Rights and Resources for Responding to Allegations of Sexual Misconduct
(Sexual Harassment, Sexual Assault, Domestic or Dating Violence, Stalking, and Sexual Exploitation)

SUPPORTIVE RESOURCES

UWM is committed to maintaining a campus where every individual is treated with dignity and respect. All allegations of sexual misconduct are addressed through prompt and impartial proceedings designed to ensure due process. Every respondent is presumed to be not responsible for the alleged conduct and determinations regarding responsibility are made at the conclusion of the disciplinary process. Within this document, you will find important information regarding available supportive resources, due process rights under applicable policies, prohibited actions based on retaliation or obstruction, and an overview of the disciplinary process. Ongoing care and support is available from the following campus offices:

- Title IX Coordinator, 414-229-7012 (STUDENTS AND EMPLOYEES)
- Office of Equity/Diversity Services, 414-229-5923 (EMPLOYEES)
- Dean of Students Office, 414-229-4632 (STUDENTS)
- Norris Health Center, 414-229-4716 (STUDENTS)

Options for Health Services and Related Support

Medical and Mental Health Services are available for students on campus at the Norris Health Center and University Counseling (414-229-4716, uwm.edu/norris).

Employees may contact UWM's Employee Assistance Program (866-274-4723; feieap.com)

For assistance with legal issues, contact the Milwaukee Bar Association Lawyer Referral and Information Service (414-274-6768; findmilwaukeelawyers.org).

For assistance with visa or immigration issues, contact Center for International Education (CIE) (414-229-4846). Depending on the nature of the issue, CIE may refer you to external resources.

Students may contact the Dean of Students Office (414-229-4632; dos@uwm.edu) and a professional staff member who is not affiliated with an investigation will provide support and assistance. This staff member can answer questions and provide information about the investigation process, hearing procedures, nonacademic disciplinary proceedings, and interim measures. This staff member can also accompany students to meetings with UWM investigators, address safety issues on and off campus, and connect students to available resources.

Information about Interim Measures

Individuals accused of sexual misconduct may be subject to interim measures. This measure may include changes to academic, living, transportation, and campus working situations. Any of these changes will be kept confidential to the extent that maintaining such confidentiality will not impair the University’s ability to implement, monitor, and enforce these measures. You may receive a No Contact Order issued by UWM or a Temporary Restraining Order/Restraining Order issued by local authorities:

- No Contact Orders
  An individual alleged to have engaged in sexual misconduct may be prohibited from communicating with UWM community members (students, faculty, staff) as specified in the no contact order. Violations of such orders may lead to additional charges or sanctions under applicable policies.

- Restraining Orders
  An individual alleged to have engaged in sexual misconduct may be served a restraining order that legally prohibits contact with the individual who has obtained the restraining order. Violations of such orders may lead to additional state or federal court proceedings and additional charges or sanctions under applicable policies.

Information about Retaliation and Obstruction

Parties may not retaliate against any other party or witnesses or obstruct any aspect of the disciplinary process. Such action may subject individuals to additional charges or sanctions.

- Retaliation: any adverse action made as a result of an individual's complaint about prohibited conduct.

- Obstruction: any interference with the disciplinary process. This includes any action that would influence another individual's participation in the disciplinary process or consist of tampering with any evidence.

More information is available on the Title IX website

Questions? Contact:

Title IX Coordinator, Kimberly Anderson
Chapman Hall, Room 335
titleix@uwm.edu/414-229-7012
THE GRIEVANCE PROCESS

If a report or formal complaint is filed, UWM will investigate promptly and equitably under applicable UWM policies for addressing sexual misconduct.

Note: It is against Federal and State law and UWM policies to discriminate or retaliate against a person who, in good faith, files a complaint, participates in an investigation, or who opposes discrimination.

UWM addresses sexual misconduct through a Grievance Process defined in state regulations (Chapters UWS 4, 6, 7, 11, and 17) and applicable university policies (SAAP 5-1, 5-2, 5-4 and PP Chapter 5) which provide that:

- UWM will use a *preponderance of the evidence* standard (i.e., more likely than not) in any proceeding involving allegations of sexual misconduct.
- Once a formal complaint is filed, UWM will conduct a fair, neutral investigation and provide both parties with an opportunity to: (1) be interviewed, (2) identify potential witnesses, and (3) provide any available evidence directly related to the complaint.
- UWM will notify both parties, in writing, of any mandatory or discretionary dismissal.
- Each party will be given an opportunity to inspect, review, and respond to any evidence obtained during the investigation that is directly related to allegations in the complaint.
- Investigations shall proceed regardless of any criminal investigation or proceeding. Parties will be notified in writing of any temporary delay for good cause, including concurrent law enforcement activities; considerations for the reasonable absence of any party, advisor, or witness; or accommodations as required by federal or state law.
- Every respondent is presumed to be not responsible for the alleged conduct and determinations regarding responsibility are made at the conclusion of the disciplinary process. The parties will have an equal opportunity to have another individual present throughout the process, including being accompanied by an advisor of their choice.
- As the process proceeds, UWM will issue an investigative report that fairly summarizes all available relevant evidence and provide a written copy to both parties.
- Unless waived by both parties, a live hearing will be conducted in person for most cases.* At UWM's discretion, participants may appear virtually, with technology enabling individuals simultaneously to see and hear each other. At the hearing, each party’s advisor must ask the other party and any witnesses all relevant follow-up questions, including challenges to credibility. This cross-examination must be conducted by each party’s advisor. If a party does not have an advisor to conduct cross-examination on their behalf, UWM will provide an advisor free of charge, who may be, but is not required to be, an attorney. (*Note: some cases involving employees may not require a live hearing.)
- A written hearing decision will be provided to both parties and will include: (1) findings of fact, (2) a determination regarding responsibility, and any disciplinary sanctions to be imposed.
- Either party may appeal dismissal or hearing decisions and request further review as provided under applicable UWM policies. Any decision regarding an appeal will be issued in writing and provided to both parties.
- At no time can either party be required to waive a legally recognized privilege, be prohibited from discussing the allegations under investigation, or be prohibited from gathering or presenting relevant evidence.
- Retaliation against either party for exercising their rights in good faith under these procedures is prohibited and may be subject to disciplinary action.
- UWM students may be subject to disciplinary sanctions in accordance with the nonacademic misconduct provisions of Chapter 17. These sanctions may include: a written reprimand; denial of specified university privileges; payment of restitution; educational or service provisions, including community service; disciplinary probation; imposition of reasonable terms and conditions on continued student status; removal from a course in progress; enrollment restrictions on a course or program; suspension; and/or expulsion. One or more of these sanctions may be imposed.
- UWM employees may be subject to disciplinary measures and/or dismissal in accordance with the procedures of Chapters 4, 6, 7, and PP Chapter 5 (for faculty) or Chapter 11 (for academic staff) or SAAP 5-4 (for university staff and all other employees).

*Complainant* is the person alleging misconduct. *Respondent* is the person accused of misconduct.