

What can I expect from an investigation?

under the procedure effective Aug. 14, 2020

Want more information about the investigation process? Talking with our office **does not initiate an investigation.**

1. A formal complaint is received by Title IX. If the Title IX team determines that a Formal Resolution is appropriate, Dartmouth will appoint an external investigator.
2. A notice of investigation is sent to all parties, followed by an informational meeting. Parties are notified of the allegations, the procedure for resolution, and their rights and obligations.
3. The Investigator will schedule interviews with all parties and any relevant witnesses. The information obtained through the interviews will be compiled and shared with the parties for review before the Investigation Report is completed.
4. During the interview, the Investigator will ask questions about the events as you remember them. This is your space to talk. You should feel comfortable answering honestly and asking for clarification if needed. It is okay to say, "I don't know." After the investigator questions the other party, they may ask additional questions in a "follow-up interview." Parties may have an advisor present at any and all of these interviews.
5. All evidence gathered, including transcriptions of interviews, emails, text messages, etc. must be made available to both parties and to their advisors for review. Parties have ten business days to respond and add any additional information, which will be taken into consideration for the Investigation Report.
6. The Investigation Report is distributed at least ten days prior to the Hearing, where the Hearing Panel will determine an objective outcome. The Investigator makes a determination in their report whether the reported conduct would be Title IX Prohibited Conduct or Other Prohibited Conduct as defined in the SMP. The Investigator does not make a determination of responsibility — that decision is reserved for the Hearing Panel.

7. Prior to the Hearing, the parties may submit impact or mitigation statements for the Hearing Panel to review.
8. **There are two kinds of hearings:**
 - A. If the reported prohibited conduct falls within Title IX Prohibited Conduct, then the format of the hearing must have live cross-examination. Each party gets the opportunity to question the other through their advisor, orally, directly, and in real-time. The relevance of the questions is reviewed by the Hearing Panel during the Hearing itself. If a party or witness does not submit to questioning, the Hearing Panel may rely on any statements obtained in reaching a determination. The Hearing Panel may not draw any inference based on the decision to not participate at the Hearing.
 - B. If the reported prohibited conduct falls within Other Prohibited Conduct, parties may not directly question each other, but they may offer questions to the Hearing Panel, should they choose to ask them. Parties and witnesses are not required to attend the Hearing, and the Hearing Panel may not draw any inference from the decision of a party or witness to not participate. The Hearing Panel may rely on any information collected by the Investigator.
9. The Hearing Panel determines by preponderance of the evidence as to whether the Policy has been violated and will determine sanctions if there is a finding of Responsible. The parties will receive a written notice of the outcome within ten business days. Parties will have the opportunity to appeal the decision.

During and after this process, the Title IX Coordinator, can implement Supportive Measures. These may include academic support, housing changes, no-contact orders, and counseling.

For additional details including accessing the Sexual and Gender-Based Misconduct Policy and relevant procedures, please visit our website at: sexual-respect@dartmouth.edu or email us at titleix@dartmouth.edu

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Equal Opportunity, Accessibility, and Title IX