



# PROHIBITED CONDUCT REPORTING FLOWCHART

For all cases of sexual misconduct, including sexual misconduct that falls within the [UVA Sexual Misconduct Policy](#), handled by the UVA Title IX Office (UVATIX).

**Filing a Report** **Intake & Assessment** **Investigation Period** **Adjudication Period** **Appeal** **Resolution/to Different Procedure**

Supportive Measures are available all all times to Complainants, whether or not they go forward with an investigation. These measures are also available at all times during the response process for Complainants and Respondents.

In response to a report or a Formal Complaint of sexual misconduct, [UVA can act to remove a Respondent entirely or partially from their education program or activities](#)—on an emergency basis—when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. In the event of such emergency removal, the Respondent will be given notice and an opportunity to appeal this decision immediately following the removal (more info [here](#) for Grievance Process, and [here](#) for Misconduct Procedures). Faculty appeals are handled by the Provost, while other employee appellate officers are determined by the Vice President who heads their employment division, see page 37 of the [Grievance Process](#) for details.

Report made online via [Just Report It](#) or in-person

UVATIX reaches out to the reported victim to reiterate the option for Supportive Measures and then explain the University response processes: informal alternative dispute resolution or the formal investigation process.

The Complainant declines to file a Formal Complaint

The Complainant files a Formal Complaint

UVATIX evaluates whether this is one of the rare circumstances where the incident is so severe that it requires the University to move forward, administratively filing a Formal Complaint.

UVATIX conducts an initial assessment.

If the Complainant alleges conduct that falls under the Federal Title IX definition, the complaint moves to Federal Title IX procedures

If not, case closed. Supportive Measures are continued.

If UVATIX determines that the alleged conduct implicates the Sexual Misconduct Policy, the case moves to an investigation.

If the alleged behavior, taken as true, would not violate the Sexual Misconduct Policy, the case is closed. Note: As a part of this initial assessment, UVATIX might reach out to the Complainant in an effort to gather a more complete understanding of the allegations.

UVATIX files a Formal Complaint.

Employee Relations available to Respondent to connect them to FEAP.

Investigators are assigned. Notice of Investigation (NOI) letters are sent to the Complainant and Respondent simultaneously. Note: It takes at least a week between the filing of a Formal Complaint and the issuance of the NOI.

A report may be made to law enforcement at any time during this process, even if a University investigation is ongoing.

Participation of parties and witnesses is voluntary.

The parties and witnesses are interviewed. Evidence is gathered.

Follow-up interviews occur.

If needed based on the parties' comments to the DIR, the Investigator will conduct additional interviews and evidence collection.

Draft Investigation Report (DIR) is shared with the Complainant and Respondent, along with all directly related evidence. The Complainant and Respondent can provide comments, edits, additional information, and/or requests for additional interviews.

The Investigator finalizes the Investigation Report, after consideration of feedback from all parties.

The Final Investigative Report (FIR) is sent to all parties. The parties have ten days to produce a written response to the FIR.

A live hearing, chaired by a single decision maker—the Hearing Chair—is scheduled for at least ten days following the issuance of the FIR.

Live Hearing occurs. Participation of parties and witnesses in the hearing is voluntary. Both parties must have an advisor; if they do not have an advisor, the University will appoint one at no cost to the party.

The Hearing Chair deliberates and prepares a Written Outcome that determines responsibility and, if there is a finding of responsibility, the appropriate sanctions.

The Written Outcome is sent from the Hearing Chair to the parties.

Parties accept Finding(s) and Sanctions.

The Hearing Chair's Finding(s) and Sanctions are affirmed.

Either or both parties can appeal. For students, the appeal process is done entirely through written submissions to the Appeals Officer. Faculty appeals are handled by the Provost, while other employee appellate officers are determined by the Vice President who heads their employment division, see page 37 of the [Grievance Process](#) for details.

The Appeal Office modifies or overrules the Finding(s) and Sanctions (more info [here](#) for Grievance Process, and [here](#) for Misconduct Procedures).