Information for Student Claimants

This is a general description of the investigation process. The process may vary somewhat, in accordance with the Policy and 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. We also help Claimants 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 the Title IX Coordinator immediately. The Title IX Coordinator 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.

Advisor. You may bring an advisor with you to any meetings with OIE. Please let us know in advance if you will be doing so. Examples of an advisor may include, but are not limited to: a friend, family member, SAPAC Advocate, 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 advisor.

Anonymity and confidentiality. Information provided to OIE may be shared with other University officials as necessary and appropriate. 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 varies depending on the circumstances surrounding the incident and confidentiality concerns. OIE considers requests for anonymity on a case-by-case basis, consistent with the Policy.

Interim measures and academic accommodations. In many cases, interim measures may be appropriate. Such measures may include separation of the Claimant’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, please let us know if you need academic accommodations. These accommodations are typically arranged by SAPAC and/or the Dean of Students, but you may also raise this need with OIE, who will inform SAPAC/Dean of Students of the requested academic accommodation.

Criminal investigations and preservation of evidence. The University process for addressing sexual misconduct is separate from a criminal investigation. You have the right to file a police report regarding possible criminal behavior. We can connect you with a staff member who can assist you in making a report to law enforcement if you would like. Even if you are not sure that you want to file a police report, it can be helpful to have any available evidence collected in case you decide to file a report with law enforcement at a later date. More information is available in the attached resource guide, and the University of Michigan Police Department (UMPD) can be reached at (734) 733-1131. If the incident occurred off campus and you wish to file a police report, please contact local police (UMPD is available to assist you with this).

Interviewing the Claimant. The first step OIE takes in an investigation is to gather information about the complaint. During your interview, OIE will ask for details about your concerns, as well as any documentation and witnesses. You are not required to participate in the investigation, but you are strongly encouraged to share all information you have regarding the matter. The Respondent 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. During your interview and while providing feedback, please mention any questions you wish to be asked of Respondent and witnesses. OIE will ask all relevant questions and pose them in a manner to obtain relevant information.

**Interviewing the Respondent.** After OIE understands the nature and scope of the concerns, the Respondent is informed of the allegations and given a full and fair opportunity to respond. During this process, the Respondent is cautioned against engaging in any retaliation against the witnesses or you. You are not present during the Respondent’s interview and vice versa. After the interview, OIE drafts a written statement for the Respondent, who is given two business days to review the draft for accuracy and completeness (if the Respondent is participating in the investigation) and to provide feedback, including suggested questions.

**Gathering other information.** OIE interviews witnesses (if they choose to participate and with the understanding they will be identified by name in the report) and reviews all available documentation deemed relevant to the situation. Witnesses are offered the opportunity to review their statements for accuracy and completeness. Depending upon the information obtained from the witnesses and feedback provided when the Respondent and you review your statements, OIE may contact the Respondent and/or you with additional questions or to request additional information. OIE does not accept the results of polygraph tests and related evidence.

**Review of preliminary investigation report.** When OIE produces a written investigation report, the Respondent and you will typically be provided with a “preliminary report.” 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 (Respondent, witnesses, and you) and other relevant information, such as documents. The preliminary investigation report does not include a finding. You will each be given five calendar days to review and provide any comments, feedback, additional documents, evidence, requests for additional investigation or proposed questions to be asked of the other party or witnesses, names of additional witnesses, or any other information you believe may be relevant, up to twenty (20) pages. OIE reviews all comments submitted by the parties, if any, and determines whether additional information must be gathered, and if 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 interviewed in the course of an investigation, may be included in the final Investigation Report and shared with the other party to this matter and relevant University officials.**

**Decision and follow up.** After receiving the Claimant’s and Respondent’s comments, if any, OIE analyzes the information, reaches a conclusion and after internal review provided for in the Policy, issues the investigation report. The investigation report is forwarded to the Office of Student Conflict Resolution (OSCR), which informs the parties of the finding, makes the investigation report available to them and notifies them of and applicable appeal and/or sanctioning processes. OSCR will not share this information with a party who has asked not to receive this type of follow up.

**Alternative resolution.** Under some circumstances, the University also offers voluntary alternative resolution processes as requested and appropriate. Alternative resolution is a voluntary, structured process that may be available at your request and with the approval of the Title IX Coordinator. Alternative resolution may take different forms, including practices such as restorative justice and mediation. Alternative resolution is not appropriate for all forms of conduct, and will never be required of you. If you
are interested in exploring whether alternative resolution may be available and appropriate, please let the investigator know.

**Retaliation.** University policy prohibits retaliation by anyone at the University. Claimants 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. An individual who engages in retaliatory behavior, either directly or through others, is subject to discipline. If you have questions about retaliation, you are strongly encouraged to ask OIE.

**Resources for support.** The University offers a variety of services to support to students, a short list of which is included below. OIE can provide additional information about resources, as requested. **If you are concerned for your safety, call 9-1-1 immediately.**

- Sexual Assault Prevention and Awareness Center 734/936-3333
- Counseling and Psychology Services 734/764-8312 or [www.umich.edu/~caps](http://www.umich.edu/~caps)
- UM Police Department 734/763-1131; Ann Arbor Police Department 734/794-6900
- University Health Service (UHS) 734/764-8320, including Wolverine Wellness 734/763-1320 or [www.uhs.umich.edu/wolverine-wellness](http://www.uhs.umich.edu/wolverine-wellness)
- After hours UM Psychiatric 734/996-4747
- Dean of Students 734/764-7420
- 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](http://www.crisischat.org)

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

**This information was reviewed with me and I was offered the opportunity to ask questions before proceeding.**

At this point, I **would like** - **would not like** - **not sure** - an OIE investigation of my concerns to occur. *(circle one)*

_________________________________  ______________________________
Signature      Claimant’s Name (please print)

________________________________
Date

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