



Title IX COMPLAINT FORM
SEXUAL MISCONDUCT & SEX DISCRIMINATION POLICY

If you need immediate assistance STOP, CALL 911 AND CAMPUS SAFETY.
This form is for non-emergency reporting

If you have experienced or witnessed sexual misconduct or sex discrimination, the College wants to know so we can act promptly.

Directions: Complete this form in its entirety, including signing the form. Attach a statement and any supporting documentation. (Incomplete forms may be returned). When completed, send all document(s) to Monika Robertson, Title IX Coordinator, located in the Rinker Building, Office 122 via hand-delivery, postal mail or email at Robertson_monika@roberts.edu.

Your Name: _____

Complaints may be submitted anonymously, but please understand that anonymous complaints are much more difficult to investigate.

Address: _____

Phone: _____

Email: _____

Status:

Student Faculty Staff Visitor Vendor Other _____

Role:

Affected (party/victim/survivor) Involved person Witness Bystander Accused

Other _____

1. **What** type of sexual misconduct or sex discrimination is being alleged?

- | | | |
|------------------------------------------------------|----------------------------------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> Rape | <input type="checkbox"/> Sexual Assault
(non-consensual sexual contact) | <input type="checkbox"/> Sexual Exploitation |
| <input type="checkbox"/> Sexual Intimidation | <input type="checkbox"/> Sexual Harassment | <input type="checkbox"/> Gender-based Discrimination |
| <input type="checkbox"/> Gender-based Discrimination | <input type="checkbox"/> Relationship violence | <input type="checkbox"/> Stalking |

2. **Who** is the person you are accusing?

3. **When** did the alleged act(s) occur? (ex. date, time)?

NOTE: Reports should be made in a timely manner – preferably right after the incident. Delays in reporting hinder the investigation.

4. **Where** did the alleged act(s) occur? (ex. location)

5. **Please type (or print legibly) and attach a written statement describing the incident.**

6. **Have you sought medical treatment?** Yes No >> It is strongly recommended to seek medical care

7. **What would you like the next step to be?** Be specific with any requests or how you would like this complaint to be handled? (check all that apply)

I wish to be contacted so I can learn about the support services and resources available to me

I am submitting this report to request an investigation into this incident

I am completing this report on behalf of another individual who may be contacted

Other: _____

Signature

Printed Name and Date



WHAT HAPPENS WHEN I SUBMIT A FORMAL TITLE IX COMPLAINT?

Upon receiving a report of alleged sexual misconduct or sex discrimination, Roberts Wesleyan College will:

1. Take immediate and appropriate action to stop any misconduct; to prevent its recurrence, and to remedy the effects of any misconduct.
2. Treat all persons with respect, dignity, and fairness.
3. Conduct an intake assessment to determine if the report is a Title IX matter which requires further action;
4. Where indicated by the intake assessment, conduct a preliminary inquiry of the report.
 - Provide information to the Reporting Party and the Respondent (if a student or employee) about their rights as well as available resources;
 - At the conclusion of the preliminary inquiry, the investigator shall submit a detailed report with their findings and possible recommendations: whether there is reasonable cause (ex. sufficient substantiating evidence) to proceed a formal disciplinary hearing or whether an informal resolution is appropriate. The parties will have an opportunity to review the report & respond.
5. Where indicated by the preliminary inquiry, conduct a disciplinary hearing of the report.
 - Each party shall have the opportunity to present testimony, evidence, and witnesses.
 - The Hearing Officer shall determine if the Respondent violated the Title IX Sexual Discrimination Policy
 - The standard of proof shall be the Preponderance of Evidence.
 - If the Respondent is found responsible, an appropriate consequence or sanction shall be imposed; options may include considerations of suspension and dismissal from the College.
6. Follow all appropriate procedures as detailed in Title IX materials, the Code of Student Conduct, Human Resources Manual, other related institutional policies, state/federal mandates, and legal standards
7. Encourage and support a report to local law enforcement for any criminal act; cooperate with any criminal investigation/prosecution.

Complainant Confidentiality

All requests for confidentiality or requests not to initiate college action shall be considered; whether the complainant's request can be honored shall be based upon the following factors:

- immediate safety and well-being of the complainant
- immediate safety and well-being of the campus or local community (ex. prior history of accused, potential for repeated behavior, predatory behavior, weapon, ongoing threat, multiple accused persons)
- whether the misconduct or discrimination can be eliminated and remedied via other means
- whether other evidence is available that permits action without the complainant's participation
- whether the complainant's concerns can be addressed (identify and resolve barriers)
- the process is confidential up to the point any allegations are contested.

The complainant cannot be compelled to participate in any process; however, even if the complainant declines to participate, the College must implement interim measures and take reasonable steps to prevent future acts.

Complainant Amnesty

Complainants and witnesses shall not be subject to disciplinary action for drug/alcohol violations, if the:

- violation occurred during/near time of assault,
- assault report/participation is in good faith, and
- violation was “not an act that was reasonably likely to place the health or safety of another individual at risk.”

Withdrawing a complaint Any person who has submitted a formal complaint has the option to subsequently withdraw the complaint without penalty or consequence. Circumstances may change or, as the complaint process unfolds, an acceptable resolution is reached. Such an “exit” from the complaint process may occur at any stage. If that occurs, the complainant should notify the Title IX Coordinator, in writing.

Third Party Communication Only the persons involved in the complaint will receive any communication about the complaint; third parties will not be given information regarding any of the specifics related to a complaint or information that compromises the integrity of the process or the confidentiality and dignity of any person.

Advisor (Support person) This process is NOT a legal proceeding, and legal standards do not apply. However, you have the right to consult an advisor or support person, who may accompany you to any college proceeding but who may not participate; you are welcome to consult this person at any time in private. Students who are the Complainant or the Respondent have the right to an attorney. You must provide the name and title (if any) of your support person to the Title IX Coordinator one business day before any meeting.

Any questions may be directed to Monika Robertson, Title IX Coordinator at 585-594-6222 or via email at Robertson_monika@roberts.edu