



## **Title IX Report/Complaint Process**

### **Report Made**

- Director of Title IX Compliance/Title IX Coordinator reviews report and notifies the appropriate University Administrators.
- The Director of Title IX Compliance/Title IX Coordinator follows up with the person who submitted the report for more information if necessary and then follows up with the Reporting Party.

### **Intake/Initial Conversation with Reporting Student**

- Director of Title IX Compliance/Title IX Coordinator meets with Reporting Party and discusses her role at the University, the student's options in moving forward, safety concerns, and interim remedies.
- The Director of Title IX Compliance/Title IX Coordinator will implement any interim remedies requested (or deemed necessary to stop, remedy, and prevent sex discrimination) at this time.
- If the Reporting Party requests to file a formal complaint, the Title IX Director/Title IX Coordinator will assign a dual impartial investigative team to the case.
- If the Reporting Party requests to file criminal charges, the Title IX Director/Title IX Coordinator will assist the student in doing so.

### **Investigation Preparation**

- The Director of Title IX Compliance/Title IX Coordinator will discuss the report with the investigators and will determine how the investigation will take place.

### **Investigation and Report Development**

- The Director of Title IX Compliance/Title IX Coordinator reaches out to the students involved to request they make appointments for interviews and coordinates said interviews.
- Investigators conduct investigations with all parties involved in the case.
- Investigators debrief with the Director of Title IX Compliance/Title IX Coordinator after each interview to discuss safety concerns, interim remedies requested or deemed necessary, and to ensure that students are receiving due process and a prompt, fair, and equitable process.
- The Director of Title IX Compliance/Title IX Coordinator follows up with students regarding any interim remedies requested and provides updates to each party.
- Investigative Report is developed.



### **Gatekeeping**

- The Director of Title IX Compliance/Title IX Coordinator reviews the Investigative Report and determines how the case should proceed.

### **Notice of Charges**

- The Director of Title IX/Title IX Coordinator notifies both parties individually of charges and potential sanctions.
- Except in cases of sexual assault and/or interpersonal violence the Responding Party has the option of utilizing the Informal Resolution process and waiving their right to a hearing, acknowledge wrongdoing, and accepts sanctions (Reporting Party must agree). **(No appeal is available).**

### **Notice of Hearing**

- The Director of Title IX/Title IX Coordinator schedules and organizes Panel Hearing.
- The Director of Title IX/Title IX Coordinator notifies both parties of the pending Panel Hearing.

### **Pre-Hearing Process**

- The Director of Title IX/Title IX Coordinator will meet with both parties individually to review the Investigative Report, relevant evidence, and any other documents to be used in the hearing process.
- The Director of Title IX/Title IX Coordinator will also review who will serve as the Administrative Hearing Officers and the Non-Voting Resource Person during the hearing. At this time the students will be able to request to strike a member of the panel but must provide the Director of Title IX/Title IX Coordinator with a reasonable and substantiated rationale for the request.
- The Director of Title IX/Title IX Coordinator will allow the students to see where the hearing will be held and review the hearing script with the students.

### **Hearing**

- The Hearing Panel will be made up of three Administrative Hearing Officers and a Non-Voting Resource Person who facilitate the hearing.
- The Panel adjudicates and imposes sanction(s), condition(s), and/or restrictions, if necessary.
- Following the Panel's decision the Director of Title IX Compliance/Title IX Coordinator notifies both parties individually of the outcome of the hearing.
- The appeal process becomes available to both parties once the decision is final.



## Appeal

- A petition for appeal must be submitted to the Appeal Officer (the Vice President of Student Affairs and Enrollment Management) within five University business days after the delivery of the written decision made by the Panel.
- Either party has the right to an appeal if the proper grounds for an appeal exist. The only issues that may be considered on appeal are:
  - A procedural (or substantive error) occurred that significantly impacted the outcome of the Hearing (e.g. substantiated bias, material deviation from established procedures, etc.);
  - The discovery of new evidence, unavailable during the original Hearing or review of the case, which could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included; or
  - The sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions.
- The designated Appeal Officer will first review the appeal to determine if it is timely and properly sets forth the grounds for appeal, with adequate accompanying evidence. If any of these requirements are not met, the appeal will be dismissed, and the decision will be final.
- The Director of Title IX Compliance/Title IX Coordinator will notify the student(s) of the status of the appeal throughout the appellate process and shall make all reasonable efforts to notify the student(s) of the result of their appeal. If necessary, the designated appeal officer will notify the student should they need additional time to determine the outcome of the appeal. The decision of the designated appeal officer is final and cannot be appealed.
- If the designated appeal officer remands the decision to a new Hearing Panel, the decision of that Hearing Panel is final and may not be appealed.