

PROCEDURE FOR REVIEWING COMPLAINTS

Step 1-The Initial Report: Any applicant for employment, employee, staff or faculty member, student, graduate student or participant in a university activity or program who experiences conduct that the person believes constitutes discrimination, harassment, sexual harassment or retaliation should report the complaint to an administrator in the department, Office of Student Life or the Graduate School.:

Step 2-Formation of the Administrative Review Team: The individual who receives the complaint will inform the Office of Affirmative Action of the complaint. Likewise, the Office of Affirmative Action staff member who receives the complaint will inform the head of the department or unit, unless that person's conduct is the reason for the complaint. In that case, the Office of Affirmative Action will ask the president, provost and senior vice president, a vice president, an associate vice president or a dean to designate a responsible administrator to serve on the administrative review team. The Office of Affirmative Action staff member and the responsible administrator become the administrative review team for the complaint.

Step 3- Administrative Review Team's Initial Evaluation of the Complaint: The team will interview the complainant as soon as possible after the report so that both team members hear the complaint and get sufficient information to decide how to resolve the complaint. If the team determines that the conduct, as reported, does not warrant further review under this Policy, the team will notify the complainant of its decision within five (5) calendar days or as soon as possible. That notice will explain the team's decision, explain how the complainant can appeal the decision and refer the complainant to the appropriate University office, service or program with the expertise to address the person's complaint. Time for the notice may be extended for good cause.

Step 4-Written Complaint: If the complaint warrants further review, the administrative review team will accept a written complaint, or will draft a complaint based on information obtained during the interview. In the latter case, the team will ask the complainant to read and, if necessary, to revise and sign the complaint.

Step 5-Investigation: With or without a signed complaint, the administrative review team will:

1. Meet with the respondent to provide a copy of the complaint, explain procedures, caution against retaliation, ask the respondent to provide an oral or written response within ten (10) calendar days, and inform the respondent that the review will proceed with or without the response;
2. Receive, clarify and evaluate the respondent's response to the complaint, if a response is made; and
3. Interview any persons with specific knowledge of the alleged incident(s) and review relevant policies, procedures, files, documents and records.

Step 6-Determination and Written Report: The team will consider all of the information it gathered and decide whether or not the respondent violated this Policy. If the team determines that the respondent did not violate this Policy, it will provide the complainant, the respondent and the responsible administrator a written report that describes the review, presents findings, and any recommendations and what the complainant and respondent must do to file an appeal or a grievance. If the team determines that the respondent violated this Policy, it will prepare a written report to the complainant, the respondent and the responsible administrator that describes the review, presents findings and recommendations for sanctions and remedial actions, referrals and follow-up and explains what the complainant and respondent must do to file an appeal or a grievance.

Appeals Beyond the Administrative Review Process: A complainant or respondent who is not satisfied with the resolution of a complaint, may appeal the administrative review team's determination and/or, any sanction(s) imposed by the responsible administrator to the Classified Employee Peer Review Committee., General Grievance Board, Student Discrimination Review Committee or Dean of the Graduate School.