Report of discrimination received by the Equity Officer or Title IX Coordinator [1]

Upon receiving the Complaint, the Equity Officer or Title IX Coordinator shall conduct a preliminary investigation [2].

If the Complaint does not describe a possible violation, the matter will be referred to the appropriate non-equity process.

Under those circumstances, the Equity Officer or Title IX Coordinator may counsel and suggest monitoring or training opportunities to correct for inappropriate behavior that does not rise to the level of a violation.

If the Complaint describes a possible violation, the Equity Officer or Title IX Coordinator will refer the matter to the appropriate procedural process and provide appropriate interim remedies.

During the Equity Resolution Process and prior to making a determination whether the alleged violation has occurred, the Equity Officer or Title IX Coordinator may provide interim remedies. [4]

Additionally, all parties are allowed to have an Advisor of their choice. [5]

The Investigator(s) will make efforts to include interviews with the Parties and relevant witnesses, obtain evidence and identify sources of expert information if necessary. The Investigator(s) will provide an investigative report to the Equity Officer or Title IX Coordinator (depending on the nature of the Complaint) [6]

The Equity Officer or Title IX Coordinator will review the investigation. Based on that review, they will make a summary determination whether there is a sufficient basis to proceed with the Complaint that the Respondent [7] is responsible for violating the University’s Anti-Discrimination Policies.
The Investigator(s) will provide an investigative report to the Equity Officer or Title IX Coordinator and Parties.

At least fourteen (14) business days prior to the hearing, or as far in advance as is reasonably possible if an accelerated resolution process is scheduled with the consent of the Parties, the Equity Officer or Title IX Coordinator will send a Notice of Hearing letter to the Parties. In addition, the Parties will be given a list of the names of each of the Hearing Panel members at least fourteen (14) business days in advance of the hearing. Should any Complainant or Respondent object to any panelist, they must raise all objections, in writing, to the Hearing Panelist Chair at least seven (7) business days prior to the hearing.

In a Conflict Resolution meeting, a neutral, University-assigned facilitator will foster dialogue with the Parties to an effective resolution, if possible. The Complainant’s and the Respondent’s Advisor may attend the Conflict Resolution Meeting. The Equity Officer or Title IX Coordinator will keep records of any resolution that is reached, and failure to abide by the agreed upon resolution may result in sanctions. In the event the Parties are unable to reach a mutually agreeable resolution, the investigation will be referred to the Administrative Resolution process.

If the Equity Officer or Title IX Coordinator determines that there is a sufficient basis to proceed with the Complaint, then the process will continue.

If the Equity Officer or Title IX Coordinator determines that there is an insufficient basis to proceed with the Complaint, then the process will end.

The Complainant [8] and the Respondent will be sent written notification of the summary determination.

The Equity Officer or Title IX Coordinator may counsel and suggest monitoring or training opportunities to correct for inappropriate behavior that does not rise to the level of a violation.

The Complainant may request reconsideration of the summary determination ending the process by filing a written request with the Equity Resolution Appellate Officer within five (5) business days of notice of the summary determination. [9]

Rights of the Parties [10]

Conflict Resolution [12]

At least fourteen (14) business days prior to the hearing, or as far in advance as is reasonably possible if an accelerated resolution process is scheduled with the consent of the Parties, the Equity Officer or Title IX Coordinator will send a Notice of Hearing [18] letter to the Parties.

The Investigator(s) will provide an investigative report to the Equity Officer or Title IX Coordinator and Parties.

Equity Officer or Title IX Coordinator will attempt to meet separately with the Complainant and the Respondent to review the alleged policy violations and the investigative report. [14]

In addition, the Parties will be given a list of the names of each of the Hearing Panel members at least seven (7) business days prior to the hearing. [19]
The Investigator(s) will first present the written investigative report and may give a narrative report of the investigation, and then be subject to questioning by the Complainant, the Respondent, and the Hearing Panel. The Investigator(s) may also call witnesses who will be subject to questioning by the Investigator, the Complainant, the Respondent, and the Hearing Panel. The Investigator may also submit documentary evidence. The Investigator(s) will remain present during the entire hearing process.

At least five (5) business days prior to the hearing, the Investigator will have the names of proposed witnesses, copies of all pertinent documentary evidence and a copy of the investigative report available for the Complainant and the Respondent, and a copy of the same will be sent to the Hearing Panel Chair.

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The Complainant may give testimony and be subject to questioning by the Investigator, the Respondent (through the Chair as discussed in Section 600.030.N.6 above) and the Hearing Panel. The Complainant may also call and question witnesses who may also then be questioned by the Respondent, the Investigator, and the Hearing Panel. The Complainant may also submit documentary evidence.

The findings and sanctions are subject to appeal [16]
The Respondent may give testimony and be subject to questioning by the Investigator, the Complainant (through the Chair as discussed in Section 600.030.N above) and the Hearing Panel. The Respondent may also call and question witnesses who may also then be questioned by the Complainant, the Investigator, and the Hearing Panel. The Respondent may also submit documentary evidence.

The Hearing Panel will deliberate with no others present, except any legal advisor to the Hearing Panel, to find whether the Respondent is responsible or not responsible for the policy violation(s) in question. The panel will base its finding on a preponderance of the evidence (i.e., whether it is more likely than not that the Respondent committed each alleged violation). If a Respondent is found responsible by a majority of the panel, the panel will find appropriate sanctions. [20]

The Chair of the Hearing panel will prepare a written panel report [21] and deliver it to the Equity Officer or Title IX Coordinator within five (5) business days of the end of deliberations.

The Equity Officer or Title IX Coordinator will inform the Respondent and the Complainant the finding on each of the alleged policy violations and the finding on sanctions for finding of responsibility, if applicable, within five (5) business days of receipt of the panel report, without significant time delay between notifications. Notification will be made in writing. [22]

Findings and sanctions are subject to appeal. [23]