The Path of a Report of Student Prohibited Conduct

Baylor University’s Sexual and Gender-Based Harassment and Interpersonal Violence Policy

Upon receiving a report of Prohibited Conduct, the University will:

1. Provide support and assistance in obtaining University and community resources.
2. Provide information about preserving evidence, obtaining medical treatment, and contacting police.
3. Evaluate safety of individuals and the University community.
4. Determine jurisdiction over the report.

5. Ascertain Complainant’s preferences:
   - Complainant may request anonymity and/or that no further University action be taken.
   - Complainant may request one of two forms of University resolution.

The University will seek to honor this request if possible to do so while also protecting the health and safety of individuals and the University community.

1. Disciplinary Resolution, which involves an investigation, and hearing/sanction (if applicable).
2. Alternative Resolution, which (if available) includes a variety of informal options for resolving reports.

Next, the University will conduct an assessment to determine University actions:

1. If Complainant requested University Resolution: grant request and initiate appropriate resolution process.
2. If Complainant requested anonymity/no action: balance request with health and safety risk factors to determine whether request can be honored.
3. If Complainant chose not to participate in the process: determine whether to proceed in an investigative process without the Complainant’s participation.

Process either concludes or moves to Disciplinary Resolution or Alternative Resolution. Resources and assistance may still be available even if process concludes here.

The University also offers access to confidential resources for students who are unsure about whether to report Prohibited Conduct, such as:

- Baylor University Counseling Center (254) 710-2467,
- Baylor University Health Services Center (254) 710-1010, and
- Burt Burleson, University Chaplain (254) 710-3517.
# Disciplinary Resolution Process for Students

**Investigative Process**

<table>
<thead>
<tr>
<th>Step</th>
<th>Description</th>
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<tbody>
<tr>
<td>1</td>
<td>Notice of Investigation will be sent to the Complainant and Respondent by the Title IX Coordinator or designee.</td>
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<tr>
<td>2</td>
<td>Investigator(s) will conduct a prompt, thorough, fair, and impartial investigation. Both parties will have an equal opportunity to be heard, to submit evidence, to identify witnesses, and to submit questions they believe should be directed by the Investigator to each other or to any witness.</td>
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<td>3</td>
<td>Advisor of Choice may accompany, support, and advise each party throughout the investigative and resolution process. The advisor may not be an active participant in the process.</td>
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<td>1</td>
<td>Investigator will prepare Preliminary Investigative Report summarizing the information gathered, without recommended finding(s), for review and response by each party.</td>
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<tr>
<td>2</td>
<td>After considering any response by the parties, Investigator will prepare a Rationale for the Final Investigative Report, which will include a recommendation as to whether or not there is sufficient evidence to support a finding of responsibility for Prohibited Conduct by a preponderance of the evidence.</td>
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**Recommended Finding**

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<tr>
<td>A</td>
<td>Recommended Finding(s) of Responsibility: Parties may accept or contest. Parties may submit impact and mitigation statements in writing.</td>
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<tr>
<td>B</td>
<td>Recommended Finding(s) of No Responsibility: Parties may accept or contest. If Complainant accepts finding(s), process is concluded.</td>
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**Review Panel Hearing and Final Outcome**

**Next steps for contested finding(s) and/or sanction:**

**Review Panel Hearing:** If either party contests the investigative finding, the Review Panel will hold a hearing to determine: (1) whether there was a material procedural error that substantially impacted the outcome and (2) whether there was a rational basis, applying a preponderance of the evidence standard, for the investigative finding. If an investigative finding of responsibility is upheld, the Review Panel will determine the appropriate sanction.

**Sanction:** If recommended finding of responsibility is affirmed, the Review Panel will determine, by majority vote, the appropriate sanction(s). Impact and mitigation statements may be considered if applicable.

**Decision of the Review Panel is final,** without further recourse or appeal by either party. The Review Panel Chair will issue a written decision (the Final Notice of Outcome) to both the Complainant and the Respondent.

Typically, the period from commencement of the investigative process through resolution (finding(s) and sanction(s), if any) will not exceed 60 calendar days. This time frame may be extended for good cause.

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**Title IX Office**
Clifton Robinson Tower, Suite 285
(254) 710-8454

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**Baylor University**