The Administrative Investigation and Adjudication Process under the Sexual Misconduct Policy

Case referred to investigator by the Title IX Coordinator



Investigation

May include:

- Interviews with Complainant,
 Respondent, and witnesses
- Review of written documentation and other information
- Consultation with experts, site visits, etc.

Each party is given the opportunity to provide information directly related to the allegations.

Investigation Report Creation and Review

- Upon completion of the information-gathering phase of the investigation, the investigator will create a Preliminary Investigation Report.
- Each party and their respective advisors will be provided with a copy of the Preliminary Investigation Report. Parties can request that their advisors not be provided with this report.
- Parties will have 10 business days to submit a response to the Preliminary Report.
- The investigator will create a Final Investigation Report and submit it to the Title IX
 Coordinator. The Title IX Coordinator will provide the Final Report to the parties and their respective advisors. Parties can request that their advisors not be provided with this report.
- Parties will be provided with the Final Report at least 10 business days prior to the hearing.
 Each party will have the opportunity to submit a response to the Report within those 10 business days.

Hearing and Outcome Determination

- The Title IX Coordinator will refer the matter to a decision-maker and notify the parties. The parties will have the opportunity to challenge the impartiality of the decision-maker.
- At the hearing, each party will have the opportunity to share information with the decision-maker. Advisors for each party will have the opportunity to question the other party and witnesses.
- If a party or witness chooses not to submit to questioning by a party's advisor, the decision-maker may not consider any statement made by that party or witness when making a determination of responsibility.
- Upon conclusion of the hearing, the decision-maker will deliberate and determine the outcome based on the preponderance standard.
- Each party will be notified of the outcome in writing via their Butler email account.



Appeal

Either party may submit an appeal based on one of the following grounds: (1) significant procedural error, (2) new information, or (3) conflict of interest or bias on the part of the Title IX Coordinator, investigator, or decision-maker. Appeals must be submitted within 5 business days of receiving notice of outcome.



