

THE PATH OF A REPORT OF EMPLOYEE PROHIBITED CONDUCT



Upon receiving a report of Prohibited Conduct, the University will:

- 1 PROVIDE SUPPORT**
and assistance in obtaining University and community resources.
- 2 PROVIDE INFORMATION**
about preserving evidence, obtaining medical treatment, and contacting police.
- 3 EVALUATE SAFETY**
of individuals and the University community.

4 ASCERTAIN COMPLAINANT'S PREFERENCES:

- A** Complainant may request **confidentiality** and that **no further University action** be taken
- B** Complainant may request one of two forms of **University resolution**

The University will seek to honor this request if it is possible to do so while also **protecting the health and safety of individuals and the University community.**

- 1. Alternative Resolution**, which (if available) includes a variety of informal options for resolving reports.
- 2. Formal Resolution**, which involves an investigation, and review/sanction (if applicable).

Next, the University will conduct a Threat Assessment to:

- 1 DETERMINE UNIVERSITY ACTIONS**
If Complainant requested:
 - University Resolution:** grant request and initiate appropriate resolution process
 - Confidentiality/No Action:** balance request with health and safety risk factors to determine whether request can be honored
- 2 EVALUATE REPORTING DUTIES**
State Law requires reporting to:
 - The Police (if health/ safety threat is identified)
 - The Prosecuting Authority (if felony crime)
 - Child Protective Services (if under 18)

INITIAL ASSESSMENT OF REPORT

THREAT ASSESSMENT OF REPORT

CONCLUDE OR BEGIN RESOLUTION PROCESS

A REPORT TO LAW ENFORCEMENT MAY BE MADE AT ANY POINT THROUGHOUT THIS PROCESS
RESOURCES AND SUPPORT ARE AVAILABLE THROUGHOUT THIS PROCESS

Process either concludes or moves to Formal or Alternative Resolution.

The University also offers confidential resources for employees who are unsure about whether to report Prohibited Conduct and for any employee seeking counseling or other emotional support throughout this process.

FORMAL UNIVERSITY RESOLUTION PROCESS FOR EMPLOYEES



At the beginning of the formal resolution process:

INVESTIGATION

1 **WRITTEN NOTICE** will be provided by the Title IX Coordinator to the Complainant and the Respondent.

2 **TRAINED INVESTIGATOR(S)** will conduct a prompt, thorough, fair, and impartial investigation. Both parties will have an equal opportunity to be heard, to submit evidence, to identify witnesses, and to submit questions they believe should be directed by the Investigator to each other or to any witness.

3 **ADVISOR OF CHOICE** may accompany, support, and advise each party throughout the investigation and resolution process.

At the conclusion of an investigation:

Investigator will prepare a **Draft Investigation Report** summarizing the information gathered (without recommended findings) for review/response by each party.



Investigator will prepare a **Final Investigation Report**, which will include a recommendation as to whether or not there is sufficient evidence to support a finding of responsibility for Prohibited Conduct by a Preponderance of the Evidence.

RECOMMENDED FINDING

A Recommended **Finding of Responsibility**: Respondent may accept or contest. Parties may submit impact and mitigation statements.

B Recommended **Finding of No Responsibility**: Complainant may accept or contest. If Complainant accepts findings, process is concluded.

Next steps for contested finding and/or sanction:

REVIEW PANEL MEETING & FINAL OUTCOME

Review Panel Meeting: Trained panelists will determine: (1) whether the concerns stated by the contesting party raise substantial doubt about the thoroughness, fairness and/or impartiality of the investigation; and, if not, (2) whether there is sufficient evidence to support the recommended findings by a preponderance of the evidence. If a recommended finding of responsibility is affirmed, the Review Panel will recommend, by majority vote, the appropriate sanctions. The Review Hearing Chair will issue a Final Recommendation Letter to the parties/Executive.

Executive Review/Sanction: If the Review Panel recommends a finding of responsibility and sanctions, the “appropriate executive” will affirm or reject that recommendation and determine the sanctions.

Decision of the Appropriate Executive is Final, without further recourse or appeal by either party. The Title IX Coordinator will communicate this final decision to the parties in a written decision (the “Final Outcome Letter”).

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Typically, the period from commencement of an investigation through resolution (finding and sanction, if any) will not exceed 60 calendar days. This time frame may be extended for good cause.