

Regis College Title IX Response & Grievance Process

INTRODUCTION

Consistent with its institutional mission and as required by Title IX, Regis does not discriminate on the basis of sex in its educational programs or activities. Any inquiries about Title IX may be referred to the Regis College Title IX Coordinator or the U.S. Department of Education using the contact information below:

Regis College Title IX Coordinator

Adam Thrasher
Regis College
235 Wellesley Street
College Hall 201
Weston, MA 02493
781-768-7369
adam.thrasher@regiscollege.edu

U.S. Department of Education - Office for Civil Rights, Boston Office

U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
617-289-0111
617-289-0150 (fax)
OCR.Boston@ed.gov

Regis is committed to creating and maintaining a community where all individuals, including students, faculty, or staff, can work and learn together in an atmosphere free of all forms of harassment, exploitation, or intimidation. Consequently, Regis prohibits all forms of sexual misconduct (including sexual harassment, sexual assault, and sexual exploitation), relationship violence, stalking, and gender discrimination.

SCOPE

Upon receipt of a report of sexual misconduct, relationship violence, stalking or gender discrimination, Regis will provide supportive measures to the involved parties and, where appropriate, investigate according to the processes outlined below.

The procedures detailed below apply to both students and employees (faculty/staff) unless specifically noted otherwise. The Title IX Coordinator will manage the response to all reports and any subsequent investigation in concert with the Office of Student Affairs (reports involving students) and/or the Office of Human Resources (reports involving employees).

DEFINITIONS

Sexual Harassment

Anyone may experience Sexual Harassment without regard to gender identity or sexual orientation. Sexual Harassment is conduct on the basis of sex that involves any of the following:

A Regis College employee requires a person to participate in unwelcome sexual conduct in order for the employee to perform their job function or fulfill their employment responsibility.

Sexual Assault. Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Sexual Assault includes the following.

Rape. The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, or an object, without the consent of the victim. This offense includes the rape of both males and females.

Fondling. The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

Incest. Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape. Sexual intercourse with a person who is under the statutory age of consent. In Massachusetts, the statutory age of consent is sixteen.

Consent. Consent is mutual permission between partners. To consent to something, such as a sexual act, means a person knowingly and willingly agrees to the act. A person cannot give consent if they are incapacitated by substances, if they are unconscious, or if they are asleep. An individual may be incapacitated by substances where, as result of using such substances, they are unable to act or function normally (e.g. are unable to move or walk without assistance, are

unable to control their body, or are unable to speak, listen, or communicate effectively).

Domestic Violence. A crime of violence committed:

By a current or former spouse or intimate partner;

By a person with whom the victim shares a child in common;

By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner. The perpetrator and victim must be more than just roommates. The people cohabitating must be current or former spouses or have an intimate relationship;

By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;

By any other person against an adult or youth victim who is protected from that person's act under the domestic violence laws of the jurisdiction in which the crime occurred;

Dating Violence. Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. A social relationship shall be determined based on the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Stalking. Engaging in a course of conduct (two or more acts) directed at a specific person that would cause a reasonable person to: fear for the person's safety or the safety of others; or suffer substantial emotional distress.

Unwelcome Conduct. Conduct that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Regis' Educational Program or Activity.

Unwelcome Conduct may include instances where an individual takes non-consensual sexual advantage of another individual ("Sexual Exploitation"). Examples of Sexual Exploitation include:

Sexual Exploitation by Recording: recording (whether by photograph, video, audio, or other means) an individual involved in sexual activity or in an intimate or private state of undress without their knowledge or consent. Consent to sexual activity does not equate to consent to the recording of sexual activity.

Digital, Electronic, or Media Based Sexual Exploitation: dissemination (whether by mail, e-mail, internet, social media web site, electronic, or any other means) of any recording of an individual involved in sexual activity or in an intimate or private state of undress without their knowledge or consent.

Voyeurism: observation of an individual involved in sexual activity or in an intimate or private state of undress without their knowledge or consent.

Reporting Party. A person alleging that another committed Sexual Harassment against them. May also be referred to as a “victim”, “party”, or “parties”.

Respondent. A person who has allegedly committed Sexual Harassment. May also be referred to as a “party” or “parties”.

Hearing Advisor. See below.

Hearing Officer. The Hearing Officer manages the hearing process (see below) and makes determinations regarding relevance. Depending on available staffing, the Hearing Officer may or may not be the same individual as the Decision Maker. If not the same individual, both the Hearing Officer and Decision Maker must be present during a hearing.

Decision Maker. The Decision Maker reviews the Relevant evidence and makes the Final Determination of Responsibility (see below). Depending on available staffing, the Decision Maker may or may not be the same individual as the Hearing Officer. If not the same individual, both the Hearing Officer and Decision Maker must be present during a hearing.

Relevant. Information is relevant if 1) it has any tendency to make a fact more or less probable than it would be without the information and 2) the fact is of consequence in the matter. Information is not relevant where:

Related to the Reporting Party’s sexual disposition or prior sexual behavior, unless: offered to prove that someone other than the Respondent committed the alleged conduct, or is related to the Reporting Party’s prior sexual behavior with respect to the Respondent and is offered to prove consent.

Protected by a legally recognized privilege.

Derived from a party’s medical, psychological, or similar records, unless that party has provided prior written consent.

It is duplicative or repetitive.

Directly Related. Information is directly related to a Reporting Party’s allegations of Sexual Harassment where it has some plausible connection to those allegations. Not all Directly Related information will necessarily be considered Relevant.

Educational Program or Activity. Locations, events, or circumstances where Regis College exercises substantial control over a Respondent and the circumstances in which Sexual Harassment occurs, including buildings owned or controlled by recognized student organizations.

RECOMMENDED ACTION

If a member of the Regis community is involved in an incident of Sexual Harassment, gender discrimination, or other concerning conduct on the basis of sex, sexual orientation, or gender identity, they may wish to consider the following course of action:

1. Get to a safe place as soon as possible.
2. Call someone for help or support. See “Support Resources” below.
3. Get Medical Attention. Regis will facilitate transportation to a hospital or health professional for medical treatment. Even if there is no obvious sign of physical injury, internal injuries are possible. Early testing and treatment for sexually transmitted illnesses infections and possible pregnancy can prevent further problems. Reporting Parties should avoid eating, drinking, showering, bathing, douching, or changing clothes before seeking medical attention. These activities might result in destroying evidence. Evidence can be collected shortly after a sexual assault has occurred and will be helpful in any subsequent prosecution.
4. Seek Counseling. It is often helpful for involved parties to seek counseling. The crisis intervention and counseling services provided by Regis (see below) are available to all members of the Regis community.

SUPPORT RESOURCES

Resource Name	Location	Contact	Phone	Email/Web Address
Regis Campus Police	College Hall 102		781.768.7111 or 781.768.7777	safety@regiscollege.edu
Title IX Coordinator	College Hall 201	Adam Thrasher	781.768.7369	adam.thrasher@regiscollege.edu
Deputy Title IX Coordinator / Office of Residence Life	Lower Student Center 123	Bridget Buoniconti	781.768.7508	bridget.buoniconti@regiscollege.edu

Dean of Student Affairs	Upper Student Center 213	Walter Horner	781.768.7029	walter.horner@regiscollege.edu
Associate Vice President of Human Resources	St. Joseph Hall 233	Joan Sullivan	781.768.7212	joan.sullivan@regiscollege.edu
EthicsPoint (Regis' third-party operated hotline system)			855.975.6790	www.regiscollege.ethicspoint.com

ON-CAMPUS RESOURCES – CONFIDENTIAL

Health and Counseling Services	Maria Hall Lower Level	Dianna Jones	781.768.7290	dianna.jones@regiscollege.edu
Center for Ministry and Service	St. Joseph Hall Suite 4	Father Paul Kilroy	781.768.7027	paul.kilroy@regiscollege.edu

OFF-CAMPUS RESOURCES (*denotes confidential resources)

Resource Name	Location	Phone	Services Provided
ReachMA*	Waltham, MA	781.891.0724 (general support) 800.899.4000 (hotline)	24 hour hotline; ongoing support for survivors of dating and domestic violence
Boston Area Rape Crisis Center*	Boston, MA	800.841.8371	24 hour hotline; ongoing support for survivors of rape
Newton-Wellesley Hospital Domestic Violence/Sexual Assault Program*	Newton, MA	617.243.6521	Medical treatment; access to SANE Nurse; pregnancy and STI testing
Weston Police	Weston, MA	617.339.6720	Assistance in pursuing legally enforced restraining or protective orders and criminal action
AllOne Health Resources Employee Assistance Program*	n/a	800.451.1834	For support for employees and their household members including free confidential counseling, (both in person and telephonic counseling); support, legal/financial and work-life consultation, 24 hours a day. See Human Resources Benefits page in Regis Resources or click here .

REPORTING

Regis seeks to create an environment that encourages the reporting of Sexual Harassment, gender discrimination, and other concerning conduct on the basis of sex, sexual orientation, or gender identity. Reporting Parties may report incidents to Regis Campus Police, Weston Police, the Office of Student Affairs, the Associate Vice President of Human Resources, the Title IX Coordinator, or any other Regis official.

Criminal Reporting

Reporting Parties may decide whether or not to file a criminal report with Regis Campus Police or local law enforcement. Reporting an incident to the police does not commit a Reporting Party to further legal action or participation in any criminal proceeding. Should a Reporting Party choose to file a report, they will be asked to provide as much detail as possible. The earlier an incident is reported, the easier it will be for the police to investigate the crime and prosecute the case successfully. If desired, Regis personnel will assist Reporting Parties in contacting police to file a report.

Disclosure of Reports

In order to respond to reports, to provide support to involved parties, comply with legal responsibilities, and keep track of trends within the community, the Regis official who receives a report will refer it to other Regis administrators on a limited need-to-know basis. Depending on the circumstances, the following administrators will be informed of a report: Title IX Coordinator, Deputy Title IX Coordinator, Dean of Students, Associate Vice President of Human Resources, Chief of Regis Campus Police.

Campus security authorities, including the Title IX Coordinator, who receive a report of sexual assault, dating violence, domestic violence, or stalking will inform Regis Campus Police of the incident, but will not include personal or identifying information without the Reporting Party's consent. The purposes of this report are to determine whether the greater Regis community should be warned about a potentially dangerous situation and to collect crime statistics. Regis Campus Police will investigate all received reports, but investigation will be limited where a Reporting Party has decided not to report their personal or identifying information. Note that Massachusetts law requires an individual who has witnessed a sexual assault or rape to contact police as soon as they can possibly do so without putting themselves in danger.

The Title IX Coordinator will inform the Associate Vice President of Diversity and Inclusion/ Chief Diversity Office of the nature of the report, but will not include any personally identifiable information. The purpose of this report is to track reporting trends and campus climate concerns within the Regis community.

STUDENT CONDUCT AMNESTY (STUDENTS)

Regis does not want a student's use of drugs or alcohol to discourage them from reporting an incident of Sexual Harassment, gender discrimination, or other concerning conduct based on sex, sexual orientation, or gender identity. As a result, Regis will provide student conduct amnesty to students involved in a report for their personal use of prohibited or illegal drugs or alcohol in connection with that incident. In other words, Regis will not pursue student conduct sanctions for a student's own use of prohibited or illegal drugs or alcohol occurring in the context of a report. Regis will not provide this amnesty, and will pursue student conduct sanctions, for students who provide drugs or alcohol to another individual in a prohibited or illegal manner.

RESPONSE TO REPORTS & SUPPORTIVE MEASURES

Regis College will respond to all reports of Sexual Harassment, gender discrimination, and other concerning conduct based on sex, sexual orientation, or gender identity. Regis will make appropriate supportive measures reasonably available to involved parties to maintain or restore their participation in the Regis community.

Supportive measures may promote safety, protect Regis' education environment, and/or deter further Sexual Harassment. Supportive measures may not unreasonably burden a party involved in a report. Examples of supportive measures include, but are not limited to: new residential housing assignments; academic leaves of absence or withdrawals; Regis Campus Police escorts; parking privileges; Regis-issued no-contact orders; and class schedule modifications. Further, Regis will assist in the enforcement of any lawfully issued restraining orders or orders of protection.

Supportive measures are available to involved parties whether or not a Formal Complaint (see below) has been submitted.

EMERGENCY REMOVAL

Regis College may remove a Respondent from its Educational Program or Activity if the following conditions are satisfied:

1. Regis officials conduct an individualized safety/risk analysis of the Respondent and the specific circumstances;
2. That analysis indicates there is an immediate threat to the physical health or physical safety of one or more individuals;
3. The threat specifically arises out of the allegations of Sexual Harassment.

If an Emergency Removal is needed, the Respondent will receive written notice including the specific facts relied upon for the removal. Upon receipt of this notice, the Respondent must vacate Regis College's Educational Program or Activities and property. The Respondent may

immediately challenge the Emergency Removal. An Emergency Removal may be overturned if the Respondent provides specific facts indicating that the removal decision was incorrect.

ADMINISTRATIVE LEAVE (EMPLOYEES)

Following a Formal Complaint, Regis College may place a non-student employee Respondent on administrative leave pending an investigation, hearing, and/or final determination of responsibility according to standard Human Resources practice.

FORMAL COMPLAINTS

Reporting Parties who seek a full investigation of a report of Sexual Harassment may submit a Formal Complaint. A Formal Complaint is the beginning of an investigation process that seeks to gather evidence Directly Related to a Reporting Party's allegations of Sexual Harassment. Investigations may include, but are not limited to, interviews of involved parties and witnesses, review of available documentation, files or media, and a hearing with an opportunity for each party's advisor to ask questions of the other party.

A Formal Complaint is a document submitted by a Reporting Party who is a current or prospective student or employee who is participating in or attempting to participate in a Regis College Educational Program or Activity and which alleges that a Respondent committed Sexual Harassment.

Supportive measures (see above) are available to involved parties whether a Formal Complaint is submitted or not.

Upon receiving an initial report, the Title IX Coordinator will notify a Reporting Party about how to submit a Formal Complaint. A Reporting Party may submit a completed Formal Complaint to the Title IX Coordinator at the address above or electronically. In order to verify the identity of the Reporting Party submitting a Formal Complaint, any electronic submission must occur via Regis College e-mail or using a Regis College platform. The Title IX Coordinator may also submit a Formal Complaint.

Regis College must dismiss Formal Complaints in the following circumstances:

1. The alleged conduct would not satisfy the definition of Sexual Harassment even if proved.
2. The alleged conduct did not occur within the scope of a Regis College Educational Program or Activity.
3. The alleged conduct did not occur against a person in the United States.

Regis College may dismiss Formal Complaints in the following circumstances:

1. The Reporting Party seeks to withdraw their Formal Complaint.

2. The Respondent is no longer enrolled as a student or employed by Regis College.
3. Circumstances prevent Regis College from gathering sufficient evidence to reach a determination.

An involved party may appeal the dismissal of a Formal Complaint according to the process below (see “Appeals”).

Formal Complaints that are dismissed may be investigated through an alternate process – for example, the Student Code of Conduct, the Employee Grievance Procedure, the Employee Policy on Discrimination.

INVESTIGATION OF FORMAL COMPLAINTS

Fact Gathering

Regis College is ultimately responsible for gathering evidence and for proving whether a Respondent is found responsible for the alleged conduct.

Regis gathers information Directly Related to allegations of Sexual Harassment by conducting interviews of involved parties and witnesses, reviewing available documentation, files or media, or by other reasonable means.

A party’s participation in the investigation of a Formal Complaint is voluntary. If a party chooses not to participate, that decision will not be used against them, but the investigation will proceed and a final determination of responsibility may be made.

Involved parties have an equal opportunity to provide evidence and to suggest witnesses Directly Related to the allegations of Sexual Harassment (whether in support of or against a finding of responsibility).

Advisors

Parties will have the same opportunity to have an advisor of their choice present during and meetings or interviews. Advisors are permitted during interviews for the sole purpose of providing support to the party. During an interview, the advisor may not offer any information, respond to any question, or ask any question.

Access to Evidence & Investigation Report

The Title IX Coordinator will provide the Reporting Party and Respondent with equal access to the evidence gathered during the investigation (e.g. notes from interviews, gathered documents or media) that is Directly Related to the allegations. The parties will have at least

ten (10) business days to review and, if desired, provide a written response to the Directly Related evidence.

At the conclusion of that period, the Title IX Coordinator will prepare the Investigation Report summarizing all evidence Relevant to the allegations and provide the parties and their Hearing Advisors (see below) with access to that report. Once issued, the parties will have at least ten (10) business days to review and respond in writing to the Investigation Report prior to the hearing. If a party submits a written response to the Investigation Report, it will be provided to the other party prior to the hearing.

HEARINGS

The purpose of a hearing is to provide an opportunity for the Reporting Party and the Respondent to pose questions, and follow up questions, to each other and to Relevant witnesses. All questions must be asked through a party's Hearing Advisor – at no point may a Reporting Party or Respondent directly ask a question to the individual being questioned. The Hearing Officer may also pose questions and follow up questions during a hearing.

The Decision Maker, if not also acting as the Hearing Officer, will be present during the hearing.

Hearings may occur in person or, upon the request of a party or at the discretion of Regis, remotely via appropriate technology.

An individual (Reporting Party, Respondent, or witness) may choose whether or not to be present at a hearing or to answer questions during a hearing. If an individual chooses not to be present or chooses not to answer questions, then the Decision Maker will not use any of that individual's statements (including those made during investigation interviews or included in a Formal Complaint) in making a final determination of responsibility. Where an individual chooses not to participate, the hearing will proceed and a final determination of responsibility will be made based upon available, permitted evidence. At least ten (10) business days prior to the scheduled hearing, each party must notify the Title IX Coordinator and Hearing Officer of their intention to participate in the hearing. This notification facilitates scheduling and management of the hearing. A party can change their decision regarding participation at any time.

Neither party may offer or introduce new documents, files, or records, not previously included in the investigation, during the hearing. If new information arises between the completion of the Investigation Report and the hearing date and that information is directly related to the Reporting Party's allegations, a party must submit it to the Title IX Coordinator who will re-initiate the investigation and update the Investigation Report as needed. In such case, the hearing date will be rescheduled or delayed to accommodate additional investigation.

Hearings will be recorded by audio or audiovisual means. The Hearing Officer will provide the hearing recording to both parties after the hearing.

Both parties will continue to have access to collected evidence during the hearing.

Hearing Advisors

Both the Reporting Party and the Respondent may select a Hearing Advisor of their choice. If a party does not have a Hearing Advisor, Regis will provide a Hearing Advisor for the party at no cost.

At least ten (10) business days prior to the scheduled hearing date, a party must inform the Title IX Coordinator and Hearing Officer of the identity and contact information of their Hearing Advisor or provide notice that the party has not selected a Hearing Advisor. This notification allows the Title IX Coordinator to provide the Investigation Report to the Hearing Advisor and allows Regis to obtain a Hearing Advisor for a party if needed. The Title IX Coordinator or Hearing Officer will inform each party of the identity s of the other party's Hearing Advisor.

A hearing will not occur unless both parties have a Hearing Advisor present.

Prior to Hearing

Opening Statements

Each party may prepare an opening statement to be read at the hearing. The purpose of an opening statement is to summarize a party's position based on the Relevant facts summarized in the Investigation Report. If a party chooses to prepare an opening statement, it must be provided to the Hearing Officer at least ten (10) business days prior to the hearing date. The Hearing Officer will review the statement solely for the purpose of making relevance determinations at least five (5) business days prior to the hearing.

Anticipated Witnesses

Each party must notify the Title IX Coordinator and Hearing Officer of the name and contact information for the witnesses it intends to question during the hearing, if any, at least ten (10) business days prior to the hearing date. This notification allows the Title IX Coordinator or Hearing Officer to inform a witness of the hearing and hearing process and to inform the other party of the witnesses who will be questioned.

Anticipated Questions

Each party is encouraged to submit in writing to the Hearing Officer the questions it anticipates asking during the hearing at least five (5) business days prior to the hearing date. The purpose

of this submission is to allow the Hearing Officer to evaluate the relevance of questions in advance.

Hearing Process

Hearings will proceed according to the following steps:

1. Hearing Officer begins the recording after notifying all individuals present.
2. Hearing Officer summarizes allegation(s) and procedural steps of the investigation.
3. Hearing Officer will review the questioning procedure, see below.
4. Reporting Party reads their opening statement, where applicable.
5. Respondent reads their opening statement, where applicable.
6. Questioning of Reporting Party, if participating in questioning.
 - a. Hearing Officer poses questions and follow up questions.
 - b. Respondent's Hearing Advisor poses questions and follow up questions.
 - c. Reporting Party's Hearing Advisor poses questions and follow up questions.
7. Questioning of Reporting Party's witnesses, if participating.
 - a. Hearing Officer poses questions and follow up questions.
 - b. Respondent's Hearing Advisor poses questions and follow up questions.
 - c. Reporting Party's Hearing Advisor poses questions and follow up questions.
8. Questioning of Respondent, if participating in questioning.
 - a. Hearing Officer poses questions and follow up questions.
 - b. Reporting Party's Hearing Advisor poses questions and follow up questions.
 - c. Respondent's Hearing Advisor poses questions and follow up questions
9. Questioning of Respondent's witnesses, if participating.
 - a. Hearing Officer poses questions and follow up questions.
 - b. Reporting Party's Hearing Advisor poses questions and follow up questions.
 - c. Respondent's Hearing Advisor poses questions and follow up questions.
10. Hearing Officer concludes the hearing, informs parties of next steps, and stops the recording.

Hearing Advisor Questioning Procedure

Questioning by a Hearing Advisor, including follow up questioning, will occur according to the following steps:

1. A Hearing Advisor will ask a question of a party or witness.
2. The party or witness will not answer the question until:
 - a. Informed by the Hearing Officer that they may answer, or
 - b. The Hearing Officer determines that the question is not Relevant, see below.

The time period for each party's Hearing Advisor to ask questions of one another or of a witness is limited to 45 minutes. If a party can show good cause (see below), the Hearing Officer may permit one (1) 15 minute extension.

Relevance Determinations

The Hearing Officer will allow only Relevant questions during a hearing.

If the Hearing Officer determines that a question is not Relevant during a hearing, they will provide a brief explanation of that determination. A party, through their Hearing Advisor, may object to this determination solely for the purposes of appeal (see below), but the Hearing Officer's determination will stand. A party, through their Hearing Advisor, may object to a question posed by the Hearing Officer solely for the purposes of appeal (see below).

Hearing Conduct

All parties and Hearing Advisors must conduct themselves in a respectful and non-abusive manner throughout the hearing. The Hearing Officer has the discretion to issue a warning to any party or Hearing Advisor that fails to meet this standard and to terminate a hearing at any time with or without a prior warning. In such case, the hearing will be rescheduled and continued at a later date. The Hearing Officer has the discretion to require that a party obtain, or that Regis provide, a new Hearing Advisor for a continued hearing.

When making a final determination of responsibility, the Decision Maker may not consider a party's, or their Hearing Advisor's, failure to maintain themselves in a respectful, non-abusive manner during a hearing.

Interrupting, Delaying, or Rescheduling a Hearing

A party may request that a hearing, including a hearing in progress, be delayed or rescheduled for good cause. All requests must be made in writing to the Title IX Coordinator and Hearing Officer or raised during a hearing in progress.

Regis will evaluate requests that a hearing be interrupted, delayed, or rescheduled against the need to proceed expeditiously and the need to treat the Reporting Party and Respondent equally and fairly in the process.

Regis may, at its own discretion, delay or reschedule a hearing, including a hearing in progress, for reasonable cause. Regis will inform all parties of the delay or rescheduled hearing.

FINAL DETERMINATION OF RESPONSIBILITY

The Decision Maker will issue a written Final Determination of Responsibility based upon the Relevant evidence, Investigation Report, and the hearing proceedings using a preponderance of the evidence standard. In other words, more than 50% of the Relevant evidence would need to indicate that the Respondent's conduct constituted Sexual Harassment.

The written Final Determination of Responsibility will be issued within fifteen (15) business days of the date that the hearing is concluded and will include:

1. Identification of the allegations.
2. Description of the investigation process.
3. Findings of fact in support of the final determination.
4. Conclusions applying the definition of Sexual Harassment to the facts.
5. For each allegation:
 - a. A rationale regarding the Respondents responsibility.
 - b. Any sanctions that are imposed.
 - c. An indication of whether the Reporting Party will be provided with remedies (non-disciplinary), but without a description of the content of those remedies.
6. A description of the Appeals process.

APPEALS

The Reporting Party and the Respondent have an equal opportunity to appeal the dismissal of a Formal Complaint, the dismissal of certain allegations within a Formal Complaint, or the Final Determination of Responsibility. An appeal is possible only on the following bases:

1. A procedural irregularity that affected the outcome of the matter.
2. New evidence that was not reasonably available at the time of the dismissal of a Formal Complaint, the dismissal of allegations within a Formal Complaint, or the Final Determination that could affect the outcome of the matter.
3. An allegation that an official involved in the investigation or hearing (e.g. the Title IX Coordinator, an investigator, the Hearing Officer, or Decision Maker) had a conflict of interest or bias for or against Reporting Parties or Respondents in general or against the Reporting Party or Respondent involved in the matter specifically and that conflict of interest or bias affected the outcome of the matter.
4. Student Matters Only. That the sanction imposed within a Final Determination of Responsibility is substantially disproportionate to the underlying conduct and the Respondent's prior Code of Conduct or Title IX violations, if any.

Appeals or portions of appeal relying on any other basis will be dismissed without review.

To request an appeal of a dismissal of Formal Complaint or of the dismissal of certain allegations within a Formal Complaint, a party must complete a Request for Title IX Appeal form

within ten (10) business days of the date of dismissal and submit to 1) the Title IX Coordinator and 2) the Deputy Title IX Coordinator (Students) or the Associate Vice President for Human Resources (Employees).

To request an appeal of a Final Determination of Responsibility, a party must complete a Request for Title IX Appeal Form within ten (10) business days of the date of the written Final Determination of Responsibility or within ten (10) business days of the date that the recording of the hearing was made available to the parties, whichever is later. The Request for Title IX Appeal form must be submitted to 1) the Title IX Coordinator, 2) the Hearing Officer, and 3) the Decision Maker.

An Appeals Officer will review the Request for Title IX Appeal Form and issue a written decision within ten (10) business days of the date received.

If an Appeals Officer grants the appeal, remedies are limited to:

1. Where a Formal Complaint was dismissed in its entirety, the initiation of an investigation and hearing process.
2. Where certain allegations of a Formal Complaint were dismissed, the initiation of an investigation and hearing process regarding those allegations only.
3. A re-investigation of the Reporting Party’s allegations.
4. A repeated hearing. If appropriate, new personnel will conduct the repeated hearing.
5. For allegations involving students only, a re-evaluation of the imposed sanction by the Decision Maker.

Where an appeal is based on an allegation of conflict of interest or bias that affected the outcome, as appropriate new personnel will conduct the investigation, re-investigation, or hearing.

If an Appeals Officer denies the appeal, the dismissal of a Formal Complaint, the dismissal of certain allegations within a Formal Complaint, and/or the Final Determination of Responsibility will stand. A party has no further rights to appeal or challenge the outcome of the matter.

MILESTONES

Investigation	<i>Reporting Party and Respondent</i>	<i>And submit to:</i>
	<i>each have an:</i>	
10 business days from when Title IX Coordinator provides access to Directly Related evidence.	Opportunity to review and provide written response to that evidence.	The Title IX Coordinator.

10 business days from when Title IX Coordinator provides access to Investigation Report.	Opportunity to review and provide written response to the Investigation Report.	The Title IX Coordinator.
--	---	---------------------------

Hearing

	<u>Reporting Party and Respondent each provide:</u>	<u>And submit to:</u>
10 business days prior to hearing date.	<ul style="list-style-type: none"> • Notice regarding intention to participate in hearing. • The name and contact information of their Hearing Advisor. • An opening statement (optional). • The Name and contact information of any witnesses intended to be questioned. 	The Title IX Coordinator and Hearing Officer.
5 business days prior to hearing date.	<ul style="list-style-type: none"> • Anticipated questions a they plan to ask during the hearing (optional). 	The Hearing Officer.

Appeals

	<u>A party seeking to appeal must:</u>	<u>And submit to:</u>
10 business days from dismissal of Formal Complaint.	Submit a complete Request for Title IX Appeal form (optional).	1) Title IX Coordinator and 2) Deputy Title IX Coordinator (Students) or Associate Vice President for Human Resources (Employees).
10 business days from date Final Determination of Responsibility OR date that recording of hearing provided, whichever is later.	Submit a complete Request for Title IX Appeal form (optional).	1) Title IX Coordinator, 2) Hearing Officer, and 3) Decision Maker.