

## Complainant Rights in the OEOA Complaint Process

**Student Complainants are entitled to the following rights in the OEOA complaint process:**

1. A Complainant has the right to be treated equitably by all representatives of the OEOA complaint process.
2. A Complainant has the right to be notified of the availability of supportive measures.
3. A Complainant has the right to an OEOA complaint procedure that is free from conflict of interest or bias. This includes a fair and impartial review by all investigators and decision-makers.
4. A Complainant has the right to written notification of any potential University Policy charges under review. Any meeting notice shall indicate the purpose of the meeting, and the time and place of any meeting or hearing. Proper written notification shall be defined as delivery of email to a student's University account (ilstu).
5. A Complainant has the right to have a support person of their choice present at all meetings and/or hearings in the OEOA complaint procedure. During the investigation phase of the complaint process, the support person's role is non-participatory, limited only to supporting the Complainant, and the support person may not actively participate in the meetings, nor serve as a witness. If the Complainant chooses to bring an advisor of their choice to the live hearing, this person is responsible for conducting cross-examination.
6. A Complainant has the right to request to participate in the OEOA complaint procedure via electronic means.
7. A Complainant has the right to be free from intimidation and harassment throughout the OEOA complaint process.
8. A Complainant in cases of alleged violations of the Anti-Harassment and Non-Discrimination policy will not receive a disciplinary sanction by the University for a Code violation (such as underage drinking), that is revealed in the course of such a report, unless the University determines that the violation was egregious (i.e. an action that places the health or safety of any other person at risk).
9. A Complainant has the right to request actions that would aim to prevent any unnecessary or unwanted contact with the responding student(s).
10. A Complainant has the right to present information and/or witnesses, including fact or expert witnesses, on their behalf.
11. A Complainant has the right to inspect and review evidence, including exculpatory and inculpatory evidence, directly related to the allegations.
12. A Complainant has the right to question all involved parties during a live hearing through an advisor of their choice, or through a University appointed advisor. Direct questioning of any participants is not permitted. A live hearing may be conducted with all parties physically present in the same geographic location or, at the recipient's discretion, any or all parties, witnesses, and

other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

13. A Complainant has the right to written notification of a decision as it pertains specifically to the Complainant no later than seven (7) University business days after the hearing decision. This may be delayed if the panel of decision-makers needs additional time to review the information provided at the hearing. Notifications of any delay will be sent to a Complainant by email.
14. A Complainant has the right to appeal in two circumstances, when a discretionary dismissal of a formal complaint has been issued, and when a decision from a hearing has been issued.

### **Complainant Responsibilities in the OEOA Complaint Process**

**Student Complainants are expected to adhere to the following responsibilities in the OEOA complaint process:**

1. A Complainant has the responsibility to take the OEOA complaint process seriously, to act in good faith, and to treat everyone involved in the process with respect and dignity.
2. A Complainant giving testimony or evidence is expected to tell the full and complete truth throughout the OEOA complaint process. The OEOA complaint procedure prohibits knowingly making false statements and/or submitting false, inaccurate, and/or misleading information during the complaint procedure.
3. A Complainant is responsible for regularly checking their University email account (ilstu) and is responsible for the contents of any notices sent to their account, whether or not the Complainant chooses to open them.
4. A Complainant is responsible for ensuring that the support person of their choice attend meetings, understanding that meetings will not be rescheduled to accommodate support person.

**This information has been reviewed with me, and I have been given the opportunity to ask questions about the investigative process, related University processes, and resources.**

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**Complainant's Name (please print)**

**Complainant's Signature**

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**Date**