



Title IX Report/Formal Complaint Process

Report Made

- The Title IX Coordinator reviews the report and notifies the appropriate University Administrators.
- The Title IX Coordinator or Title IX Officer follows up with the person who submitted the report for more information if necessary and/or also follows up with the Complainant.

Intake/Initial Conversation with Reporting Student

- The Title IX Coordinator or Title IX Officer meets with Complainant and discusses the role of the Office of Title IX Compliance at the University, the student's options in moving forward, safety concerns, and interim remedies.
- The Title IX Coordinator or Title IX Officer will implement any interim remedies requested (or deemed necessary to stop, remedy, and prevent sex discrimination) at this time.
- If the Complainant requests to file a formal complaint, the Title IX Coordinator will ask the student to make a written statement outlining what occurred. After the student has prepared the written statement, the Title IX Coordinator will assign a dual impartial investigative team to the case.
- If the Complainant requests to file criminal charges, the Title IX Coordinator will assist the student in doing so.

Investigation Preparation

- The Title IX Coordinator will discuss the report with the investigators and will determine how the investigation will proceed and communicate that with the Complainant.

Investigation and Report Development

- Title IX Coordinator reaches out to the students involved to provide an Initial Notice to Parties and request they make appointments for interviews and coordinates said interviews.
 - The Complainant is typically the first party to be interviewed.
 - Title IX Coordinator will update both the Complainant and Respondent about the progression of the interview and the communication occurring with witnesses.
- Investigators conduct investigations with all parties involved in the case.
 - Investigators will give the Complainant & Respondent an opportunity to submit questions for Investigators to ask witnesses and one another.
- Investigators debrief with the 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 Title IX Coordinator follows up with the students regarding any interim remedies requested and provides updates to each party.
- The Investigation Report is developed.

Gatekeeping

- The Title IX Coordinator reviews the Investigation Report and determines how the case should proceed.

Notice of Charges



- The Title IX Coordinator notifies both parties individually of charges and potential sanctions.
- The Respondent 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 Title IX Coordinator schedules and organizes Panel Hearing.
- The Title IX Coordinator notifies both parties of the pending Panel Hearing.

Pre-Hearing Process

- The Title IX Coordinator will meet with both parties individually to review the Investigation Report, relevant evidence, and any other materials to be used in the hearing process.
- The Title IX Coordinator will also inform the students who will serve as the Hearing Panel members and the Hearing Officer. At this time the students will be able to request to strike a member of the panel but must provide the Title IX Coordinator with a reasonable and substantiated rationale for the request.
- The Title IX Coordinator will allow the students to see where the hearing will be held and review the hearing script with the students.
- Should students not wish to be in the same location during the hearing, the students need only notify the Title IX Coordinator who can facilitate the students be present in separate locations.

Hearing

- The Hearing Panel will be made up of three panel members and one Hearing Officer who facilitates the hearing.
- The Panel is provided the Investigation Report prior to the hearing then is read the report at the hearing. The Panel and Hearing Officer will be allowed the opportunity to conduct a direct examination of all parties. All parties are given the opportunity to ask questions of one another through their advisor. Following the presentation of this information, the Panel will deliberate to determine if a policy was violated.
- If the Panel determines that a policy was violated, both the Complainant and Respondent will be given the opportunity to provide an Impact Statement before the Panel deliberates to determine what, if any, sanctions are appropriate.
- Following the Panel's decision, the 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 Title IX Coordinator or System Office of Equal Opportunity within three University business days after the delivery of the written decision made by the Hearing 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 Title IX Coordinator, Investigator(s), or Hearing Panel Members had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; 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 Appeal Officer will provide the parties the written decision of the appeal within five business days of the non-appealing party's deadline to submit a response to the filed 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.