



***Appeals Facilitator:*** Refers to a trained University faculty and staff member or other appropriate person(s) designated by the University's Title IX Coordinator (for non-student Respondents) that hear and decide appeals of findings and sanctions imposed by the Special Matter Hearing Board (defined below). The Appeals Facilitator is the individual specifically designated to handle and decide appeals based on the specific category of the



**Reporter:** Refers to an individual who notifies a CAU Mandatory Reporter of an alleged violation of this Policy. A Reporter can be any individual who reports to CAU that they have personally experienced or been subjected to Sex Discrimination or Sexual Misconduct; that they have been affected by Sex Discrimination or Sexual Misconduct, or that they have knowledge of Sex Discrimination and Sexual Misconduct happening to or affecting someone else.

**Respondent:** Refers to an individual against whom a Formal Complaint has been filed or Report has been made and whose conduct is alleged to have violated this Policy. Typically, the Respondent is an individual who has been accused of conduct that, if proven by a preponderance of the evidence, constitutes Sex Discrimination or Sexual Misconduct under this Policy. A Respondent has certain rights under this Policy, as discussed above.

**Responsible:** Means a determination by a University Special Matter Hearing Board that the Respondent has, in fact, committed an act in violation of this Policy.

**Sex Discrimination:** Refers to the unequal treatment of an individual based on their sex or gender in any employment decision, education program or educational activity receiving Federal financial assistance. Such programs or activities include, but are not limited to, admission, hiring and recruitment, financial aid, academic programs, student treatment and services, counseling and guidance, discipline, classroom assignment, grading, vocational education, recreation, physical education, athletics, housing and employment. The prohibition on sex discrimination also covers unlawful discrimination based on gender identity, sexual orientation, pregnancy, termination of pregnancy, childbirth or related conditions. Also prohibited as sex discrimination is Title IX financial



other persons living or formerly living in the same household.

Note: This definition will not be applied to simple roommate disputes, in particular, those that do not involve any allegations of gender or sex discrimination.

*Stalking (as defined in 34 U.S.C. 1229 (a)(30))*: Occurs when a person follows, places under surveillance or contacts another person (i.e., the victim) at or about any public or private property occupied by the victim other than the residence of the person without the consent of the victim for the purpose of harassing and intimidating the victim. Harassment and intimidation is a knowing and willful course of conduct directed at a specific person which causes emotional distress by placing such person in reasonable fear for such person's safety or the safety of a member of his or her immediate family, by establishing a pattern of harassing and intimidating behavior, and which serves no legitimate purpose. Types of stalking could include, but are not limited to:

- Following the targeted person;
- Approaching or confronting that person in a public place or on private property;
- Persistent and unwelcome attempts to contact the person by phone, electronic communication (including via the internet and cellphones), or regular mail, either anonymously or non-anonymously;
- Vandalizing the person's property or leaving unwanted items for the person;
- Persistently appearing at the person's classroom, residence, or workplace without that person's permission or other lawful purpose;
- Cyber-stalking, in which a person follows, observes, monitors, or surveils another person through the use of electronic media such as the Internet, digital media networks, blogs, cell phones, texts or other similar devices; and
- Using visual or audio recording devices or hidden or remote cameras used without the subject's consent.

E. *Sexual Violence*: Consists of physical sexual acts perpetrated against a person's will or where a person

Limiting the access of the individual accused of the misconduct to certain University facilities until the matter is resolved, including the possibility of an interim suspension, if warranted.