Summary Information for Complainants and Respondents in Cases in which the Respondent Is a Student
updated September 2019

This document provides a summary of the investigation procedures that were discussed with you. It is strongly recommended that you also review the University’s Sex Discrimination and Sexual Misconduct policy and sexual misconduct investigations website, as they provide important information that is not included in this summary document. The Sex Discrimination and Sexual Misconduct policy is the official procedure by which the process is implemented and it should be consulted for details about the process. You can also speak to or email Regan Crotty, Director of Gender Equity and Title IX Administration (rehunt@princeton.edu) with questions at any point throughout the process.¹

1. Neutrality. The Office of Gender Equity and Title IX Administration does not take sides. We are committed to providing a fair, equitable, and unbiased review. Our role is to compile evidence, assess the available evidence, and determine whether a preponderance of the evidence substantiates the allegations. We also assist complainants and respondents by providing information about support that is available to them throughout the process.

2. Confidential Resources. Complainants and respondents are strongly encouraged to consult with confidential resources for support during the investigative process.

3. Accommodations. Accommodations (also referred to as Interim Measures) are available to complainants and respondents throughout the course of the investigation, including No Communication Orders and No Contact Orders and academic or housing accommodations. Ms. Crotty is available to discuss resources and accommodations that may be helpful during the disciplinary process. In addition, if the complainant or respondent is interested in information regarding resources that may be available to them related to a disability, they should contact Elizabeth Erickson, Director of Disability Services (eerickso@princeton.edu).

4. Initial Assessment. When a potential complainant has alleged conduct that may have violated the Sex Discrimination and Sexual Misconduct policy, Title IX Coordinator Michele Minter will conduct an Initial Assessment in order to determine the appropriate next steps.

5. Adviser. Parties (the complainant and the respondent) may each have a Title IX adviser. Parties may select advisers of their choosing (excluding confidential resources). This

¹ Please note that some different procedures apply if the Expedited Process is used or if one of the parties is not a member of the University community. For more information, see Rights, Rules, Responsibilities section 1.3.14.
may include members of the University community as well as external individuals, including attorneys. The Title IX adviser may be copied on correspondence between the Office of Gender Equity and Title IX Administration and the complainant or respondent; however, the Title IX adviser may not respond on behalf of the party. In addition, the Title IX adviser may attend any interview or meeting connected with the disciplinary process; however, the adviser may not actively participate in interviews – e.g., the adviser may not answer questions posed to a party. For further information regarding Title IX advisers, as well as a list of University administrators who have been trained to serve as Title IX advisers, please see the Choosing an Adviser section of the sexual misconduct investigations website.

6. Gathering Evidence. Because the parties themselves usually have the best information about their experience, the parties are encouraged to identify evidence that they believe could be relevant, and the investigative panel will seek to obtain such evidence. In addition, during the course of interviews, investigators will ask the parties and witnesses to provide specific evidence if the investigators determine that such evidence may be relevant to the investigation. The investigators will themselves seek relevant information from publicly available sources and/or from the University (for example, where camera footage or card entry records may be relevant). The most common types of evidence submitted by parties and witnesses in these cases include: messages (texts, Facebook, Snapchat, etc.), emails, letters, diary/journal entries, medical records, photographs, and videos. Investigators will also ask the parties to provide the names of individuals whom the parties believe have relevant information (including non-members of the Princeton community); for example, individuals who witnessed the incident, individuals with whom the parties spoke regarding the incident, etc.

7. Discussing the Investigation. Individuals involved in investigations are encouraged to exercise discretion in sharing information in order to safeguard the integrity of the process and to avoid the appearance of retaliation. While discretion regarding the process is important, complainants and respondents are not restricted from discussing and sharing information with others who may support or assist them in presenting their case, such as their advisors. However, since the investigators will interview relevant witnesses, it is unnecessary for the parties to directly contact witnesses. Instead, complainants and respondents should provide witness names to the investigators.

8. Interviews. The investigative panel will conduct separate interviews of the complainant, respondent, and any witnesses, and will collect all relevant information. All panelists will be present during the complainant’s and during the respondent’s interviews; witnesses may be interviewed by a single investigator. The panel’s notes will be read back to interviewees at the end of each interview, during which time the interviewee can make adjustments to the interview notes if appropriate. (A redacted copy of each interview will also subsequently be provided to both parties, as described below). Interviewees may take breaks at any time; however, we ask that they answer any pending questions before doing so.
9. **Recording.** We do not record our meetings and interviews and we request that parties and witnesses do not do so either.

10. **Nature of the Questioning.** It is important that the investigators obtain all possible relevant information from parties and witnesses. Therefore, complainants, respondents, and witnesses may anticipate that they will be asked detailed questions which may relate to very personal and sensitive matters. The investigators are trained to do so in a sensitive and respectful manner, but we recognize that such questioning can be difficult to experience. In addition, investigators may ask questions related to alcohol and drug use in order to ascertain parties’ and witnesses’ levels of intoxication, which may impact the reliability of their memories. The panel recognizes that for a variety of reasons (e.g., the length of time since the incident, the use of alcohol or other drugs), parties and witnesses may not clearly recall every aspect of an incident. However, it is important for interviewees to be honest with the panel regarding what they recall clearly, what they recall to some extent, and what they do not recall.

11. **Notice of Allegations and Case File.** After the above-described information has been gathered, the panel will prepare a case file of all relevant documents, including all interview summaries and other documents/materials. The case file will be shared, in redacted form, with both parties and their advisers. Together with the case file, both parties will also receive Notice of Allegations, which describes all of the allegations to be adjudicated. Parties should be aware that being notified that a particular allegation will be adjudicated is not the same thing as a respondent being found responsible for that violation. Rather, the Notice of Allegations will include all of the violations that the available evidence could potentially support. At this stage in an investigation, the panel has not yet deliberated on the matter, and it is not until that time that the panel will assess whether a preponderance of the evidence supports the listed allegation(s).

12. **Review of Case File.** It is important that the parties review the full case file. After reviewing the file, both parties will typically have approximately five business days to (1) submit a written response to the panel; (2) inform the panel that they would like to meet again with the panel, (3) request that the panel consider the collection of other information, and/or (4) identify individuals who may possess relevant information and request that such individuals be interviewed. This includes the ability to engage in cross-examination by submitting proposed questions for the panel to ask parties and/or witnesses. Such questions will be asked verbatim, provided that the panel deems them appropriate. If any additional information is gathered by the panel, it will be shared with both parties. If the panel believes that further response by the parties is necessary for purposes of reaching an outcome, the panel will offer both parties the opportunity to further respond to the materials collected.

13. **Outcome.** At the conclusion of the investigation, the panel will determine whether the respondent has violated the Sex Discrimination and Sexual Misconduct policy. The respondent will be held responsible if a majority of the panelists find that a preponderance of the evidence supports the allegation(s). The respondent will be found not responsible if a majority of the panelists find that there is insufficient information to
substantiate the particular allegation(s). If there are multiple allegations (for example, related to different acts), the panel will consider and address each allegation separately. The panel will explain its decision in a final report, which will include an assessment of the credibility of the parties and the witnesses.

14. **Penalty.** If a majority of the panel finds, using the preponderance of the evidence standard, that the Sex Discrimination and Sexual Misconduct policy has been violated, the panel’s report and the case file will be forwarded to dean of undergraduate students Kathleen Deignan and deputy dean of the Graduate School Cole Crittenden. Deans Deignan and Crittenden will jointly determine the appropriate penalty. In determining an appropriate penalty: (1) The most important consideration is the relative seriousness of the infraction. Consideration is given to the specific standards of conduct that were violated and the impact of the respondent’s actions on the individuals personally affected, the University community, and the University’s values. (2) Precedent cases inform the decision and are normally determinative, as the fair and equitable application of sanctions for similar conduct is essential to preserving the actual and perceived fairness of our disciplinary system. Although each case is unique, the University’s Information regarding Penalties in Sexual Misconduct Cases and the annual Sexual Discrimination and Sexual Misconduct disciplinary reports provide information regarding outcomes for prior cases. (3) A respondent’s previous disciplinary record (a violation of any sort) is taken into account when considering a sanction for the current violation. (4) Lack of honesty during the investigation and/or adjudication process can be a factor in certain circumstances, such as when it involves the manufacturing of or tampering with evidence. If a respondent is found responsible for multiple violations, this will be reflected in the penalty. The range of penalties for students can be found in section 1.3.16 of *Rights, Rules, Responsibilities*. For further information regarding penalties, please see the Penalties section of the sexual misconduct investigations website.

15. **Notification regarding Outcome.** Both parties and their advisers will be notified (separately) via email of the outcome of the investigation. Approximately 24 hours prior to said notifications, the parties and their advisers will be notified via email exactly when to expect to receive the outcome.

16. **Length of Investigation.** Every effort will be made to complete the investigation, adjudication, and (as necessary) sanctioning within 60 calendar days after the complainant’s first interview with the panel. To this end, the panel will set reasonable deadlines for the parties. Under certain circumstances (e.g., there are a large number of witnesses to be interviewed, there are multiple complainants, the investigation takes place over a break or during Reading Period or exams, a counterclaim is made, documents require translation, etc.), more than 60 calendar days will be required, in which case the parties will be notified of any anticipated delay. In order to proceed expeditiously, complainants and respondents must follow the timelines set by the panel. Absent
compelling circumstances, extensions typically will not be granted.

17. Appeals. When the parties are notified of the outcome of the case, they will receive information regarding the appeal process, as both the complainant and the respondent are entitled to participate equally in the appeal process. The appeal process is coordinated by Christine Gage, the associate secretary of the University, and all communications regarding appeals should be directed to Ms. Gage. Appeals must be submitted in writing within one week of notification of the outcome, and appeals are heard by the Student Appeal Committee (which consists of three senior administrators and/or faculty members). Grounds for appeal are as follows: (1) there is substantial relevant information that was not presented and reasonably could not have been presented during the investigation, and such information might have materially impacted the panel’s finding on responsibility; (2) there was procedural unfairness during the disciplinary process and such unfairness materially impacted the panel’s finding on responsibility; or (3) the imposed penalty does not fall within the range of penalties imposed for similar misconduct. For further information, please see the Appeal Process section of the sexual misconduct investigations website.

18. Retaliation. Retaliation against an individual or group of individuals involved in filing a complaint or report under the Sex Discrimination and Sexual Misconduct, filing an external complaint, participating in a disciplinary process, or opposing in a reasonable manner an action or policy believed to constitute a violation of this policy is prohibited. Retaliatory behavior is subject to investigation and if substantiated, will result in discipline proportionate to the conduct. Complainants and/or witnesses are encouraged to share any concerns related to retaliation (both throughout and following the investigation) to the Office of Gender Equity and Title IX Administration.

19. Law Enforcement. Complainants have the option to report the incident to both the University and to law enforcement (the Department of Public Safety or local law enforcement), and they have the option to decline to notify law enforcement. The SHARE Office can also provide assistance in reporting the incident to law enforcement.

20. Additional Resources. A complete list of on and off campus resources is available at https://sexualmisconduct.princeton.edu/resources-reporting.

In signing this document, you acknowledge that the above information was provided to you and that you understand the content of this document. If you have any other questions about the investigation or investigation process, please do not hesitate to contact Ms. Crotty.

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Name (please print)         Signature         Date