

Title IX Case Management at RIT

Start Here

Thank You!

If you are exploring this presentation, you are most likely in search of information about the Title IX process here at RIT.

You are in the right place!

This interactive presentation is a tool to help guide you through the various stages of the process here at RIT. Other colleges and universities have processes that may appear different from our own.

This tool is designed to provide an overview. If you are in search of more detailed information, please consider visiting the online RIT Governance Policy Library ([Link to RIT Policy Library](#)) or contact the Title IX Office.

This Prezi presentation allows the flexibility to go step by step through the entire process or only focus on a stage you are unfamiliar with.

Simply click the forward arrow at the bottom of the presentation to go through the entire process OR click on the topic of interest and continue clicking through each subtopic.

COVID-19 Update

Changes due to COVID-19

There will be no in-person meetings, hearings or appeals during the spring semester of 2020.

The process remains unchanged except for changes required to allow for virtual meetings, hearings, and appeals.

If you have any questions about RIT's response to COVID-19, please visit RIT's COVID-19 website ([Link to RIT COVID-19 website](#)).

If you have any questions about the changes to Title IX Case Management, please contact the Title IX Office.

I have experienced a Title IX-related incident.

If you have experienced an incident involving sexual assault, harassment, domestic violence, dating violence or stalking...

...you are a potential complainant. We do not use the term "victim" to refer to an individual who has experienced a potential Title IX violation. Being a complainant means that you have filed a complaint against someone for an incident you were directly involved in.

If a complaint has been filed on your behalf by a third party, we refer to the person who has submitted the report as the reporting person/party.

As a result of this third party complaint, you may have been contacted by the Title IX Office although you haven't personally submitted a report. A third party complaint simply brings an issue to the attention of the Title IX Office. It doesn't necessarily mean that any action will be taken on your behalf. As the potential complainant, you have the right to discuss your options, including whether or not to proceed further with the reporting process.

Please take your time, review your resources and do what is best for you. The Title IX process is here to help you when you are ready. If you are not sure if you want to make a report, please visit a confidential on or off-campus resource for assistance.

This can be a challenging process but an empowering one as well.

If you have already submitted a report, we highly encourage you to work with an Advocate or Advisor of Choice as you move through this process.

If you haven't already, you will receive a letter from the Title IX Office with a guide attached. Online resources are also available on the Title IX website.

Confidential Resources on Campus

CONFIDENTIAL RESOURCES

- RIT Counseling & Psychological Services (students only)

585-475-2261

[Link to CAPS webpage](#)

- RIT CARES (Campus Advocacy REsponse and Support for students)

585-295-3533

[Link to CARES webpage](#)

Services provided at no cost.

- RIT Student Health Center (students only)

585-475-2255

[Link to Student Health Center webpage](#)

- RIT Ombuds Office

585-475-7200 or 585-475-2876

[Link to Ombuds webpage](#)

Services provided at no cost.

- RIT Spirituality and Religious Life

585-475-2137

[Link to Spirituality and Religious Life webpage](#)

Services provided at no cost.

•NTID Counseling and Academic Advising Services (students only)

585-475-6468 or 585-286-4854

[Link to NTID Counseling and Academic Advising Services webpage](#)

Services provided at no cost.

Non-Confidential Resources on Campus

RIT Public Safety

24 hours a day, 7 days a week

585-475-2853 (V)

Text Number 585-205-8333

[Link to Public Safety webpage](#)

Services provided at no cost.

RIT Student Financial Services

24 hours a day, 7 days a week

Mon - Fri 8:30 AM - 4:30 PM

585-475-6186

[Link to Student Financial Services webpage](#)

Office of Diversity and Inclusion

585-475-6546

[Link to Office of Diversity and Inclusion webpage](#)

Services provided at no cost.

RIT Advocacy Program

585-475-7668 (V/TTY)

[Link to RIT Advocacy Program webpage](#)

Services provided at no cost.

RIT Human Resources

585-475-2424 (V/TTY)

[Link to Human Resources webpage](#)

Services provided at no cost.

RIT Community Partners

Willow Center

Call (585) 232-7353 (24-Hour Hotline)

Call (585) 232-1741 (TTY)

[Link to Willow Center website](#)

Services provided at no cost.

IGNITE (formerly Advocacy for Deaf Abused Victims)

Call (585) 286-2713 (VP/Voice)

[Email IGNITE](#)

[Link to IGNITE website](#)

Services provided at no cost.

Lifeline

Call (585) 275-5151

[Link to Lifeline website](#)

Services provided at no cost.

NYS Police Sexual Assault Hotline

Call (844) 845-7269

Services provided at no cost.

Monroe County Sheriff's Office

Call (585) 753-4178

[Link to Monroe County Sheriff's Office website](#)

Services provided at no cost.

National Domestic Violence Hotline

Call (800) 799-7233

24 hours a day, 7 days a week

[Link to National Domestic Violence Hotline website](#)

Services provided at no cost.

National Sexual Assault Hotline

Call (800) 656-4673

24 hours a day, 7 days a week

[Link to National Sexual Assault Hotline website](#)

Services provided at no cost.

National Dating Abuse Helpline

Call (866) 331-9474

24 hours a day, 7 days a week

[Link to National Dating Abuse Helpline website](#)

Services provided at no cost.

SUNY Sexual Assault & Violence Response Resources

[Link to SUNY Sexual Assault and Violence Response Resources](#)

Services provided at no cost.

RESTORE

24-HOUR HOTLINE

Monroe County: 1-585-546-2777

Genesee, Livingston, Orleans & Wyoming Counties: 1-800-527-1757

[Link to RESTORE website](#)

Services provided at no cost.

RESTORE Campus Advocates are on campus each week. Contact Counseling and Psychological Services for more info.

I am a student.

Student Complainants

Advocacy services are available for students through the Advocacy Program.

Please visit the Center for Student Conduct and Conflict Resolution website for more information:

[\(Link to the Student Conduct and Conflict Resolution Website\)](#)

I am a faculty/staff member.

Faculty/Staff Complainants

Faculty and staff Title IX reports are managed by both the Title IX Office and the Department of Human Resources.

Please familiarize yourself with C06.0. This policy explains the process and your rights as an employee.

C06.0 can be found here: [\(Link to Policy Manual\)](#)

Retaliation Policy

RIT prohibits retaliation

The university and applicable law prohibits retaliation against any member of the RIT community because they have filed a complaint alleging a violation of policy, have participated in the processes described in the policy, or opposed any practice in violation of the policy or applicable federal, state, or local laws.

Retaliation should be reported promptly and may result in disciplinary action independent of the sanction or interim measures imposed in response to the underlying allegations.

Complaints alleging retaliation shall utilize the same procedures for filing complaints alleging violations of this policy.

I believe a Title IX complaint has been filed against me.

If you believe a complaint may have been filed accusing you of a Title IX policy violation...

...but haven't been officially notified, we strongly suggest that you wait for confirmation from the Title IX Office that a complaint has been filed and you have been named as a respondent.

Finding out that someone has reported you for a potential Title IX violation can be very confusing, scary and difficult. Be careful when listening to hearsay and third party information. People may share inaccurate information without understanding the impact on you or others involved in the situation.

Be sure not to contact the complainant about this issue. Doing so may be seen as an act of retaliation.

Get support from individuals you trust and take advantage of on and off-campus resources.

We encourage you to gain as much knowledge about the process as possible by accessing online resources on the Title IX page and/or scheduling a meeting with the Title IX Office.

You are entitled to a fair and equitable Title IX process. Allegations do not determine responsibility for Title IX policy violations.

You also have the right not to participate in the process although the case may move forward despite your reluctance to participate.

Confidential Resources on Campus

CONFIDENTIAL RESOURCES

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[\(Link to Student Health Center webpage\)](#)

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585-475-7200 or 585-475-2876

[\(Link to Ombuds Office webpage\)](#)

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RIT Department of Human Resources
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[\(Link to Department of Human Resources webpage\)](#)
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[\(Link to National Dating Abuse Helpline website\)](#)

Services provided at no cost.

SUNY Sexual Assault & Violence Response Resources

[\(Link to SUNY Sexual Assault and Violence Prevention Response Resources website\)](#)

I am a student.

Student Respondents

When you receive a Notice of Investigation (NOI), you have been officially informed that a Title IX complaint has been filed.

Information about resources are available in the NOI, including information about advocates and advisors of choice.

Advocates and advisors of choice are available for students through our Advocacy Program. More information can be found on the Student Conduct and Conflict Resolution page:

[\(Link to RIT Advocacy Program webpage\)](#).

Please note that you also have the right not to participate in the process although the case may move forward despite your reluctance to participate.

I am a faculty/staff member.

Faculty/Staff Respondents

Faculty and staff are encouraged to work with the Department of Human Resources.

If you need additional support, please consider visiting the Ombuds Office for a confidential consultation.

Please note that you also have the right not to participate in the process although the case may move forward despite your reluctance to participate. Outcomes of this process may impact your employment at the University.

Retaliation Policy

RIT prohibits retaliation

The university and applicable law prohibits retaliation against any member of the RIT Community because they have filed a complaint alleging a violation of this Policy, have participated in the processes described in this Policy, or opposed any practice in violation of this Policy or applicable federal, state, or local laws.

Retaliation should be reported promptly and may result in disciplinary action independent of the sanction or interim measures imposed in response to the underlying allegations. Complaints alleging retaliation shall utilize the same procedures for filing complaints alleging violations of this Policy.

I have submitted a report on behalf of someone else.

If you have made a report on behalf of someone else...

...you are referred to as the reporting person in a Title IX case.

If you have filed a report, in person or online, due to your role as a responsible employee, we thank you. All of us need to do our part to end gender discrimination and harassment on our campus.

If you have submitted a report in person or online but your role doesn't require you to do so, we thank you for taking the time to assist us in addressing an issue that may need attention.

Third-party reports, including anonymous reports made online, may not result in a formal report or Title IX case, but they allow our office to reach out to impacted individuals to offer assistance.

Please note that we cannot share information about cases without written permission from the complainant and/or respondent.

Your relationship with individuals in a Title IX case may be impacted after you report. Be sure to practice good self-care and seek out support if necessary.

I am supporting someone involved in the process.

If you are supporting a complainant or respondent in a case...

...you can appreciate what an emotional situation this can be. Title IX cases are difficult for everyone involved and there are no "winners" in a case. Our goal is to make sure all parties in a case experience an equitable resolution.

You play a critical role in that you may be the only person that a complainant or respondent feels safe talking to.

We don't expect you to be an expert or have all of the answers. It is more important that you familiarize yourself with resources and the process to relate to the individual you are assisting.

Be sure to practice good self-care and know your limits.

If you are a parent, please keep in mind that you may not receive information about your child's case without a signed release of information.

More information can be found here:

[\(Link to RIT Parents and Families FERPA webpage\)](#)

I am looking for general information.

If you are simply seeking a better understanding of the Title IX process here at RIT...

...we want to thank you for taking the time to do so. We want all members of our community to understand this process. All of us play a role in creating a safe environment here at RIT.

This tool gives you a general overview of the life of a Title IX case from report to appeal.

All cases are unique. As a result, the process for each may vary. Some cases require a longer adjudication process. The timing of each stage in the process may vary. Some cases may not move through every step of the process.

If you would like to gain greater knowledge, including becoming a Process Advocate or Title IX Ambassador, please contact the Center for Student Conduct and Conflict Resolution or the Title IX Office for more information.

Reports

Reports

Who may file a report?

RIT prohibits discrimination and harassment on campus, or at any RIT activities off-campus, by its administrators, faculty, staff, students and student organizations, and external organizations and individuals in their operations at RIT.

Title IX reports may be made by anyone affiliated with RIT including:

Students
Faculty
Staff
Administrators
Visitors
Contractors
Non-members
Community Partners

What should be reported?

Prohibited behaviors:

- Sexual Misconduct (including sexual violence, dating violence, and stalking)
- Sexual Harassment
- Gender Discrimination
- Retaliation for reporting acts of discrimination listed above

The relevant RIT policies include:

C6.0 Policy Prohibiting Discrimination and Harassment
D18.0 Student Conduct Process
D18.1 Alcohol and Other Drugs
D19.0 Student Gender-Based and Sexual Misconduct.

All RIT policies can be found by visiting the online policy manual here:

[\(Link to RIT Policy Manual webpage\)](#)

Where do you file a report?

Submitting a report

There are several ways to submit a Title IX report on campus and online.

If you are not certain that you want to submit a report for an incident you have personally experienced, please consider visiting a Confidential Resource on campus.

If you are a "Responsible Employee" or "Campus Security Authority" you must report any policy violation or crime you have been made aware of in a timely fashion.

RIT employees who work in Confidential Offices are the only employees who are not required to report disclosures that have been made to them.

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Services provided at no cost.

- NTID Counseling and Academic Advising Services (students only)
585-475-6468 or 585-286-4854

[Link to NTID Counseling and Academic Advising Services webpage](#)

Services provided at no cost.

Title IX Office

The Title IX Office is a non-confidential resource on campus.

Title IX complaints may be submitted electronically or in person.

The Title IX Office is temporarily located in Orange Hall, suite 1310.

We will return to the 6th floor of Eastman in July 2020.

Title IX Coordinator

(Photo of Stacy DeRooy)

Stacy DeRooy

Director of Title IX and Clery Compliance

Orange Hall, room 1306

585-475-7158
stacy.derooy@rit.edu

Stacy oversees the management of campus reports of sexual harassment, sexual assault, and sexual discrimination.

Assistant Title IX Coordinator

(Photo of Darci Lane-Williams)

Darci Lane-Williams
Assistant Director of Title IX and Clery Compliance
Orange Hall, room 1302
585-475-7383
drlcae@rit.edu

Darci oversees campus prevention education efforts and supports the TIX Coordinator.

Title IX Investigator

(Photo of Cathy Farina)

Cathy Farina
Title IX Investigator
Compliance Coordinator
Orange Hall, room 1304
585-475-2297
cmfcae@rit.edu

Cathy investigates Title IX complaints and ensures thorough documentation.

Deputy Title IX Coordinators

Our Title IX Deputies receive Title IX complaints and assist with process management. They are located in various offices on campus for your convenience.

NTID

(Photo of Amy Stornello)

Amy Stornello
Director of Summer Vestibule Program, NTID First-Year Experience
Title IX Deputy
LBJ 2647
alsrla@ntid.rit.edu
585-270-1797 (text only)
585-391-9990 (Video Phone)

Diversity and Inclusion

(Photo of James Macchiano)

James Macchiano
Director for MCAS
Deputy Title IX Coordinator

SAU 2308
jjmmcs@rit.edu
585-475-2290

Golisano College of Computing and Information Sciences

(Photo of Lana Verschage)
Lana Verschage
Director of Women in Computing
Deputy Title IX Coordinator
lrvse@rit.edu
585-475-7155

Online Reports

There are two ways to submit an online report.

Title IX Reports may be submitted directly to the Title IX Office through a link on the Title IX website which can be accessed here:

[\(Link to Title IX webpage\)](#)

If you desire to remain anonymous, you may use the Ethics and Compliance Hotline. This resource is provided through EthicsPoint, a third-party platform which assures anonymity.

The EthicsPoint site may be reached by following this link:

[\(Link to EthicsPoint website\)](#)

Public Safety

RIT Public Safety is available 24 hours a day, 7 days a week to receive reports.

Contact Numbers

Emergency:

(585) 475-3333

General:

(585) 475-2853

Text:

(585) 205-8333

Responsible Employees

Third Party Reports

RIT faculty, staff and students in various roles are required to report any Title IX disclosures they may receive. Individuals who must report are referred to as "Responsible Employees" and include everyone at RIT except individuals who are employed in any of the confidential offices on campus.

Reports are to be submitted in a timely fashion in order for issues to be addressed as soon as possible.

RIT employees that do not work in confidential offices cannot offer confidentiality but are encouraged to respect the privacy of any individuals involved in a complaint.

Evaluation

Evaluation

How a report is evaluated depends on who the respondent may be. The respondent is the individual a complaint has been made against.

Outreach and Interim Measures

Immediate actions:

If a report is made directly to Public Safety, a threat assessment is performed. Public Safety may put emergency measures in place to ensure safety.

Once a report is received, the Title IX Office sends an electronic outreach letter to the complainant. A discussion with the complainant determines whether or not they would like to continue with the process. The individual is given information about their rights and resources available to them in the Title IX process, including accommodations and interim measures.

Immediate actions that may be taken may include:

No Contact Orders put in place

Changes to living, learning, social or work environments or schedule to support separation of the parties

Interim suspension

Student Respondent

Respondent is a student:

Once a report is received, the Title IX Case Management Team will review the case promptly to confirm that the alleged policy violations are Title IX violations. The team also reviews for safety, outreach, identification of patterns and community impact.

Public Safety may conduct a preliminary investigation with the complainant and/or take emergency measures. The Center for Student Conduct and Conflict Resolution may put interim measure in place as well.

The nature of the alleged violations, along with the wishes of the complainant, will determine whether or not the case moves to an investigation.

Offices represented on the Title IX Case Management Team:

Title IX Office

Student Conduct and Conflict Resolution

Public Safety

Faculty/Staff Respondent

Respondent is a faculty or staff member:

Once a report is received, the Title IX Office will review the case promptly using a case management process. This process may include the Office of Legal Affairs, Human Resources, and the Office of Compliance and Ethics.

Interim measures are implemented by the Department of Human Resources if necessary.

The nature of the allegations, along with the wishes of the complainant, will determine whether or not a case moves to an investigation.

Investigations

Investigations

Student Respondent

Public Safety Investigations

Title IX cases involving student respondents are investigated by Public Safety.

Investigators conduct interviews with the complainant, respondent and appropriate witnesses while also gathering evidence.

The length of the investigation varies from case to case and depends on several factors including, but not limited to, the number of individuals involved, the amount of evidence available and the number of interviews that must be conducted.

Before the start of the investigation, a Notice of Investigation (NOI) is sent to both parties*. The NOI letter has information about resources and next steps.

Potential policy violations are identified in this letter along with any interim measures that have been put in place.

*Non-members may not have access to documentation.

Faculty/Staff Respondent

Title IX Investigator

In cases where the respondent is a faculty or staff member, the investigation is conducted by the Title IX Investigator.

The Investigator conducts interviews with the complainant, respondent and appropriate witnesses while also gathering evidence.

The length of the investigation varies from case to case and depends on several factors including, but not limited to, the number of individuals involved, the amount of evidence available and the number of interviews that must be conducted.

Before the start of the investigation, a Notice of Investigation (NOI) is sent to both parties*. The NOI letter has information about resources and next steps.

Potential policy violations are identified in this letter along with any interim measures that have been put in place.

*Non-members may not have access to documentation.

Reports

Documentation and Reports

All Title IX investigations are documented. Interviews and statements are compiled into a report. Any evidence gathered is also included and may include any of the following:

written notes and images

text messages

emails

photos

social media posts

video or audio files

medical reports

receipts

relevant items

site visits

Student Respondent

Report Compilation

In cases involving Sexual Assault, Stalking and Dating or Domestic Violence, Public Safety forwards all investigative material to the Title IX Office for preparation of the Investigation Report to be shared with the parties and ultimately with Student Conduct.

The Title IX Investigator compiles a Preliminary Investigative Report (PIR) which is made available to both parties* for review.

Once the parties have reviewed the PIR, provided feedback and/or requested changes, a final report is generated and forwarded to the Center for Student Conduct and Conflict Resolution.

Please note that additional follow-up may be necessary after the PIR review and response by the parties.

* Non-member complainants may not have access to certain stages or our process or documentation.

Faculty/Staff Respondent

Department of Human Resources

The Title IX investigator reviews and obtains a signature from all parties that their statements are accurate and reviewed before disseminating to the Department of Human Resources (HR).

Once the investigation is complete, the Title IX Investigator forwards all investigative material to HR.

The Department of Human Resources compiles a Preliminary Investigative Report (PIR) which is made available to both* parties for review.

Once the parties have reviewed the PIR, provided feedback and/or requested changes, a determination is made whether or not additional follow-up is necessary. If no additional follow-up is needed, the investigation is closed.

A Final Investigation Report is drafted.

* Non-member complainants may not have access to certain stages or our process or documentation.

Hearings and Outcomes

Hearings and Outcomes

Student Respondent

Center for Student Conduct and Conflict Resolution

Once a final report is received by the Center for Student Conduct and Conflict Resolution, a determination is made by the Title IX Case Management Team (Public Safety, Student Conduct, and Title IX) whether a Conduct Conversation or Hearing is appropriate for the case. In some cases, Informal Resolutions may be explored.

Outreach

Contact with Parties (complainant and respondent)

Once the Center for Student Conduct and Conflict Resolution receives the final report from the Title IX Office and determines a hearing is appropriate, the following occurs:

Charge letters are sent to both the complainant and respondent

A Hearing Packet is sent to both parties that includes the Final Investigative Report

Hearing is scheduled based on the availability of the parties

Conduct Conversations

Conduct Conversations

If a Conduct Conversation is more appropriate, the Center for Student Conduct and Conflict Resolution will contact the respondent to schedule.

A Conduct Conversation is an informal resolution to a Title IX case. During the investigation, it may be determined there is not enough evidence to move forward with a hearing. At the same time, the initial allegations may warrant a conversation between the respondent, their advocate or advisor of choice, staff from the Center for Student Conduct and Conflict Resolution and the Title IX Office.

Conduct Conversations are intended to address the alleged behaviors without a finding of responsibility or outcomes. Students involved in these conversations remain in good standing with the university.

Hearings and Adjudication

Hearings

The Center for Student Conduct proceeds with the following once a case moves on to a hearing:

Student Conduct will assign both the complainant and respondent an advocate if one hasn't been assigned between when the Notice of Investigation is received and the hearing is scheduled

The parties may opt-out of working with an assigned advocate in order to work with an advisor of choice

Charge letters are sent to both parties outlining the potential policy violations

Final investigative reports are sent to both parties for review

Parties are encouraged to meet with their advocate or advisor of choice

Hearings are scheduled based on the schedules of the parties involved, including witnesses when applicable

Hearing accommodations are requested by the parties

Preparing for a Hearing

Hearing Preparation

All students are encouraged to work with a trained Process Advocate. Students have the right to work with an Advisor of Choice to prepare for a hearing but Advisors of Choice do not have the same participatory rights in a conduct hearing.

RIT provides training to our Process Advocates which allows for their full participation in a hearing.

Process Advocates will work with you as you read through reports in preparation for your hearing. Also, Process Advocates have experience supporting students in hearings and can guide you based on their regular participation in our process.

Hearings are challenging for everyone involved due to the sensitive nature of Title IX cases. Personal and intimate experiences are discussed in detail and questions may be asked about any portion of the documentation.

Getting emotional support in preparation for a hearing is also encouraged and your advocate can assist you as you access resources on or off-campus.

Inside the Hearing Room

The Hearing Room

A hearing is held in a conference room with a long table and several chairs.

A privacy divider may be put in place to provide comfort to the parties. A complainant or respondent may request a divider.

A complainant or respondent may attend the hearing remotely, using conferencing software, due to their location or comfort level. A computer or laptop will be used along with a screen, television set or monitor.

If a divider has been requested, it will be positioned so that the parties do not see one another.

Individuals in the Hearing

Individuals in the hearing may include:

Two Conduct Officers (facilitate the hearing)

Complainant

Complainant Advocate or Advisor of Choice

Respondent

Respondent Advocate or Advisor of Choice

Witnesses (if necessary to answer questions to clarify their statement)*

Public Safety Investigator (investigation perspective)

Title IX Coordinator (process oversight)

Access Services: Interpreters, Captionists, C-Print (accessibility)

NTID Liaison for Communication (clarity)

*Please refer to the "Witnesses" topic area for more information.

Witnesses

Witness Participation

The Center for Student Conduct and Conflict Resolution requests that a list of potential witnesses, as well as any additional information either party plans to present, be submitted to the office no less than three (3) days in advance of the hearing.

Witness participation is at the discretion of the conduct officers.

Only witnesses with direct information who are part of the RIT community are allowed to participate. Character witnesses are not allowed. It is the responsibility of the parties to inform their witnesses of the date and time of the hearing.

The Student Conduct Officers may elect to rely upon the statements of witnesses contained in the investigative report if such witnesses are unavailable to attend the hearing or when the information supplied in the investigative report is sufficient.

Witnesses cannot serve as Advocates and/or Advisors of Choice in the case.

Additional Hearing Details

General Hearing Information

Most hearings are scheduled for 2 to 4 hours. In more complicated cases, a hearing may be scheduled for 6 or more hours.

Hearings are scheduled to allow for breaks. Both parties are encouraged to request breaks to use the restroom, get a drink of water, regain emotional composure or talk with their advocate or advisor of choice in private.

Water, tissues, note pads, and pens are available.

A certain style of dress is not required but participants are encouraged to dress in clean clothing that is comfortable yet appropriate for a meeting.

Hearings are recorded by the Conduct Officers. The parties are not permitted to audio or video record the hearing but may take notes.

Hearing Process

Typical Hearing Flow

The Conduct Officers begin by explaining the purpose of recording the hearing

All individuals in the room must introduce themselves by name and role for the recording

Advisors of choice are reminded that they may not speak in the hearing but may provide quiet counsel to their student

Interpreters voice for hearing participants when appropriate

Students are given a copy of the Student Bill of Rights to review

The Conduct Officers review the final report

Complainant and Respondent are invited to clarify reports if necessary

Conduct Officers ask additional questions

Complainant and Respondent may pose appropriate and relevant questions for one another to the Conduct Officers, who will then ask the other party to respond

Parties are given a break to meet with their advocates or advisors of choice to prepare or finalize their impact statement

Impact statements are shared by each of the parties

Final statements are made by both parties

The hearing ends

Parties are dismissed separately.

After the Hearing

After the hearing ends:

There will be a pause of approximately three (3) business days, between the day of the hearing and when the outcomes are delivered to the parties, which gives the hearing officers sufficient time to deliberate.

Both parties will attend a separately scheduled Outcome Meeting in which they will learn of the outcome privately. These meetings are recorded but the recordings are not made available to the other party.

Complainants and respondents have the opportunity to ask questions for clarification.

After the meeting, the Conduct Officers will ask the student to sign an outcome form to acknowledge receipt. Signing the form does not signify agreement with the outcome. The students are given a copy of the form.

Both parties receive electronic outcome letters as well. The electronic letters contain information about the appeal process, including appeal deadlines.

In cases of sexual harassment, the aforementioned process happens on the same day as the hearing.

Sanctions/Statuses and Conditions

Status at the University

Outcomes shared with the parties include the status of the respondent upon the conclusion of the hearing. This status may be referred to as a "sanction" in certain policies.

In determining an appropriate sanction, the Student Conduct Officers may consider any record of past violations of the Code of Conduct, as well as the nature and severity of such past violation(s).

Any sanction imposed will be explained and supported by factual findings in the written rationale of the Student Conduct Officers.

Sanctions may include Warning, Probation, Suspension, Expulsion, and administrative and educational conditions as outlined in the Student Code of Conduct.

Faculty/Staff Respondent

Department of Human Resources

Hearings are not a part of the Faculty/Staff Title IX process.

After Human (HR) drafts the Final Investigation Report, they will decide using the preponderance of evidence standard.

If it is determined that the alleged conduct violated Policy C06.0, HR will make recommendations regarding corrective action, if any, to senior leadership.

Notice of Outcome

Notice of Outcome

The parties will receive the following information from HR after a determination has been made:

a Written Notice of Outcome with a well-reasoned determination regarding the basis for outcome

a Final Report

When appropriate, the supervisor, Dean or appropriate Vice President, together with HR, will meet with the parties to review the Notice of Outcome.

Grievance Procedure

Faculty/Staff Grievance

Within five (5) Business Days of receipt of the written notice of the outcome of the investigation, the Complainant or the Accused may grieve the process in accordance with the provisions of RIT's Staff Grievance Procedure (E30.0) or RIT's Faculty Grievance Procedure (E24.0).

More information about the RIT Faculty Grievance Procedure may be found here:

[\(Link to RIT Policy Manual webpage\)](#)

More information about the RIT Staff Grievance Procedure may be found here:

[\(Link to RIT Policy Manual webpage\)](#)

Appeals

Student Respondent

Appeals

Both parties have the right to appeal the outcome of a Title IX case.

After the outcome is shared in separate face-to-face meetings with Student Conduct, the parties receive an outcome letter that includes an appeal window and information on how to submit an appeal to the University Appeals Board (UAB).

If no appeal request is received within the established window of time, Student Conduct sends notice to both parties which will confirm that the case is closed.

If an appeal request is made, the Associate Vice President for Student Affairs reviews the request and schedules the appeal when appropriate.

Working with an advocate or advisor of choice is strongly encouraged as you prepare for an appeal.

Grounds for Appeal

Grounds for appeal

An appeal is not designed to rehear a case.

Except as required to explain the basis of new information, the appeals process will limit its review to the process and outcome of the initial hearing.

The grounds for appeal will be limited to:

Determining whether the hearing was conducted in accordance with the process of the RIT's policy and if such violation of the process substantially impacted the original outcome;

Determining whether the outcome is substantially disproportionate to the severity of the violation and/or cumulative conduct record of the student;

Considering new information which was not known, knowable, or available at the time of the original hearing that could substantially impact the original outcome

Inside the Appeal Room

The Appeal Room

The appeal is held in a conference room with a long table and several chairs.

A privacy divider may put in place to provide comfort to the parties. A complainant or respondent may request a divider.

A complainant or respondent may attend the appeal remotely, using conferencing software, due to their location or comfort level. A computer or laptop may be used along with a screen.

If a divider has been requested, it will be positioned so that the parties do not see one another.

Individuals in the Room

Individuals in the room may include:

University Appeals Board (conducts appeal)

Appeal Chair

Two additional board members who may be a variation of faculty, staff, and students

Alternates (if the student objects to the involvement of the assigned board members)

One of the Conduct Officers from the original case (explains outcome)

Complainant

Complainant Advocate or Advisor of Choice

Respondent

Respondent Advocate or Advisor of Choice

Access Services: Interpreters, Captionists, C-Print (accessibility)

NTID Liaison for Communication (clarity)

Additional Appeal Details

General Information

Most appeals are scheduled for 1 hour. In more complicated cases, an appeal may be scheduled for a longer period.

Breaks are offered in an appeal if necessary.

All participants will have a nameplate in front of them.

A certain style of dress is not required but participants are encouraged to dress in clean clothing that is comfortable yet appropriate for a meeting.

Appeals are not recorded by the UAB. The parties are not permitted to audio or video record the appeal but may take notes.

Appeal Process

Typical Appeal Flow

The University Appeals Board (UAB) members introduce themselves along with all individuals present in the room.

The Appeal Chair will go over the process steps and timeframes permitted for statements.

No recording is permitted and the UAB chair will give a reminder.

Advisors of choice are reminded that they may not speak in the appeal but may provide quiet counsel to their students.

Advocates are permitted to speak and fully participate.

Interpreters voice and sign for participants when appropriate.

Information packets are available to all participants with appropriate documentation attached, including the appeal letter.

UAB Chairs review the audio recording of hearings before the appeal date.

The individual appealing gives an opening statement supporting their appeal.

If the other party attends the appeal, they may make a statement as well.

The Conduct Officer is also invited to give a statement.

The UAB asks questions of the Conduct Officers and the parties as appropriate.

Final statements are made by both parties and Conduct Officer.

The hearing ends and parties are dismissed separately.

After the Appeal Ends

Once the appeal ends...

The UAB deliberates once the parties are dismissed. Once they have reached a decision, the Board notifies the parties of the outcome of the appeal.

Upon completion of the hearing, the UAB may:

Uphold the original hearing outcome.

Modify the original hearing outcome.

Remand the case for a new hearing. A Student in a remanded case would have the same rights to appeal the new outcome.

In Title IX cases, original outcomes may be modified to include additional sanctions/conditions.

Parties are notified of the outcome in writing within three (3) business days.

All appeals are final.

Faculty/Staff Respondent

Appeal Request

Either or both parties may appeal the Notice of Outcome by contacting the Vice President and Associate Provost for Diversity and Inclusion within five (5) business days.

The grounds for appeal shall be limited to determining whether:

the investigation was conducted in accordance with Policy.

the corrective action was appropriate for the violation.

new information or evidence exists that was not available at the time of the investigation and may change the outcome.

Appeal Process

Appeal Overview*

Once your appeal is received, the following next steps are followed:

A member of the Human Resources Department shall respond to the appeal, verbally or in writing, and give the rationale for the determination based on the investigation, as requested by the vice president and associate provost for Diversity and Inclusion.

After reviewing the information provided, the vice president and associate provost for Diversity and Inclusion may, at their discretion, meet to ask questions of the parties involved in the case. Upon the conclusion of the review of the submitted information, a final determination will be made. Should the vice president and associate provost for Diversity and Inclusion have a clear conflict of interest, be a named witness, or be either the Accused or the Complainant, the appeal will be heard by an Appeal Committee.

*This is an overview. More detailed process information can be found in C06.

Appeal Committee

Appeal Committee

Should the vice president and associate provost for Diversity and Inclusion have a clear conflict of interest, be a named witness, or be either the Respondent or the Complainant, the appeal will be heard by an Appeal Committee.

Based on this conflict, the vice president and associate provost for Diversity and Inclusion may convene an Appeal Committee within 10 (ten) Business Days from the receipt of the appeal to assist in the determination of the appeal.

The decision on the appeal shall be made by the vice president and associate provost for Diversity and Inclusion within five (5) Business Days of the receipt of the recommendation from the Appeal Committee or within fifteen (15) Business Days from the receipt of the appeal.

FAQ

Frequently Asked Questions

We asked our campus partners to share their most frequently asked questions when supporting individuals through the Title IX process. Their FAQ's and responses are compiled here.

New questions and answers are added weekly!

Don't see the answer to your question?

Contact that Title IX Office for assistance.

Reports

1."What if I want to report, but I do not want to participate in the hearing?"

Throughout the process, we try to give you as much control as possible. You can decide how much participation you want in the process after the report is filed. If you decide you do not want to participate in

the hearing, you do not need to. You also have options though, so you can participate with a wall up if you decide that is best for you, you can be there remotely (via Blue Jeans or Zoom), or you can decide that you do not want to participate at all. At the conclusion, you will still learn the outcome of the hearing, even if you did not attend. If you are counter-accused and you choose not to participate in the hearing, the hearing board will determine an outcome in your absence.

(Assistant Director Kelly Kamish, Center for Women and Gender & Counselor Dana Godfrey-Brophy, Counseling and Psychological Services/CARES)

2. "Who will find out about this situation/case/issue?"

If you speak about your own experience with a confidential office, no one will be made aware unless you chose to report. If you speak with a responsible employee or anyone that is required to report, they are required to report what they know to the Title IX Office.

We do our best to maintain your privacy and involve as few people as possible. At the same time, as a case moves forward in the process, there may be people who are made aware for various reasons.

A few examples of individual who may be informed if necessary:

The parents or guardians of minor students

Faculty or staff involved with implementing an accommodation (changes to work schedule, housing, classes, assignments, etc.)

An employee's supervisor

Identified witnesses in a case

Various administrators in positions of leadership

(Assistant Director for Title IX and Clery Compliance Darci Lane-Williams, Title IX Office)

Evaluation

1. "What is the timeline and how quickly would things happen?"

Every case is different. Many factors contribute to the time it takes to resolve a case. Some of these factors include the severity of the reported policy violations, the number of individuals involved, the number of interviews that must be conducted, responsiveness of the parties and hearing scheduling. Some cases may be resolved in a matter of a few weeks whereas others may take a few months. To get a better estimate of how long your case may take to resolve, please contact the Title IX Office or ask your advocate for assistance.

(Assistant Director of Title IX and Clery Compliance Darci Lane-Williams, Title IX Office)

Investigations

1. "What happens next?"

Once the investigation concludes, all of the facts and documentation compiled by the Investigator will be sent to the Center for Student Conduct & Conflict Resolution along with the Title IX Office. Public Safety then informs the individual that they can expect to receive correspondence from one or both of those departments for the next steps moving forward. (Investigator Tony Yazback, Public Safety)

2. "What is the difference between a Title IX investigation and a criminal investigation?"

Criminal investigations are intended to determine whether or not a law has been broken, while Title IX investigations determine whether or not university policies have been violated. This is an important distinction as a criminal investigation can result in incarceration depending on the verdict, while a Title IX investigation will not result in incarceration but can result in disciplinary action by the University. A Title IX investigation will proceed regardless of whether a criminal investigation is pursued or ongoing. (Investigator Tony Yazback, Public Safety)

3. "How long does the process take?"

Investigations typically take 30-60 days, although the actual time required depends on the specific circumstances. The Public Safety or Title IX Investigator will keep both parties informed throughout the investigation. (Investigator Tony Yazback, Public Safety)

4. "Should I get legal representation? Can RIT pay for that?"

The Title IX process at RIT is not a legal process. As a result, obtaining legal representation is not required. RIT does not provide legal representation for parties involved in our process. If you choose to work with an attorney, they will serve as an advisor of choice. If your case moves to a hearing, your attorney will be permitted to attend but does not participate in the hearing as an advocate does. For more information about the difference between an advocate and advisor of choice please visit the following webpage: <https://www.rit.edu/studentaffairs/studentconduct/rights-responsibilities/rit-advocacy-program>

(Assistant Director of Title IX and Clery Compliance Darci Lane-Williams, Title IX Office)

Hearings and Outcomes

1. "How will a Title IX finding of responsibility impact my future employment opportunities?"

Students must permit RIT to release information to potential employers. If you have a transcript notation due to a suspension or expulsion, this information may be accessible during a background check. Ultimately, the decision to hire is made by the company.

More information about RIT's record retention policies can be found here:

<https://www.rit.edu/academicaffairs/policiesmanual/c220>

<https://www.rit.edu/academicaffairs/policiesmanual/d150>

(Conduct Coordinator Greg Beattie, Center for Student Conduct and Conflict Resolution)

2. "I wasn't found responsible and believe I was lied on. How can I hold the complainant responsible for lying?"

The Preponderance of the Evidence Standard is used to determine the outcome of a case. This means that what is more likely than not to have happened is determined based on the evidence provided. If someone isn't found responsible for violating policy, this does not mean that an incident did not occur. Instead, it means that there wasn't enough evidence to support a finding of responsibility. The

complainant's perspective often differs from that of the respondent. In most cases, the only people that know what happened are the two individuals with conflicting accounts."

(Conduct Coordinator Greg Beattie, Center for Student Conduct and Conflict Resolution)

3. "Do I have to have a hearing or can I just get a no-contact order?"

In most situations, you can choose to just have a no-contact order if that is what you want. That does require filing a Title IX report, and in some cases, the decision might be made to go forward with an investigation anyway. This usually happens if there is a concern for your safety or the safety of others.

(Assistant Director Dr. Kelly Kamish, Center for Women and Gender)

4. "Could I get kicked out of school for this?"

It depends. It depends on the nature of the case and severity. Yes, some students do get suspended or expelled in Title IX cases. It is important to follow the process, be cooperative and if there is a conduct hearing, work with an advocate.

(Associate Vice President and Title IX University Appeals Board Chair Dr. Heath Boice-Pardee, Student Affairs)

5. "Can you be my advocate?"

No. Since I chair Title IX University Appeals Board hearings, I cannot be an advocate.

(Associate Vice President and Title IX University Appeals Board Chair Dr. Heath Boice-Pardee, Student Affairs)

In the interest of equity and fairness, no individuals directly related in the Title IX process may serve as advocates. In addition, various faculty and staff throughout the university may serve in roles that create a conflict of interest should they serve as an advocate in a hearing.

(Assistant Director for Title IX and Clery Compliance Darci Lane-Williams, Title IX Office)

6. "Part of the interactions were consensual, can we not talk about those?"

Although the conduct hearing focuses on behaviors that have been reported as non-consensual, the encounter needs to be examined in its entirety to allow for context and clarity. We understand that talking about intimate details may be uncomfortable but it is necessary to get a thorough understanding of the situation.

(Assistant Director for Title IX and Clery Compliance Darci Lane-Williams, Title IX Office)

Appeals

1. "If this goes to a hearing, and I am found responsible, can I appeal? Could that make things worse?"

Yes, you can appeal. The UAB can either uphold or modify the original conduct decision, or in rare cases, send the case back for another hearing. If the UAB modifies a decision, they CAN increase the sanction.

(Associate Vice President and Title IX Appeals Board Chair Dr. Heath Boice-Pardee, Student Affairs)