STATEMENT OF THE RIGHTS OF THE ALLEGED VICTIM

► The right to investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to College administrators;

► The right to be treated with respect by College officials;

► The right of both accuser and accused to have the same opportunity to have others present (in support or advisory roles) during campus disciplinary hearing;

► The right not to be discouraged by College officials from reporting an assault to both on-campus and off-campus authorities;

► The right to be informed of the outcome and sanction of any disciplinary hearing involving sexual assault, usually within 24 hours of the end of the conduct hearing;

► The right to be informed by College officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying such authorities, if the student so chooses. This also includes the right not to report, if this is the victim’s desire.

► The right to be notified of available counseling, mental health or student services for victims of sexual assault, both on campus and in the community.

► The right to notification of and options for, and available assistance in, changing academic and living situations after an alleged sexual assault incident, if so requested by the victim and if such changes are reasonable available (no formal complaint, or investigation, campus or criminal, need occur before this option is available). Accommodations may include:

• Change of an on-campus student’s housing to a difference on-campus location
• Assistance from College support staff in completing the relocation
• Arranging to dissolve a housing contract and pro-rating a refund
• Exam (paper, assignment) rescheduling
• Taking an incomplete in a class
• Transferring class sections
• Temporary withdrawals
• Alternative course completion options

► The right not to have irrelevant prior sexual history admitted as evidence in a campus hearing;
► The right not to have any complaint of sexual assault mediated (as opposed to adjudicated);

► The right to make a victim-impact statement at the campus conduct proceeding and to have that statement considered by the board in determining its sanction;

► The right to a campus restraining order against another student who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining student or others;

► The right to have complaints of sexual misconduct responded to quickly and with sensitivity by campus administrators;

► The right to appeal the finding and sanction of the conduct body, in accordance with the standards for appeal established by the College;

► The right to review all documentary evidence available regarding the complaint, subject to the confidentiality limitations imposed by state and federal law, at least 48 hours prior to the hearing;

► The right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the hearing, except in cases where a witness’ identity will not be revealed to the accused student for compelling safety reasons (this does not include the name of the alleged victim/complainant, which will always be revealed;

► The right to preservation of confidentiality to the extent possible and allowed by law;

► The right to a hearing closed to the public;

► The right to petition that any member of the conduct body be removed on the basis of demonstrated bias;

► The right to bring a victim advocate or advisor to all phases of the investigation and campus conduct proceeding;

► The right to give testimony in a campus hearing by means other than being in the same room with the accused student;

► The right to present relevant witnesses to the campus conduct body, including expert witnesses;

► The right to be fully informed of campus conduct rules and procedures as well as the nature and extent of all alleged violations contained within the complaint;
The right to have the College compel the presence of student, faculty and staff witnesses, and the right to ask questions, directly or indirectly, of witnesses (including the accused), and the right to challenge documentary evidence;

The right to be present for all testimony given and evidence presented before the conduct body;

The right to have complaints heard by conduct officers who have received annual misconduct adjudication training;

The right to a conduct panel comprised of representatives of both genders;

The right to have College policies and procedures followed without material deviation;

The right to be informed in advance of any public release of information regarding the complaint;

The right not to have released to the public any personal information about the complainant, without his consent.
STATEMENT OF THE ACCUSED’S RIGHTS

► The right to investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to university administrators against the accused student;

► The right to be treated with respect by college officials;

► The right to be informed of and have access to campus resources for medical, counseling, and advisory services;

► The right to be fully informed of the nature, rules and procedures of the campus conduct process and to timely written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions;

► The right to a hearing on the complaint, including timely notice of the hearing date, and adequate time for preparation;

► The right not to have irrelevant prior sexual history admitted as evidence in a campus hearing;

► The right to make an impact statement at the campus conduct proceeding and have that statement considered by the College in determining its sanction;

► The right to appeal the finding and sanction of the conduct body, in accordance with the standards for appeal established by the institution;

► The right to review all documentary evidence available regarding the complaint, subject to the confidentiality limitations imposed by state and federal law, at least 48 hours prior to the hearing;

► The right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the hearing, except in cases where a witness’ identity will not be revealed to the accused student for compelling safety reasons (this does not include the name of the alleged victim/complainant, which will always be revealed);

► The right to a hearing closed to the public;

► The right to petition that any member of the conduct body be removed on the basis of bias;

► The right to have the College compel the presence of student, faculty and staff witnesses, and the right to ask questions, directly or indirectly, of witnesses, and the right to challenge documentary evidence;
► The right to have complaints heard by conduct officers who have received annual sexual misconduct adjudication training;

► The right to have College policies and procedures followed without material deviation;

► The right to have an advisor or advocate to accompany and assist in the campus hearing process. This advisor can be anyone, but the advisor may not take part directly in the hearing itself, though they may communicate with the accused student as necessary;

► The right to a fundamentally fair hearing;

► The right to a campus conduct outcome based solely on evidence presented during the conduct process. Such evidence shall be credible, relevant, based in fact, and without prejudice;

► The right to written notice of the outcome and sanction of the hearing;

► The right to be informed in advance, when possible, of any public release of information regarding the complaint.