

ROSE-HULMAN COMPLAINT RESOLUTION
PROCEDURE FOR CIVIL RIGHTS EQUITY FOR
ALL FACULTY, STUDENTS, AND EMPLOYEES

ROSE-HULMAN
INSTITUTE OF TECHNOLOGY

USE AND ADAPTATION OF THIS MODEL WITH CITATION TO THE
NCHERM GROUP/ATIXA IS PERMITTED THROUGH A LICENSE
TO ROSE-HULMAN INSTITUTE OF TECHNOLOGY
ALL OTHER RIGHTS RESERVED.
©2013. THE NCHERM GROUP, LLC/ATIXA

PROCEDURES: Equal Opportunity, Harassment and Nondiscrimination

EQUITY COMPLAINT PROCESS FOR RESOLVING COMPLAINTS OF HARASSMENT, SEXUAL MISCONDUCT AND OTHER FORMS OF DISCRIMINATION

Rose-Hulman will act on any formal or informal complaint or notice of violation of the policy on Equal Opportunity, Harassment and Nondiscrimination, that is received by the Title IX Coordinator(s) or Assistant Coordinator(s), a member of the Equity Resolution Panel [who is not serving as an advocate] or a member of the administration.

The procedures described below will apply to all complaints involving students, staff or faculty members. Redress and requests for responsive actions for complaints brought involving non-members of the community are also covered by these procedures.

1. Equity Resolution Panel (ERP)

Members of the ERP are announced in an annual distribution of this policy to campus, prospective students, their parents and prospective employees. Members of the ERP are trained in all aspects of the complaint process, and can serve in any of the following roles, at the direction of the Title IX Coordinator(s):

- To provide sensitive intake and initial counseling of complaints
- To serve in a mediation role in conflict resolution
- To investigate complaints
- To act as advocates to those involved in complaints
- To serve on hearing panels for complaints
- To serve on appeal panels for complaints

ERP members also recommend proactive policies, and serve in an educative role for the community. The President, in consultation with the Title IX Coordinator(s), appoints the panel, which reports to the Title IX Coordinator(s). The Title IX Coordinator for employees addresses all complaints in which employees are accused. The Title IX Coordinator for students addresses complaints in which students are accused. When a complaint involves an employed student, or a student-employee, the Coordinators collaborate. All substantive decisions by the Title IX Coordinator(s) are made in consultation, the Title IX Coordinator for students in collaboration with the Dean of Students and the Title IX Coordinator for employees with the Senior Vice President and Chief Administrative Officer. ERP members will receive annual training organized by the Title IX Coordinator(s), including a review of Rose-Hulman policies and procedures, so that they are able to provide accurate information to members of the community. All ERP members are required to attend this annual training.

The Equity Resolution Panel includes:

- Two Assistant Coordinators, one in Student Affairs and one in Human Resources
- At least 5-8 members of faculty/staff administrators
- At least one representative from Public Safety
- At least two representatives from Athletics

Panel members are usually appointed to three-year renewable terms. Appointments to the ERP should be made with attention to representation of groups protected by the harassment and non-discrimination policy. Individuals who are interested in serving on the ERP are encouraged to contact the Title IX Coordinator(s). Current members can be found at <http://www.rose-hulman.edu/about-us/human-resources/title-ix-erp.pdf>

2. Filing a Complaint

Any member of the community, guest or visitor who believes that the policy on Equal Opportunity, Harassment and Nondiscrimination has been violated should contact the Title IX Coordinator(s), Assistant Coordinator(s), or a member of the ERP. It is also possible for employees to notify a supervisor, or for students to notify an academic advisor or faculty member. These individuals will in turn notify the Title IX Coordinator(s). Rose-Hulman website also includes a reporting form at <http://www.rose-hulman.edu/about-us/human-resources/incident-report-form.pdf> which may serve to initiate a complaint.

All employees receiving reports, observing potential violations, or otherwise being put on notice of a potential violation of Rose-Hulman policy are expected to promptly contact the Title IX Coordinator(s), within 24 hours of becoming aware of a report or incident. All initial contacts will be treated with the maximum possible privacy: specific information on any complaints received by

Last Updated 05-29-2014

any party will be reported to the Title IX Coordinator(s), but, subject to Rose-Hulman obligation to redress violations, every effort will be made to maintain the privacy of those initiating a report of a complaint. In all cases, Rose-Hulman will give consideration to the party bringing a complaint with respect to how the complaint is pursued, but reserves the right, when necessary to protect the community, to investigate and pursue a resolution when an alleged victim chooses not to initiate or participate in a formal complaint.

3. Complaint Intake

Following receipt of notice or a complaint, the Title IX Coordinator(s)¹ will, promptly assign an ERP panel member to work as an advocate to the person who reported the complaint or party bringing a complaint may choose from the ERP pool (or choose a non-trained advocate from outside the pool, if preferred, or proceed without an advocate). Normally, within two business days, an initial determination is made whether a policy violation may have occurred and/or whether conflict resolution might be appropriate. If the complaint does not appear to allege a policy violation or if conflict resolution is desired by the party bringing a complaint, and appears appropriate given the nature of the alleged behavior, then the complaint does not proceed to investigation.

A full investigation will necessarily be pursued if there is evidence of a pattern of misconduct or a perceived threat of further harm to the community or any of its members. Rose-Hulman aims to complete all investigations within a 60 calendar day time period, which can be extended as necessary for appropriate cause by the Title IX Coordinator(s) with notice to the parties.

4. Investigation

If a party bringing a complaint wishes to pursue a formal complaint or if Rose-Hulman, based on the alleged policy violation, wishes to pursue a formal complaint, then the Title IX Coordinator(s) appoints ERP members to conduct the investigation, usually within two business days of determining that a complaint should proceed. Investigation of complaints brought directly by those alleging harm should be completed expeditiously, normally within 10 business days of notice to the Title IX Coordinator(s). Investigation may take longer when initial complaints fail to provide direct first-hand information. Rose-Hulman may undertake a short delay (3-10 days, to allow evidence collection) when criminal charges on the basis of the same behaviors that invoke this process are being investigated. Rose-Hulman action will not be altered or precluded on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced. All investigations will be thorough, reliable and impartial, and will entail interviews with all relevant parties and witnesses, obtaining available evidence and identifying sources of expert information, if necessary.

5. Interim Remedies

If, in the judgment of the Title IX Coordinator(s), the safety or well-being of any member(s) of the campus community may be jeopardized by the presence on-campus of the responding party or the ongoing activity of a student organization whose behavior is in question, the Title IX Coordinator(s) (or designee) may provide interim remedies intended to address the short-term effects of harassment, discrimination and/or retaliation, (i.e., to redress harm to the alleged victim and the community and to prevent further violations). These remedies may include referral to counseling and health services, education to the community, altering the housing situation of an accused student or resident employee (or the alleged victim, if desired), altering work arrangements for employees, providing campus escorts, implementing contact limitations between the parties, offering adjustments to academic deadlines, course schedules, etc.

Rose-Hulman may interim suspend a student, employee or organization pending the completion of ERP investigation and procedures. In all cases in which an interim suspension is imposed, the student, employee or student organization will be given the opportunity to meet with the Title IX Coordinator(s) prior to such suspension being imposed, or as soon thereafter as reasonably possible, to show cause why the suspension should not be implemented. The Title IX Coordinator(s), in consultation with the appropriate administrator, has sole discretion to implement or stay an interim suspension under the policy on Equal Opportunity, Harassment and Nondiscrimination, and to determine its conditions and duration. Violation of an interim suspension under this policy will be grounds for expulsion or termination.

During an interim suspension or administrative leave, a student or employee may be denied access to Rose-Hulman housing and/or Rose-Hulman campus/facilities/events. As determined by the appropriate administrative officer, Title IX Coordinator(s) or designee, this restriction includes classes and/or all other Rose-Hulman activities or privileges for which the student or employee might

¹ If circumstances require, the President or Title IX Coordinator(s) may designate another person to oversee the process below, should a complaint be made against the Coordinator or the Coordinator be otherwise unavailable or unable to fulfill their duties.

otherwise be eligible. At the discretion of the appropriate administrative officer, Title IX Coordinator(s), or designee, alternative coursework options may be pursued to ensure as minimal an impact as possible on the accused student.

6. Complaint Resolution

During or upon the completion of the investigation, the investigators will meet with the Title IX Coordinator(s). Based on that meeting, the Title IX Coordinator(s) will make a decision on whether there is reasonable cause to proceed with the complaint. If the Title IX Coordinator(s) decides that no policy violation has occurred or that the preponderance of evidence (i.e., whether it is more likely than not that the responding party committed each alleged violation) does not support a finding of a policy violation, then the process will end unless the party bringing a complaint requests that the Title IX Coordinator(s) makes an unusual determination to re-open the investigation or to forward the matter for a hearing. This decision lies in the sole discretion of the Title IX Coordinator(s). If there is reasonable cause, the Title IX Coordinator(s) will direct the investigation to continue, or if there is a preponderance of evidence of a violation, then the

Title IX Coordinator(s) may recommend conflict resolution, a resolution without a hearing or formal hearing, based on the below criteria.

a. Conflict Resolution

Conflict resolution is often used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the formal hearing process to resolve conflicts. The Title IX Coordinator(s) will determine if conflict resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue and the susceptibility of the conduct to conflict resolution. In a conflict resolution meeting, an ERP member will facilitate a dialogue with the parties to an effective resolution, if possible. Sanctions are not possible as the result of a conflict resolution process, though the parties may agree to appropriate remedies. The Title IX Coordinator(s) will keep records of any resolution that is reached, and failure to abide by the accord can result in appropriate responsive actions.

Conflict resolution will not be the primary resolution mechanism used to address complaints of sexual misconduct or violent behavior of any kind or in other cases of serious violations of policy, though it may be made available after the formal process is completed should the parties and the Title IX Coordinator(s) believe that it could be beneficial. It is not necessary to pursue conflict resolution first in order to make a formal ERP complaint, and anyone participating in conflict resolution can stop that process at any time and request a formal hearing.

b. Resolution without a Hearing

Resolution without a hearing can be pursued for any behavior that falls within the policy on Equal Opportunity, Harassment and Nondiscrimination, at any time during the process. The Title IX Coordinator(s) will provide written notification of a complaint to any member of Rose-Hulman community who is accused of an offense of harassment, discrimination, or retaliation. The Title IX Coordinator(s), together with the investigator(s), will meet with the responding individual to explain the finding(s) of the investigation. Once informed, the responding party may choose to admit responsibility for all or part of the alleged policy violations at any point in the process. If so, the Title IX Coordinator(s) will render a finding that the individual is in violation of Rose-Hulman policy for the admitted conduct, and will normally proceed to convene a formal hearing on any remaining disputed violations. For admitted violations, the appropriate Title IX Coordinator will collaborate with the Dean of Students or Senior Vice President and Chief Administrative Officer and an appropriate sanction or responsive action will be determined. If the sanction or responsive action is accepted by both the party bringing a complaint and responding party, the Title IX Coordinator(s) will implement it, and act promptly and effectively to remedy the effects of the admitted conduct upon the victim and the community. If either party rejects the sanction or responsive action, an ERP hearing will be held on the sanction or responsive action only, according to the ERP procedures below.

c. Formal Hearing

For any complaints that are not appropriate for conflict resolution and which are not resolved without a hearing, the Title IX Coordinator(s) will initiate a formal hearing.

7. Formal ERP Procedure

a. Hearing Panels

The Title IX Coordinator(s) will appoint a non-voting panel Chair, appointed for a one-year term as Chair from the ERP pool. ERP members who served as investigators will be witnesses in the hearing of the complaint and therefore may not serve as hearing panel members. Hearing panels may include both faculty and non-faculty employees (with at least one faculty employee selected in a complaint involving a faculty member). No member of the panel may be a practicing attorney. The panel will meet at times determined by the Chair.

b. Notification of Charges

At least one week prior to the hearing, or as far in advance as is reasonably possible if an accelerated hearing is scheduled with the consent of the parties, the ERP Assistant Coordinator(s) will send a letter to the parties with the following information. Once mailed, emailed and/or received in-person, notice will be presumptively delivered. The letter will contain:

- A description of the alleged violation(s), a description of the applicable procedures and a statement of the potential sanctions or responsive actions that could result.
- The time, date and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities. If any party does not appear at the scheduled hearing, the hearing will be held in their absence. For compelling reasons, the ERP Assistant Coordinator(s) may reschedule the hearing.
- The parties may have the assistance of an ERP panel member, or other advocate, at the hearing. Typically, advocates are members of the campus community, but the Title IX Coordinator(s) will grant permission for an outside advocate upon request. The parties to the hearing are expected to ask and respond to questions on their own behalf, without representation by their advocate. The advocate may consult with the advisee quietly or in writing, or outside the hearing during breaks, but may not speak on behalf of the advisee to the panel.
- Hearings for possible violations that occur near or after the end of an academic term will be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by Rose-Hulman and remain within the 60-day goal for resolution.

c. Hearing Procedures

ERP hearings will be convened, usually within one to two weeks of the completion of the investigation, and will be conducted in private. The ERP has the authority to hear all collateral misconduct, meaning that it hears all allegations of discrimination, harassment and retaliation, but also may hear any additional alleged policy violations that have occurred in concert with the discrimination, harassment or retaliation, even though those collateral allegations may not specifically fall within ERP jurisdiction. Accordingly, investigations should be conducted with as wide a scope as necessary.

Participants will include the non-voting Chair, the three members of the panel, the investigator(s) who conducted the investigation on the complaint, the party bringing a complaint and responding party(ies) (or three organizational representatives in a case where an organization is charged), advocates to the parties and any called witnesses. The Chair will exchange the names of witnesses Rose-Hulman intends to call, all pertinent documentary evidence and any written findings from the investigators between the parties at least two business days prior to the hearing. In addition, the parties will be given a list of the names of each of the ERP panel members at least two business days in advance of the hearing. Should either (any) party object to any panelist, he/she must raise all objections, in writing, to the Chair immediately. Panel members will only be unseated if the Chair concludes that their bias precludes an impartial hearing of the complaint. Additionally, any panelist or Chair who feels he/she cannot make an objective determination must recuse himself or herself from the proceedings when notified of the identity of the parties and all witnesses in advance of the hearing.

The Chair, in consultation with the parties and investigators, may decide in advance of the hearing that certain witnesses do not need to be physically present if their testimony can be adequately summarized by the investigator(s) during the hearing. All parties will have ample opportunity to present facts and arguments in full and question all present witnesses during the hearing, though formal cross-examination is not used between the parties. If alternative questioning mechanisms are desired (screens, Skype, questions directed through the Chair, etc.), the parties should request them from the Chair at least two business days prior to the hearing.

Once the procedures are explained and the participants are introduced, the investigator(s) will present the report of the investigation first, and be subject to questioning by the parties and the ERP. The investigator(s) will be present during the entire hearing process, but will only be present during deliberations at the request of the Chair. The findings of the investigation are not binding on the panel, though any undisputed conclusions of the investigation report will not be revisited, except as necessary to determine sanctions or

responsive actions. Once the investigator(s) is/are questioned, the ERP will permit questioning of and by the parties, and of any present witness. Questions may be directed through the panel at the discretion of the Chair.

Formal rules of evidence will not apply. Any evidence that the panel believes is relevant and credible may be considered, including history and pattern evidence. The Chair will address any evidentiary concerns prior to and/or during the hearing, may exclude irrelevant or immaterial evidence and may ask the panel to disregard evidence lacking in credibility. The Chair will determine all questions of procedure and evidence. Anyone appearing at the hearing to provide information will respond to questions on his/her own behalf.

Unless the Chair determines it is appropriate, no one will present information or raise questions concerning: (1) incidents not directly related to the possible violation, unless they show a pattern, or (2) the sexual history of or the character of the victim/party bringing a complaint.

There will be no observers in the hearing. The Chair may allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the panel or the parties involved. The panel does not hear from character witnesses, but will accept up to two letters supporting the character of the individuals involved.

In hearings involving more than one responding party or in which two parties bringing complaints have accused the same individual of substantially similar conduct, the standard procedure will be to hear the complaints jointly; however, the Title IX Coordinator(s) may permit the hearing pertinent to each responding party to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each responding party.

Proceedings are private. All persons present at any time during the hearing are expected to maintain the privacy of the proceedings, subject to Rose-Hulman consequences for failure to do so. While the contents of the hearing are private, the parties have discretion to share their own experiences if they so choose, and should discuss doing so with their advocates.

Hearings are recorded for purposes of review in the event of an appeal. ERP members, the parties and/or the persons who initiated the action, and appropriate administrative officers of Rose-Hulman will be allowed to listen to the recording in a location determined by the Title IX Coordinator(s) or designee. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator(s).

d. Decisions

The ERP will deliberate in closed session to determine whether the responding party is responsible or not responsible for the violation(s) in question. The panel will base its determination on a preponderance of the evidence (i.e., whether it is more likely than not that the responding party committed each alleged violation). If an individual responding party or organization is found responsible by a majority of the panel, the panel will recommend appropriate sanctions to the Title IX Coordinator(s).

The Chair will prepare a written deliberation report and deliver it to the Title IX Coordinator(s), detailing the finding, how each member voted, the information cited by the panel in support of its recommendation and any information the hearing panel excluded from its consideration and why. The report should conclude with any recommended sanctions. This report should not exceed two pages in length and must be submitted to the Title IX Coordinator(s) within two (2) days of the end of deliberations.

The Title IX Coordinator(s) will inform the responding party and the party bringing a complaint of the final determination within 2-3 business days of the hearing, without significant time delay between notifications. Notification will be made in writing and may be delivered by one or more of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official Rose-Hulman records; or emailed to the parties' Rose-Hulman-issued email account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

e. Sanctions

Sanctions or responsive actions will be recommended by the ERP. The appropriate Title IX Coordinator will collaborate with the Dean of Students or Senior Vice President and Chief Administrative Officer in determining the final sanction or response action. Factors considered when determining a sanction or responsive action may include:

- The nature, severity of, and circumstances surrounding the violation
- An individual's disciplinary history
- Previous complaints or allegations involving similar conduct
- Any other information deemed relevant by the ERP

Last Updated 05-29-2014

- The need for sanctions or responsive actions to bring an end to the discrimination, harassment and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment and/or retaliation
- The need to remedy the effects of the discrimination, harassment and/or retaliation on the victim and the community

i. Student Sanctions

The following are the usual sanctions that may be imposed upon students or organizations singly or in combination:

- *Warning:* A formal statement that the behavior was unacceptable and a warning that further infractions of any Rose-Hulman policy, procedure or directive will result in more severe sanctions/responsive actions.
- *Probation:* A written reprimand for violation of the Code of Student Conduct, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any Rose-Hulman policy, procedure or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified social privileges, exclusion from co-curricular activities, non-contact orders and/or other measures deemed appropriate.
- *Suspension:* Termination of student status for a definite period of time not to exceed two years, and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure at Rose-Hulman. This sanction may be noted as a Conduct Suspension on the student's official transcript.
- *Expulsion:* Permanent termination of student status, revocation of rights to be on campus for any reason or attend Rose-Hulman-sponsored events. This sanction will be noted as a Conduct Expulsion on the student's official transcript.
- *Withholding Diploma.* Rose-Hulman may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has a complaint pending, or as a sanction if the student is found responsible for an alleged violation.
- *Revocation of Degree.* Rose-Hulman reserves the right to revoke a degree awarded from Rose-Hulman for fraud, misrepresentation or other violation of Rose-Hulman policies, procedures or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- *Organizational Sanctions.* Deactivation, de-recognition, loss of all privileges (including Institute registration), for a specified period of time.
- *Other Actions:* In addition to or in place of the above sanctions, Rose-Hulman may assign any other sanctions as deemed appropriate.

ii. Employee Sanctions

Responsive actions for an employee who has engaged in harassment, discrimination and/or retaliation include warning, required counseling, demotion, suspension with pay, suspension without pay and termination. For tenured faculty, violations of this policy may be considered acts involving moral turpitude for purposes of tenure revocation.

f. Withdrawal or Resignation While Charges Pending

Students: Rose-Hulman does not permit a student to withdraw if that student has a complaint pending for violation of the policy on Equal Opportunity, Harassment and Nondiscrimination, or for charges under the Code of Student Conduct. Should a student decide to leave and not participate in the investigation and/or hearing, the process will nonetheless proceed in the student's absence to a reasonable resolution and that student will not be permitted to return to Rose-Hulman unless all sanctions have been satisfied.

Employees: Should an employee resign while charges are pending, the records of the Title IX Coordinator(s) will reflect that status, as will Rose-Hulman responses to any future inquiries regarding employment references for that individual. The Title IX Coordinator(s) will act to promptly and effectively remedy the effects of the conduct upon the victim and the community.

g. Appeals

All requests for appeal considerations must be submitted in writing to the Title IX Coordinator(s) within three business days of the delivery of the written finding of the ERP.

A three-member panel of the ERP designated by the Title IX Coordinator(s) who was not involved in the complaint previously will consider all appeal requests. Any party may appeal, but appeals are limited to the following:

- A procedural error or omission occurred that significantly impacted the outcome of the hearing (i.e. substantiated bias, material deviation from established procedures, etc.).
- To consider new evidence, unknown or unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.

Last Updated 05-29-2014

- The sanctions fall outside the range of sanctions Rose-Hulman has designated for this offense or the cumulative conduct record of the individual who is accused.

The appeals panel of the ERP will review the appeal request(s). The original finding and sanction or responsive actions will stand if the appeal is not timely or is not based on the grounds listed above, and such a decision is final. When any party requests an appeal, the other party (parties) will be notified and joined in the appeal. The party requesting appeal must show that the grounds for an appeal request have been met, and the other party or parties may show the grounds have not been met, or that additional grounds are met. The original finding and sanction are presumed to have been decided reasonably and appropriately.

Where the ERP appeals panel finds that at least one of the grounds is met, and proceeds, additional principles governing the hearing of appeals include the following:

- Appeals decisions by the ERP panel are to be deferential to the original decision, making changes to the finding only where there is clear error and to the sanction or responsive action only if there is a compelling justification to do so.
- Appeals are not intended to be full rehearings of the complaint. In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal. Appeals granted based on new evidence should normally be remanded to the original hearing panel for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator(s) or heard by the three-member panel of the ERP.
- Sanctions imposed are implemented immediately unless the Title IX Coordinator(s) or designee stays their implementation in extraordinary circumstances, pending the outcome of the appeal.
- The Title IX Coordinator(s) will normally, after conferring with the ERP appeals panel, render a written decision on the appeal to all parties within 2-3 business days from hearing of the appeal.
- All parties should be informed of whether the grounds for an appeal are accepted and the results of the appeal decision.
- Once an appeal is decided, the outcome is final: further appeals are not permitted.

h. Failure to Complete Sanctions and/or Comply with Responsive Actions

All responding parties are expected to comply with conduct sanctions or responsive/corrective actions within the time frame specified by the Title IX Coordinator(s). Failure to follow through on conduct sanctions or responsive/corrective actions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions or responsive/corrective actions and/or suspension, expulsion and/or termination from Rose-Hulman and may be noted on a student's official transcript. A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator(s).

i. Records

In implementing this policy, records of all complaints, resolutions, and hearings will be kept by the Title IX Coordinator(s) for seven years from the creation of the record in the Title IX Coordinator(s) database.

j. Statement of the Rights of a Party Bringing a Complaint

- To be treated with respect by Rose-Hulman officials.
- To take advantage of campus support resources for students (i.e. Counseling Services and Rose-Hulman Health Services) and for employees (i.e. the Office of Human Resources, the Employee Relations Committee, and/or the Ombudsman Committee, who are the Staff and Faculty Representatives to the Board of Trustees).
- To experience a safe living, educational and work environment.
- To have an advocate during this process.
- To refuse to have an allegation resolved through conflict resolution procedures.
- To receive institutional amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
- To be free from retaliation.
- To have complaints heard in substantial accordance with these procedures.
- When the injured party is not the complainant, the injured party has full rights to participate in any ERP process.
- To be informed in writing of the outcome/resolution of the complaint, sanctions where permissible and the rationale for the outcome where permissible.
- Refer to law enforcement and have assistance.
- Housing and living accommodations.
- To have a campus-based no contact order between the parties

k. Statement of the Rights of the Responding Party

- To be treated with respect by Rose-Hulman officials.
- To take advantage of campus support resources for students (i.e. Counseling Services and Rose-Hulman Health Services) and for employees (i.e. the Office of Human Resources, the Employee Relations Committee, and/or the Ombudsman Committee, who are the Staff and Faculty Representatives to the Board of Trustees).
- To have an advocate during this process.
- To refuse to have an allegation resolved through conflict resolution procedures.
- To have complaints heard in substantial accordance with these procedures.
- To be informed of the outcome/resolution of the complaint and the rationale for the outcome, in writing.

8. Revision

These policies and procedures will be reviewed and updated annually by the Title IX Coordinator(s). The Title IX Coordinator(s) may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party. However, the Title IX Coordinator(s) may also vary procedures materially with notice (on the Rose-Hulman web site, with appropriate date of effect identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedure. Procedures in effect at the time of its implementation will apply. Policy in effect at the time of the offense will apply even if the policy is changed subsequently, unless the parties consent to be bound by the current policy.

This procedure was implemented in July, 2014.