

APPENDIX B - Administrative Resolution Process for Non-Title IX Offenses

This appendix shall apply to complaints that involve at least one student as the Complainant or Respondent and do not fall under Appendix C.

Prohibited Conduct

For purposes of this Appendix B, the following definitions, along with the definitions of Prohibited Conduct in Appendix C shall apply:

- A. “Discrimination” means any disparate treatment of an individual based on a protected characteristic which has an adverse impact sufficient to alter the terms and conditions of an individual’s academic, employment, or other University status or opportunity.
- B. “Harassment (Hostile Environment)” means unwelcome verbal, nonverbal or physical conduct based on a protected characteristic when such conduct is:
 - 1. sufficiently severe or pervasive to alter an individual's working or academic conditions;
 - 2. creates a hostile or abusive working, living or academic environment; or
 - 3. is sufficiently severe or pervasive to limit an individual’s ability to participate in or benefit from an educational program or activity.

Factors which may be considered include the frequency and severity of the unwelcome conduct; whether it is physically threatening or humiliating; and whether it unreasonably interferes with an individual’s work or academic performance.

- C. “Dating violence” means any act of violence (other than a defensive measure to protect oneself), including but not limited to physical violence, interference with personal liberty, or sexual misconduct, committed or threatened to be committed by a person who has been involved in a social relationship of either a romantic or intimate partner nature with the Complainant. When determining whether the relationship rises to the level required for dating violence, the nature of the relationship, length, type and frequency of interaction will be considered.
- D. “Domestic violence” means any act of violence (other than a defensive measure to protect oneself), including but not limited to physical violence, sexual misconduct or interference with personal liberty, committed or threatened to be committed by:
 - 1. A current or former spouse of the Complainant;
 - 2. A person with whom the Complainant shares a child;