

Information for Respondents

We are neutral. OED is committed to providing a fair and unbiased review. Our investigations are focused on evidence. We do not represent any party. We also provide Complainants and Respondents information about other appropriate referral resources.

Support person. Respondents may bring a support person with them to any meetings with OED. The support person is not meant to serve as a representative for the Respondent. We request that Respondents please let us know in advance if they will do so.

Understanding the complaint. The first step OED takes in an investigation is to gather information about the complaint. This usually involves interviewing the Complainant and gathering all evidence the Complainant has, including documentation and names of witnesses, if any. The Respondent is not present during the Complainant's interview and vice versa.

Interviewing the Respondent. After OED understands the nature and scope of the complaint, the Respondent is asked about the allegations and given a full and fair opportunity to respond. The Respondent is also asked to provide any documentation and identify witnesses relevant to the complaint. Respondents are strongly encouraged to share all information they have regarding the matter.

Anonymity. 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.

Gathering other evidence. OED interviews witnesses and reviews documentation that it believes is relevant to the situation. OED may also contact Complainant and Respondent with additional questions or to request additional information throughout the investigation.

Review. If OED determines it will produce a written investigation report, the Complainant and Respondent will be provided with a written summary of relevant documentation or other evidence reviewed by OED. To ensure accuracy, the Complainant and Respondent are given the opportunity to provide clarifying comments of the summary. OED reviews the comments submitted by the parties, if any, and determines whether the report should be modified. All comments from the parties are considered in reaching a determination of the matter.

Decision and follow up. If an investigation report is produced, Complainant and Respondent may receive a copy and it is submitted to relevant administrators for follow up. If OED determines that discrimination has occurred, the relevant administrators will, working with Human Resources, identify and take corrective action aimed at addressing the offending behavior.

Corrective Action. The University takes all allegations of discrimination and sexual harassment very seriously. After OED conducts a fair, equitable, and timely investigation, the appropriate administrator, working with Human Resources, will identify appropriate disciplinary action. Such action can include, but is not limited to, an oral or written warning, change in state (ex. reassignment, demotion), suspension, counseling, monetary loss (ex. denial of raise), and other actions up to and including termination.

Retaliation. When an individual engages in an activity that is protected by the University's nondiscrimination and sexual harassment policies, the individual is protected from retaliation for opposing any discriminatory acts, and for participating in filing a charge, testifying, assisting, or being involved in any manner in an investigation. Protected activity also includes testifying or presenting evidence as part of an internal investigation conducted as a result of an allegation of discrimination or sexual harassment. The prohibitions against retaliation apply whether or not the original complaint is found to be valid. Any actions that may constitute retaliation should be reported to OED immediately.

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 931-393-7226.

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