

Complainant and Respondent Rights Discrimination, Harassment, and Retaliation

Office of Equal Opportunity

When a Report is filed, the Office of Equal Opportunity (OEO) will ensure equitable treatment of all parties involved, provide supportive measures, and ensure understanding of Complaint Resolution Processes per [NC State University Policy 04.25.05: Equal Opportunity and Nondiscrimination](#) and its companion [Regulation 04.25.02: Discrimination, Harassment, and Retaliation Complaint Procedures](#):

1. OEO is committed to fundamental fairness and will:

- treat Complainants and Respondents equitably
- presume that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Complaint Resolution Process, including when the Respondent declines to participate in such process
- require that any person designated as a Title IX Coordinator, investigator, decision maker, or other person authorized to coordinate a Facilitated Resolution not have a conflict of interest or bias for or against the Complainants or Respondents either generally or in particular and undergo training that meets requirements as established by federal law
- follow the appropriate Complaint Resolution Process before imposing any disciplinary sanctions against a Respondent
- provide an objective evaluation of all Relevant and not Impermissible evidence and not base any credibility decisions on a person's status as a Complainant, Respondent, and/or Witness
- not base determinations based on the refusal of a Party or Witness to respond to questions

2. OEO is committed to offering and coordinating supportive measures which:

- enable the Parties to equitably participate in University Programs and Activities
- permit the Parties to have, at their choosing and expense, an Advisor who may be, but is not required to be, an attorney, and a Support Person
- protect the privacy of Parties and Witnesses during the Complaint Resolution Process

3. During the Complaint Resolution Process, the OEO will:

- take appropriate, prompt, and effective steps reasonably designed to prevent the occurrence or recurrence of Discrimination, Harassment, and/or Retaliation
- establish a reasonable time frame for the completion of the major stages of the Complaint Resolution Process and allow reasonable extensions of timeframes for good cause and notice to the Parties
- notify individuals of grievance procedures where applicable
- not use questions or evidence that would elicit privileged information unless the privilege has been waived
- not consider the Complainant's past sexual history in determining whether a Policy Violation involving allegations of harassment based on sex occurred
- not disclose personally identifiable information obtained through the Complaint Resolution Process, except to carry out the purposes of those procedures and/or as required or allowed by law, and the University will take reasonable steps to protect the privacy of the Parties and Witnesses during the pendency of the Complaint Resolution Process
- use the preponderance of the evidence ("more likely than not") standard to determine whether there is a violation of NCSU POL 04.25.05 (Equal Opportunity and Nondiscrimination Policy)
- provide an appeal process