

Allegany College of Maryland
STUDENT & LEGAL AFFAIRS – Title IX

PROCEDURES: RIGHTS & RESPONSIBILITIES
SEXUAL HARASSMENT & SEX DISCRIMINATION POLICY

For both Complainant and Respondent

Rights:

- For the College to take appropriate steps to stop any sexual harassment or sex discrimination
- For the College to take appropriate steps to prevent any sexual 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 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 college proceeding but who *may not participate* in meetings or the investigation; you are welcome to consult this person at any time in private. Exception: disciplinary hearings where your advisor cross-examines the other party and any witnesses. You must provide the name and title (if any) of your advisor to the Title IX Coordinator one business day before any meeting. (Recommended: your advisor/support person should **not** be a party or witness in the matter.) For details, see the information sheet about Roles/Advisors for detailed information as well as the information sheet about Rights pursuant to Maryland.
*There are additional options related to having an attorney. See Rights Pursuant to Maryland Law and Disciplinary Proceedings Pursuant to Maryland Law for details.
- To receive written notification when a formal investigation begins, and to receive timely updates as appropriate.
- To have the investigation concluded within a reasonable period of time
- To have information about procedures related to investigations, hearings, and appeals.
- To have access to information that will be used in decision-making.
- 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.

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

- To cooperate with the investigation so it can be fair, accurate, and thorough.
- To be truthful.
- To comply with any directives/orders issued for safety reasons.
- To report any new concerns or problems – particularly any retaliation.
- To promptly notify the Title IX Coordinator if there is a conflict of interest or bias with the assigned Investigators or Hearing Officers.