

Allegany College of Maryland
STUDENT & LEGAL AFFAIRS

FREQUENTLY ASKED QUESTIONS
 SEX-BASED HARASSMENT & SEX DISCRIMINATION POLICY

1.) What is Title IX?

Title IX is federal law that prohibits discrimination against any person on the basis of sex in any education program or activity; sex-based harassment and sex discrimination are forms of discrimination under Title IX. The College's policy and procedures comply with all with all legal mandates under Title IX, Clery Act, Violence Against Women Act, Maryland State Law, and related laws are commonly referred to – collectively – as “Title IX”. Many of the offenses under Title IX are also crimes which can be reported to the police.

Title IX also provides protections for students and employees who are pregnant.

All information related to Title IX may be found at <https://allegany.edu/title-ix/index.html> .

2.) What are the most important things I need to know?

- ✓ Sex-based harassment is a general term that includes sexual assault, stalking, relationship violence, quid quo pro sexual harassment, and hostile environment sexual harassment.
- ✓ Sex discrimination is treating someone differently on the basis of their gender, gender identity, sexual orientation, sex stereotypes, and pregnancy.
- ✓ ACM prohibits sex-based harassment and sex discrimination in all its forms.
- ✓ All students, employees, and persons participating in a College-sponsored program or service are required to comply with Title IX – on **and** off-campus.
- ✓ Any person with knowledge of sex-based harassment and sex discrimination should report it immediately.
- ✓ The College will take the necessary action.
- ✓ ACM prohibits retaliation against any person involved in a Title IX matter.
- ✓ ACM provides protections for students and employees who are pregnant or have experienced certain conditions related to pregnancy.

3.) What do I do if someone tells me they experienced sex-based harassment or sex discrimination?

Students: Listen and be kind; urge the person to report what happened.

Employees: Listen and be kind; unless you have been designated as a confidential employee, you **must** promptly contact the Title IX Coordinator.

4.) To whom do I report sex-based harassment or sex discrimination?

Reports should be made to the Title IX Coordinator who is charged with managing and overseeing all of Title IX. Reports may be made to Campus Safety/Special Police or a College Official who are required to forward the report to the Title IX Coordinator. ACM strongly encourages all persons with knowledge of any misconduct to contact the Title IX Coordinator.

5.) Who is the Title IX Coordinator?

Dean of Student & Legal Affairs: Dr. Renee Conner
 (301) 784-5206 / rconner@allegany.edu / College Center #12

6.) What will happen after a report is made?

The Title IX Coordinator will contact the Complainant with information about the policy and the process, gather preliminary information about what happened, determine what supportive measures are needed, and discuss options with the Complainant (*ie., the person reportedly harmed by misconduct*). Sometimes, matters can be resolved informally. Sometimes, matters require a formal investigation. If there is a formal investigation by Campus Safety/Special Police, the parties will be notified in writing of the allegations and the process. Interviews will be conducted, evidence will be collected, and a detailed report will be written. The Respondent (*ie., the person accused of misconduct*) is presumed innocent and can only be found responsible if the allegation is proven; the standard of proof is preponderance of the evidence. The parties are treated equally throughout the process. Based on the report and any hearing, the Title IX Coordinator (in consultation with other Title IX Team Officials as needed) will determine if the Respondent violated policy and, if so, what the appropriate consequence(s) will be.

7.) Will the police be involved?

Maybe. ACM strongly encourages *any* crime to be reported to local law enforcement; ACM will assist Complainants in contacting police, but Complainants will not be compelled to pursue criminal charges. The Complainant may also seek a court order of protection if needed. Any police or court process is entirely separate from the College's Title IX process. (NOTE: ACM strongly urges complainants to get necessary medical treatment; doing so will not automatically involve the police. In sexual assault cases, a PERK exam can be completed without police notification.)

8.) Will the campus be notified that sexual misconduct or sex discrimination occurred?

Probably not – unless a Timely Warning is issued because of a continuing danger to the campus community. Generally, ACM will honor confidentiality to the greatest extent possible to protect the privacy of the people involved, the rights of the Complainant and the Respondent, and the integrity of the process.

9.) Will the accused person be removed from campus?

Maybe. ACM's top priority must be to stop the sex-based harassment or sex discrimination, to prevent its recurrence, and to remedy any harmful effects. Therefore, in some situations, a person accused of misconduct may be removed from campus as an interim safety measure. Factors to be considered include the nature of the complaint and any continuing risk of harm to the Complainant, other person, or the campus generally. Any student or employee removed on an interim basis has the right to challenge that decision and seek reinstatement.

10.) What if someone starts talking about me or harassing me over this?

Report any concerns you have about what other people say/do to the Title IX Coordinator right away. The College, this policy, and the law do not permit retaliation. Steps will be taken to preserve the privacy of the parties, their ability to participate in programs/services, and the integrity of the process.

11.) What do I do if I am pregnant or someone tells me they are pregnant?

Students: Listen and be kind; urge the person to contact the Title IX Coordinator.
Employees: Listen and be kind; unless you have been specifically designated as a confidential employee, you **must** promptly contact the Title IX Coordinator.