



COLORADO
COMMUNITY COLLEGE SYSTEM

NEW COORDINATOR AND INVESTIGATOR TRAINING

APRIL 21, 2021

PRESENTED BY: TASHANA TAYLOR, CCCS DIRECTOR OF CIVIL RIGHTS AND INVESTIGATIONS

AGENDA

- Introduction to Civil Rights and Sexual Misconduct at CCCS
- Review of Definitions
- Understanding Roles & Responsibilities
- Overview of the Resolution Process
- Informal Resolutions and Formal Investigations, including Live Hearings
- Overview of Investigation Reports for Formal Investigations
- Case Examples

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INTRODUCTION

ADDRESSING CIVIL RIGHTS AND SEXUAL MISCONDUCT CASES WITHIN THE
COLORADO COMMUNITY COLLEGE SYSTEM

- ❖ Each of the 13 Colleges and the System office have a designated Title IX and EO Coordinator to address civil rights concerns raised by students and employees (including on and off campus incidents).
- ❖ The System office provides support to the Colleges and the Colleges also provide great support to one another.



WHAT'S A "TITLE IX/EO COORDINATOR"?

- *Title IX/EO Coordinators are employees who are designated by each College President to oversee all civil rights complaints at their College. The Presidents may also designate a "Deputy" Title IX and EO Coordinator, who may act on behalf of the Coordinator.*
 - *Most Colleges within CCCS have one designated Title IX/EO Coordinator, but some College have split the roles and have a designated Title IX Coordinator and a designated EO Coordinator.*
- *Coordinators enforce the following laws:*
 - *Title IX*
 - *ADA*
 - *Title VI*
 - *Title VII*

TITLE IX & “EQUAL OPPORTUNITY” LAWS

- Title IX:

- Prohibits discrimination based on sex.

- American with Disabilities Act (ADA):

- Prohibits discrimination based on disability.

- Title VI:

- Prohibits discrimination on the basis of race, color, and national origin.

- Title VII:

- Prohibits employers from discriminating against employees on the basis of sex, race, color, national origin, and religion.

CCCCS COMMITMENT TO CIVIL RIGHTS

Colorado Community College System is committed to creating an inclusive environment by prohibiting all forms of discrimination and harassment, including sexual misconduct, in its employment practices and educational programs and activities, specifically on the basis of:

1. Sex
2. Gender
3. Race
4. Color
5. Age
6. Creed
7. National or Ethnic Origin
8. Ancestry
9. Physical or Mental Disability
10. Familial Status
11. Veteran or Military Status
12. Pregnancy Status
13. Religion
14. Genetic Information
15. Gender Identity
16. Sexual Orientation

PROHIBITION OF DISCRIMINATION, HARASSMENT, AND SEXUAL MISCONDUCT

DISCRIMINATION

Any distinction, preference, advantage, or detriment given to a person based on one or more actual or perceived protected classes.

HARASSMENT

A form of Discrimination that includes **Quid Pro Quo** and **Hostile Environment**.

Quid Pro Quo: “This for that” – Such as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature “in exchange for” a benefit.

Hostile Environment: Conduct that is “sufficiently severe, persistent or pervasive, and objectively offensive” to alter the conditions of a person’s employment or unreasonably interfere with their ability to participate in CCCS programs or activities.

SEXUAL MISCONDUCT

A type of prohibited Discrimination that is based on sex.

- Sexual Harassment
- Non-Consensual Sexual Contact
- Non-Consensual Sexual Intercourse
- Dating or Domestic Violence
- Stalking
- Sexual Exploitation

RETALIATION IS ALSO PROHIBITED

- Retaliation is any adverse employment or educational action taken against a person because of the person's participation, or perceived participation, in a complaint or investigation of discrimination and/or harassment.

CCCS BOARD POLICY 19-60

PROHIBITION OF DISCRIMINATION, HARASSMENT OR RETALIATION

- BP 19-60 states:
 - Individuals affiliated with CCCS shall not discriminate or harass on the basis of sex, gender, race, color, age, creed, national or ethnic origin, ancestry, physical or mental disability, familial status, veteran or military status, pregnancy status, religion, genetic information, gender identity, sexual orientation, or any other protected class, in connection with employment practices or educational programs and activities (including in admissions).
 - Individuals shall not retaliate against any person who opposes discrimination, harassment or retaliation, or participates in any complaint or investigation process.

Applies to all conduct alleged to have occurred on or after August 12, 2020

CCCS SYSTEM PROCEDURE 19-60

CIVIL RIGHTS AND SEXUAL MISCONDUCT RESOLUTION PROCESS

- Defines the process by which CCCS shall respond to allegations of discriminatory, harassing, and/or retaliatory behavior, including Sexual Misconduct.
- Appendix A: Provides definitions applicable to the procedure.
- Appendix B: Details Compliance Requirements, such as training requirements and notice/publication of policies and procedures.

Applies to all conduct alleged to have occurred on or after August 12, 2020

WHO ARE THE PARTIES?

- **Complainant:**

- A person who is subject to alleged inappropriate or unlawful civil rights behavior. A complainant can be a CCCS employee, student, authorized volunteer, guest or visitor.

- **Respondent:**

- A person whose alleged conduct is subject of a complaint. A respondent can be a CCCS employee, authorized volunteer, guest, visitor, or student.

DOES CCCS HAVE JURISDICTION?

- BP 19-60 and SP 19-60 apply to behaviors that take place on a CCCS campus, at CCCS sponsored events, and may also apply to off-campus and online behavior when the Title IX/EO Coordinator determines that the off-campus or online behavior affects a substantial CCCS interest.
 - For Title IX specific cases, the harassing behavior must have occurred in an education program or activity against a person within the United States.

REPEALED: BOARD POLICIES AND SYSTEM PROCEDURES (CONDUCT PRIOR TO 8/12/20)

- **BP 3-120 and BP 4-120**

- Provide that individuals affiliated with the System or Colleges shall not be subjected to unlawful discrimination and/or harassment on the basis of protected class or perceived protected class.

- **SP 3-50b and SP 4-31a**

- Civil Rights Grievance and Investigation Process

- Defines the process by which the System and Colleges shall respond to allegations of civil rights violations.

- **SP 3-120a and SP 4-120a**

- Sexual Misconduct Procedure

Provides definitions and expands on the process by which the System and Colleges shall respond to allegations of sexual misconduct.

Questions?



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REVIEW OF DEFINITIONS

SP 19-60 – APPENDIX A

REVIEW THE FOLLOWING DEFINITIONS:

- Discrimination
- Harassment
 - Quid Pro Quo
 - Hostile Environment
- Retaliation
- Sexual Misconduct
 - All bullets under Sexual Misconduct
- Consent
- Incapacitation

CASE EXAMPLES

1. An instructor tells a student that in order to receive an A on an exam, they have to go on a date with the instructor.
2. A student repeatedly calls and shows up unannounced at a staff member's home and office. The staff member no longer feels safe to go to work because of the student's behavior.
3. Student A and Student B went on a date to a movie theater. While the movie was showing, Student A put their hand down Student B's pants and touched their genitals without permission.
4. A staff member applied for a management position and was not offered the position. The staff member believes they weren't hired because they are of Italian descent.
5. Two students engaged in consensual sex. A friend of theirs, also a student, hid in the bedroom closet and filmed the sex, then shared it on social media without their permission.

CASE EXAMPLES CONT.

6. Employee A filed a complaint with the Title IX/EO Coordinator alleging harassment against Employee B. Investigators determined that Employee B did harass Employee A. After the investigation, Employee B's supervisor and good friend encouraged Employee A's supervisor to fire Employee A.
7. Two Instructors were watching a football game at one of their homes. Both Instructors consumed 8 shots of vodka and 7 beers. One Instructor reported to the Title IX/EO Coordinator that they woke up in the middle of the night with the other Instructor fingering their vagina, and stated that they were in and out of consciousness as this took place.

CASE EXAMPLES CONT.

8. A student reported that for the past 8 weeks, after telling her instructor that she was pregnant, the instructor makes a joke about how big her belly had become. Last week, the instructor stuffed a pillow under their shirt to mimic the student while laughing and pointing at the student.
9. A supervisor asks their subordinate on a date. The subordinate refuses the offer, but the supervisor keeps asking. One day, the supervisor licks their lips and comments on how sexy the subordinate looks. The supervisor then asked their subordinate if they wanted to have sex with them.
10. Student A and Student B are in a sexual relationship. Yesterday, Student A reported that Student B slapped Student A because Student B found out that Student A is also sexually involved with an Instructor.

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ROLES & RESPONSIBILITIES

COORDINATORS, INVESTIGATORS, APPELLATE OFFICERS, AND DISCIPLINARY AUTHORITIES

TITLE IX/EO COORDINATOR ROLE

- Point person for campus complaints.
- Promptly and equitably oversees and coordinates the resolution process.
- Supervises investigations.
 - Investigations should be adequate, prompt, reliable, impartial, thorough, objective, and independent.
- Provides and/or arranges training for students, employees, investigators, and appellate officers.
- Contact person for government inquiries, including CCRD, EEOC, and OCR.
- Ensures College's website includes name and contact information for Title IX/EO Coordinator and applicable policies and procedures.

INVESTIGATOR ROLE

- ❑ Treat all parties and witnesses with respect.
- ❑ Complete the fact gathering stage.
- ❑ Write applicable reports.
 - ❑ Preponderance of the evidence standard (more likely than not).
- ❑ Remain neutral and impartial throughout the fact gathering stage.
- ❑ Disclose all conflicts of interest to the Title IX/EO Coordinator.
- ❑ Be aware of any bias or perceived bias.

INVESTIGATOR RESPONSIBILITIES

- ❑ Avoid prejudgment of facts.
 - ❑ There will be a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility has been made at the conclusion of the resolution process.
- ❑ Do not base credibility determinations on a person's status as a Complainant, Respondent, or witness.
- ❑ Do not make promises you can't keep (timelines, confidentiality, etc.).

Appellate Officer

Individual designated by the Title IX/EO Coordinator to review the appeal if a party appeals.

Disciplinary Authority

Individual with authority, or delegated authority, to impose discipline upon a Respondent.

Rights of Involved Parties

- To be treated with respect by CCCS employees.
- To take advantage of Supportive Measures and other resources, such as counseling, psychological services, and health services.
- To experience a safe living, educational, and work environment.
- To have an advisor of their choice present at any meeting.
- To have access to a Title IX/EO Coordinator, investigator(s), hearing officers/decision-maker(s) for Title IX cases, and/or other individuals assisting with the resolution process who do not have a conflict of interest or bias for or against either party.
- To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
- To be free from retaliation.
- To be informed of the outcome/resolution of the complaint, and the sanctions and rationale for the outcome where permissible.
- To have assistance in contacting law enforcement, if desired.
- To request housing, employment, and/or educational modifications, as deemed appropriate and reasonable.
- To request no further contact with the opposite party, as deemed appropriate, allowable and reasonable.

Questions?



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CIVIL RIGHTS AND SEXUAL MISCONDUCT RESOLUTION PROCESS

COLORADO COMMUNITY COLLEGE SYSTEM PROCEDURE 19-60

**DESIGNED TO ADDRESS REPORTED CONCERNS, END INAPPROPRIATE BEHAVIOR,
AND PREVENT ITS REOCCURRENCE.**

PRELIMINARY STEPS

- Upon receipt of a complaint, the Title IX/EO Coordinator will review the complaint to determine whether the complaint alleges sufficient information to support that a civil rights violation has occurred.
- If the Title IX/EO Coordinator is unable to make this determination in reviewing the complaint alone, the Title IX/EO Coordinator may, at their discretion, reach out to the Complainant or others, as relevant, for clarification and/or additional information.

PRELIMINARY STEPS CONT.

- If there is no reasonable cause found to initiate a formal investigation, the Title IX/EO Coordinator shall notify the Complainant and discuss other options for addressing the reported concerns.
- If there is reasonable cause and the Complainant wishes to proceed, the Title IX/EO Coordinator will initiate an informal resolution or a formal investigation.
 - If the Complainant does not wish to proceed, the Title IX/EO Coordinator reserves the right to initiate an informal or formal, and will consider relevant factors to determine necessary next steps.

TIMELINE

- CCCS shall make every effort to complete the resolution or investigation process within approximately 90 days from the date the complaint is filed.
- If the complaint cannot be resolved within 90 days, the Title IX/EO Coordinator may extend the timeline when necessary.
 - Written notice will be provided to the parties notifying them of the extension.

INTERIM ACTIONS

- The Title IX/EO Coordinator may implement interim actions and supportive measures intended to protect the safety and security of the campus community, address the effects of the reported behavior, and prevent further violations, while the complaint is under review or investigation.
- **Examples:**
 - Issuing a No Contact Order
 - Placing an employee on administrative leave
 - Campus ban
 - Altering housing/work arrangements
 - Offering adjustments to academic deadlines or course schedules
 - Suspending privileges such as attendance at College activities or participation in College-sponsored organizations

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INFORMAL RESOLUTIONS AND FORMAL INVESTIGATIONS

INFORMAL RESOLUTIONS

- The Title IX/EO Coordinator may determine that an informal resolution is appropriate to resolve the reported concerns.
- Informal resolutions do not involve a written investigation report or an opportunity to appeal.
- Informal resolutions may include:
 - A discussion with the parties;
 - Providing confidential resources to the parties;
 - Remedial measures like a No Contact Order;
 - Referral to Student Affairs/Student Conduct;
 - Referral to a Supervisor/Appointing Authority;
 - Training or Education.

FORMAL INVESTIGATIONS

- If a formal investigation is initiated, the Title IX/EO Coordinator will assign one or more impartial investigators to conduct an investigation into the complaint.
- The Title IX/EO Coordinator will notify all parties by issuing a Notice of Investigation (NOI). Investigators will receive a copy of the NOI.
- Throughout the investigation, the Title IX/EO Coordinator will provide regular written updates to the parties regarding the status of the investigation.

FORMAL INVESTIGATIONS CONT.

- Upon receipt of the Notice of Investigation, Investigators begin conducting the “Fact Gathering Stage.”
 - This includes interviewing parties and witnesses and gathering relevant evidence.
- Following the fact gathering stage, the investigator(s) shall issue a Preliminary Investigation Report to the parties.
 - Includes relevant information, such as witness statements, but does not include findings, analysis, or a conclusion.
 - Parties have 10 calendar days to review and respond with any changes, clarifications, or questions.
 - At this stage of the process, parties may request to review all evidence collected as part of the investigation, whether or not it will be relied upon in reaching a determination.

FINAL INVESTIGATION REPORT

- At the conclusion of the fact gathering stage and formal investigation, including any relevant information submitted in response to the Preliminary Investigation Report, the investigator(s) shall issue a Final Investigation Report to the Title IX/EO Coordinator.
 - Report should detail the factual findings and summarize the relevant evidence.
 - **Report will not contain any determinations as to whether the conduct is in violation of applicable policies.**

FINAL INVESTIGATION REPORT CONT.

- Report should detail the factual findings and summarize the relevant evidence.
- Investigators may determine that certain behavior did or did not occur, based on a preponderance of the evidence (more likely than not).
 - For example, “The investigators find, more likely than not, that Respondent touched Complainant’s genitals. Further, investigators find that while Complainant did not tell Respondent to touch them, Complainant did not engage in the activity and Respondent did not provide information to investigators as to why they believed Complainant was interested in sexual activity.”
- **The report will not, however, refer to/apply any definitions within SP 19-60, or contain any determinations as to whether the conduct is in violation of BP/SP 19-60.**

FINAL INVESTIGATION REPORT CONT.

- Upon receipt of the Final Investigation Report, the Title IX/EO Coordinator shall proceed as follows:
 - For cases involving Sexual Harassment within the United States, the Title IX/EO Coordinator shall initiate a live hearing.
 - For other civil rights cases (non-Sexual Harassment or Sexual Harassment outside of the United States), the Title IX/EO Coordinator will obtain a written Determination Report from the investigators.

DETERMINATION REPORT

- The Determination Report for other civil rights cases (non-Sexual Harassment or Sexual Harassment outside the United States) should include:
 - Whether or not, based on a preponderance of the evidence, the alleged behavior took place and whether that behavior constitutes a civil rights violation. The determination shall include a summary of all evidence and information used to reach these conclusions.

LIVE HEARINGS FOR SEXUAL HARASSMENT CASES

- A Live Hearing must be scheduled no earlier than ten days after issuance of the Final Investigation Report.
- A Hearing Officer will oversee the hearing, make determinations as to the relevance of evidence/questioning, determine whether evidence will be permitted, and make the final determination regarding the allegations.
 - A Hearing Officer must be a different individual than any investigator or Title IX/EO Coordinator assigned to the case.

LIVE HEARINGS CONT.

- At the hearing, the Complainant and Respondent must be accompanied by an advisor.
 - The advisor is responsible for questioning the parties and witnesses; the Complainant and Respondent are not permitted to ask questions directly.
 - If a Complainant or Respondent does not provide their advisor, CCCS will provide an advisor at no charge.
- Following the hearing, the Hearing Officer will issue a Determination Report to the Title IX/EO Coordinator.
 - The report will state whether or not, based on a preponderance of the evidence, the alleged behavior took place and whether that behavior constitutes a civil rights violation.

Questions?



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FINAL STEPS OF FORMAL INVESTIGATIONS

NOTICE OF FINDING AND APPEALS

NOTICE OF FINDINGS

- Once a Determination Report is received (either from the Investigators or from the Hearing Officer), the Title IX/EO Coordinator will provide a Notice of Findings to the Complainant and Respondent notifying them of the findings.
- The parties will also receive a copy of the Final Investigation Report and the Determination Report.
- The Notice of Findings will include Appeal Rights.

APPEALS

- Parties have the right to appeal within 10 calendar days of service of the decision.
 - If the appeal is timely and meets the limited grounds for appeal, an Appellate Officer will be assigned.
 - Written notice of the outcome of the appeal will be provided simultaneously to the parties.
- Once the appeal process has been exhausted:
 - If the Respondent is found not in violation, the complaint shall be closed with no further disciplinary action.
 - If the Respondent is found in violation, the findings will be provided to the Disciplinary Authority to proceed in accordance with applicable policies.

RECAP FOR RESOLVING COMPLAINTS (SP 19-60)

INFORMAL RESOLUTIONS

- Title IX/EO Coordinator may determine, in consultation with the parties, that an informal resolution is the appropriate way to resolve the reported concerns.
 - Parties are still provided notice of the allegations and specific informal resolution process, but no written investigation report or appeal rights.
- Examples of Informal Resolutions:
 - Interim or long-term remedial measures.
 - Training or other educational programming.
 - Referral to other resolution processes, for example facilitated discussions with the parties.
 - Referral or the Disciplinary Authority.

FORMAL INVESTIGATIONS

- Title IX/EO Coordinator will assign investigators.
- Title IX/EO Coordinator will provide the Notice of Investigation to the Complainant and Respondent.
- Investigators will conduct interviews of parties and witnesses, as deemed relevant by the Investigators, and collect evidence (aka “fact gathering stage”).
- Throughout the investigation, the Title IX/EO Coordinator will provide regular written updates on the status of the investigation the parties.
- Investigators write Preliminary Investigation Report and Final Investigation Report.
- Investigators or Hearing Officers (for Title IX cases) write Determination Report.
- Parties provided with copies of applicable reports and Notice of Finding, which includes appeal rights.

CCCS shall make every effort to complete the resolution or investigation process within approximately 90 days from the date the complaint is filed.



INVESTIGATION REPORTS

PRELIMINARY INVESTIGATION REPORT, FINAL INVESTIGATION REPORT, AND DETERMINATION REPORT



PRELIMINARY INVESTIGATION REPORT – STEP 1

I. Basic Information

- I. Involved parties and witnesses (redact names, use “Complainant,” “Respondent,” “Witness 1,” “Witness 2,” etc.)
- II. Date of alleged incident and brief description of allegations
- III. Procedural History (background/history of the case)
- IV. Jurisdictional Statement & Standard of Proof

II. Summaries of Interviews & Relevant Evidence

- I. Summary of information provided by Complainant during their interview.
- II. Summary of information provided by Respondent during their interview.
- III. Summary of information provided by Witnesses during their interviews.
- IV. Relevant Evidence (for example: emails, text message correspondence, video surveillance, police reports, etc.)

Send the Preliminary Investigation Report to the Complainant and Respondent and give them 10 calendar days to respond with any changes, clarifications, or questions. Incorporate, as relevant, their responses into the Final Investigation Report.

FINAL INVESTIGATION REPORT – STEP 2

I. Basic Information

- I. Involved parties and witnesses (redact names, use “Complainant,” “Respondent,” “Witness 1,” “Witness 2,” etc.)
- II. Date of alleged incident and brief description of allegations
- III. Procedural History (background/history of the case)
- IV. Jurisdictional Statement & Standard of Proof

II. Summaries of Interviews & Relevant Evidence

- I. Summary of information provided by Complainant during their interview (+ feedback from Preliminary Investigation Report).
- II. Summary of information provided by Respondent during their interview (+ feedback from Preliminary Investigation Report).
- III. Summary of information provided by Witnesses during their interviews.
- IV. Relevant Evidence (for example: emails, text message correspondence, video surveillance, police reports, etc.)

III. Factual Findings

DETERMINATION REPORT – STEP 3 (FOR NON-TITLE IX CASES ONLY)

I. Basic Information

- I. Involved parties and witnesses (redact names, use “Complainant,” “Respondent,” “Witness 1,” “Witness 2,” etc.)
- II. Date of alleged incident and brief description of allegations
- III. Procedural History (background/history of the case)
- IV. Jurisdictional Statement & Standard of Proof

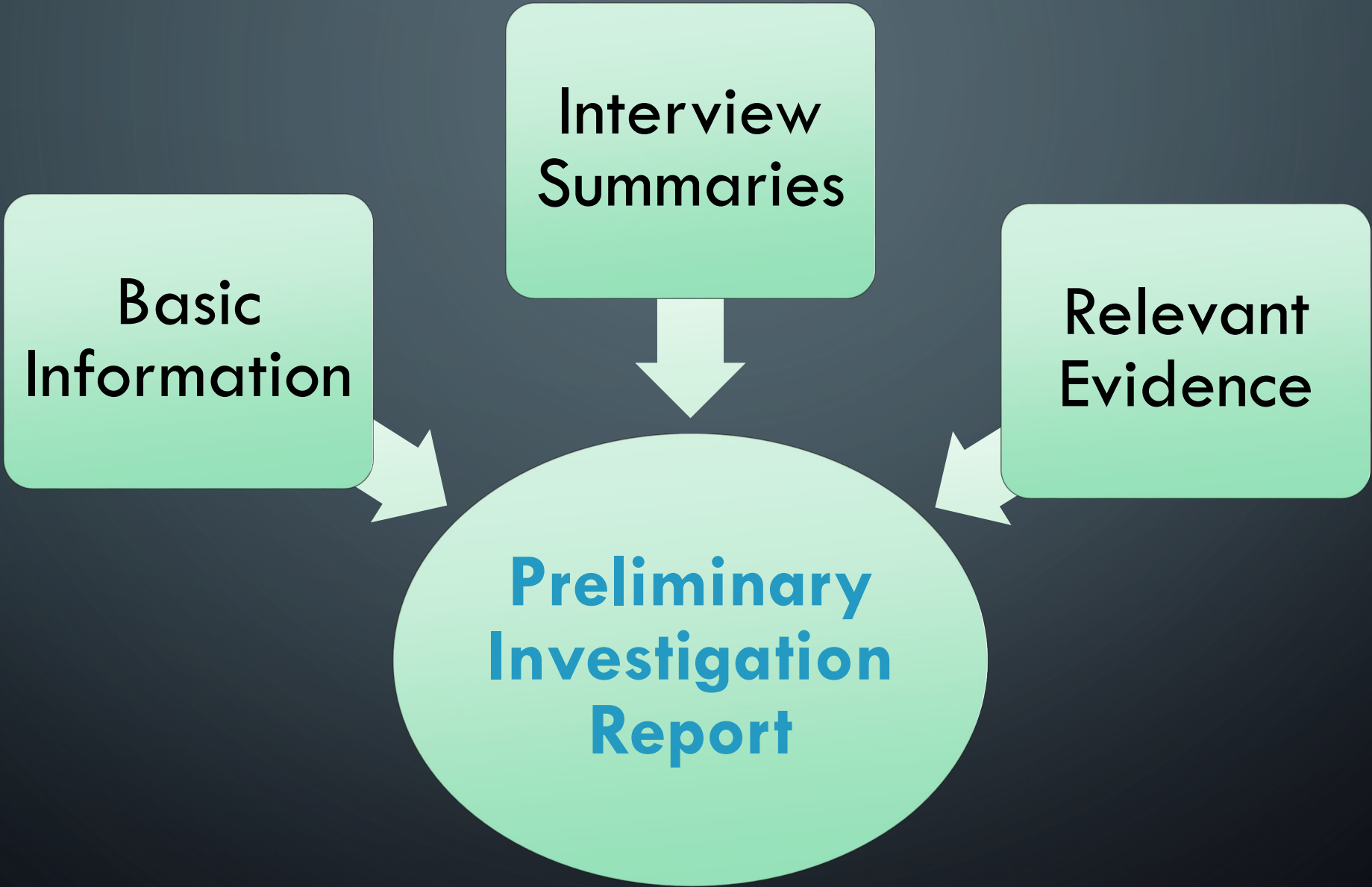
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- I. Summary of information provided by Complainant during their interview (+ feedback from Preliminary Investigation Report).
- II. Summary of information provided by Respondent during their interview (+ feedback from Preliminary Investigation Report).
- III. Summary of information provided by Witnesses during their interviews.
- IV. Relevant Evidence (for example: emails, text message correspondence, video surveillance, etc.)

III. Factual Findings

IV. Analysis (including referencing relevant policies/procedures)

V. Conclusion



**Basic
Information**

**Interview
Summaries**

**Relevant
Evidence**

**Preliminary
Investigation
Report**



Interview Summaries

(including feedback from parties/preliminary investigation report)

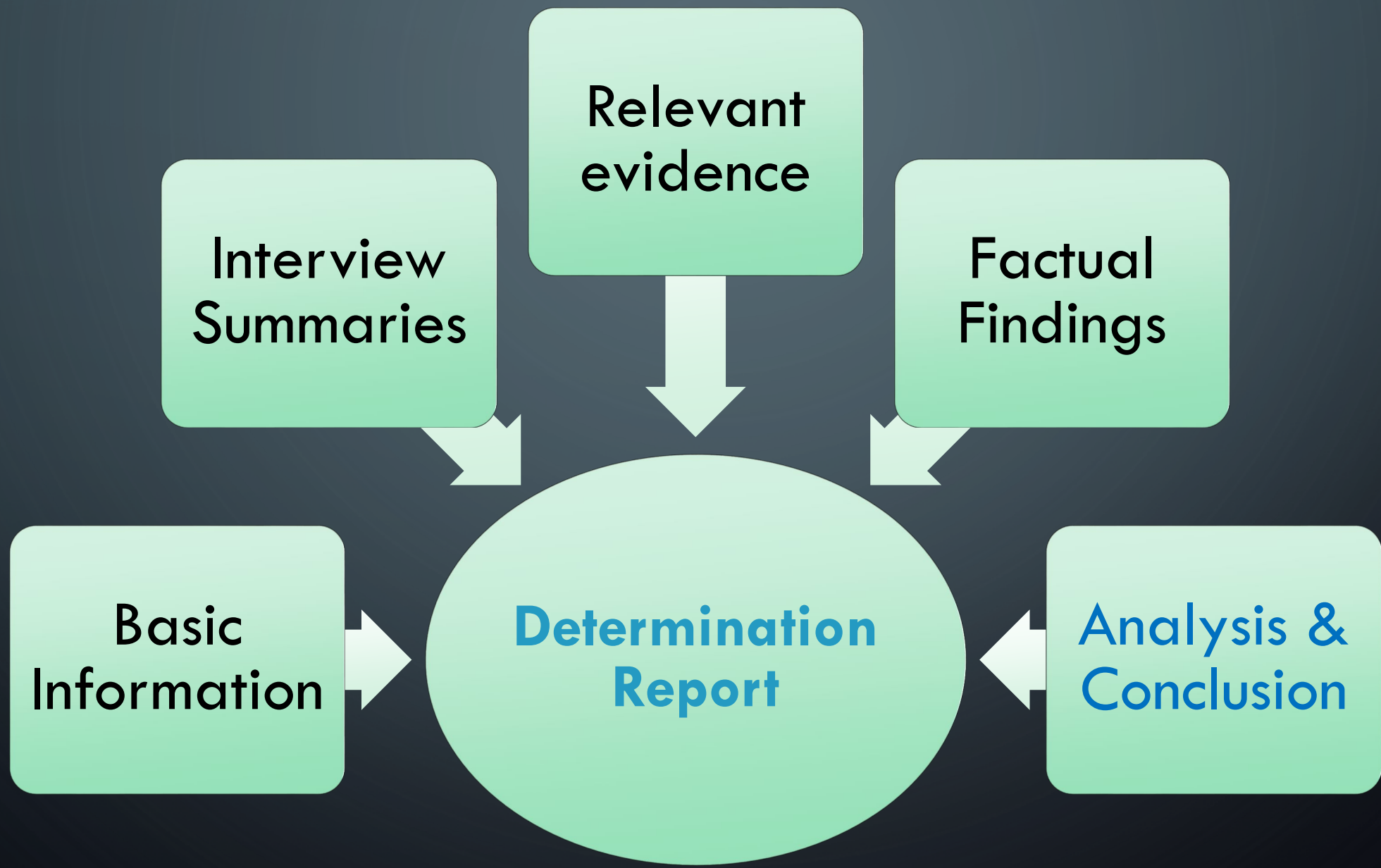
Relevant Evidence

(including feedback from parties/preliminary investigation report)

Basic Information

Final Investigation Report

Factual Findings



Questions?



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CASE EXAMPLES

CASE EXAMPLE: TITLE IX

- Student A reported that Student B sexually assaulted them. According to Student A, Student B was a good friend of theirs last semester. This semester, however, Student B wanted to be more than friends. Last week, the students were spending time together in an on-campus coffee shop. Student A reported that when no one was around, Student B started kissing them on the neck and lips, and touching their inner thigh without Student A's consent.
- The Title IX/EO Coordinator initiated a formal investigation and assigned two investigators to investigate the case.
- **What happens next?!**

STEPS FOR TITLE IX CASE EXAMPLE

- Review the Notice of Investigation and any accompanying documentation.
 - Interview Student A, Student B, and any relevant witnesses (including expert witnesses).
 - Gather and objectively evaluate all relevant evidence including...
 - Inculpatory Evidence
 - Incriminating or tending to show responsibility of a violation.
 - Exculpatory Evidence
 - Exonerating or tending to negate responsibility of a violation.
- Following the fact gathering stage, issue a Preliminary Investigation Report to Student A and Student B.
 - Allow each party 10 calendar days to review and respond with any changes, clarifications, or questions.

Issue a Final Investigation Report to the Title IX/EO Coordinator detailing the factual findings and summarizing the relevant evidence.

- **DO NOT** include a determination re: policy violation.

Title IX/EO Coordinator shall initiate a live hearing and the Hearing Officer will be the ultimate Decision Maker.

- Investigators may be called as witnesses during live hearing.

CASE EXAMPLE: NON-TITLE IX

- Employee A reported that their Supervisor recently removed several of their job duties and as a result, also reduced their pay. Employee A believes that their Supervisor did this because Employee A reported harassment concerns a few months ago to Human Resources. Specifically, Employee A reported that Employee B, Supervisor's best friend, used several racial slurs towards Employee A during a holiday staff party.
- The Title IX/EO Coordinator initiated a formal investigation and assigned two investigators to investigate the case.
- **What happens next?!**

STEPS FOR NON-TITLE IX CASE EXAMPLE

- Review the Notice of Investigation and any accompanying documentation.
- Interview Employee A, Supervisor, and any relevant witnesses.
- Gather and objectively evaluate all relevant evidence including...
 - Inculpatory Evidence
 - Incriminating or tending to show responsibility of a violation.
 - Exculpatory Evidence
 - Exonerating or tending to negate responsibility of a violation.
- Following the fact gathering stage, issue a Preliminary Investigation Report to Employee A and Supervisor.
 - Allow each party 10 calendar days to review and respond with any changes, clarifications, or questions.
- Issue a Final Investigation Report to the Title IX/EO Coordinator detailing the factual findings and summarizing the relevant evidence.
 - **DO NOT** include determination re: policy violation.
- Title IX/EO Coordinator will review the Final Investigation Report and request a written Determination Report from the investigators.
- Investigators will provide a written Determination Report to the Title IX/EO Coordinator to be shared with Employee A and Supervisor.
 - Preponderance of the evidence standard.

Questions?





Thank you for attending!

Feel free to contact me with any questions.

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