

Reporting Gender-Based Misconduct (including Title IX)

Under Bard's Policy: <https://tinyurl.com/bardgbmpolicy>

Meet with the Title IX Coordinator to discuss the options regarding your report and the availability of interim supportive measures.*

Do you want to make a formal complaint?

Yes

No

The formal complaint will be reviewed, based on the following questions:

- Did the alleged conduct occur on campus, or otherwise in Bard's education program or activity?
- Would the alleged conduct constitute (1) quid pro quo harassment by an employee, (2) severe, pervasive, and objectively offensive sexual harassment, or (3) sexual assault, domestic violence, dating violence, or stalking?

Is there another reason that the Title IX Coordinator determines a formal complaint must be filed (i.e severity of the misconduct and/or whether there is a safety risk to the complainant or college community)?

Yes

No

The Title IX Coordinator will explain the reasoning for action.

Supportive measures will be offered and provided, as appropriate.

Yes

No

Formal complaint must be filed (as required by the Policy and Federal Regulations). Commencement of the Formal Grievance Process: written notice of investigation and allegations sent to the parties; outside investigator assigned.

Dismiss complaint for Title IX process.**
If continued as a College Category complaint, parties would be notified and the investigation would continue. Supportive measures would be provided, as appropriate. This process would generally follow the process shown to the left. Dismissal of a Title IX Sexual Harassment case can be appealed for the following reasons: procedural irregularity that affected outcome of the matter; new evidence that could effect the outcome of the matter; and/or the Title IX Coordinator had conflict of interest/bias that affected outcome of the matter.

Investigative Process: complainant interviewed, respondent interviewed, other material witnesses interviewed, and evidence reviewed.

Hearing: Each party will have an advisor. The advisor will be responsible for asking questions. The parties and witnesses may provide relevant information.

If at any point during the investigatory process, (1) the complainant notifies in writing desire to withdraw complaint or any allegations, (2) the respondent is no longer enrolled/employed, or (3) circumstances prevent gathering sufficient evidence, the complaint *may* be dismissed. *The parties have a right to appeal a dismissal.*

If multiple formal complaints arise out of same facts or circumstances, the Office may consolidate the investigations.

At the conclusion of the hearing, a decision will be issued in writing and will address responsibility, and when appropriate, sanctions/corrective action and/or remedies for complainant.

* As a reminder, the Title IX Coordinator is a mandatory reporter.

** If it becomes clear that the allegations do not meet the definition of Title IX Sexual Harassment, the Title IX Coordinator must dismiss the complaint under Title IX. The complaint may still continue under

This flowchart is intended to capture the most foreseeable routes that a matter may take, but does not cover every circumstance that may arise. For any specific questions, please consult with the Title IX Coordinator.