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 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 witness in the matter.) Parties are informed of the other Party's Advisor. Advisors may NOT contact the other Party or their Advisor; any desire to reach a mutual agreement must go through the Title IX Coordinator. What you share privately with your Advisor is confidential with limited exceptions: disclosure of child/abuse neglect and disclosure of an ongoing danger or risk of harm to any person. Where such risks must be reported (ACM employees are mandated reporters), Party may select a different advisor.
  **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 appeal criteria.
- 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.

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.

Rights Pursuant to Maryland Law / Disciplinary Provisions Pursuant to Maryland Law : see separate, comprehensive documents.