

Timeline of Executive Order 1096 Procedure

Executive Order 1096 provides a systemwide procedure for handling allegations of Discrimination, Harassment and Retaliation, including Sex Discrimination, Sexual Harassment, Sexual Violence, Dating Violence, Domestic Violence, and Stalking, by certain individuals (see Article IV. A for “Who May Use This Procedure). Below is a summary of the timeline of the Executive Order 1096 procedure. For a full understanding and complete text, please consult Executive Order 1096.

Informal Resolution - Campus Level

- **Immediately following a discriminatory, harassing, or retaliatory act**, or as soon as possible thereafter, Complainants who believe they are or may have been victims of Discrimination, Harassment or Retaliation may initiate the Informal Resolution process. *Informal resolution is not appropriate when Sexual Violence is alleged.*
- The DHR Administrator (or the Title IX Coordinator, if the allegations involve Sex Discrimination and/or Sexual Harassment, except Sexual Violence which cannot be informally resolved) will attempt to promptly resolve the Complainant’s concern(s), keeping in mind that should resolution fail, the Complainant has 50 Working Days after of the occurrence of the most recent alleged act of Discrimination, Harassment or Retaliation to file a Complaint.

Level I – Campus Level

- **Within thirty (30) Working Days after the occurrence** of the most recent alleged discriminatory/harassing/retaliatory act, **or within fifty (50) Working Days if informal resolution was sought**, a Complainant may file a Discrimination, Harassment, or Retaliation Complaint, including Sexual Harassment, Sexual Violence, Dating Violence, Domestic Violence, and Stalking Complaints. **For the purpose of this Executive Order, Working Days are defined** as Monday through Friday, excluding all official holidays or Campus closures at the Campus where the Complaint originated or at the Chancellor’s Office (CO) where the Level II appeal is reviewed.
- **Within sixty (60) Working Days after receiving the Level I Complaint**, the Investigator shall complete the investigation and submit an investigative report to the DHR Administrator (or the Title IX Coordinator, if the allegations involve Sex Discrimination, Sexual Harassment or Sexual Violence). The timeline for the investigation may be extended pursuant to Article VIII. E or F.
- **Within ten (10) Working Days of completing the investigative report or within ten (10) Working Days of receiving the report from the Investigator**, the DHR Administrator (or the Title IX Coordinator, if the allegations involve Sex Discrimination, Sexual Harassment or Sexual Violence) shall notify the Complainant in writing of the investigation outcome. A separate written notification shall be provided to the Respondent(s), indicating whether the allegations at Level I were substantiated and informing the Respondent(s) of the Complainant’s right to file an appeal, if applicable.

Level II Appeal Review – Office of the Chancellor

- **Within ten (10) Working Days of receiving the Level I notice of investigation outcome**, the Complainant may file the Level II appeal with the CO.
- **Within ninety (90) Working Days of receiving the Level II appeal**, the CO designee shall respond to the Complainant. The timeline may be extended pursuant to Article VIII. E or F. A copy of the CO Response is provided to the Campus DHR Administrator (or the Title IX Coordinator, if the allegations involve Sex Discrimination, Sexual Harassment or Sexual Violence). The DHR Administrator/Title IX Coordinator shall provide prompt written notice to the Complainant of any remedies and a separate notice to the Respondent(s) of the appeal outcome.
- **Closure.** The CO Response and decision are final and conclude the Executive Order 1096 complaint process.

Pursuant to EO 1096, Article VIII. E or F, timelines may be extended as follows:

- If the Complainant, the Respondent(s), a witness, the Investigator, CO designee, or other necessary person involved in the Complaint process is unavailable due to any reason deemed to be legitimate by the Investigator/CO designee, the timelines stated herein will be automatically adjusted by the length of time the person is unavailable. The Complainant and Respondent(s) shall receive written notification of any period of extension.
- Timelines set forth herein may also be extended by mutual agreement between the Investigator/CO Designee and the Complainant for a reasonable time period. If the University requests a time extension in order to conduct an effective investigation or review, and the Complainant does not agree or does not respond to the University’s request, the University shall respond to the Complaint or appeal within the timelines set forth herein. Any such response shall be interim in nature as it will be based upon the information available at the time. The interim response will note that the investigation or review is continuing. The interim response shall include a summary of the allegations, a description of the investigative or review process, and shall also provide the Complainant with an anticipated date of completion. The investigation or review shall continue until the University is satisfied that its duty to respond to the Complaint has been appropriately discharged, provided the investigation or review is completed no later than an additional **sixty (60) Working Days**.