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 **participate** in a formal investigation.
- 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.

St Mary's College of Maryland
The National Public Honors College

PREVENTION

INFORMATION FOR COMPLAINANTS

TITLE IX PERSONNEL

Michelle Carter, Assistant Vice President of Equity & Inclusion, Title IX Coordinator;
titleix@smcm.edu, 240-895-4105, Lucille Clifton House

Shannon Jarboe, Deputy Title IX Coordinator:
240-895-4309, skjarboe@smcm.edu, Glendening 170

REQUEST FOR CONFIDENTIALITY

You may request that your name or other identifiable information not be shared, or that no formal action against the Respondent be taken.

When evaluating a Complainant's request for confidentiality, the Title IX Coordinator will make every effort to respect this request. The Title IX Coordinator will evaluate this request in the context of the College's responsibility to provide a safe and non-discriminatory environment for all students. If the request for confidentiality is granted, the College's ability to investigate may be limited. If you request confidentiality or ask that no formal action be taken, you may change your mind at any time. In the event that you change your mind, you may contact the Title IX Coordinator to initiate an investigation or an informal resolution process.

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

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PREVENTION

INFORMATION FOR COMPLAINANTS

The purpose of this form is to ensure that people who report having experienced sexual harassment – defined as "**complainants**" 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 on the right and be sure that you understand each of them.

KEY:

The person reported as engaging in sexual harassment is defined as a "respondent," under the Policy. Both the complainant and respondent are entitled to similar rights and information.

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 above 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 Counseling and Psychological Services: 240-895-4289

LOCAL RESOURCES

Public Safety: 240-895-4911 or x4911 from any campus phone

Maryland Coalition Against Sexual Assault: https://mcasa.org/

Sexual Assault Legal Institute: https://mcasa.org/survivors/sali

RAINN National Sexual Assault Hotline: 800-656-4673, https://www.rainn.org

St. Mary's County Sheriff's Office: 301-475-8008, firstsheriff.com

RESOURCE INFORMATION

MEDICAL ATTENTION

If you are sexually assaulted, you may wish to **seek medical attention** for possible injuries and to check for injuries you may not be able to see. In addition to obtaining care for yourself, seeking medical attention **allows for the collection and preservation of evidence**. Know that collecting evidence does not commit you to following through with a law enforcement process, but gives you the option to do so.

In most cases, DNA evidence will need to be collected **within 72 hours**, but some Sexual Assault Forensic Exams (SAFE) can be accessible for up to 15 days after an incident. SAFE exams are **free** and **you have the choice to remain anonymous**. SAFE exam reports are **not shared** with the College unless you authorize the hospital conducting the exam to do so.

To request transportation to the hospital for medical attention related to a sexual assault, contact:

Public Safety
240-895-4911 or x4911 from any campus phone

SAFE exams: https://www.rainn.org/articles/rape-kit

LAW ENFORCEMENT & LEGAL SYSTEM RESOURCES

You may notify law enforcement of a complaint and **the College can assist** you in contacting the Sheriff's Office. Anyone who commits sexual harassment in violation of federal, state, or local laws may also be subject to criminal charges.

St. Mary's County Sheriff's Office 911 or 301-475-8008

Maryland State Police, Leonardtown Barracks 301-475-8955

You may also file for a **Protective Order** or **Peace Order** through the local District or Circuit Court. Peace and Protective Orders are **civil orders issued by a judge** that order one person to refrain from committing certain acts against others. The College and local law enforcement **can assist you** in this process.

St. Mary's County - Circuit Court
41605 Courthouse Drive
Leonardtown, MD 20650
301-475-7844

The College investigation and hearing, process is independent of any criminal investigation or proceeding. **Sexual harassment may violate the College Policy, even if it is not found to violate the law.**

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---Attorney-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).

RETALIATION

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.