# **Students as Respondents**

POL 04.25.05: Equal Opportunity and Nondiscrimination Policy REG 04.25.02: Discrimination, Harassment and Retaliation Complaint Resolution Procedures

Individual files a report. Supportive measures may be provided as appropriate.

Report is assigned to an Equal Opportunity Officer.

EO Officer reaches out to complainant. Supportive measures may be provided as appropriate.

Complainant agrees to meet with EO Officer.

Complainant does not respond to EO Officer's outreach or declines to meet.

Complainant meets with EO Officer and reviews supportive measures, institutional processes and resolution options.

Complainant does not want to move forward with a university process at this time.

Complainant requests investigative process\*. Preliminary review of report conducted.

Complainant requests facilitated resolution\*; preliminary review of report.

If report passes preliminary review, investigation begins. Respondent and witnesses contacted.

If report passes preliminary review, facilitated resolution begins.
Respondent contacted.

Report drafted.

Seek and implement resolution.

Protocol\* followed.

Report sent to Office of Student Conduct.

See:
go.ncsu.edu/osc\_flowchart

Case closed.

\* See definitions in right column.

# **Definitions**

## **Preliminary Review:**

Under NC State REG 04.25.02, preliminary review occurs when the complainant requests a resolution option. An investigator will conduct a preliminary review of the report to determine whether the report alleges facts that, if true, would constitute a violation of the policy. If the allegations, if true, might constitute a violation of the policy, OEO will initiate one of the resolution options. When the preliminary review of the report indicates the allegations within the complaint would not constitute a policy violation, the investigator will administratively close out the process and will notify the complainant in writing of this determination.

#### **Facilitated Resolution:**

Under NC State REG 04.25.02, a facilitated resolution is where at any time after filing a report to 0EO, a report may be resolved through a facilitated resolution provided that: (1) the complainant(s) and respondent(s) mutually agree to the facilitated resolution and (2) 0EO agrees that the facilitated resolution would be appropriate to resolve the complaint. A facilitated resolution is an informal process resulting in an informed voluntary agreement between the parties and NC State to resolve a complaint utilizing strategies such as educational interventions or other restorative principles to address the concern, prevent its recurrence and/or restore the community. The facilitated resolution process allows the parties an opportunity to resolve the issue and is intended to be educational in nature.

# **Investigative Process:**

Under NC State REG 04.25.02, if the report passes preliminary review, an investigation will be initiated by 0EO and an opportunity will be provided for both the complainant(s) and respondent(s) to respond.

## Protocol:

Prior to the investigative report being finalized, a draft will be made available to the complainant(s) and respondent(s) for their review and written response. The draft investigative report will summarize the relevant evidence and policies at issue. The draft investigative report will not include an analysis of the facts. The complainant(s) and respondent(s) will have ten (10) days from receipt of the draft to submit comments on the report or other relevant evidence.

### Questions?

Contact the **Office of Equal Opportunity** at: equalopportunity@ncsu.edu or 919.513.0574

Office of Equal Opportunity As of Aug. 1, 2024

