

COORDINATOR



August 17 18, 2022



Template



Notice of Hearing



Role of the Advisor





- ‡ An institution must provide the proposed written determination to the parties simultaneously. The proposed determination becomes final either:
 - ‡ At the conclusion of the petition for administrative review to the Executive Director; or
 - ‡ If a petition for administrative review is not filed by either party, the date on which the petition for administrative review would no longer be considered timely.
 - ‡ 1:17.C.5.5.
- ‡ If no petition for administrative review is filed within the timeframe provided, upon the expiration of the timeframe, the proposed determination of the



How Petitions

Administered

Directly

‡ Petitions may be filed by either party.

‡ Review may be sought from:

‡ the party responsible for the action;
regarding responsibility; or

‡ the party who made the allegation;
or any allegations therein.

1:17.C.6.1.

‡ A petition for review must be filed:

‡ In writing to the Executive Director of the Board
of Regents; and

‡ No later than ten working days after notice of

the action or allegation.
1:17.C.6.1.



‡ Grounds for review by either party:

‡



‡ Within five working days of receiving a petition, the Executive Director or their designee, shall provide written notice of the petition to the other party. That party will have five working days from the date of the notice to submit a written statement to the Executive Director in support of, or challenging, the outcome. 1:17.C.6.3.

‡ Petitions for administrative review will be limited to a review of:

- ‡ The written determination of the institution, which shall include the proposed determination of the hearing examiner;
- ‡ The verbatim record of the hearing;
- ‡ Supporting documents submitted as part of the hearing; and
- ‡ Written statements and/or supporting documentation submitted by the respondent and/or complainant in accordance with the appeal process.

1:17.C.6.4.1-6.4.4.

FOR Petitions

‡ The Executive Director will issue a decision on the petition after receipt of the non-objection or after the expiration of the time provided to submit such a

8



‡ Supportive measures to maintain the status quo may continue during pendency of an appeal. p. 30393.

‡ In certain circumstances, an institution may also opt to continue supportive measures in the event of a determination that a respondent is not responsible for the conduct alleged in a formal complaint.

‡ Preservation of Records

‡ The following must be obtained for a seven-year period:

‡ Each sexual harassment investigation including:

‡ Any determination of responsibility;

‡ Any audio or audiovisual recording or transcript of any live hearing conducted in the matter;

‡ Any disciplinary sanctions imposed on the respondent; and

‡ Any remedies provided to a complainant designed to restore or preserve equal access to education. Harone W* 19 (xen) (ar)



- ‡ May only be implemented after a determination of responsibility is issued and cannot be effective until after an appeal if one is requested has been resolved.
 - ‡ Supportive measures may still be implemented.

- ‡ A determination of responsibility is not required to result in a specific sanction.

