## Policy 601: Equity Resolution Process (ERP)

Category: Student Affairs
Covered Individuals: Faculty / Staff / Students / Volunteers
Approved: 04/08/2020

**601.1 Purpose**

This policy is to be used for allegations of a Title IX violation, harassment, sexual misconduct, and other forms of discrimination.

**601.2 Policy**

CEI will act on any formal or informal allegation or notice of violation of “Policy 602: Title IX, Equal Opportunity, Harassment, and Nondiscrimination,” that is received by a Title IX Coordinator or a member of the administration, faculty, or other employee. The process for this is called the Equity Resolution Process (ERP).

The procedures described below apply to all allegations of harassment or discrimination on the basis of protected class involving students, staff or faculty members. These procedures may also be used to address collateral misconduct occurring in conjunction with harassing or discriminatory conduct (e.g. vandalism, physical abuse of another, etc.). All other allegations of misconduct unrelated to incidents covered by this policy will be addressed through the procedures elaborated in the respective student, faculty and staff handbooks. Please see Policy 602 for all definitions relevant to this policy.

## ****601.3 Procedures****

## **Amended and approved on 08/14/2020**

Upon notice to a Title IX Coordinator, this resolution process involves a prompt preliminary inquiry to determine if there is reasonable cause to believe the nondiscrimination policy has been violated. If so, the college will initiate a confidential investigation that is thorough, reliable, impartial, prompt and fair. The investigation and the subsequent resolution process determines whether the nondiscrimination policy has been violated. If so, the college will promptly implement effective remedies designed to end the discrimination, prevent its recurrence, and address its effects. The appropriate Title IX Coordinator has the discretion to determine whether or not a report warrants further investigation after the preliminary inquiry.

**Equity Resolution Process (ERP)**

Allegations under Policy 602 are resolved using the ERP. Members of an ERP pool are announced in an annual distribution of this policy to the campus community. The list of members and a description of the panel can be found online at www.cei.edu, under the “Student Right-to-Know” section. Members of the ERP pool are trained in all aspects of the resolution process (by the Dean of Student Affairs and Executive Director of Human Resources), and can serve in any of the following roles, at the direction of a Title IX Coordinator:

* To provide sensitive intake for and initial advice pertaining to allegations
* To investigate allegations
* To act as process advisors to those involved in the Equity Resolution Process
* To serve on hearing panels for allegations
* To serve on appeal panels for allegations

ERP pool members also recommend proactive policies, and serve in an educative role for the community. The President, in consultation with the Title IX Coordinators, appoints the ERP pool. The ERP pool reports to the appropriate Title IX Coordinator. ERP pool members receive annual training organized by the Title IX Coordinators, including a review of CEI policies and procedures as well as applicable federal and state laws and regulations. This ensures members are able to appropriately address allegations, provide accurate information to members of the community, protect safety and promote accountability. All ERP pool members are required to attend this annual training to be eligible to serve. This training will include, but is not limited to:

* how to appropriately remedy, investigate, render findings and determine appropriate sanctions in reference to all forms of harassment and discrimination allegations
* the college’s Discrimination and Harassment Policies and Procedures (including Sexual Misconduct)
* confidentiality and privacy; and applicable laws, regulations and federal regulatory guidance

The Equity Resolution Process pool includes:

* Two Co-chairs including one representative from HR and one from Student Affairs who are ex officio members and who respectively Chair resolution panel hearings for allegations involving student and employee responding parties
* At least three staff or faculty members (at large)
* At least one representative from the Safety Committee
* At least one representative from the Student Affairs division

No member of the pool may be a practicing attorney.

These procedures are in an interim status until December 31, 2020. For the remaining procedures regarding Equity Resolution, please see the procedures in Policy 602: Title IX, Equal Opportunity, Harassment, and Non-Discrimination.