What to Do When You Have Been Named in a Formal Complaint

Sexual Harassment
Sexual Violence
Sexual Assault
Domestic Assault
Dating Violence
Stalking

YOUR RIGHTS DURING A CONDUCT CONFERENCE, FORMAL HEARING OR ADJUDICATIVE PROCESS

• To know in advance the names of all persons to be called.

• To have an advisor (one) of your choosing to accompany you throughout the investigative, administrative and adjudicative processes.

• To not have irrelevant sexual history presented or discussed.

• To be present and to speak on your own behalf and to pose questions to be asked of all participants.

• To have access to the investigation report, College policy, and any other materials presented as part of the adjudicative process.

• To not have to see or be in the presence of the person who filed the complaint.

• To be informed of the outcome of the hearing and the process in a timely manner.

• To appeal the outcome of a conduct conference or formal hearing based upon the procedures used or new information unavailable during the proceedings.

The Title IX Office is committed to equality and fairness and is dedicated to providing information, resources and assistance to address, resolve and prevent all forms of sexual and gender-based harassment, including sexual violence, sexual assault, stalking, and intimate partner violence.

The Title IX Office respects the autonomy and dignity of all individuals, interacts with each individual without prejudice or presumption and seeks to protect to the extent possible the privacy of all members of the Oxy community.
OXY’S COMMITMENT

Occidental College prohibits all forms of sexual and gender-based harassment, including sexual violence, sexual assault, stalking, and intimate partner violence.

When you are named in a formal complaint, you have the right to:

- An explanation of the complaint that has been filed and by whom.
- An explanation of any violations of college policy alleged against you.
- Know of any limitations or restrictions placed upon you as a result of the complaint.
- Confidential resources and support. (Confidential support means that information you share may only be shared with another with your consent.)
- Assistance with other issues specific to your circumstance.
- Request assistance with related issues in the following areas:
  - Academic program
  - Employment
  - Escorts on campus
  - Housing
  - Physical and/or mental health
  - Safety
  - Transportation

• Be presumed to not be in violation of any College policy until such a determination is made through the appropriate College process.
• Speak and present information on your own behalf free from prejudice or presumption.
• Protection from retaliation.
• Have your information and information pertaining to the complaint kept private, made available only to individuals who have a direct need to know in order to address the matter and bring about its resolution.
• An advisor to accompany you throughout the process and to be in attendance at all investigative, administrative and adjudicative meetings.
• Know the status of the complaint at any point in the process.

When a formal complaint is filed, the Title IX Office conducts an initial assessment to determine the best way to bring about a resolution of the complaint. There are two forms of resolution: informal and formal.

CHARACTERISTICS OF AN INFORMAL RESOLUTION

An informal resolution provides a wide range of measures to address and resolve a complaint, address its effects and prevent it from happening again. Informal resolution does not include discipline of another person. Such measures include but are not limited to:

- Education
- Training
- Changes to policies and procedures
- Mediation

CHARACTERISTICS OF A FORMAL RESOLUTION

A formal resolution includes the following components to address and resolve a complaint, address its effects and prevent it from happening again.

Investigation
This is conducted by one or two investigators. Investigators talk to all parties involved in the matter and any witnesses with first-hand knowledge or information.

Formal Hearing or Conduct Conference
This occurs when the Title IX Coordinator determines that the results of the investigation indicate a potential violation to College policy may have occurred. This is not a determination that the policy has been violated.

Complaints filed with the Title IX Office are typically resolved within 60 calendar days. That time may be extended due to parallel criminal investigations, school breaks, or other exceptions necessary for a fair, complete and thorough process.

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