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Q: In cases of rape, is the institution required to wait until a criminal investigation is completed before acting?

A: Absolutely not. As soon as the institution becomes aware of rape or sexual harassment, Title IX requires the institution to do all of the following: (1) act immediately to stop it and restore a safe environment, (2) act immediately to prevent its reoccurrence, (3) advise the victim of his/her right to file a formal complaint and explain the procedure for doing so, (4) assure the victim that he/she will not have to confront her alleged abuser in the complaint process and (5) report the behavior and submit the complaint to the Title IX Coordinator and if criminal behavior, to report the incident to police. These institutional procedures are independent and separate and must proceed immediately and simultaneously in addition to the police investigation.

Topics

Ethics

Personnel Issues

Risk Management

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