

Title

Interim Title IX Sexual Harassment Grievance Process

Header

Administrative Procedure Chapter 1, General Provisions
Interim Administrative Procedure AP 1.204, Title IX Sexual Harassment Grievance
Process

Effective Date: August 14, 2020

Prior Dates Amended: N/A

Responsible Office: Office of the President

Governing Board of Regents and/or Executive Policy: RP 1.205, EP 1.204

Review Date: August 2023

Note: The University of Hawai‘i’s Interim Administrative Procedure 1.204 is a provisional procedure to meet the University’s compliance obligations while it consults with various stakeholders, including the exclusive collective bargaining representatives of the University’s faculty and staff under HRS, Chapter 89.

I. Purpose

To provide a grievance process for the University of Hawai‘i (“University”) for formal complaints of Title IX sexual harassment as defined in 34 C.F.R. Part 106 and Executive Policy (EP) 1.204. As required by 34 C.F.R. Part 106, this grievance process is “designed to impartially evaluate all relevant evidence so that determinations regarding responsibility are accurate and reliable, ensuring that victims of sexual harassment receive justice in the form of remedies.”

II. Definitions

- A. *Advisor* means an individual chosen by a party or appointed by the University, as applicable, to accompany the party to meetings related to the grievance process, to advise the party on that process, and/or to conduct cross-examination for the party at the live hearing, if any.
- B. *Complainant* means an individual who is alleged to be the victim of conduct that could constitute sexual harassment as defined in EP 1.204. A complainant must be participating in, or attempting to participate in, an education program or activity of the University at the time of filing a formal complaint.
- C. *Decision Maker* means an impartial individual(s) who has decision-making and sanctioning authority within the University’s grievance process. A decision maker can be either an individual or a panel.

- D. *Education program or activity* means locations, events, or circumstances over which the University exercises substantial control over both the Respondent and the context in which the Prohibited Behavior occurs and also includes any building owned or controlled by a student organization that is officially recognized by the University.
- E. *Final Determination* means a conclusion by the preponderance of the evidence that the alleged conduct occurred and whether it did or did not violate policy.
- F. *Finding* is a conclusion by the preponderance of the evidence that the conduct did or did not occur as alleged.
- G. *Formal Complaint* means a document filed by the Complainant or signed by the Title IX Coordinator alleging sexual harassment, as defined in EP 1.204, against a Respondent and requesting that the University investigate the allegation(s). “Document filed by the Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the University) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint.
- H. *Investigator* means an individual assigned by the Title IX coordinator to gather facts, assess relevance, synthesize the evidence, and compile the information into an investigation report.
- I. *Parties* mean the Complainant(s) and Respondent(s), collectively.
- J. *Remedies* are post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore or preserve equal access to the University’s educational program.
- K. *Respondent* means an individual over whom the University has substantial control and who has been reported to be the perpetrator of conduct that could constitute sexual harassment as defined in EP 1.204.
- L. *Title IX Coordinator* is at least one official designated by the University to ensure compliance with Title IX and the University’s Title IX program. References to the Coordinator throughout this policy may also encompass a designee of the Coordinator for specific tasks.

III. **Administrative Procedure**

- A. Grievance Process: General Provisions
 - 1. The University has the burden of proof and the burden of gathering relevant and sufficient evidence to reach a determination regarding responsibility.

2. The University will not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, and which are made or maintained in connection with the provision of treatment to the party, unless the party provides voluntary written consent to do so for the grievance process under this Policy.
3. The parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
4. The parties may have an advisor of their choice during the grievance process, including during initial meetings or interviews and investigative meetings or interviews.
5. Anyone who is asked to participate in an investigative interview or other meetings will be provided with written notice including the date, time, location, purpose and names of those participating in said interview or meeting with sufficient time to prepare to participate.
6. The grievance process or any time frames therein may be temporarily delayed or extended for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include, but is not limited to, considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
7. To ensure that the University is able to gather evidence sufficient to reach a determination and to respond promptly and appropriately to sexual harassment, formal complaints must be filed with the Title IX Coordinator within three (3) years of the most recent incident of alleged sexual harassment, unless it can be demonstrated that there is good cause for a later filing. The Title IX Coordinator will decide if good cause exists.

B. Complainant Initiated Investigation:

1. When the Complainant files a formal complaint with the Title IX Coordinator, the Title IX Coordinator will make an initial determination that the formal complaint is sufficient to move forward under EP 1.204.

2. If the formal complaint is sufficient, the Title IX Coordinator will initiate the Grievance Process by appointing a neutral investigator(s), who has no conflict of interest or bias for or against any of the parties, to conduct an investigation.
3. The formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the official contact information for the Title IX Coordinator.

C. University Initiated Investigation:

1. Under certain circumstances the University may initiate an investigation even absent a formal complaint or if the formal complaint has been withdrawn. The determination whether to initiate an investigation on behalf of the University shall be made by the Title IX Coordinator. When moving forward with a University Initiated Investigation, the Title IX Coordinator will sign a formal written complaint and then appoint a neutral investigator(s), who has no conflict of interest, or bias for or against any of the parties, to conduct an investigation.
2. The Title IX Coordinator is not the Complainant or a Party in a University Initiated Investigation and still serves as a neutral individual.
3. In making the determination to conduct a University Initiated Investigation, the Title IX Coordinator will consider the frequency, nature, or severity of the allegations, the existence of a withdrawn formal complaint or Complainant's refusal to participate in the investigation, the age of the parties involved, whether the allegations include violence, threat, pattern, or predation, the existence of prior or other similar complaints against the Responding Party, and the existence of actual or threatened use of a weapon.

D. Consolidation of Formal Complaints

The Title IX Coordinator may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

E. Dismissal of Formal Complaints

Under certain circumstances, formal complaints can be dismissed prior to or during the grievance process. Only the Title IX Coordinator may decide to dismiss a formal complaint.

1. Mandatory Dismissal

The University must dismiss a formal complaint, or any allegations therein, if at any time during the grievance process it is determined that:

- a. The conduct alleged in the formal complaint would not constitute sexual harassment as defined in EP 1.204, even if proved; and/or
- b. The conduct did not occur in an educational program or activity controlled by the University (including buildings or property owned or controlled by recognized student organizations), and/or
- c. The University does not have control of the Respondent; and/or
- d. The conduct did not occur against a person in the United States; and/or
- e. At the time of filing a formal complaint, a complainant is not participating in or attempting to participate in the education program or activity of the University.

2. Discretionary Dismissal

The University may dismiss a formal complaint or any allegations therein if, at any time during the grievance process:

- a. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; or
- b. The Respondent is no longer enrolled in or employed by the University; or
- c. Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

3. Notice of Dismissal and Appeal Rights

- a. Upon any dismissal, the Title IX Coordinator will promptly send written notice of the dismissal and the reason for doing so simultaneously to the parties.
- b. The dismissal decision is appealable by any party under the procedures for appeal below.
- c. Dismissal of one type of conduct charge does not affect or preclude proceeding with all other misconduct charges that may be at issue.

F. Informal Resolution

1. Any time after a formal complaint has been submitted, and prior to reaching a determination following a hearing, the Complainant and Respondent may agree to informally resolve the complaint through an alternate resolution mechanism, such as, but not limited to, facilitated discussions, mediation, ho'oponopono, etc.
2. Informal resolution is not available unless a formal complaint has been filed.
3. Informal resolution is not available where it has been alleged that an employee sexually harassed a student.
4. Any party participating in informal resolution can stop the process at any time and choose to begin or resume the grievance process.
5. Prior to facilitating an informal resolution, the University will provide the parties with a written notice disclosing:
 - a. The allegations;
 - b. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint;
 - c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared by the University.

6. The University will obtain voluntary, written confirmation that all parties wish to resolve the matter through an informal resolution before proceeding and shall not pressure the parties to participate in informal resolution.
7. The Title IX Coordinator will keep a record of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions.

G. Advisors Generally

1. The University generally expects an advisor to be available to attend University meetings when planned but may change scheduled meetings to accommodate an advisor's schedule, if doing so does not cause an unreasonable delay.
2. Advisors shall not disrupt proceedings. If the advisor is disruptive or otherwise fails to respect the limits of the advisor role, the meeting will be ended, or other appropriate measures implemented. Advisors are expected to comply with all University policies and procedures.
3. Advisors shall maintain the privacy of any information, including documents, shared with them. Such information shall not be shared with third parties, disclosed publicly, used outside of the grievance process, and/or used for unauthorized purposes. The University may restrict the role of any advisor who fails to abide by the University's privacy expectations.

H. Investigation Process

1. Notice of Allegations and Investigation

Upon receipt of a formal complaint, the Title IX Coordinator will provide written notice of the allegations and investigation to the parties. The notice will include:

- a. Information about and a copy of this procedure, including the informal resolution process;
- b. The identity of the involved parties (if known);
- c. A summary of the allegations, including sufficient details known such as the conduct allegedly constituting sexual harassment under EP 1.204, the date and location of the alleged incidents, if known at the time;

- d. A statement that Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- e. Statement that the parties may have an advisor of their choice;
- f. Information that the parties may inspect and review all directly related evidence during the review and comment period;
- g. A statement regarding the code of conduct and consequences for making false statements;
- h. Any other policies and/or procedures implicated, with a copy of those policies and procedures;
- i. A statement about the University's policy on non-retaliation;
- j. The name(s) of the investigator(s) and their contact information.

Amendments and updates to the notice may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

Notice will be made in writing. Once mailed or emailed, notice will be presumptively delivered.

2. Appointment of Investigators

- a. Upon commencing an investigation into a formal complaint, the Title IX Coordinator will appoint an Investigator(s).
- b. The Title IX Coordinator will vet the assigned Investigator(s) to ensure there are no actual or apparent conflicts of interest or disqualifying biases.

3. Steps in the Investigation Process

The Investigator(s) will:

- a. Interview the Complainant, Respondent, relevant witnesses, and individuals with unique knowledge pertinent to the allegations in the notice of allegations and investigation, in

order to gather and ascertain case facts and circumstances;
and

- b. Collect all relevant evidence including documents, notes, electronic records, photographs, and any other materials relevant to the investigation offered by any party or witness and will seek to collect relevant evidence from other sources;
and
- c. Prior to the conclusion of the investigation, provide the parties an opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation; and
- d. Prior to the completion of the investigative report, send to the parties and their advisors, if any, the evidence directly related to the allegations that is subject to inspection and review, in an electronic format or a hard copy¹ and provide them with ten (10) business days to submit a written response;
- e. Consider the parties' written comments on the evidence prior to completion of the investigative report; and
- f. Create an investigative report that fairly summarizes relevant evidence.

4. Investigation Timeline

The Investigator(s) shall seek to complete the first two steps of investigation process, outlined in section H.3.a. and b. above, within ninety (90) business days of their assignment. Some investigations may take longer, depending on the nature, extent, and complexity of the allegations, availability of witnesses, etc.

¹ May be sent using a file sharing platform that restricts parties and advisors from downloading or copying the evidence. Additionally, parties and their advisors may be required to refrain from disseminating the evidence or may be required to sign a non-disclosure agreement prior to being given a copy of the evidence.

The University will make a good faith effort to complete investigations as promptly as circumstances permit. If an extension becomes necessary for good cause, the Investigator(s) will notify the parties in writing of any extension and the reason for the extension.

Good cause may include, but is not limited to, ensuring the integrity and completeness of the investigation, complying with a request by external law enforcement, accommodating the availability of witnesses, or delays by the parties, or for other legitimate reasons.

5. Investigation Interviews

- a. The parties may have an advisor accompany them to any investigation interview that they attend. Advisors are not permitted to speak for the party nor dictate the line or rationale of questioning. The parties are expected to inform the Investigator(s) of the name of their advisor as soon as possible.
- b. Involved parties, e.g., the Complainant, the Respondent, or witnesses, will not be allowed to be present during the interviews of others

I. Live Hearings

1. Upon completion of the investigation, and provided the complaint is not resolved through other means, the Title IX coordinator will refer the matter for a live hearing.
2. At least fifteen (15) business days prior to a hearing, the Title IX Coordinator will send to each party and the party's advisors, if any, the final investigative report for their review and written response. If a party chooses to provide a written response, it must be provided to the Title IX coordinator at least five (5) business days before the hearing.
3. Any evidence obtained in the investigation that is directly related to the allegations, including the evidence upon which the University does not intend to rely, will be available at the hearing for the parties to inspect and review.
4. Evidence that was not gathered and presented during the investigation cannot be introduced at the hearing, unless good

cause can be shown as to why the evidence was not previously provided.

5. The Title IX Coordinator may serve as an administrative facilitator of the live hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this role.
6. Appointment of Decision Maker
 - a. The Title IX Coordinator has the discretion to designate a single Decision Maker or a three-member panel. If a panel is used, the Title IX Coordinator will appoint one of the three members as the Chair of the hearing.
 - b. The Decision Maker or panel members will not have had any previous involvement with the investigation.
7. Date, Time, Location of Hearing
 - a. The hearing will be held no sooner than fifteen (15) business days after the transmission of the final investigation report to the parties and Decision Maker(s).
 - b. No less than ten (10) business days prior to the hearing, the Title IX Coordinator will inform the parties in writing of the time, date, and location of the hearing and the name(s)/title(s) of the Decision Maker(s). Once mailed or emailed, notice will be presumptively delivered.
8. Pre-Hearing Meetings

The Decision Maker/Chair may convene a pre-hearing meeting(s) with the parties and/or their advisors to discuss the hearing order. To expedite the cross-examination process, the Chair may invite the parties to submit draft questions that they wish to ask at the hearing. If the parties choose to submit draft questions, the Chair will thereafter review the questions to determine relevancy in preparation for the hearing and thereafter provide a ruling and rationale at the hearing.
9. Advisor's Role in Hearings
 - a. The parties must have an advisor to conduct cross-examination during a hearing as the parties are not permitted to directly cross-examine each other or any witnesses.

- b. Parties may choose their own advisor and must provide the Title IX Coordinator with the name and contact information of their hearing advisor before the hearing.
- c. If a party does not have an advisor for the live hearing, the University will provide, without fee or charge to that party, an advisor of the University's choice. This advisor shall conduct cross-examination on behalf of that party.
- d. If one party chooses to have an attorney as their advisor, the University is under no obligation to provide an attorney for the other party.
- e. Each advisor will be permitted to ask all relevant questions and follow-up questions of the other party and any witnesses. If a party decides not to participate in the hearing, the University will still appoint an advisor to conduct cross-examination for that party.

10. Cross-examination during the hearing

- a. Each party's advisor shall be allowed to ask the other party and any witnesses all relevant questions and follow up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.
- b. Only relevant cross-examination and other questions may be asked of a party or witness.
- c. Before a complainant, respondent, or witness answers a cross-examination or other question, the Decision Maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
- d. Questioning must be done in a respectful and non-abusive manner.
- e. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual

behavior with respect to the Respondent and are offered to prove consent.

- f. Parties and witnesses must submit to cross-examination in order for their statement to be considered by the Decision Maker(s) when making a determination regarding responsibility.
- g. At the request of either party, or at the discretion of the University, the live hearing may occur with the parties located in separate rooms with the technology enabling the Decision Maker(s) and parties to simultaneously see and hear the party or the witness answering questions.
- h. The University shall create an audio or audiovisual recording or transcript of any live hearing to be made available to the parties for inspection and review within a reasonable period of time after completion of the hearing.

J. Determination Regarding Responsibility

- 1. The Decision Maker(s) will make an objective evaluation of all relevant evidence to decide whether, by a preponderance of the evidence, the Respondent is responsible or not responsible for each of the alleged policy violation(s) in question. If a panel is used, a simple majority vote is required for each finding, including sanctions.
- 2. If there is a finding of responsibility, the Decision Maker(s) will consult with other appropriate administrators as necessary to review any pertinent disciplinary/conduct history and to decide on appropriate sanction(s).
- 3. The Decision Maker(s) shall seek to issue a written determination within thirty (30) business days of completion of the hearing. The determination must be provided to the parties simultaneously and must include the following:
 - a. Identification of the allegations potentially constituting sexual harassment under EP 1.204;
 - b. A description of the procedural steps taken from receipt of the formal complaint through the determination, including any notification to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

- c. Findings of fact supporting the determination;
- d. Conclusions regarding the application of the EP 1.204 to the facts;
- e. A statement of and rationale for the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided to the Complainant;
- f. The procedure and permissible bases for both parties to appeal the determination.

K. Sanctions

The University reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this policy.

1. Factors in Determining Sanctions

Factors to be considered when determining a sanction/responsive action may include, but are not limited to:

- a. The nature, severity of, and circumstances surrounding the violation(s);
- b. The Respondent's disciplinary history;
- c. Previous allegations or allegations involving similar conduct;
- d. The need for sanctions/responsive actions to bring an end to the harassment, and/or retaliation;
- e. The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation;
- f. The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community;
- g. The impact on the parties;

- h. Any other information deemed relevant by the Decision Maker(s).

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

2. Student Sanctions

The following sanctions may be imposed upon students singly or in combination:

- a. *Warning:* A formal statement that the conduct was unacceptable and a warning that further violation of any University policy, procedure, or directive will result in more severe sanctions/responsive actions.
- b. *Required Counseling:* A mandate to meet with and engage in either University-sponsored or external counseling to better comprehend the misconduct and its effects.
- c. *Probation:* A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- d. *Suspension:* Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at the University.
- e. *Expulsion:* Permanent termination of student status and revocation of rights to be on campus for any reason or to attend University-sponsored events. It will be noted permanently, subject to any applicable expungement policies, as a Conduct Expulsion on the student's official transcript.
- f. *Withholding Diploma:* The University may withhold a student's diploma for a specified period of time and/or deny a student's participation in commencement activities if the

student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.

- g. *Revocation of Degree:* The University reserves the right to revoke a degree previously awarded from the University for fraud, misrepresentation, and/or other violation of University policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- h. *Organizational Sanctions:* Deactivation, loss of recognition, loss of some or all privileges (including University registration) for a specified period of time.
- i. *Other Actions:* In addition to or in place of the above sanctions, the University may assign any other sanctions as deemed appropriate.

3. Employee Sanctions

Discipline may be imposed in accordance with the applicable collective bargaining agreements. Possible discipline may include:

- a. Reprimand – Verbal or Written
- b. Loss of Oversight or Supervisory Responsibility
- c. Demotion
- d. Suspension
- e. Termination
- f. Other actions in addition to or in place of the above sanctions as deemed appropriate.

4. Remedial Actions and Educational Refresher Programs

- a. When appropriate, remedial actions may be offered to the parties, including, but not limited to, no contact orders, management directions to employees, campus security/public safety escort, changes in schedules, changes in assignments, counseling, assistance with academic services, and other actions that the decision maker(s) deems appropriate.

- b. When appropriate, an employee or student may be required to participate in educational refresher programs. Educational refresher programs may be required as part of the University's goal to prevent the recurrence of inappropriate conduct.

Relevant information remains on an employee's personnel records in accordance with the applicable collective bargaining agreement.

L. Appeals

1. Both parties have equal rights to an impartial appeal from the University's dismissal of a formal complaint or any allegation therein or from a determination of responsibility under this policy and procedure.
2. For an appeal to be considered timely, it must be submitted to the Title IX coordinator within five (5) business days after the date the written determination was received by the parties.
3. An appeal shall be in writing, cite the basis for the appeal, and explain why the party believes there is a basis for the appeal.
4. Appeals are limited to the following bases:
 - a. Procedural irregularity that affected the outcome of the matter;
 - b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
 - c. The Title IX coordinator, investigator(s), or decision maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the specific complainant or respondent that affected the outcome of the matter.
5. If an appeal is filed, the Title IX coordinator will notify the other party in writing of the appeal and the basis. The other party may submit a response to the appeal within five (5) business days from the date they received the appeal.
6. Within five (5) business days of the deadline for a response, the Title IX Coordinator shall forward the appeal, any response, and the record to an appropriate appeals officer, who is not the same person as the Decision Maker(s) that reached the determination

regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator.

7. The appeals officer will examine the information presented. Within twenty (20) business days from the date the appeals officer received the information, the appeals officer will:
 - a. Deny the appeal and uphold the original decision;
 - b. Grant the appeal and remand the case because of procedural irregularities that affected the outcome of the matter;
 - c. Grant the appeal and remand the case because new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made could affect the outcome of the matter;
 - d. Grant the appeal and remand the case because the Title IX Coordinator, investigator(s), or decision maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the specific complainant or respondent that affected the outcome of the matter; or
8. The appeals officer shall draft a determination of appeal explaining the rationale for the determination. The determination of appeal shall be promptly sent to the parties simultaneously.

IV. Delegation of Authority

V. Contact Information

For questions or concerns regarding this policy, please contact the Office of Institutional Equity at (808) 956-8629 or institutional.equity@hawaii.edu.

VI. Related Policies

- A. EP 1.204, Policy on Title IX Sexual Harassment
- B. EP 1.202, Nondiscrimination and Affirmative Action
- C. EP 7.205, Systemwide Student Disciplinary Sanctions
- D. EP 7.208, Systemwide Student Conduct Code
- E. EP 9.210, Workplace Non-Violence

- F. AP 9.920, Discrimination Complaint Procedures for Employees, Students, and Applicants for Employment or Admission

VII. Exhibits and Appendices

None.

Approved:

_____ <signature> _____
<Name of Approving Authority> <Date>
<Title of Approving Authority

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