



Title IX Formal Resolution Process for Employees At-A-Glance

I. INTAKE

- Complainant makes a report to Senior Official (complaints against students, Dean of Students; complaints against faculty, Dean of the College; complaints against staff, Assistant VP of Human Resources or, in any case, the Title IX Coordinator).
- Complainant or College has decided to proceed with a complaint.
- Initial Title IX assessment (i.e. interview with Complainant or written summary from Complainant) leads to Senior Official determining threshold is met for further investigation and adjudication.
- If the Senior Official determines threshold not met, Complainant can appeal to the designated appeal officer (complaints against students, AVP of Student Affairs; complaints against staff, Vice President for Finance; complaints against faculty, President)

II. INVESTIGATION

a. Notice of Investigation

- Complainant is notified that Respondent** will be contacted.
- Respondent is notified of investigation, which includes a brief summary of the issue and relevant information, plus a request for an interview with the investigator within 5 business days; failure of Respondent to participate or respond will not delay the process.
- Both receive requests for witness names and all exhibits/evidence; both are reminded retaliation is prohibited; both are reminded of support resources and the right to a support person of their choice.

b. Investigation

- Complainant is interviewed; a summary is written
- Respondent is interviewed; a summary is written
- Relevant witnesses are interviewed; summaries are written
- 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 report.
- Complainant and Respondent and witnesses are asked to provide all correspondence with other parties that relates to the case.
- Preliminary investigative report and supplemental materials are made available to both parties.

c. Preliminary Investigative Report

- Complainant interview summary/ies and addenda and transcripts.
- Respondent interview summary/ies and addenda and transcripts.
- Witness interview summary/ies and addenda and transcripts.
- Exhibits and evidence.
- Policy violation(s) that are being alleged.



- Sent to both Complainant and Respondent; written response due in 5 business days.
- Final opportunity to name additional witnesses or submit additional evidence.
- Proceedings may be delayed if additional investigation is necessary.

d. Final Investigative Report

- All summaries, addenda, transcripts, exhibits plus responses from preliminary investigative report.

III. ADJUDICATION

a. Adjudication

- The final investigative report will form the basis for the Senior Official or an outside adjudicator to make decisions and recommendations.
- The final investigative report may include a finding of violation or no violation of the policy based on a preponderance of the evidence
- Any action taken against a faculty or staff member will be consistent with applicable employment contracts, collective bargaining agreements, and faculty/staff handbook.

b. Notice of Outcome

- Senior Official sends Notice of Outcome letter to Respondent and Complainant simultaneously
- Includes(policy violation(s), findings of responsibility on policy violations , and appeal process (including deadlines)
- The Notice of Outcome is sent to the Title IX Coordinator and other relevant staff who need to know

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.