EQUITY RESOLUTION PROCESS FOR THE
COMPLAINTS AGAINST A FACULTY MEMBER

STEP 1: INITIAL CONTACT
The Institutional Equity, Diversity and Inclusion Intake Officer receives a report about your case from you, a witness, or a mandated reporter. You will receive outreach from our Intake Officer — we want to know how you’re doing! You will have two options.

DO NOT RESPOND TO OUTREACH
Complainant (you) may choose not to respond to the outreach. If no response is received, a second outreach will be attempted. If you change your mind, you may contact us at any time. However, the longer you wait, the more limited our options may become.

RESPOND TO OUTREACH
Responding to our outreach does not mean that you must pursue the complaint. However, appropriate interim remedies may be provided at this time. The Complainant (you) may choose to meet with the Intake Officer and schedule an interview. You may request to remain anonymous.

Even if you choose not to pursue a complaint, the university may continue with an investigation when it is necessary to protect the university community and provide a safe and nondiscriminatory environment.

STEP 2: INVESTIGATION
You may have an advisor of your choice in attendance at all meetings with our office.

You will meet with the Intake Officer and University Investigator for an interview. Your account of the incident will be recorded and we will ask preliminary questions. Names of witnesses or any other parties involved will also be collected at this time.

Witnesses will receive outreach so that we may schedule a time to meet with them to assist in the investigation.

After our meeting with you, the Investigator will meet with the Accused (other party) to discuss their side of the situation. Our office will act as a neutral party during the conversations with both sides. Evidence will be gathered at this time. We will gather as much relevant information as possible from all parties involved.

The Title IX Coordinator will review the investigation and make a summary determination whether a reasonable person could find the Accused responsible for violating University policy.

ACCUSED COULD NOT FOUND RESPONSIBLE
The Title IX Coordinator finds that the Accused could NOT be found responsible by a reasonable person. Complainant may request that the Title IX Coordinator review the case and decision again. If the Accused is again found not responsible, the investigation process concludes.

ACCUSED FOUND RESPONSIBLE
If the Title IX Coordinator finds that the Accused could be found responsible by a reasonable person, then both parties will receive a NOTICE OF CHARGE and the Title IX Coordinator will direct the process to continue.
STEP 3: RESOLUTION PROCESS

Typically cases are filtered through the Administrative Resolution Process or Conflict Resolution Process, but you have the right to choose the resolution process used for your case from the following three options. You have the right to be informed in writing of the finding, rationale and sanctions.

ADMINISTRATIVE RESOLUTION PROCESS

The Title IX Coordinator will meet with the Accused — and possibly others — to review alleged policy violations and will render a decision with sanctions IF the accused is found responsible.

CONFLICT RESOLUTION PROCESS

This process could be mediation or facilitated dialogue between you and the Accused to create dialogue and restorative justice. This process will NOT be used in cases of sexual misconduct or violent behavior of any kind.

HEARING PANEL RESOLUTION PROCESS

A hearing date will be set and you will receive a NOTICE OF HEARING. At least two days prior to the hearing, both parties can pick up copies of evidence gathered, names of Hearing Panel members, and the list of witnesses. A three-member Hearing Panel will listen to the case. Witnesses are called, both you and the Complainant are allowed to present, and a decision is rendered.

POSSIBLE SANCTIONS INCLUDE

Warning, performance improvement plan, required counseling, required training, loss of annual pay increase, immediate termination (non-regular faculty), suspension without pay (tenured faculty)

APPEALS

You have the right to appeal findings and sanctions based on procedural error, new evidence, or because sanctions don’t fit the severity of the offense.

YOUR RIGHTS

In accordance with UM System Collected Rules and Regulations:

1. To be treated with respect by University officials.
2. To be free from retaliation.
3. To have access to campus support resources (such as counseling and mental health services and University health services).
4. To have an Advisor of the Complainant’s choice accompany the Complainant to all interviews, meetings and proceedings throughout the Equity Resolution Process.
5. To refuse to have an allegation resolved through Conflict Resolution or Administrative Resolution Processes.
6. To have an opportunity to present a list of potential witnesses and provide evidence to the Investigator.
7. To have Complaints heard in substantial accordance with these procedures.
8. When the Complainant is not the reporting party, the Complainant has full rights to participate in any Equity Resolution Process.
9. To be informed in writing of the finding, rationale and sanctions.
10. To report the matter to law enforcement (if applicable) and to have assistance in making that report.
11. To have an opportunity to appeal the findings and sanctions.