FORMAL COMPLAINT FLOWCHART INVOLVING STUDENT RESPONDENTS

IDHR

For all discrimination and discriminatory harassment **(D/DH)** cases including sexual misconduct (excluding Federal Title IX Sexual Harassment).

Report Initiation | Initial Assessment | Investigation Period | Adjudication Period | Appeal | Case Closed / Moved to Different Procedures

Supportive Measures are available to all parties throughout the duration of this process.

In response to a complaint of sexual misconduct, including Title IX Sexual Harassment, MIT can act to remove a Respondent entirely or partially from their education program or activities—on an emergency basis—when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. In the event of such emergency removal, the Respondent will be given notice and an opportunity to challenge the decision immediately following the removal.

The Report is made online OR in-person.

IDHR reaches out to the Complainant to explain process, offer supportive measures, review the Informal/Alternative Dispute Resolution options, and explain the Formal Complaint options.

Adaptable Resolutions may be pursued after this point, with written consent of all parties, upon approval by IDHR. In non-Title IX matters, AR may take place without filing a Formal Complaint.

The Complainant declines to file a Formal Complaint.

OR

The Complainant files a Formal Complaint.

If not, case closed. Supportive measures are continued.

IDHR conducts an initial assessment and determines whether to file an **Administrative Complaint**.

IDHR files an Administrative Complaint.

IDHR conducts an initial assessment.

If the Initial Assessment determined the complaint, as described, may violate a D/DH policy, the case moves to investigation.

If the complaint alleges conduct that falls under the Federal Title IX definition, the complaint moves to **Federal Title IX procedures**.

If the alleged behavior, taken as true, would not violate an HD/DH policy, the case is closed.

Note: As part of this Initial Assessment, IDHR will generally contact the Complainant in an effort to gather a more complete understanding of the allegations, as well as any related conduct that may implicate an MIT policy.

Investigators are assigned. Notice of Investigation and Allegations are sent to all parties.

The Parties and witnesses are interviewed. Evidence is gathered.

Participation of parties and witnesses is voluntary.

Follow-up interviews occur.

Draft Summary of Relevant Information is shared with all parties, along with all directly related evidence. Generally, at least 10 days.

The Investigator finalizes the Investigative Report, after consideration of feedback from all parties. This includes a recommendation on finding(s) of responsibility.

The Investigative Report is sent to all parties. The parties have three days to communicate whether they accept or reject the investigators' recommendation.

Administrative Resolution
The COD Chair may resolve a formal complaint (after investigation) with an administrative resolution in matters where, upon a finding of responsibility, suspension or expulsion would not be considered as a sanction.

Parties accept Finding(s) and Sanctions.

Parties accept Recommended Finding(s).

Parties accept Recommended Finding(s) of Responsible.

A Live Hearing is Scheduled if parties reject Recommended Finding(s).

The Investigative Report—and any comments or responses—from the parties are sent to the Committee on Discipline (COD).

Live Hearing occurs.

COD deliberates and issues a written determination of findings.

The COD Sanction Panel is convened to issue sanctions.

Parties accept Recommended Finding(s) of Not Responsible and case closed.

Parties accept Finding(s) and Sanctions.

Option to Appeal: Appeal Officer reviews appeal.

An Appeal Officer modifies or overrules the finding(s) and sanctions.

COD finding(s) and sanctions are affirmed.

INSTITUTE DISCRIMINATION & HARASSMENT RESPONSE OFFICE