

## **What does it mean to be a witness?**

### **Investigation**

#### **Why am I being contacted?**

*You are being contacted to provide first hand or relevant information pertaining to an alleged Title IX incident that may have occurred. Either the University or a student has indicated that you may have information that could provide insight to this incident.*

#### **Who will contact me?**

*Cheryl Smith, Title IX Coordinator, may contact you initially. If further investigation is needed, you may be contacted by a Title IX Investigator. The Title IX Investigator is a trained professional who gathers information and makes a recommendation if there are any violations of the University's Discrimination/Harassment/Sexual Misconduct/Title IX policy and/or the Student Code of Conduct.*

#### **What is relevant information?**

*Relevant information is any information that you may have that is directly related to the incident. For example, how do you know about the incident? Who was present with you? When did you last see the student? Were alcohol or other drugs involved?*

#### **What do I share?**

*You should share what you know about the incident. It is expected that you be honest and forthright with all University personnel involved in this process. You will be asked about what you saw, heard or was told to you. You may also be asked to share any forms of communication, including social media content and the relevant text messages.*

#### **Who will know what I shared?**

*Information shared will become part of a case file that includes all statements and documentation. You, appropriate University personnel, the Complainant, the Respondent and their respective Advisors will have access to your shared information.*

#### **How confidential is the information I share?**

*Total confidentiality cannot be guaranteed; however, the University will utilize as much discretion as practicable.*

#### **Will I get to review my statement?**

*Prior to finalizing the investigation, you will be afforded the opportunity to read, clarify and sign your statement. You will review for accuracy and totality of information.*

#### **Can I review others' statements?**

*No. You may only review your statement. However, you may be asked for clarification regarding information others have shared. Additionally, others may have questions asked of them based on the information you shared.*

**Can I have someone come with me when I give my statement?**

*Unless you are a minor, have a documented disability, or English is your second language, you cannot have someone with you.*

**Administrative Educational Review**

**Who is at the Review?**

*The Review Officers, Complainant, Respondent (and their respective Advisors if applicable) and the Administrative Officer are in the Review meeting for the duration.*

**How will I know that a Review is going to occur?**

*You will be notified via a letter sent to your WNE email and to your campus mailbox. The letter will include the date, time, and location of where to appear for the Review. This notification typically occurs three (3) business days prior to the Review.*

**I have class during the time of the Review? Should I skip?**

*If you have class(es) at this time, the University is willing to work with you and your professor(s) to request an excused absence. Should you choose to go to class, the Review may be modified to have you present your information based on your availability (i.e. come to the Review after class).*

**I am not comfortable appearing in the Review. May I participate in another way?**

*Your presence is preferred at the Review. Alternatively, you may provide a written statement or share your information via live video conference or telephone. Should you choose one of these methods, notification of this request must be provided one (1) business day prior to the Review.*

**What happens at the Review?**

*Your letter indicates the location in which you are to appear for the review. You will be escorted into the Review by the Administrative Officer. You will be asked to share your information pertaining to the incident. Review Officers may question you directly at any time. The Complainant and Respondent are provided with the opportunity to forward questions to the Review Officers to ask to you (as they deem relevant). Review Officers will determine what information and/or questions are relevant. You may be asked to remain in the witness room until all information has been heard or you may be dismissed once you have finished speaking.*

**What is the time commitment for the Review?**

*Reviews typically run 2 – 4 hours in length. Bring items to occupy yourself (i.e. reading materials) as you may be waiting to speak for a period of time. Other individuals serving as witnesses will also be in this room at the same time. Please refrain from discussing any specifics of this matter with anyone.*

**Can someone come into the room with me when I share my information?**

*Unless you are a minor, have a documented disability, or English is your second language, you cannot have someone with you.*

**Can I ask questions?**

*No, witnesses cannot ask any questions of any party.*

**What if I need an accommodation?**

*If you require accommodations to participate, notification must be made within one (1) business day of receipt of your notification letter (for example: room set up, audio/visual aids) to the Administrative Officer.*

After the Administrative Educational Review has been completed

**Will I be notified of the outcome?**

*No. The Complainant and Respondent will receive notification within 72 business hours of the conclusion of the Review.*

**How is an outcome determined?**

*In accordance with the Student Code of Conduct, the Review Officers use the preponderance of the evidence standard, meaning what is more likely than not to have occurred; rules of evidence used in courts of law are **NOT** used in this process.*

**What can I do if I am struggling with this situation?**

*Counseling Services and Spiritual Life are available for all students. You may contact them at:*

*Counseling Services: 413-782-1221*

*Spiritual Life: 413-782-1628.*