

# **WHAT HAPPENS NEXT? UNL SEXUAL MISCONDUCT PROCESS EXPLAINED**

**A clickable guide for students**



**EQUITY AND COMPLIANCE**

# Welcome

This guide was created to help understand Sexual Misconduct Policies and Procedures for students.

Reviewing this guide does not constitute filing a report. Also, note that this tool focuses on general guidance and does not replace an individual's thorough review of the policy. Every report/case is unique, causing the procedure to vary.

## Where do you want to start?

**Clickable Story**

**I just want resources**

[Link to Resources Page](#)

**See Policy**

[Link to Policy Page](#)

**Where to report**

**BACK**

# Choose

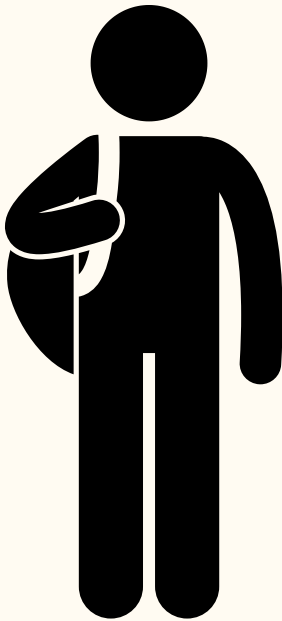


**Someone**



**Friend**

# **This is Someone.**



They experienced an event that could have violated the Sexual Misconduct Policy, but they are unsure what to do.

**How to report**

**IEC**

**Confidential  
Resources**

# **This is a Friend.**



They believe Someone experienced an event that could have violated the Sexual Misconduct Policy, but they are unsure what to do as a friend.

**How to report**

**IEC**

**Confidential  
Resources**

**BACK to Someone**

**BACK to Friend**

# IEC

IEC serves as the Civil Rights office on campus and handles all matters involving any form of discrimination and/or harassment based on a protected status and any form of sexual misconduct.

The UNL Title IX Coordinator is part of IEC.

Title IX Coordinator -Meagan Counley  
titleixcoordinator@unl.edu  
402 472 3417

**How to report to IEC**

**What happens after a  
report is received?**

**BACK to Someone**

**BACK to Friend**

# How to Report

You can report to IEC by

- Reporting Form
- Calling 402 472 3417
- E Mail
  - oiec@unl.edu
  - titleixcoordinator@unl.edu

**Visit IEC**

Link to UNL Map

**IEC Reporting Form**

Link to form

Reports can also be submitted via

- UNL Report
- UNL Police

**Can I report  
anonymously?**

**What happens after a  
report is received?**

**BACK to Someone**

**BACK to Friend**

# Confidential Resources

While Confidential Resources do not have an obligation to take action or to initiate a campus investigation, they do have an obligation to report statistical information regarding some crimes, including sexual assault, dating violence, domestic violence and stalking to campus police for the purpose of annual crime statistic reporting.

**Resources**

[Link to Resources Page](#)

**Can I report  
anonymously?**

**How to report**



# Outreach

## **What happens when a report is received?**

When a report is received, IEC conducts outreach.  
This may be via email or phone.

Let's say:

**I just wanted to report. I don't want to interact with IEC.**



**Someone is the reporter and wants to learn more.**



**A Friend is the reporter and wants to learn more.**

# Can I Report Anonymously?

IEC forms and the UNL Report form allow for anonymous reporting; however, anonymous reports may limit the University's ability to respond to incidents and prevent recurrence.

Without contact information, IEC will not be able to provide supportive measures to Someone who may need them.

**How to report**

**What happens after a  
report is received?**

# **Just Report**

## **No Interaction with IEC**

IEC processes are always participant-centered. Each individual determines their own level of involvement—whether that means actively contributing, simply being present, or not at all. All forms of participation are valid and supported, honoring personal choice and readiness throughout the process.

If an individual chooses not to participate, they can simply

- reply to the outreach stating they do not wish to participate.
- not reply to outreach efforts
  - IEC will attempt outreach at least 3 times if no reply is received.

IEC will proceed with any necessary steps to address the report without further contact.

**Outreach for  
Someone**

**Outreach for a  
Friend**

**What about  
supportive  
measures?**

# Outreach for Someone



**Wanting to learn more.**

Outreach may include:

- Acknowledgement of the receipt of the report.
- Complaint options
- Information about supportive measures
- Information about additional resources
- Invitation to connect with IEC

It is advised to contact IEC to discuss any questions about the outreach's content and to establish any necessary supportive measures.

**Discuss options,  
decide to stop.**

**Discuss options,  
continue process.**



# Outreach for a Friend

**Wanting to learn more.**

If enough information is received about Someone from a Friend's report, IEC will contact Someone with information about the process and resources.

Some aspects of the process, such as supportive measures, are reserved for the Complainant and Respondent. Nevertheless, a Friend can continue to participate and may be contacted by IEC for additional information about the incident.

A Friend is also welcome to learn about the IEC processes in general.

**Learn more**

# Supportive Measures

Supportive measures are individualized services offered to Complainants and Respondents through Institutional Equity and Compliance. Supportive measures are meant to restore or preserve equal access to the University activities without unreasonably burdening the other party.

The measures may be offered before or after a Formal Complaint has been filed, or in situations where no Formal Complaint has been filed. Institutional Equity and Compliance will keep supportive measures confidential to the extent possible while being able to enact the measures.

**What's a  
Complainant?**

**What's a  
Respondent?**

**What's a Formal  
Complaint?**

# **What's a Complainant?**

Any individual who is alleged to be the victim of conduct that could constitute sexual misconduct.

# **What's a Respondent?**

An individual who has been  
reported to be the  
perpetrator of conduct that  
could constitute sexual  
misconduct.



# What's a Formal Complaint?

A document filed by a Complainant or signed by the Title IX Coordinator alleging sexual misconduct, including sexual harassment under Title IX, against a Respondent and requesting that the University investigate the allegation of sexual misconduct.

What happens after Someone files a Formal Complaint?

**File a Formal  
Complaint**

# **File a Formal Complaint**

## **What happens after?**

The allegations of the Formal Complaint will be reviewed by IEC.

The Complainant and Respondent will receive:

**Notice of Allegations**

and

**Informal Resolution  
information**

or

**What happens if Someone's complaint gets dismissed?**

# **Someone's Complaint is Dismissed**

## **Why and what can Someone do?**

A Notice of Allegations will always be sent to the Complainant and Respondent.

If a Formal Complaint alleging sexual harassment under Title IX is dismissed, the alleged sexual misconduct may be addressed under the Sexual Misconduct policy or a different provision of the Student Code of Conduct.

The Complainant is encouraged to discuss the dismissal and other options with IEC such as an appeal.

# Notice of Allegations

The Notice of Allegations notifies Complainant and Respondent of the University's Sexual Misconduct Policy and Procedures, explains the grievance process and the Informal Resolution process.

Some of the information in the Notice includes:

1. The identities of the parties involved, if known;
2. The conduct allegedly constituting sexual misconduct;
3. The date and location of the alleged incident, if known;
4. Notice of other potential Student Code of Conduct violations.

**Informal Resolution outreach**

# Informal Resolution

Along with the Notice of Allegations, Complainants and Respondents will receive outreach about the Informal Resolution Process.

In Informal Resolutions, the Informal Resolution Specialist contacts the two parties separately to reach an agreement on terms that must be completed within a fixed time frame. This process is optional and can be chosen to address a complaint or can be done alongside the investigation process.

**NOTE:** The University will not offer or facilitate an Informal Resolution process to resolve allegations that an employee engaged in sexual misconduct against or sexually harassed a student.

**More details**

Link to IR section of  
Policy

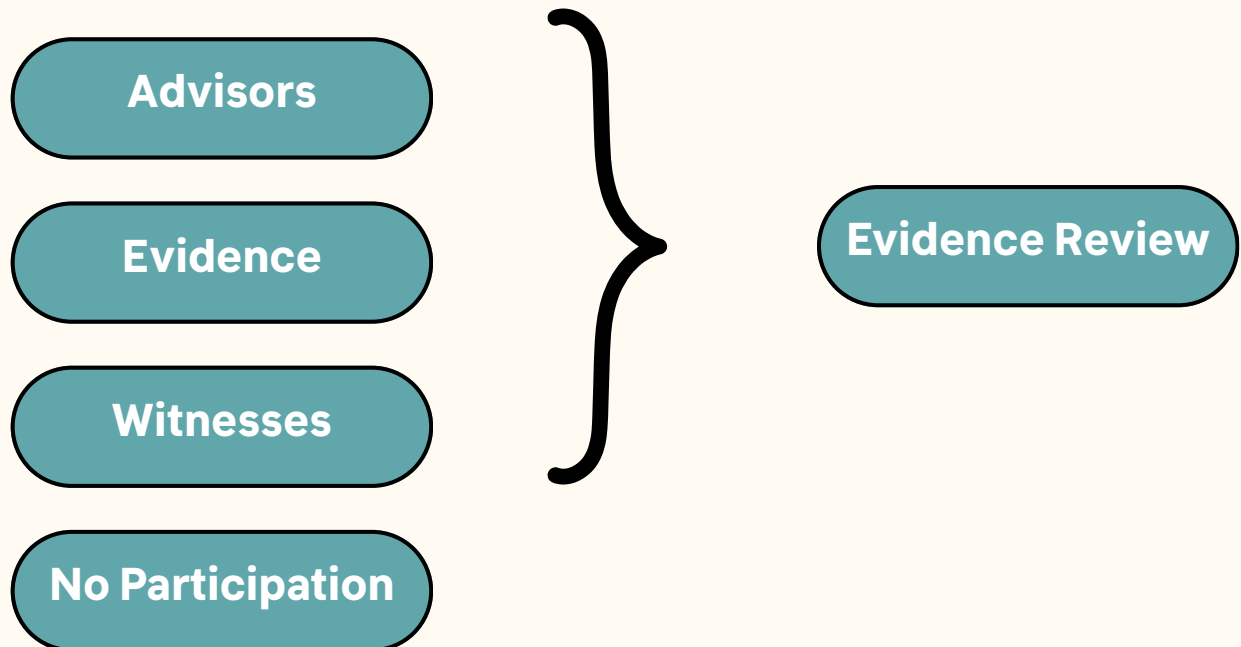
**Failure to complete terms**

**The Investigation**

# Investigation

## What to expect

An Investigator will send both parties a meeting notice for an interview and give them at least five days to prepare for the meeting. Interviews are held separately with each party and are generally recorded.



# **Failure to Complete Terms**

Prior to reaching an agreement, parties can request that the Informal Resolution process be terminated at any time, in which case the grievance process would proceed. The University holds the right to terminate the Informal Resolution process under certain circumstances.

If the Informal Resolution process proceeds, and the agreed upon terms are not fulfilled, the failure to comply will be sent to Student Conduct to adjudicate.

# Advisors

Advisor means any individual who provides the Complainant or Respondent support, guidance, or advice and may accompany the Complainant or the Respondent to any meeting or grievance proceeding, such as a meeting in the investigation or the Hearing. This individual will also conduct cross - examination on behalf of their party.

## **An Advisor Cannot**

- Speak on behalf of their party during the Hearing.
- Directly participate in any aspect of the Hearing.

**NOTE:** Both parties must have an advisor present at the Hearing. The University can assign an advisor in the absence of one. The University can also establish restrictions and limitations on the advisors' participation.

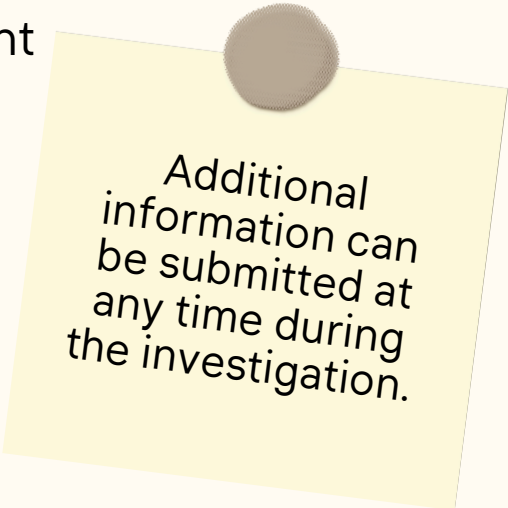


# Gathering Evidence

While meeting separately with the Complainant and Respondent, the Investigator will seek all information relevant to the allegations.

**Parties may present:**

- any information regarding the incident
- names of witnesses
- the existence of documents
- emails
- text messages
- recordings
- other relevant information



Additional information can be submitted at any time during the investigation.

The Investigator may also review student and/or personnel files as well as law enforcement documents or evidence.

# Witnesses

The Investigator is responsible for contacting and interviewing relevant witnesses the parties identify, and any witnesses the Investigator deems necessary.

**NOTE:** Witnesses are provided the same choices regarding levels of participation in any IEC process. No entity can force witnesses to participate nor can they be retaliated against for participating or refusing to participate.

# Refusal to Participate

## **What if one or both of the parties refuses to participate?**

IEC processes are always participant-centered. At every stage of the process, parties are allowed to choose the level of participation that best accommodates their needs.

IEC will continue the grievance process unless the Formal Complaint is withdrawn or other circumstances outlined in the policy arise.

Neither Complainant nor Respondent can be retaliated against for participating or refusing to participate in the process.

# Evidence Review

The Investigator will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint.

Parties can add or correct information and dispute information submitted by the other party.

Ten University days are given to review the information and submit any responses. The Investigator will consider the responses prior to completion of the Investigative Report. The completed Investigative Report is sent to the Hearing Facilitator.

**Back to beginning**

**Proceed to Hearing**

# About the Hearing

After an investigation, the University will conduct a live Hearing to determine whether the Respondent is responsible for violating the Sexual Misconduct Policy. During the Hearing, the Complainant, and the Respondent will each have an opportunity to

1. Discuss and explain their position;
2. Present evidence, including documents and witnesses; and
3. Have their advisor ask questions of the other party and witnesses (e.g. cross-examination).

**Scheduling**

**The Hearing Board**

**Pre- Hearing**

**The Hearing**

# Scheduling

The University will strive to complete a Hearing within one month from the issuance of the investigation report. (May be delayed due to Informal Resolution.)

A Pre-Hearing conference will be held at least two University Days prior to the scheduled Hearing. The University will provide written notice of the date, time, location, participants, and purpose of both the preHearing conference and of the Hearing at least five University Days prior to the Pre - Hearing conference.

# **Pre-Hearing**

The Respondent and the Complainant shall have the right to attend a Pre-Hearing Conference. The purpose of the Pre-Hearing Conference is to plan for the Hearing, discuss the issues and facts that will be presented at the Hearing, exchange information about witnesses likely to be called, answer procedural questions, and settle those matters which may be agreeably concluded.

# **Hearing Board**

## **Who makes up the Hearing Board?**

The Hearing Board is a subset of the University Conduct Board. It will be composed of an odd number of three or more members, including one student member.

A Hearing Chair will preside over the Hearing. Each member of the board has voting power.

Any real or perceived conflict of interest or bias should be brought forth to the Hearing Chair no less than two days before the Hearing.



# The Hearing

Although Hearings are not open to the public, parties should still expect to see several people in attendance, such as the Investigator, a Hearing facilitator, and the Title IX Coordinator.

Hearings take place via Zoom (videoconferencing).

The Complainant and Respondent can present opening and closing statements if they wish to. These statements cannot be given by anyone else. Parties can choose not to attend, and their absence cannot be used as a factor to determine the outcome.

**Read more in detail**

[Link to Policy](#)

**Cross Examination**

**Determination**

# Cross Examination

During the Hearing, advisors can ask all relevant questions and follow-up questions, including those challenging credibility, to their party, the other party, and any witnesses.

The advisors conduct cross-examinations in real time after previously preparing with their respective parties. The Chair has the authority to decide if questions are relevant and will explain the decision.

**Determination**

# Determination

At the conclusion of the Hearing, the Hearing Board must go into closed session to deliberate and make its decision based solely upon the evidence introduced and received at the Hearing. The decision must be made by a majority vote.

It is important to remember that these Hearings are to determine if an individual is responsible or not responsible for a policy violation.

The determination must be delivered no more than 7 University days after the Hearing.

**Sanctions**

**Not Responsible -  
Respondent**

**Appeals**

**Not Responsible -  
Complainant**

# Sanctions

The University responds to policy violations with sanctions decided upon by the Hearing Board. Factors such as the Respondent's academic and disciplinary history may be considered.

Third parties cannot be sanctioned as a result of a Hearing.

Responsive action is intended to eliminate prohibited conduct, prevent its recurrence, and promote accountability while supporting the University's educational mission and legal obligations. Responsive action may include disciplinary, rehabilitative (including educational), restorative, and monitoring components.

**Retaliation**

**More on sanctions**

[Link to Policy](#)

**Remedies for  
Complainant**

# Not Responsible

## **What happens if a Respondent is found not responsible?**

The Hearing Board determined it was not more likely true than not true that the Respondent violated policy. The process will conclude, and nothing will appear on the Respondent's academic record.

Both parties may appeal the Hearing Boards decision. The Complainant also continues to have access to campus resources for support.

**Retaliation**

# Not Responsible

## Information for the Complainant

The outcome of this process reflects a determination that the evidence did not support a finding of a policy violation.

Both parties have the right to appeal in accordance with University procedures. Support resources remain available, and continued engagement with those services is encouraged.

**Appeals**

**Retaliation**

**Resources**

[Link to Resources Page](#)

# Appeals

The Complainant and the Respondent may appeal a decision reached after a formal Hearing within seven University Days after the decision is delivered to the parties. Bases for appeal are set forth in the policy. This appeal process provides both the Complainant and Respondent a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome of the Hearing.

Parties may also appeal sanctions imposed by the Hearing Board if they are deemed arbitrary and capricious or an abuse of discretion.

**Retaliation**

**More details**

[Link to Policy](#)

# Remedies for Complainant

When a determination of responsibility for sexual misconduct has been made against the Respondent, the University must provide the Complainant remedies. Remedies are designed to restore or preserve equal access to the University's education program or activity. Such remedies may include the same supportive measures that are already being provided to the Complainant; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

The Title IX Coordinator is responsible for effective implementation of any remedies.

**Retaliation**



# **Retaliation**

No one at the University may intimidate, threaten, coerce, or discriminate against someone for asserting their rights under the Sexual Misconduct Policy.

Reports of retaliation are to be directed to IEC.

**Questions and Contact  
Information**

**BACK to Beginning**

# **Questions and Contact Information**

For questions about the content of this guide  
or about the Sexual Misconduct Policy,  
contact IEC.

128 Canfield Administration Building  
402 472 3417  
[OIEC@unl.edu](mailto:OIEC@unl.edu)



**EQUITY AND COMPLIANCE**