Intake, Investigation, and Adjudication of Grievances

1. **Notification:** Upon notification of an alleged violation of the University sexual misconduct policy, the Title IX Coordinator (Associate Title IX Coordinator) and the appropriate Title IX Assistant Coordinator will review the notification information to determine if there is adequate information to conclude that a violation of policy may have occurred. The coordinators may delay making that decision to assemble more information and may choose to talk with the alleged victim of the sexual harassment.

   ✓ **Note:** The Associate Title IX Coordinator will keep the Title IX Coordinator informed, in a timely manner, of all alleged violations of the sexual misconduct policy and the process.

2. **Intake:** If the coordinator(s) concludes that there is adequate information that would lead a reasonable person to believe that a violation of policy may have occurred, the coordinator(s) will meet with the alleged reporting party and the responding party in separate intake meetings. The purpose of this meeting is to enter into a dialogue with both parties as described below. Each party will...

   a. have the opportunity to respond to the information that has been received by the Title IX Office.
   b. be informed of the process that will be followed to address the allegations.
   c. be informed of the campus and community resources available to assist him/her.
   d. have the opportunity to understand the options for addressing the allegations.

3. **Process Options:** The reporting party may select any one of the options below to address the alleged misconduct.

   a. **No Report:** The reporting party may choose not to file a report of the allegations or be a part in any investigation of the alleged violation.

   b. **Informal Resolution:** The reporting party may request the Title IX Coordinator conduct an informal resolution/mediation with the alleged responding party. The purpose of the meeting is to have a conversation with the alleged violator to have the individual understand the University’s sexual misconduct policy and the appropriate behavior commensurate with that policy.
      - The reporting party may choose to be present or not be present at this meeting.
      - The responding party may choose not to participate in this resolution/mediation.

   c. **Formal Investigation:** The alleged victim of a violation of the University Sexual Misconduct Policy may file formal charges against one or more individuals who are under the University misconduct policy. Formal charges will result in an investigation of the charges and, if it is determined that a violation has occurred, sanctions will be imposed.

      ✓ **Note:** The Title IX Coordinator, apart from the alleged victim, has the authority to initiate charges if the coordinator believes that there exists a risk to the University community.

4. **Investigation Process:** The Title IX Coordinator (Associate Title IX Coordinator) will assign trained individual(s) to investigate the allegations. The authority and responsibilities of an investigator is as follows:

   a. Investigate the allegations of a violation of the University Sexual Misconduct policy.
   b. Regularly communicate the investigation progress to the Title IX Coordinator.
   c. Using the standard of a preponderance of the evidence, reach one of the findings below:

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• no violation of policy has occurred,
• a violation(s) of policy has occurred and determine appropriate sanctions, or
• no finding (not enough evidence to reach a decision)

d. **Definition of Preponderance of the Evidence:** After assessing the quality of the evidence, the Title IX Investigator will only find the responding party responsible for the alleged misconduct if the evidence convinces the investigator to reasonably conclude that a finding of responsibility is justified. The investigator will find that there is sufficient evidence that is relevant, probable, and persuasive to convince him/her that the responding party engaged in the alleged misconduct, and that the evidence supporting a finding of responsibility outweighs any evidence that the responding party is not responsible for the alleged misconduct.

e. If the findings conclude that a violation of policy has occurred, the Investigators will determine sanction(s) for the responding party per the appropriate University policy.

✓ **Note:** In cases where the responding party, a student, has previous violations of the student Conduct Code which are not related to violations of the Sexual Misconduct policy, the Title IX Coordinator will confer with the Dean of Students in determining the appropriate sanction(s).

f. Communicate the findings and sanctions, if applicable, to the Title IX Coordinator who has the authority to:
   - accept the findings
   - accept the sanctions
   - require more investigation be conducted
   - change the findings and/or sanctions with cause

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**Summary Flow Chart of the Investigation Process**

1. **Notification**
2. **Intake**
3. **Process Options (with Reporting Party)**
   - No Report
   - Informal Resolution
     - Meeting with Alleged Party(s)
   - Formal Investigation
     - Intake Meeting With Reporting Party
       - Intake Meeting with Respondent
         - Investigators Appointed
           - Investigation Takes Place
             - No Violation
               - Sanctions
             - Violation Has Occurred
               - Title IX Coordinator
                 - Title IX Coordinator Notifies Both Parties
               - No Finding
             - No Finding
               - Sanctions

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