

Intake Form

This is not an OEO/AA Formal Complaint form.

INTAKE FORM: To file a Formal Complaint with the Office of Equal Opportunity & Affirmative Action (OEO/AA) you must first complete this Intake Form and submit to OEO/AA for review. If you state a potential policy violation, you will work with an OEO/AA Consultant to file a Formal Complaint. If you do not state a potential policy violation, you will receive a letter stating that the OEO/AA 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/AA 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/AA 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/AA. You **MUST** return the signed Formal Complaint for the OEO/AA to proceed.
4. Once you sign and return the Formal Complaint, it is filed, and the OEO/AA will proceed by *sending the Notice of Allegations to the responding party (Respondent)*.

For more information, see [our OEO/AA 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 [OEO/AA Potential Outcomes](#). Request Supportive Measures by contacting OEO/AA.

PRIVACY: If you file a Formal Complaint, your name and information you provide will be disclosed to the Respondent. In gathering evidence, the OEO/AA 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/AA cannot disclose your name or other information related to the complaint, you will not be able to file an OEO/AA Formal Complaint. To discuss other options for addressing the behavior, please contact OEO/AA.

INTAKE FORM: Office of Equal Opportunity & Affirmative Action (OEO/AA)

Fill, sign, and submit this form to the Office of Equal Opportunity & Affirmative Action (OEO/AA) through any of the addresses listed on page five of this packet

1. Your Information

Name UID Pronouns

Mailing Address City State Zip

Preferred Email Address Preferred Phone Alt Phone

Student Staff Faculty Patient Visitor Applicant Other _____

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 OEO/AA 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/AA investigation or hearing.

- | | | |
|--|---|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Sex/Gender Discrimination | <input type="checkbox"/> Age |
| <input type="checkbox"/> Ethnicity | <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Disability |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Gender Identity | <input type="checkbox"/> Protected Veteran's Status |
| <input type="checkbox"/> Color | <input type="checkbox"/> Gender Expression | <input type="checkbox"/> Genetic Information |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Pregnancy or Pregnancy-Related Condition | <input type="checkbox"/> Retaliation |

3. Type of sexual misconduct (if applicable)

Sexual misconduct covers a range of sexual violence behaviors; OEO/AA definitions also include the crimes as defined by state and federal law. See [Rule 1-012](#) for policy definitions

Sexual Harassment

Nonconsensual Sexual Contact (Fondling)

Nonconsensual Sexual Penetration (Rape)

Sexual Exploitation

Stalking

Intimate Partner Violence (Dating or

Domestic Violence

Sexual Violence

4. Date of Last Discriminatory or Retaliatory Act:

Is the behavior ongoing? Y N

Complaints of sexual harassment may be filed at any time if you are participating or attempting to participate in a University program. 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. OEOAA process and resolution

Check one or both. Please see [OEOAA Potential Outcomes](#) for more information.

Informal Resolution

Investigation

If there is a specific resolution you desire, note it here.

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

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

| Name | UID | Status (student, Staff, Faculty) | Department |
|------|-----|----------------------------------|------------|
|------|-----|----------------------------------|------------|

7. 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.

8. 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.

9. 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.

10. 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 better than you.

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

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

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

Persons in the same or similar situation as you, who you believe were treated the same as you.

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

ON AND OFF CAMPUS SUPPORT AND RESOURCES

Experiencing discrimination and sexual misconduct can be very stressful. Please let us know if we can help in connecting you to either on or off campus resources.

11. Are you in need of any academic, housing, or workplace adjustments? If so, what are you seeking?

12. Would you like to be referred to other resources such as the University Counseling Center (student), Employee Assistance Program (Staff or Faculty), Victim Survivor Advocates (supporting students, staff, and faculty with issues of Sexual Misconduct), Ombud's Office, University of Utah Police Department, other appropriate law enforcement agency, or other campus resources? If so, please tell us how we can support you in connecting you with resources.

13. Are you in need of other supportive measures? (Examples: training for respondent, safety measures, etc.)

UNIVERSITY NONDISCRIMINATION POLICY

POLICY AND DEFINITIONS: Interim Policy 1-012 (<http://regulations.utah.edu/general/1-012.php>) and its attendant rules, R1-012 (<https://regulations.utah.edu/general/rules/R1-012.php>) R1-012A (<https://regulations.utah.edu/general/rules/R1-012A.php>), and R1-012B (<https://regulations.utah.edu/general/rules/R1-012B.php>) provide the University definitions of prohibited discrimination, including the various types of Sexual Misconduct including sexual harassment, sexual assault, dating violence, domestic violence, and stalking. OEO/AA is responsible for assuring compliance will all policies, rules, and guidelines found here: <https://oeo.utah.edu/resources/policies.php>

NOTICE OF FILING OPTIONS: A complaint of discrimination, sexual harassment, and/or retaliation must be filed with the Office of Equal Opportunity and Affirmative Action (OEO/AA). Depending on the type of conduct alleged, certain time frames may apply. The University has designated the following individual as the Director of the OEO/AA and its Title IX Coordinator, who can be contacted at the address and numbers below:

Sherrie Hayashi, Title IX Coordinator/Director
Office of Equal Opportunity and Affirmative Action (OEO/AA)
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
<https://oeo.utah.edu/>

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, Age Discrimination Act of 1975. | United States Department of Education Office for Civil Rights (Region VIII) Cesar E. Chavez Memorial Building 1244 Speer Boulevard, Suite 310 Denver, Colorado 80204-3582 Telephone: 303-844-5695 Fax: 303-844-4303 Online Complaint Portal: http://www2.ed.gov/about/offices/list/ocr/docs/ho_wto.html www2.ed.gov/about/offices/list/ocr/index.html |
| 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) 160 East 300 South, 3 rd Floor P.O. Box 146630 Salt Lake City, Utah 84114-6630 Telephone: 801-530-6801 www.laborcommission.utah.gov |
| 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 and Section 102 and 103 of the Civil Rights Act of 1991, the Genetics Information Nondiscrimination Act of 2008 (GINA) and Executive Order 112436. Americans with Disabilities Act Amendments Act. Section 503 of the Rehabilitation Act of 1973. | Equal Employment Opportunity Commission (EEOC) Phoenix District Office 3300 North Central Avenue, Suite 690 Phoenix, Arizona 85012 Telephone: 1-800-669-4000 TTY: 1-800-669-6820 Fax: 602-640-5071 www.eeoc.gov |
| | 38 USC 4212 – the Vietnam Era Veterans’ Readjustment Assistance Act of 1974. Uniformed Service Employment and Re-employment Rights Act (USERRA) | U.S. Department of Labor Office of Federal Contract Compliance Programs (OFCCP) Denver District Office |

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| | | <p>1244 Speer Blvd, Suite 540 Denver, CO 80204 Phone 720-264-3200 Fax: 720-264-3211 https://www.dol.gov/ofccp/index.htm</p> <p>Online complaint portal: www.dol.gov/elaws/vets/userra/ee_disc.asp</p> |
| | | <p>Veteran's Employment and Training Service 140 East 300 South, Room 209 Salt Lake City, Utah 84111 Telephone: 801-526-0950 https://jobs.utah.gov/jobseeker/veterans/index.html</p> |
| Housing (Utah) Including Residents of university-provided housing such as dorms and family student housing. | Complaints regarding Utah Fair Housing Act of 1993, as amended. | Utah Anti-Discrimination and Labor Division (UALD) See information above |
| Housing (Federal) Including Residents of university-provided housing such as dorms and family student housing. | 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 Act 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) 1670 Broadway, 25th floor Denver, Colorado 80202-4801 Telephone: 303-672-5440 Fax: 303-672-5004 Online complaint portal: https://portal.hud.gov/hudportal/HUD?src=/topics/housing_discrimination |
| 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 1961 Stout Street Room 08-148 Denver, CO 80294 Customer Response Center 1-800-368-1019 TDD: 1-800-537-7697 OCRmail@hhs.gov https://ocrportal.hhs.gov/ocr/smartscreen/main.jsf Online complaint portal: https://ocrportal.hhs.gov/ocr/smartscreen/main.jsf |

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.

STATEMENT OF UNDERSTANDING & SIGNATURE PAGE

The OEO/AA is responsible for investigating and responding to complaints received from external enforcement agencies. When a person files a complaint with the OEO/AA and/or an external enforcement agency, relevant information provided or obtained during the investigation of either the internal or external complaint may be used by OEO/AA in its investigative report or response.

It is the responsibility of all parties to a complaint to ensure that the OEO/AA has a current address and contact number on file. All correspondence to parties will be emailed to the email designated on this form, via the campus mail system, by regular US mail to the address(es) provided by the respective parties, or to the party representative in the case of multiple complaints. Documents mailed by US mail will be presumed to have been received three business days after the date of mailing if the address is in state or five business days if the address is out of the state.

Individuals who need a reasonable accommodation should contact the Title IX Coordinator. The University will consider requests for reasonable accommodations submitted to the Title IX Coordinator on a case-by-case basis. Accommodations the University may provide include:

- 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-language proficient.
- Other accommodations that that may be appropriate.

Pursuant to [Rule 1-012](#), our complaint may be dismissed for several reason, including if your complaint fails to articulate sufficient factual information that would constitute a violation of the university's nondiscrimination policy.

If you have filed, or intend to file, other internal grievances related to these issues, the processing of the grievances may be put on hold pending resolution of your [Policy 1-012](#) complaint if the issues raised cannot be clearly separated.

By signing below, you affirm that you have been informed of the procedures, time constraints and external avenues of redress that are available to you.

Printed Name

Signature

Date