Title IX and Sexual Misconduct Process: Formal

FACULTY, STAFF, STUDENTS, PATIENTS & COMMUNITY MEMBERS

In accordance with state and federal requirements, Title IX prohibits sex and gender based discrimination in all of the University's programs and activities for faculty, staff, students, patients and community members. OEO's Title IX Policy (PDF) comports with Federal Title IX requirements, and OEO's Sexual Misconduct Policy (PDF) comports with State and local requirements.

1

Complaint received

When OEO receives a complaint, the office will contact the person/people who feel harmed to ask how they want to resolve the matter (formally or informally). This flowchart depicts the formal process. For the informal process, please review the relevant flowchart and Explanation of Informal Process Options.

2

Written complaint & response

If the complainant chooses a formal process, OEO requests a written complaint which will then be shared with the respondent, if known, who may submit a written response to be shared with the complainant.

3

Investigation

May exceed 90 days

Investigation begins. Interviews commence with complainant, respondent, and/or any witnesses. Other information such as email, texts, or social media is gathered. The investigator writes a draft fact finding report. The draft report is shared with the formal parties with a preliminary finding of a policy violation or not. Draft reports may be redacted slightly for reasons of confidentiality/privacy. This process may take longer than 90 days depending on the complexity.

4

Appeal or rebuttal & panel selection

Both parties have an opportunity to submit an appeal or a rebuttal before the draft report is final. OEO reviews any final due process information the parties may submit at this stage. If no further investigation is required, a panel is selected. For more information about the panel, please see OEO Liaisons and Adjudicators (PDF).

5

Live adjudication hearing

Once an adjudication panel reviews the final report, they will schedule a live, recorded adjudication hearing in accordance with federal Title IX requirements. Each party will be assigned an advisor (more information about advisors here), if they do not already have one, who will cross-examine the other party in the adjudication hearing.

6

Final outcome decision

May take 4–6 weeks

The adjudication panel will deliberate on the facts in the final investigative report and on the evidence and information from the adjudication hearing. The Panel will issue a final outcome decision in writing. (This may take 4-6 weeks.) This decision will be delivered to the parties on a secure portal called OneHub to protect the privacy and confidentiality of all parties.

7

Right to appeal

Complainant and respondent have a right to an appeal on the following bases:

1. Procedural irregularity which may have affected the outcome of the matter.
2. New evidence which was not available during the investigation or adjudication process and which would have impacted the outcome of the matter.
3. Conflict of interest or bias of the Title IX Coordinator, investigator or the panel which would have impacted the outcome of the matter.

It is important to note this process is sometimes not linear or fixed. OEO reviews each case uniquely. Thus, certain steps may be modified or skipped to ensure this process best addresses the specifics of a case.

For more information please visit oeo.tufts.edu or call OEO at **617-627-3298**.

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