DESCRIPTION OF A PROMPT, FAIR AND IMPARTIAL RESOLUTION PROCESS

In the course of a Roosevelt University investigation into a complaint of sexual misconduct, the following provisions will be in place:

1. The complainant and respondent each have the opportunity to attend an initial conference and formal Title IX hearing with a trained Title IX investigator who does not have a conflict of interest or bias for or against the complainant or respondent. If a conflict or bias exists, the Title IX Coordinator will appoint a different investigator who does not have a conflict of interest or bias;
2. The complainant and respondent each have access to a Deputy Title IX Coordinator who will serve as a resource to answer any questions about processes and resources;
3. The complainant and respondent will each have timely notice for any meetings at which the complainant or the respondent, may be requested to attend;
4. The institution will allow the complainant and respondent timely and equal access to each other’s statements and to any new information presented throughout the investigation;
5. If requested, the complainant and/or the respondent may have access to evidence that will be used to make the summary of findings for the case, but may not copy, photograph, or take possession of the evidence;
6. The decision of a case and any imposed sanctions is determined by the Investigator assigned to the case;
7. After a maximum of fifty (50) calendar days have passed since the investigation began, the investigator will close the investigation; new evidence or information from the complainant or respondent must be presented in an appeal after the summary of findings is issued.
8. The decision of a case is based on the preponderance of evidence standard: “more likely than not to have occurred.” In other words, the investigation process asks: “is it more likely than not that respondent violated the Sexual Misconduct Policy?”;
9. Complainant and respondent will be notified of the summary of findings of the investigation within sixty (60) calendar days (or the next weekday following a weekend or holiday on which the University is closed) from when the complaint was made; and
10. Complainant and respondent will be notified simultaneously in writing within ten (10) calendar days (or the next weekday following a weekend or holiday on which the University is closed) of the determination of violation and of any delivery of sanctions, if applied.

INVESTIGATION PROCEDURES AND PROTOCOLS

1. Following the filing of a complaint, complainant and respondent will each receive notification in writing to attend a separate initial conference with the Investigator assigned to the case. The purpose of an initial conference is to inform the complainant and respondent of their rights, the Title IX process, and to gather initial statements;
2. Complainant and respondent must reply to the Investigator within three (3) calendar days (or the next weekday following a weekend or a holiday on which the University is closed) after the notice has been sent to set up an initial conference, barring any scheduling difficulties with the investigator;
3. Complainant and respondent will be asked to make a preliminary formal statement at each of their respective initial conferences;

4. Any student called to an initial conference or formal Title IX hearing may bring an advisor for support, however, the Investigator must be notified at least 72 hours in advance, and the advisor may only be present. Advisors may not participate in the meeting in any way. Students called to an initial conference may be the complainant, respondent, or witnesses to the incident;

5. The investigator may call witnesses at her/his discretion in order to support the fact finding investigation; any act of retaliation against witnesses for their participation in an investigation of sexual misconduct constitutes a separate violation of the University policy prohibiting sexual misconduct;

6. Following the period of fact finding, the complainant and respondent will each receive notification in writing to attend a separate formal Title IX hearing with the Investigator assigned to the case. The purpose of the formal Title IX hearing is to provide an opportunity for the complainant and respondent to review all available evidence and to make any final statements;

7. Complainant and respondent must reply to the Investigator within three (3) calendar days (or the next weekday following a weekend or a holiday on which the University is closed) after the notice has been sent to set up the formal Title IX hearing, barring any scheduling difficulties with the investigator;

8. Complainant and respondent will be asked to make any final statements at each of their respective formal Title IX hearings. After the conclusion of the formal Title IX hearing, no additional evidence will be accepted by the Investigator, unless in conjunction with an official appeal by either the complainant or respondent. The formal Title IX hearing will take place no more than fifty (50) calendar days (or the next weekday following a weekend or a holiday on which the University is closed) after the initial complaint has been filed;

9. Once the investigator determines she/he has enough information to write a summary of findings, the investigation is complete. The investigator will use the standard of “preponderance of evidence” to determine whether or not the respondent was responsible for the act(s) of sexual misconduct being investigated; this standard means that it is “more likely than not” that the act(s) took place. This standard is compliant with the procedural requirements for all colleges and universities put forth in the “Dear Colleague Letter” published by the Office of Civil Rights on April 4, 2011 (http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.html); and

10. The Investigator will provide a written Summary of Findings to the Title IX Coordinator. The complainant and respondent will each be notified of the outcome of the investigations and the sanctions, if any, that are to be imposed on the respondent.

University Sanctions Include:

Written warning; educational sanctioning; restitution; completion of community service; academic probation; suspension from the University, a program or activity for a specific period of time; denial of readmission to the University or to a University program or activity; removal from a residence facility or cancellation of residence contract; expulsion from the University, a program, or activity on a permanent basis; and suspension or termination from one’s job. Guests and visitors of the University, including of the Auditorium Theatre, may be permanently banned from University premises.
Rights Related to Investigations:

*Roosevelt University* prohibits all forms of sexual misconduct committed against Roosevelt community members of any gender, gender identity, or sexual orientation. Sexual-orientation-based harassment and gender-based harassment that does not involve conduct of a sexual nature are also included under this directive. Retaliation against anyone who files a complaint under this policy is also prohibited.

The definition of “sexual misconduct” at Roosevelt University includes:
- Sexual Harassment
- Gender-Based Harassment
- Sexual-Orientation Based Harassment
- Sexual Assault
- Sexual Exploitation
- Stalking
- Domestic Violence
- Dating and Relationship Violence

Each of these behaviors is defined in full in the Title IX Policy, published here: [http://www.roosevelt.edu/About/Compliance/TitleIX.aspx](http://www.roosevelt.edu/About/Compliance/TitleIX.aspx).

When a member of the Roosevelt University community reports an experience with sexual misconduct, the Title IX Coordinator starts the process of investigating and responding to the incident(s).

- All members of the Roosevelt University community have the right to report a case of sexual misconduct committed by another member of the Roosevelt University community and to have that incident investigated, regardless of where the act(s) of misconduct took place.

- All members of the Roosevelt University community have the right to access support and accommodations from the institution when their work and/or learning has been disrupted by an experience of sexual misconduct, regardless of when or where the acts(s) of misconduct occurred. Colleges must publish the procedures for reporting sexual violence:

- To report an act of sexual misconduct and/or to request support or accommodations from Roosevelt University, contact a Responsible Employee, a Deputy Title IX Coordinator, or the Title IX Coordinator.

- Complainants do not have to report an act of sexual misconduct to the police if they do not wish to do so. You may draw upon the Roosevelt University policy and/or resources whether or not you make a police report.