

### **Information for Respondents**

*This is a general description of the investigation process. The process may vary somewhat depending upon a variety of factors that arise during investigations. Please contact OIE if you have any questions as the investigation proceeds. In addition, please know that reasonable accommodations are available to individuals with disabilities. You may contact OIE at any time to request such accommodations, as needed.*

**We are neutral.** OIE does not take sides. We are committed to providing a fair and unbiased review, and our investigations are focused on the information available. If you have a concern that the OIE staff member assigned to your case cannot conduct a fair and unbiased review (e.g., has a personal connection with one of the parties or witnesses, etc.), please immediately contact Jeffery Frumkin, Associate Vice Provost for Academic and Faculty Affairs and Interim Senior Director of OIE. Dr. Frumkin may be reached at 734-763-0235 or [institutional.equity@umich.edu](mailto:institutional.equity@umich.edu). The situation will be assessed and a determination made as to whether a different staff member should be assigned to the matter.

**Support person/advisor.** You may bring a support person with you to any meetings with OIE. Please let us know in advance if you will be doing so. Examples of a support person/advisor include, but are not limited to: a friend, family member, attorney, etc. Please note that any individual who may be a witness may not be present during your interview and therefore may not serve as your support person/advisor.

**Interim measures.** Interim measures are steps that may be taken before an investigation has been completed, as appropriate. Such measures may include separating the parties or other measures as may be appropriate under the circumstances. Please let us know if you have any need for or concern about interim measures.

**Initiating an investigation.** The first step in an investigation is to gather information about the concerns at issue. This usually involves interviewing the Complainant and also asking them for documentation and names of witnesses, if any. Complainants are strongly encouraged to share all information they have regarding the matter. You are not present during the Complainant's interview and vice versa. After the interview, OIE drafts a written statement for the Complainant, who is given two business days to review the draft for accuracy and completeness (if the Complainant is participating in the investigation).

**Interviewing the Respondent.** After OIE understands the nature and scope of the concerns, it contacts you to inform you of the investigation, provide a copy of the policy and investigation procedures, and share general information about the allegations. OIE also requests two meetings with you. During the first meeting, OIE discusses the policy and investigation process and answers any questions you may have about them. OIE also then provides you with detailed information about the allegations. Specifically, you are provided enough information about the allegations to allow you a full and fair opportunity to respond. The purpose of the second meeting is for you to respond to the allegations. During this interview, OIE will ask about the allegations, as well as any documentation and witnesses. If you prefer to respond to the allegations in the first meeting, you may do so rather than wait for the second meeting; however, this is entirely up to you. You are not required to participate in any aspect of the investigation, but you are strongly encouraged to share all information you have regarding the matter. The Complainant is not present during your interview and vice versa. OIE then drafts a written statement summarizing your interview, and you are given two business days to review the draft for accuracy and completeness (if you are participating in the investigation). You may submit any comments you wish to the draft. OIE reviews all comments and relevant and clarifying information is incorporated into your statement. You may also request that OIE attach your comments to the investigation report. OIE can generally accommodate this request.

**Gathering other information.** OIE interviews witnesses and reviews documentation relevant to the matter at issue. Witnesses are offered the opportunity to review their statements for accuracy and completeness. Depending upon the information obtained from witnesses and documents, OIE may contact the Complainant and/or you with additional questions or to request additional information.

**Review of preliminary investigation report.** If OIE determines it will produce a written investigation report, both the Complainant and you will typically be provided with a “preliminary report” and given five calendar days to review and comment upon it. The preliminary report is a written summary of the information OIE will consider in reaching a decision as to whether University policy was violated. It generally includes the statement of each person interviewed (Complainant, witnesses, and you) and other relevant information, such as documents. The preliminary investigation report does not include a finding. OIE reviews all comments submitted by the parties, if any, and determines whether the preliminary report should be modified. During the preliminary report review phase, you may request that OIE attach your comments to the final investigation report. OIE can generally accommodate this request.

**All information or documentation provided by either party or by a witness may be included in the final investigation report and shared with the parties and relevant University officials.**

**Investigation Report.** After receiving the parties’ comments on the preliminary investigation report, if any, OIE analyzes the information, reaches a conclusion and issues the investigation report, which includes a finding. Both the Complainant and you receive a copy of the investigation report, and it is submitted to relevant administrators.

**Administrative Response.** If OIE finds that inappropriate behavior, discrimination or discriminatory harassment has occurred, relevant administrators will follow up with action aimed at addressing the behavior and preventing its recurrence. Such action may include, but is not limited to, educational programs, time off without pay, and other actions, up to and including termination of employment. If a Respondent does not agree with the disciplinary action taken, that action may be grieved using the applicable grievance procedure.

**Retaliation.** University policy prohibits retaliation. Complainants and witnesses are protected from retaliation for engaging and/or participating in the investigation process. Anybody who experiences retaliation is strongly encouraged to report retaliation to OIE. As the Respondent, you must not take direct or indirect retaliatory action against the Complainant, witnesses or any other individual who has participated in OIE’s review. Respondents who engage in retaliatory behavior, either directly or through others, are subject to discipline, up to and including termination of employment. If you have questions about retaliation, you are strongly encouraged to ask OIE.

**Resources for Support.** The University offers a variety of supportive services for faculty and staff, a short list of which are included below. OIE can provide additional information about resources, as requested.

- [Faculty and Staff Counseling and Consultation Office](#): 734/936-8660 or [fascco@umich.edu](mailto:fascco@umich.edu)
- [MM Office of Counseling and Workplace Resilience](#): 734/763-5409 or [counseling@med.umich.edu](mailto:counseling@med.umich.edu)
- [Faculty Ombuds](#): 734-763-2707
- [Mediation Services](#): 734/615-4789 or [mediation.services@umich.edu](mailto:mediation.services@umich.edu)

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

**This information has been reviewed with me and I have been given the opportunity to ask questions about the investigation process, resources and related University policies before proceeding to respond to the allegations.**

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Signature

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Respondent’s Name (please print)

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Date