

DETERMINATIONS

The Decision Maker(s) must determine by a preponderance of the evidence whether the Respondent is responsible for the prohibited conduct alleged in the formal report.

The Decision Maker(s) will issue a written determination regarding responsibility that will be issued simultaneously to all parties.

The notice of outcome will include:

- Identification of the allegations potentially constituting covered sexual harassment;
- A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding which section of this Policy or other University policy, if any, the Respondent has or has not violated.
- For each allegation:
 - A statement of, and rationale for, a determination regarding responsibility;
 - A statement of, and rationale for, any disciplinary sanctions the recipient imposed on the Respondent; and
 - A statement of, and rationale for, whether remedies designed to restore or preserve equal access to University's education program or activity will be provided by Complainant, except that the remedies provided shall not be shared with the Respondent.
- University's procedures and the permitted reasons for the Complainant and Respondent to appeal.
- How to challenge participation by the Appeal Panel for bias or conflict of interest – which the Title IX Coordinator will resolve in their sole discretion.

If the Respondent is found responsible:

1. The Decision Maker(s) must determine what remedies are appropriate for the Complainant given the determination of responsibility and prohibited conduct.
2. The Decision Maker(s) must determine what sanctions are appropriate for the Respondent given the determination of responsibility and prohibited conduct.
3. The Decision Maker's determination of responsibility, remedies and sanctions must be memorialized in a written determination and provided to Parties.

The determination is considered final either:

1. If an appeal is not filed, on the date the University provides Parties with the written determination as of the result of the appeal,
2. If no appeal is filed, on the date on which an appeal would no longer be considered timely.