Information for Student Respondents – Sexual Misconduct

We are neutral. The Investigator does not take sides. We are committed to providing a fair and unbiased review, and our investigations are focused on the information available. We also help Complainants and Respondents by providing information about support and advocacy services. If you have a concern that the Investigator cannot conduct a fair and unbiased review (e.g., has a personal connection with one of the parties or witnesses, etc.), please contact Anthony Walesby, Title IX Coordinator, immediately. Mr. Walesby may be reached at 734-763-0235 or institutional.equity@umich.edu. The situation will be assessed and a determination made as to whether a different investigator should be assigned to the matter.

Support person. The Respondent may bring a support person or advisor with them to any meetings with the Investigator. We request that the Respondent please let us know in advance if they will be doing so. Examples of a support person/advisor include, but are not limited to: a friend, family member, Dean of Students staff member, attorney, etc. An individual who may be a witness, including a character witness, may not be present during the Respondent’s interview.

Interim measures and academic accommodations. In many cases, interim measures may be appropriate. Such measures may include separation of the Complainant’s and Respondent’s academic, living, and/or dining situations, or such other measures as may be appropriate under the circumstances. In addition to interim measures, Respondents sometimes need academic accommodations. These accommodations are arranged by the Dean of Students Office and/or the Sexual Assault Prevention and Awareness Center, but a Respondent may also raise this need with OIE, who will inform the Dean of Students/SAPAC of the requested accommodation.

Initiating an investigation. The first step the Investigator takes in an investigation is to gather information about the complaint. This usually involves interviewing the Complainant and gathering all information the Complainant has, including documentation and names of witnesses, if any. Complainants are strongly encouraged to share all information they have regarding the matter.

Interviewing the Respondent. After the Investigator understands the nature and scope of the complaint, the Respondent is asked about the allegations. Respondents are provided enough information about the allegations to allow them a fair opportunity to respond, and the level of detail necessary to do that depends on the circumstances surrounding the incident. The Respondent is also asked to provide any documentation and identify witnesses relevant to the complaint. The Complainant is not present during the Respondent’s interview and vice versa.

Gathering other information. The Investigator interviews witnesses and reviews all documentation deemed relevant to the situation. The Investigator may also contact the Complainant and Respondent with additional questions or to request additional information.

Review of Investigation Summary. If the Investigator determines that a written Investigation Report will be produced, the Complainant and Respondent, if participating in the investigation, will typically be provided with a written summary of the statement of each person interviewed (Complainant, Respondent and other witnesses) and documentation or other information reviewed by the Investigator. To ensure accuracy, the Complainant and Respondent are given the opportunity to provide clarifying comments on
the summary. The Investigator reviews the comments submitted by the parties, if any, and determines whether the report should be modified. The Investigator considers any and all comments from the parties in reaching a determination on the matter.

All information or documentation provided by either party, or by a witness interviewed in the course of an investigation, may be included in the final Investigative Report and shared with the other party to this matter and relevant University officials.

Decision and follow up. After receiving the Complainant’s and Respondent’s comments, if any, the Investigator analyzes the information and reaches a conclusion. This conclusion is shared with the Office of Student Conflict Resolution, along with the Investigation Report if one was produced. If the Investigator determines that the Student Sexual Misconduct Policy has been violated, the Office of Student Conflict Resolution will address the matter consistent with applicable University policies.

Retaliation. The University strongly prohibits retaliation. Complainants and Witnesses are protected from any form of retaliation for engaging and/or participating in the investigative process. As the Respondent, you are directed to ensure that your actions, either directly or indirectly, do not constitute retaliation against those who have exercised their rights under UM policy or who have participated in the investigative process.

Resources for support. The University offers a variety of services to support to students, a short list of which are included below. The OIE investigator can provide additional information about the resources, as requested.

- Dean of Students 734/764-7420
- Counseling and Psychology Services 734/764-8312 or www.umich.edu/~caps
- after hours UM Psychiatric 734/996-4747
- UM Student Legal Services 734/763-9920
- Graduate Student Crisis 800/GRAD-HLP (800/472-3457)
- Crisis Line 800/273-TALK (8255)
- www.crisischat.org

More information. If you have any other questions about the investigation or investigation process, please do not hesitate to contact the staff member investigating your case at 734/763-0235.

_________________________________   ______________________________
Respondent’s Name (please print)    Signature

________________________________
Date

Revised 9/12/14