

Equity, Civil Rights, and Title IX Office

Federal Rule Sexual & Gender-Based Misconduct Investigation Process: Employee Respondent

1 Complainant meets with ECRT for a recorded interview

- Timing of interview at Complainant's discretion
- Complainant shares information about their experience with Investigator, and investigator asks questions.
- Complainant will have three calendar days to review statement summary + transcript
- Complainant can provide evidence at or following this interview.

4 ECRT interviews witnesses + gathers additional information

- Timing ranges from approximately 1 week to 6 weeks
- Each Witness has two business days to respond to statement summary + transcript

7 Hearing

- Hearings occur over Zoom
- The Hearing Officer and each party's advisor may ask questions of Complainant, Respondent, and/or Witnesses
- Complainants and Respondents never speak directly to one another

2 Complainant or Title IX Coordinator files a Formal Complaint requesting Investigative Resolution

- Title IX Coordinator reviews within one business day
- Respondent is notified immediately upon receipt of a Formal Complaint and next step.

5 Preliminary Report Review

- Parties have 10 calendar days to respond
- ECRT provides Complainant and Respondent with preliminary report, which includes all relevant information gathered by the Investigator
- Investigator reviews new information provided by parties and incorporates as appropriate

8 Hearing Outcome

- Communicated simultaneously to Complainant and Respondent ideally within 30 days of hearing
- Potential outcomes -
 - Evidence supports that Respondent violated Policy
 - Sanctions are included in hearing outcome.
 - Evidence does not support that Respondent violated policy

3 ECRT Meets with Respondent

- Timing at Respondent's Discretion.
- Respondent shares information about their experience with Investigator, and Investigator asks questions.
- Respondent will have three calendar days to review statement summary + transcript
- Respondent can provide evidence at or following this interview

6 Pre-Hearing Meeting

- Occurs approximately 1-2 weeks after final report completion
- Complainant and Respondent meet separately with ECRT staff to discuss the final report, logistics of the hearing, and remainder of process

9 Appeal

- Either party may (but is not required) appeal the finding within 14 calendar days of receipt of Final Report
- Non-appealing party has 14 business days to respond
- External reviewer makes determination