

# ROSE-HULMAN COMPLAINT RESOLUTION PROCEDURE FOR CIVIL RIGHTS EQUITY

**ROSE-HULMAN**  
**INSTITUTE OF TECHNOLOGY**

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## **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 Rose-Hulman Policy for Civil Rights Equity that is received by the Title IX Coordinator(s) or Assistant Coordinator(s), a member of the Equity Resolution, 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 process advisors 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). 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

The Title IX Coordinator(s) will appoint a non-voting hearing panel Chair, appointed for a one-year term as Chair from the ERP pool. 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 <https://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). The Rose-Hulman website also includes a reporting form at <https://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 any party will be reported to the Title IX Coordinator(s), but, subject to Rose-Hulman's 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

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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**

Upon receiving notice of a complaint, the Title IX Coordinator(s)<sup>1</sup> will assign an ERP panel member to work as a process advisor to the person who brought the complaint or is the subject of the complaint. The process advisor will serve as a liaison for the student and will assist the student in understanding the policy and process and in obtaining necessary resources.

The Title IX Coordinator will make an initial determination of whether a policy violation may have occurred and/or whether conflict resolution might be appropriate. If it is apparent that the complaint does not allege a policy violation, the Title IX Coordinator will inform the reporting party of his/her decision and the process will cease. The Title IX Coordinator may make recommendations to the reporting party of how to handle his/her situation if it is not a violation.

If the Title IX Coordinator determines that a policy violation may have occurred, the Title IX Coordinator will consider whether complaint resolution is appropriate. If complaint resolution is appropriate and the complaining party agrees, the Title IX Coordinator will attempt to resolve the situation through complaint resolution, as discussed in paragraph 6 below.

If complaint resolution is not appropriate or if the reporting party does not consent, a full investigation will be pursued. The Title IX coordinator will also initiate a full investigation if there is a perceived threat of harm to the Rose-Hulman community or its members. Rose-Hulman aims to complete all investigations within a 60 calendar day time period, which can be extended as necessary by the Title IX Coordinator(s).

The Title IX Coordinator(s) will provide written notification of a complaint to any member of the Rose-Hulman community who is accused of violating the Rose-Hulman Policy for Civil Rights Equity. This notification will be made early in the investigation process, but it may be delayed if the investigation team deems it necessary to complete part of the investigation before notifying the responding party. The responding party will be assigned a process advisor when notified of the complaint.

### **4. Investigation**

The Title IX Coordinator(s) appoint ERP members to conduct the investigation, usually within two business days of determining that a complaint should proceed. 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. Investigation of complaints should be completed expeditiously, normally within 10 business days. Investigations may take longer depending upon the unique circumstances of each investigation and the number of witnesses involved. Rose-Hulman may undertake a short delay if there is a criminal investigation of the same incident. Rose-Hulman's 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.

### **5. Interim Remedies**

If the Title IX Coordinator determines that the safety or well-being of any member(s) of the campus community may be jeopardized by the on-campus presence 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 place a student, employee or organization on interim suspension 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

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<sup>1</sup> 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.

appropriate administrator, has sole discretion to implement 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 permanent suspension 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. This restriction may include classes and/or all other Rose-Hulman activities or privileges for which the student or employee might otherwise be eligible. If feasible and reasonable under the circumstances, 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 collaborate with the appropriate administrator and discuss the investigation. The Title IX Coordinator and the appropriate administrator will then make a decision on whether there is reasonable cause to proceed with the complaint.

If the Title IX Coordinator and administrator decide 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. If requested by the complaining party, the Title IX Coordinator may re-open the investigation, if the Title IX Coordinator(s) decides that it is necessary and appropriate to do so. This decision lies in the sole discretion of the Title IX Coordinator(s) and appropriate administrator, and an investigation should be re-opened only in extenuating circumstances, such as the availability of new evidence. If the Title IX Coordinator does not re-open the investigation, the complaint will be closed.

If the Title IX Coordinator and appropriate administrator decide that there is evidence of a policy violation, the following three options may occur:

- a. Conflict Resolution;
- b. Resolution without a Hearing; or
- c. Formal Hearing.

Each of these three options are described below. If the Title IX Coordinator and appropriate administrator decide that the evidence could reasonably support a finding of a policy violation or of no policy violation (i.e., it is “too close to call”), the Title IX Coordinator should proceed with conflict resolution or a formal hearing.

### **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, the Title IX Coordinator(s) 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. As discussed above, conflict resolution may be used in situations where the Title IX Coordinator finds that the conduct complained of does not fall within the Rose-Hulman Policy for Civil Rights Equity.

### **b. Resolution without a Hearing**

This option may be used when there is sufficient evidence that a policy violation has occurred (“preponderance of the evidence”), and:

- A responding party admits responsibility for all or part of the alleged policy violations at any point in the process;
- When the investigation reaches a finding that the parties accept; or
- When both parties elect to resolve the allegation without a hearing and the Title IX Coordinator assents.

The Title IX Coordinator and appropriate administrator will meet with the responding party and explain the findings of the investigation. The responding party may choose to admit responsibility for all or part of the alleged policy violation. If the responding party admits to the violation, the Title IX Coordinator will render a finding that the individual is in violation of Rose-Hulman's policy. The Title IX Coordinator will then collaborate with the appropriate administrator to determine an appropriate sanction. If the responding party and reporting party both agree to the proposed sanction, the sanction will be imposed and the process will be complete.

If the responding party or reporting party rejects the sanction, a formal hearing will be held on the appropriate sanction only. When that occurs, the hearing panel will not be informed of the proposed sanction suggested by the Title IX Coordinator and appropriate administrator.

Resolution without a hearing may be utilized by the Title IX Coordinator at any stage of the process, with agreement of the parties.

### **c. Formal Hearing**

This option may be used when there is sufficient evidence that a policy violation has occurred ("preponderance of the evidence"), and:

- A responding party denies responsibility for all or part of the alleged policy violations; or
- A responding party admits to responsibility but either party rejects the sanction.

The procedures for formal hearings are discussed in paragraph 7 below.

## **7. Formal Hearing Procedure**

### **a. Hearing Participants**

Hearing panels will usually be convened within ten (10) days of the completion of the investigation, and will be conducted in private. Participants will include the non-voting Chair, the three (3) members of the panel, the investigators, the reporting party, the responding party (or three (3) organizational representatives where an organization is charged), process advisors, and any called witnesses.

In place of a process advisor, a party may select another individual, within or outside the Rose-Hulman community, to accompany them during the hearing. The party shall request approval of the individual selected by the panel Chair in advance of the hearing. The individual may consult with the party quietly or in writing during the hearing, or outside the hearing during breaks, but may not speak on behalf of the party to the panel. Individuals will be asked to leave the hearing for failure to comply with these rules.

### **b. Pre-Hearing Procedures**

When it is determined that a formal hearing is necessary, the Title IX Coordinator shall send a letter to the parties with a description of the alleged violations, a description of the procedures, a statement of the potential sanctions, and the name of the hearing panel Chair. The date, time, and location of the hearing will be provided as soon as determined. The parties' attendance at the hearing 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 Chair may reschedule the hearing.

At least three (3) days prior to the hearing, the Chair will provide the parties with: (1) the names of witnesses who will be participating in the hearing, (2) all pertinent documentary evidence, (3) the names of each of the hearing panel members, and (4) the redacted investigation report. The parties may request witnesses at least two (2) days prior to the hearing. All witnesses must be interviewed by the investigators before appearing at the hearing or must provide a written statement at least two (2) days prior to the hearing.

All objections to any panelist must be raised in writing to the Chair at least two (2) days prior to the hearing. Hearing panel members will only be unseated if the Chair concludes that their bias precludes an impartial hearing of the allegation. The hearing panel members will be given the names of all parties and witnesses prior to the hearing, and panel members will recuse themselves if there is a conflict of interest.

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 statements can be adequately summarized by the investigator(s) in the investigation report or during the hearing. All parties will have ample opportunity to present facts and arguments in full and question all present witnesses during the hearing. The parties will not be permitted to cross-examine each other.

If alternative attendance or questioning mechanisms are desired, such as the reporting party not wanting to be in the same room as the responding party for the hearing (screens, Skype, questions directed through the Chair, etc.), the parties should request them from the Chair at least two (2) days prior to the hearing.

### **c. Presentation of Evidence and Witnesses**

Once the procedures are explained and the participants are introduced, the investigator will present the report of the investigation first, and be subject to questioning by the parties and the panel. 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. Once the investigator(s) present their report and are questioned, the panel will permit the parties to provide relevant information in turn and permit questioning of and by the parties. The panel will then permit all present witnesses to provide relevant information and the panel and the parties will each be allowed to ask questions of the witnesses. Formal rules of evidence do not apply.

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, (2) the sexual history of the reporting party (though there may be a limited exception made in regards to the sexual history between the parties), (3) or the character of the reporting party. While previous conduct violations by the responding party are not generally admissible as information about the present allegation, the investigators will supply the panel with information about previous good faith allegations and/or findings to consider as evidence of pattern and/or predatory conduct.

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, and then be excused. The panel does not hear from character witnesses, but will accept up to two (2) letters supporting the character of each of the parties.

In hearings involving more than one responding party or in which two (2) or more reporting parties have accused the same individual of substantially similar conduct, the Title IX Coordinator(s) will determine whether hearings will be held individually or jointly. If held jointly, there will be separate determinations made to each responding party.

Proceedings are private. All persons present at any time during the hearing are expected to maintain the privacy of the proceedings. While the contents of the hearing are private, the parties have discretion to share their own experiences if they so choose.

Hearings (except for deliberations) are recorded for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted. Panel members, the parties, and appropriate administrators of Rose-Hulman will be allowed to listen to the recording in a location determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX

Coordinator.

#### **d. Deliberation and Decisions**

The three (3) members of the hearing panel and the non-voting Chair will deliberate in closed session to determine whether the responding party is responsible or not responsible for the policy violation(s) in question. The panel will base its determination(s) on a preponderance of the evidence (i.e., whether it is more likely than not that the responding party committed each alleged violation). If a responding party or organization is found responsible by a majority of the panel, the panel will recommend appropriate sanctions. If the responding party has already admitted to the policy violation, the hearing panel will only deliberate as to an appropriate sanction.

The Chair will prepare a written deliberation report and deliver it to the Title IX Coordinator, detailing the recommended finding, 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 (2) pages in length and must be submitted to the Title IX Coordinator within two (2) days of the end of deliberations, unless the Title IX Coordinator grants an extension.

The Title IX Coordinator will inform the parties of the final decision of the ERP and of the sanction imposed by the Title IX Coordinator and appropriate administrator (see paragraph 8 below) within three (3) days of the hearing. Notification will be made in writing and may be delivered in person, by campus mail, and/or by campus email. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

### **8. Sanctions**

The Title IX Coordinator(s) will collaborate with the appropriate administrator in determining the final sanction or responsive action. The Title IX Coordinator(s) and appropriate administrator will make the final decision on sanctions. 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.
- 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.
- Recommendations of the investigation team and/or the hearing panel.

#### **a. 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.
- *Permanent Suspension*: Permanent suspension 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.

Sanctions imposed are implemented immediately unless the Title IX Coordinator(s) stays their implementation in extraordinary circumstances, pending the outcome of the appeal.

#### **b. 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.

### **9. Withdrawal or Resignation While Charges Pending**

Students: Rose-Hulman does not permit a student to withdraw if that student has a complaint pending for a violation of the Policy for Civil Rights Equity, 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 to remedy the effects of the conduct upon the victim and the community.

### **10. 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 findings and sanctions by the Title IX Coordinator.

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.
- 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.

Appeals will be limited to these issues. The appeals panel will not be re-weighing evidence and re-judging the original finding of responsibility.

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 in writing that the grounds for an appeal request have been met, and the other party or parties may show in writing that 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.
- Within 3 business days from considering the appeal, the appeals panel will provide a written decision to the Title IX Coordinator, stating the following:
  - That the appeals panel affirms the final sanction implemented by the Title IX Coordinator and appropriate administrator;
  - That the appeals panel remands the case back to the original hearing panel for purposes of hearing newly discovered evidence;
  - That the appeals panel recommends a new hearing due to substantiated bias or other significant procedural error; or
  - That the appeals panel disagrees with the final sanction implemented by the Title IX Coordinator and appropriate administrator.
- If the appeals panel affirms the decision of the Title IX Coordinator and appropriate administrator, the outcome is final and further appeals are not permitted.
- If the appeals panel disagrees with the decision of the Title IX Coordinator and appropriate administrator, the President of Rose-Hulman shall make the final decision on sanctions after reviewing all written evidence in the case. The President's decision is final and further appeals are not permitted. The President's review of sanctions shall only occur in cases where the appeals panel disagrees with the decision of the Title IX Coordinator and appropriate administrator.
- All parties should be informed of whether the grounds for an appeal are accepted and the results of the appeal decision.

#### **11. Failure to Complete Sanctions and/or Comply with Responsive Actions**

All responding parties are expected to comply with sanctions or responsive actions within the time frame specified by the Title IX Coordinator(s). Failure to follow through on conduct sanctions or responsive actions by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanctions or responsive actions. A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator(s).

#### **12. 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.

#### **13. 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 advocate process advisor during this process.
- To be accompanied by an individual of their choice throughout the 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.
- To be referred to law enforcement and have assistance.
- To have housing and living accommodations, as necessary.
- To have a campus-based no contact order between the parties.

#### **14. 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 advocate process advisor during this process.
- To be accompanied by an individual of their choice throughout the 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.

#### **15. Revision**

These policies and procedures will be reviewed and updated annually by the Title IX Coordinator(s). Cases will be determined according to the policy in effect at the time of the alleged incident.

This policy was implemented in July 2014.

This policy was updated/revised in August 2016.