

Sexual Harassment Title IX Policy
Respondent's Rights and Options

Stevenson University believes that members of the University community have the right to be free from acts of sexual misconduct, relationship violence, and stalking. Accordingly, all members of the Stevenson community and all visitors, regardless of sex, gender, sexual orientation, gender identity, or gender expression are advised that any sexual misconduct by any student, employee, or third party is prohibited.

The purpose of this document is to make individuals who are accused of violations of Stevenson University's Sexual Harassment Title IX Policy aware of their rights.

Stevenson University's full policy on sexual misconduct, relationship violence, and stalking is available online at www.stevenson.edu/sexualmisconduct as well as on the SUNow Portal under "Policies and Procedures" located in the navigation menu.

Complainant: the person reporting sexual misconduct

Respondent: the person being accused of sexual misconduct

1. You have the right to be notified of the charges that have been made against you.

2. You have the right to speak confidentially to Stevenson's Mental Health Counselors and Health Care Professionals located in the Wellness Center. The mental health counselors and health care professionals are available to provide confidential counseling and support to you and they can also assist you with community referrals. Stevenson's Wellness Center can be reached at 443-352-4200. After normal Wellness Center hours, students may call FONEMED at 800-245-4691 to speak to a clinician about emotional, academic, relationship, drug, or other issues. FONEMED is available 24/7 and there is no charge to students. Employees may call BHS, the Employee Assistance Program provider, at 800-327-2251. BHS is available 24/7 at no charge to employees.

3. You have the right to expect that Stevenson will keep your name and other information related to your case as confidential as reasonably possible. While Stevenson will make good faith efforts to provide confidentiality to the parties in sexual misconduct matters, the University is not able to ensure total confidentiality. Stevenson will be as discreet as reasonably possible in conducting the investigation, limiting the disclosure of confidential information to individuals who are believed to have a legitimate basis for needing to have that information for that part of the investigation, or when Stevenson is required to respond to legal process, or when the University's need to protect the safety of others outweighs confidentiality concerns. Any decision regarding the release of confidential information, and to whom, will be made by Stevenson University's Title IX Coordinator (or designee) in consultation with the Director of Security (or designee).

4. You have the right to appeal an Emergency Removal decision against you. The University may elect to remove a respondent from an education program or activity if the University conducts an individualized safety and risk analysis and determines the respondent poses an imminent threat to the physical health or safety of anyone justifying removal so long as the threat arises from the allegations of sexual harassment. Respondents who are removed under this provision may immediately challenge this removal by appealing to the Vice President of Student Affairs.

- 5. You have the right to a prompt, fair, and impartial campus investigation and resolution of the complaint made against you.** The investigation will be conducted by Stevenson officials who receive annual training on issues related to sexual misconduct, relationship violence, and stalking. You, and the complainant, will have the same opportunity to present pertinent records, exhibits, and witness statements as evidence for consideration at the discretion of the investigators. You will be treated with dignity, respect, and sensitivity by officials of the University throughout the investigative proceedings.
- 6. You have the right to receive updates on the status of the complaint while the University is investigating the matter.** Stevenson will make reasonable efforts to complete an investigation within 60-90 days. In instances where the University requires more time, you will be notified of the need for extended time.
- 7. You have the right to expect a presumption of “not responsible” unless you are found responsible based on a preponderance of evidence standard (i.e. more likely than not to have occurred standard).**
- 8. You have the right to bring an advisor of your choice to any meeting or disciplinary hearing during the course of the University’s investigation. You also have the right to seek legal assistance.** You may be accompanied throughout the disciplinary proceedings, including the investigation, hearing and appeal process, by an advisor of your choice who agrees to keep the matter confidential. Advisors may include, but are not limited to, a licensed attorney. The purpose of the advisor is to provide advice to you in a quiet manner that is not disruptive to the proceedings. The advisor may not provide verbal, written, or other input during meetings or interviews in the investigation or appeal process other than to the student or employee being advised. An advisor cannot serve as a witness on the same complaint. You are limited to no more than two advisors (absent an approved disability accommodation) at any hearing, meeting or interview during the disciplinary proceedings.

In accordance with Maryland Law, legal counsel paid for by the Maryland Higher Education Commission (MHEC) is available for a current or former student who makes a complaint on which a formal Title IX investigation is initiated, or a current or former student who responds to a complaint in which a Title IX investigation is initiated. In order to qualify, the party must have been enrolled as a student at Stevenson at the time of the incident that is the basis of the complaint.

MHEC has developed a list of attorneys and legal services programs willing to represent students on a pro bono basis or at fees equivalent to those paid to attorneys under civil legal services programs administered by the Maryland Legal Services Corporation (MLSC). You may select an attorney from the list. You may select and retain an attorney prior to the conclusion of the formal Title IX proceedings. If you select and retain an attorney who is not on the list, MHEC must pay fees to the attorney selected by you that are equivalent to those paid to attorneys under civil legal services programs administered by MLSC. Further information is available on the MHEC website (<https://mhec.maryland.gov/Pages/Title-IX-Campus-Sexual-Assault-Proceedings.aspx>).

- 9. You have the right to contact the Office of Accessibility & Disability Services (ADS) to establish eligibility and determine reasonable accommodations based on the potential impact of a disability.** Examples of reasonable accommodations may include auxiliary communication aids, interpreters, and materials in alternate format. Stevenson University has no obligation to provide any accommodation(s) until a student has established eligibility with ADS. Accommodation(s) will not be made retroactively. To discuss possible accommodation needs please contact ADS, 443-352-5320 or ads@stevenson.edu.

10. You have the right to amnesty for drug or alcohol use related to the complaint. The University will not institute disciplinary sanctions for your own personal consumption of drugs or alcohol related to the incident as long as any such violations did not place the health or safety of any other person at risk. Stevenson may pursue other educational remedies regarding the use of alcohol and illegal drugs. This amnesty policy also applies for students who serve as a witness to an incident of sexual misconduct.

11. You have the right to be made aware of the possible sanctions that may be imposed against you should you be found responsible. Sanctions may include, but are not limited to, verbal or written warnings; loss of rights or privileges; requirement to attend coaching or training sessions or to receive counseling or other support; changes to the respondent's living arrangements; and academic, social or other probation, suspension, or expulsion from activities, residence halls, academic classes, programs, schools, or the University.

12. You have the right to review a preliminary investigative report that fairly summarizes relevant evidence. You will have 10 calendar days to review the preliminary report and suggest corrections, after which the University will prepare a final investigative report. The final report will be provided to each party at least 10 calendar days prior to a hearing.

13. You have the right to have a University-appointed advisor with you at a hearing, if you do not already have an advisor. The advisor will be the only person permitted to ask the other party and any witnesses questions and follow-up questions.

14. You have the right to be notified of the outcome of the campus hearing and the discipline, if any, that the institution has imposed. You will also be notified of the appeals procedures and, if utilized, you have the right to be notified of the appeals outcome. The hearing officer(s) will base the decision on the evidence presented and witness testimony, and will use preponderance of the evidence in reaching the decision (i.e. more likely than not to have occurred standard).

Policy Against Retaliation:

Stevenson considers retaliation against the complainant or others involved in the process to be as serious as an act of sexual misconduct. Retaliation of any kind against any person, who in good faith reports sexual misconduct, assists another in making a complaint, participates in an investigation, or provides information in connection with a complaint or investigation, is prohibited. Good faith initiation of a complaint of sexual misconduct will not adversely affect a complainant's grades, class selection, or any other matter pertaining to student status, or in the case of employees, the individual's employment, compensation, or work assignment. Someone who believes that they are a victim of retaliation, or is aware of someone else who is the victim of retaliation, is encouraged to report this immediately to either the Title IX Coordinator (443-334-2176) or Stevenson's Security Office (443-352-4500).

You may contact David C. Jordan, Stevenson University's Title IX Coordinator, if you have any questions or concerns about any of the information presented in this document. Mr. Jordan may be contacted at 443-334-2176, dcjordan@stevenson.edu, or in his office located in Manuszak Center 130 on the Greenspring Campus.