

CLAIMANT INFORMATION FORM

MSU OFFICE OF INSTITUTIONAL EQUITY

OIE ROLE

- We are neutral: OIE's role is to conduct an impartial, fair, and unbiased investigation into allegations of violations of the university's Policy on Relationship Violence & Sexual Misconduct ("Policy").
- OIE investigators cannot provide advice, suggestions, or support but can provide referrals to the resources listed on the attached reference guide.
- At the conclusion of the investigation OIE's role is to determine whether or not the policy was violated. Where OIE concludes a policy violation occurred, OIE will refer the case to the appropriate office for sanctioning/disciplinary action. If OIE determines that the policy was not violated, it means that the standard under the policy was not met or there was insufficient information to establish that the policy was violated. This should not be mistaken for OIE concluding that an individual did/did not experience an incident.

YOUR ROLE

- To contact OIE to request interim or protective measures and support services.
- To contact OIE to request confidentiality or anonymity, if desired.
- To request that OIE not initiate an investigation, if desired.
- To arrange for a support person or advisor to accompany you to meetings with OIE and to inform OIE so that appropriate meeting space can be reserved.
- To request referrals to campus or community resources who may serve as an advisor or support person.
- To provide witnesses, evidence, and other information to OIE during the investigation.
- To submit questions to be asked of the other party to OIE during the investigation.
- To review the preliminary investigative report and provide feedback.
- To notify OIE of any retaliation concerns.

ADVISOR/SUPPORT PERSON

You have the right to bring an advisor or support person of your choice to all meetings with OIE staff.

MSU union-represented employees may, at any point in the process, consult their collective bargaining agreements and consult the MSU **Office of Human Resources**, Employee Relations: 1407 S. Harrison, Suite 130, East Lansing, MI 48823, **517-353-5510**.

The attached reference guide contains contact information about and contact information for confidential advisors who have in-depth knowledge of the OIE investigative process and can provide support throughout the process including attending meetings with you.

INTERIM AND PROTECTIVE MEASURES

Interim measures are accommodations and other assistance implemented when deemed necessary by the OIE upon notice of an incident or during the course of an investigation. Interim measures can include:

- Discrete professor notification regarding absences
- Academic assistance such as:
- Schedule changes
- Course load reductions
- Withdrawals
- Coordinating extensions
- Alternative housing placement
- Protective measures
- University contact restriction
- Removal of directory information
- Removal of parties from campus
- Alternative work schedules/locations
- Transportation information
- Referrals to on- and off-campus services

Individuals are encouraged to request any services or protective/interim measures needed. University officials will review all requests and determine if the requested assistance can be provided. These support services are available even if you decline to make a criminal or university report and regardless of whether or not you choose to participate in a university or criminal investigation.

Interim measures are instituted immediately upon approval from a University official and remain in place until the investigation and adjudication process is concluded. To request assistance with interim and protective measures, contact the **Office of Institutional Equity** at **(517) 353-3922** or oiie@msu.edu.

An investigator may decide to issue a "no-contact" order as a protective measure. A "no-contact" order can be several things. It can be an order prohibiting the respondent from having any contact with the claimant. It can also prohibit the respondent's access to certain areas of campus or require the respondent to move to a different residential location and/or class section, etc. This will be discussed with the claimant and individually assessed based on numerous factors. "No-contact" orders are issued on a case-by-case basis and are enforced at the university level.

Office of Institutional Equity

4 Olds Hall

East Lansing, MI 48824

Phone: (517) 353-3922

Email: oiie@msu.edu

Revised 7/27/2017

CLAIMANT INFORMATION FORM

MSU OFFICE OF INSTITUTIONAL EQUITY

In addition to requesting interim measures through the university, you also have the right to request an order of protection, no contact order, restraining order, or other similar lawful orders issued by a criminal, civil, or tribal court. For more information about orders of protection, contact OIE.

A Personal Protection Order (PPO) is a court-issued order that forbids or requires the respondent to do something and is enforced by the police. The MSU Sexual Assault Program and MSU Safe Place offer advocacy services including assistance in obtaining a PPO.

SUMMARY OF INVESTIGATION PROCESS

An investigation typically involves the following:

- Interviews of the claimant, the respondent (the individual responding to the complaint), and any relevant witnesses; Collection of any relevant documentary evidence;
- Drafting of a preliminary report that describes all of the evidence collected. You and the
- respondent will have an opportunity to review the preliminary investigation report and provide feedback prior to the issuance of the final investigation report and
- Drafting of a final report that includes a determination of whether the respondent violated the policy.

COLLECTION AND SHARING OF INFORMATION

Both the claimant and the respondent will have the opportunity to provide a statement, submit evidence, and identify potential witnesses. **All information must be submitted by the deadline for review of the preliminary investigation report. Information provided by the parties may also be disclosed in response to subpoenas by law enforcement agencies and Freedom of Information Act requests received by the University.**

INVESTIGATION TIMELINE

Every reasonable effort will be made to complete a formal investigation within 60 calendar days; however, delays are often necessary based on a variety of factors including availability of parties, witnesses, and documents, and the occurrence of academic breaks during the year. OIE will provide notice if the investigation timeline is extended beyond 60 calendar days. The 60 calendar day period is inclusive only of the OIE investigation process and does not include the period for the sanctioning and appeal processes. Please note that the sanction panels do not convene during academic breaks and university closures.

INVESTIGATION HEARING

As part of the investigation process, you have the opportunity to meet with the OIE investigator for an investigation hearing. This is your opportunity to be heard and tell your side of the story. Either party may submit questions in writing to be asked of the other party. The investigator will ask the questions during the investigations, provided that the questions are relevant to the investigation and issues of credibility. Either party may submit questions at any time up to the deadline for review of the preliminary investigation report. The opportunity to ask questions may not be used to harass or intimidate the other party.

PREPONDERANCE OF THE EVIDENCE

The University uses the preponderance of the evidence standard to review allegations of the Policy. This standard means that, in determining whether the policy has been violated, the OIE staff will assess whether, based on the evidence, it is more likely than not that the respondent engaged in the prohibited conduct.

NOTICE TO POLICE

MSU's response to this report is independent of any criminal processes. You also have a right to file a criminal complaint with the appropriate law enforcement authorities. You can contact the **MSU Police** at **(517) 355-2221**, the **East Lansing Police Department** at **(517) 351-4220**, or dial **9-1-1** in an emergency. You also have the right to request assistance in notifying law enforcement authorities and the right to request an order of protection, no contact order, restraining order, or other similar lawful orders issued by a criminal, civil, or tribal court.

AMNESTY FOR DRUGS OR ALCOHOL POSSESSION AND CONSUMPTION VIOLATIONS

The university encourages students to report all incidents of relationship violence or sexual misconduct. Therefore, students who report relationship violence or sexual misconduct will not be disciplined by the university for a violation of the university's drug and alcohol possession or consumption policies that may have occurred in connection with the reported incident. Students are also protected by a Michigan law that provides amnesty for alcohol-related crimes if an underage individual, after consuming alcohol, presents (or accompanies an underage person presenting) at a health facility or agency for treatment or observation as a result of sexual assault.

Office of Institutional Equity

4 Olds Hall

East Lansing, MI 48824

Phone: (517) 353-3922

Email: oie@msu.edu

Revised 7/27/2017

CLAIMANT INFORMATION FORM

MSU OFFICE OF INSTITUTIONAL EQUITY

SUPPORT RESOURCES

If you have experienced sexual harassment, sexual assault/misconduct, sexual exploitation, relationship violence, or stalking, you are encouraged to seek support regardless of when the incident occurred. The resources included in the attached resource guide are available at MSU and in the community.

PROHIBITION ON RETALIATION

Michigan State University's relationship violence and sexual misconduct policy prohibits retaliation against individuals who provide information to the university, bring forth a complaint, or who are asked to cooperate in an investigation. We want you to know that, whether or not you choose to participate in the university's investigation process, you have a right to be protected from retaliation related to the information you share with the university.

If you are experiencing retaliation, please contact our office at (517) 353-3922 immediately so that we may address it promptly.

Additionally, federal civil rights laws, including Title IX, make it unlawful for the university to retaliate against an individual who brings concerns about possible civil rights violations to its attention. It is also unlawful for the university to retaliate against an individual (such as a witness) for participating in the complaint or investigation process. If the university is made aware of retaliation against a claimant, witness, or respondent by other students, employees, or third parties, the university will immediately investigate to determine what has occurred. MSU will take strong responsive action if retaliation occurs.

REASONABLE ACCOMMODATION

If you are an individual with a disability and need accommodation to fully participate in the complaint, investigation, or student conduct process, please contact the Resource Center for Persons with Disabilities at (517) 884-7273.

CLAIMANT AFFIRMATION

I affirm that I have received the OIE Claimant information summary, the MSU Relationship Violence and Sexual Misconduct Policy, and the Claimant Resource Guide.

Signature

Date

OIE USE ONLY

Interim Measures Requested:

Investigator: _____

Date: _____

Office of Institutional Equity

4 Olds Hall

East Lansing, MI 48824

Phone: (517) 353-3922

Email: oie@msu.edu

Revised 7/27/2017