

## PROCEDURES FOR THE RESOLUTION OF REPORTS OF GENDER-BASED MISCONDUCT AGAINST STUDENTS

The report is determined to be within the scope of the Title IX Office's policies.

Complainant requests the College use the gender-based misconduct procedures to adjudicate the alleged conduct violation, initiating the Procedures for the Resolution of Reports of Gender-based Misconduct Against Students:

**1 // FORMAL COMPLAINT:** A Formal Complaint is a written, signed summary of the alleged misconduct. This Formal Complaint includes the alleged policy violation(s), the name of the complaining party (Complainant), the name of the individual accused of misconduct (Respondent), and information about when the alleged misconduct happened.

**2 // NOTICE OF ALLEGATION:** The Title IX Coordinator will draft and provide the Notice of Allegations to the party or parties alleged to have engaged in the prohibited conduct.

**3 // THE ROLE OF ADVISORS IS COMMUNICATED TO THE PARTIES:** Each party selects their own advisor. If a student does not have an advisor, one will be appointed by the College.

**4 // INVESTIGATION:** A team of trained investigators (generally two people) is appointed by the Title IX Coordinator.

- a. Investigators conduct interviews with Complainant, Respondent, and any witnesses deemed relevant and appropriate.
- b. Relevant documentary evidence (photos, videos, texts messages, reports, phone records, etc.) are submitted to and reviewed by investigators.
- c. Investigators provide a written interview summary to each party for corrections, clarifications, or comments after each interview.
- d. The Complainant and Respondent are given the opportunity to respond to information provided by other parties, including witnesses, and propose additional questions.
- e. Post-investigation/pre-hearing, the parties review a draft investigative record and comment on it, in writing, before it is finalized by the investigators.
- f. Investigators prepare an investigative report; parties review the final report and have the opportunity to provide comments on it prior to the hearing.

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**5 // PRE-HEARING: A 3-person panel is appointed by the Title IX Coordinator from a pool of trained panelists, after ensuring no conflicts or conflicts of interest exist among panelists and the parties.**

- a. Parties are asked to submit in writing prior to the hearing: (1) opening statements; and (2) names of requested witnesses and proposed questions or topics they would like explored during cross-examination, including those they would like directed toward themselves.
- b. Parties will be provided with a tentative witness list and will have another opportunity to provide written questions or topics for individuals who may testify.

**6 // HEARING:**

- a. Hearing Chair explains the hearing process, explains procedural functions and answers questions. Written opening statements are reviewed by the panelists. Parties are not permitted to directly address each other at any time.
- b. The Hearing Panel and Chair will question parties to the complaint, as well as relevant witnesses.
- c. Party is permitted to make a closing statement orally or in writing.
- d. Deliberations by the panel begin.
- e. Using a preponderance of the evidence standard, the panel deliberates and votes to determine responsibility or non-responsibility.

**7 // OUTCOME: Parties are notified in writing, usually within ten (10) calendar days of the hearing, of the determination including, if appropriate, sanctions.**

**8 // ONCE WRITTEN NOTICE IS RECEIVED, BOTH PARTIES HAVE 10 CALENDAR DAYS TO APPEAL A DECISION.**

## **CONTACT**

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