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.

**Information for Student Respondents**

**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 include, but are not limited to: a friend, family member, Dean of Students Respondent Support person, 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.

**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 the Dean of Students Office, but a Respondent may also raise this need with OIE, who will inform the Dean of Students of the requested academic accommodation.

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

**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. During your interview and while providing feedback, please mention any questions you wish to be asked of Claimant and witnesses. OIE will ask all relevant questions and pose them in a manner to obtain relevant information.

**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 Claimant and you review your statements, OIE may contact the Claimant 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 Claimant 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 (Claimant, 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 Investigative 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 any 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.

**Retaliation.** The University policy prohibits retaliation. 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. As the Respondent, you must not take direct or indirect retaliatory action against the Claimant, 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 in accordance with the Policy. 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 are included below. The OIE investigator can provide additional information about the resources, as requested.

- Respondent Support, Dean of Students Office 734/764-7420
- Counseling and Psychology Services 734/764-8312 or www.umich.edu/~caps
- University Health Service (UHS) 734/764-8320, including Wolverine Wellness 734/763-1320 or www.uhs.umich.edu/wolverine-wellness
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 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.

_________________________________________ ______________________________
Respondent’s Name (please print) Signature

_________________________________________
Date

Revised 7/20/2018