

Hello,

My name is Erica Wood and I am an Intake Coordinator within the Office of Equal Opportunity and Affirmative Action (OEO/AA) at the University of Utah. I assist people when OEO/AA receives a report about discrimination or sexual misconduct. See the following pages for the OEO Complaint Form. Please know I am always available to help you with this process.

The following OEO/AA Complaint Form can be used to submit a request for:

- **Informal Resolution** – a mediated process where we work with you and the other party to an agreed upon outcome
- **Investigation** – We interview both parties, any witnesses, and others involved, and collect evidence to determine if discrimination occurred

As a reminder, **Supportive Measures** can be provided whether or not you file a complaint with OEO/AA. Using supportive measures may resolve the issue you brought to our attention. Supportive measures can also be used in conjunction with informal resolution or an investigation. Please see our [OEO/AA Potential Outcomes](#) to compare Supportive Measures, Informal Resolution, and Investigations. More on Supportive Measures can also be found on page 3 of our OEO Complaint Form.

OEO/AA Complaint Form

Fill out the form and sign. Once received, OEO/AA will review your complaint and will either accept the complaint and assign it to a consultant or dismiss the complaint if the facts do not state a violation of the nondiscrimination policy. If the complaint is dismissed, you will be told the reason why and be given a chance to appeal. We can also discuss any supportive measures that OEO/AA may be able to offer, including other options for addressing the behavior you reported. Complaints of sexual harassment may be filed at any time if you are participating in or attempting to participate in a University program. For all other types of sexual misconduct, discrimination, and retaliation complaints, the complaint should be filed within 180 days of the last discriminatory or retaliatory conduct. This timeframe may be waived by the Director for good cause.

Additional questionnaires

Some people have requested additional support in writing their narrative. If you feel like additional guidance would help, you are welcome to include any of the following questionnaires: [Discrimination and Retaliation](#), [Disability](#), [Sexual Misconduct](#). These questionnaires are not required but could help our office better understand your experience.

**UNIVERSITY OF UTAH
OFFICE OF EQUAL OPPORTUNITY & AFFIRMATIVE ACTION
INTERIM POLICY 1-012, UNIVERSITY NON-DISCRIMINATION -- COMPLAINT FORM**

NOTE: This form is NOT viewed as an OFFICIAL charge UNLESS IT IS SIGNED and submitted to the Office of Equal Opportunity & Affirmative Action/Title IX Office (OEO/AA) at the address listed on the following page or to oeo@utah.edu. The OEO/AA is responsible for investigating and/or resolving claims of discrimination and sexual misconduct under the university's nondiscrimination policy.

1. _____

Name of Person Filing Complaint	UID	Gender pronouns
Mailing Address	City	State
Preferred Email Address	Primary Telephone	Campus Telephone
Advisor Name* (optional)	Phone	Email

*You may designate an advisor. An advisor may be 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.

Support Person* (optional)	Phone	Email
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*You may designate a support person to accompany you at any meetings, interviews, or hearings to support you through the complaint process. This could be a family member, friend, victim-survivor advocate, other similar type of person.

2. Please indicate your status at the time of the alleged discrimination. (Check all that apply)

- | | | | |
|---------|-------------|-----------|---------|
| Faculty | Staff | Applicant | Visitor |
| Patient | Participant | Student | Other |

3. Type of discrimination. (Check all that apply)

- | | | |
|------------------|-----------------------------|--|
| Race | Sex/Gender | Sexual Misconduct (See Rule 1-012 for definitions) |
| National Origin | Sexual Orientation | Sexual Harassment |
| Color | Gender Identity | Nonconsensual Sexual Contact (Crime – Fondling) |
| Religion | Gender Expression | Nonconsensual Sexual Penetration (Crime – Rape) |
| Ethnicity | Pregnancy/Pregnancy-Related | Sexual Exploitation |
| Age | Genetic Information | Stalking |
| Veteran's Status | Retaliation | Intimate Partner Violence (Crime – Dating or Domestic Violence) |
| Disability | | Sexual Violence |

4. Please self-identify your affiliation for each type of discrimination that you checked above in question #3. For example, if you checked sex/gender, please self-identify your sex/gender. If you checked race, please self-identify your race. If you checked disability, please self-identify your disability. If you are filing a sexual misconduct complaint you do not need to respond to this question.

5. Indicate your choice of resolution process. You may choose one or both. Selecting [Informal Resolution](#) does not limit you from choosing Investigation at a later time. See [OEO Potential Outcomes here](#).

- | | |
|---------------|---------------------|
| Investigation | Informal Resolution |
|---------------|---------------------|

6. Provide information you have pertaining to the individual(s) you feel have engaged in discrimination, harassment or sexual misconduct against you. (If there is more than one individual, list all individuals on a separate page)

Name	Status (Student, Faculty, Staff, Other)/Title	Telephone
Department	Department Address	UID (If known)

7. Date of last alleged discriminatory or retaliatory act: _____

In your own words, please 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.

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?

ON AND OFF CAMPUS SUPPORT AND RESOURCES

Experiencing discrimination and sexual misconduct can be very stressful. The process of filing a complaint can also be stressful. You may already be receiving support, but if not, please let us know if we can help in connecting you to either on or off campus resources.

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

2. Are you in need of supportive measures (examples: no-contact directives, working different schedules/ shifts, etc.)?

3. Would you like to hear or 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), Ombuds Office, or other campus resources? If so, please tell us how we can support you in connecting you with resources.

UNIVERSITY NONDISCRIMINATION POLICY

DEFINITIONS

Interim Policy 1-012 (<http://regulations.utah.edu/general/1-012.php>) and its attendant rules, R1-012 (<http://regulations.utah.edu/general/rules/R1-012A.php>), R1-012A (<http://regulations.utah.edu/general/rules/R1-012A.php>), and R1-012B (<http://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.

NOTICE OF FILING OPTIONS

I. To file a complaint of discrimination, sexual misconduct, and/or retaliation, under University of Utah Non-Discrimination Policy: A complaint of discrimination, sexual harassment, and/or retaliation must be filed with the Office of Equal Opportunity and Affirmative Action. Depending on the type of conduct alleged, certain time frames may apply.

Title IX Coordinator & ADA/Section 504 Coordinator

The University has designated the following individual as its Title IX Coordinator, who can be contacted at the address and numbers below:

Sherrie Hayashi
University of Utah
Office of Equal Opportunity & Affirmative Action
201 S. Presidents Circle, Room 135
Salt Lake City, UT 84112
Telephone: 801-581-8365
Fax: 801-585-5746

II. 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.

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 Americans 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/howto.html>
www2.ed.gov/about/offices/list/ocr/index.html

Employment:

State Agency: 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, 3rd floor
P.O. Box 146630
Salt Lake City, Utah 84114-6630
Telephone: 801-530-6801
www.laborcommission.utah.gov

Federal Agencies:

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 Act of 2008, Sections 501 and 505 of the Rehabilitation Act of 1973 and Section 102 and 103 of the Civil Rights Act of 1991, the Genetic 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
Phoenix District Office
3300 North Central Avenue, Suite 690
Phoenix, AZ 85012

Telephone: 1-800-669-4000
TTY: 1-800-669-6820
Fax: 602-640-5071
www.eeoc.gov

U.S. Department of Labor
Office of Federal Contract Compliance Programs (OFCCP)
Denver District Office
1244 Speer Blvd, Suite 540
Denver, CO 80204
Phone 720-264-3200
Fax: 720-264-3211
<https://www.dol.gov/ofccp/index.htm>

38 USC 4212 – The Vietnam Era Veterans' Readjustment Assistance Act of 1974
Uniformed Service Employment and Re-employment Rights Act (USERRA)
Online complaint portal:
www.dol.gov/elaws/vets/userra/ee_disc.asp
Veteran's Employment and Training Service
140 East 300 South, Room 209
Salt Lake City, UT 84111
Phone: 801-526-0950
jobs.utah.gov/jobseeker/veterans/employtrain.html

Housing (Residents of dorms and family student housing)

State Agency: Complaints regarding: Utah Fair Housing Act of 1993, as amended.

Utah Anti-Discrimination and Labor Division (UALD)
160 East 300 South, 3rd floor
Salt Lake City, Utah 84114-6630
Telephone: 801-530-6801
www.laborcommission.utah.gov

Federal Agency: 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
Email: Ocrmail@hhs.gov
Online complaint portal: <https://ocrportal.hhs.gov/ocr/smartscreen/main.jsf>
Website: www.hhs.gov/ocr

NOTICE OF RETALIATION PROHIBITED

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.

MUST READ & SIGN

STATEMENT OF UNDERSTANDING & SIGNATURE PAGE

In addition to conducting University policy violation investigations, 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 designed on this form or sent via the campus mail system or 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:

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

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.

<https://regulations.utah.edu/general/1-012.php>
<https://regulations.utah.edu/general/rules/R1-012.php>
<https://regulations.utah.edu/general/rules/R1-012A.php>
<https://regulations.utah.edu/general/rules/R1-012B.php>
<https://regulations.utah.edu/general/guidelines/G1-012.pdf>

If your complaint fails to articulate sufficient factual information that would constitute a violation of the university's nondiscrimination policy, your complaint may be dismissed with no further action being taken.

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.**

I affirm that I have read the above charge and it is true to the best of my knowledge and belief. **Further, I consent that OEO/AA may share my name and other personal information when OEO/AA decides that doing so will assist in investigating and resolving my complaint.** OEO/AA may need to verify facts or obtain additional information. Individuals are informed that all forms of retaliation against that person and other individuals associated with the person are prohibited. OEO/AA may also reveal the person's name and personal information during interviews with witnesses and in consultation with university administrators and others on a need to know basis. If OEO/AA is not allowed to reveal your name or personal information, OEOAA may be limited in its ability to address your complaint.

Printed Name of Person Filing Complaint

Signature

Date