

Allegany College of Maryland

STUDENT & LEGAL AFFAIRS

TITLE IX PROCEDURE: RIGHTS AND RESPONSIBILITIES

SEXUAL HARASSMENT & SEX DISCRIMINATION POLICY

Rights for *both* Complainant and Respondent:

- For the College to take appropriate steps to stop any sex-based harassment or sex discrimination
 - For the College to take appropriate steps to prevent any sex-based harassment or sex discrimination from recurring.
 - For the College to take appropriate steps to stop to remedy any harmful effects via safety and/or supportive measures.
A detailed list of possible supportive measures is available; supportive measures are determined on a case-by-case basis and will be provided when possible.
 - To receive free counseling via the Student Counseling Program or Employee Counseling Program
 - For your privacy/confidentiality and legal rights to be protected to the greatest extent possible
 - To be free from retaliation by any person
 - To consult an Advisor of your choosing who *may accompany* you to any formal resolution proceeding but who *may not participate* in any proceeding. You are welcome to consult this person at any time in private. (Recommended: your advisor/support person should **not** be a **party** or witness in the matter.)
*There are additional options related to having an attorney. See Rights Pursuant to Maryland Law and Disciplinary Proceedings Pursuant to Maryland Law for details.
 - For the matter to be handled via informal resolution where appropriate. (See [Informal Resolution Procedures](#))
 - To be informed if a formal complaint is dismissed pursuant to law/policy.
 - To appeal interim suspension and/or complaint dismissal.
 - To receive written notification *if/when* a formal resolution begins, and to receive timely updates as appropriate.
 - To have a formal investigation concluded within a reasonable period of time and to be informed of necessary delays
 - To have information about procedures related to a formal resolution including investigation, decision-making, and appeals. (See [Formal Resolution Procedures](#))
 - To have access to information that will be used in decision-making.
 - To participate in a live hearing. (See [Formal Resolution Procedures](#))
 - To receive written notification of the findings – including any sanction(s) and to appeal the outcome if criteria are met.
 - Parties and witnesses shall not be subject to disciplinary action for drug/alcohol violations IF (a) violation occurred during/near time of assault, (b) assault report/participation is in good faith, and (c) violation was “not an act that was reasonably likely to place the health or safety of another individual at risk”
 - Parties are free to pursue criminal remedies.
 File a police report and/or contact Campus Security if feel unsafe or if are the victim of a crime. The College will not take a position regarding any criminal case but will cooperate with law enforcement investigations and will respond to court-issued filings as appropriate. You can also seek a peace/protective order and/or file criminal charges by contacting the Court Commissioner at (301) 723-3150 or go directly to the office to file charge(s) at 123 S. Liberty Street (First Floor) Cumberland. Hours are 7am-6am Monday-Friday and 8am-4pm Saturday/Sunday.
*Pennsylvania law enforcement authorities can direct PA complainants to the appropriate court agent.
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| Cumberland City Police Department | (301) 777-1600 |
| Allegany County Sheriff's Office | (301) 777-5959 |
| Maryland State Police | (301) 729-2101 |
| Bedford County, Pennsylvania State Police | (814) 623-6133 |
- Parties are free to pursue civil remedies. You may contact your own attorney about how to file a lawsuit or contact your local courthouse for detailed information about lawsuits. The College will not take sides in civil litigation but will respond to court-issued filings as appropriate.

Responsibilities of *both* Complainant and Respondent:

- To cooperate with all proceedings so the process can be fair, accurate, and thorough.
 - To be truthful.
 - To comply with any directives/orders.
 - Investigation: To provide a written statement, participate in an interview, and share any relevant evidence you may have with the Investigators. Participation is expected within 2 weeks of notification of the investigation.
 - Hearing: To participate by offering testimony and answering questions.
 - To ask questions if you do not understand something.
 - To report any new concerns or problems – particularly any retaliation.
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