

In order to make the investigation process as thorough as possible, this list of rights, responsibilities and the process has been prepared to assist you as go through an investigation. The following items will be addressed and/or clarified with you at your first meeting with investigator(s). For reference, the reporting party, or Complainant, is the person against whom the reported behavior is stated to have occurred and the responding party, or Respondent, is the person reported to have engaged in the behavior.

- I understand the role of the Director of the Office of Civil Rights and Investigations (OCRI), the person responsible for overseeing the Sexual Violence, Harassment, Discrimination and Grievances policies and procedures. The Director does not make determinations regarding the reported policy violations.
- I understand that I may meet with investigator(s) and their role in the investigation.
 - The investigator(s) are neutral fact finders who gather information about the reported violations.
 - As part of the investigation, the investigator(s) will meet with the complainant(s) and respondent(s) to gather facts about the incident. The investigator(s) may also meet with other parties (witnesses) who may have information about the incident.
 - The investigator(s) may review written statements, facility records, e-mails, text messages, photographs, police reports, university reports, and/or other documents, information or evidence that may be relevant to the complaint.
 - If I meet with the investigator(s), they will take notes of the meeting and provide me with a summary of the information I provided for my review.
 - During this meeting, I understand that I be asked questions and that I have the opportunity to ask questions.
 - Upon concluding the investigation, the investigator(s) will prepare and submit a written report detailing the findings of the investigation.
- I understand I have the right to an advisor of my choice.
 - I understand I am entitled to one adviser of my choosing to guide and accompany me throughout the investigative and/or disciplinary process, provided that the advisor is not a witness to this investigation.
 - Advisors may include a friend, mentor, family member, attorney, or any other supporter with whom I am comfortable.
 - If I should choose to retain an advisor in a professional capacity that would incur a fee, I understand that I do so at my personal expense.
 - My advisor may accompany me to all meetings with investigators including but not limited to informational meetings, interviews, and appeals.
 - If the presence of the advisor becomes disruptive to the investigation process, the advisor may be asked to leave.
 - Investigator(s) will work directly with me; therefore, it is incumbent upon me to keep my advisor informed of meetings, interviews, hearings, etc.
 - Advisor availability is not considered when scheduling meetings.
- I have been given the relevant policies and procedures and have been offered the opportunity to ask any questions or have any part of the policy further explained to me.
- I have received information about confidential and semi-confidential resources located both on-campus and off-campus.
- I understand OCRI will handle the investigation with sensitivity to time. Federal guidelines recommend that the investigation and any subsequent preliminary hearing phase be resolved in 60 days or less.
 - However, due to complexity, school breaks or other unforeseen circumstances the length of the investigation may be prolonged and thoroughness will not be sacrificed.

- I understand that I can contact the investigator(s) at any time to inquire about the status of the investigation.
- I understand that I have the responsibility to present truthful information about all circumstances and details of the allegations under investigation.
- I understand I have the ability to provide the investigator(s) with evidence (written statement, pictures, text messages, etc.) during the course of the investigation. I understand that evidence that is available during the investigation, but that I choose not to provide at that time, will not be considered as “new information” that I could use as a basis to appeal the findings of the investigation.
- I understand I have the ability to provide the names of relevant witnesses to the investigator(s). The investigator(s) may follow-up with these witnesses and/or others in an effort to better understand the facts of the reported behavior under investigation. Information I share with the investigator(s) may be shared with others involved in the investigation during the interview process (witnesses, reporting/responding party) but will be limited to the extent possible.
- I understand the protections and limitations of the amnesty policy as it relates to alcohol and/or drug consumption that occurred prior to or during the incident that has been reported.
- If applicable, I understand I must continue to comply with any interim protective measures put in place by the University during the course of the investigation. I understand these measures as they have been communicated to me by university administration.
- I understand that I may choose at any point to no longer participate in the investigation but that investigator(s) may continue the investigation without my participation in order to respond appropriately to the reported policy violation(s).
- I understand the investigative report and any evidence it references may be viewed by the reporting party, responding party, the Director, and other appropriate campus authorities.
- I understand the investigative report, evidentiary attachments to the report, and other investigative records may be subject to public records requests.
- I understand retaliatory actions directed toward anyone participating in this investigation is a violation of University policy. I also understand that should I experience any incidents of retaliation, they should be communicated promptly to the investigator(s).
- I understand that upon conclusion of the investigation process I may request a review of the decision but must meet one of the criteria below in order to do so. Either reporting party or responding party may appeal the decision for one or more of the following grounds:
 - 1) Failure to properly investigate the allegation and such failure was both substantial and to the student’s detriment;
 - 2) The finding of a violation of the Code is not supported by a preponderance of the evidence, the standard of proof that must be met and that requires the evidence supporting each finding be more convincing than the evidence offered in opposition to it;
 - 3) The sanctions are excessive for the violation given the circumstances. Simple dissatisfaction with a sanction is not grounds for appealing a sanction under this provision;
 - 4) New information that could substantially affect the outcome of investigation and determination has been discovered since the determination was made. The information must have been unavailable at the time of the investigation. Failure to inform investigator(s) of information that was available is not grounds for requesting an review under this provision; and
 - 5) DOS committed a substantial procedural error that materially impacted its investigation and determination to the student’s detriment.