Please Initial:

____ The Equal Opportunity Office (“EOO”) is conducting an administrative, not a criminal or civil law, investigation into possible harassment or discrimination under the University’s Non Discrimination and Anti-Harassment (“NDAH”) Policy.

____ The EOO is not advocating for or representing any party in this process. The EOO cannot provide legal advice to any party in this process.

____ The EOO is not prosecuting the Respondent(s) in this process. The EOO is gathering information to determine whether there is a preponderance of the evidence that conduct has occurred which violates the NDAH Policy.

____ All of the information obtained during the investigative process will be evaluated using a preponderance of the evidence standard. This means that in order to find a Respondent in violation of the NDAH Policy, the evidence must support that it is more likely than not that the Respondent engaged in conduct prohibited by the Policy.

____ As a Complainant or Respondent, you have a right to have a support person of your choice present for all meetings. This person may be an advocate, friend, parent, lawyer or any other person, provided that person is not also a witness in the investigation. The support person may not actively participate in the process, but may be consulted at any point in the process.

____ If you are a Respondent, you have the right to know the allegations against you and any information obtained during an investigation so that you may have an opportunity to respond. You also have the right to review the investigative file at any point during or after the investigation.

____ EOO has the authority to take interim protective measures to protect the parties before the outcome of an investigation. If you believe that an interim measure is necessary or will become necessary to protect your safety or wellbeing, please notify EOO at any time.

____ As a Complainant or Respondent, you have the right to identify witnesses, documents, or other materials you believe are relevant for the EOO to review and consider. You may submit questions you would like asked of any witness or party, through the investigator, for consideration.

____ EOO may resolve allegations (with the exception of sexual assault allegations) using an informal process if the Complainant, Respondent, and EOO agree. The Complainant or Respondent always has the option to end the informal process and request a formal investigation at any time before a final resolution has been reached.
If a violation is found, the level of discipline and type of sanction(s) will depend on the severity and nature of the violation, the weight of the evidence and the need to maintain a safe and respectful environment. Examples of available sanctions are listed in the NDAH Policy.

No person connected to an EOO investigation may be subjected to retaliation. Retaliation is a separate violation of the NDAH Policy and if found by a preponderance of the evidence to have occurred provides an independent basis for disciplinary action.

As a Complainant or Respondent, you have the right to appeal the outcome of an EOO investigation under the criteria listed in the NDAH Policy.

If you are a student Complainant or Respondent, the EOO cannot disclose any information about the EOO investigation to your family members or other third parties who are not involved in the investigation without a written release. This is pursuant to the federal Family Educational Rights and Privacy Act (FERPA). Exception: In § 99.31(a)(14), an institution of postsecondary education may disclose the final results of a disciplinary proceeding, if it determines that the student is found in violation of a rule or policy for a violent or sex offense.

If you are a student Complainant or Respondent, information reported by or about you during an EOO investigation concerning use of drugs or alcohol will not be used against you or any student in a University disciplinary proceeding or voluntarily reported to law enforcement.

I have been provided with a copy of, or an electronic link to, the Non-Discrimination and Anti-Harassment Policy which includes information about support resources on campus and in the community that are available to both Complainants and Respondents.

By signing I affirm that this Bill of Rights and Acknowledgments has been explained to me and that I have had the opportunity to discuss each item.

Signature: Date:

_________________________________  ___________________
Print Name:

_________________________________  ___________________
EOO Staff Signature: Date: