

# Sexual Assault, Relationship Violence, and Stalking Rights of Reporting Party<sup>1</sup>

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If you, the reporting party, report to the Office of Title IX that you have been the victim of a sexual offense, relationship violence, stalking, or harassment you, the reporting party, have certain rights under federal and state law and Goucher’s Sexual Misconduct Policy.

1. **You have the right to a prompt, fair and impartial investigation and resolution of your complaint**, including an opportunity equal to that of the responding party (accused party) to present relevant witnesses and other evidence. You may submit documents, the names of witnesses, and other evidence to the investigators. The investigators may also interview additional witnesses and consider other evidence. You also have the right to inspect and review the case file compiled during the investigation, with personally identifiable information redacted as required by law, and to inspect and review a draft of the investigation report before it is finalized. You may provide information to the college’s Hearing Officer or decision panel in a way that does not require you to be in the physical presence of the responding party. You may be accompanied one individual (advisor, advocate or attorney, as described below) at any meeting, hearing, or interview during the complaint process.
2. **You have the right to contact a confidential consultant** for support and advice, including about whether to file a complaint under Goucher’s policy, and whether to bring criminal charges. You may contact any one of the following individuals to serve as a confidential consultant:

Student Counseling Center	410-337-6481
Student Health Center	410-337-6050
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.

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 you with understanding the investigation process and preparing for interviews and meetings; attend interviews and meetings with you; review any written appeals or other statements; provide emotional support, and otherwise assist and support you throughout the process. Advisors may not speak on behalf of anyone or through any written documents at any interviews or meetings. Advisors are permitted to privately consult with you during hearings, conferences, and interviews, as needed. Advisors should consult with the Title IX coordinator on any questions that arise during the process.

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<sup>1</sup> 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.

The Office of Title IX maintains a current list of staff and faculty advisors trained in this policy and process, including available support services related to sexual misconduct, relationship violence, and stalking. This list is open to anyone 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.

- 3. You have the right to access legal counsel paid for by the [Maryland Higher Education Commission](#) (MHEC) if you are enrolled student 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 choose 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. Still, 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.

- 4. You also have the right to victim advocacy services, including, where applicable, a protective order or peace order.** These services are available at TurnAround Helpline (443-279-0379) and MCASA's Sexual Assault Legal Institute (SALI) (301-565-2277 or toll-free at 877-496-SALI).
- 5. You have the right to notify proper campus and/or law enforcement authorities, to receive assistance in notifying such authorities, and to decline to notify such authorities.** You may make a complaint to college officials for investigation and disciplinary action under procedures outlined in the policy, or you may report to appropriate off-campus law enforcement authorities (including local police) for criminal prosecution or both. If you choose to pursue criminal charges, you may request that a Goucher campus safety officer and/or your consultant or advisor assist you and accompany you when you notify law enforcement officials. You may also decline to notify any authorities about the incident.

If you are considering criminal prosecution, it is imperative to preserve all evidence of sexual assault or other incidents. Procedures for preserving evidence are described in the policy and can be explained to you by a campus safety officer. If you feel more comfortable speaking with a male or female officer about evidence preservation and other matters related to an assault, please advise Campus Safety.

- 6. You have the right to seek a medical examination and treatment.** The Student Health Center provides medical care for all survivors of sexual assault or relationship violence, regardless of gender. The Center can treat students for injuries, test for sexually transmitted diseases, and provide emergency contraception. You may prefer to go to a local hospital that can provide all of the above services and can also collect evidence and perform forensic medical exams.

If you believe that you may at any time wish to pursue a legal remedy related to the assault, please request that the hospital perform a free Sexual Assault Forensic Examination (SAFE). SAFE should be completed within 120 hours of an assault. There is no requirement that you report the assault to the police to have the exam—you may remain anonymous, and the evidence is held for a time with no

identification. Maryland regulations also provide that the forensic exam be performed free.

Greater Baltimore Medical Center (GBMC) is the closest hospital designated for sexual assault evidence collection and performs SAFE exams. You may choose to go to a hospital for treatment only, or treatment and evidence collection. If you need transportation, Campus Safety, a Residential Life Coordinator, or the Title IX Office can provide you a cab voucher.

7. **You have the right to receive confidential counseling.** The Student Counseling Center provides counseling to survivors. You can contact them at 410-337-6050. Alternatively, you may contact the local Towson sexual assault center, *TurnAround*, for counseling (daytime general information 410-377-8111; 24-hour helpline 443-279-0379). Additional off-campus counseling resources are listed in the policy.
8. **The Goucher policy makes determinations of responsibility by a preponderance of the evidence,** under the process described in the policy. A preponderance of evidence has been described as just enough evidence to make it more likely than not that the fact the claimant seeks to prove is true.
9. **You have the right to reasonable accommodations and supportive measures. You have the right to request a change in housing** (a new room assignment in the residence halls), **change class assignment** (a move to a different section of a course), **a campus protective order** (prohibiting contact or access to your residence hall), **or a change in your working environment** (a change in office location or reporting relationship) to ensure that you will be separated from the responding party to the greatest extent possible. **Academic relief** may also be available.

These requests should be made to the Office of Title IX (located in Alumni House, 410-337-6570). Any requested changes will be made as soon as alternative arrangements are reasonably available, and regardless of whether you choose to report the incident to college officials or local law enforcement authorities. The accommodations provided will be maintained confidentially to the extent that maintaining such confidentiality will not impair the ability of the college to provide the accommodations. If you have a documented disability that is caused or exacerbated by the alleged assault, you may also request accommodations from the college's [Office of Accessibility Services](#) (located on the ground floor of Van Meter Hall, 410-337-6263).

10. **You 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 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.
11. **You have the right to know the potential sanctions that may be imposed against the responding party if the individual is found responsible for violation of the Sexual Misconduct Policy.** These sanctions descriptions are in the policy.
12. **You have the right to have your name and all information related to the offense kept as private as is reasonably possible.** However, you should understand that the responding party receives this information with a copy of your complaint. 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. It does not prohibit you from disclosing information to persons who need to know it to participate in or administer the process and/or to provide support and

assistance to you. The college will not contact your parent(s) or guardian(s) except at your request or in the case of a health or safety emergency. If the college is required to notify the community of the incident, including recording the assault in the campus crime log, no personal identifying information is included, to the extent permissible by law.

- 13. 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 responding party will be informed, at or around the same time, in writing of the result of the investigation, and you and the responding party will be advised, at or around the same time, of a) the decision of the Hearing Officer or decision panel, b) procedures to appeal the decision, c) any change that occurs to the outcome before the time that it becomes final, and d) when the results become final. You and the responding party have the right to receive a copy of the final determination of the Hearing Officer or decision panel at or around the same time. You have the right to appeal the decision to the Appeals Panel or Appellate Reviewer, and to receive a copy of the decision to the extent permitted by the provisions of FERPA and as required by the Clery Act.
  
- 14. You have the right not to be retaliated against for bringing a complaint of sexual misconduct, including sexual assault, relationship violence, or stalking.** Threats, intimidation, and any form of retaliation for bringing a complaint are prohibited under the policy and may be grounds for disciplinary action. Possible steps the college may take to protect you from retaliation are in the policy.

**You may contact the Office of Title XI (located in Alumni House, 410-337-6570) if you have procedural questions or concerns during any stage of the process.**