PROCEDURE FOR RESOLVING REPORTS OF SEXUAL HARASSMENT & SEXUAL MISCONDUCT

Incident Reported or Formal Complaint Filed

Initial intake and assessment by Title IX Coordinator to determine which policy applies.

The Title IX Coordinator will:
1. Obtain additional information about the incident
2. Review additional reporting options and resources with reporting individual (Complainant)

Title IX Grievance Policy & Procedure applies

Formal Complaint is filed, if not filed already

Neither policy applies

Sexual Misconduct Policy applies

Complaint dismissed or given to Dean of Students/ Dean of Campus

Formal Resolution
1. Investigation - Title IX Investigator will interview Complainant(s), Respondent(s), and Witnesses and obtain evidence relevant to the allegations. Parties will be able to inspect and respond to the evidence prior to the conclusion of the investigation. An Investigative Report is created that fairly summarizes the relevant evidence.
2. Hearing - Decision-maker will facilitate a live hearing in-person or via Zoom. During the hearing, Decision-maker will ask questions of the Parties and Witnesses, and provide the opportunity for live cross-examination. Each party may be accompanied by an advisor of choice.
3. Determination Regarding Responsibility - Decision-maker will rely on the information gathered during the investigation and hearing to determine findings and sanctions, if any.

Informal Resolution
A mutual agreement between the Complainant(s) and Respondent(s) to address the reported behavior, prevent reoccurrence, and remedy the effects without completing a formal investigation. Types of informal resolution include: Mediation, Administrative Resolution, or Restorative Justice.

Final Outcome Letters sent to Complainant(s) and Respondent(s)
Includes the findings, sanctions, rationale for decision, and how to appeal

Case Closed
Appeal not requested within 5 working days

Appeal requested within 5 working days
Appeals may challenge (A) the decision regarding responsibility, and/or (B) the severity of sanctions assigned based on policy violations(s)

Appeals process initiated
Case Closed

*Please refer to full policies and procedures at: www.hub.nyfa.edu/title_ix