



WHAT TO EXPECT DURING THE RHODES' SEXUAL MISCONDUCT FORMAL RESOLUTION PROCESS

- ✓ Once a report is made or a claim is filed you can expect to be contacted by Rhodes' Title IX Coordinator or one of Rhodes' three Deputy Title IX Coordinators for an Intake Interview. During the intake interview, which is conducted with both parties, the Title IX Coordinator or Deputy Coordinator will review the process with you. You may elect to describe the incident during the intake interview, or you may wait to be interviewed by the investigator. Both parties are allowed a support person and/or an adviser at any meeting included in the process. The claimant will be asked to review and sign a written statement that will be drafted based on the intake interview.
- ✓ Respondent is allowed to respond to the claim in writing within 5 business days.
- ✓ Resources or interim measures including, but not limited to, issuing No Contact Orders, referrals to the counseling center, alteration of residential hall assignment or course schedules can be arranged if necessary. In emergent situations, some of these needs may be assessed prior to an intake meeting.
- ✓ If the claimant wishes to pursue criminal charges, Rhodes Title IX Coordinator, in conjunction with Campus Safety, can assist with contacting the proper law enforcement authorities. Any criminal process would occur separately from this process, although information gathered from mandatory reporters, investigators, or the hearing board may be subpoenaed.
- ✓ Based on the nature of the claim as determined by the intake interviews, the Title IX Coordinator will determine if a claim should be administratively closed, informally resolved, or move forward to an investigation and Formal Resolution process. Claims which, even if true, do not present a violation of Rhodes Sex/Gender Discrimination and Sexual Misconduct Policy may be administratively closed. Claims that do not involve allegations of physical or non-consensual sexual contact are eligible for resolution through an Informal Resolution process facilitated by the Title IX Coordinator or Deputy Coordinators. Both parties must agree to participate.
- ✓ If the allegations raised in the claim could constitute a violation of Rhodes' Sexual Misconduct Policy, the Title IX Coordinator will assign an investigator who will interview both parties and any witnesses they identify. Note that character witnesses are not permitted.

- ✓ At the completion of the investigation, a 3 person faculty/staff hearing board will be convened. A minimum of 10 days prior to a hearing, all members of the board, plus the claimant and respondent, will receive a hearing packet containing a summary of all of the information gathered during the investigation. The Title IX Coordinator or a Deputy Coordinator will meet with the parties prior to the hearing to review timing and logistics for the hearing.
- ✓ If the hearing board finds that the Sexual Misconduct Policy has been violated, they will determine what sanctions should be applied. Sanctions vary and range from written warning to expulsion from the College. Both parties will be informed of the outcome of the hearing within 3 business days.
- ✓ Appeals must be filed within 5 business days of the receipt of the Outcome Letter. The non-appealing will receive a copy of the appeal and may respond in writing within 10 business days of receiving the Outcome Letter. A 3 person faculty/staff appeals board, different from the hearing board, will meet to review the hearing packet, hearing transcript, and appeals documents to determine if any error was made. Typically, the parties' presence is not necessary. Appeal board decisions are final and end the adjudication of the claim.

Advisors and Support Persons:

Both parties to a claim of sexual misconduct are entitled to the presence of a support person and/or an advisor of their choice during all phases of the resolution process. Certain Rhodes' faculty and staff have been specifically trained to provide advisement to students going through a Title IX process. Therefore, if a student wishes to use a Rhodes faculty or staff member as an advisor, they must choose from the list of trained employees. The list can be found at: www.rhodes.edu/titleix .

If requested or if necessary, and at the Title IX Coordinator's discretion, certain interim measures may be extended past the conclusion of a formal or informal resolution process.

Retaliation is Prohibited

Rhodes Sexual Misconduct Policy expressly prohibits retaliation against anyone who chooses to exercise their rights to report or oppose sexual misconduct or anyone who chooses to participate in an investigation process under the policy. Retaliation includes, but is not limited to, intimidation, harassment, threats, or other adverse action or speech against the person who reported the misconduct, the parties, or the witnesses.

In order to avoid all perception of retaliation, it is recommended that the parties to a sexual misconduct claim avoid all contact, in person or otherwise, with one another throughout the duration of the investigation and resolution process.