

Administrative Review Procedure

D19.0 VII. C.2.iii Formal Hearing Procedures and Adjudication

Administrative Review Procedure

If at any point in the formal process, one or both parties are no longer enrolled as a student or either party becomes non-responsive to outreach, RIT reserves the right to resolve the matter through an administrative review.

During any phase of a D19.0 policy violation formal process, Public Safety, Title IX Office, or The Center for Student Conduct and Conflict Resolution (CSCCR) may learn that one or both parties are no longer enrolled as students. The first office to learn of the change in student status will validate the student status and share it at the next case management meeting.

Consistent with current procedures for D19.0, following the conclusion of the investigation, the Title IX office provides the CSCCR with the Final Investigative Report (FIR). The CSCCR will assign the case to two hearing officers and generate a charge letter that includes the alleged behavior and policy violations. When the hearing officers attempt to schedule the hearing, if the student(s) is either no longer enrolled or non-responsive, the student(s) will be notified that the grievance will be addressed through an administrative review and allow the student(s) an opportunity to respond by a certain date to request a hearing. If the student(s) does not respond or confirm that they prefer the matter to be addressed through an administrative review, the CSCCR hearing officers will read and review the FIR to determine responsibility and, if applicable, assign outcomes. The CSCCR may elect to meet with the remaining student prior to final determination but does not have to in order to make a determination of responsibility.

Once a determination has been made, the CSCCR will issue an outcome letter, and the Title IX Coordinator or designee and Office of Legal Affairs will review for legality and consistency. Once final, the CSCCR will simultaneously email the outcome letter to both parties. Both parties will have the right to an appeal as per Policy D18.2.

Applicable Definitions

“Non-responsive” is defined as a student who does not respond to three outreaches from the CSCCR to resolve the grievance through a Mutual Resolution Agreement or Formal Hearing. The CSCCR will exhaust all communication options possible before determining whether a student is non-responsive. Consistent with current CSCCR procedures, the first communication will be sent via CSCCR software, and the second communication will be sent via CSCCR software and text message. The third communication will be sent via CSCCR software and text message. Additionally, the CSCCR will send an email to the student’s alternative email listed in SIS, if available.

“Non-enrollment” is defined by RIT as a term in which a student is not enrolled in any classes.