

## **SEXUAL MISCONDUCT PROCEDURES**

*The purpose of these procedures are to provide Grambling State University with a clear set of procedural guidelines to investigate and resolve Title IX and Civil Rights violations.*

### **STEPS**

1. **Formal Complaint**

If the complainant wishes to file a formal complaint or if the situation otherwise warrants a formal investigation and the complainant has not already completed a [\*\*Title IX Sexual Misconduct Incident Report Form\*\*](#), the Title









The University cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, the University is not obligated to provide an attorney.

**d. Pre-Interview Meetings**

Advisors may request to meet with the administrative officials conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their

**e. Advisor Violations of University Policy**

All Advisors are subject to the same University policies and procedures, whether they are attorneys or not. Advisors are expected to advise their advisees without disrupting proceedings. Advisors should not address University officials in a meeting or interview unless invited to (e.g., asking procedural questions). The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or other Decision-Makers except during a hearing proceeding cross-examination.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the resolution process.

Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee; either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Any Advisor who oversteps their role as defined by these procedures will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting will be suspended, or other appropriate measures implemented.

compliance and future role.

**f. Sharing Information with the Advisor**

The University expects that the parties may wish to have the University share documentation and evidence related to the allegations with their Advisors. Parties may share this information directly with their Advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the resolution process.

The University also provides a consent form that authorizes the University to share such information directly with their Advisor. The parties must either complete and submit this form to the Title IX Coordinator or provide similar documentation demonstrating consent to a release of information to the Advisor before the University is able to share records with an Advisor.



**7. Referral for Hearing**

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing.

The hearing cannot be less than ten (10) business days from the conclusion of the investigation when the final investigation report is transmitted to the parties and the Decision-Maker Panel unless all parties and the Decision-Maker Panel agree to an expedited timeline.

The University will designate a three-member panel from the Pool, at the discretion of the Title IX Coordinator. Within the panel, one of the three members will be appointed as Chair by the Title IX Coordinator.

The Decision-Maker(s) will not have had any previous involvement with the investigation. The Title IX Coordinator may elect to have an alternate from the Pool sit in throughout the resolution process in the event that a substitute is needed for any reason. 12 Tf1 0 0 1 198.33 536.92 Tmgree



**Policy #62002.1**

The Notice of Outcome will then be shared with the parties simultaneously. Notification will be made in writing and may be delivered by email to the otherwise approved account. Once emailed, notice will be presumptively delivered.

The Notice of Outcome will identify the specific policy/policies determined to have been violated, including the relevant policy section, and will contain a description of the procedural steps taken by the University from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The Notice of Outcome will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent the University is permitted to share such information under state or federal law; any sanctions issued which the University is permitted to share according to state or federal law;

education or employment program or activity, to the extent the University is permitted to share such information under state or federal law (this detail is not typically shared with the Respondent unless the remedy directly relates to the Respondent).

The Notice of Outcome will also include information on when the results are considered by the University to be final, any changes that occur prior to finalization, and the relevant procedures and basis for any available appeal options.

## **10. Sanctions**

Factors considered when determining a sanction/responsive action may include, but are not limited to:

The nature, severity of, and circumstances surrounding the violation(s)

The Res

Previous allegations or allegations involving similar conduct

The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation

The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation

The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community

The impact on the parties

Any other information deemed relevant by the Decision-Makers

The sanctions will be implemented as soon as is possible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in these procedures are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed by external authorities.

**a. Student Sanctions**

*Probation*

*Loss of Annual Pay Increase*

*Loss of Oversight or Supervisory Responsibility*

*Demotion*

*Suspension with Pay*

*Suspension Without Pay*

*Termination*

*Other Actions:* In addition to or in place of the above sanctions, the University may assign any other sanctions as deemed appropriate.

### **11. Withdrawal or Resignation While Charges Pending**

**Students:** If a student has an allegation pending for violation of the Policy Prohibiting Sex Discrimination, Sexual Misconduct and Interpersonal Violence, the University may place a loma.

Should a student decide to not participate in the resolution process, the process will proceed to a reasonable resolution absent their participation. Should a student Respondent permanently withdraw from the University, the resolution process ends, as the University no longer has disciplinary jurisdiction over the withdrawn student.

However, the University will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged sexual harassment, sex discrimination, and/or retaliation. The student who withdraws or leaves while the process is pending may not return to the University. Such exclusion applies to all campuses of the University. A hold will be placed on their ability to be readmitted. They may also be barred from University property and/or events.

If the student Respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely and that student is not permitted to return to University unless and until all sanctions have been satisfied.

transcript or place a notation on a resp  
certification that a disciplinary matter is pending.

**Employees:** Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as the University no longer has disciplinary jurisdiction over the resigned employee.

However, the University will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or discrimination.

The employee who resigns with unresolved allegations pending is not eligible for rehire with the University or any campus of the University, and the records retained by the Title IX



A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which the University is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the University is permitted to share under state or federal law.

-issued

email or otherwise approved account. Once emailed notice will be presumptively delivered.

**b. Sanctions Status during the Appeal**

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

