EQUITY RESOLUTION PROCESS FOR COMPLAINTS AGAINST A STAFF 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.
**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 the Conflict Resolution Process.
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 sanction.

**POSSIBLE SANCTIONS INCLUDE**

Warning; demotion; required training; suspension without pay; termination

**CONFLICT RESOLUTION PROCESS**

This process could be mediation or facilitated dialogue between you and the Accused to come to an agreeable resolution. Mediation will NOT be used in cases of sexual misconduct or violent behavior of any kind.

**ADMINISTRATIVE RESOLUTION PROCESS**

The Title IX Officer will meet with the Accused - and possibly others - to review alleged policy violations and the investigation report. For any disputed violations, the Officer will utilize preponderance of the evidence standard and determine appropriate sanctions or remedial actions.

**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.

**STEP 3: RESOLUTION PROCESS**

Typically, cases are filtered through the administrative resolution process, but it is ultimately the parties of the case that decide how to proceed. You will receive a joint finding on each of the alleged policy violations in writing within 5 business days of the Resolution process proceedings. You and the Accused will have the following two options: