FORMAL COMPLAINT FLOWCHART INVOLVING FACULTY RESPONDENTS

For all discrimination and discriminatory harassment **(D/DH)** cases including sexual misconduct (excluding Federal Title IX Sexual Harassment).

Report Initiation | Initial Assessment | Investigation Period | Adjudication Period | Appeal | Case Closed / Moved to Different Procedures

Supportive Measures are available to all parties throughout the duration of this process.

In response to a formal complaint of D/DH, MIT reserves the right to, where appropriate, modify work assignments or remove the Respondent from the workplace, or take other appropriate, available remedial actions.

The Report is made online OR in-person.

IDHR reaches out to the Complainant to explain the process, offer supportive measures, review Informal/Alternative Dispute Resolution options, and explain Formal Complaint options.

Adaptable Resolutions may be pursued after this point, with the written consent of all parties, upon approval by IDHR. In non-Title IX matters, the AR process may be utilized without filing a formal complaint.

The Complainant declines to file a Formal Complaint.

OR

The Complainant files Formal Complaint.

IDHR conducts an initial assessment and determines whether to file an **Administrative Complaint**.

If not, case closed. Supportive measures are continued.

IDHR files an Administrative Complaint.

IDHR conducts an initial assessment.

If the complaint alleges conduct that falls under the Federal Title IX definition, the complaint moves to **Federal Title IX procedures**.

If the Initial Assessment determined the complaint, as described, may violate a D/DH policy, the case moves to investigation.

If the alleged behavior, taken as true, would not violate a D/DH policy, the case is closed.

Note 1: As part of this Initial Assessment, IDHR will generally contact the Complainant in an attempt to gather a more complete understanding of the allegations, as well as any related conduct that may implicate an MIT policy.

Note 2: If the Alleged behavior (as described) may violate another Conduct Policy, the complaint will be transferred to MIT Central Human Resources for Investigation under P&P, Section 9.8.

Investigators are assigned. Notice of Investigation and Allegations are sent to all parties.

The Parties and witnesses are interviewed. Evidence is gathered.

Participation of parties and witnesses is voluntary.

Follow-up interviews occur.

The Draft Investigation Report, with the Draft Investigation Record (i.e. the information gathered during the course of the investigation) is provided to the parties.

The parties have an opportunity to review the Draft Investigation Report and provide comments to the Investigator. Generally the parties have at least 10 days.

The Final Investigation Report and the Investigative Record are sent to all parties and the Faculty Panel. The Investigation Report includes recommended finding(s) on responsibility.

The Faculty Panel decides if the Respondent violated a D/DH policy. The Faculty Panel may meet or consult with the investigator, or others, but generally does not meet with the Complainant or the Respondent.

The Respondent is found " Not Responsible" for D/DH.

Parties accept Finding(s) of Not Responsible and case closed.

The Respondent is found "Responsible" for D/DH.

The Parties accept The Finding(s). The Dean or other Academic Council member will determine the appropriate action to take against the Respondent. Sanctions are not subject to Appeal.

The Dean or other Academic Council member will determine the appropriate sanctions. Sanctions are not subject to Appea1.

Option to Appeal: the Appeal Officer reviews the appeal.

The Appeal Officer Modifies or overrules the finding(s).

The Appeal Officer affirms the finding(s).