University of Wisconsin Whitewater

Sexual Misconduct Complaint Process

University on Notice of Alleged Sexual Misconduct

TIXC provides initial contact with student complainant. Human Resources, in consultation with TIXC provide initial contact in cases involving employee respondents.

Meeting with Title IX Coordinator

Supportive Measures Offered

No Formal Complaint

Formal Complaint

Notice of Allegations

Formal Resolution

Informal Resolution

Title IX & Non-Title IX Sexual Misconduct Investigation

Preliminary Decision

Waive Hearing/Settlement

Live Hearing

Decision by Hearing Administrator

Appeal

Decision by Appealate Administrator

Mandatory Dismissal

- Does not meet the definition of sexual harassment
- Did not occur within the university education program or activity
- Did not occur against a complainant while in the United States
- The Complainant was not participating in or attempting to participate in University program or activity at the time of complaint

Discretionary Dismissal

- The complainant would like to withdraw from the process
- The respondent is no longer enrolled in the university
- University is prevented from collecting evidence

Informal Resolution Requirements:

- Must be entered into voluntarily
- Must occur after notice of investigation/allegations sent
- Can take place at any point prior to a final determination regarding responsibility
- Must be in writing
- Cannot be used for cases involving employees

Appeal

In order to request an appeal, one of the following criteria must be met:

- Procedural irregularity
- New evidence is found
- Conflict of interest existed

Live Hearing Requirements:

- Decision Maker must be separate from any other part of the process
- Complainant and Respondent must have an Advisor
- Cross examination conducted by Advisors and/or Hearing Administrator
- All questions must be determined as relevant by Hearing Administrator