

Formal Resolution Process

TITLE IX & CIVIL RIGHTS COMPLIANCE OFFICE

The formal resolution process is a grievance process, outlined by federal regulations. This process begins when an individual who has experienced harm (the Complainant) files a formal complaint alleging sexual harassment, sexual assault, stalking, or domestic or dating violence. This process may result in sanctions or other measures of accountability towards the individual who caused harm (the Respondent).

This process includes a fact-gathering investigation into the complaint, a determination hearing, and opportunities for appeal. All involved parties are notified of each step throughout this process.

- All information relevant to a Title IX complaint is kept private and only shared when necessary to resolve the report.
- Both the Complainant(s) and Respondent(s) will receive timely notice of meetings and equal access to information throughout the process.
- Both parties are entitled to supportive measures, both during and after the conclusion of a formal resolution process.
- Both parties are entitled to an Advisor throughout the process. The Advisor can be anyone of the parties' choosing, and is required for the hearing phase of the process.
- Retaliation between parties is strictly prohibited, and may result in disciplinary sanctions separate of the formal resolution process.
- Complainants may file a criminal complaint with local law enforcement, regardless of whether they wish to pursue a formal complaint at Bates.

Formal Resolution Steps:

1 Contact the Title IX Team to set up a meeting.

2 Meet and file a formal complaint.

To file a formal complaint, you will need to share in writing the details of the incident(s) (who, what, when, where). You must also request that the college investigate, and sign the complaint.

3 Investigation Phase:

- Gathering evidence
- Opportunity to review evidence
- Final evidence report

4 Hearing Phase:

- Examine evidence
- Question parties & witness(es)
- Determine whether Bates policy was violated

5 Determination and notification.

Hearing outcome is shared, and sanctions are determined if applicable.

6 Parties have a right to appeal the determination.

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Contact the Title IX Team to schedule a meeting.

File a formal complaint.

Investigation Phase: interviews with parties and witness(es); draft report created & shared.

10-day comment period.

Report finalized & shared with parties & Hearing Officer.

10-day preparation period.

Hearing conducted & Officer makes determination; sanctions delivered if appropriate.

Both parties have a right to appeal after determination.