Title IX Student Formal Resolution Conduct Process At-A-Glance

I. INTAKE

☐ Complainant makes a report to Deputy Title IX Coordinator, Dean of Students, or Campus Safety. Interim remedies are offered and retaliation is explained.

☐ Initial Title IX assessment (i.e. interview with Complainant or written summary from Complainant) by the Dean of Students in consultation with Title IX Coordinator determines if threshold is met for further investigation and adjudication.

☐ If threshold is met, Complainant and/or College decides to proceed with a complaint.

☐ If the Title IX Coordinator and Dean of Students determine threshold not met, Complainant can appeal to Associate Vice President for Student Affairs.

II. INVESTIGATION

a. Notice of Investigation

☐ Complainant is notified by Deputy Title IX Coordinator for Case Management that Respondent will be contacted.

☐ Respondent and Complainant are notified of investigation by the Dean of Students (or designee) in a Notice of Investigation letter, which includes a summary of the issue, charge(s) being alleged, and a request for an interview with the investigator within 5 business days; failure of Respondent to participate or respond will not delay the process

☐ Complainant and Respondent receive requests from investigator for a meeting at which the parties tell their narrative of the incident(s) and are asked to provide witness names and exhibits/evidence; both parties are reminded that retaliation is prohibited; both are reminded of support resources and the right to a support person of their choice.

b. Investigation Process

☐ The investigator will interview the Complainant who is allowed to have a support person of their choice present.

☐ The investigator will interview the Respondent who is allowed to have a support person of their choice present.

☐ The investigator will interview relevant witnesses who are allowed to have a support person of their choice present.

☐ Audio recordings may be made during interviews; they are kept in the Title IX conduct file; transcripts of the interviews are created by the investigator and are exhibits in the investigation report; they are reviewed by the Complainant and Respondent, but not edited.

☐ Complainant, Respondent, and witnesses are asked to provide any correspondence and other evidence that relates to the case

☐ Draft Investigative Report and supplemental materials are made available to both parties by the Dean of Students on a secure site.

c. Draft Investigative Report

☐ The Draft Investigative Report is sent to both Complainant, Respondent, and Adjudicator for review by Dean of Students; written response from the Complainant and Respondent due in 5 business days (this period may be adjusted based on extenuating circumstances).

☐ The Draft provides a final opportunity to name additional witnesses or submit additional exhibits to Dean of Students.

☐ Adjudication may be delayed if additional investigation is necessary.

☐ The Draft Investigative Report Includes:

- Alleged charge(s)
• Complainant interview summary/summaries and transcript
• Respondent interview summary/summaries and transcript
• Witness interview summaries and transcripts, if any
• Exhibits and evidence

d. Final Investigative Report
  □ The Final Investigative Report includes all summaries, addenda, transcripts, exhibits plus responses from Draft Investigative Report.
  □ The Final Investigative Report is sent to Complainant, Respondent, and Adjudicator by Dean of Students 5 or more business days before the adjudication meeting.

III. ADJUDICATION
  a. Adjudication Meeting
  □ The Adjudicator meets with a member of the investigative team
  □ The Dean of Students schedules a meeting with each party (separately). The meeting typically takes between 60-120 minutes.
  □ Complainant may bring a support person of their choice to meet with the adjudicator.
  □ Respondent may bring a support person of their choice to meet with the adjudicator.
  □ Meetings in person are the preferred method, however video-conference may be used when necessary.
  □ The meeting with the adjudicator is audio recorded and the recording is kept in conduct file.
  □ Both parties can bring Impact/Mitigation Statements with their suggestions for the appropriate outcomes.
  □ Both parties are given the opportunity to listen to the other party’s meeting with the Adjudicator and are given 2 business days to raise questions to the Adjudicator before they begin deliberation.
  □ The Adjudicator sends Case Opinion to Dean of Students within 5 business days of the last adjudication meeting
  
b. Notice of Outcome
  □ The Dean of Students sends the Notice of Outcome letter to Respondent and Complainant concurrently within 2 business days of receiving Case Opinion
  □ The Notice includes findings of responsibility on charges, rationale from Case Opinion, educational outcomes, and appeal process procedures (including deadlines).

c. Appeal
  □ Appeals are due within 5 business days of Notice of Outcome to the Associate Vice President for Student Affairs or designee.
  □ An appeal starts a new time clock and extends the process.
  □ Both or either Complainant and Respondent can appeal on two grounds: new information or material procedural error.
  □ The Appeal Officer or designee will accept or deny the appeal within 5 business days of receipt of the appeal.
  □ If accepted, the other party(ies) to the case are given the opportunity to respond within 5 business days of acceptance of the appeal.
  □ The Appeal officer or designee will make a decision within 10 business days of receiving responses to the appeal.
  □ Appeal decision is final.