# **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.