Investigation
Complaint
Process

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Three Pronged Approach

• Consultative Approach – OEO will consult, make an assessment, and intervene as appropriate – facilitated discussions, phone calls, meetings, etc. No formal notice of complaint will be issued.

• Mediation – A process for resolving disputes in which a trained Mediator will help the parties negotiate a dispute. OEO will assess the situation to determine if mediation is appropriate. The Complainant or Respondent may refuse mediation or, once commenced, end it at any time. No adverse inference will be drawn from the decision. If mediation is successful, the matter will be considered closed.

• Formal Investigation – OEO will make a preliminary assessment that the issue raised warrants a formal investigation. OEO will provide notification to the relevant parties and Decisional Authority, as appropriate. If OEO determines a need for immediate interim action, e.g. removal, reassignment, administrative leave, or suspension, such action will be administered by the Decisional Authority.

Note: Complainant – Charging Party
Respondent – Responding Party or Accused
Decisional Authority – Executive/Assoc./Asst. Vice Chancellors, Deans, Assoc. Deans, etc.
**Mediation – When Is It Useful?**

- Aftermath of an incident when emotions have eased enough that the parties can begin to talk
- When parties want to see the conflict end
  - People have a chance to air their wounds
  - Parties can bring up whatever comes to mind
  - No restrictions to the subject of the dispute
- Nip potentially combative situations – be proactive
- Keep a finger on the pulse of the group

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**OEO Investigation Complaint Process**

1. **Acknowledgement of Complaint and written offer of Mediation to Complainant & Respondent**
   - **Yes**: Complainant and Respondent agree to Mediate
     - **Yes**: Is Mediation Successful?
       - Complaint Closed
     - **No**: Letter communicating complaint to Respondent

2. **Acknowledgement of complaint to Complainant**

3. **Commencement of Investigation**

4. **Investigation Report prepared by OEO for Decisional Authority (DA). Copy to University Counsel (UC)**

5. **DA, OEO and UC meet to discuss findings and recommendations**

6. **Reconsideration to DA/Appeal**
   1. Newly discovered evidence
   2. Irregularity in process

7. **Respondent and/or Complainant may request reconsideration and/or an Appeal within 10 days**

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**Appeal to the Chancellor is the FINAL Administrative Decision**