

Savannah State University's Title IX Investigative Process

BEFORE THE INVESTIGATION:

- A Complainant notifies a University mandatory reporter, Campus Public Safety, or Title IX Compliance Office staff member (Staff member), completes an SSU Sexual Misconduct Report Form Report form, or sends an email to titleIX@savannahstate.edu to register a Title IX concern.
- Staff member promptly notifies the Title IX Coordinator/Deputy Coordinator after receiving notification or witnessing an act of misconduct.
- The Title IX Coordinator/Deputy Coordinator distributes the Official Title IX Notification Letter¹ to the involved parties as soon as possible and practicable.
- Once the Title IX Coordinator/Deputy Coordinator distributes the Official Title IX Notification Letter, formal interviews will be scheduled for both the Complainant and the Respondent.
- Any necessary interim measures (e.g., counseling, no contact agreement, change of schedules, etc.) will be considered on a case-by-case basis from the inception of the case.
- If the circumstances show an imminent risk of harm to the Complainant, Respondent or others exists, then the Title IX Coordinator/Deputy Coordinator will expedite the separation of the Respondent from the Complainant and other potential victims (i.e., no contact agreement, revision of class schedules, etc.).

THE INVESTIGATION PROCEDURE

- Both the Complainant and the Respondent, as parties to the matter, shall have the opportunity to use an advisor (who may or may not be an attorney) of the party's choosing to accompany the party to all meetings and may provide advice and counsel to their respective party throughout the Sexual Misconduct process (but may not actively participate in the process except cross-examination at a hearing).
- The Title IX Coordinator, or investigator will conduct an "intake" interview with the Complainant within 2 business days, or as quickly as possible (not more than 5 business days) of the Official Title IX Letter, to listen to his/her allegations, gather any additional evidence (i.e. documents, files, audio and video recordings, social media posts, cell phone records, etc.), and ensure the following steps are completed².
 - Complainant will be asked to complete the SSU Sexual Misconduct Report Form, or a written Title IX complaint if one has not been done before;
 - Encourage the Complainant to seek immediate care and assist in expediting a meeting with the Savannah State University's Counseling Center;
 - Provide additional supportive resources to the Complainant (i.e. The Rape Crisis Center) if applicable;
 - Communicate protection steps and retaliation policy;

¹ The Official Title IX Letter contains a summary of the Complainant's allegations, the investigation process, both parties' rights under Title IX, the policy the alleged behavior violates and contact information for the Investigator.

² If the complainant is not the victim of the alleged sexual assault, the Title IX Coordinator will ensure that the above steps are completed with both the complainant and the victim.

- Ask for the names of potential witnesses or any other details that may be pertinent to the investigation;
- The Title IX Coordinator/Deputy Coordinator will conduct an “intake” interview of the Respondent as soon as possible to listen to the Respondent’s response to the allegations, to gather any evidence (i.e. documents, files, audio and video recordings, social media posts, cell phone records), and ensure the following steps are completed:
 - Respondent will be asked to provide a written response to the Title IX complaint, if one has not been done before;
 - Encourage the Complainant to seek immediate care and assist in expediting a meeting with the Savannah State University’s Counseling Center
 - Provide additional supportive resources to the Respondent (i.e. The Rape Crisis Center) if applicable
 - Communicate protection steps and retaliation policy
 - Ask for the names of potential witnesses or any other details that may be pertinent to the investigation.
- The Title IX Investigator will conduct additional interviews of the parties and witnesses, as needed, review the information and evidence, and determine whether a preponderance of the evidence supports charges and possible sanctions³. A finding of charges is not a finding of responsibility, but indicates that there is sufficient evidence to warrant further consideration and adjudication.
- After making a determination, the Investigator drafts the final investigation report⁴.

AFTER THE INVESTIGATION

- The University provides a copy of the final investigation report (with all supporting documentation) to each party at least 10 days before it is finalized, to give the parties an opportunity to respond.
- After 10 days, the investigation report will be finalized.

RESOLUTION/HEARING

- The final investigation report will be provided to the misconduct panel or hearing officer (and to the parties) for consideration in adjudicating any charges brought against the Respondent.
- Either or both parties may request informal resolution, if both agree, as a possible resolution in certain student misconduct cases (except where deemed inappropriate by the Vice President for Student Affairs or the University System Director.
- The Respondent may choose the option of having the charges heard either by an administrator (Hearing Officer) or a Hearing Panel.
- Hearings may be in-person or via video conferencing.
- Both parties shall present witnesses and evidence to the hearing officer or panel, with the opportunity for written questions or direct cross examination by the party or their advisor.

³ The Title IX Coordinator/Investigator must determine if a violation occurred using the preponderance of evidence standard of proof (i.e. the information gathered concludes that the allegations are “more likely than not” to be true).

⁴ The investigative report contains the initial allegations, the policy violated, the parties involved, the evidence gathered, a summary of the interviews, and any other relevant information.

- Following the hearing, a written decision of the hearing panel will be provided to both parties, along with notification of the right to appeal.

APPEAL (if requested):

- Appeals must be in writing, and must set forth one or more of the bases for appeal, and submitted within five business days of the date of the final written decision to the President or their designee.
- The President or Designee will review the record only, and may affirm, change the sanctions, remand the case back to any lower decision maker for correction, reverse or dismiss the case.
 - The President or their designee's decision shall be the final decision of the institution.
 - Either party may request review by the Board of Regents of the President's final decision in accordance with the Board of Regents' Policy on Discretionary Review.