

# Equity Resolution Process (ERP) Flowchart

Report of discrimination or harassment received by the Equity Office

Equity Officer will promptly contact the identified Complainant to discuss the availability of supportive measures and to explain and discuss the Equity process.

If Complainant is unidentified, a limited investigation may be conducted to identify the Complainant.

If a Complaint is filed, an investigation will be initiated and the Equity Officer will send to the known Parties the Notice of Allegations.

During the Equity Process and prior to a determination of responsibility, each Party is allowed to have an Equity Support Person of their choice accompany them to any related interview, meeting or proceeding. If requested, the University may assign a Trained Equity Support Person to a student Party.

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the University. An investigative report will be sent to the Equity Officer for review.

Equity Officer will make a summary determination whether there is a sufficient basis to proceed with the Complaint that the Respondent is responsible for violating the University's anti-discrimination policies.

If not, process will end and the Parties will be sent notification of the determination.

If so, process will continue to Conflict Resolution, Administrative Resolution, or Hearing Panel Resolution.

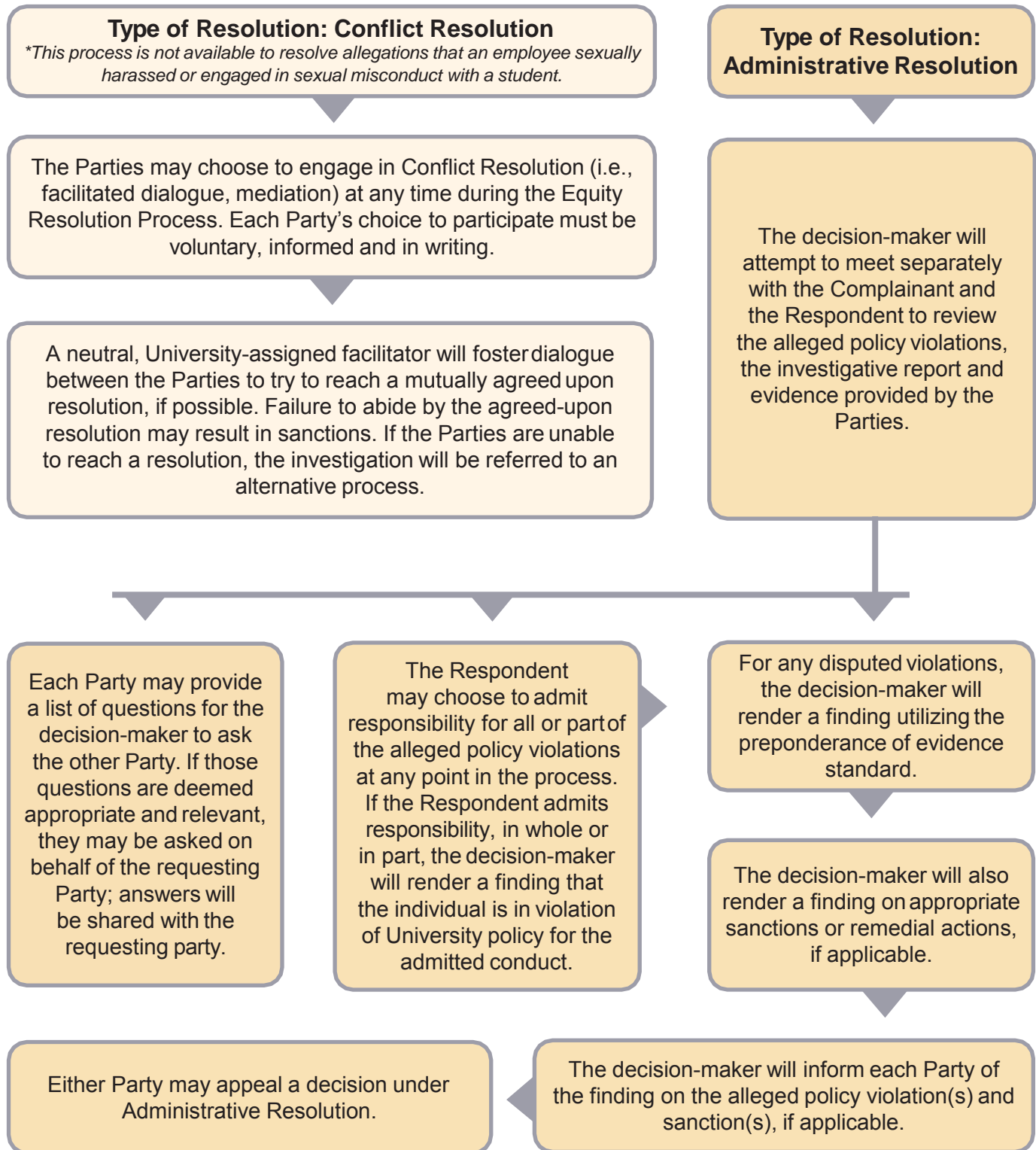
The Parties may request reconsideration of a summary determination ending the process.

## Types of Resolutions:

Conflict Resolution (pg. 11), Administrative Resolution (pg. 11) and Hearing Panel Resolution (pg. 12)

CONTINUE TO TOP OF PAGE 11

# ERP Flowchart (continued)



CONTINUE TO TOP OF PAGE 12

*This flowchart is intended to provide a general overview. A full explanation of the resolution process can be found in the policy available in [CRR 600.040](#) (for faculty or student/student organization as Respondent) and [600.050](#) (for staff member or University of Missouri as Respondent)*

# ERP Flowchart (continued)

## Type of Resolution: Hearing Panel Resolution

*\*This process is not available to Staff Respondents.*

At least 20 business days prior to the hearing, a Notice of Hearing letter will be sent to the Parties providing specific information about the hearing, including a copy of the final investigative report and exhibits.

In the Notice of Hearing, the Parties will be given the names of each of the Hearing Panel members and must raise any objection to any panelist at least 15 business days prior to the hearing.

At least 10 business days prior to the hearing, the Investigator will provide to each Party the names of proposed witnesses and proposed documentary evidence that the other Party intends to call or use at the hearing.

The Hearing Panel Chair shall preside at the hearing, and may ask questions of the Parties or any witnesses including the Investigator at any time during the Hearing.

The Investigator will first present the written investigative report and may give a narrative report of the investigation and then be subject to questioning by the Complainant, the Respondent, and the Hearing Panel. The Investigator may also call witnesses who will be subject to questioning by the Investigator, the Complainant, the Respondent and the Hearing Panel. The Investigator may also submit documentary evidence. The Investigator will remain present during the entire hearing process.

CONTINUE TO TOP OF PAGE 13

*This flowchart is intended to provide a general overview. A full explanation of the resolution process can be found in the policy available in [CRR 600.040](#) (for faculty or student/student organization as Respondent) and [600.050](#) (for staff member or University of Missouri as Respondent)*

# ERP Flowchart (continued)

The Complainant may give testimony and be subject to questioning by the Investigator, the Respondent\* and the Hearing Panel. The Complainant may call and question witnesses who may also be questioned by Respondent, the Investigator and the Hearing Panel. The Complainant may also submit documentary evidence.

The Respondent may give testimony and be subject to questioning by the Investigator, the Complainant\* and the Hearing Panel. The Respondent may call and question witnesses who may also be questioned by Complainant, the Investigator and the Hearing Panel. The Respondent may also submit documentary evidence.

\*Neither the Complainant nor the Respondent may directly question the other. However, if both request the opportunity, direct questioning between the Parties will be permitted in the Hearing Panel Resolution process. Otherwise written questions will be directed to the Chair in the Hearing Panel Resolution Process, and those questions deemed appropriate and relevant will be asked on behalf of the requesting Party.

The Hearing Panel will deliberate with no others present, except any legal advisor to the Hearing Panel, to find whether or not the Respondent is responsible for the policy violation(s) in question. The panel will base its finding on a preponderance of the evidence (i.e., whether it is more likely than not that the Respondent committed each alleged violation). If a Respondent is found responsible by a majority of the panel, the panel will determine, or if a Faculty Respondent recommend to the Provost, appropriate sanctions and remedial actions by a majority vote.

The Hearing Panel Chair will prepare a written determination (“Hearing Panel Decision”) within five (5) business days of the end of deliberations.

The Parties will be notified in writing of the finding(s) on the alleged policy violation(s) and sanction(s), if applicable, within five (5) business days of the Equity Officer’s receipt of the panel decision.

Finding(s) and sanction(s) are subject to appeal.