

The accepted grounds for an appeal are:

- additional and/or new relevant information was not available at the time of the committee hearing.
- an error in the process or an abridgement of rights, as outlined by this policy, which materially impacted the outcome of the hearing.
- the sanction(s) assigned by the committee did not adhere to the sanction guidelines stated in this policy.

The University Title IX coordinator reviews requests for appeals or designates a trained senior University staff member to serve as the appeal officer. If the appeal letter(s) does not bring forward sufficient grounds for appeal, the appeal will be denied and the matter will be closed. If the appeal officer determines that an appeal should be considered, he or she may decide to:

- affirm the decision of the committee. In this case, the initial decision is final.
- remand the matter back to the committee to make a decision in light of the appeal officer's findings, or;
- initiate a new hearing.

### **Compliance with Sanctions and Accommodations**

At the conclusion of the Title IX Grievance Process, the deputy coordinator will be responsible for ensuring compliance with all assigned sanctions, and to make any accommodations with the goal of preventing the recurrence of sexual and/or gender-based harassment.

### **Complaints of Sexual Misconduct Against a Faculty Member, Staff Member, Administrator or Third Party**

Reports of gender-based misconduct by a faculty member, staff member, administrator or third-party affiliated with the University should be filed with the University Title IX coordinator.

### **Investigation**

The deputy Title IX coordinators in coordination with the University Title IX coordinator, are designated to formally investigate grievances, address inquiries and coordinate the University's compliance efforts regarding complaints and grievances against faculty members, staff, administrators and third parties. Notice of a formal complaint can be made in writing or orally to an appropriate staff member (Residential Life, Public Safety, Student Affairs, Human Resources, etc.), though the University encourages community members to submit grievances in writing (electronically or by hard copy) to the deputy coordinator, the University Title IX coordinator or other appropriate staff member.

The complaint should clearly describe the alleged incident, when and where it occurred, and the desired remedy, if known. Additionally, the initiator of a formal complaint should submit any supporting materials in writing as quickly as possible.

Completion of the investigation and grievance procedures should be complete within 60 days of the receipt of the complaint, oftentimes sooner. Should this process last longer than 60 days, the deputy coordinator will communicate the reasons and expected timeline to all parties.

### **Interim Remedial Action**

After reviewing the complaint, the deputy coordinator, or the lead investigator in consultation with the deputy coordinator, may enact interim remedial actions in order to stop the alleged harassment or discrimination, and/or to protect the safety and well-being of the individuals and University community. Interim remedial action is preliminary, and only in effect until the process is complete and a decision is rendered. Interim remedial actions include, but are not limited to, no contact orders, changes in academic schedule and accommodations, campus restrictions and University suspensions. These actions may be instituted at any point during the investigation process.

### **Preliminary Investigation**

After reviewing the complaint, the deputy coordinator will:

- determine the identity and contact information of the complainant;
- identify which policies, if any, were allegedly violated;
- meet the complainant to inquire about and finalize complaint;
- conduct an immediate initial investigation to determine if there is cause to proceed with further investigation.

If there is insufficient evidence to support a reasonable cause for the complaint, the grievance will be closed with no further action.

### **Formal Investigation**

If the deputy coordinator determines that there is reasonable cause to pursue the complaint, a formal investigation will be initiated. During the formal investigation, the deputy coordinator, or a trained lead investigator identified by the deputy coordinator, will:

- identify and select a second trained investigator to assist with the formal investigation. The deputy coordinator may appoint additional investigators as necessary.
- commence a thorough and impartial investigation by developing a strategic investigation plan, including a witness list, information list, intended investigation timeframe, and order of interviews for all witnesses and the accused individual;
- give the accused individual proper notice of the investigation and provide an opportunity for the accused individual to provide information;
- complete the investigation in a timely manner, without unnecessary deviation from the intended timeline;
- maintain communication with the complainant and the accused individual on the status of the investigation and overall process.

At the conclusion of the investigation, the deputy Title IX coordinator will determine whether there has been a Title IX violation using a preponderance of the evidence standard and will consult with other University offices as necessary in reaching a decision regarding the written grievance. The deputy Title IX coordinator will prepare a written report setting forth findings, conclusions and recommended actions to be taken, if applicable.

In the event the deputy Title IX coordinator determines that there has been a violation, a report will be presented to Mark Thompson, executive vice president and provost of Quinnipiac University, or his designee. Upon notification of a violation, Thompson, or his designee, will take appropriate action to ensure that the violation is remedied, that it will not recur and that the discriminatory effects upon the complainant are corrected to the extent possible.

While the time it may take to investigate and resolve a Title IX grievance will depend on a variety of factors, including the nature and scope of the allegations, the University will seek to resolve the grievance promptly.

### **Informal Resolution**

In instances where it is deemed possible and safe, the University may choose to resolve reports through informal means. If it is determined that an informal resolution may be appropriate, the Title IX coordinator or deputy Title IX coordinator will speak with the complainant about this option. If the complainant agrees, the Title IX coordinator or deputy Title IX coordinator will speak with the person alleged to have engaged in the misconduct. If a satisfactory resolution is reached through this informal process, the matter will be considered completed. If these efforts are unsuccessful, the formal investigation process will commence. The informal resolution process will not be used in cases involving allegations of sexual assault.

### **Appeals**

The complainant or the accused may notify the University Title IX coordinator of his/her intent to appeal the decision within five business days of learning of the determination. Upon notification of intent to appeal, the complaining party must submit an appeal letter specifying the grounds upon which the appeal is based and any supporting materials within five business days. The Title IX coordinator has the discretion to extend the deadline for submission of a letter of appeal. The only accepted grounds for appeal are:

- additional and/or new relevant information was not available at the time of the investigation; or
- the investigator did not consider evidence that would have materially impacted the outcome of the investigation.

Once the appeal materials are submitted, the other party and the investigator will be notified of the appeal and given an opportunity to submit materials in response to the appeal.

The University Title IX coordinator may decide to:

- affirm the deputy Title IX coordinator's decision. In this case, the initial decision is final.
- modify the deputy Title IX coordinator's decision and present a report with findings and recommendations to Thompson or his designee. Upon receipt of the University Title IX coordinator's report and recommendations, Thompson, or his designee, will take appropriate action to ensure that any violation is remedied.