Supportive and interim measures are available throughout the process.

Respondent may be placed on involuntary leave at any time in accordance with APM-016.

Notice of any proposed discipline must be delivered no later than three years after the chancellor is deemed to have known about the alleged violation.

Stage 0 Resources and Reporting

The following can be provided by the CARE advocate, licensed counselor, or other resource: on/off campus resources, notice of rights, reporting options

OPHD receives report, conducts outreach and initial assessment, and decides how to proceed

OPHD oversees alternative resolution instead of investigation

End

Stage 1/Stage 2 Investigation, Preliminary Determination, Assessment and Consultation

OPHD investigates

OPHD preliminarily determines respondent violated policy using preponderance of evidence standard; assessment and consultation occurs; chancellor/chancellor’s designee proposes resolution

OPHD preliminarily determines respondent did not violate policy using preponderance of evidence standard; assessment and consultation occurs

Stage 2.A Opportunity to Accept the Preliminary Determination

Parties have equal opportunity to accept or not accept the preliminary determination and any proposed resolution; if either party does not accept, the matter goes to a hearing

Either party or both parties do not accept the preliminary determination

Stage 2.B Prehearing and Hearing

Prehearing meeting and other procedures to promote fair, productive, and orderly hearing, including defining disputed and relevant issues, and discussing rules of conduct

Hearing

Hearing officer determines that respondent violated policy using preponderance of evidence standard

Hearing officer determines respondent did not violate policy using preponderance of evidence standard

Stage 2.C Appeal of Determination

Right to appeal on limited grounds

Appeal

No appeal

Appeal officer decides

in procedural error and new evidence appeals, appeal officer may remand to hearing officer and then decide

If final determination is that respondent violated policy: see stage 3 of the senate faculty adjudication model process in flow chart 1 on page 52

For all non-DOE-covered conduct see flow chart 1