**Spelman College**

**Sexual Misconduct, Relationship Violence & Stalking Complaint Resolution Process Overview**

**Intake Meeting**
Title IX & Compliance office contact the reporter and complainant to gather additional information to determine the needs of the complainant to promote safety and continued access to education.

**Initial Assessment**
Once a formal Complaint is received, the Title IX & Compliance office determines if complaint falls within the scope of Title IX Sexual Harassment (Complaint Resolution Process A) or if Student Conduct, Human Resources or the Office of the Provost is best suited to address complaint (Complaint Resolution Process B).

**Supportive Measures**
Supportive measures are offered to all parties involved. Supportive measures could include No Contact Orders, referrals to counseling, assistance with notifying campus or local law enforcement, on campus work, housing and/or academic adjustments.

**Investigation**
If the reported conduct violates Spelman College policy and the College has control over the Respondent, the College will investigate the complaint, either through the steps outlined in Complaint Resolution Process A or Complaint Resolution Process B.

**Complaint Resolution**
Complaint are resolved either through a formal or informal complaint resolution process. Informal resolution is voluntary and must be requested by both Parties and at the discretion of the Title IX Coordinator.

**Retaliation**
Spelman College prohibits retaliation against any person involved in the resolution of a Title IX or other Sexual Misconduct, Relationship Violence or Stalking Complaint.
**Formal Complaint**

To proceed with an investigation, informal resolution or formal resolution process, the College must receive a formal complaint signed by the Complainant. In rare instances, the College may proceed with a complaint signed by the Title IX Coordinator.

**Investigation**

The College will assign an investigator to investigate the complaint. Notice of investigation will be sent to anyone who has information related to the complaint. The investigations are designed to identify all relevant facts and evidence related to the complaint. All parties can identify witnesses and information they want the investigator to review.

**Investigative Report Review**

The investigator will prepare a report, which includes relevant information related to the complaint. Parties review a preliminary report and submit comments, additional witnesses or information they want the investigator to consider prior to finalizing the report.

**Advisor Identification**

Complainants and Respondents can be accompanied by an advisor of choice to any meeting and investigation interview. Complainants & Respondent must be accompanied by an advisor at the hearing. The College will provide an advisor for the purpose of conducting cross-examination to any Complainant or Respondent that attends a Hearing without an advisor.

**Hearing**

The College will identify either a single decision maker or a panel of decision-makers who will conduct a hearing, that is live and in real time. Each party, through their advisor, will be permitted to question the other Party and Witnesses. The Decision-makers(s) will determine, by preponderance of the information, if the Respondent violated campus policy. If so, the Decision-makers will determine Respondent sanction(s) and Complainant remedy(ies).

**Appeals & Informal Resolution**

Either party can submit an appeal of any determination made throughout the process. Both parties can also submit a request to the Title IX Coordinator for the complaint to be resolved through informal resolution. **Informal Resolution can not be used when an employee is accused of sexually harassing a student.** The College will work with the Parties to identify the most appropriate mechanism for informal resolution.
FORMAL RESOLUTION
NON-TITLE IX COMPLAINTS
COMPLAINT RESOLUTION PROCESS B

Formal Complaint

If a complaint has been dismissed as Title IX Sexual Harassment, the Title IX & Compliance office will refer the complaint to the Office of the Dean of Students, Director of Human Resources or Office of the Provost for review.

Investigation

The College will assign an investigator to investigate the complaint. Notice of investigation will be sent to anyone who has information related to the complaint. The investigations are designed to identify all relevant facts and evidence related to the complaint. All parties can identify witnesses and information for the investigator to review.

Investigative Report Review

The investigator will prepare a report, which includes relevant information related to the complaint. Parties review a preliminary report and submit comments, additional witnesses or information they want the investigator to consider prior to finalizing the report.

Advisor Identification

Complainants and Respondents can be accompanied by their advisor of choice to any meeting, investigation interview and hearing. The advisor does not have an active role in the proceedings, outside of advising their advisee.

Hearing

The College will identify a single decision-maker or panel of decision-makers who will conduct a hearing to determine, by preponderance of the information, if the Respondent violated campus policy. The Decision-makers(s) will determine, by preponderance of the information, if the Respondent violated campus policy. If so, the Decision-makers will determine Respondent sanction(s) and Complainant remedy(ies).

Appeals & Informal Resolution

Either party can submit an appeal of any determination made throughout the process. Additionally, Parties can submit a request to the Title IX Coordinator or Process Administrator to resolve the complaint through Informal Resolution. The college will work with the Parties to determine the appropriateness of informal resolution and the most appropriate mechanism for informal resolution.
SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE AND STALKING COMPLAINT RESOLUTION PROCEDURES
PROCESS POOL MEMBERS

**Introduction**

To ensure complaint resolution processes are conducted by administrators/faculty who do not have bias or conflict of interest, Spelman College uses a pool of training administrators/faculty, or external consultants to facilitate the process.

**Title IX Coordinators**

The Title IX Coordinator's primary responsibility is to coordinate the college's compliance with Title IX, including the college's complaint resolution procedures for resolving Title IX complaints. During the complaint resolution process, the Title IX Coordinator or Deputy Title IX Coordinators will conduct the intake and assessment of complaints, implementing appropriate supportive measures. As appropriate they may investigate complaints or serve as informal resolution facilitators.

**Investigators**

Investigators serve as neutral fact finders. They are either employees appointed by the college or external consultants retained by the college. Their role in the process is to gather statements and evidence from the Parties and Witnesses. The investigators compile all of the evidence gathered for review by the Parties then summarize statements and relevant evidence to share with the Parties, Decision Makers and the Title IX Coordinator.

**Decision Makers**

Decision makers are either neutral administrators/faculty appointed by the college or external consults retained by the College. They are charged with overseeing a hearing to determine whether or not there is sufficient information to find the Respondent responsible for alleged policy violation(s). If the Respondent is found responsible, decision makers determine appropriate sanctions for the Respondent and remedies for the Complainant.

**Appellate Officers**

Appellate officers are charged with determining if the submitted appeal meets the appeal criteria. If an appeal satisfied the grounds for an appeal, the appellate officers will then review the merits of the appeal and determine what, if any action is needed based on the merits of the appeal.

**Advisors**

Both the Complainant and Respondent are entitled to have an advisor of choice accompany them to all meetings, interviews and hearings. In complaint resolution Process A, the college will appoint an advisor, for the purpose of cross examination, to any party who does not have one identified.