This document establishes guidelines for conducting university administrative investigations into allegations of misconduct and or violations of laws, regulations or CWU policies. These are guidelines and are intended to provide guidance. Actual investigations may deviate from the guidelines and such deviations shall not constitute a basis for challenging the sufficiency of the investigation. The formality and scope of investigations may vary based on the complexity and seriousness of the issue under consideration for review.

- The primary function of the investigation is to ascertain facts and report them. It is the responsibility of the investigator to ascertain and consider evidence on all sides of the issue.

- Retaliation against anyone for submitting a complaint, assisting or participating in an investigation/resolution of a report or complaint is strictly prohibited. Individuals who engage in retaliatory actions may be subject to disciplinary action up to and including termination.

- All information obtained by the investigator during the course of the investigation will be maintained in a confidential manner to the extent permitted by law. Appointing authorities or supervisors of employees who are the subject of investigations will be apprised of the nature of the complaint/concern. It is anticipated and expected that the parties to the investigation will observe a standard of strict confidentiality as this practice is in the best interests of all parties to the investigation and helps maintain the integrity of the investigation. Failure to respect confidentiality may lead to allegations of retaliation. All files are considered public records and will be released as required by the Public Records Act.

- Complainants, respondents and witnesses are expected to cooperate with investigators, including: providing truthful statements, not providing false or misleading information, and not omitting material facts.

- The investigator will review allegations or notice of misconduct and determine the most appropriate action warranted. If the investigator concludes that an investigation is not warranted (the issues in the complaint do not meet the threshold of misconduct or violation of applicable policies) then the investigator will explain why the matter will be closed without further action. The investigator will meet with the complainant to debrief them on the fact that no further action will be taken and provide other resources if applicable.

- If the investigator concludes that an informal resolution is warranted, the investigator will prepare a written summary documenting the informal resolution and meet with the complainant and other relevant parties to debrief them of the university’s informal resolution of the complaint.

- If an investigation is deemed warranted, the investigator will proceed with the investigation.
The investigator will contact and meet with the complainant to review the complaint and to identify relevant witnesses and evidence (emails, memos, photos etc.). If necessary the investigator may contact the complainant on more than one occasion during the course of the investigation to obtain additional information and clarification. The investigator may also meet with the complainant to convey the respondents’ response to the allegations.

Both the complainant and respondent may have an advocate present during the meetings.

The investigator will also contact the respondent advising him/her of the existence of the complaint as soon as possible after the meeting with the complainant and arrange a meeting. The respondent will have an opportunity to provide relevant information regarding the complaint and identify witnesses and evidence they believe will support their perspective.

The investigator will determine the order of interviews depending on the nature of the complaint. The investigator will arrange interviews with individual who have first-hand knowledge of the alleged behavior and gather evidence regarding the allegations. If necessary the investigator may contact the witnesses on more than one occasion during the course of the investigation to obtain additional information and clarification.

After completing the interviews and gathering evidence supporting or rejecting the allegations, the investigator will draft a report and may review it with his/her supervisor. Suggested headings for the investigation include:

- Background
- Regulatory Basis
- Investigative Method
- Findings
- Conclusions
- Recommendations

The final report will assess each of the allegations and may conclude there is sufficient evidence to substantiate the complaint or there is insufficient evidence to substantiate the complaint.

A debriefing meeting with the complainant and respondent will be scheduled separately. Both will be provided with a copy of the report. Both have the right to appeal in accordance with relevant university policies.

If applicable, the investigator will meet with the respondent’s supervisor or appointing authority to review the final report if they are not present during the debriefing meeting.