THE PATH OF A REPORT OF EMPLOYEE SEXUAL MISCONDUCT



INTAKE AND RESPONSE Upon receiving a report of a Sexual Misconduct Violation, the College will:

PROVIDE SUPPORT

and assistance in obtaining College and community resources.

PROVIDE INFORMATION

about preserving evidence, obtaining medical treatment, and contacting police. 3

EVALUATE SAFETY

of individuals and the College community.

4 ASSESS COMPLAINANT'S PREFERENCES

Complainant may request anonymity and that no further College action be taken.

B Complainant may request one of two forms of **College resolution**.

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

The Complainant has the option to request College resolution at any time thereafter.

 Formal Resolution, which involves an investigation, and hearing/sanction (if applicable).

 Alternative Resolution, which (if available) includes a variety of informal options for resolving reports.

Next, the College will conduct a Initial Assessment to:

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INITIAL ASSESSMENT OF REPORT A REPORT TO LAW ENFORCEMENT MAY BE MADE AT ANY POINT THROUGHOUT THIS PROCESS

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CONCLUDE OR BEGIN RESOLUTION PROCESS **DETERMINE COLLEGE ACTIONS**

If Complainant requested:

College Resolution: grant request and initiate appropriate resolution process

Anonymity/No Action: balance request with health and safety risk factors to determine whether request can be honored or whether circumstances warrant proceeding to an investigation

EVALUATE REPORTING DUTIES

State Law requires reporting to:

- 1. The Police (if health/safety threat is identified)
 - 2. The State Police (if felony crime)
- 3. Child Protective Services (if under 18)

Process either concludes or moves on to Formal or Alternative Resolution.

The College also offers access to confidential resources for students who are unsure about whether to report Sexual Misconduct Violations, or any student seeking counseling or other emotional support throughout this process.

RECOMMENDED

FINDING

At the beginning of the resolution process:

1

WRITTEN NOTICE

will be provided 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 corroborating evidence, and to identify witnesses who may have relevant information.

3

SUPPORTER OF CHOICE

may accompany, support, and advise each party throughout the investigation and resolution process.

At the conclusion of an investigation:

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

The parties will have the opportunity to review the investigation report, identify any additional information or witnesses, and provide feedback or comment to the report.

The investigator will then prepare the Final Investigation Report.

Recommended **Finding(s) of Responsibility**:
Respondent may accept or contest.
Parties may submit impact and
mitigations statements.

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

Next steps for contested finding(s) and/or sanction:

Adjudicator Panel Meeting: Adjudicators (see Appendix B) will meet to 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 Investigator's recommend finding(s) by a Preponderance of the Evidence.

Sanction: If recommended finding of responsibility is affirmed, the Adjudicators will determine the appropriate sanction(s) and issue a written decision ("Outcome Letter") to the complainant and respondent. Prior to making their decision final, the panelists' determination of responsibility and sanctions may be reviewed by the Title IX Coordinator or Deputy to advise with regard to consistency and proportionality in sanctions and whether the action is sufficient to eliminate the conduct and remedy its effects.

Decision of the Adjudicator Panel may be appealed by either party to a senior administrator designated in the Outcome Letter.

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 a good cause.