

CIVIL RIGHTS COMPLAINT PROCESS:

A person who experiences discrimination or harassment based on a protected class, and/or experiences retaliation for opposing discrimination/harassment or for participating in a complaint or investigation may reach out to Human Resources Services (HRS) or other Responsible Official to:

FILE A COMPLAINT

A complaint may be filed by the person who experienced the discrimination or harassment, the "Complainant," or by a concerned third party, the "Reporter." The person filing must write the complaint in their own words. The person against whom the allegations are made is called the "Respondent."

REQUEST INFORMATION

You may reach out to HRS to learn more about PPCC's Civil Rights Policy and Procedures. This option is available whether or not you file a formal complaint. To learn more about resources, interim measures, or other options, please reach out to HRS at 719-502-2600.

REQUEST INFORMAL RESOLUTION

You may request informal resolution via the Title IX/EO Coordinator, Mr. Carlton Brooks, who will determine if informal resolution is appropriate. The parties can elect to cease the informal resolution process at any time before it concludes and proceed with a formal investigation.

INITIAL REVIEW: The Title IX/EO Coordinator or designee speaks with the Complainant and/or Reporter in order to understand the allegations and any related conduct. The Complainant is informed of their rights. Interim Actions are considered.

SUPPORTIVE MEASURES AND RESOURCES: HRS will ensure it offers supportive measures and resources to all parties regardless of whether a complaint is filed, the outcome of a filed complaint, or whether informal resolution is offered.

ASSESSMENT

If the facts alleged were true, would they constitute a violation of the Policy?

No

CLOSE CIVIL RIGHTS COMPLAINT

HRS notifies the Complainant and/or Reporter the civil rights complaint will be administratively closed. If other PPCC policies may be implicated, the Title IX/EO Coordinator will refer the matter to the Dean of Students. Complaints can also be closed by the appointing authority.

Yes

INFORMAL RESOLUTION
Does Complainant wish to elect for informal resolution?

Yes

No

UNWILLING COMPLAINANT: If the prospective Complainant is unwilling to participate or wants to withdraw their complaint, but the Title IX/EO Coordinator has determined the severity of the harassment and the potential risk to others warrants an investigation, the Title IX/EO Coordinator or designee may be considered the Complainant.

NOTIFY COMPLAINANT

The Title IX/EO Coordinator will notify the Complainant or Reporter of the plan to investigate. If there is a police investigation into the same allegations, the Title IX/EO Coordinator will assess the timing of its investigation, so as not to compromise the criminal investigation.

NOTIFY RESPONDENT

The Title IX/EO Coordinator notifies the Respondent in writing of allegations, provides Respondent with copies of the complaint and informs Respondent of their rights.

INTERVIEWS

The investigators conduct separate interviews with each of the parties. If applicable, the parties may bring an Advisor to their respective interviews.

REPORT FINALIZED

Investigators summarize the relevant evidence, make factual findings, and issue the Final Investigation Report to the Title IX/EO Coordinator.

PRELIMINARY INVESTIGATION REPORT DISCLOSURE

Investigators shall issue the Preliminary Report with relevant facts gathered and all directly-related evidence to both parties, who have 10 days to respond in writing.

FOLLOW-UP INTERVIEWS

The Investigators conduct follow-up interviews with the parties. These interviews give each party an opportunity to respond to information collected during investigation.

EVIDENCE GATHERING

The Investigators collect additional information (e.g., interview witnesses, collect documents). The parties may submit additional materials they believe may be relevant. Copies of these materials will be given to the other party and their Advisor (if applicable).

The Title IX/EO Coordinator obtains a written **Determination Report** from the investigator(s) as to whether or not, based on a preponderance of the evidence, the alleged behavior took place and whether that behavior constitutes a civil rights violation. The determination shall include a summary of all evidence and information used to reach these conclusions.

Notice of Findings provided by Title IX/EO Coordinator simultaneously to both parties. A copy of the Final Investigation Report and Determination Report shall be attached, along with appeal rights.

APPEAL: Parties may appeal the Determination Report within 10 days of receiving the Notice of Findings. Parties may appeal on three grounds: (1) procedural error that may change the outcome of the decision, (2) findings are not supported by substantial evidence in the investigation report; or (3) relevant new information that was not available at the time of the investigation and may substantially change the outcome of the decision. A new investigation can be convened or appellate officer can otherwise cure the procedural error.

Findings shall be provided to the Disciplinary Authority to proceed in accordance with applicable policies. See *Sanctions*.

Yes

RESOLUTION

Was Respondent found to be in violation of the Policy?

No

Complainant closed with no further disciplinary action.