, university breaks or vacations, or other factors. The Office will provide the parties periodic updates about the status of the investigation. You can contact the Investigator at any time to receive any update.



Q: IF I PROVIDE INFORMATION FOR THE INVESTIGATION, WILL OTHERS BE ABLE TO VIEW IT OR OBTAIN COPIES OF THE INFORMATION THAT I PROVIDE?

If you are a student, the Family Educational Rights and Privacy Act (FERPA) generally prevents WIU from disclosing your Title IX or Equal Opportunity and Access records without your consent. However, all records are subject to lawful subpoena. Additionally, WIU may share these records with other university personnel who have an educational “need to know”.

Q: WILL I BE REFERRED TO THE OFFICE OF STUDENT RIGHTS AND RESPONSIBILITIES IF THE INCIDENT THAT I AM DISCUSSING INVOLVED THE ILLEGAL USE OF ALCOHOL OR DRUGS?

No. Our foremost interest is to obtain as much relevant information as possible about the concern that is under investigation. The use of drugs or alcohol - whether voluntary or involuntary - is often relevant to our investigation. Accordingly, students will not be disciplined for candid disclosure of these facts in our process.

Q: IS THE COMPLAINANT ALLOWED TO CONTACT ME DURING THE INVESTIGATION? AM I ALLOWED TO CONTACT THE COMPLAINANT?

We generally recommend that parties not interact with one another while an investigation is ongoing. Additionally, any person may seek a mutual no-contact order from the university, prohibiting or limiting contact for a specified period of time. We also encourage all individuals involved to inform the Office if they feel that any interaction with an individual is retaliatory in nature, as defined by our policies. Concerns of retaliation will be investigated separately as an independent policy violation.

Q: WILL MY PARENT/FAMILY MEMBER BE NOTIFIED IF I AM INVOLVED IN AN INVESTIGATION?

No. Information about the investigation is considered to be part of your private student record and will not be disclosed to your parents or family members without your written permission. For more information about granting permission for others to access your student records, please visit <http://www.du.edu/registrar/privacy/>.



Q: IF I AM AN EMPLOYEE, WILL MY BOSS KNOW THAT I AM INVOLVED IN AN INVESTIGATION?

It is possible. If the incident happened while you were working, your supervisor may be notified of a pending investigation. In addition, if there is a finding of a violation, sanctions may affect your workplace. In that circumstance, your supervisor would be notified.

Q: WILL MY FRIENDS OR COWORKERS FIND OUT ABOUT THE INVESTIGATION?

It depends. The investigators are obligated to seek the relevant information necessary to make an informed and factual determination. This information is often only available from close friends and/or co-workers. While these individuals may be contacted to share any information that they have, the Investigators will never share unknown or unnecessary information about the investigation with these individuals. They will also not be notified of the results of the investigation.

Q: WHERE CAN I ASK ADDITIONAL QUESTIONS ABOUT THE INVESTIGATIVE PROCESS?

Investigations are supervised by the Director of Equal Opportunity and Access/Title IX Coordinator. They are available during business hours (Monday-Friday 8:00AM-4:30PM) to answer any questions regarding the investigative process:

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Q: IS THERE SOMEONE I CAN TALK TO FOR SUPPORT?

Department	Confidential	Purpose	Services
Student Development and Success Center Memorial Hall 125 Email: sdsc@wiu.edu Phone: 309-298-1884 Hours: Monday-Friday 8:00AM-4:30PM		To assist students through their transitional periods focusing on academic and personal development during their time at WIU	<ul style="list-style-type: none"> - Disability Resources - Health Education - Student Development - Student Rights and Responsibilities - Care Report - Absences - Emergency/Crisis Follow up
University Counseling Center Memorial Hall 102 Email: ucc@wiu.edu Phone: 309-298-2453 Hours: Monday-Friday 8:00AM-4:30PM	✓	To provide a comprehensive mental health service that promotes the overall wellness and personal growth of WIU students	<ul style="list-style-type: none"> - Crisis Appointments - Group Counseling - Consultations - Tele-Mental Health
Psychology Clinic Waggoner Hall 116 Email: psychologyclinic@wiu.edu Phone: 3009-298-1919 Hours: Monday-Thursday 8:00AM-5:00PM; Friday 8:00AM-12:00PM	✓	To help individuals and families improve the quality of their lives by assisting them in dealing with personal and interpersonal problems.	<ul style="list-style-type: none"> - Therapy (Individual Psychotherapy, Family, and Marital/Couple) - Assessment (Available upon referral from other professionals)
Alcohol and other Drugs Resource Center Memorial Hall 102 Email: aod@wiu.edu Phone: 309-298-2457 Hours: Monday-Friday 8:00AM-4:30PM	✓	The AOD's main purpose is to educate the WIU community with the issues involving alcohol and other drugs.	<ul style="list-style-type: none"> - Substance Abuse Counseling - Treatment - DUI Support - Prevention Programs - Early Intervention
Beu Health Center Email: beuhealthcenter@wiu.edu Phone: 309-298-1888 Hours: Monday-Friday 8:00AM-4:30PM		To enhance the educational process by assisting students in the modification or removal of health-related barriers to learning by providing appropriate medical services and collaborative programming.	<ul style="list-style-type: none"> - Clinical - Immunization - Laboratory - Pharmacy - Psychiatric - Sexual Health - X-Ray
Emergency Hotlines National Crisis Hotline: Text HOME to 741-741		To provide support to individuals over the phone; especially	<ul style="list-style-type: none"> - Mental Health - Physical Health - Suicide Prevention



**OFFICE OF EQUAL
OPPORTUNITY & ACCESS**

McDonough District Hospital: 833-4101
The Trevor Project: 1-866-488-7386
Veterans Crisis Line: 1-800-823-7458

during non-business
hours.

Q: DOES GOING THROUGH THE TITLE IX INVESTIGATION APPLY TO STATE/FEDERAL LAW STANDARDS?

No. The Title IX investigation process through the university is completely removed from any state/federal processes. The university only has jurisdiction within campus, university owned property, or property belonging to a group associated with the university. Anything that is a result of the investigation will only pertain to campus. Our procedures are separate from criminal complaints.

Q: WILL MEMBERS OF MY STUDENT ORGANIZATION KNOW ABOUT THE INVESTIGATION?

Our investigators remain as private as they can. However, members of your student organization may be witnesses being interviewed. Additionally, if there is a finding of a violation, sanctions applied may affect your student organization membership.

Q: CAN I STOP PARTICIPATING IN AN INVESTIGATION ONCE IT HAS ALREADY STARTED?

At any point you are able to withdraw your consent to participate in the investigation. However, please remember that the investigation will continue with or without your participation, therefore, determinations and findings will be based solely off the information provided by the complainant.

Q: SHOULD I BE HIRING A LAWYER?

That is completely your decision. If you feel that a lawyer is necessary, that is completely your decision if you would like to hire one. However, remember that you are available to have an advisor, who would provide your support/guidance throughout the process.

Q: WHAT KIND OF CONSEQUENCES WOULD BE APPLIED IF THE OFFICE OF EQUAL OPPORTUNITY AND ACCESS FINDS THAT CONSEQUENCES NEED TO BE APPLIED?



a. Student Sanctions

The following are the usual sanctions that may be imposed upon students or organizations singly or in combination, but are not limited to:

Primary sanctions include:

- **Letter of Warning:** An official letter of warning is placed in the student's judicial file.
- **Probation Level I:** Probation set for a specific length of time. If an individual is found in violation of any WIU policy during that time, a more serious sanction will be imposed.
- **Probation Level II:** Probation set for a specific length of time. Students on Probation Level II may be removed from leadership positions in student organizations. Any student found in violation of this level of probation will have a more serious sanction imposed, usually Withheld Suspension. Students on Probation Level II may not be permitted to participate in WIU-affiliated travel (e.g., Spring Break Immersion Trips, study abroad experiences, etc.) and/or leadership positions in Registered Student and/or Greek Letter Organizations.
- **Withheld Suspension:** Withheld Suspension is for a specific period of time. Students on Withheld Suspension may be immediately suspended from WIU if the student is involved with a violation of any WIU policy during the stated period of time. This is the most serious sanction short of suspension. Students on Withheld Suspension may not be permitted to participate in WIU-affiliated travel (e.g., Spring Break Immersion Trips, study abroad experiences, etc.) and/or leadership positions in Registered Student and/or Greek Letter Organizations.
- **Suspension:** A set length of time when an individual may not be involved in any aspect of WIU. This includes courses, housing, and campus activities. A student may apply for readmission at the end of the suspension period.
- **Expulsion:** A student is dismissed from WIU permanently.

Supplemental Sanctions (to be used in addition to primary sanctions):

- **Educational Sanction:** The Formal resolution team may decide to issue a sanction, within reason, that will be beneficial in assisting the student to understand the impact of their behavior on the community. This may include but is not limited to:
 - Writing a research paper or reflective piece relevant to the violation.
 - Meeting with a faculty or staff member to discuss items relevant to the violation.
 - Develop an action plan to deter further violations.
 - Develop a program or publicity campaign relevant to the violation.
- **Withheld Removal from Housing:** This sanction means that if a student is involved in a violation of any WIU policy during the stated period of time, they may be immediately removed from WIU housing.
- **Housing:** A student's current and future housing status may be changed if such an action is deemed beneficial for either WIU or the student.
- **Referral for Assessment:** This could include, but not be limited to, behavioral, psychological, or substance use assessments.



**Q: WHAT IF I DON'T REMEMBER MUCH BECAUSE OF ALCOHOL AND/OR
OTHER DRUG USE?**

It is important that you still come into the office and disclose the information that you do remember. Your participation in the investigation process is in your best interest, no matter the amount of detail/information you are able to provide.