

## **SEXUAL HARASSMENT AND PROHIBITED CONDUCT POLICY**

### **COMPLAINANT'S RIGHTS AND RESPONSIBILITIES**

A Complainant, whether a student, faculty or staff, is entitled to the following rights under the University's Sexual Harassment and Prohibited Conduct Policy and the relevant Procedures.

1. The right to be treated with dignity, respect and sensitivity by University officials during all phases of the process.
2. The right to experience a housing, educational, and work environment free of Sexual Harassment and/or Prohibited Conduct.
3. The right not to be discouraged by University officials from reporting an alleged incident to law enforcement.
4. The right to have complaints investigated and/or resolved in substantial accordance with the Procedures.
5. The right to procedures and resolutions that are prompt, impartial, and equitable.
6. The right to receive information, in writing, of available on and off campus counseling and support services.
7. The right to be notified, in writing, of the availability of supportive measures.
8. The right to request that the University put in place a "No Contact Order" and be enforced if implemented.
9. The right, where possible, to not be negatively impacted by the supportive measures employed by the University.
10. The right to be provided regular updates about the status of a complaint.
11. The right to refuse to have a complaint resolved through Voluntary Resolution.
12. The right to receive timely written notice of the date, time, and location of each hearing, meeting, or interview that you are required or permitted to attend.
13. The right to be accompanied to any related meeting or proceeding by the advisor of your choice, who may be, but is not required to be, an attorney.
14. The right to access an attorney paid for by the Maryland Higher Education Commission. (for students only).
15. The right to be represented by an advisor provided by the University, free of charge, during the live hearing to resolve allegations of Sexual Harassment.
16. The right to have a support person of your choice present at any meeting or proceeding.
17. The right to not face disciplinary action for consumption of alcohol or drugs at or near the time of the alleged incident if your participation in the process is in good faith and the violation was not an act that was reasonably like to place the health or safety of another individual at risk.

18. The right to be free from retaliation and to report any retaliatory conduct to the Title IX Coordinator by email, mail, facsimile, or in person.
19. The right to challenge an individual designated by the University to investigate and/or resolve the complaint based upon a conflict of interest.
20. The right to have the complaint investigated and/or resolved by individuals who have received appropriate training.
21. The right to access the case file and evidence regarding the incident obtained by the University during the investigation or considered by the University's adjudicating official or body, with personally identifiable or other protected information redacted as required by applicable law; 22. The right to an opportunity to offer testimony at a hearing or, in the alternative, to the University's adjudicating official or body.
23. The right to an opportunity to submit evidence, witness lists, and suggest specific questions to be posed to the Respondent during the investigation, or suggest specific questions to be posed to the Respondent during the live hearing to resolve allegations of Sexual Harassment.
24. The right to be free from direct questioning by the Respondent during any part of the process.
25. The right to not have irrelevant prior sexual history considered during the investigation and resolution process.
26. The right to an opportunity to review testimony electronically or in a way in which you and the Respondent are not required to be in the physical presence of one another.
27. The right to an opportunity to review and provide written responses to draft and final investigation reports.
28. The right to an opportunity to participate at a hearing without being required to be in the physical presence of the Respondent.
29. The right to timely written notice of the final determination made by the University and the basis for the determination.
30. The right to timely written notice of any sanction imposed on the Respondent.
31. The right to appeal a determination and/or sanction imposed on the Respondent.
32. The right to meet with the University's Title IX Coordinator at any point in the process.