THE UNIVERSITY of UTAH

Office of Equal Opportunity and Title IX

383 S. University Street • Level 1 OEO Suite • Salt Lake City • Utah • 84112
Telephone: (801) 581-8365 (V/TDD) • Facsimile: (801) 585-2750

Intake Form

This is not an OEO Formal Complaint Form.

INTAKE FORM:

To file a Formal Complaint with the Office of Equal Opportunity and Title IX (OEO) you must first complete this Intake Form and submit to OEO for review. If you state a potential policy violation, you will work with an OEO Consultant to file a Formal Complaint. If you do not state a potential policy violation, you will receive a letter stating that the OEO will not be proceeding. The letter will explain this decision and give instructions on how to appeal if you disagree.

FILING A FORMAL COMPLAINT:

If you state a potential policy violation in your Intake Form, the following will occur:

1. An OEO Consultant ("Consultant") will interview you.
2. Using the information you provide, the Consultant will draft a Formal Complaint, which will include a Notice of Allegations. The Notice of Allegations is a summary of the allegations that OEO will be addressing. These allegations will be potential violations of the University's Nondiscrimination policy.
3. You will be sent a draft of the Formal Complaint. If accurate, sign and return the Formal Complaint to the OEO. You MUST return the signed Formal Complaint for the OEO to proceed.
4. Once you sign and return the Formal Complaint, it is filed, and the OEO will proceed by sending the Notice of Allegations to the responding party (Respondent).

For more information, see our OEO Process Outline.

INFORMAL RESOLUTION OR INVESTIGATION:

There are two options to resolve a Formal Complaint:

- Informal Resolution: We work with you and the Respondent to find an agreed upon outcome.
- Investigation: We collect evidence to determine if discrimination occurred.

SUPPORTIVE MEASURES:

Supportive Measures are available at any time and may resolve your issue. They are available regardless of whether you complete this Intake Form or file a Formal Complaint. To compare possible outcomes between Supportive Measures, Informal Resolution, and Investigations, please see Question 5. Request Supportive Measures by contacting OEO.

PRIVACY:

If you file a Formal Complaint, your name and information you provide will be disclosed to the Respondent. In gathering evidence, the OEO may also disclose names and other information to individuals on a need-to-know basis. All individuals are informed that retaliation is prohibited. If OEO cannot disclose your name or other information related to the complaint, you will not be able to file an OEO Formal Complaint. To discuss other options for addressing the behavior, please contact OEO.

1. YOUR INFORMATION

Name:	UID:	Pronouns:
_____	_____	_____
Mailing Address:	City:	State/Zip:
_____	_____	_____
Preferred Email Address:	Preferred Phone Number:	Alternate Phone Number:
_____	_____	_____

Please select the status that best reflects your connection to the university:

- ☐ Student
- ☐ Staff
- ☐ Faculty
- ☐ Patient
- ☐ Visitor
- ☐ Applicant
- ☐ Other

If you selected "Other" as your status, please explain: _____

Support Person (optional): _____ Support Person Email: _____

You may choose a support person to accompany you at any meetings, interviews, or hearings in the complaint process. This could be a family member, friend, victim-survivor advocate, or other.

Advisor (optional): _____ Advisor Email: _____

You may choose an advisor including an advocate, ombudsperson, friend or family member, or attorney. An advisor may provide advice but cannot speak for you. By providing this information, you give permission for the OEO to contact and share information about your complaint with the advisor.

2. TYPE OF DISCRIMINATION OR RETALIATION (if applicable)

Discrimination is treating someone differently because of any of the protected classes listed below, when such conduct adversely affects a term or condition of an individual's employment, education, living environment, or participation in a university program or activity.

Retaliation is someone trying to intimidate, threaten, coerce, or discriminate against you because you have asserted your right to be free of discrimination or sexual misconduct. It may be seen as retaliation if someone tries to intimidate or stop you from participating in an OEO investigation or hearing.

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Please select the protected class for which you are reporting discrimination or retaliation:

- ☐ Race
- ☐ Ethnicity
- ☐ National Origin
- ☐ Color
- ☐ Religion
- ☐ Sex-Based Discrimination (sex/gender)
- ☐ Sexual Orientation
- ☐ Gender Identity
- ☐ Gender Expression
- ☐ Pregnancy or Pregnancy-Related Condition
- ☐ Age
- ☐ Disability
- ☐ Protected Veteran's Status
- ☐ Genetic Information
- ☐ Retaliation

Please specify your identity for any protected class selected above (e.g., for Race, please specify your racial identity):

3. TYPE OF SEXUAL MISCONDUCT (if applicable)

Sexual misconduct covers a range of sexual behaviors; OEO definitions also include the crimes as defined by state and federal law. See Rule R1-012A for policy definitions.

Please select the type of sexual misconduct you are reporting (if applicable):

- ☐ Sex-Based Harassment (Sexual Harassment)
- ☐ Nonconsensual Sexual Contact (Fondling)
- ☐ Nonconsensual Sexual Penetration (Rape)
- ☐ Sexual Exploitation
- ☐ Stalking
- ☐ Intimate Partner Violence (Dating or Domestic Violence)
- ☐ Sexual Violence
- ☐ Other Offenses (Incest, Statutory Rape)

4. TIMELINE

Date of the last discriminatory or retaliatory act: _____

Is the behavior ongoing? ☐ Y / ☐ N

Complaints of Title IX sex-based harassment may be filed at any time if you are participating or attempting to participate in a University program or activity. For all other types of sexual misconduct, discrimination, and retaliation complaints, the complaint must be filed within 180 days of the last discriminatory or retaliatory conduct. This timeframe may be waived by the Director for good cause.

5. OEO PROCESS AND RESOLUTION

Check one or several from the below lists to indicate what resources or processes you are interested in discussing.

5a. Supportive Measures (no complaint required)

Non-disciplinary, free, individualized services, available to either party. Supportive Measures are subject to review and are not guaranteed. We will work with you to identify what is possible on a case-by-case basis.

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Please select the supportive measures you would like request.

- ☐ No Contact Directive
- ☐ Education (1 on 1 for the respondent and/or group education)
- ☐ Academic Adjustments
- ☐ Workplace Adjustments
- ☐ Housing Adjustments
- ☐ Information on Other Confidential Resources
- ☐ Referral to Safety Planning Resources
- ☐ Referral to Victim Survivor Advocate (confidential)
- ☐ Referral to University of Utah Police Department (or other law enforcement jurisdiction)
- ☐ Referral to UUPD Crime Victim Advocate

5b. Informal Resolution (complaint required)

We work with you and the respondent to find an agreed-upon solution to resolve the situation.

Please check the box below if you'd like to request an informal resolution.

☐ Informal Resolution

5c. Complainant, Investigation, and Resolution (complaint required)

Complaints and investigations may result in a determination by the University regarding whether Policy 1-012 has been violated. If it is determined that University policy has been violated the complaint will be entitled to remedies (e.g., reinstatement, removal of disciplinary action) and the Respondent will be subjected to sanctions (e.g., termination, dismissal, suspension, written warnings).

Please check the box below if you'd like to request an investigation.

☐ Complaint / Investigation

5d. List other supportive measures, desired outcomes, or elaborate on any checked boxes above.

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6. ADDITIONAL QUESTIONS

Answer the questions below about your experience. Submit additional pages if necessary.

6a. Information about the individual(s) who discriminated against you or engaged in sexual misconduct.

Name:	UID:	Status: (Student, Faculty, Staff)	Department:
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

6b. Is any person who engaged in discrimination/sexual misconduct/retaliation in a position of authority (i.e., supervisor, mentor, teacher, etc.)? If yes, indicate which individual(s) and their role.

6c. Describe your experience. Include the date(s) that the incident(s) occurred and the name(s) and title(s) of the person(s) that you believe engaged in discrimination, harassment, sexual misconduct, or retaliation.

6d. Describe how this has impacted your academic experience, your university-affiliated employment, your patient care, or the other ways that you interact with the University.

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6e. For discrimination and retaliation cases only: identify others who were treated differently than you.

For example, if your complaint alleges sex/gender discrimination, please identify the sex/gender (if known) of each person listed below. If needed, add additional pages.

Persons in the same or similar situation as you, who you believe were treated <u>better</u> than you.

Full Name:	Job Title:	Identify the person's protected class: (race, color, sex)
_____	_____	_____
_____	_____	_____

Persons in the same or similar situation as you, who you believe were treated <u>worse</u> than you.

Full Name:	Job Title:	Identify the person's protected class: (race, color, sex)
_____	_____	_____
_____	_____	_____

Persons in the same or similar situation as you, who you believe were treated the <u>same</u> as you.

Full Name:	Job Title:	Identify the person's protected class: (race, color, sex)
_____	_____	_____
_____	_____	_____

7. REQUESTS FOR ACCOMMODATION

Individuals who need reasonable accommodations to participate in this process should contact the OEO. The University will consider requests for any reasonable accommodations submitted to the OEO on a case-by-case basis. Accommodations the University may provide include:

- Providing reasonable accommodations as required by law to an individual with a disability who requests an accommodation necessary to participate in the complaint resolution process (e.g., providing an interpreter for individuals who are deaf or hard of hearing).
- Providing an interpreter for individuals who are limited English proficient.
- Other accommodations that may be appropriate.

7a. Please list any requests for accommodations below:

UNIVERSITY NON-DISCRIMINATION POLICY

Policy and Definitions

Policy 1-012 and its attendant rules, R1-012A, R1-012B, and R1-012C provide the University definitions of prohibited discrimination, including the various types of Sexual Misconduct including sex-based harassment, sexual assault, dating violence, domestic violence, and stalking. OEO is responsible for assuring compliance will all policies, rules, and guidelines which can be found on the OEO Policy Page. The University has designated the following individual as the Director of the OEO and its Title IX Coordinator, who can be contacted at the address and numbers below:

Jess Morrison, Title IX Coordinator
Office of Equal Opportunity and Title IX
University of Utah | S.J. Quinney College of Law
383 S. University Street, Level 1 OEO Suite Salt Lake City, Utah 84112
801-581-8365
Fax 801-585-5746
oeo@utah.edu
oeo.utah.edu

It is the responsibility of all parties to a complaint to ensure that the OEO has a current address and contact number on file. All correspondence to parties will be emailed to the email designated on this form or mailed to other physical address(es) provided by the respective parties.

NOTICE OF PROHIBITED RETALIATION

University of Utah policy and state and federal law prohibit retaliation against any individual who files a complaint, opposes illegal discrimination or harassment, or assists or participates in any manner in a discrimination investigation or proceeding conducted by the University of Utah or a federal or state enforcement agency.

Title IX of the Education Amendments Act of 1972: Prohibits discrimination on the basis of sex in any education program or activity receiving Federal financial assistance. Title IX provides protection from and prohibits retaliation against a person who has filed a complaint or who assists in a discrimination complaint investigation.

Section 704 (a) of Title VII of the Civil Rights Act of 1964, as amended, states: It shall be an unlawful employment practice for an employer to discriminate against any of his [or her] employees or applicants for employment, for an employment agency, or joint labor-management committee controlling apprenticeship or other training programs, to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he [or she] has opposed any practice made an unlawful employment practice by this sub-chapter, or because he [or she] has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this sub-chapter.

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act Amendments Act of 2008: Protects individuals who exercise their rights under Section 504 of the Rehabilitation Act of 1973, or the ADA are protected from retaliation. Any individual who has filed for an accommodation or has complained, testified, or participated in any manner in the investigation of any complaint shall not be intimidated, threatened, coerced, or discriminated or retaliated against in any way.

EXTERNAL RESOURCES

To file a complaint regarding discrimination, including sexual harassment, or retaliation with a regulatory state or federal agency, please see the agency information below. For information about the time frames in which complaints must be filed, please contact the relevant agency.

Topic:	**Issues:**	**Agency and Contact Information:**
Education	Complaints regarding: • Title VI of the Civil Rights Act of 1964, • Title IX of the Education Amendments of 1972, • Section 504 of the Rehabilitation Act of 1973, • Title II of the American with Disabilities Act, and • Age Discrimination Act of 1975.	United States Department of Education Office for Civil Rights (Region VIII) • Address: Cesar E. Chavez Memorial Building, 1244 Speer Boulevard, Suite 310, Denver, Colorado 80204-3582 • Telephone: 303-844-5695 • Fax: 303-844-4303
Employment (Utah)	Individual complaints regarding: • Utah Anti-Discrimination Act of 1965, • Title VII of the Civil Rights Act of 1964, as amended, • Age Discrimination in Employment Act of 1967, as amended, and • the Americans with Disabilities Act of 1990.	Utah Anti-Discrimination and Labor Division (UALD) • Address: 160 East 300 South, 3rd Floor, P.O. Box 146630, Salt Lake City, Utah 84114-6630 • Telephone: 801-530-6801 • UALD Website
Employment (Federal)	Complaints regarding: • Title VII of the Civil Rights Act of 1964, • the Pregnancy Discrimination Act, • Age Discrimination in Employment Act of 1967, as amended (ADEA), • Equal Pay Act of 1963, • Title I of the Americans with Disabilities Act Amendments Acts of 2008, • Section 501 and 505 of the Rehabilitation Act of 1973, • Section 102 and 103 of the Civil Rights Act of 1991, • the Genetics Information Nondiscrimination Act of 2008 (GINA), • Executive Order 112436, • Americans with Disabilities Act Amendments Act, • Section 503 of the Rehabilitation Act of 1973, • 38 USC 4212 – the Vietnam Era Veterans' Readjustment Assistance Act of 1974, • Uniformed Service Employment and Re-employment Rights Act (USERRA).	Equal Employment Opportunity Commission (EEOC) – Phoenix District Office • Address: 3300 North Central Avenue Suite 690, Phoenix, AZ 85012-2504 • Telephone: 1-800-669-4000 • TTY: 1-800-669-6820 • Fax: 602-640-5071 • EEOC Website Veteran's Employment and Training Service • Address: 140 East 300 South, Room 209, Salt Lake City, Utah 84111 • Telephone: 801-526-0950 • Veteran's Employment and Training Service Website
Housing (Utah)	Complaints regarding Utah Fair Housing Act of 1993, as amended.	Utah Anti-Discrimination and Labor Division (UALD). See information above.

Housing (Federal)	U.S. Department of Housing and Urban Development ("HUD") Complaints regarding: • Title VI of the Civil Rights Act of 1964, as amended, • Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), • Section 504 of the Rehabilitation Action of 1973, as amended, • Title II of the Americans with Disabilities Act of 1990, • Age Discrimination Act of 1975, • Title IX of the Education Amendments Act, and • Architectural Barriers Act of 1968.	U.S. Department of Housing & Urban Development (HUD) • Address: 1670 Broadway, 25th floor, Denver, Colorado 80202-4801 • Telephone: 303-672-5440 • Fax: 303-672-5004
Health Care, Human Services, and Health Insurance Plans (Patients and Participants)	Complaints regarding: • Title VI of the Civil Rights Act of 1964, • Section 504 of the Rehabilitation Act of 1973, as amended, • the Age Discrimination Act of 1975, • Title II of the Americans with Disabilities Act (ADA), and • the Community Service Assurance provisions of the Hill- Burton Act.	U.S. Department of Health & Human Services Office for Civil Rights (DHHS) – Region VIII • Address: 1961 Stout Street Room 08-148, Denver, CO 80294 • Customer Response Center 1-800-368-1019 • TDD: 1-800-537-7697 • Office for Civil Rights Email • DHHS Website