

The following procedures apply to cases and complaints of Sexual Misconduct brought under RISD's Sexual Misconduct Policy.

1. Initiation: Sexual Misconduct complaints may be submitted to the Title IX Coordinator, the Deputy Title IX Coordinator, the Office of Student Affairs, Human Resources, the Office of Residence Life, and the Public Safety Department. The Office of Student Affairs, Human Resources, the Office of Residence Life or Public Safety Department will forward any complaint involving sexual misconduct to the Title IX Coordinator.
 - a. Upon receipt of a complaint involving or including sexual misconduct the Title IX Coordinator or Deputy Title IX Coordinator will conduct a preliminary review to determine whether the complaint alleges sexual misconduct cognizable under RISD's Sexual Misconduct Policy, whether there is reasonable cause to proceed, and, if so, what charges should be brought against the respondent.
 - b. If the Title IX Coordinator or Deputy Title IX Coordinator determines that the complaint does not allege sexual misconduct as cognizable under RISD's Sexual Misconduct Policy or that there is no reasonable cause to charge the respondent named in the complaint, the case will be closed, for purposes of Title IX, and the parties will be notified. Upon notification, parties will have three (3) days to appeal the decision. If there is reason to proceed with charges under other areas of the Code of Student Conduct and/or RISD's Non-discrimination Policy, the case will proceed under the College's respective grievance process.
 - c. Supportive Measures: RISD may implement supportive measures following notification of a sexual misconduct concern. Such measures are designed to provide for the safety of the parties, to provide for the health or well-being of the parties, and/or to prevent interference with the parties' educational, employment, or other opportunities. These measures may include but are not limited to: imposing a temporary no-contact order, which typically will instruct the parties to refrain from having contact with one another, directly or through intermediaries, whether in person or via electronic means, pending the investigation and determination. RISD may also take any further supportive action, when appropriate, pending the resolution of the matter, including but not limited to: referral to on/off-campus partners; changing a party's academic, working and/or living situation, if appropriate and reasonably available; facilitating conversations regarding extensions with professors, facilitating campus escort services, coordinating leaves of absence, increasing Public Safety presence in certain areas, and providing restrictive access to certain areas.

If during any stage of the investigation, RISD reasonably suspects that a respondent poses a threat of harm to self, harm to other, or disruption to the campus community, RISD may take immediate action, including removing a respondent from housing, restricting the respondent's movement on campus, and/or temporarily suspending/removing the respondent from RISD.
2. Investigation: If it is determined that there is reasonable cause to proceed, the Title IX Coordinator or Deputy Title IX Coordinator will notify both the complainant and the respondent and conduct an impartial investigation. The investigation may be completed by the Deputy Title IX Coordinator and/or Designee.
 - a. The investigation will include but is not limited to: meeting with the complainant, the respondent, and/or others who may have relevant information; obtaining written statements from relevant persons; and/or seeking other potentially relevant records or information. Our office aims to ensure investigations are conducted within a reasonable time frame. Our office understands the involved nature of the investigation process, therefore, reserves the right for good cause reasonable delays for a limited period of time.

- b. All members of the RISD community are expected to cooperate with a Sexual Misconduct investigation. Complainants and/or Respondents may choose not to participate in the investigation however, the investigation will proceed in their absence.
 3. Determination: At the conclusion of the investigation, the Sexual Misconduct Decision Maker(s) will hold a hearing to determine whether the Respondent violated College policy, based on a preponderance of the evidence standard. A Respondent is presumed not responsible until a determination regarding responsibility is made at the conclusion of the grievance process. The Sexual Misconduct Decision Maker(s) are comprised of a trained group of individuals. The Title IX Coordinator, Deputy Title IX Coordinator or another Designee may serve as an additional, nonvoting facilitator of grievance procedures.
 - a. As part of the preparation for the hearing, the Complainant and Respondent will be given an opportunity to inspect and review the draft investigation report. Parties will have ten (10) days to submit a written response, which the investigator will consider prior to the completion of the investigation report. All evidence gathered throughout the course of the investigation will be made available to the parties for inspection and review. Once the investigation report is finalized, parties will have ten (10) days to review the finalized report in preparation for the hearing.
 - b. Hearing: Upon request, provisions will be made to separate the parties during the hearing. You are entitled to one advisor of your choosing to guide and accompany you throughout your hearing. This advisor may or may not be the same advisor that was used during the investigation. During the hearing, the role of the advisor is passive in nature and students are required to speak on their own behalf. During your hearing, parties are permitted to ask questions of the other party and witnesses, through the Sexual Misconduct Decision Maker(s), who may determine whether or not a question is relevant to their decision making. Please note that a list of College trained advisors can be provided, by request, by contacting a Title IX coordinator.
 - c. Once a determination has been made, the Title IX Coordinator, Deputy Title IX Coordinator, or Designee will inform both the Respondent and (to the extent permitted by the Family Educational Rights and Privacy Act) the Complainant of the determination.
 4. Sanction: If the Sexual Misconduct Decision Maker(s) find the Respondent responsible, they then decide on an appropriate sanction. Possible sanctions for those found responsible may include: community service, reflection paper, behavioral expectation conversations/check-in's, educational training; as well as, anything from ranging from warning through suspension, expulsion, or termination. Notification of the sanction will be either in-person from the Title IX Coordinator or Deputy Title IX Coordinator, or sent to the Respondent's RISD email account. The Complainant will also be notified (to the extent permitted by the Family Educational Rights and Privacy Act) either in person or by RISD email account.
 5. Remedial Measures: RISD may implement remedial measures following the conclusion of the grievance process. Such remedies are designed to restore or preserve equal access to RISD's programs or activities for parties. These measures may include but are not limited to: referral to on/off-campus partners; modifying a party's academic, working and/or living situation; modifying a party's campus-housing/work assignment; modifying to a party's work schedule; facilitating conversations regarding extensions, facilitating campus escort services, imposing a "no-contact" order, which typically will instruct the parties to refrain from having contact with one another, directly or through intermediaries, whether in person or via electronic means; and restricting access to campus-buildings. Broader remedial action may also be taken for the campus community, such as: increased supervision or monitoring, targeting or increased education and prevention efforts, and a review of policies and procedures.
 6. Advisors: All parties are entitled to one advisor of their choosing to guide and accompany them throughout the various stages of the grievance process. Examples of an advisor include, but are

not limited to: a friend, mentor, professor, family member, roommate or any other supporter a party chooses to advise them. You are welcome to work with the Title IX Coordinator, Sydney Lake, slake@risd.edu, Deputy Title IX Coordinator, Simone Tubman, stubman@risd.edu, or Deputy Title IX Coordinator for Employees, Liz Rainone, erainone@risd.edu, to select an advisor from the RISD community who has been trained by the College and/or has experience in such matters. Your advisor may be any support person of your choosing and is not limited to the list provided by the college

- a. Role of advisor: The role of the advisor is to support and accompany the student throughout the investigation, determination, and appeal processes. The role of advisors in these processes is passive in nature; the students in the case speak on their own behalf, and active participation is limited solely to them. All communication regarding cases are made directly with the students.
7. Right of and Grounds for Appeal: Either the complainant or the respondent or both may appeal a final determination to the Assistant Vice President for Student Affairs(Students) and/or Designee. Any such appeal may be made on only one or more of the following grounds:
 - a. There was significant procedural irregularity that affected the outcome of the matter;
 - b. There is new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
 - c. The consequences imposed are grossly disproportionate to the violations found to have occurred; or
 - d. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainant(s) or Respondent(s) generally or the individual Complainant or Respondent that affected the outcome of the matter.
8. Appeal Process: Any appeal must be submitted to the Assistant Vice President for Student Affairs (Students) and/or Designee within three (3) days of a case outcome. A statement of appeal: must be submitted in writing, must specify the grounds on which the appeal is based, and must set forth and explain, in detail, any relevant facts, information, and arguments. In the absence of a timely appeal, the determination will be final and conclusive
 - a. Upon receipt of an appeal that complies with these requirements, the Assistant Vice President for Student Affairs and/or Designee will notify the other party of the appeal. An appeals officer may, at their discretion, decide the appeal on the basis of the investigative report, statements, any response, and the record; consult with the Title IX Coordinator, Deputy Title IX Coordinator, Investigator, Sexual Misconduct Decision Maker(s), or other person(s) they deem appropriate; and/or grant the parties a conference to explain their positions in person. The appeal's officer may affirm, modify, or overturn the determination and/or may refer the case back to the Title IX Coordinator or Deputy Title IX Coordinator for further or new proceedings.
 - b. Notification of the resolution of the appeal will be sent to the appellant's RISD e-mail account. The non-appealing party will also be notified of the resolution of the appeal (to the extent permitted by the Family Educational Rights and Privacy Act).
9. Deferral of Sanctions Pending Appeal: The submission of an appeal does not by itself prevent or defer implementation of interim measures and/or sanctions imposed by the Sexual Misconduct Decision Maker(s). However, at the request of the appellant, the Title IX Coordinator may, in their discretion and for good cause, defer implementation of some or all of those consequences during the pendency of the appeal.