

TITLE IX FORMAL COMPLAINT ACTION STEPS

SUMMARY

The SC Technical College System's Division of Academics, Student Affairs, and Research developed this quick guide to navigating formal complaints of sexual harassment as required by the 2020 revisions to the U.S. Department of Education's Title IX regulations. This Action Steps quick guide outlines the key personnel involved in managing formal complaints and the process of complaint resolution from initial filing to completion of the live hearing.

DEFINITIONS

Complainant: an individual who is alleged to be the victim of conduct that could constitute sexual harassment

Respondent: an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment

Title IX Coordinator: an employee designated by the college to coordinate its Title IX efforts including investigation of any complaint communicated to such college alleging its noncompliance with Title IX or alleging any actions which would be prohibited by Title IX

Investigator: someone who acts as a neutral party in the investigation and provides a detailed, unbiased report regarding the findings of the investigation

Decision-Maker: a person or a panel of people who issues a written determination with findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent, and whether remedies will be provided to the complainant

Advisor: someone who is present to help the complainant or respondent understand the proceedings and to conduct cross-examination on behalf of the party during a live hearing



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Begin Process

Responsible: *Title IX Coordinator*

A formal complaint of Sexual Harassment (to include sexual assault, dating violence, domestic violence, stalking) has been signed and filed with or by the Title IX Office.

- Take action immediately by acknowledging the complaint, providing supportive measures, issuing a Notice of Allegations, and initiating the investigative process.
- Provide additional support resources and assistance in accordance to college policy
- If the complaint involves a party at another institution, contact that institution's Title IX Office to coordinate the investigation process.
- Sexual harassment violations must go through a Live Hearing.

Investigate Incident

Responsible: *Investigators*

- Conduct separate meetings with Complainant and Respondent to discuss the complaint.
- Take statements from both parties.
- Collect evidence and eye witness accounts.
- Prepare preliminary evidence report that will be sent simultaneously to both parties and their advisors.
- Prepare final report that will be sent to decision-maker(s).

Schedule Live Hearing

Responsible: *Decision Maker or Hearing Coordinator*

- Both parties have an advisor of choice (does not need to be an attorney.)
- Advisors cross-examine parties and witnesses.
- Decision maker reviews all information and determines if respondent is found responsible for violating the sexual harassment procedure.
- Determinations are sent in writing simultaneously to both parties, advisors, and the Title IX Office.
- Both parties may appeal within time allotted.