TITLE IX FORMAL COMPLAINT FLOW CHART

The process must ensure there is no conflict or bias.

FORMAL COMPLAINT

A formal complaint is a document alleging sexual harassment against a Respondent, requesting an investigation; the Title IX grievance process begins after the Complainant or Title IX Coordinator files a formal complaint.

NOTICE OF ALLEGATIONS

ADVISOR

A single individual to support Complainant & Respondent during the complaint process.

SUPPORTIVE

Actions to restore or preserve access to the educational program or activity.

NO CONTACT

The parties voluntarily agree to no contact during Title IX grievance process

EMERGENCY

To remove a party if immediate threat to physical safety or health (after safety& risk analysis).

COMPLAINT DISMISSAL

- Allegations do not meet the definition of sexual harassment
- Alleged conduct did not occur in an education program or activity
- No longer a student or employee
- The conduct did not occur in the U.S.

INFORMAL RESOLUTION

- Voluntary mutual consent of the parties with no conditions to do so
- Not available for sexual violence, repetitive misconduct & when discipline required.
- Either party can withdraw consent at any time prior to resolution and revert to formal process; however, when agreed upon resolution is obtained, the case is closed.

INVESTIGATION

The Investigator must (1) issue prior notice of interviews; (2) conduct interviews and collect data; (3) determine relevance of information and data; (4) analyze relevant information and data; (3) simultaneously distribute evidence and findings of fact to parties; (4) receive written response from parties; and (5) finalize Investigation Report.

DETERMINATION

The Decision-Maker must (1) issue a written decision regarding responsibility and any disciplinary sanctions by analyzing relevant investigation evidence based on a preponderance of the evidence standard; (2) simultaneously distribute the decision/determination of responsibility to both parties, along with how to file an appeal; (4) receive and review written responses from parties; and 8) finalize written Determination.

Written

APPEAL

Both parties are offered an opportunity to appeal a determination regarding responsibility or dismissal of complaint on the following basis: (1) procedural irregularity; (2) newly discovered evidence that could affect the outcome; or (3) if Title IX personnel had a conflict or bias that affected the outcome.