

SEXUAL HARASSMENT/MISCONDUCT/ASSAULT PROCEDURE TRACKING

Section 1: Formal Complaint

Date Received: _____

In Writing: YES NO

Signed by Complainant: YES NO

Signed by TIX Coordinator: YES NO

Complainant: _____

Respondent: _____

NOTE: College has 60 days from receipt of Formal Complaint to conduct dismissal analysis, determine whether to attempt Informal Resolution, and conduct Investigatory Interviews.

Section II: Analysis – Mandatory or Discretionary Dismissal?

YES NO Was the alleged conduct against a person located in the US?

YES NO Was the alleged conduct against a person participating, or attempting to participate in a College educational program or activity?

YES NO Was the alleged conduct during a College activity or program?

YES NO Did the College have substantial control over both the respondent and the context?

YES NO Did the alleged conduct happen at a College location or a location controlled by the College?

If any of these answers are “No” then the College must dismiss the Formal Complaint from TIX, but not Title 20-A Chapter 445.

If all of the answers were “Yes” then continue analysis:

YES NO Was the alleged conduct quid pro quo by an employee?

YES NO Was the alleged conduct severe, and pervasive, and objectively offensive?

YES NO Was the alleged conduct sexual assault, stalking, domestic violence, or dating violence?

If all of these answers are “No” then the College must dismiss the Formal Complaint from TIX, but not Title 20-A Chapter 445.

YES NO Has the complainant withdrawn the Formal Complaint, in writing?

YES NO Has the respondent left the institution (either no longer enrolled or employed)?

YES NO Have the circumstances prevented the institution from gathering evidence sufficient to reach a determination?

If any of these answers are “Yes” then the College may, in its discretion, dismiss the Formal Complaint.

Notice transmitted to Complainant and Respondent on: _____

Appeal lodged within 2 days? YES NO If yes, by which party?: _____

Within 5 days:

YES NO Statement received from complainant?

YES NO Statement received from respondent?

Notice, appeal statements provided to Appeal Decision Maker on _____

Decision by Appeal Decision Maker received on _____

Decision transmitted to both parties on _____

Section III: Proceeding Notice to Complainant and Respondent

YES NO Notice transmitted to complainant on: _____
YES NO Is this a VAWA offense? If yes, provide VAWA support services notice.
YES NO Notice transmitted to respondent on: _____

Section IV: Emergency Removal

YES NO College followed standard emergency removal protocols?
YES NO College completed individual safety and risk analysis?
YES NO College determined there was an immediate risk of physical health or safety to any person arising out of the allegations of sexual harassment?

Emergency Removal Notice transmitted on _____

YES NO Opportunity to be Heard requested?
Opportunity to be Heard took place on: _____
Post Opportunity to be Heard decision transmitted on: _____

Section IV: Supportive Measures for Complainant and Respondent

Complainant accepted supportive measures:

YES NO Counseling. Implemented on: _____
YES NO Deadline extensions. Implemented on: _____
YES NO Other course-related adjustments (specify). Implemented on: _____
YES NO Modification of course schedule. Implemented on: _____
YES NO Modification of work schedule. Implemented on: _____
YES NO Change in work assignment or location. Implemented on: _____
YES NO Change in housing assignment or location. Implemented on: _____
YES NO Increased security and/or monitoring of certain areas on campus.
Implemented on: _____
YES NO Mutual “no contact” agreements between parties. Implemented on: _____
YES NO Leave of absence. Implemented on: _____
YES NO Other (specify). Implemented on: _____

Respondent accepted supportive measures:

YES NO Counseling. Implemented on: _____
YES NO Deadline extensions. Implemented on: _____
YES NO Other course-related adjustments (specify). Implemented on: _____
YES NO Modification of course schedule. Implemented on: _____
YES NO Modification of work schedule. Implemented on: _____
YES NO Change in work assignment or location. Implemented on: _____
YES NO Change in housing assignment or location. Implemented on: _____
YES NO Increased security and/or monitoring of certain areas on campus.

Implemented on: _____
YES NO Mutual "no contact" agreements between parties. Implemented on: _____
YES NO Leave of absence. Implemented on: _____
YES NO Other (specify). Implemented on: _____

Section V: Informal Resolution

YES NO Complainant signed agreement to attempt Informal Resolution? Date received?: _____
YES NO Respondent signed agreement to attempt Informal Resolution? Date received?: _____

Assigned Facilitator: _____
Date assigned: _____

Party withdrawal from Informal Resolution? Date: _____ Party: _____
Notice of Formal Process transmitted to both parties on: _____

YES NO Successful Informal Resolution? Agreement signed by both parties on: _____
If no, Notice of Formal Process transmitted to both parties on: _____

Section VI: Investigation

Assigned Investigator: _____
Date assigned: _____

YES NO Written notice before every meeting, interview, etc. with date, time, location, purpose

Draft report and materials received from Investigator on _____

Directly related inculpatory and exculpatory evidence, draft report transmitted to both parties and respective advisors on _____ via _____

YES NO Within 10 business days received written response from complainant on _____

YES NO Within 10 business days received written response from respondent on _____

Final report received from Investigator on _____

Final investigative report transmitted to both parties and respective advisors on _____

YES NO Within 10 business days received written response from complainant on _____

YES NO Within 10 business days received written response from respondent on _____

Complete report and responses transmitted to Decision Maker on _____

Section VII: Live Hearing

Assigned Decision Maker: _____
Date assigned: _____

Notice of Live Hearing transmitted to both parties on _____

YES NO Complainant will attend. Advisor name _____
YES NO Respondent will attend. Advisor name _____
YES NO Does either party need an advisor for the hearing? _____
If yes, who is the advisor? _____
YES NO Is the technology ready, including to make a recording?
YES NO Is the evidence ready and available for either party to access at the hearing?
YES NO Was the recording transmitted to both parties within 10 business days of the conclusion of the
live hearing?
Recording transmitted on _____

Section VIII: Findings

Written findings report received from Decision Maker on _____

Written findings transmitted to both parties on _____

Section IX: Appeals

YES NO Appeal lodged within 2 days? If yes, by which party?: _____
On what grounds? _____

Within 5 days:

YES NO Statement received complainant? YES NO Statement received respondent?

Findings report, appeal statements provided to Appeal Decision Maker on _____

Decision by Appeal Decision Maker received on _____

Decision transmitted to both parties on _____

Notes: