

Policy 922 Information for Students

DEFINITIONS

Complainant. A person who makes a formal complaint or who is reported to have experienced a violation of University Policy 922. This person is sometimes referred to as the victim.

Respondent. A person who is accused of violating University Policy 922. This person is sometimes referred to as the alleged perpetrator.

Title IX Investigator. A neutral party tasked with gathering information related to an allegation of a University Policy 922 violation. The investigator is committed to providing a fair and unbiased review of the information available and will not take sides. The Title IX Investigator may also assist Complainant and Respondent by providing information about support and advocacy resources.

Support Person/Advisor. An individual selected by the Complainant/Respondent who may attend meetings with the Complainant/Respondent to offer support or encouragement. Examples of a support person/advisor include, but are not limited to: a friend, family member, Dean of Students staff member, University personnel, etc. The support person/advisor may not answer questions or speak on behalf of the Complainant/Respondent. Please let the Title IX Investigator know in advance if someone will be accompanying you to a meeting with the Title IX Investigator. An individual who may be a witness, including a character witness, may not be present during a meeting with the Complainant/Respondent and the Title IX Investigator.

PROCESS

Anonymity and Confidentiality. Information provided to the Office of Equal Opportunity and Title IX may be shared with other University officials as necessary and appropriate. Respondent will be provided sufficient information about the allegations to allow them an opportunity to respond. The Office of Equal Opportunity and Title IX will consider requests for Complainant anonymity on a case-by-case basis, consistent with University Policy 922.

Interim Measures and Academic Accommodations. Implementation of interim measures may be appropriate. Interim measures may include, but are not limited to, separation of the Complainant's/Respondent's academic, living, and/or dining situations, or other measures as may be deemed appropriate in the circumstances. The Title IX Investigator will ask the parties if interim measures are requested, although sometimes interim measures may be implemented prior to the party's first meeting with the Title IX Investigator. In addition to interim measures, the parties may require academic accommodations. These accommodations may be arranged by the Office of Equal Opportunity and Title IX in partnership with the Dean of Students Office and Residential Life. Interim measures do not imply any determination regarding the factual nature of the incident. The purpose of interim measures is to create intentional space between persons involved to allow University officials the opportunity to assist in determining an appropriate resolution.

No Contact Order. At its discretion, Indiana State University may issue a temporary No Contact Order between persons connected with the University to help create an environment that is free from harassment and/or threats of violence. If this action is taken, it is not an indication that the University believes one person or the other. It is simply a method used to create intentional space between persons involved to allow University officials the opportunity to assist in determining an appropriate resolution. In some instances, the No Contact Order may extend beyond the investigative process.

Investigation. The Title IX Investigator will attempt to interview the Complainant first to gather information related to the nature of the complaint. The Title IX Investigator will then provide sufficient information about the nature of the allegations to Respondent to allow Respondent an opportunity to respond to the allegations in a meeting with the Title IX Investigator. Neither Complainant nor Respondent may be present during the meeting of the other party. Meetings with both parties will be recorded.

Supporting Information and Witnesses. Both parties will have the opportunity to provide information to the Title IX Investigator which may include documentation, names of witnesses, or physical evidence. Both parties are encouraged to provide all information they have regarding the matter. The Title IX Investigator has the option to interview witnesses and review documentation to determine its relevance to the investigation. The Title IX Investigator may communicate with the Complainant/Respondent to ask additional questions or to request additional information. Complainant and Respondent may each submit questions to the Title IX Investigator, for response by the other party or witnesses that they believe will provide relevant information to the investigation.

Investigative Reports. The Title IX Investigator will provide a Preliminary Investigative Report to the Complainant and Respondent, if participating in the investigation. This report may include statements of each person interviewed, references to documentation, or other information reviewed by the Title IX Investigator. The Complainant and Respondent each have five (5) calendar days from the date the Title IX Investigator provides each party with the Preliminary Investigative Report to submit written corrections or clarifying comments to the Title IX Investigator. The Title IX Investigator will review the submissions of each party, if any, and will prepare the Final Investigative Report.

Information or documentation provided by either party, or by a witness interviewed in the course of an investigation, may be included in the Final Investigative Report. The Final Investigative Report will be shared with both parties and relevant University officials.

Impact Statement. Both the Complainant and Respondent are encouraged to submit an impact statement describing any emotional and/or psychological impact they experienced as a result of the reported incident. This is also your opportunity to describe the impact that this incident may have for you in the future. Impact statements are only reviewed by the Title IX Panel if the Respondent is determined responsible for violation of University Policy 922. If a party wishes to provide an Impact Statement, it must be provided to the Title IX Investigator prior to the scheduled start of the Title IX Panel.

Selection of Title IX Panel. Four (4) members from the Title IX Committee will be randomly selected to serve on the Title IX Panel, with the fourth selected member serving as an alternate if there is a conflict with one of the first three (3) selected members. These individuals will be contacted by the Title IX Investigator and notified of the names of the Complainant and Respondent. The Complainant and Respondent will be notified of the names of the Title IX Panel members. Complainant and Respondent may strike a panelist, and panelists may recuse themselves, due to a conflict of interest.

Title IX Panel. The Title IX Panel reviews all relevant information (Final Investigative Report and supporting documentation/evidence). The Complainant and Respondent may participate in the Title IX Panel, but are not required to do so. One or both parties may chose not to participate. Accommodations may be made if parties do not wish to attend the Title IX Panel at the same time. The Title IX Panel may ask questions of the Title IX Investigator, Complainant, and/or Respondent. Title IX Panel will deliberate and make a determination as to whether or not the reported information is a violation of University Policy 922. If it is determined there was a violation of University Policy 922, the Title IX Panel will deliberate and may impose disciplinary outcomes on the Respondent.

Determination and Outcomes. Written notification of the Title IX Panel determination and disciplinary outcomes, if any, will be provided to the Complainant and Respondent by the Title IX Investigator.

Retaliation. Indiana State University prohibits retaliation. All parties are protected from any form of retaliation for initiating and/or participating in the investigative process. If you believe you are the subject of retaliatory behavior, please contact the Title IX Investigator or the Office of Equal Opportunity and Title IX at (812) 237-8954.

More Information. If you want information or updates on the status of your investigation, please contact the Title IX Investigator assigned to your complaint using the contact information provided in the Policy 922 information folder or call (812) 237-8954.

I have received a copy of University Policy 922 and the Procedures for Investigation and Resolution of Sexual Misconduct, Intimate Partner Violence, and Stalking, and campus resource information. I understand that Policy 922 and its Procedures guide this process and that this document is a tool to provide additional assistance.

I acknowledge that this meeting is being recorded.

Student Name (Printed)

Signature

Investigator Signature

Date