

Evaluation and Potential Dismissal of Formal Complaint

Within 10 business days of receipt of a Formal Complaint, the Title IX Coordinator or other College administrator will evaluate the allegations. Title IX regulations require that Simpson College dismiss the Formal Complaint as a Title IX violation if the alleged conduct does not meet the definition of sexual misconduct under Title IX. Title IX only applies to incidents that meet the above definition of sexual harassment and occur on campus, during an official college program or activity (regardless of location within the United States), or off campus in an environment that is subject to Simpson's substantial control. Instances dismissed under Title IX may still be addressed through the Grievance Procedure when, if proven, the conduct would constitute a violation of this policy.

If a Title IX dismissal occurs and the alleged incident falls outside the scope of this policy, the Grievance Procedure will not apply. In such circumstances, Simpson College or the Complainant may take action to respond to the allegations in the Formal Complaint under the student code of conduct and faculty/staff harassment policies and procedures, if appropriate.

Simpson College may also, in its discretion, dismiss a Formal Complaint at any time during the Grievance Procedure under any of the following circumstances:

- The Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or allegations in the Formal Complaint
- The Respondent is no longer enrolled or employed by Simpson College
- Specific circumstances prevent Simpson College from gathering evidence sufficient to reach a determination about the Formal Complaint or allegations in the Formal Complaint.



The College will not dismiss a matter without first notifying the Complainant of the grounds upon which it is considering dismissal and providing the Complainant a reasonable opportunity to respond.

Upon a dismissal of the Formal Complaint of any allegations, the College will promptly and simultaneously provide the parties a written Notice of Dismissal, which will contain the grounds upon which the dismissal is made. The Notice of Dismissal will identify instructions on how a party may appeal the dismissal decision.