Department of Investigation and Adjudication (DIA)
Investigative Process

COMPLAINT/REPORT/REFERRAL RECEIVED BY DIA
(directly from complainant or third-party reporter, from Title IX Office or other University department, or from outside agency in receipt of an external complaint\(^1\))

**TIT**E IX FORMAL COMPLAINT: TRACK A OR B

- Investigator assigned
- FORMAL INVESTIGATION\(^2\)
  - Preliminary investigation report without statement of finding/no finding of violation issued to parties (comment period)
  - Completed investigation report without statement of finding/no finding of violation issued to parties and hearing officer
  - LIVE HEARING
  - Hearing officer determination
  - Finding of policy violation
    - Draft determination letter sent to disciplinary decision-maker for sanctions decision
    - Determination letter with sanctions sent to parties (DIA involvement complete)
  - No finding of policy violation
    - Determination letter sent to parties (DIA involvement complete)
    - Optional appeal to appellate officer

**TIT**E IX FORMAL COMPLAINT: TRACK C

- Investigator assigned
- FORMAL INVESTIGATION\(^2\)
  - Preliminary investigation report with statement of finding/no finding of violation issued to parties (comment period)
  - Completed investigation report with statement of finding/no finding of violation issued to parties and to disciplinary decision-maker to impose sanctions (DIA involvement complete)\(^5\)

**ALL OTHER MATTERS**

- Assigned for DUE DILIGENCE\(^3\)
- Closed after due diligence
- Referred to other department\(^4\)
- Referred to other department\(^4\)

\(^1\)External complaints made to outside agencies, such as the Texas Workforce Commission, Equal Employment Opportunity Commission, or Department of Labor, that are referred to DIA automatically get assigned to an investigator, and those investigations typically conclude with a position statement being issued to the agency, rather than an investigation report.

\(^2\)During the formal investigation process, a matter may be dismissed or referred for restorative practices, an alternative path to resolution. However, most formal investigations conclude with an investigation report.

\(^3\)Due diligence is a preliminary fact-finding inquiry (not a formal investigation) when DIA concludes during the initial intake assessment that more information is needed to determine whether the alleged conduct could implicate a possible violation of one or more policies within DIA’s purview. If the due diligence inquiry reveals sufficient information to infer a possible policy violation, the matter proceeds to a formal investigation. Otherwise, the matter is closed, or the matter may be referred for informal resolution, restorative practices, or possible review of concerns outside DIA’s purview.

\(^4\)“Referred to other department” includes matters referred for possible review of concerns outside DIA’s purview and matters referred for informal resolution or restorative practices.

\(^5\)For cases involving student respondents, the sanctions are included in the completed investigation report, and if the sanctions involve suspension or expulsion, the respondent may request a live hearing, which is handled by DIA, following the same process outlined to the left.