

Kerianne Silver  
*Interim Director, SCI*

Alexander Wheeler  
*Assistant Director, SCI*

*October 2023*

SCI LIVE@ DISTANCE BASIC  
COMPLIANCE TRAINING, DAY 2

# MEET YOUR TRAINERS



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SUNY Student Conduct Institute

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Assistant Director

SUNY Student Conduct Institute

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# STUDENT CONDUCT INSTITUTE: INCIDENT STAGES & CONDUCT PROGRESSION



1. Incident Reported

2. Title IX Grievance Process Initiated

3. Pre-Hearing Prep Investigation

4. Hearing

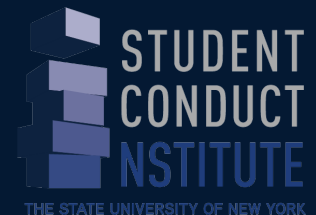
5. Appeal Process

6. Decision Implementation



# CASE PROCESS

# DECONSTRUCTED



# TRAINING EXPECTATIONS

## Learning Objectives



- Conduct their own Campus Self-Assessment
- Identify Key Players in this process on their campus
- Recall the SUNY SCI structure for Incident Report Writing
- Identify and construct varying Supportive Measures
- Identify components of different Procedures Meetings with Parties
- Recall who can file Formal Complaints
- Compare Evidence Types
- Prepare their campus/team for Hearing
- Consider decision implementation processes and record keeping

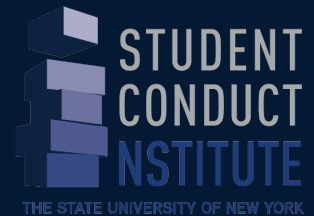




# STUDENT CONDUCT INSTITUTE: INCIDENT STAGES & CONDUCT PROGRESSION



# RESOURCES TO SUPPORT YOUR





# Title IX Final Rule Toolkit

**NEW: Restorative Justice Implementation Resources**

SCI is proud to partner with Janelle A. Brooks, Assistant Dean, Student Conduct and Community Standards, Buffalo State University, to develop a resource guide for implementing a campus restorative justice program. Along with reviewing her restorative justice module, users can adapt the following sample documents to implement the policy.

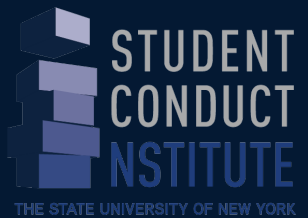
- Timeline [Download](#)
- Program Flyer [Download](#)
- Informational Packet [Download](#)
- Participant Informational Packet [Download](#)
- Program Survey [Download](#)
- Referral Form [Download](#)
- Confidentiality Agreement [Download](#)
- Resolution Agreement [Download](#)
- Evaluation [Download](#)

Search ...

- Foundational Principles
- Title IX and the Courts
- Reporting Process
- Supportive Measures
- Investigation
- Pre-hearing Procedures
- Hearing Procedures
- Decisions and Appeal
- Implementation



# THE SUNY SCI TOOLKIT



# CAMPUS SELF ASSESSMENT

**CAPACITY**  
Staffing levels caseload, threat/behavior assessment team, care team, etc.

**TRAINING**  
Has anyone who will be involved in the investigation/adjudication received training?

**FACILITIES/TECH**  
What does your physical space look like for your processes? What tech do you need?

**POLICY HEALTH CHECK**  
Are your policy and procedures up to date? Are they compliant with any recent regulations? Student centered?

**PROCEDURE CHECK**  
Do your procedures follow your policy? Are they student centered?

**AWARENESS**  
Do students/faculty/staff know how to reach you? What is your reputation on campus?

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STUDENT  
CONDUCT  
INSTITUTE  
NEW YORK



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# CAMPUS SELF ASSESSMENT



A clipboard with a black clip at the top and a hand holding a black marker at the bottom right. The clipboard contains a checklist with six items, each with an icon, a title, a description, and a checkbox. The checkboxes for the first five items are checked with a blue checkmark, while the sixth is empty.

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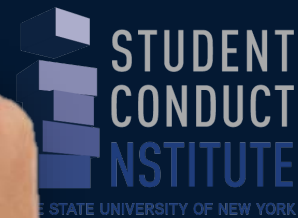
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Report Receiver

Intake.

UPD / Campus Safety

Safety measures.

Title IX Coordinator

Oversight and Assistance.

Investigator

Investigate.

Informal Resolution Facilitator

Facilitate.

Conduct Staff

Oversight and Assistance.

Advisor

Advise.

Hearing Board / Appeal Board

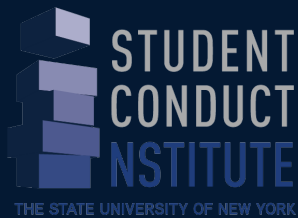
Chair. Determinations.

Resources Offices/Units

Supportive Measures.

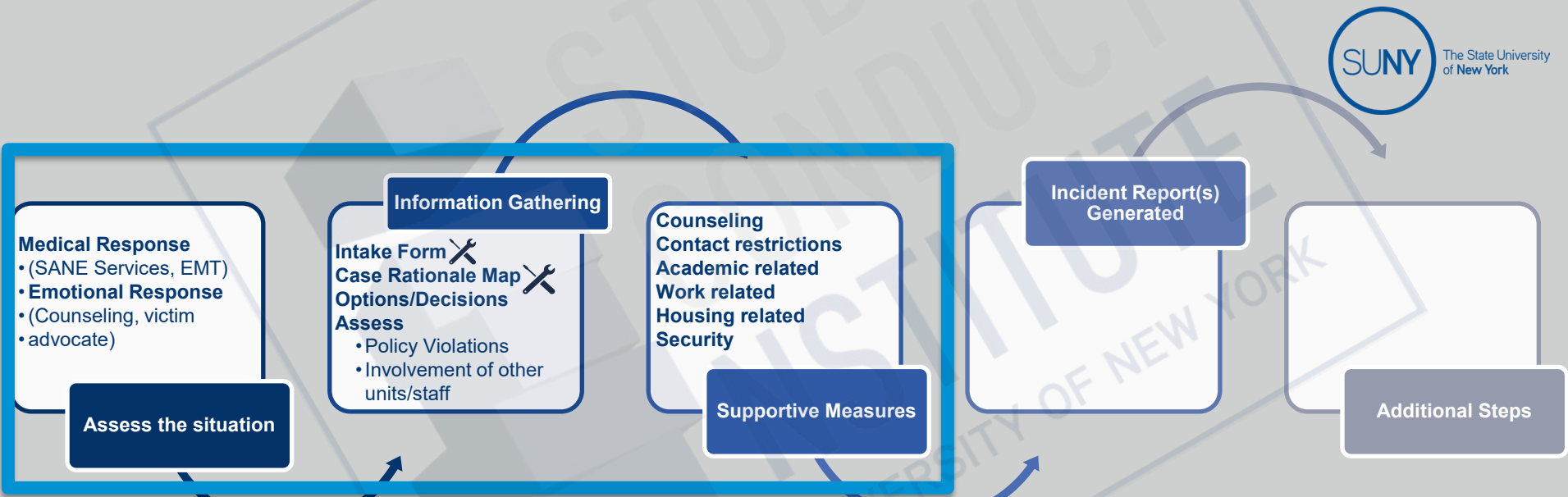


# KEY PLAYERS



# CASE PROCESS

## 1. INCIDENT REPORTED DECONSTRUCTED



### Key Players:

- TIXC
- Conduct Staff
- UPD
- Hall Staff
- Hearing Board
- Appeals Board
- Registrar



Designating responsible and confidential employees



List of responsible and confidential employees



Disclosure of status to students



Training and FERPA considerations



Inclusion in campus policy



# INTAKE & CONFIDENTIALITY

- ✓ Incident information
- ✓ Type of alleged harassment
- ✓ Critical incident response
- ✓ Office visit follow-up/delayed report
- ✓ Supportive measures
- ✓ Student rights information review

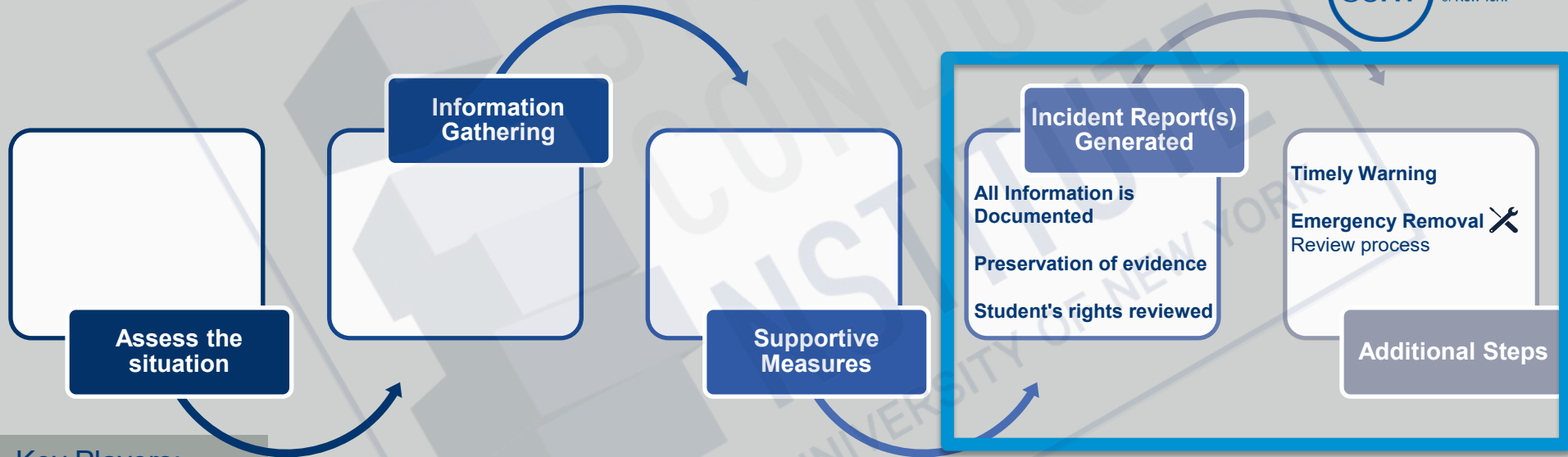


# TITLE IX: INTAKE FORM ~~FORM~~



# CASE PROCESS

## 1. INCIDENT REPORTED



Key Players:

- TIXC
- Conduct Staff
- UPD
- Hall Staff
- Hearing Board
- Appeals Board
- Registrar



Detail your intake of the incident (who, where, when)



Include observable facts and behaviors



Cite any significant quotes from parties involved



Detail incident from reporting individual's perspective



Resolution – detail next steps taken



# INCIDENT REPORT STRUCTURE



**Date/Time of Incident:**

March 15, 2021  
at ~ 2:00a.m.

**Date/Time of Report:**

March 15, 2021  
at ~ 10a.m.

**Location(s) of Incident:**

Smith Hall on  
campus

**Complainant:**

Sidney Jones

**Accused:**

Jaime Carter

**Witnesses:**


Ebba Kallax & Elan  
Kersvan



**Issue:**

The RA reports that the Complainant says the Accused put their hand under her shirt and then moved their hand to her vagina without the Complainant's consent.

# EXAMPLE INCIDENT REPORT DETAILS

| Type                 | Considerations   |
|----------------------|--|
| Safety               | Reasonable accommodations  |
| Health               | Medical, Mental  |
| Housing              | Room lock change, designated emergency space   |
| Contact restrictions | One-way or Mutual No Contact Order (NCO)  |
| Academic             | Course accommodations, course changes, Professor notifications, leave of absence, withdrawal assistance                      |
| Work                 | On/Off Campus employment   |
| Facility based       | Gym, library, dining, University events, etc...  |
| Recreational         | Student group, athletic team, internship program   |



# TITLE IX: SUPPORTIVE MEASURES





Who makes the final call?

How will you assemble staff?

Documents and Form Templates

Meetings with Students, Tech Considerations,  
Process Determinations

Notification to parties

Supportive Measures



# TITLE IX: EMERGENCY REMOVALS



# Is This a Title IX Grievance Process Case?\*

Report made to Title IX Coordinator

Is the complainant currently participating in or attempting to participate in your programs (i.e. an employee, student, applicant, etc.?)

Yes

No

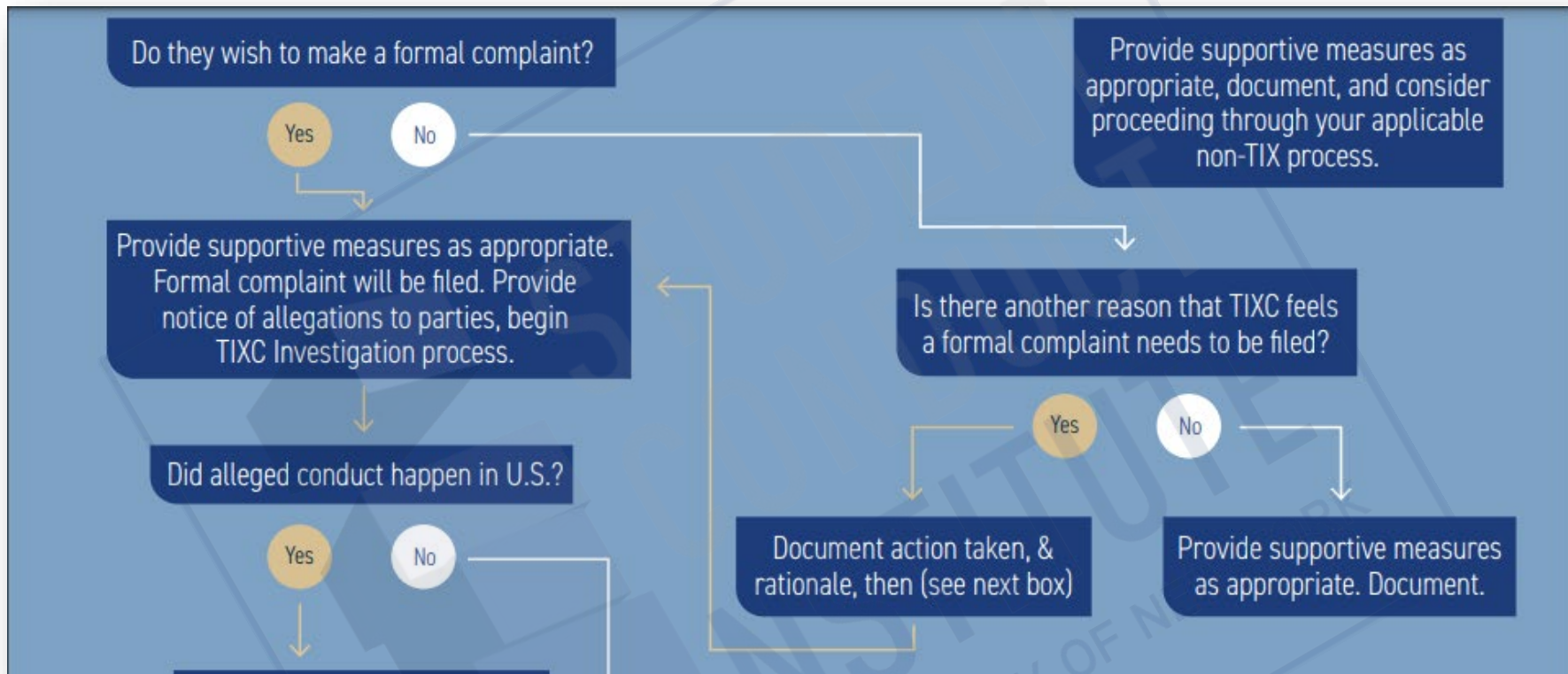
Do they wish to make a formal complaint?

Yes

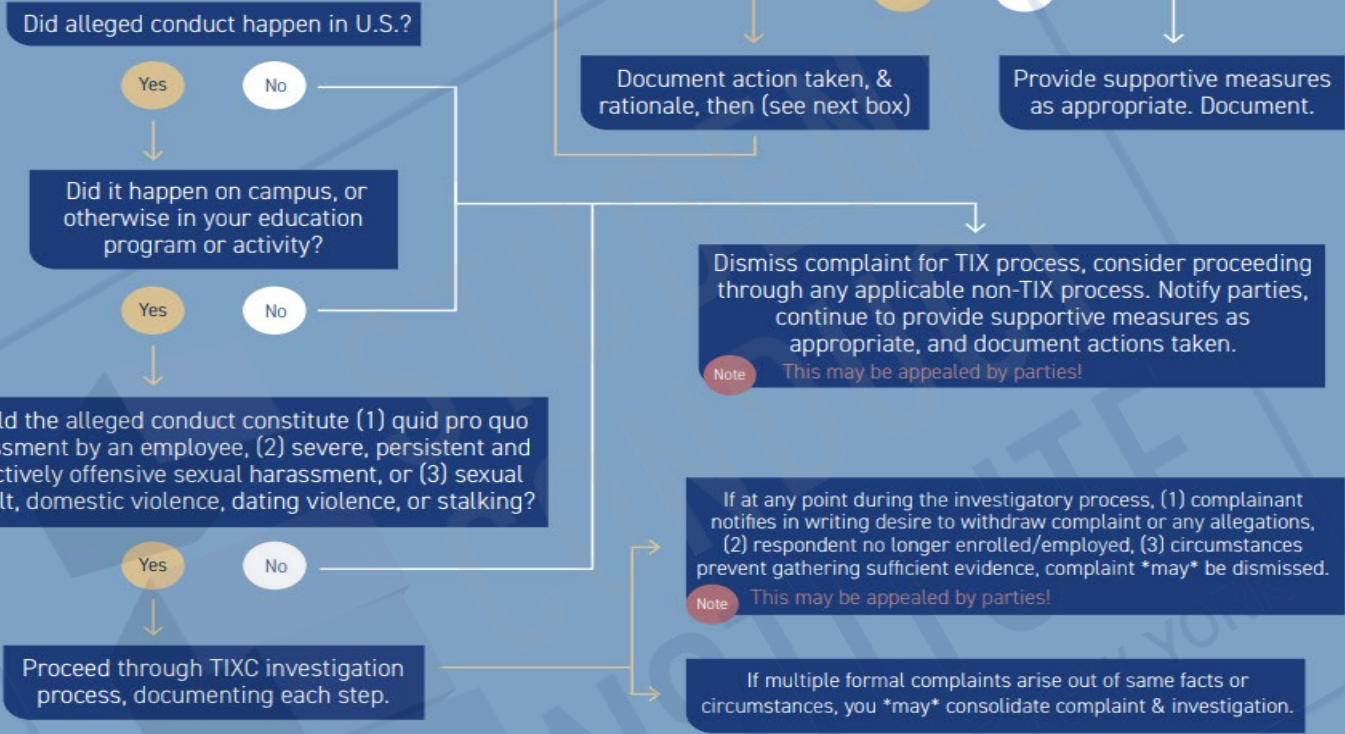
No

Provide supportive measures as appropriate, document, and consider proceeding through your applicable non-TIX process.

## DECISION TREE



# DECISION TREE



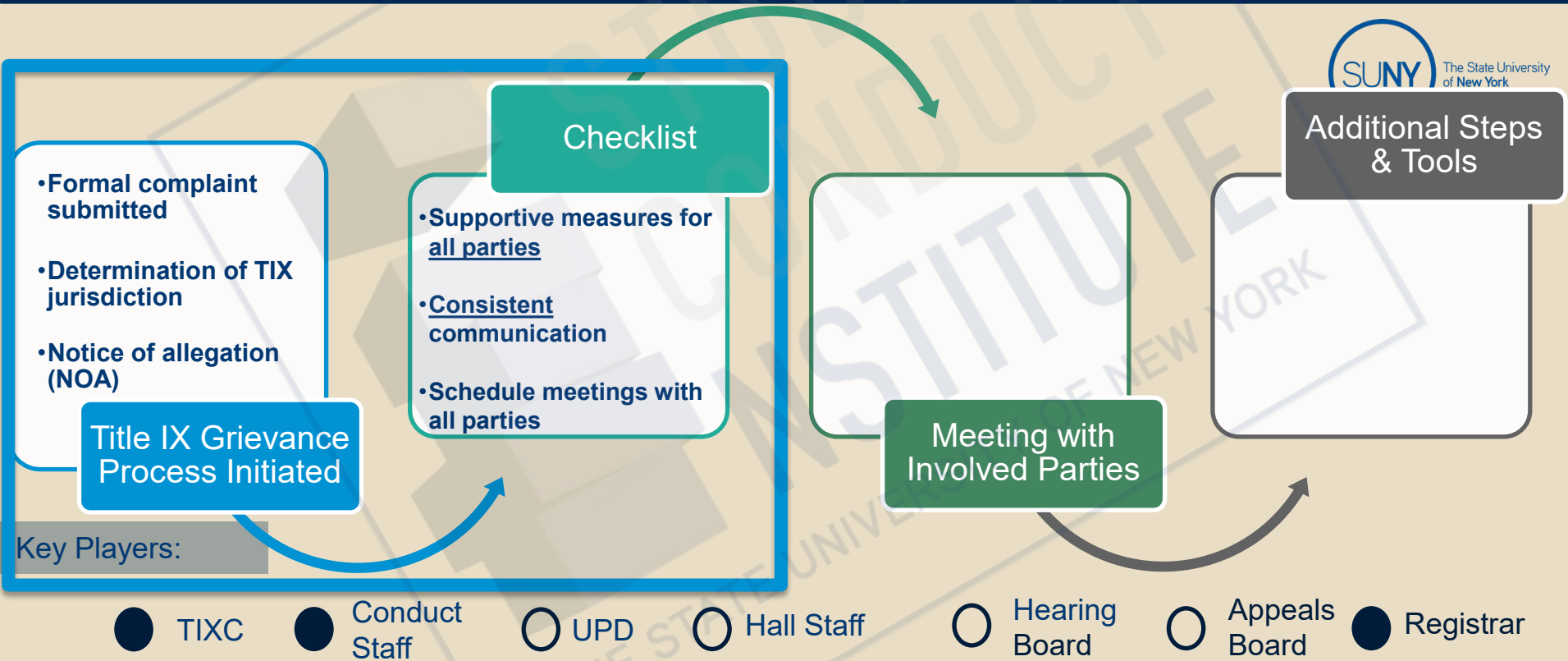
*\*This Decision Tree is intended to capture the most foreseeable routes that a matter may take, but it cannot cover every circumstance that may arise. Please consult with your campus counsel for specific circumstances and questions.*

# DECISION TREE



# CASE PROCESS

## 2. TITLE IX GRIEVANCE PROCESS INITIATED





# PROCESS DOCUMENTATION



Institutions **must** investigate all “formal complaints” filed with the Title IX Coordinator

Who can file a formal complaint?

- A person who is currently participating in the education programs or activities of the institution
- A person who is **attempting** to participate in those programs or activities
- The Title IX Coordinator

Multiple complaints arising from same incidents can be consolidated

## Action Items

- ✓ Preparation
  - Challenges of virtual work
  - Varied familiarity of the process
  - Delayed report
  - Non-responsive
- ✓ If non-responsive
  - Determination on next steps



# THE FORMAL COMPLAINT

# Advisor Resource Guide

for Title IX Investigations and Hearings

SEPTEMBER 2021

Abbey Marr, Esq.  
Jessica Morak, Esq.  
Gemma Rinefierd, Ed.D.  
Adam J. Wolkoff, J.D./Ph.D.



Introduction: Serving as an Advisor in Title IX Proceedings

The Role of the Advisor

Pre-Hearing Preparations

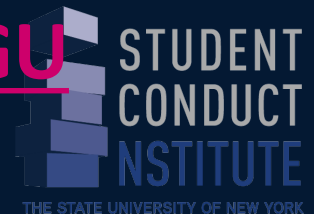
Hearing

Cross Examination & Relevance

After the Hearing

Checklist

[BIT.LY/SCIADVISORGUIDE](https://bit.ly/sciadvisorguide)



BREAK

