



## University Senate TRANSMITTAL FORM

<b>Senate Document #:</b>	14-15-16
<b>Title:</b>	Review of the Interim Sexual Misconduct Student Procedures
<b>Presenter:</b>	Ed Kenny, Chair, Senate Student Conduct Committee (SCC)
<b>Date of SEC Review:</b>	April 19, 2016
<b>Date of Senate Review:</b>	April 28, 2016
<b>Voting (highlight one):</b>	<ol style="list-style-type: none"> <li>1. On resolutions or recommendations one by one, or</li> <li>2. In a single vote</li> <li>3. To endorse entire report</li> </ol>
<b>Statement of Issue:</b>	<p>In fall 2014, the Office of Civil Rights &amp; Sexual Misconduct (OCRSM) and the University administration worked together to develop interim procedures for resolving complaints of sexual misconduct brought against students at the University. The procedures were approved on an interim basis in October 2014 and were subsequently sent to the Senate for review. On November 11, 2014, the Senate Executive Committee (SEC) charged the Student Conduct Committee (SCC) with review of the interim University of Maryland Student Sexual Misconduct Investigation &amp; Adjudication Procedures, Appendix A of the of the University of Maryland Sexual Misconduct Policy. The SEC asked the SCC to make recommendations on whether the interim procedures were appropriate for the University.</p>
<b>Relevant Policy # &amp; URL:</b>	<p>VI-1.60(A) University of Maryland Sexual Misconduct Policy &amp; Procedures – Appendix A  <a href="http://umd.edu/policies/docs/VI-160A.pdf">http://umd.edu/policies/docs/VI-160A.pdf</a></p>
<b>Recommendation:</b>	<p>The Student Conduct Committee recommends that the Student Sexual Misconduct Complaint Procedures (Appendix A of VI-1.60[A] University of Maryland Sexual Misconduct Policy &amp; Procedures) be amended as indicated in the procedures document immediately following the committee’s report.</p>
<b>Committee Work:</b>	<p>The SCC began reviewing its charge during the fall 2014 semester. The SCC met with the Title IX Officer to discuss the interim Student Procedures. The SCC consulted extensively with the Director of Student Conduct, and reviewed guidance from the White House Task Force to Protect Students from Sexual Assault on what should be included in campus policies and procedures.</p>

	<p>The SCC also sought to remain apprised of concurring revisions to the Sexual Misconduct Procedures for faculty and staff through the parallel processes in the Senate Faculty Affairs and Staff Affairs Committees. Over the course of the 2014-2015 academic year, the SCC developed a number of potential revisions for the interim procedures. The SCC reviewed research from a sampling of peer universities. Because of the complexity of the issue and the detailed discussions needed for adequate review of the interim procedures, the SCC submitted a request for a deadline extension, which was approved by the SEC in March 2015.</p> <p>In fall 2015, the Senate Office received word that the OCRSM and the administration were developing revised versions of all three sets of the interim procedures. Revised procedures for students were approved by the President on an interim basis on October 1, 2015. The SCC reviewed the new interim student procedures, and focused on a number of areas of change in the procedures, which it discussed thoroughly.</p> <p>After final review, the SCC approved the revised Student Sexual Misconduct Complaint Procedures via an email vote ending November 16, 2015. The SCC sent its recommendations forward for review by the SEC. However, at the same time, the Office of the Attorney General (OAG) of the State of Maryland determined that it needed to conduct a holistic review of all policies and procedures related to sexual misconduct at all University System of Maryland (USM) institutions. As a result, the procedures developed by the SCC were not sent to the Senate for review. In March 2016, after extensive consultation between the OAG, the OGC, and the OCRSM, the Senate Office received revised interim procedures for review.</p> <p>The SCC reviewed the revised interim procedures during March 2016. The SCC discussed various areas of the procedures, including changes to the Appeals process. After consultation with the OGC and OCRSM, and after deliberation as a committee, the SCC voted to approve its proposed revisions to the new interim procedures via an email vote, concluding April 11, 2016.</p>
<b>Alternatives:</b>	The Senate could reject the recommendations. However, the Senate would lose an opportunity to revise the Student Sexual Misconduct Complaint Procedures.
<b>Risks:</b>	There are no associated risks.
<b>Financial Implications:</b>	There are no financial implications.
<b>Further Approvals Required:</b>	Senate approval, Presidential approval.

# **Senate Student Conduct Committee (SCC)**

## **Report on Senate Document # 14-15-16**

### **Review of the Interim Sexual Misconduct Student Procedures**

**April 2016**

#### **2015-2016 Student Conduct Committee Members**

Ed Kenny, Chair

Andrea Goodwin, Ex-Officio, Director of Student Conduct (non-voting)

Katherine Izsak, Faculty

Gideon Mark, Faculty

Jason Speck, Faculty

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Francisco Cervantes Constantino, Graduate Student

Daniella Berger, Undergraduate Student

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## **BACKGROUND**

In fall 2014, the Office of Civil Rights & Sexual Misconduct (OCRSM) and the University administration worked together to develop interim procedures for resolving complaints of sexual misconduct brought against students at the University. The procedures were approved on an interim basis in October 2014 and were subsequently sent to the Senate for review.

On November 11, 2014, in conjunction with the Senate's review of the interim University of Maryland Sexual Misconduct Policy (Senate Doc. 14-15-11), the Senate Executive Committee (SEC) charged the Student Conduct Committee (SCC) with review of the interim University of Maryland Student Sexual Misconduct Investigation & Adjudication Procedures, which appeared as Appendix A of the of the University of Maryland Sexual Misconduct Policy. The SEC asked the SCC to make recommendations on whether the interim procedures were appropriate for the University (Appendix 1).

## **COMMITTEE WORK**

The SCC began reviewing this charge during the fall 2014 semester. The SCC initially met with the Title IX Officer of the OCRSM on February 13, 2015 to discuss the interim Student Sexual Misconduct Investigation & Adjudication Procedures. Throughout its review process, the SCC consulted extensively with the Director of Student Conduct, and reviewed guidance from the White House Task Force to Protect Students from Sexual Assault on what should be included in campus policies and procedures (Appendix 2). The committee also sought to remain apprised of concurring revisions to the Sexual Misconduct Procedures for faculty and staff through the parallel processes in the Senate Faculty Affairs and Staff Affairs Committees, which began in the spring 2015 semester.

The interim procedures were presented to the committee as a hybrid between an investigative model and an adjudication model that attempted to combine aspects of both models into a set of procedures that would emphasize the capacity and skills of the OCRSM, while promoting transparency and due process. The SCC noted that the interim procedures clarified roles of certain individuals and units on campus, in order to encourage checks and balances throughout the process. The interim procedures also introduced a Standing Review Committee (SRC), which is a specialized group of faculty, staff, and students on campus who have received specialized, on-going training on sexual misconduct and investigation processes. The interim procedures also emphasized that any Advisors in the process are not allowed to address the SRC or speak on behalf of the parties. The SCC carefully reviewed the interim procedures and the processes described within. The SCC also considered how complaints of sexual misconduct had previously be handled by the University under the *Code of Student Conduct*. In addition, the SCC reviewed all of the comments gathered by the Senate Equity, Diversity, & Inclusion (EDI) Committee from the two open Town Hall Forums that it hosted during its review of the Sexual Misconduct Policy.

Over the course of the 2014-2015 academic year, the SCC developed a number of potential revisions for the interim procedures. Many of the edits were technical in nature, but the committee also had lengthy discussions on certain aspects of the interim procedures, including the facets of the Voluntary Resolution stage, the 18-year-old age restriction on the Support Person for the parties, the training of the SRC members and the Special Investigator, the absence of cross-examination during the SRC Conference, the inability for the parties to receive copies of the draft Investigation Report, the removal of appellate responsibilities for these cases from the SCC, and the limited grounds for appeal as compared with the grounds for appeal available under the *Code of Student Conduct* via the University Student Judiciary (USJ) Honor Board process for other alleged acts of misconduct.

In spring 2015, the SCC reviewed research from a sampling of universities in the Big Ten Conference and other peer institutions, as gathered by the Senate Office. The SCC looked at information about similar

student procedures at Michigan State University, the University of Illinois at Urbana-Champaign, the University of North Carolina at Chapel Hill (UNC), the University of California, Los Angeles (UCLA), and the University of Wisconsin–Madison. The SCC focused on a number of areas, including:

1. How complaints of sexual misconduct are received (e.g., how the Respondent is informed; what is involved with the intake process; what interim protective measures are available),
2. How complaints of sexual misconduct are investigated (e.g., whether there are internal or external investigators, how many investigators are involved, whether students can read the investigative reports),
3. How complaints of sexual misconduct are reviewed (e.g., whether there is a review committee; how the committee is comprised; whether the parties are allowed to address the committee during the proceedings; whether cross-examination is allowed),
4. What the representation options are for the parties (e.g., whether students can have an attorney advisor present; whether attorneys can address the investigator or the review committee),
5. How appeals are handled (e.g., who can submit an appeal and when; on what grounds an appeal can be made; who hears the appeal),
6. How the sanctioning options and final resolution stage are structured (e.g., what is denoted on a student's transcript if they are found responsible for violating a sexual misconduct policy), and
7. What type of policy document describes the prohibition of sexual misconduct, and which office is in charge with adjudication responsibilities.

Because of the complexity of the issue and the detailed discussions needed for adequate review of the interim procedures, the SCC submitted a request for a deadline extension in March 2015 (Appendix 3). The SEC reviewed the extension request from the SCC at its meeting on March 24, 2015. The SEC voted in favor of granting the extension request. The new deadline was set for November 2015, which coincided with the deadlines of the Faculty Affairs and Student Staff Committees.

In fall 2015, the Senate Office received word that the OCRSM and the administration were developing revised versions of all three sets of interim procedures. During the spring and summer months, while using the interim procedures, the OCRSM found that there were ways in which the process could be improved, and determined that immediate changes were needed in order to streamline processes. Revised procedures for students were approved by the President on an interim basis on October 1, 2015 (Appendix 4). The new interim procedures were re-named as the Student Sexual Misconduct Complaint Procedures. The 2015-2016 SCC immediately began reviewing these new interim procedures by comparing them with the previous version, in order to examine how many of the committee's anticipated edits were incorporated and to see where any differences existed.

The SCC noted a number of differences in the new interim process, including a reorganization of the document, the removal of the Definitions section, more specificity on roles and responsibilities of various units and entities, as well as other edits for clarity of process. There were also substantive changes to the sanctioning process, the roles of the SRC and the SCC in particular, and the grounds for appeal. The SCC held an additional meeting with the Title IX Officer to discuss the new interim procedures and the substantive changes that had been made. As a result, the SCC developed new revisions and revisited some previous discussions to ensure that it conducted as thorough a review as possible.

After final discussion of the procedures as edited by the committee, the SCC approved the revised Student Sexual Misconduct Complaint Procedures via an email vote ending Monday, November 16, 2015. The SCC sent its recommendations forward for review by the SEC. However, at the same time, the Office of the Attorney General (OAG) of the State of Maryland determined that it needed to conduct a holistic review of all policies and procedures related to sexual misconduct at all University System of Maryland (USM) institutions. As a result, the procedures developed by the Faculty Affairs Committee were not sent to the Senate for review. In March 2016, after extensive consultation between the OAG, the Office of

General Counsel (OGC), and the OCRSM, the Senate Office received revised interim procedures for review (Appendix 5).

During spring 2016, the SCC met with representatives from the OGC and the OCRSM and learned that the revised procedures have been changed so that they are better organized and more clearly define the two phases of the University's Title IX response to a complaint of sexual misconduct: the Investigation Phase and the Adjudication Phase. The SCC also learned that the revised procedures more clearly define what happens when an investigation results in a recommendation of no policy violation, and what the Complainant's rights are in such a situation. The revised procedures had also been edited to clarify when a complaint is handled by disciplinary conference, and when a complaint goes to an SRC for review; it was explained that this provided a practical approach to how these cases are handled, and addresses procedural and practical challenges that the OCRSM had encountered under the current procedures. In addition, the SCC learned that the revised procedures clarify how Alternative Resolution works and when it is appropriate, and the procedures clarify in each phases, at each juncture, who is making decisions and when. Lastly, it was explained to the SCC that references to the President were removed from the process, so that the President is no longer involved in reviewing or signing off on expulsions, which is best practice amongst universities nationwide.

The committee considered all of the changes to the procedures, and compared the revised document to the version that the committee had sent forward in November 2015. The SCC identified a number of additional changes to the procedures, including modifications to the Adjudication and Appeal sections, as well as technical and minor changes throughout.

After consultation with the OGC and OCRSM, and after deliberation as a committee, the SCC voted to approve its proposed revisions to the new interim procedures via an email vote, concluding April 11, 2016.

## **RECOMMENDATIONS**

The Student Conduct Committee recommends that the Student Sexual Misconduct Complaint Procedures (Appendix A of VI-1.60[A] University of Maryland Sexual Misconduct Policy & Procedures) be amended as indicated in the procedures document immediately following this report.

## **APPENDICES**

Appendix 1 – Charge from the Senate Executive Committee on the Review of the Interim Sexual Misconduct Staff Procedures (dated November 11, 2014)

Appendix 2 – White House Task Force Checklist for Campus Sexual Misconduct Policies

Appendix 3 – Extension Request from the Student Conduct Committee (dated March 13, 2015)

Appendix 4 – Interim Student Sexual Misconduct Complaint Procedures (approved on interim basis on October 1, 2015)

Appendix 5 – Revised Student Sexual Misconduct Complaint Procedures (approved on an interim basis on March 21, 2016)

# APPENDIX A: STUDENT SEXUAL MISCONDUCT COMPLAINT PROCEDURES

Recommended Changes to the Interim Student Sexual Misconduct Complaint Procedures  
New Text in Blue/Bold (**example**), Removed Text in Red/Strikeout (~~example~~), Moved Text in Green (**example**)

## I. Overview

## II. Rights to Support Person and Advisor

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## XII. Post-Resolution Follow-Up

## APPENDIX A: STUDENT SEXUAL MISCONDUCT COMPLAINT PROCEDURES

### I. OVERVIEW

These procedures (“**Student Procedures**”) set forth in Appendix A accompany the University of Maryland (UMD) Sexual Misconduct Policy (the “Policy”) and are the exclusive procedures that govern the handling of all reports or complaints of **Sexual Misconduct** against UMD students. Key terms used herein are defined in the Policy. For example, **Sexual Misconduct** is an umbrella term defined in the Policy that encompasses **Dating Violence**, **Domestic Violence**, **Sexual Violence**, **Sexual Harassment**, **Sexual Assault**, **Sexual Exploitation**, **Sexual Intimidation**, **Relationship Violence**, and **Stalking**.

Both the Complainant and Respondent may participate or decline to participate in the complaint process. As appropriate, the Title IX Officer and the Director of Student Conduct will determine whether the Investigation and University Resolution processes will proceed without the participation by one or both parties. A lack of participation by a party does not necessarily preclude a finding of a Policy violation or the imposition of appropriate disciplinary action.

Reference herein to the Title IX Officer includes the Director of the Office of Civil Rights and Sexual Misconduct (**OCRSM**) and designees. Reference herein to the Director of Student Conduct includes the Assistant Director of Resident Life for Student Conduct in the Office of Rights and Responsibilities (**R&R**) and designees.

### II. RIGHTS TO SUPPORT PERSON AND ADVISOR

Throughout the process, any party may be accompanied to any meeting related to an investigation and resolution of a complaint by up to two (2) other people: (1) a Support Person, and/or (2) an Advisor. Meetings include, but are not limited to, the following meetings concerning a report: meetings with **the OCRSM**, meetings with **the Office of Student Conduct (OSC)**, investigative interviews, document reviews, Disciplinary Conferences with the Director of Student Conduct, Standing Review Committee (**SRC**) Conferences, **Alternative Resolutions**, and sanction meetings.

#### A. Support Person

A party may choose to be assisted by a Support Person of their choice, at their own initiation and expense. A Support Person is someone who can provide emotional, logistical, or other kinds of assistance. The Support Person cannot be a witness or provide evidence in the case. The Support Person is a non-participant who is present to assist a Complainant or Respondent by taking notes, providing emotional support and reassurance, organizing documentation, or consulting directly with the party in a way that does not disrupt or cause any delay. A Support Person shall not be an active participant and the parties must speak for themselves.

#### B. Advisor

A party may choose to be assisted by an Advisor of their choice, including an attorney, at their own initiation and expense. The Advisor is a non-participant who is present to provide advice and consultation to a party. An Advisor cannot be a witness or provide evidence in a case. If necessary, a party may request a recess in order to speak privately with an Advisor. An Advisor shall not be an active participant. The parties must speak for themselves. An Advisor may not delay, or otherwise interfere with, the University’s process.

#### C. Party Obligations



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Throughout the process, ~~University staff and participants~~ **the Title IX Officer or designee, Investigator(s), and other University representatives** will communicate and correspond directly with the parties, not through a Support Person or Advisor. Parties are responsible for ~~having~~ **ensuring that** Support Persons and Advisors follow the non-party participation requirements below. When a party wishes to have a Support Person or Advisor accompany them to a meeting, the ~~individual party~~ must notify **the OCRSM or the OSC** in advance. Parties are also responsible for making sure appropriate authorization exists (**e.g., authorization related to FERPA**) for the University to communicate ~~the~~ non-party participation requirements below to any Support Person or Advisor.

### D. Non-Party Participant Requirements

All Support Persons and Advisors must review the materials about the scope of their respective roles, prior to accompanying a party to any meeting or other activity. These materials may be obtained from the OSC, or online at the OCRSM website, [www.umd.edu/ocrsm/](http://www.umd.edu/ocrsm/). This is to ensure the Support Persons and Advisors are informed about the process and their respective roles. All parties, Support Persons, and Advisors are expected to understand their roles and adhere to the University's expectations regarding decorum and privacy considerations.

## III. REPORTING

Complaints and other reports of ~~sSexual m~~**Sexual Misconduct** against a student may be made to the following:

- The Office of Civil Rights & Sexual Misconduct (OCRSM),
- The Office of Student Conduct (OSC), or
- The Department of Resident Life, Office of Rights and Responsibilities (R&R).

**Reports may also be made to any Responsible University Employee (RUE). An RUE, as defined by the Policy, includes all University administrators, supervisors in non-confidential roles, faculty members, campus police, coaches, athletic trainers, resident assistants, and non-confidential first responders. RUEs are required to share all reports of Sexual Misconduct they receive promptly with the Title IX Officer or designee.**

Prompt reporting of Prohibited Conduct is encouraged so that the University can take immediate and corrective action to eliminate the misconduct, prevent its recurrence, and address its effects. The University will provide support and assistance to the Complainant and respond according to the steps outlined in these Student Procedures. Upon receipt of any report, the Title IX Officer will make an immediate assessment of the risk of harm to the parties or to the ~~campus~~ **University** community and will take steps necessary to address any risks. These steps may include working with ~~the~~ OSC and other campus offices to facilitate Interim Protective Measures that provide for the safety of the parties and the ~~campus~~ **University** community, when appropriate.

A Complainant may choose to make a report to the University to pursue resolution under these **Student Procedures**, and may also choose to make a report to law enforcement. A Complainant may pursue either of these options or both options at the same time. The criminal process and the University's internal process under these Student Procedures are separate and independent. A Complainant who wishes to pursue criminal action should contact campus police or external law enforcement directly. See Policy ~~S~~**Section VII** for more information on criminal reporting.

The University recognizes that deciding whether to report ~~sSexual m~~**Sexual Misconduct** and proceed with a formal complaint under these Student Procedures is a personal decision that may evolve over time. While

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prompt reporting is strongly encouraged, there is no time limit for reporting ~~a complaint of s~~Sexual ~~m~~Misconduct. The OCRSM and the OSC will coordinate to provide support and assistance to each Complainant in making important decisions related to reports of sSexual ~~m~~Misconduct. Consistent with the goal of safety for all community members, the University will make every effort to respect a Complainant's autonomy in making their own personal decisions after reporting sSexual ~~m~~Misconduct. ~~However, w~~When appropriate, the University, through the OCRSM, retains the right to initiate a formal complaint on its own, independent of any individual's decision as to how they wish to proceed.

### IV. COMPLAINT INTAKE PROCESS

#### A. Notification to the Complainant

Upon receipt of a complaint, the OCRSM will ensure that the Complainant is provided with a copy of the Policy and Student Procedures and informed of their rights and responsibilities. Either the OSC or the OCRSM will provide information to the Complainant about the University's internal, administrative complaint process and review with them their respective rights and responsibilities. The Complainant will be informed of available community and campus resources and services; their right to a Support Person and the Support Person's role; their right to an Advisor and the Advisor's role; their right to file a report with law enforcement, ~~or not~~; and the University's prohibition against retaliation. The Complainant will have an opportunity to ask questions and seek additional information.

#### B. Requests for Confidentiality

When ~~re~~ possible, the OCRSM will take action consistent with the Complainant's expressed wishes regarding confidentiality. The University's ability to fully investigate and respond to a complaint may be limited if the Complainant requests that their name not be disclosed to the Respondent or declines to participate in an Investigation. ~~When~~ **If** a Complainant requests their name or other identifiable information not be disclosed and/or that no further action be taken, the Title IX Officer will seek to honor such requests, balancing the Complainant's wishes for confidentiality with the University's obligation to provide a safe and non-discriminatory environment for all members of the University community. The University retains the right to proceed with a complaint as necessary to meet its obligations, ~~and~~, in some cases, would not be able to honor a request for confidentiality.

#### C. Initial Assessment of Complaint

When the University receives a complaint, the OCRSM will conduct an Initial Assessment. The Initial Assessment will determine whether the reported conduct constitutes a potential violation of the Policy, ~~and if~~ **whether** further action is warranted based on the reported conduct, **and whether the University has jurisdiction over the parties.**

The first step in the Initial Assessment is a preliminary meeting between the Complainant and the OCRSM and/or the OSC to gather information that will enable the OCRSM, in consultation with other offices, as appropriate, to:

- Assess the nature and circumstances reported in the complaint;
- Assess the safety of the Complainant and of the **campus University** community;
- Implement any appropriate **i**nterim **p**rotective **m**asures;
- Assess for pattern evidence or other similar conduct by the Respondent as relevant to the safety assessment;

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- Assess the Complainant's expressed preference regarding resolution, including any request that no further action be taken;
- Assess any request by the Complainant for confidentiality or anonymity; and
- Assess the reported conduct for possible referral to the University of Maryland Police Department (UMPD) for a timely warning under the Clery Act.

At the conclusion of the Initial Assessment, the OCRSM will determine the appropriate next steps, including but not limited to: no further action, the imposition of Interim **Protective** Measures, Alternative Resolution, and/or proceeding with an investigation.

When the Initial Assessment determines the reported conduct does not constitute a potential violation under the **is** Policy, but may violate other University policy, the complaint may be referred to another appropriate University official for review and resolution.

When ~~re~~ the Initial Assessment **determines the alleged reported conduct does constitute a potential violation under the Policy, but** reveals that the University lacks jurisdiction over the Respondent, the University will take available and reasonable steps to address the Sexual Misconduct, prevent its recurrence, and address its effects at the University.

### D. Interim Protective Measures

Based on the nature and circumstances of the complaint, the Director of Student Conduct, after consultation with the Title IX Officer, may authorize ~~i~~Interim ~~p~~Protective ~~m~~Measures to ensure the safety and well-being of the Complainant and others in the ~~campus~~ **University** community, as appropriate. The Director of Student Conduct will promptly inform the Respondent (if they are a member of the University community) of any ~~i~~Interim ~~p~~Protective ~~m~~Measures that will directly impact the Respondent and provide an opportunity for the Respondent to respond.

The Director of Student Conduct retains discretion to impose and/or modify any ~~i~~Interim ~~p~~Protective ~~m~~Measures based on all available information. Interim ~~p~~Protective ~~m~~Measures will remain in effect until the University's final resolution of the ~~s~~Sexual ~~m~~Misconduct complaint. **Interim Protective Measures may be made permanent, as needed, after adjudication.** A party may challenge the imposition of ~~i~~Interim ~~p~~Protective ~~m~~Measures, or a decision not to impose ~~i~~Interim ~~p~~Protective ~~m~~Measures, by contacting the Director of Student Conduct to address any concerns. Information about ~~i~~Interim ~~p~~Protective ~~m~~Measures can be found on pages ~~11~~-12 of the Policy.

## V. RESOLUTION PROCESSES

### A. Timeframe for Resolution

Consistent with the goal of maximizing educational opportunities, remedying the effects of Prohibited Conduct and promoting campus safety while minimizing the possible disruptive nature of the process, the OCRSM and **the** OSC will strive to resolve all complaints within sixty (60) business days of receipt. In general, the investigation phase may last approximately four to five weeks and the adjudication phase may last approximately another four to five weeks. Good faith efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with the importance of resolving complaints in a timely and expeditious manner. The Title IX Officer may extend the general time frames for the completion of required actions. If such an extension occurs, the parties will be notified in writing by the OCRSM or **the** OSC.

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### B. Alternative Resolution Process

~~In some cases, the Complainant may seek Alternative Resolution in lieu of investigation and adjudication.~~ Alternative Resolution is a process whereby remedies and interventions may serve to address the alleged Prohibited Conduct without proceeding to an investigation **and adjudication**. Alternative Resolution is not appropriate for complaints involving ~~sSexual vViolence~~, including ~~sSexual aAssault~~. **Neither party is required to accept responsibility for the alleged Prohibited Conduct in order to proceed with Alternative Resolution.** ~~The parties~~ **Either party** may decide not to proceed with Alternative Resolution and may request an investigation and adjudication at any time.

The Title IX Officer has the discretion to determine whether a complaint is appropriate for Alternative Resolution and retains discretion to terminate an ongoing Alternative Resolution process at any time.

The purpose of Alternative Resolution is to take appropriate action by imposing individual and community interventions and remedies designed to maximize the Complainant's access to educational, extra-curricular, and/or employment activities at the University; **and/or to address the effects of the conduct on the larger University community**. Any combination of interventions and remedies may be utilized, including but not limited to:

- Increased monitoring, supervision, and/or security at locations or activities where the Prohibited Conduct occurred or is likely to reoccur;
- Targeted or broad-based educational programming or training for relevant individuals or groups;
- Academic and/or housing modifications for Student Complainants;
- Workplace modifications for Complainants;
- Completion of projects, programs, or requirements designed to help the **Respondent** manage behavior, refrain from engaging in Prohibited Conduct and understand why the Prohibited Conduct is prohibited;
- Compliance with orders of no contact that limit access to specific University **buildings or** areas or forms of contact with particular persons; and
- Completion of up to sixty (60) hours of community service over a period not to exceed twelve (12) weeks under guidelines established by **the** OCRSM in consultation with the OSC.

The imposition of remedies or interventions obtained through Alternative Resolution may be achieved by an agreement acceptable to the parties and University. **The OCRSM will work with the Director of Student Conduct to facilitate the development of this agreement.** In such cases **where an agreement is reached**, the terms of the agreement are implemented and the matter is resolved and closed. In cases where an agreement is not reached, and the Title IX Officer determines that further action is necessary, or if a Respondent fails to comply with the terms of the Alternative Resolution, the matter may be referred for ~~I~~investigation and ~~A~~adjudication under these **Student** Procedures.

Where the Complainant, ~~and~~ Respondent, and **the** University have reached an Alternative Resolution agreement, the parties will be provided **with** a written ~~notice of the outcome~~ **copy of the agreement**. **Entering into Alternative Resolution and signing an agreement does not mean that the Respondent admits responsibility; nor does it mean that there has been a finding of a Policy violation.** The Title IX Officer will maintain all records of matters referred for Alternative Resolution.

### C. Investigation Process

When the Initial Assessment determines the University has jurisdiction over the Respondent and the alleged conduct, and where Alternative Resolution is not appropriate, an investigation will occur.

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### 1. Standard of Review

In making a determination about whether a Policy violation has occurred, the standard of review is preponderance of the evidence. A preponderance of the evidence means “it is more likely than not.” Thus, at the conclusion of the investigation phase, a recommended finding will be made ~~to as to whether,~~ based on the information gathered, **that** it is more likely than not that the reported conduct **occurred and that it** constituted Prohibited Conduct in violation of the Policy.

### 2. Preliminary Meeting

Prior to an investigation, the OCRSM and/or **the** OSC will notify both parties and require their attendance (separately) at a preliminary meeting with **the** OSC. The purpose of the meeting is to ensure students are provided adequate information about the investigation and adjudication process, and have an opportunity to ask and receive answers to any questions they may have. When a party does not attend the preliminary meeting with **the** OSC, the University shall proceed with an investigation, noting the party’s lack of attendance at the preliminary meeting.

#### a. Notice of Potential Policy Violation and Investigation

At the preliminary meeting, the Respondent will be informed verbally and in writing of: the circumstances of the alleged incident (which generally will include, to the extent known, the name of the Complainant and the date, time, and location), the Prohibited Conduct alleged as defined by the Policy, and the range of potential sanctions associated with the Prohibited Conduct. If a Respondent does not attend the preliminary meeting, the University will provide the Respondent with the information in writing. A copy of the Notice of Potential Policy Violation and Investigation will also be provided to the Complainant.

Both parties will also be informed during the preliminary meeting that they will have an opportunity to be heard regarding the complaint during the investigation process, including the opportunity to be heard during an interview with an **i**nvestigator regarding the alleged **s**exual **m**isconduct.

#### b. Notice of Rights and Responsibilities

Both parties will be provided with a copy of the Policy and Student Procedures and informed verbally (if present at the Preliminary Meeting) and in writing of their rights and responsibilities pursuant to the Policy. This includes but is not limited to: no contact directives (and provided a copy), prohibitions against retaliation and guidance about reporting any retaliatory conduct, and available community and campus resources and services.

### 3. Role of the Investigator

The Title IX Officer will designate an Investigator(s) from the OCRSM and/or an external **i**nvestigator to conduct a prompt, thorough, fair, and impartial investigation. All **i**nvestigators will receive annual training on issues related to sexual and gender-based harassment, **s**exual **a**ssault, **d**ating **v**iolence, **d**omestic **v**iolence, and **s**talking. **The training will also include and** how to conduct a fair and impartial investigation that provides parties with notice and a meaningful opportunity to be heard, **as well as how to and** protects the safety of **e**complainants and the University community while promoting accountability.

### 4. Overview of the Investigation

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The investigation is an impartial fact-gathering process. It is an important stage of the process in which both parties have an opportunity to be heard regarding the complaint. During the investigation the parties will each have an opportunity to meet and speak with the Investigator, provide any relevant information about the reported conduct, and identify persons they believe the Investigator should speak with because they have relevant information. The Investigator will speak separately with both parties and any other individuals who may have relevant information. The Investigator will also gather any available physical evidence or documents, including prior statements by the parties or witnesses, communications between the parties, email messages, **text messages**, social media materials, and other records, as appropriate and available.

### **a. Special Considerations**

Information related to the prior sexual history of either party is generally not relevant to the determination of a Policy violation. However, prior sexual history between the parties may be relevant in very limited circumstances. For example, where there was a prior or ongoing consensual relationship between the parties, and where Consent is at issue in the case at hand, evidence as to the parties' prior sexual history as it relates to Consent may be relevant to assess the manner and nature of communications between the parties. As noted in the Policy, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute Consent. Sexual history will never be used for purposes of illustrating either party's individual character or reputation. The Investigator will determine the relevance of prior sexual history and inform the parties if information about the parties' sexual history with each other is deemed relevant.

At the discretion of the OCRSM, multiple reports may be consolidated in one investigation if the information related to each incident is relevant in reaching a determination. Matters may be consolidated where they involve multiple Complainants, multiple Respondents, or related conduct involving the same parties, provided that it does not delay the prompt investigation and resolution of complaints.

### **b. Draft Report**

At the conclusion of the investigation, the Investigator will draft a written investigation report that summarizes the information gathered (including, but not limited to, the names of witnesses and summaries of their statements), and synthesizes the areas of agreement and disagreement between the parties.

### **c. Notice of Opportunity to Review the Draft Investigation Report**

Before the investigation report is finalized, the parties will be given an opportunity to review and respond to the draft report. Upon receipt of notice to review the draft report, the parties will each have five (5) business days to review the report and all underlying documents and submit comments, information, and/or **ask** questions **to the Investigator(s)**. If there is any new or additional information to be provided by either party, it must be presented to the Investigator at this time. If further investigation is warranted based on the comments, information, and/or questions provided during the review period, the Investigator will continue the investigation, as needed.

### **d. Final Investigation Report**

Upon timely receipt of any additional information or comments from the parties or after the five (5) business day comment period has lapsed with no comments provided, and the investigation is complete, the Investigator will finalize the investigation report. The final investigation report will include **a summary of** all relevant information obtained in the course of the investigation, **an analysis and** proposed findings of material fact, and a recommendation by the Investigator as to whether the information gathered establishes, by a preponderance of the evidence, a potential Policy violation by the Respondent.

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Both parties will be contacted by the OSC, and directed to contact **the** OSC to schedule separate meetings with the Director of Student Conduct to discuss next steps.

### VI. ADJUDICATION

#### A. Meeting with Director of Student Conduct

The Director of Student Conduct will meet separately with each party to explain next steps and provide each party with a confidential copy of the final investigation report, including all attachments.

- When an investigation concludes with a recommended finding of a **p**Policy violation, and **either** expulsion or suspension is a possible sanction, the matter will be referred automatically to the Standing Review Committee (SRC) for an administrative determination of the initial outcome.
- **When an investigation concludes with a recommended finding of a Policy violation, and neither expulsion nor suspension is a possible sanction, the OSC will resolve the Complaint by facilitating a Disciplinary Conference.**
- ~~For all other recommendations, including those of~~ **In all cases when an investigation concludes with a finding of no p**Policy violation, the OSC will resolve the Complaint by facilitating a Disciplinary Conference.
- ~~Determinations by the SRC or by OSC in a Disciplinary Conference shall be based on the preponderance of the evidence.~~

At the meeting, the Director of Student Conduct will explain the relevant process to each party, and inform each party of the date and time of the SRC Conference or Disciplinary Conference.

Each party will be allowed five (5) business days to submit a written response to the **F**final **I**investigation **R**report, which will be considered by the respective reviewer, i.e., the SRC or **the** Director of Student Conduct during the SRC or Disciplinary Conference process, as appropriate. All written responses will be shared with the other party prior to the SRC review or Disciplinary Conference.

In order to protect the privacy of all individuals involved, all materials shared with the parties are considered confidential and should not be publicly disclosed or released.

#### B. Disciplinary Conference

The Director of Student Conduct facilitates Disciplinary Conferences. Each party will be given an opportunity to speak separately to the Director of Student Conduct in person and respond to the information presented in the final investigation report. The Director of Student Conduct will consider any written response to the final investigation report submitted by the parties before issuing a decision.

The Disciplinary Conference decision shall be in writing, and will include Policy violation findings and a rationale for the decision. The Disciplinary Conference Decision shall be issued to both the Complainant and Respondent.

**Determinations by the Director of Student Conduct in a Disciplinary Conference shall be based on the preponderance of the evidence.** In the event that the Director of Student Conduct finds that a Respondent is responsible for Prohibited Conduct, the Director of Student Conduct shall determine an appropriate sanction and/or remedy, as described in **S**section VII below.

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Before a sanction and/or remedy are issued, the parties shall have the opportunity to submit impact and mitigation statements, as described in Section VII below. Sanctions and remedies imposed as a result of a finding of responsibility for Prohibited Conduct after a Disciplinary Conference will not include expulsion or suspension. If either party disagrees with the outcome of the Disciplinary Conference, they may appeal pursuant to Section VIII below.

### C. Standing Review Committee (SRC) Conference

The role of the SRC is to review cases where a Policy violation could result in a sanction of suspension or expulsion. The SRC's role is to review all the available information, and determine, independent of the Investigator's recommendation, whether it is more likely than not that the reported Prohibited Conduct occurred, constituting a Policy violation.

The SRC is a five (5) member body composed of at least three (3) faculty or staff (at least one of whom is faculty) and at least one (1) student who receive on-going training to serve in this capacity, including a Chair who facilitates the conference. SRC members are obligated to disclose to the OSC any known conflicts prior to participating in any specific SRC Conference. Conflicts or familiarity with the individuals involved in the matter that are disclosed to the OSC will automatically disqualify an individual SRC member from participation in any particular review.

Both parties will be notified of the date, time, and location of the SRC Conference. If either or both parties are not in attendance, the SRC Conference may proceed. The parties are not required to participate and the SRC may not draw any adverse inference from a decision by either party not to participate. The Investigator is required to attend all SRC Conferences. The SRC and/or a party may request the attendance of witnesses who provided information to the Investigator.

The SRC Conference offers the parties an opportunity to address the SRC members, in person, about the allegations, and have their respective questions asked and answered. The parties may address any information in the final investigation report and supplemental responses. The parties may not directly question each other or any witness, but may submit written questions (to the SRC Chair) for the SRC to ask the Investigator, the other party, and/or any witnesses who are present. The SRC may exercise reasonable discretion to decline to ask questions submitted by the parties that are harassing, unnecessarily repetitive, or irrelevant.

#### 1. SRC Conference Format

The SRC Conference generally begins with the SRC Chair introducing the purpose of the conference, identifying all persons present, and then inviting the Investigator to summarize the Investigation and explain the evidence relevant to the alleged Prohibited Conduct in violation of the Policy. The SRC may pose questions directly to the Investigator, the parties, and any other witnesses. When the SRC has concluded its questioning, the Chair will invite the parties to submit written questions to be asked by the SRC of any of the witnesses, parties, or the Investigator. When all questioning is concluded, the parties will be given an opportunity to make brief closing statements. The SRC will then adjourn and the parties are excused.

If and when appropriate, the SRC, in its discretion, may suspend its review and request further investigation. Once the Investigator has concluded any further investigation, and if the recommendation by the Investigator is that there is sufficient evidence to support a finding of Prohibited Conduct in violation of the Policy (using a preponderance of the evidence standard), another SRC Conference will be scheduled. The OSC will use best efforts to complete this process as promptly as possible, and will notify the parties of the status, as appropriate.



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### 2. SRC Decision

The SRC will issue a written decision based on its review. The decision is determined by majority vote. The SRC decision will include findings of relevant fact and a finding as to whether the Respondent engaged in the Prohibited Conduct in violation of the Policy, or not (based on a preponderance of evidence standard).

If the SRC finds the Respondent responsible for a Policy violation by a preponderance of the evidence, the matter will proceed through the impact/mitigation statement phase, as well as the sanctioning phase below.

If the SRC does not find the Respondent responsible for a Policy violation based on a preponderance of the evidence, the Complainant may appeal the SRC Decision pursuant to section VIII below. If there is no appeal, the case is resolved, and notice of the final outcome will be issued.

### VII. REMEDIES AND SANCTIONS

Any Disciplinary Conference or SRC decision will be sent by the OSC to the parties. Where there is a finding of responsibility, both parties have the opportunity, within three (3) business days from the date of receipt of the decision, to submit statements for consideration by the Director of Student Conduct in determining an appropriate sanction.

#### A. Impact Statement and Mitigation Statements

The Complainant may submit a written **Impact Statement to the Director of Student Conduct** describing the impact of the Prohibited Conduct on the Complainant, ~~and/or request to meet with the Director of Student Conduct to provide their statement verbally.~~

The Respondent may submit a written **Mitigation Statement to the Director of Student Conduct** explaining any factors the Respondent believes should mitigate or otherwise be considered in determining the sanction(s), ~~and/or request to meet with the Director of Student Conduct to provide their statement verbally.~~

The Director of Student Conduct will consider any impact and mitigation statements in determining the remedies and sanctions to be imposed. The parties' respective statements will not be shared with the other party.

#### B. Remedies

The Title IX Officer, in consultation with the OSC, will identify reasonable short-term and/or long-term remedies to address the effects of the conduct on the Complainant, prevent its reoccurrence, restore the Complainant's safety and well-being, and maximize the Complainant's educational ~~and employment~~ opportunities. Such remedies seek to restore to the Complainant, to the extent possible and within reason, the benefits and opportunities lost as a result of the Prohibited Conduct.

The Title IX Officer may also identify remedies, such as training for specific audiences, to address the effects of the conduct on the larger University community.

Remedies include, but are not limited to:

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- **Supportive measures**, such as: extended classwork deadline, or flexible deadlines, change of venue for taking an exam, change in exam date, and/or retaking of an exam.
- **Academic accommodations** such as: retroactive drop from a particular class, retroactive withdrawal from a semester, policy exemption requests, and/or tuition reimbursement.
- **Additional remedies** such as: no contact orders, denial of access, housing accommodations, schedule changes, counseling and/or referral to outside agencies.

### C. Sanction Considerations

The imposition of disciplinary sanctions is designed to eliminate Prohibited Conduct under the Policy, prevent its recurrence, and remedy its effects, while supporting the University's educational mission and federal obligations. Disciplinary sanctions may include educational, restorative, and rehabilitative components, such as completion of an educational project, removal from University housing, removal from specific courses or activities, and disciplinary probation. Some behavior, however, is so egregious in nature, harmful to the individuals involved, or so deleterious to the educational process that it requires more severe sanctions, including suspension or expulsion from the University.

The Director of Student Conduct will determine the appropriate disciplinary sanction in every **sSexual mMisconduct** case. In reaching this determination, the following factors will be considered:

- The nature and degree of violence of the conduct at issue;
- The impact of the conduct on the Complainant;
- The impact or implications of the conduct on the community and/or the University;
- Prior relevant misconduct by the Respondent, including the Respondent's relevant prior discipline history;
- Respondent's acceptance of responsibility for the conduct;
- Maintenance of a safe and respectful environment conducive to learning;
- Protection of the **campus University** community and the University; and
- Any other mitigating, aggravating, or compelling circumstances to reach a just and appropriate resolution in each case.

### D. Sanctions

When the Director of Student Conduct concludes that a sanction of expulsion or suspension is appropriate, and the Respondent has not already been suspended on an interim basis, there will be an immediate assessment by the Director of Student Conduct to determine whether the Respondent poses a serious disruption to the learning environment or a continuing danger to other members of the University community or University property. Interim suspension may be imposed at this point pending conclusion of the Appeal, where appropriate. Interim **pProtective mMeasures** already in effect will continue pending Appeal. Disciplinary sanctions for Policy violations may include, but are not limited to:

- **Educational Requirements.** Completion of projects, programs, or requirements designed to help the student manage behavior and understand why certain behavior is inappropriate.
- **“No Contact” Orders or Denial of Access.** Compliance with orders of no contact that limit access to specific University areas or forms of contact with particular persons.
- **Housing Restrictions.** Exclusion from University housing or change in housing arrangements.
- **Community Service.** The OSC will monitor completion of up to sixty (60) hours of community service over a period not to exceed twelve (12) weeks under guidelines established by **the** OCRSM in consultation with the OSC.

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- **Disciplinary Reprimand.** The student is warned that further misconduct may result in more severe disciplinary action.
- **Disciplinary Probation.** The student shall not represent the University in any extracurricular activity or run for or hold office in any student group or organization. Additional restrictions or conditions may also be imposed. Notification will be sent to appropriate University offices, including the Office of Campus Programs.
- **Suspension.** The student is separated from the University for a specified period of time. A permanent notation will appear on the student's transcript. The student shall not participate in any University-sponsored activity and may be barred from University premises. Suspended time will not count against any time limits of the Graduate School for completion of a degree.
- **Expulsion.** The student is permanently separated from the University. A permanent notation will appear on the student's transcript. The student will also be barred from the University premises.

### E. Notice of Sanction

Once a sanction is determined, the OSC will issue written notification of the sanction to both parties, as allowed by law, and provide the parties with information about their rights to appeal, per [Section VIII](#) below. This constitutes the conclusion of the initial outcome phase.

## VIII. APPEALS

The Complainant and Respondent may appeal the outcome of a Disciplinary or SRC Conference, including the sanction issued under either process. The scope of the appeal is limited to the grounds set forth below. Mere dissatisfaction with the decision and sanction is not a valid basis for appeal. An appeal must be submitted in writing within five (5) business days of the date of receipt of the notice of sanction. If an appeal is received by the OSC, the other party will be notified and given five (5) business days from the date of receipt of the notice to respond. Responses shall be submitted directly to the OSC. Appeals filed by each party will be considered together in one appeal review process. All appeal documents will be shared with the other party. **Appeals will be decided by an SCC Appellate Body (as defined in section VIII. C below).**

If neither party submits an appeal, the decision and sanction are final after five (5) business days **from the date of receipt of the notice to respond**. Appeals submitted after five (5) business days shall be denied.

### A. Grounds for Appeal

Grounds for appeal shall be limited to:

#### 1. Substantial Procedural Error

Specified procedural errors or errors in interpretation of University policy **that** were so substantial as to effectively deny a Complainant or a Respondent notice or a fair opportunity to be heard. Mere deviations from procedures that were not so substantial as to deny a Complainant or Respondent notice or a fair opportunity to be heard will not be a basis for sustaining an appeal.

#### 2. New Evidence

New and significant relevant information has become available which a reasonably diligent person could not have discovered during the Investigation phase and/or prior to the issuance of the Disciplinary Conference or SRC Decision, as applicable.

#### 3. Sanction

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Sanction is substantially disproportionate to the offense. The sanction is substantially disproportionate to the facts of the particular Policy violation. This basis for appeal is limited to cases involving sanctions of expulsion or suspension.

### B. Considerations

Appeals are not intended to allow for a second review of the facts of the case and determination of whether there was a Policy violation. A review of the matter will be prompt and narrowly tailored to the stated grounds for appeal. In most cases, appeals are confined to a review of the written record and the pertinent documentation regarding the grounds for appeal.

When the basis of the Appeal is new evidence, the ~~Director of Student Conduct, in consultation with the Title IX Officer,~~ **SCC Appellate Body** will determine whether the information is new and was unavailable at the time of the investigation. If the **SCC Appellate Body determines that the** information is ~~determined~~ **not to be new and was available at the time**, the Appeal will be denied. If the information is determined to be new and unavailable at the time of the investigation, ~~it will be provided to the SCC Appellate Body for review and will make a~~ determination whether the new information could change the outcome of the SRC **or Disciplinary Conference** decision. If it is determined that the outcome could be impacted by the new evidence, the case will be sent back to the SRC **or to the Director of Student Conduct for further review**.

### C. SCC Appellate Body

The University Senate Student Conduct Committee (SCC) is the designated ~~A~~**Appellate B**body for all ~~cases involving sexual misconduct~~ **appeals under these Student Procedures**. The SCC Appellate Body is composed of three (3) members from the SCC (**including at least one (1) student**) who have had no previous involvement with the case, and have been trained to review such cases. Deference shall be given to the determinations of the SRC **or Disciplinary Conference as applicable**. The SCC Appellate Body considers any written appeal submission and, based on its review, may:

- Affirm the ~~SRC~~ Decision and the sanction imposed;
- Affirm the ~~SRC~~ Decision and reduce, but not eliminate, the sanction; **or**
- Remand the case to the SRC **or Disciplinary Conference**, in accordance with ~~S~~**section VI**, above.

The SCC Appellate Body Chair will render a written decision on the appeal to the OSC within ten (10) business days from the date of the submission of all appeal documents. Appeal decisions by the SCC Appellate Body are final with the exception of cases involving expulsion or suspension that require approval by the Vice President for Student Affairs.

## IX. FINAL OUTCOME

After all review processes are concluded (or when the time for an appeal has passed with no appeal submitted, whichever is later), the OSC will promptly notify the Complainant and Respondent, in writing, of the final outcome of the ~~s~~**S**exual ~~m~~**M**isconduct complaint.

## X. RECORDS RETENTION

~~OSC and the Title IX Officer~~ **The OCRSM** will maintain records of all complaints, **Initial Assessments**, investigations, adjudications, appeals, and ~~a~~**A**lternative ~~r~~**R**esolutions arising under ~~this~~ **the** Policy in

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accordance with the University's Records Retention and Disposal Schedule.

**The OSC will maintain ~~D~~disciplinary records for all cases that result in a finding of a Policy violation in accordance with the University's Records Retention and Disposal Schedule. Disciplinary records may be retained for longer periods of time or permanently, if so specified in the sanction.**

### XI. ACADEMIC TRANSCRIPTS AND EFFECT OF WITHDRAWAL

Disciplinary sanctions of expulsion and suspension are permanently noted on a Respondent's academic transcript. When a Respondent requests their transcript, the existence of a pending Investigation is also noted. In the event a Respondent chooses to withdraw from the University prior to the resolution of disciplinary charges under the Policy, or where the Respondent declines to participate in the University proceedings under the Policy, the University will continue to process the disciplinary action in the student's absence. When a Respondent withdraws before resolution of pending disciplinary charges, the Respondent is ineligible to return to the University until the disciplinary proceedings have been resolved. In the event the student graduates while an Investigation and Resolution is pending, issuance of the student's diploma will be withheld until the case is concluded. Academic transcripts will be withheld until the matter is resolved or marked "Disciplinary Action Pending."

### XII. POST-RESOLUTION FOLLOW UP

After a sanction or remedy is issued, if the Complainant agrees, the Title IX Officer or the OSC may periodically contact the Complainant to ensure the Prohibited Conduct has ended and to determine whether additional remedies are necessary. The Complainant may decline future contact at any time. The Title IX Officer or the OSC may periodically contact the Respondent to assure compliance with any sanctions that have been imposed. Any violation by a Respondent of a sanction and/or protective measure imposed under the Policy should be reported to the Director of Student Conduct, and a failure by **a the University employee** to provide a specified **disciplinary action and/or** remedy should be reported to the ~~Title IX Officer~~ **OCRSM**.

The Complainant and Respondent are encouraged to provide the Title IX Officer with feedback about their experience with the process and recommendations regarding ways to improve the effectiveness of the University's implementation of the Policy **and Student Procedures**.

**END OF DOCUMENT**