

Sexual Assault, Relationship Violence, and Stalking Rights of Responding Party¹

If you have been accused of a sexual offense, including sexual assault, relationship violence or stalking, or harassment you, the responding party, have certain rights under [Goucher's Policy on Sexual Misconduct, Relationship Violence and Stalking](#). These rights are listed below for your information. The complete Goucher College policy is available online.

1. **You have the right to be notified of the charges against you** in writing and in person (if feasible).
2. **You have the right to a prompt, fair, and impartial investigation of the complaint against you**, including an opportunity equal to that of the reporting party to present relevant witnesses and other evidence. You may present documents, the names of witnesses, and other evidence to the investigators. You may not be present for the reporting party's interview unless the reporting party consents, and vice versa. The investigators may also interview other witnesses and consider other evidence. You also have the right to review the case file compiled during the investigation, with personally identifiable information redacted as required by law. You may offer testimony to the college's decision panel. You may be accompanied by no more than two individuals at any meeting (advisor and advocate or attorney as described below), hearing or interview during the complaint process.
3. **You will not be considered responsible for violating Goucher's policy unless determined to be responsible by a preponderance of the evidence**, pursuant to the process described in the policy. Nevertheless, at the reporting party's request, the college may take action to change the housing assignment of the reporting party, change a class assignment of the reporting party, issue a no-contact order (prohibiting your contact or access to the reporting party's residence hall or work area), or change a working relationship (office assignment or reporting relationship) so that you will be separated from the reporting party to the greatest extent possible. The accommodations provided to the reporting party will be maintained confidentially to the extent that maintaining such confidentiality will not impair the ability of the college to provide the accommodations. None of these actions will be considered in determining whether you are responsible for the alleged offense or otherwise prejudice you under that process.

In addition, the college may place you on [interim separation](#) if it determines that your presence on campus may pose an ongoing risk of harm to the safety or wellbeing of an individual or members of the campus community. Pending resolution of the complaint, you may be denied access to campus. During interim separation, you may continue coursework, as reasonably possible, as outlined in the interim separation letter; the Title IX Office can assist you with making accommodations with your professors.

¹ Note that different procedures apply when an employee is accused under the policy. These procedures are described in the policy, and the Title IX Coordinator can explain them to you.

4. **You have the right to contact a confidential consultant** for support and advice. You may contact any of the following confidential consultants: Student Counseling Center, 410-337-6481; Chaplain, 410-337-6048, Hillel rabbi, 410-337-6545. Additional resources for counseling and assistance, both on and off campus, are listed in the policy.
5. **You have the right to an advisor of your choice to support and accompany you throughout the college's informal or formal procedure.** Advisors may assist a party with understanding the investigation process and preparing for interviews and meetings; attend interviews and meetings with the party; review any written appeals or other statements prepared by the party; provide emotional support; and otherwise assist and support the party as the party moves through the process. Advisors may not speak on behalf of the party at any interviews or meetings or through any written documents, but are permitted to privately consult with you during hearings, meetings and interviews, as needed. Advisors should consult with the Title IX coordinator on any questions that arise during the process.

The Title IX coordinator maintains a list of staff and faculty advisors who have been specifically trained in this policy and process, including available support services related to sexual misconduct, relationship violence, and stalking. This list is available to any party who would prefer to use a trained advisor. Note that employees of the college who administer the college's formal procedure and witnesses are not able to serve as advisors.

6. **You have the right to access legal counsel paid for by the [Maryland Higher Education Commission](#) (MHEC)** if you were enrolled at the institution at the time of the incident that is the basis of a formal complaint or informal resolution procedure. As provided by state law, you may select and retain an attorney from the list developed by MHEC, or request reimbursement of fees to another attorney you select that are equivalent to those paid to attorneys under civil legal services programs administered by the Maryland Legal Services Corporation. MHEC will not pay legal fees for representation in a criminal or civil matter.

You may also waive the rights to counsel that are provided by MHEC and retain a private attorney of your choosing and at your own cost. The college does not recommend particular private attorneys, but you may wish to use the referral services of the [Baltimore County Bar Association Lawyer Referral and Information Service](#), which can also provide referrals to attorneys for visa and immigration services.

7. **As a student, you have the right to receive confidential counseling** for support throughout any process. You may receive counseling, free of charge, from Goucher's counselors by contacting the Student Counseling Center. Appointments may be made by calling 410-337-6481 from 9 a.m. to 5 p.m. Monday through Friday.
8. **You have the right to have your name and all information related to the alleged offense kept as confidential as is reasonably possible.** Absolute confidentiality may not be maintained in all circumstances, especially when the college needs to act to protect the safety of others. However, as a general matter, it is recommended that all persons involved in a complaint of sexual assault, relationship violence, stalking, or harassment respect the privacy of the individuals involved and keep the matter as private as is reasonably possible. This does not prohibit you from disclosing information to persons who need to know it in order to participate in or administer the process, and/or to provide support and assistance to you. Your parent(s) or guardian(s) will not be contacted by the college except at your request or in the case of a health or safety emergency.
9. **You may have the right to amnesty for drug or alcohol use related to the complaint.** You will not be subject to disciplinary action under the college's Code of Conduct for your personal

consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not place the health or safety of any other person at risk.

Consumption of drugs or alcohol by the alleged perpetrator, in and of itself, does not relieve a party of responsibility to obtain ongoing consent.

10. **You have the right to know the potential sanctions** that may be imposed against you if you are found responsible for sexual misconduct, sexual assault, relationship violence or stalking under the college's policy. Those sanctions are described in the policy.
11. **You have the right to information regarding the status of your complaint at the college, including the outcome of the campus investigation.** You and the reporting party will be informed, at or around the same time, in writing of the outcome of the investigation, and, you and the reporting party will be advised, at or around the same time, of a) the decision of the decision panel, b) procedures to appeal the decision, c) any change that occurs to the outcome prior to the time that it becomes final, and d) when the results become final. You have a right to receive a summary of the investigators' report and to view, but not copy, the full report upon request; and to receive a copy of the decision of the decision panel upon request, to the extent permitted by the provisions of FERPA and as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act); to appeal the decision to the Appeals Panel, and to receive a copy of the Appeals Panel decision to the extent permitted by the provisions of FERPA and as required by the Clery Act.

You may contact the [Title IX coordinator](#) (located in Alumni House, 410-337-6570) if you have procedural questions or concerns during any stage of the process.