

# TITLE IX COORDINATOR RESPONSE

## How Title IX Reports are Made

### HOW TO REPORT

Online: [titleix.usu.edu](http://titleix.usu.edu)  
Email: [titleix@usu.edu](mailto:titleix@usu.edu)  
Phone: 435-797-1266  
In-person: Old Main 161

#### A WITNESS TO MISCONDUCT REPORTS

Anyone can file a report to the Title IX Coordinator about an incident of sexual misconduct or gender discrimination. Though a witness can choose what information to share, anonymous reports or reports that do not include the name of a complainant or respondent may limit the university's ability to respond.

#### A RESPONSIBLE EMPLOYEE REPORTS

All university employees, except those designated as confidential resources, are required to report incidents of sexual misconduct or gender discrimination to the Title IX Coordinator and to include all information they know.

#### STUDENT REPORTS THEIR EXPERIENCE

Students who have experienced sexual misconduct or gender discrimination can file a report with the Title IX Coordinator.

## Assessment Under the Direction of the Title IX Coordinator

**MORE RESOURCES AT**  
[usu.edu/sexual-assault](http://usu.edu/sexual-assault)

**1 OFFER COMPLAINANT INFORMATION** about the Title IX process and support services such as advocacy, counseling, obtaining academic accommodations, receiving medical care, preserving evidence and reporting to police. Title IX also gathers information from complainant, other individuals, and possibly other sources to determine the nature of an incident and to identify the individuals involved.

**2 ASSESS THE SAFETY** of the complainant and the campus community, as well as the need for accommodations such as changes to class schedule, on-campus housing, on-campus work schedule, academic accommodations, and on-campus no-contact orders. The university will also consider the need for other interventions such as targeted training and education.

**3 REVIEW COMPLAINANT REQUESTS** for anonymity (name not given to anyone), no action, or requests that no disciplinary action is taken against respondent. Sometimes complainants wish only to inform the school or receive accommodations. These requests are evaluated in the context of the university's responsibility to provide a safe, non-discriminatory environment for all students, including the complainant.

**If a complainant declines any involvement,** the university will still assess safety. Though the university will gather facts, without the involvement of the complainant, the university's ability to pursue sanctions may be limited, including removing a respondent from campus.

#### IMPORTANT TERMS DEFINED

##### **Sexual Misconduct**

Sexual assault, sexual harassment, stalking, and dating or domestic violence.

##### **Gender Discrimination**

Differentiating treatment of individuals based on their actual or perceived sex.

##### **Complainant**

The student who experienced the sexual misconduct or gender discrimination.

##### **Respondent**

The individual (student, staff or faculty member) who is accused of the misconduct.

##### **Witness**

Individual who provides information about an incident of misconduct.

**Students who want complete confidentiality** can receive advocacy and counseling on campus through USU's Sexual Assault and Anti-Violence Information Office or off campus through the CAPSA in Logan. Learn more online at [usu.edu/sexual-assault](http://usu.edu/sexual-assault).

**UtahStateUniversity™**  
AFFIRMATIVE ACTION  
TITLE IX

# TITLE IX INVESTIGATION, FINDING AND SANCTIONING

RESPONDENT IS A STUDENT

## Investigation

**TITLE IX 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).  
Both parties may identify witnesses, have an equal opportunity to be heard, and may have an advisor present during interviews (though the advisor does not participate).



**INVESTIGATIVE REPORT**  
A trained investigator conducts an equitable and thorough investigation. After reviewing facts gathered, the investigator prepares a draft report that summarizes the investigation, sets forth conclusions, and makes a finding on whether the respondent violated university policy based on a "preponderance of evidence," e.g., more likely than not that the evidence supports a policy violation.

## Finding

**TITLE IX COORDINATOR PROVIDES WRITTEN DRAFT FINDING TO COMPLAINANT AND RESPONDENT**  
Each party has 10 days to review the draft and provide their written responses. After the response period, the Title IX Coordinator finalizes the finding and provides written notice to complainant and respondent.



**NO, NOT ENOUGH EVIDENCE TO SHOW A POLICY VIOLATION OCCURRED**  
Complainant or respondent may appeal the finding within 10 days to the Affirmative Action Appeals Committee. *If no appeal, the finding stands.*



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



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



**USU PRESIDENT REVIEWS**  
President may accept or modify the decision. **Decision is final.**

## Sanctions (Office of Student Conduct in Student Affairs)

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



**IF SANCTION IS APPEALED**  
Sanction appeals heard by the Student Conduct Hearing Board of six staff/faculty. The board may modify the sanction. For limited reasons, complainant or respondent may appeal to the Appeals Board, which makes a recommendation to the president.



**USU PRESIDENT REVIEWS**  
President may accept or modify the decision. **Decision is final.**