



Witness Information

Department of Equity and Compliance
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Overview

Important information regarding being a witness in sex- or gender-based discrimination inquiries or investigations at the University of Alaska Fairbanks (UAF) Department of Equity and Compliance (DE&C) is summarized below. Further information can be found in University of Alaska (UA) Board of Regents' Policy and University Regulation Chapter 01.04 at: <http://alaska.edu/bor/policy-regulations/>

1. **Witness Responsibilities:** To preserve the integrity of the investigation and the privacy of the parties, all witnesses are asked to:

- Make a reasonable effort to protect the legitimate privacy interests of involved persons by refraining from discussing any and all aspects of the allegations, the involved parties, and even the fact that there is an investigation (or that the witness participated in it) with anyone other than the individuals in charge of the investigation and the witness's own counsel, union representative, or therapist.
- Preserve all records relevant to the investigation.

2. **Privacy** (Regents' Policy 01.04.050): UA takes reasonable precautions to respect the privacy of all involved parties, but cannot guarantee the confidentiality of information obtained during DE&C inquiries and investigations. To the extent practicable, information regarding an inquiry or investigation (including witness communications with the DE&C) will be shared only with those who have a need or right to know.

- Conversations with witnesses may be recorded and retained as evidence.
- Parties to the case (those alleged to have committed misconduct and those alleged to have been harmed) will have an opportunity to review all evidence gathered, including witness statements (in a process referred to as "evidence review").
- Upon request, a witness may review any information they provide to the DE&C, including recordings of their conversation(s) with investigators.

3. **Voluntary Participation:** Depending upon a witness's UA affiliation (or lack of affiliation), the witness may not be required to participate in DE&C inquiries or investigations. Participation can include, but is not limited to, being interviewed by an investigator, sharing evidence in the witness's possession, and providing testimony at a live hearing.

4. **Student Amnesty** (Regents' Policy 01.04.060.E): UA provides amnesty for conduct which would otherwise warrant minor sanctions under the Student Code of Conduct (e.g., underage drinking or prohibited drug use) as long as the conduct is *related to* misconduct reported under the sex- and gender-based discrimination policy. Although not sanctioned, students granted amnesty under this regulation may still be required to

complete related educational programs, and a pattern of amnesty requests can result in a decision by the student conduct administrator not to repeatedly extend amnesty to the same person.

5. Anti-Retaliation Policy (Regents' Policy 01.04.100): UA prohibits retaliation (including retaliatory harassment) against individuals who report sex- or gender-based discrimination, including sexual harassment or sexual assault, or who participate in the university's investigation and handling of such reports in *any way*, even if the university ultimately concludes that no sex- or gender-based discrimination occurred.

- Threats or other forms of intimidation or retaliation against parties, witnesses, or investigators *because of* their participation in the sex- or gender-based discrimination investigatory process may result in separate disciplinary proceedings.
- Anyone who believes they have been subjected to retaliation should submit a report online at: <https://uaf.edu/equity/> or contact the DE&C using the contact information on this form.

6. Appeal or Complaint Outside UA System: Additional proceedings and/or hearings may occur as a result of an appeal of a DE&C decision or a complaint to an external agency. In such instances, witnesses may be required to provide additional testimony.

7. Confidential Support Resources:

- Students may receive counseling from the UAF Student Health and Counseling Center. Appointments may be made by calling 907-474-7043.
- Eligible employees may seek counseling through UA's Employee Assistance Program by calling 888-969-0155, 24 hours a day, seven days a week.

UAF is an AA/EO employer and educational institution and prohibits illegal discrimination against any individual: www.alaska.edu/nondiscrimination.