

Rights of the Parties

The following are the rights that can be expected by all parties in a Title IX Complaint.

1. The right to an equitable, fair and unbiased investigation and resolution of all credible allegations of prohibited sexual harassment/discrimination that are made in good faith to a college Title IX Coordinator or to an Official with Authority.
2. The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions available if a policy violation is determined to have taken place.
3. The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations or additional Complainants) and any attendant adjustments needed to clarify potentially implicated policy violations.
4. The right to not have any personally identifiable information released to the public without consent, except to the extent permitted by law.
5. The right to be treated with respect by College and/or District officials and afforded the presumption of innocence.
6. The right to have College and/or District policies and procedures followed without material deviation.
7. The right to be free from undue pressure to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
8. The right to not be discouraged by College and/or District officials from reporting sexual misconduct or discrimination to both on-campus and off-campus authorities.
9. The right to be informed by College and/or District officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by College and/or District authorities in notifying such authorities, if the party so chooses. This also includes the right to not be pressured to report, as well.

10. The right to have allegations of violations of this Policy responded to promptly and with sensitivity.
11. The right to request and be granted a College and/or District-implemented no-contact order or a no-trespass order against a non-affiliated third party, when someone has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct that presents a danger to the welfare of the party or others.
12. The right to be informed of available supportive measures, such as changing academic, and/or working situations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either campus or criminal, needs to occur before this option is available.
13. The right to have the College and/or District maintain such supportive measures for as long as necessary and for the supportive measures to remain private, provided privacy does not impair the College and/or District's ability to provide the supportive measures.
14. The right to receive sufficiently advanced written notice of any meeting or interview involving the other party, when possible.
15. The right to provide the Decision-maker with a list of questions that, if deemed relevant by the Decision-maker, may be asked of any party or witness. This should occur on the day of the hearing.
16. The right not to have irrelevant prior sexual history or character admitted as evidence.
17. The right to know the relevant and directly related evidence obtained by investigators and to respond to that evidence.
18. The right to a fair opportunity to provide the Investigators with their account of the alleged misconduct and have that account be included in the investigatory record.
19. The right to receive a copy of the investigation report. The investigative report should include all factual, policy, and/or credibility analyses performed, and all relevant and directly related evidence used to produce the investigation report—subject to the privacy limitations imposed by state and federal law. This right includes the right to have at least ten (10) business days to review the report prior to the hearing.

20. The right to respond, in writing, to the investigation report, which includes providing comments as well as any additional relevant evidence, and to have that response on the record.
21. The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
22. The right to regular updates on the status of the investigation and/or resolution.
23. The right to have reports of alleged Policy violations addressed by Investigators, Title IX Coordinators, and Decision-maker(s) who have received the required training as outlined in the Title IX regulations.
24. The right to preservation of privacy, to the extent possible and permitted by law.
25. The right to petition that any College and/or District representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
26. The right to have an Advisor of your choice to accompany and assist the party in all meetings and/or interviews associated with the resolution process.
27. The right to have the investigator, Title IX Coordinator, and Decision-maker use the preponderance of the evidence standard to make a finding after an objective evaluation of all relevant evidence.
28. The right for the Complainant and Respondent to be present, including presence via remote technology, during all testimony given and evidence presented during the hearing.
29. The right to have an impact statement considered by the Decision-maker following a determination of responsibility for any allegation, but prior to sanctioning.
30. The right to be promptly informed in a written Notice of Outcome letter of the finding(s) and sanction(s) of the resolution process and a detailed rationale therefor (including an explanation of how credibility was assessed), delivered simultaneously (without undue delay) to the parties.
31. The right to be informed, in writing, when a decision by the Decision-maker is considered final and any changes to the sanction(s) that occur before the decision is finalized.

32. The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by the College and/or District.

33. The right to a fundamentally fair resolution, as defined in these procedures.