

# Equity, Civil Rights, and Title IX Office



## Federal Rule Sexual and Gender-Based Misconduct Investigation Process: Employee Procedures

### 1 Complainant meets with ECRT for an interview

- Complainant shares information about their experience with Investigator, and investigator asks questions.
- Complainant will have three calendar days to review statement summary
- 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

### 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

- Respondent shares information about their experience with Investigator, and Investigator asks questions.
- Respondent will have three calendar days to review statement summary

### 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