

Special Procedures Governing Proceedings Involving Allegations of Sexual Assault, Sexual Harassment and Other Sexual Misconduct

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IMPLEMENTING THE CODE OF STUDENT CONDUCT

When a report has been filed and the investigation is complete, the procedures set forth below shall constitute the University's Title IX grievance procedures for addressing alleged violations of the Policy on Sexual Assault, Sexual Harassment and Other Sexual Misconduct where the accused is a student. See "Title IX Notice" in the Student Handbook for the University's Title IX Coordinator and Deputy Coordinators for this purpose.

REPORTING SEXUAL ASSAULT, SEXUAL HARASSMENT OR OTHER SEXUAL MISCONDUCT

Any University student, faculty member or staff member or individual who has been subjected to a sexual assault, sexual harassment or other sexual misconduct and who believes that a current student has violated the University's Policy on Sexual Assault, Sexual Harassment and Sexual Misconduct, may file a report with the Dean of Students Office, the Department of Public Safety, the Office for Residence Life, the Title IX Coordinator, or a Deputy Title IX Coordinator.

Dean of Students Office - Dougherty Hall room 213, 610-519-4200

Department of Public Safety - Garey Hall, 610-519-4444

Office for Residence Life - Stanford Hall ground floor, 610-519-4150/4154

Title IX Coordinator - Tolentine Hall room 204, 610-519-8805

Deputy Title IX Coordinators - [Click Here](#) for complete list with contact information.

The individual making the report is referred to in this Code as the Reporter. The individual who is alleged to have been subjected to sexual assault, sexual harassment or other sexual misconduct is referred to as the Complainant. In addition, the University may, in its sole discretion, pursue a violation of the Code of Student Conduct as the Complainant. After a report of sexual assault, sexual harassment or other sexual misconduct is received, the Reporter and/or the Complainant, if known, will be contacted by the Title IX Investigator, Department of Public Safety designate and/or a Sexual Assault Resource Coordinator in order to provide information on the process, resources that are available for the Complainant and to determine the extent of an investigation, or notify local police after consulting with the Complainant.

After the report is made and the Department of Public Safety investigates the report, the Complainant will be consulted about pursuing a complaint with the Dean of Students Office. If the Complainant chooses to pursue the matter administratively through the Code of Student Conduct, the Dean of Students and/or his or her designate (Conduct Review Officer) will review the investigation and determine whether or not, if proven, the allegations would constitute a violation of the Code. If so, the individual Complainant will meet with the Dean of Students or the Conduct Review Officer to review the complaint and to discuss the procedures available to them. This meeting will take place promptly after a complaint is filed.

The individual complainant could:

1. Request the University to pursue action under the Code of Student Conduct (which also constitutes the University's Title IX grievance procedures); and/or
2. Make a report to the police department with jurisdiction; and/or

3. Make a statement for the record with the Dean of Students Office, Department of Public Safety, or the Office of Residence Life.

The individual Complainant will normally have three business days after this meeting to decide whether or not to request the University to pursue the complaint; however, this time frame may be relaxed in recognition of the unique and complicated dynamics that often confront an individual following an incident of sexual assault, sexual harassment or other sexual misconduct. The University will provide the individual with resources and information to assist in making an informed and supported choice as to how to proceed. In the event an individual chooses not to initiate or pursue a complaint under the Code of Student Conduct, the University will still take prompt and responsive action to address the report of sexual assault, sexual harassment or other sexual misconduct in a manner consistent with the individual's wishes to the extent possible, and the protection of both individual and broader campus safety. The University reserves the right to exercise discretion on taking disciplinary action against students.

Generally speaking, the University will complete disciplinary proceedings involving sexual assault, sexual harassment or other sexual misconduct in a prompt and timely fashion. All time periods for disciplinary proceedings may be extended by the University in its sole discretion based on the complexity of the case, the seriousness of the offense or other extenuating circumstances.

STUDENT PROCEDURAL RIGHTS

Once a Complainant has decided to pursue the complaint through the Code of Student Conduct, the Conduct Review Officer will promptly meet with the accused student (hereafter referred to as the "Respondent"). During this meeting, the Respondent is notified of the alleged violation(s) of the Code and afforded the opportunity to review the facts which form the basis for the allegation. The Conduct Review Officer will explain the rights and options available as well as describe potential sanctions for the alleged violation in question. If a student fails to respond to notice of a meeting with the Conduct Review Officer, they may find the student responsible in their absence and sanction the student accordingly, and/or place a hold on the student's records until the meeting takes place.

If a Respondent chooses to withdraw from the University subsequent to the filing of a report, the investigation and proceedings may continue and they may be found responsible in their absence. In these instances, the student will no longer be eligible to register or attend classes, reside on campus, use University facilities, and may not be on campus for any reason(s).

Rights of the Respondent

1. The right to choose whether or not to participate in disciplinary proceedings, with the understanding that findings and sanctions may be imposed with or without such participation;
2. The right to notice of the allegation that a violation of the Code has taken place;
3. The right to notification of disciplinary proceedings related to the complaint and of prompt time frames anticipated for major stages of the complaint process;
4. The right to notice of the factual allegations which form the basis for the complaint;
5. The right to a prompt and impartial response and resolution of complaints;
6. The right to have the University or Complainant bear the burden of proof by a preponderance of the evidence;
7. The right to present relevant statements, materials and witnesses during disciplinary proceedings;
8. The right to review all written statements and materials presented at the proceedings;
9. The right to notification of any finding of responsibility;

10. The right to have an Advisor;
11. The right to be free from retaliation for participating in the University's investigation and fact-finding process; and
12. The right of appeal consistent with the provisions of this Code.

Rights of the Complainant

The Complainant will be entitled to exercise the following procedural rights when pursuing a complaint against another student for alleged violations of the Code of Student Conduct:

1. The right to choose whether or not to participate in disciplinary proceedings;
2. The right to notification of disciplinary proceedings and of prompt time frames anticipated for major stages of the complaint process;
3. The right to notice of the factual allegations based on any response by the Respondent;
4. The right to a prompt and impartial response and resolution of the complaint;
5. The right to present relevant statements, materials and witnesses during the disciplinary proceedings;
6. The right to review all written statements and materials presented at the proceedings;
7. The right to notification of the outcome of the complaint as set forth herein;
8. The right to have an Advisor;
9. The right to be free from retaliation for filing a complaint or participating in the University's investigation and fact-finding process; and
10. The right of appeal consistent with the provisions of this Code.

VOLUNTARY RESOLUTION PROCESS

Once the University has taken appropriate steps to investigate, which may depend on the specific facts and circumstances of the matter, and the Complainant has decided to pursue the complaint, either the Complainant or the Respondent may request voluntary resolution in lieu of disciplinary resolution. All requests for voluntary resolution must be in writing. The parties are not required to attempt voluntary resolution, and voluntary resolution is not appropriate for all types of alleged conduct. The University shall determine if the matter is eligible for voluntary resolution.

If the University has determined the matter is eligible for voluntary resolution and both parties consent to the process in writing, the matter will be referred to the appropriate University official or third party engaged by the University to facilitate the process. Both parties may consult with an Advisor before and during the voluntary resolution process, and the Advisor may accompany the Complainant or Respondent to any meetings in connection with the process. Any agreed upon resolution reached by the parties is subject to the University's final approval. This includes any resolution reached by the parties without the University's active participation or involvement.

At any time, either party may elect to discontinue the voluntary resolution process by providing written notice to the designated University official. The University reserves the right to discontinue the voluntary resolution process: if information becomes available which makes the matter ineligible for voluntary resolution; if there are health or safety concerns that have not been adequately addressed; if an acceptable resolution cannot be reached between the parties; or under other appropriate circumstances.

Once the voluntary resolution reaches an agreed-upon conclusion, which must be approved by the University and acknowledged by the parties in writing, the matter will be considered resolved and not eligible for further voluntary or disciplinary resolution. The voluntary resolution is not subject to appeal. Alleged violations of the terms of the resolution, retaliation, or other violations will be considered a new and separate matter and will not reopen the original matter.

PROCEDURAL OPTIONS AND PROCESS FOR DISCIPLINARY RESOLUTION

Disciplinary resolution of alleged violations of the Sexual Assault, Sexual Harassment and Sexual Misconduct Policy will occur by administrative action, administrative review, or a Conduct Review Board as determined by the Conduct Review Officer in consultation with appropriate University officials. This determination will be based on: the seriousness of the alleged violation(s); the seriousness of potential disciplinary outcomes; the complexity of the facts of the case; and whether the Respondent has accepted responsibility. The Conduct Review Officer will endeavor to ensure fairness to all involved and issue sanctions accordingly.

All parties involved in a disciplinary proceeding are required to keep the information learned in preparation for the proceedings and at the proceedings private. Consistent with the Family Educational Rights and Privacy Act (FERPA) regulations, Conduct Review Board members may not share any copies of documents unless otherwise required by the law. All copies provided must be returned to the University at the conclusion of the proceeding and any appeals.

If the Complainant and/or the Respondent intend to have their Advisor accompany them to any meetings with the Conduct Review Officer, they must provide the name and contact information of the Advisor to the Conduct Review Officer at least three business days prior to the meeting.

1. Administrative Action

If a Respondent admits responsibility and the facts of the case are not in dispute, the Respondent will be sanctioned accordingly by the Conduct Review Officer. The Conduct Review Officer will provide both parties notice of the sanction(s) imposed. Acceptance of responsibility may be rejected by the Conduct Review Officer. Respondents who accept responsibility do not waive their right to appeal for review of the sanction as outlined below.

2. Administrative Review

Solely to the extent permitted by applicable regulations, if a Respondent denies responsibility the matter may be adjudicated through an administrative review by the Conduct Review Officer as determined by the Conduct Review Officer in consultation with appropriate University officials. The Conduct Review Officer will meet with the Complainant and Respondent, separately, to explain the process. The investigative report is reviewed in advance and will serve as evidence in the proceedings. Both parties will have notice of the proceedings, the opportunity to review the investigative report in advance, and the opportunity to present relevant information and/or witnesses to the Conduct Review Officer. The Conduct Review Officer will follow the general procedures outlined for the University Conduct Review Board in conducting this proceeding. The role of the Advisor will follow the guidelines as outlined for the University Conduct Review Board. The Conduct Review Officer will determine responsibility and render a decision as to what sanctions, if applicable, may be implemented. The Conduct Review Officer will provide both parties notice of the sanction(s) imposed. Both parties have the right to appeal as outlined below.

The Conduct Review Officer may at any time refer the matter to a Conduct Review Board after consultation with appropriate University officials.

3. Conduct Review Board

As an institution of higher education, the University Conduct Review Board proceedings are administrative in nature and designed to determine responsibility for alleged violations. As such, the Board's procedures are governed by University policies, not by processes associated with the criminal justice system. A Conduct Review Board (Board) is generally composed of a chair of the Board, who is normally an attorney (Chair), one student and two faculty/staff members. All Boards will have student body representation on them. All members of the Board shall be impartial with no conflict of interest between the Board member and any party. All members of the Board shall receive appropriate training on the dynamics of sexual assault, sexual harassment or other sexual misconduct prior to serving on the Board of any case involving such allegations.

The Chair shall actively participate in Board proceedings, ask questions, run the proceedings, advise the Board on procedural and legal issues and draft the decision reached by a majority of the Board. The Chair may, or may not be an employee of the University and shall be a non-voting member of the Board.

The Conduct Review Officer, as assigned by the Dean of Students, will facilitate the administrative needs of the Board and be present during the proceedings to provide assistance to the Board.

Conduct Review Board Procedures

The Conduct Review Officer will inform the Complainant and Respondent of the Board's procedures and the date and time of the proceedings. The Complainant and Respondent are expected to cooperate fully with the Board. If either party fails to appear at a scheduled proceeding, the Board may proceed without them.

The Complainant and/or the Respondent may challenge the composition of the Conduct Review Board if they believe that a conflict of interest exists with a Board member. The student making this challenge must submit a written request to the Conduct Review Officer with specific and verifiable documentation. All objections must be raised within three days of receiving notification of the composition of the Conduct Review Board. The Conduct Review Officer will make the determination whether to replace the Board member. The Complainant and Respondent may not contact members of the Board, or have third parties contact the Board, prior to the convening of the Board.

All proceedings shall be held in appropriate facilities designated by the Conduct Review Officer and shall be private. The Conduct Review Officer may accommodate concerns for the personal safety, well-being and/or fears of confrontation of the Complainant, Respondent, and/or other witnesses during the disciplinary proceedings, as determined in the sole judgment of the Conduct Review Officer to be appropriate.

A Complainant, and/or a Respondent participating in a Conduct Review Board proceeding may be accompanied by an Advisor of their choosing. The Advisor may include legal counsel. If the parties wish to be accompanied by an Advisor during Conduct Review Board proceedings, they must inform the Conduct Review Officer, in writing, a minimum of two business days in advance of the proceeding and indicate the name and contact information for the Advisor.

The Advisor's role is limited, as more fully set forth below, but may include providing support, guidance or advice to the involved student before and during the proceeding and submissions of questions in the hearing solely in compliance with the Board's procedures and the University's policies, procedures and Code of Conduct.

The Advisor is not entitled to directly address the Conduct Review Officer, the other party or parties, or the witnesses. The student and their Advisor may confer at reasonable times during the proceeding, and they are permitted to submit written questions, including, without limitation, cross-examination questions, to the Board Chair, which may be posed to other parties or witnesses during the proceeding at the Chair's discretion. The Advisor may not otherwise address specific questions, responses, or statements to individuals present at the proceedings. Violations of the guidelines will normally result in a warning being issued to the Advisor by the Chair, or the Conduct Review Officer. Disruptive, threatening, intimidating, or uncivil behavior and/or repeated violations shall result in the Advisor being asked to leave the proceedings.

The Complainant and the Respondent, and/or their respective Advisor, may present relevant statements concerning the alleged violation(s) at appropriate times as determined by the Chair, and may present relevant witnesses. The witnesses must be identified in advance, and their statements should be included in the investigation conducted by the Department of Public Safety. The Board may consider written statements or other supporting documentation. The Respondent and the Complainant may review all written statements and materials presented to the Board at least five business days prior to the commencement of the proceedings. During the proceedings, the Respondent, the Complainant, the Advisors and the witness will direct their comments only to the Board.

Witnesses will provide information to and answer questions from the Board. Questions may be suggested in writing by the Respondent and/or Complainant, and/or their respective Advisor, to be answered by each other or by other witnesses. In such instances, those questions will be directed to the Chair rather than to the witness directly. The Chair will determine whether or not those questions are appropriate, relevant and not repetitious. This method is used to preserve the educational tone of the proceedings and to avoid creation of an adversarial environment.

Formal rules of evidence shall not apply. In the Chair's discretion, evidence, shall be permitted if it is relevant, reliable, not unduly repetitious, and it is the sort of information on which responsible persons are accustomed to rely in the conduct of serious affairs. Evidence of character will not be considered by the Board in making factual determinations.

In general, a party's prior sexual history is not relevant and will not be admitted as evidence or raised on cross-examination at a proceeding. Under limited circumstances, however, a prior consensual relationship between the parties may be deemed relevant based on the attendant facts and circumstances. In addition, evidence of pattern of similar conduct against the Respondent may also be deemed relevant based on the attendant facts and circumstances. Any party seeking admission of prior sexual history and/or evidence of similar conduct, or seeking to challenge such evidence, must do so in advance of the proceedings by advising the Conduct Review Officer in writing. The written notice shall set forth the evidence the party is seeking to introduce and the relevancy of such information. The Chair will make the determination as to the admissibility of this information or questions and will instruct all parties accordingly regarding any limit in scope or admissibility.

After all statements and materials have been presented, the Complainant and the Respondent and/or their respective Advisors may present final comments to the Board. Subsequently and in private, the Board will promptly determine by a preponderance of the evidence whether the Respondent has violated the Code of Student Conduct. The Board's determination shall be by majority vote. The Chair will provide the written findings of fact and determination to the Conduct Review Officer. The Conduct Review Officer will promptly convey the Board's decision to both the Respondent and the Complainant. This notification will occur separately and nearly simultaneously. The Conduct Review Officer will then determine the sanction and notify both parties separately and nearly simultaneously of the sanction imposed. The final results of the disciplinary process will be provided in writing to both the Complainant and the Respondent. Both parties have the right to appeal as outlined below.

In Board proceedings involving more than one Respondent, the Conduct Review Officer, in their sole discretion, may permit the proceedings concerning each student to be conducted either separately or jointly.

In situations involving multiple complaints pending against the same Respondent, the University will typically adjudicate each complaint in a separate proceeding unless the University determines the complaints involve a pattern of substantially similar behavior or conduct by the Respondent. The University also has discretion, but not the obligation, to solicit and consider the input of the parties regarding the consolidation of proceedings.

If, during the course of the proceedings, further violations of the Code of Student Conduct become apparent, the Board may recommend that such alleged violations be considered as a separate case.

Appropriate documentation will be maintained as required to allow the University to comply with applicable law.

SANCTIONS

After the finding or admission of responsibility, the Conduct Review Officer will impose sanctions after considering the following:

1. The nature of the violation and the circumstances surrounding it, including the actual or potential impact on the individuals involved and/or the community as a whole;
2. Statements made or evidence presented during disciplinary proceedings;
3. Prior disciplinary record of the student;
4. Disciplinary precedent;
5. Guidelines in the Code of Student Conduct.

The Conduct Review Officer may consult with other University officials as they deem appropriate.

Sanctions for Violations of the Code

Sanctions serve to reinforce that students are held responsible and accountable for their behavior. This is accomplished by measures to educate, to deter future misconduct and to provide consequences for one's actions.

Villanova University reserves the right to notify parent(s)/legal guardian(s) about the disciplinary status of their student, to the extent consistent with the provisions of the Family Educational Rights and Privacy Act.

The following disciplinary sanctions shall comprise the range of official actions which may be imposed for violations of regulations. Any violation of the Code of Student Conduct may result in the full range of sanctions outlined below, and one or more may be imposed in response to a given situation.

Non-Reportable Sanctions

The following sanctions provide notice to a student that a particular action or behavior is in violation of University policies, and therefore unacceptable. Continuation of similar behavior or future violations may result in more severe disciplinary action, including Reportable Sanctions. Non-Reportable Sanctions are not disclosed to external third-parties, except when required by law.

Conduct Notice

A Conduct Notice is a written notification to a student that a particular action or behavior is in violation of University policy, and that future violations may be cause for additional disciplinary action. This notification is typically delivered via University email and requires no in-person meeting with a Conduct Review Officer.

Verbal Warning

A Verbal Warning is an official notice to a student that a particular action or behavior has violated the standards and expectations of the University. Future violations will likely result in additional disciplinary action.

Housing Status Advisory

A Housing Status Advisory is an official notice to a student that a particular action or behavior has put their on-campus housing status in jeopardy. Future violations of University policies may result in a disciplinary room change, restrictions on housing selection, ineligibility to participate in a housing lottery, loss of campus residency, or more severe sanctions.

Probationary Warning

Probationary Warning is an official notice to a student that a particular action or behavior has violated the standards and expectations of the University and that continued non-compliance with University policy will likely result in Disciplinary Probation or more severe sanctions.

Reportable Sanctions

The following sanctions are typically the outcome of serious or repeated violations of the Code of Student Conduct. These sanctions impact a student's disciplinary status with the University, as well as impose other restrictions and/or conditions of membership. Reportable Sanctions are disclosed to authorized external third-parties for a stated period of time, in accordance with the Disciplinary Records policy.

Disciplinary Probation

Disciplinary Probation is a defined period of time during which a student is not in good disciplinary standing and serves as an official notice that a student's continued membership at the University is in jeopardy. Additional offenses or violations of the conditions of Disciplinary Probation will result in more severe sanctions, including suspension or expulsion from the University. Eligibility for certain academic or extra-curricular organizations or programs may be restricted while a student is on Disciplinary Probation.

Disciplinary Probation with Loss of Privilege

Disciplinary Probation with Loss of Privilege is a defined period of time during which a student is not in good disciplinary standing and serves as an official notice that a student's continued membership at the University is in jeopardy. Additionally, for the defined period of time, this sanction excludes a student from all extracurricular University privileges, including, without limitation: membership in student organizations; participation and/or attendance in non-academic activities, programs, and events; representing the University in intercollegiate and athletic teams and clubs; holding any elected or appointed office in a University recognized organization; and selection for extracurricular committees or programs. Eligibility for certain academic programs may also be restricted. This sanction permits a student to pursue their academic course work and is the strongest sanction short of suspension. Additional offenses or violations of the conditions of this sanction will result in suspension or expulsion.

Suspension

Suspension is a defined period of time during which a student is excluded from class registration, class attendance, residence on campus, use of University facilities, and the award of any degree. Suspended students are not permitted on the campus without prior approval from the Dean of Students Office. Upon completion of the period of suspension, a student will be considered for readmission if:

1. The student is academically eligible for readmission; and
2. The student has complied with all conditions for readmission placed upon the student by the Dean of Students and/or their designate.

Expulsion

Expulsion is an action which permanently excludes a student from class registration, class attendance, residence on campus, use of University facilities, and the award of any degree. Expelled students are not permitted on the campus for any reason, and those who enter the campus are subject to arrest.

Other Disciplinary Measures

In conjunction with the sanctions above, students may be subject to one or more of the following. These measures are not disclosed to external third-parties except when required by law.

1. Disciplinary Fines: Payment by the student of reasonable monetary fines to the Bursar's Office. These monetary payments may be for punitive purposes or for purposes of restitution because of damage to persons or property, or misappropriation of property.

2. Disciplinary Residence Hall Room Change: An action which requires a student to vacate their current room and relocate to another room because of disciplinary reasons.
3. Restrictions on Housing Selection: An action which may exclude a student from participation in a particular housing lottery, or affect his or her ranking within a particular lottery, or affect eligibility to live in certain residence halls.
4. Exclusion from University Property, University Buildings, University Events, Intramural Sports, Extracurricular and/or Residence Hall Activities for a stated period of time.
5. Community Service: An action that requires a student to give a specific number of hours of uncompensated service to some task recognized as valuable to the University community. The Conduct Review Officer will make the particular assignment of duties. The person under whose direction the work is done shall certify to the Conduct Review Officer when the work has been completed. Failure to complete the service within a specific period of time will result in additional disciplinary action. The Conduct Review Officer has the discretion to assign work in the community-at-large or on-campus service.
6. Dean of Students Hold on Records: A hold may be placed on the academic records of any student who fails to comply with any requirements imposed following a violation of the Code of Student Conduct. A hold may prevent, among other things, class registration, the release of transcripts, and the award of a diploma. Students who are suspended or expelled from the University are subject to a hold to prevent class registration.
7. Educational Measures: An action that requires the student to complete an educational task as assigned by the Conduct Review Officer or the Dean of Students. Failure to complete this assignment within a specific period of time will result in additional disciplinary action. They include but are not limited to research and educational written assignments, alcohol and drug education, and anger and behavioral management classes.
8. Loss of Campus Residency: An action which excludes a student from residence on campus, either on a temporary or permanent basis.
9. No Contact Directive: This is an official notice to a student that they may not communicate or interact with another individual. This directive may prohibit contact of any kind including, but not limited to, in-person, by phone, text message, social media, or any other electronic means. This also includes contact through third-parties.
10. Withholding a Degree – The University may withhold awarding a degree otherwise earned for a stated period or until the completion of the Conduct Review Process set forth in this Code, including the completion of any sanction imposed.
11. Other Administrative Measures, as appropriate.

APPEALS

The Dean of Students or their designate (hereafter referred to as the “Dean of Students”) will review appeals for new disciplinary proceedings or a review of sanction. The Dean of Students may consult with other University officials as they deem appropriate. All decisions made by the Dean of Students are final, including whether or not an appeal is procedurally permitted.

During the appeal process students may be subject to certain restrictions, impacting such things as: class attendance; on-campus housing; participation and/or membership in organizations, athletic events/teams/clubs, and/or extracurricular activities; attendance at University events/functions; and access to University buildings.

Grounds for Appeal

The Respondent and the Complainant may request an appeal based only on one or more of the following grounds:

Appeal for New Disciplinary Proceedings

1. Procedural Defect.

A material procedural defect in the original disciplinary proceeding;

2. New Evidence.

New material evidence that was not available, through no fault of the appealing party, at the time of the original disciplinary proceeding; or

Appeal for Review of Sanction

3. Review of Sanction.

The Respondent may appeal that sanctions imposed were disproportionate to the violation. The Complainant may appeal the sanction on grounds that it does not restore or preserve the Complainant's access to the University's programs or activities.

Process to Appeal

The Respondent and the Complainant may request an appeal within three (3) business days from the time of notification of the decision and/or sanction, whichever is later, by the Conduct Review Officer.

Appeals must be from the Complainant and/or Respondent, in writing, signed by the Complainant and/or Respondent and submitted to the Dean of Students. The appeal shall consist of a concise and complete statement setting forth the grounds for appeal. If the Appeal is not based on appropriate grounds, it will be denied. If the appeal is based on appropriate grounds, the Dean of Students will notify both parties of the filing of the appeal. Each party will be given the opportunity to review and respond, in writing, to the other party's Appeal. This response must be submitted within two (2) business days of the filing of an Appeal.

1. If the Appeal is determined to be based on appropriate grounds and alleges a Procedural Defect or New Evidence, this appeal will be resolved prior to addressing Appeals for Review of Sanction. The Dean of Students will review the appeal promptly and notify the parties of the outcome.
2. Subsequent to resolution of Appeals for Procedural Defect and New Evidence (if submitted), if the appeal is determined to be based on appropriate grounds for review of sanction, the Dean of Students will accept as final and binding the previous decision that the Respondent has violated the Code of Student Conduct. Each party will be given the opportunity to separately meet and discuss their appeal and/or their response to the other party's appeal with the Dean of Students. Each party may be accompanied by their Advisor. Parents and guardians are permitted to participate in this discussion. The voluntary meeting will normally be scheduled within eight (8) business days of the original appeal being filed.

The Dean of Students will normally advise the parties of the final results of the disciplinary process within five (5) business days of the last voluntary meeting.

SEXUAL HARASSMENT COMPLAINT PROCEDURE

Informal Procedures for Resolution of Complaints Against Non-Students

Except for instances of sexual assault, University community members may choose to attempt informal resolution of other complaints of sexual harassment, but are not required to do so. The University has many offices and individuals who may be able to provide counseling, support or advice for a person who believes that he or she is the victim of sexual harassment. For more information on available confidential and non-confidential campus and community resources and how to make contact with each, see the Sexual Assault, Sexual Harassment and Sexual Misconduct Policy.

Formal Procedure for Resolution of Complaints Against Non-Students

The following procedures may be invoked for the formal examination of the allegation.

In such a case, a formal, written complaint, utilizing the University's standard form, shall be submitted to the University Sexual Harassment Complaint Officer. The purpose of the complaint form is to assist the complainant in formulating a concise statement of their concern and to assist the Complaint Officer to see the basic facts of the allegation, along with the complainant's requested action.

The complete Sexual Harassment Complaint Procedures can be found at <https://www1.villanova.edu/villanova/hr/policies/university/complaints.html>

In cases involving alleged harassment by one student against another student, the Complaint Officer will refer the matter to the Dean of Students Office for disposition under the Code of Student Conduct.

Sexual Harassment Complaint Officer

Kathleen Byrnes

Associate Vice President for Student Life Villanova University 202 Dougherty Hall

800 Lancaster Avenue

Villanova, PA 19085

Phone: 610-519-4550

Email: kathleen.byrnes@villanova.edu

Complaints of sexual assault are not governed by these procedures and instances of sexual assault shall be promptly reported to a Sexual Assault Resource Coordinator, the Public Safety Office, local law enforcement and/or the Title IX Coordinator. Please see the [Sexual Assault, Sexual Harassment and Sexual Misconduct Policy](#).