



Conflict of Interest, Bias, and the Title IX Sexual Harassment Process

Seton Hill University (“SHU”) is committed to the integrity and credibility of the Title IX process, and to maintaining the trust and confidence of our community members. To that end, all SHU employees involved in investigating or resolving Title IX Sexual Harassment complaint receive appropriate training in support of their role, including training on conflicts of interest and bias.

A conflict of interest is conflict between the private interests and the official responsibilities of a person in a position of trust. Conflicts of interest can arise when a person’s personal interests or relationships conflict with the ability of such person to act in a neutral manner with regard to a complaint against a community member. Bias is defined as a prejudice in favor of or against one thing, person, or group compared with another, usually in a way considered to be unfair.

Parties to a Title IX Formal Complaint process can raise conflicts of interest in the following ways:

1. Either Party may raise a challenge to the designated Investigator based on actual bias or conflict of interest. This challenge must be raised, in writing, to the Title IX Coordinator or the Office of the General Counsel within two (2) business days of receipt of the Notice of Investigation.
2. Either party may raise a challenge to the Hearing Decision-Maker based on actual bias or conflict of interest. This challenge must be raised, in writing, to the Title IX Coordinator within two (2) business days of receipt of the name of the Hearing Decision-Maker.
3. Either party may raise a challenge to the Appeal Decision-Maker based on actual bias or conflict of interest. This challenge must be raised, in writing, to the Title IX Coordinator within two (2) business days of receipt of the name of the Appeal Decision-Maker.
4. Should new information regarding conflicts of interest or bias arise during the process, either party may raise a bias or conflict of interest challenge, in writing, to the Title IX Coordinator within two (2) business days of when the new information is learned.
5. Either party may allege bias or conflict of interest as a part of an appeal. The fact that such a challenge was not raised earlier in the process may be considered by the Appeal-Decision Maker as a part of that person’s analysis of the appeal.

SHU’s analysis of whether a bias or conflict of interest exists will be based on objective facts, and not on generalizations, stereotypes, suspicions, or conclusions. Disagreement with an outcome alone is generally insufficient to demonstrate bias or a conflict of interest. Where the objective, factual analysis demonstrates that a conflict of interest exists, the person with the conflict will be removed from the case, and SHU will determine the appropriate person to fill the role. If bias or conflict of interests is raised as a ground for appeal, the Appeal-Decision Maker will conduct an analysis of whether a bias or conflict of interest existed based on objective facts.

For more information, please contact Michelle Walters, Title IX Coordinator at titleixcoordinator@setonhill.edu.