

Allegany College of Maryland
STUDENT & LEGAL AFFAIRS – Title IX

PROCEDURES: RESOLUTIONS / CONSEQUENCES
SEXUAL MISCONDUCT & SEX DISCRIMINATION POLICY

When a report/complaint of sexual misconduct or sex discrimination is received, the College shall take action in accordance with procedures. Resolutions and/or consequences shall be determined on a case-by-case basis by the Title IX Coordinator and/or investigators in consultation with appropriate ACM personnel and policies. These resolutions and/or consequences shall be independent of any criminal and/or civil proceeding in a court of competent jurisdiction.

Possible Resolutions at Intake Assessment:

- Intake Assessment indicates the complaint/report is a Title IX matter requiring further action.
- Intake Assessment indicates the complaint/report is a Title IX matter that can be resolved informally w/consent of parties.
- Complainant declines action or requests interim measures *only* and if supported by ACM (eg., no ongoing threat or risk to others):
- Insufficient information to proceed.
- Intake Assessment indicates the complaint/report is not a Title IX matter.
- Referral is for an informational/prevention consultation only.

Possible Resolutions after Preliminary Inquiry

Standard: Reasonable cause based upon sufficient, substantiating evidence*

*Rules of evidence for court do not apply.

» If there is sufficient information to find that sexual misconduct or sex discrimination may have occurred, the College can implement either an informal or a formal resolution. Informal resolutions are possible, particularly if both parties agree. Sometimes, informal resolution is not possible or recommended; then a Formal Investigation will occur.

Formal Investigation

- Determine: can the investigation be completed internally or does it require an outside investigator (typically can be completed internally unless there is a clear conflict of interest among qualified investigators, the scope of the allegations exceed internal resources, or the matter also includes systemic allegations against the institution itself)
- Student or employee is found not responsible for violating the policy. The matter is closed w/o consequences or adverse action.
- Student or employee is found responsible for violating the policy; possible consequences identified below.

Possible Consequences to Students found responsible for violating this policy:

Probation with Special Conditions
Suspension from Allegany College of Maryland
Dismissal/expulsion from Allegany College of Maryland

Possible Consequences to Employees found responsible for violating this policy:

Probationary employment terminated pursuant to Human Resources policy/procedure
Disciplinary action pursuant to Human Resources policy/procedure
Dismissal pursuant to Human Resources policy/procedure