

Morgan State University
Notice of Rights and Resources for Students and Employees
Accused of Sexual Misconduct

Morgan State University is committed to maintaining an academic and working environment in which students, faculty, and staff feel safe and are free to develop intellectually, professionally, personally, and socially. In accordance with federal and state law, including Title IX, Morgan State University strictly prohibits any acts of sexual misconduct by students, faculty and staff. Sexual misconduct includes, but is not limited to, acts of sexual assault, sexual harassment, domestic violence, dating violence, and stalking.

University policies on nondiscrimination and Gender and Sexual-Based Harassment and Violence along with the Student Code of Conduct are available online at www.morgan.edu/eoo. All reports of sexual misconduct are taken seriously. Anyone who has been accused of sexual misconduct has certain rights in accordance with University policy. These rights are outlined below.

1. **You have the right to be informed of the nature of the allegations against you.** Once the University receives notice that a complaint has been filed against you, you will receive written notification from the Office of Students Rights and Responsibilities or the Office of Diversity and EEO. The notification will advise you of the nature of the allegations against you.
2. **You have the right to seek counseling services.** Confidential counseling services are available through the following on campus resources:
 - a. University Counseling Center: 443-885-3130
 - b. University Chapel: 443-885-5105
3. **You have the right to a prompt, fair, and thorough University investigation of the complaint against you.** Complaints involving students can be investigated and adjudicated by the Office of Student Rights and Responsibilities or investigated by the Office of Diversity and EEO. All complaints involving faculty and staff will be investigated by the Office of Diversity and EEO. As part of the investigation process, you will have the right to present evidence, documents, names of witnesses and any other information to the investigator.
4. **You will not be found responsible for engaging in sexual misconduct unless it is determined so based upon a preponderance of the evidence.** A determination of responsibility will be made through the University investigation/adjudication process based upon a preponderance of the evidence (more likely than not that the sexual misconduct occurred). Nevertheless, prior to the completion of the investigation/adjudication process, the University may take action to implement interim measures. The interim measures taken may include, but are not limited to: you being placed on interim suspension/administrative leave; having a class/housing/work assignment changed; or you being issued a stay away order prohibiting you from contacting the Complainant. The imposition of the interim measures does not mean that you have been found responsible for engaging in sexual misconduct. These measures are taken as a means to ensure the well-being and safety of all parties and the University community during the investigation/adjudication process.

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5. **You have the right to have your name and all information related to the alleged offense kept as confidential as reasonably possible.** When a report of sexual misconduct is received, the University only discloses information about the incident to individuals who are responsible for handling the University's response to the incident. During the investigation process, all reasonable efforts are made to protect your privacy and confidentiality. Absolute confidentiality may not be maintained in all circumstances, especially when the University needs to act to protect the safety of others.
6. **You have the right to have an advisor of your choice provide support and assistance to you throughout the University's investigation process.** You may choose someone to serve as your advisor to assist you as you go through the internal University investigation process. The University is able to limit the role that your advisor is able to play during the investigation process. However, your advisor can provide assistance such as: providing emotional support; helping you understand the investigation process; helping you prepare for meetings/interviews/hearings; and attending meetings/interviews/hearings with you. Your advisor is not able to speak for you during meetings/interviews/hearings. You and/or your advisor should speak with the Title IX Coordinator to discuss any concerns regarding the role of the advisor during the process.
7. **You have the right to receive information about the status of the University investigation.** The office conducting the investigation of the complaint (Office of Student Rights and Responsibilities or the Office of Diversity and EEO) will provide you with updates regarding the status of the investigation/adjudication process. You will also receive written notification regarding the outcome of the investigation/adjudication, any sanctions/disciplinary action imposed, and any appeal rights that may be available to you.
8. **You have the right to be informed of the potential sanctions/disciplinary action that may be imposed against you if you are found responsible for sexual misconduct.** Sanctions for students who are found to have engaged in sexual misconduct are contained in the Code of Student Conduct. Faculty and staff who are found to have engaged in sexual misconduct may receive disciplinary action up to and including termination. The procedure employed to proceed with disciplinary action against faculty and staff shall depend upon the employment category of the individual and the policies and procedures governing an employee within that employment category. Faculty and staff accused of sexual misconduct are entitled to avail themselves of the appropriate grievance process for their category of employment.
9. **You have the right to seek legal assistance.** It is important to know that the internal University investigation is not a legal proceeding. Also, the internal University investigation is a separate process from any criminal investigation/proceeding that may be occurring related to the same allegations. However, you have the right to seek legal counsel at your own expense.

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10. **You have the right to know that the University can take action against anyone found to have filed a false or malicious complaint.** Any student, faculty, or staff who exercises bad faith and brings a false or malicious charge of sexual misconduct against another member of the University community may be subject to disciplinary action including, but not limited to, formal reprimand, suspension, or termination for employees; and reprimand, suspension or expulsion for students.

11. **You have the right to be free from retaliation and must not engage in any retaliation against another individual.** Retaliation against an individual for reporting an incident of sexual misconduct or for participating in any manner in an investigation or hearing related to a sexual misconduct complaint is strictly prohibited. Any member of the University community who attempts to interfere, restrain, coerce, discriminate against, or harass or engage in any other form of retaliation against a person for filing a complaint will be subject to disciplinary action.

You may contact the University's Title IX Coordinator if you have any questions or concerns regarding the process or the information provided in this document. The Title IX Coordinator is located in Truth Hall, Room 103 and may be reached at 443-885-3559, 443-885-3580 or titleixcoordinator@morgan.edu.