



# **Title IX Professional Development University-Wide Committee on Sexual Misconduct (UWC)**

Aley Menon and Anita-Sharif-Hyder

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The background of the slide features a blurred image of a building with large windows, some of which are illuminated from within, casting a warm orange glow. In the foreground, there are branches with pink and green leaves, possibly from a flowering tree or shrub, adding a natural and somewhat soft aesthetic to the presentation.

## Yale's Sexual Misconduct Policy Statement

Yale University prohibits all forms of sexual misconduct. Yale aims to eradicate sexual misconduct through education, training, clear definitions and policies, and serious consequences for policy violations.

# Yale's Sexual Misconduct Definitions\*

Sexual Misconduct incorporates a range of behaviors, including:

- sexual assault
- sexual harassment
- intimate partner violence
- stalking
- violations of the teacher-student consensual relations policy
- any other conduct of a sexual nature that is nonconsensual, or has the purpose or effect of threatening, intimidating, or coercing a person

*\* Section 5 of the UWC Procedures*

# Title IX Sexual Misconduct Definitions\*

Federal regulations for the implementation of Title IX of the Education Amendments of 1972 provide detailed rules for addressing formal complaints of some types of sexual misconduct. Sexual misconduct covered by these regulations is referred to at Yale as “Title IX sexual misconduct.”

- Sexual assault
- Sexual harassment
- Dating violence
- Domestic violence
- Stalking

*\*Section 4 of the UWC Procedures*



## What Is the UWC?

- Central body that hears formal complaints of sexual misconduct against students, faculty, and some staff.
- Formal process has distinct parts: Investigation, Hearing, Decision, and Appeal.
- UWC membership is comprised of faculty, senior administrators, and G&P students who receive annual training on relevant topics.

# Informational Meetings with Parties

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- ☐ Receive referrals from TIX Office, SHARE, YPD and other campus partners
- ☐ Answer questions and review stages of the formal process
- ☐ No expectation or request to know names or share specifics of incident(s) at this stage
- ☐ Review campus support resources
- ☐ Provide links or copies of:
  - UWC Procedures
  - Statement on Confidentiality of UWC Documents
  - Sexual Misconduct Policy and Definitions
  - UWC Advisor bios
- ☐ Available for follow-up questions by phone, email or in-person

# Features of the Process

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- ☐ Length of time
- ☐ Written complaint
- ☐ Jurisdiction
- ☐ Advisors
- ☐ No-contact orders
- ☐ Confidentiality
- ☐ Section 4 vs. Section 5 Procedures

# Stages of the Process

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- ❖ Complaint and Charge
- ❖ Investigation
- ❖ Hearing and Decision
- ❖ Appeals



# Initiating a Formal Complaint

- ❖ Signed written complaint
- ❖ Jurisdiction
- ❖ Notice to the responding party
- ❖ Appointment of investigator
- ❖ Advisors
- ❖ No-contact order during the pendency of the UWC process

# Investigation

- ❖ External investigators
- ❖ Interview parties and witnesses
- ❖ Gather documents and other evidence
- ❖ Prepare written investigation report for hearing panels and parties

# Hearing and Decision

- ❖ Hearing panel: hearing officer and three UWC members
- ❖ Interviews of parties and witnesses
- ❖ Preponderance of the evidence standard
- ❖ Decision report
  - Findings of fact
  - Rationale and conclusions
  - Sanction, if applicable



# Appeals

Grounds for appeal:

- ☐ Procedural irregularity that affected the outcome
- ☐ New evidence not reasonably available
- ☐ Conflict of interest or bias

# UWC Outcomes

- No Finding
- Reprimand
- Probation
- Suspension
- Expulsion / Termination

*Other potential sanctions include:*

- No-contact order
- Training
- Restrictions
- Limits on supervision, leadership, etc.

# Alternative Resolution Option

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- Shuttle dialogue or facilitated dialogue with a trained facilitator
- Parties must voluntarily consent in writing to participate
- The university must agree that AR is appropriate to the circumstances of the case
- Potential outcome: binding Resolution Agreement
- Not available in cases brought by or on behalf of students against Yale employees or in cases where the behavior if proven would indicate the respondent presents a danger to the safety of our community
- No documents or statements made in the AR may be used in a subsequent formal complaint proceeding about the same allegations



# Belonging at Yale

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Everyone has a role to play in making Yale a community where each of us can feel a sense of belonging, and where we can develop our own potential and the potential of our scholarship, research, and practice.

Each of us should expect:

- equal and equitable opportunity to contribute, learn, grow, and succeed,
- rejection of discrimination and harassment,
- accountability for inappropriate actions, and
- the open exchange of ideas.



BELONGING AT YALE



# Questions?

[aley.menon@yale.edu](mailto:aley.menon@yale.edu)

[anita.sharif-hyder@yale.edu](mailto:anita.sharif-hyder@yale.edu)

[uwc.yale.edu](http://uwc.yale.edu)

