

O. Investigative Outcomes

1. Investigative Finding & Determination

The decision-maker (who cannot be the same person as the Title IX Coordinator or the investigator) will issue a written determination regarding responsibility with findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent, and whether remedies will be provided to the complainant.

This determination will be provided simultaneously in writing to both the Complainant (s) and Respondent become final. The following are the potential outcome:

a. Actual Knowledge Notice of Violation

In the event the Sexual Misconduct and Interpersonal Violence Hearing Board determines that there is probable cause to believe that a violation of this policy occurred, the Title IX Coordinator will issue a “Actual Knowledge Notice of Violation” in writing to any Respondent(s) and provide a copy of the Actual knowledge notice of Violation to any Complainant(s).

b. Actual Knowledge Notice of No-Violation

In the event that the Sexual Misconduct and Interpersonal Violence Hearing Board does not find that there is probable cause to believe that a violation of this policy occurred, the board will issue (through the Title IX Coordinator) a “Actual knowledge Notice of No Violation” in writing to any Complainant(s) and provide a copy of the Actual knowledge notice of No Violation to any Respondent(s). The Title IX Coordinator will also notify the parties of their right to appeal the Investigative Findings & Determination, and, if applicable, the sanctions or disciplinary measures recommended.

2. Standard of Proof

The standard of proof used for all sexual harassment, sexual assault, domestic violence, dating violence, stalking, retaliation and other forms of interpersonal violence or sex discrimination is a preponderance of evidence. This means there is a greater than 50% chance (based on the evidence provided within the investigation) that the Respondent(s) is responsible for the violation as indicated in the filed report.

If there is a finding of responsibility, the finding will be forwarded as follows for sanctioning or disciplinary action:

- **Staff and University Volunteers:** The Director of Human Resources and the employee’s direct supervisor. Together, in collaboration with the supervising Vice- President and Title IX Office, disciplinary action will be assigned.
- **Faculty:** The Vice-President for Academic Affairs and the faculty members’ Division Chair. Together, in collaboration with the supervising Vice-President and the Title IX Office, disciplinary action will be assigned.
- **Students:** The Associate Dean of Students/Chief Conduct Officer. Sanctions will be assigned accordingly.