

Determination of the Appropriate Resolution Process

- I. The Title IX Coordinator will consider the report and determine if the allegations, if proven, meet the definition of discrimination, harassment, sexual harassment, or retaliation.
 - a. The Title IX Coordinator will make this decision in consensus with the Senior Director of People and Workplace Culture, the Assistant Attorney General, and, when applicable, the Dean of Students.

II. Conducting the Investigation

- a. The Title IX Coordinator will use best efforts to assign two investigators of different gender identities from the college's investigator pool and designate one as the lead investigator.
- b. Assigned investigators will:
 - i. coordinate and conduct interviews with the complainant, respondent, and relevant witnesses;
 - ii. collect relevant evidence;
 - iii. compile an investigation file; and
 - iv. prepare an investigation report after the investigation.
- c. Coordinating and Conducting Interviews
 - i. Investigators will interview the complainant, respondent, and all relevant witnesses, including non-college witnesses.
 - ii. Investigators will give participants sufficient time to prepare for an interview, not exceeding five business days, unless extenuating circumstances absolutely require additional time.
 - iii. Investigators will document attempts to interview witnesses who are unavailable or refuse to cooperate.
 - iv. Investigators will give written notice to any participant. The notice will contain:
 1. the date, time, and location of the interview;
 2. information regarding who will be in the interview;
 3. the purpose of the interview; and
 4. notice that the participant may have a personal representative.
 - v. Supervisors shall make employees available to participate in an investigation.
 - vi. The person being interviewed may have a personal representative present.
 1. The representative is not allowed to interrupt the interview in any way.
 2. The personal representative is present for emotional support and is not a participant in the interview.
 - vii. Investigators will conduct interviews in a respectful and unbiased manner.
 - viii. An investigator must read the confidentiality and retaliation admonition before conducting an interview.
 - ix. Investigators may audio record all interviews using college-owned resources, never on personal equipment.
 1. Recordings will:

- a. be maintained in the investigative file;
 - b. be retained under GRAMA; and
 - c. not become part of an employee's personnel file.
 - 2. Participants being interviewed will not be permitted to audio record interviews.
- x. The investigators will:
 - 1. prepare an interview summary report or transcript;
 - 2. provide a draft copy of the interview summary report or transcript to the participant interviewed; and
 - 3. provide the participant interviewed five business days to refute or clarify the information.
- xi. The investigators may change the interview summary report based on responses but are not required to. However, investigators must inform the participant that any rebuttal or clarification will be attached to the interview summary report as an addendum.
- xii. The investigators may request an extension for additional time needed to complete the investigation report by submitting the request to the AVP of People and Workplace Culture in writing.

III. The Investigation Report

- a. After the investigation, the investigators must write an investigation report detailing their findings.
 - i. The investigation report shall contain, at a minimum:
 - 1. an executive summary that includes:
 - a. a statement of the allegations, including the policies involved;
 - b. the investigators; and
 - c. a summarized finding;
 - 2. a procedural history of the investigation;
 - 3. a statement of jurisdiction;
 - 4. the standard of evidence used;
 - 5. the involved parties;
 - 6. the investigation timeline, including interview information detailing:
 - a. the date, time, and place of the interviews; and
 - b. the investigators present;
 - 7. a summary of the interview;
 - 8. additional information gathered;
 - 9. a proposed finding of fact and analysis; and
 - 10. a recommendation of either responsible or not responsible.
 - b. If the co-investigators disagree on the determination recommendation, each shall include their recommendations.
 - c. The lead investigator will deliver the completed report to the General Counsel's office and the Senior Director for People and Workplace culture for review.
 - d. The Title IX Coordinator will simultaneously provide the report to the parties.

IV. Response to Investigation Report

- a. An investigation of discrimination, harassment, and/or retaliation will follow the appeal process outlined in the [Anti-Discrimination and Harassment policy](#).
- b. A Title IX investigation requires the following:
 - i. Within 10 business days of the date the investigation report is issued, the parties must file a statement listing:
 1. the sections of the report with which the party agrees;
 2. the sections the party disputes with an explanation for contesting it;
 3. the witnesses and exhibits the party wants the hearing officer to consider; and
 4. a list of questions the party proposes to have the advisor ask.
 - ii. The statement:
 1. may include new evidence; and
 2. must be limited to 10 pages, excluding attachments.
 - iii. The Title IX coordinator will add responses and attachments to the report and provide the parties with a copy.

V. Title IX Hearing

- a. An investigation of sexual harassment will be referred to a hearing after responses to the report have been provided to the parties.