



Policy 311/311-A Investigation Process



SIMPLIFIED

Navigating the Policy 311/311-A investigation process can be confusing. These 7 steps will help to guide you through the process.

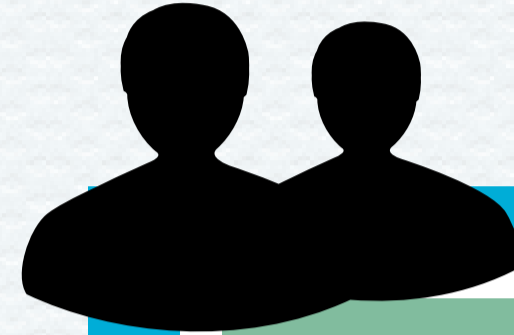
This is an illustrative guide. Please see Policy 311/311-A for the official procedures.

311/311-A Complaint Filed



#1

- The investigation process begins when a Policy 311/311-A Coordinator receives a complaint from a student, staff, faculty member, or third party.
- The Coordinator then determines whether the allegations, if true, would constitute a Policy 311/311-A violation.
- If so, the investigation moves to the next step.
- Allegations that would not constitute a Policy 311/311-A violation may be referred for a student conduct investigation or to Human Resources



Investigation Begins

- The Coordinator notifies the respondent in writing of the alleged policy violation(s) and the respondent is given a summary of the allegations.
- The Coordinator gives the complainant a copy of the notice.
- Two impartial investigators are appointed by the Coordinator to investigate the complaint.
- During the investigation, interim measures may be put in place by the Coordinator, including but not limited to no contact directives.

#2





Interviews

- The investigators contact the parties to schedule the interviews.
- The investigators conduct separate interviews of the complainant, the respondent, and any witnesses.
- Each party is permitted to have an advisor of their choosing present at any interview or meeting with the investigators.
- The investigators collect and analyze evidence, including but not limited to statements, medical documents, social media, and police reports (if available).



#3



#4

The Report

- The investigators strive to prepare the report within 45 calendar days (excluding holidays and breaks) of being assigned to the case, absent extenuating circumstances.
- Their findings and recommendations are based on the preponderance of evidence, i.e., whether it is more likely than not that events occurred and Policy 311/311-A was violated.





The Reponse

- The investigators give both parties a link to an electronic copy of the report and the parties have 7 calendar days in which to provide the investigators with a written response to the report.
- After 7 days, the final report, plus any attachments, and the written responses of the parties, is sent to the Responsible College Administrator (RCA) by the Coordinator.
- The RCA is typically (but not always) from the member College where the violation allegedly occurred, and is usually the Dean of Students for cases with student-respondents or the President of the institution for cases with employee-respondents. They may also designate another employee to act as the RCA.

#5

#6



The Determination



- The parties may request to meet individually with the RCA before a final determination is made. They may schedule an appointment with the RCA's office, and may be accompanied by an advisor of their choosing during the meeting.
- The RCA makes a final determination as to whether a Policy 311/311-A violation has occurred and, if so, may choose to impose disciplinary sanctions.
- The RCA issues a determination directly to the parties within 14 calendar days, absent extenuating circumstances.



The Appeal

- In cases involving student-respondents, either party may appeal to the President within 7 calendar days of receiving the RCA's determination, on the following grounds:
 - 1) Procedural error; 2) Discovery of new evidence; 3) The determination is arbitrary or capricious; or 4) The sanction is substantially disproportionate to the findings.
- The non-appealing party is notified of the appeal and has 7 calendar days in which to submit a written response.
- In cases involving employee-respondents, appeals shall be governed by the relevant employee collective bargaining agreement or the VSC personnel handbook. The complainant may request to meet with the Chancellor.



#7



To view the VSCS's full investigation process, please click here:

Policy
311

Policy
311-A

