

## **Title IX and Sexual Harassment Rights of the Parties**

- ❖ The right to an equitable investigation and resolution of all credible allegations of prohibited harassment or discrimination made in good faith to University of Montevallo officials.
- ❖ 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.
- ❖ The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- ❖ The right to be treated with respect by University of Montevallo officials.
- ❖ The right to have University of Montevallo policies and procedures followed without material deviation.
- ❖ The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- ❖ The right not to be discouraged by University of Montevallo officials from reporting sexual misconduct or discrimination to both on-campus and off-campus authorities.
- ❖ The right to be informed by University of Montevallo officials of options to notify proper law enforcement authorities, including on-campus and local police. This also includes the right not to be pressured to report, as well.
- ❖ The right to have allegations of violations of the policy responded to promptly and with sensitivity by the University of Montevallo law enforcement and/or other University of Montevallo officials.
- ❖ The right to be informed of available interim actions and supportive measures, such as counseling; advocacy; health care; student financial aid, or other services, both on campus and in the community.
- ❖ The right to be informed of available assistance in changing academic, living, 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. Such actions may include, but are not limited to:
  - Relocating an on-campus student's housing to a different on-campus location
  - Assistance from University of Montevallo staff in completing the relocation
  - Changing an employee's work environment (e.g., reporting structure, office/workspace relocation)
  - Exam, paper, and/or assignment rescheduling or adjustment
  - Receiving an incomplete in, or withdrawal from a class (may be retroactive)
  - Transferring class sections
  - Temporary withdrawal/leave of absence (maybe retroactive)

- Campus safety escorts
- Alternative course completion options.
  
- ❖ The right to have the University of Montevallo maintain such actions for as long as necessary and for supportive measures to remain private provided privacy does not impair the University of Montevallo's ability to provide the supportive measures.
  
- ❖ The right to provide the Investigator(s)/Decision-maker(s) with a list of questions that, if deemed relevant by the Investigator(s)/Chair, may be asked of any party or witness.
  
- ❖ The right not to have irrelevant prior sexual history or character admitted as evidence.
  
- ❖ The right to know the relevant and directly related evidence obtained and to respond to that evidence.
  
- ❖ The right to fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.
  
- ❖ The right to receive a copy of the investigation report, and all relevant and directly related evidence available and used to produce the investigation report, subject to the privacy limitations imposed by state and federal law, prior to the hearing, and the right to have at least ten (10) business days to review the report prior to the hearing.
  
- ❖ The right to respond to the investigation report, including comments providing any additional relevant evidence after the opportunity to review the investigation report, and to have that response on the record.
  
- ❖ The right to regular updates on the status of the investigation and/or resolution.
  
- ❖ The right to preservation of privacy, to the extent possible and permitted by law.
  
- ❖ The right to petition that any University of Montevallo representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
  
- ❖ 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.
  
- ❖ 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, therefore, delivered simultaneously (without undue delay) to the parties.
  
- ❖ 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 University of Montevallo.
  
- ❖ The right to a fundamentally fair resolution.