

TITLE IX ADMINISTRATIVE PROCEDURES, PART E: RECORDKEEPING PROCEDURES

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PART E: RECORDKEEPING PROCEDURES

I. Purpose

The purpose of these Recordkeeping Procedures is to describe how the University will maintain records related to its operations under the Title IX Policy and Title IX.

II. Scope and Application

These Recordkeeping Procedures apply to all operations under the Title IX Policy described herein.

III. Authority

These Recordkeeping Procedures are promulgated pursuant to section XIV.A of the University's Title IX Policy.

IV. Definitions

As applicable given the context provided by the provisions herein, the definitions provided in the Title IX Policy and Parts A through D of the Title IX Procedures apply to these Recordkeeping Procedures.

V. Reporting to Other State Agencies

The Title IX Coordinator (or designee) shall coordinate with the University's Ethics Officer, as necessary and appropriate, to ensure that the University complies with relevant and applicable requirements to report sexual harassment allegations to the Office of the Executive Inspector General for the Agencies of the Illinois Governor (OEIG) and the Illinois Chief Compliance Office in accordance with Illinois Executive Order 2016-04 and Illinois Executive Order 2018-02, respectively. Records related to the fulfillment of such

reporting requirements shall be maintained by the Title IX Coordinator in accordance with the timeframe set forth in Section IX.

VI. Response Files

For each Report of possible sexual harassment received by the Title IX Coordinator, the University will maintain a Response File of records related to the Report and the University's response made thereto in accordance with the Response Procedures, as follows:

- (A) After receiving a Report, the Title IX Coordinator will open the Response File and add copies of the following records (as applicable):
 - The Report (if made in writing in the first instance) or memorandum or other writing memorializing the Report (if not made in writing in the first instance); and
 - Notice of the complainant's rights and options (if applicable under the Preventing Sexual Violence in Higher Education Act).
- (B) With respect to the supportive measures process:
 - (1) The employee assigned to offer and coordinate supportive measures process for a party will ensure that copies of the following records related to supportive measures for that party are added to the Response File (as applicable):
 - Records related to consultations with the party regarding supportive measures, including any requests made by the party for specific supportive measures;
 - Any reasonably available records related to the employee's analysis of possible and requested supportive measures (if any are requested) generated in preparation for extending a formal offer of supportive measure(s);
 - Supportive Measures Offer(s);
 - Records related to the party's acceptance or rejection of any offered supportive measure(s);
 - Any reasonably available records related to the coordination and/or implementation of each accepted supportive measure; and
 - Significant correspondence between the employee and the party.
 - (2) The Title IX Coordinator will ensure that copies of the following records related to supportive measures for each party are added to the Response File (as applicable):
 - Records related to any requests made by a party regarding additional or alternative supportive measures, or modification(s) or termination(s) of supportive measures;

- Any reasonably available records related to the Title IX Coordinator's analysis of requested additions, substitutions, modifications, or terminations of supportive measures made in preparation for granting, denying, or administering such request(s);
 - Supplemental Supportive Measures Offer(s);
 - Written rejection of a party's request for additional, substituted, modified, or terminated supportive measures; and
 - Significant correspondence with a party regarding supportive measures.
- (C) If the University elects to consider the emergency removal of any individual from University property, program(s), or activity(ies) in response to a Report, the Title IX Coordinator will ensure that copies of the following related records are added to the Response File (as applicable):
- Records related to the individualized safety and risk analysis conducted by Campus Threat Assessment Team (CTAT);
 - Any reasonably available records related to the Title IX Coordinator's determination regarding removal based on CTAT's analysis;
 - Notice of Emergency Removal;
 - All records related to the resolution of any challenge to an emergency removal under the Response Procedures; and
 - Significant correspondence to or from the Title IX Coordinator regarding the emergency removal.
- (D) Response Files related to separate Reports may be combined, at the Title IX Coordinator's discretion, if the conduct underlying the Reports is related.

VII. Complaint Files

For each Formal Complaint resolved under the Grievance Procedures, the University will maintain a Complaint File of records related to the Formal Complaint resolution process, as follows:

- (A) Upon receipt of a Formal Complaint, the Title IX Coordinator will open the Complaint File.
- (B) The Investigator will ensure that a copy of the Formal Complaint and a memorandum or other writing documenting their initial evaluation of the Formal Complaint is added to the Complaint File.
- (C) During the Investigation Stage, the Investigator will ensure that copies of the following records are added to the Complaint File (as applicable):
- Notice of Allegations and any amendments thereto;

- All relevant and not otherwise impermissible evidence, including documentary evidence and recordings, transcripts, and summaries/write-ups of interviews;
 - Complete Investigation Report with all appendices (including the parties' written responses about the evidence);
 - Significant correspondence to or from the Investigator; and
 - Any additional significant records, such as requests for extensions or notices of delay, if any.
- (D) After the conclusion of the Investigation Stage, the Decisionmaker will take control of the Complaint File from the Investigator.
- (E) During the Hearing Stage, the Decisionmaker will ensure that copies of the following records are added to the Complaint File:
- Memorandum (or other records) of Pre-hearing Conference;
 - Notice of Hearing;
 - Recording(s) of the Hearing;
 - Any additional/new relevant evidence presented at the Hearing;
 - Significant correspondence to or from the Decisionmaker related to the Hearing Stage; and
 - Any additional significant records, such as requests for extensions or notices of delay, if any.
- (F) During the Determination Stage, the Decisionmaker will ensure that copies of the following records are added to the Complaint File (as applicable):
- The Decision with all appendices;
 - Significant correspondence to or from the Decisionmaker related to the Determination Stage; and
 - Any additional significant records, such as requests for extensions or notices of delay, if any.
- (G) After the conclusion of the Determination Stage, the Title IX Coordinator will take control of the Complaint File from the Decisionmaker.
- (H) As applicable, the Title IX Coordinator will ensure that copies of the following types of records are added to the Complaint File:
- Notifications regarding the assignment of Investigators and Decisionmakers;
 - Conflict of interest objections
 - Advisor Designation;
 - FERPA Form;
 - Notification of Withdrawal;
 - Memorandum or other writing reflecting any consideration of the factors under section IV.B of the Grievance Procedures;
 - Records related to the consolidation of Formal Complaints;

- Notice of Dismissal;
 - Request for Appeal; and
 - Significant correspondence to or from the Title IX Coordinator related to the process under the Grievance Procedures.
- (I) If an appeal is taken, the Appeal Decisionmaker will take control of the Complaint File from the Title IX Coordinator during the Appeal Stage.
- (J) During the Appeal Stage (if any appeal is taken), the Appeal Decisionmaker will ensure that copies of the following records are added to the Complaint File (as applicable):
- Notice of Appeal;
 - Appeal Statements;
 - Appeal Decision;
 - Significant correspondence to or from the Appeal Decisionmaker related to the Appeal Stage; and
 - Any additional significant records, such as requests for extensions or notices of delay, if any.
- (K) Other significant records documenting the Formal Complaint resolution process not listed above should also be added to the Complaint File.
- (L) Once a Formal Complaint is fully resolved, either by a Dismissal, finalized Determination (and decision on disciplinary sanctions, if any), or informal resolution, the Title IX Coordinator will close out the Complaint File and take any other actions necessary to close out the resolution process under the Grievance Procedures.
- (M) Records related to any informal resolution of a Formal Complaint will be added to the Complaint File in accordance with any requirements of any informal resolution procedures/program the University establishes.

VIII. Training Materials

Training Materials shall be stored in electronic format (as native files where reasonably practicable) in a centralized repository maintained by the Title IX Coordinator or delegee(s), organized in such a way as to make them reasonably easy to post publicly as required and to provide for inspection if requested by a member of the public.

IX. Maintenance of Records

The University will maintain copies of all inactive Response Files and closed Complaint Files and all Training Materials for a period of at least seven (7) years. Closed Complaint Files and inactive Response Files, and all records and materials therein, shall be maintained in such a way as to preserve the confidentiality of the contents.

The University is committed to protecting the privacy of survivors, complainants, and respondents brought to the attention of the University pursuant to the implementation of the Title IX Policy and associated Title IX Procedures. The University will disclose the personally identifiable information and other sensitive information about such individuals only as allowed by law. Under certain circumstances, disclosure of such information may be required by law, in which cases, the University will make all mandatory disclosures.

Further, to the extent the disclosure of information related to or obtained during the course of receiving and responding to Reports of sexual harassment, offering and implementing supportive measures, providing support services to survivors, and resolving Formal Complaints pursuant to grievance procedures is allowed (but not required) by law, the University intends to maintain the confidentiality of such processes, proceedings, and procedures to the extent it can do so while still carrying out such processes, proceedings, and procedures.

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