HOW SJSU HANDLES REPORTS AND COMPLAINTS INVOLVING SEX- AND GENDER-BASED DISCRIMINATION/HARASSMENT, INCLUDING SEXUAL HARASSMENT, SEXUAL MISCONDUCT, SEXUAL EXPLOITATION, DATING AND DOMESTIC VIOLENCE, AND STALKING

The Title IX Office is dedicated to protecting the safety of our community and facilitating a transparent, thorough, fair, and impartial process for resolving complaints. The Title IX Office provides resources, support, and information to all community members impacted by sex-and gender-based discrimination/harassment. The Title IX Office also provides education and training to raise awareness and reduce the incidence of sex- and gender-based discrimination/harassment in our community.

REPORT RECEIVED BY THE TITLE IX OFFICE
Whether directly from the Complainant or from another individual

THE TITLE IX OFFICE WILL REACH OUT TO THE COMPLAINANT TO...

Explain the Complainant's rights and resolution options; offer supportive measures (e.g., medical treatment, counseling, academic support, housing accommodations, No Contact Order);

Explain the distinction between privacy and confidentiality; Help identify personal support systems;

Inform the Complainant of their right to report, or decline to report to law enforcement; and

Learn the Complainant's preferences on next steps. The Title IX Office will take all reasonable steps to honor a Complainant's preferences.

What do you want to happen next?

I am interested in working with the Title IX Office, but I don't think I want an investigation or hearing.

I want to proceed with Title IX's investigative process.

I don't want the Title IX Office to take action. I am simply looking for support and/or to register a concern.

INFORMAL RESOLUTION
Informal resolution is a remedies-based process without an investigation, hearing, or appeal. The outcome focuses on the harm caused to the Complainant and may include agreement by the Respondent to participate in appropriate and reasonable remedies. For more information, refer to the Title IX Informal Resolution flowchart [link].

AN INVESTIGATION WILL BEGIN
The Title IX Investigator will interview both Parties. Both Parties can have an advisor of their choice present. The Investigator will interview any relevant witnesses identified by the Parties, collect evidence, and write an investigation report.

Depending on the applicable procedural Track, the case may proceed to a hearing after the investigation. For a breakdown on the different procedural Tracks, please refer to the Title IX Formal Resolution flowchart [link].

HEARING
The hearing will follow one of two formats, which are both fully described in the Nondiscrimination Policy. Regardless of the hearing format, the Parties should expect that they will be asked relevant questions posed by the Hearing Officer and the other Party—either in writing or directly through their advisor. Following the hearing, the Hearing Officer will issue a written determination.

APPEAL
Both Parties have the right to appeal the determination of responsibility and/or sanction on limited grounds.

NO INVESTIGATION OR RESOLUTION
If the Complainant does not want to pursue any action, no investigation or informal resolution will proceed.* Supportive resources and measures are still available.

*In cases which suggest an imminent threat to the physical safety of the community, the Title IX Office may pursue further investigation. These rare circumstances may include significant violence, use (or threat of use) of a weapon; repeated allegations against the same individual; multiple individuals participating in the incident; and/or the victim is a minor.

SJSU’s Title IX Office
Clark Hall 1st Floor - Room 126
(408) 924-7290 (8 AM – 5 PM)
(669) 877-0620 (after hours, voice/text)
TitleIX@sjsu.edu

For a confidential discussion on resolution options, you may contact the Campus Survivor Advocate
(408) 924-7300
Survivoradvocate@sjsu.edu.

In the event of an emergency, call 911 or UPD at (408) 924-2222.