



# FORMAL COMPLAINT PROCESS TRACK C

**Standard of Evidence & Presumption of Not Responsible.** All Grievance Processes tracks will use the preponderance of the evidence standard, as defined in HOP 3-3031. By law, it is presumed that the Respondent is not responsible for the alleged conduct unless that determination regarding responsibility is made at the conclusion of the Grievance Process.

## C

### GRIEVANCE PROCESS TRACK C

#### Conditions:

This track applies in all instances of alleged conduct including:

- a. Sex Discrimination
- b. Sexual Exploitation
- c. Unprofessional/Inappropriate Conduct
- d. Retaliation
- e. False Information or False Complaint
- f. Interference with Grievance Process
- g. Failure to Report by a Non-Confidential Employee

### 1 Notice of Investigation sent to all Parties

After receiving a Formal Complaint, the Title IX Office will provide a written notice to the Parties of the Formal Complaint and available University support and resources. The written notice of the Formal Complaint will include the following:

### 2 Investigations

The investigator will prepare a written investigation report that will outline each of the allegations that potentially constitutes a conduct violation of HOP 3-3031, provide the timeline of the investigation, and fairly summarize relevant evidence, participant statements, and responses to questions, and include a statement of finding of violation or no finding of violation and the related rationale. Parties are allowed access to relevant evidence and have 10 business days to comment on the provided evidence and report.

### 3 Investigation Report Referral

The completed investigation report will be provided to the appropriate decision-makers for disciplinary determinations, as follows:

- If the Respondent is a student, it will be referred to the Dean of Students for a discipline decision, in accordance with the University's student disciplinary procedures;
- If the Respondent is a faculty member, it will be referred to the Executive Vice President and Provost for a discipline decision, in accordance with the University's policies for discipline and termination of faculty; and
- If the Respondent is a staff member, it will be referred to the Associate Vice President of Human Resources for a discipline decision, in accordance with the University's policies for discipline and termination of staff.

### 4 Grievance Process Track C Appeals

Students and non-faculty employees can grieve the investigation findings and/or the assigned discipline outcome. Faculty can only grieve discipline outcomes.