

MCW Title IX Reporting Process Frequently Asked Questions

What happens when someone makes a report of sexual misconduct to the Title IX Coordinator?

First and foremost, we focus on safety and providing supportive resources to the involved parties including available counseling and applicable MCW policies. MCW will immediately take all reasonable actions necessary to protect the reporting party based upon the information we have, assure his/her well-being, and address any hostile environment at MCW in its educational programs. A meeting with the Title IX Coordinator or designee occurs when the reporting party is ready to do so and an initial intake of the complaint is obtained. During the meeting, we seek to understand all facts about the report and how the reporting party wishes to proceed. We provide the reporting party with information regarding options that include investigations, interim measures, making a criminal complaint to law enforcement, and supportive measures.

During the initial intake and evaluation process, MCW will interview the complainant. MCW may also interview the respondent, depending in part on whether the complainant requests confidentiality, whether MCW determines it can comply with such a request for confidentiality, and/or whether the safety of the complainant and/or other individuals, and/or MCW working and learning environments would be jeopardized by interviewing the respondent. All evaluations are implemented giving priority to the safety of all parties, following applicable laws, and employing due process.

Reports from about a Title IX violation from students do not equate to an automatic investigation. Reporting allows MCW to HELP and provide assistance. We want to ensure safety and listen to concerns. MCW is required to complete a risk assessment to the greater MCW community and determine if there are patterns and trends. The complainant (and respondent if the respondent was notified of allegations) will be promptly, concurrently and separately informed of the outcome of the initial evaluation, including whether a facilitated resolution will be pursued or investigation conducted.

What is the Title IX investigation process?

The Title IX process follows an investigatory model (as opposed to a hearing model) when a formal investigation under MCW's [Title IX Investigation into Sex Discrimination and Related Misconduct Policy](#) is initiated. The Title IX Coordinator or designee will be assigned to conduct an investigation. Here is a general summary of the steps for an investigation:

- An initiation of investigator letter will be provided to both the reporting party and the respondent informing each party of the investigation, what the list of allegations include, and what the next steps will be.
- Each party is offered supportive resources, including the ability to request interim measures, and select one advisor. (The advisor's role is to quietly confer with the individual they accompany to meetings. Advisors may not address any other party or participant in the process and do not serve as a witness.)
- The investigators will meet with each party (individually) and any actual witnesses to the alleged misconduct. (MCW will not typically interview character witnesses)
- Each party will have the ability to provide evidence such as text messages, emails, pictures and other documents.

- The investigator will analyze whether a policy violation has occurred.
- MCW uses a preponderance of evidence standard which means it was more likely than not that a violation occurred.
- If there is a violation, there will be appropriate sanctions that are determined against the responding party.
- Both parties will be promptly and concurrently provided a written description of the findings, including any sanctions and information about whether interim measures will continue.

What if a party disagrees with the outcome of an investigation?

The complainant and respondent may each submit an appeal to the Title IX Coordinator via email at TitleIXCoordinator@mcw.edu within seven (7) calendar days of the date of the provision of the final outcome. The appeal process is a review of the record and process only and grounds for appeal are limited to:

- Procedural error or omission that significantly impacted the outcome and/or sanction(s) (if any) of the investigation; and/or
- Discovery of new evidence unknown or reasonably unavailable during the investigation that could substantially impact the original finding and/or sanction(s).

Please note:

Reports of sexual misconduct that involve only employees and do not impact an educational environment will be evaluated to determine the appropriate policy for MCW to follow due to additional employment law requirements.