INFORMATION FOR RESPONDENTS

The purpose of this form is to ensure that people reported as engaging in sexual harassment – defined as “respondents” under the Policy Against Sexual Harassment (the Policy) – are aware of their rights and important resources.

APPLICABLE POLICY AND PROCEDURES

The College’s Policy and grievance procedures apply to this complaint, and you have options for the investigation and resolution of the complaint. Complaints against students, faculty, staff, and contractors will be reviewed in accordance with the Policy and the Grievance Process to Resolve Complaints of Sexual Harassment.

A formal resolution process, an informal resolution process and supportive measures are all available to you. Choosing one type of resolution process does not prevent you from accessing the other options at any point during the process.

Please review the statements listed below/on the right and be sure that you understand each of them.

KEY:
The person reported to have experienced sexual harassment is defined as a “complainant,” under the Policy, and is entitled to similar rights and information.

YOUR RIGHTS

• To be treated with dignity, respect, and sensitivity by Title IX personnel at the College.
• To a fair and impartial investigation process.
• To formal investigations, hearings, and informal resolutions that are prompt, equitable, and provide opportunities for both parties to be heard.
• To have timely written notice of:
  • The alleged policy violation and the range of possible sanctions.
  • Your rights and responsibilities under the policy.
  • Information about other civil and criminal options.
  • The date, time, and location of each meeting, interview, or hearing that you are required or permitted to attend.
  • A final determination in a formal investigation and hearing regarding whether a policy violation occurred and the basis for that determination, as well as any sanction imposed and your right to an appeal.
• To have the assistance of an attorney or advocate supervised by an attorney, as well as a personal supporter of your choice. See Attorney, Advocates, Advisers.

TITLE IX PERSONNEL

Michael Dunn, Assistant Vice President of Equity and Inclusion/Title IX Coordinator: 240-895-4105, mkdunn@smcm.edu, Lucille Clifton House
Shannon Jarboe, Deputy Title IX Coordinator: 240-895-4309, skjarboe@smcm.edu, Glendening 170
Helen Ann Lawless, Assistant Director - Title IX Office: 240-895-4195, hlawless@smcm.edu, Lucille Clifton House

For more information, please review the policy and the appropriate procedures on the Title IX Office webpage (https://www.smcm.edu/title-ix/).
FORMAL INVESTIGATIONS

The formal investigation is designed to provide a fair, impartial, and reliable gathering of the facts. All individuals interviewed during the investigation, including the parties and any witnesses, will be treated with appropriate sensitivity and respect. The investigation will safeguard the privacy of the individuals involved as much as possible, consistent with the need for a full assessment of the facts.

Throughout the investigation and adjudication process, the College will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

At the hearing, the College will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

The Title IX Coordinator will keep the parties informed of the status of the investigation. The College will strive to complete the formal investigation process in a timely manner and will strive to schedule and conduct the hearing within a reasonably prompt time frame after the completion of the investigation.

INFORMAL RESOLUTION

An Informal Resolution is a voluntary resolution process to which the Complainant, the Respondent, and the Title IX Office all must agree. The College does not require the parties to participate in an informal resolution process. There must be a formal complaint on file before the College can offer an informal resolution. The College may facilitate an informal resolution at any time, even after the initiation of a formal investigation, if the parties agree to it.

This option is only available for reports that do not involve sexual assault (except in the case of dating violence) or an employee respondent. When an informal resolution is implemented, the College will provide the parties with written notice of all of the details of the resolution.

An Informal Resolution might include, but is not limited to, non-disciplinary remedies such as:

- Implementing agreed upon supportive measures;
- Providing training or counseling to an individual or group;
- Having an informal discussion with the respondent;
- Requesting a written apology from the respondent;
- Increasing monitoring or security at specified locations; or
- Facilitating a confidential conversation between the parties; and
- Any other remedy that can be tailored to the parties to achieve the goals of the policy.

SUPPORTIVE MEASURES

The Title IX Office can help facilitate access to supportive resources to anyone involved with a Title IX issue. You may request supportive measures, remedies, and accommodations, such as:

- no-contact orders;
- access to counseling services;
- academic accommodations and support services;
- change in housing, class assignments or office location;
- changes in work schedule, job assignments or supervisor(s);
- assistance with visas or immigration documents;
- student financial aid services; and/or
- Public Safety escort services.

There are additional services available to you on campus and in the community. Local resources for counseling, advocacy, health, mental health, and legal assistance including the following:

CONFIDENTIAL RESOURCES

There are several legally protected confidential resources available if you are seeking information and support or do not wish to make a report to the College. These confidential resources won’t share your information with the College or anyone else without your permission.

SMCM 24/7 Counseling Helpline: 240-895-4200
SMCM Counseling and Psychological Services: 240-895-4289

LOCAL RESOURCES

Public Safety: 240-895-4911 or x4911 from any campus phone
St. Mary’s County Sheriff’s Office: 301-475-8008, firstsheriff.com

RESOURCE INFORMATION

ATTORNEYS, ADVOCATES, ADVISERS

You have the right to be assisted by an attorney or an advocate supervised by an attorney, as well as a personal supporter of their choice, through an investigation and adjudication process.

The Maryland Higher Education Commission (MHEC) provides for licensed attorneys who have indicated that they will represent complainants or respondents (who are current students or were students at the time of the underlying alleged sexual misconduct), in Title IX proceedings on a pro bono basis or for reduced legal fees.

Parties who seek representation from an MHEC-identified attorney may visit the MHEC webpage: https://mhec.maryland.gov/Pages/Title-IX-Campus-Sexual-Assault-Proceedings.aspx

The list of attorneys available through MHEC may be found here: https://mhec.maryland.gov/Pages/Title-IX-Campus-Sexual-Assault-Proceedings—Advisor-List.aspx

DISABILITY ACCOMMODATIONS

A student who has a disability that necessitates special assistance may be entitled to reasonable accommodations when that student is involved in any process related to the Policy Against Sexual Harassment. For more information, please contact the Office of Accessibility Services (adasupport@smcm.edu, 240-895-4388, Glendening 230).

RETAILATION

Retaliation means intimidating, threatening, coercing, discriminating against, or otherwise taking an adverse action against an individual involved in a Title IX Process.

Anyone who retaliates against the complainant, respondent, or anyone who participates in a sexual harassment investigation will be subject to disciplinary action. Any incidents of retaliation should be reported to the Title IX Office.