HOW THE UNIVERSITY HANDLES A REPORT OF SEXUAL MISCONDUCT

against a Carnegie Mellon Student.*123

START HERE



* The University's response to a report of sexual misconduct is largely driven by the ial misconduct (the "impacted University's commitment to protecting the broader welfare of the University Community. omply with the reporting party's preferences and resolution, and in most instances, will be able to comply with those preferences. each report to determine whether to the safety of the community, or that would otherwise be inconsistent with the University's such limited circumstances, the University may be required to pursue further investigation and/or resolution, even if contrary to the wishes of the reporting party. Such rare circumstances are referred to as "overriding nunity interests," and include but are not limited to: significant violence and/or use or threat of use of weapon; repeated allegations against or findings of policy violations by the participating in incident; and/or reporting

ADMINISTRATIVE RESOLUTION

OCSI will meet and present the responding party with (1) the factual allegations against him or her; (2) the policy the responding party has been alleged to have violated; and (3) the appropriate range of outcomes for such a violation (after consulting with the reporting party and reviewing precedent.)

Is the Administrative Resolution successful? Does the responding party agree to the facts alleged, the policy violation alleged, their responsibilities, and the outcomes?

No



FINAL OUTCOME

There may be a finding of responsibility or no responsibility for a policy violation. If the responding party accepts responsibility or is found to be responsible, the matter is deemed to be resolved, and appropriate outcomes will be determined.

Outcomes will depend on the nature of the violation, and may include one or more of the following:

- Educational outcomes (reflective paper or project)
- Mental health and/or substance use assessment and recommended follow-up
- A written apology
 - Community service
 - Probation, suspension, or expulsion from University community
 - Removal or ban from campus

HEARING BOARD IS CONVENED

OCSI will meet separately with each party to prepare. OCSI will schedule a hearing and will bring together a hearing board composed of five community members (students, staff, and faculty). Each party may have an advisor of his or her choosing present. Each party will present his or her story, and the board may pose questions to the parties. The board will determine whether the responding party is responsible for a violation of University policy and recommend what the appropriate outcomes should be. These findings and recommendations are sent to the Dean of Students, who imposes the final decision and outcomes. Either party may appeal for cause to the President of the University.

Yes Do you still wish to pursue a hearing?

CONDENSED VERSION

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SCHEMATIC DETAILS



LEGAL NOTES

The Office for Institutional Equity and Title IX (IEX) is dedicated to promoting equity at Carnegie Mellon University, which includes coordinating the University's efforts to prevent and effectively respond to all forms of gender discrimination (including gender identity discrimination) and sexual misconduct impacting community members, including sexual assault, sexual exploitation, sexual harassment, dating and domestic violence, and stalking.

* The University's response to a report of sexual misconduct is largely driven by the wishes and preferences of the person affected by the sexual misconduct (the "impacted party") to the extent consistent with the University's commitment to protecting the broader welfare of the University Community.

IEX will make all reasonable attempts to comply with the reporting party's preferences with respect to confidentiality, investigation, and resolution, and in most instances, will be able to comply with those preferences. However, IEX will evaluate the allegations of each report to determine whether circumstances may exist that suggest a threat to the safety of the community, or that would otherwise be inconsistent with the University's responsibilities to community members. In such limited circumstances, the University may be required to pursue further investigation and/or resolution, even if contrary to the wishes of the reporting party. Such rare circumstances are referred to as "overriding community interests," and includes but are not limited: significant violence and/or use or threat of use of weapon; repeated allegations against or findings of policy violations by the same individual; multiple individuals participating in incident; and/or reporting party is a minor

1 This schematic depicts the University's internal process for handling reports of sexual misconduct against a student. There are different processes for resolving reports against faculty and staff

2 The University's ability to provide resolution where the responding party is not a member of the community may be limited, but IEX will work with the reporting party to explore other options for resolution, including the criminal and civil justice systems.

3 The reporting party may elect to pursue criminal and/or civil remedies in addition to or in lieu of the University process. IEX can provide more information about these options.

KEY PROCESS STEPS



AN INVESTIGATION WILL TAKE PLACE & **RESPONDING PARTY** WILL BE ENGAGED

Campus Police and/or IEX Office will investigate the matter, which will usually involve interviewing the parties involved and any witnesses; obtaining statements; and collecting any evidence. IEX will engage with the person accused of sexual misconduct ("responding party") and will connect to resources; (d) help to identify a support person; and (e) warn the responding party against taking any negative or harassing actions (retaliation) against the reporting party.

ADMINISTRATIVE RESOLUTION

OCSI will meet and present the responding party with (1) the factual allegations against him or her; (2) the policy the responding party has been alleged to have violated; and (3) the appropriate range of outcomes for such a violation (after consulting with the reporting party and reviewing precedent).

These would only occur at the Impacted Party's discretion, should they choose to proceed with

University student conduct processes.

HEARING BOARD IS CONVENED

OCSI will meet separately with each party to prepare. OCSI will schedule a hearing and will bring together a hearing board determine whether the responding party policy and recommend what the appropriate outcomes should be. These findings and recommendations are sent the final decision and outcomes. Either party may appeal for cause to the Vice President of Campus Affairs

FINAL OUTCOMES



IEX can provide informal resolution such as implementing a no-contact agreement, discussing concerns with the person accused of sexual misconduct ("responding party") and offering an educational intervention. IEX will warn the responding party against taking any negative or harassing actions (retaliation) against the reporting party.





No further investigation or resolution will proceed (except in extreme cases where an overriding community interest is deemed to exist*)



There will be a finding of responsibility or no responsibility for a policy violation. If the responding party is found to be responsible, the matter is deemed to be resolved, and appropriate outcomes will be determined and implemented.

Outcomes will depend on the nature of the violation, and may include one or more of the following:

- Educational outcomes (reflective paper or project) - Mental health and/or substance use assessment
- and recommended follow-up
- A written apology
- Community service
- Probation, suspension, or expulsion from
- University community Removal or ban from campus