SEXUAL MISCONDUCT COMPLAINTS
INCIDENTS INVOLVING A STUDENT AS THE RESPONDENT

INITIAL ASSESSMENT

OFFER complainant information about filing a formal complaint, seeking advocacy or counseling, obtaining academic accommodations, receiving medical care, preserving evidence and reporting to police.

ASSESS safety of student and university community.

ASCERTAIN preferences of reporting student.

STUDENT FILES FORMAL COMPLAINT
Title IX Coordinator assesses need for interim measures including academic or other accommodations and support services.

STUDENT REQUESTS NO ACTION TAKEN
Title IX Coordinator assesses if there is an ongoing threat to the student or USU community.

IF NO ONGOING THREAT
Student offered appropriate accommodations and support services to mitigate impact of incident. Known information is recorded, and student retains option to file formal complaint at a later date. If there is an ongoing threat, Title IX may begin investigation.

TITLE IX OFFICE CONDUCTS INVESTIGATION
Complainant and responding student receive notice and details of complaint and information about the investigative process and their rights. (Approx. 60 days for investigation and finding).

INVESTIGATIVE REPORT
A trained investigator conducts an equitable and thorough investigation. After reviewing facts gathered, the Title IX Coordinator prepares a draft report that summarizes the investigation and sets forth conclusions. The Title IX Coordinator makes a finding on whether the respondent violated university policy based on a “preponderance of evidence” (more than 50 percent of the evidence pointed to one side or the other).

TITLE IX COORDINATOR PROVIDES FINDING
Each party has 10 days to review and provide their written responses to the draft report. After the response period, the Title IX Coordinator reviews the responses and finalizes the finding.

FINDING
YES, A POLICY VIOLATION OCCURRED
Complainant or respondent can appeal to the Affirmative Action Appeals Committee of three staff/faculty within 10 days. If no appeal, finding goes to Student Conduct for sanctioning. If no appeal, finding stands.

NO POLICY VIOLATION OCCURRED
Complainant or respondent can appeal to Affirmative Action Appeals Committee within 10 days. If no appeal, finding stands.

IF FINDING IS APPEALED
Affirmative Action Appeals Committee reviews case within 45 days. Committee may modify finding.

SANCTION RECOMMENDED
Complainant or respondent can appeal within 10 days. If no appeal, decision stands.

IF SANCTION IS APPEALED
Sanction appeals heard by Student Conduct Hearing Board of six staff/faculty. Board can modify sanction.

APPEALS BOARD
For limited reasons, complainant or respondent may appeal to Appeals Board, which makes recommendation to President.

USU PRESIDENT REVIEWS
President can accept or modify decision. Decision is final.

REPORT sexual misconduct to the Title IX Coordinator: Old Main Room 161 | (435) 797-1266 | TitleIX.usu.edu