REPORTING SEXUAL MISCONDUCT

Designated Advocate, Counselor or Doctor

Not required to report to IE&C. Will only report with victim's written permission unless required by law to disclose.

- If victim does not give permission to report to IE&C, Designated Advocate, Doctor or Counselor helps the victim receive other necessary protection and support.
- If victim does give permission, Designated Advocate, Doctor or Counselor will report to IE&C.

Mandatory Reporter

Must tell victim about reporting obligations prior to talking with victim.

- If victim wants confidentiality, Responsible Employee refers victim to Designated Advocate, Doctor, or Counselor.
- If victim allows reporting, Responsible Employee reports to IE&C (victim can request confidentiality, but no guarantee that request can be honored).

University Police

Must refer to IE&C.

- If victim consents, University Police notify Murfreesboro Police Dept. if rape is alleged on MTSU campus.
- University Police and MPD jointly investigate.

Institutional Equity and Compliance (IE&C)

Consults with OUC prior to and throughout investigation. → Informs President prior to starting investigation. → Notifies parties of their rights prior to starting investigation. Requests meeting with both. → Investigator interviews Complainant, Respondent, and witnesses. Uses reasonable efforts to resolve the complaint within a reasonable time. → Investigator prepares written report in consultation with OUC, delivers report to Appropriate Decision Maker ("ADM").*

ADM reviews report and makes determination whether violation occurred and discipline. → Investigator communicates ADM's determination in writing to Complainant and Respondent. → Dissatisfied party can appeal ADM's determination to the President. *Request must be within 7 business days of ADM's decision.*

- If no appeal is received, ADM's decision is final.
- If appeal is received, President will issue a written response, which will be provided to both parties.

- If a policy violation is found, the respondent will be referred to appropriate personnel for discipline.
- If no policy violation found, decision is final.

* ADM determined by status of Respondent. If respondent is a student, the matter shall be referred to the Vice President for Student Affairs for a determination. If the respondent is a faculty member, the matter will be referred to the Provost. If the respondent is a staff member, the matter will be referred to the Assistant Vice President for HRS. If the respondent is a third party, the matter will be referred to the Vice President for Business and Finance or designee.

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