

## Rights of a Party in the Title IX Process under 600.030<sup>1</sup>

1. To be treated with respect by University officials.
2. To be free from retaliation.
3. To have access to University support resources (such as counseling and mental health services and University health services).
4. To request a no contact directive between the Parties.
5. To have a Support Person of the Party's choice accompany the Party to all interviews and meetings (excluding hearings) throughout the Title IX Process.
6. To refuse to have an allegation resolved through the Informal Resolution Processes.
7. To receive prior to a hearing or other time of determination regarding responsibility, an investigative report that fairly summarizes the relevant evidence in an electronic format or hard copy for their review and written response.
8. To have an opportunity to present a list of potential witnesses and provide evidence to the Investigator.
9. To have Formal Complaints heard in substantial accordance with these procedures.
10. To receive written notice of any delay of this process or limited extension of time frames for good cause which may include considerations such as the absence of a Party, a Party's Advisor or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
11. To be informed of the finding, rationale, sanctions and remedial actions.
12. To report the matter to law enforcement (if applicable) and to have assistance in making that report.
13. To have an opportunity to appeal the dismissal of all or a portion of a Formal Complaint, and appeal the determination of a Hearing Panel or other decision-maker.
14. Additional Rights for Students as a Party:
  - a. To request reasonable housing, living and other accommodations and remedies consistent with Section 600.030.H.
  - b. To receive amnesty for minor student misconduct that is ancillary to the incident, at the discretion of the Title IX Coordinator.
15. Additional Rights for Hearing Panel Resolution:
  - a. To receive notice of a hearing.
  - b. To have the names of witnesses who may participate in the hearing and copies of all documentary evidence gathered in the course of the investigation and any investigative report prior to the hearing.
  - c. To be present at the hearing, which right may be waived by either written notification to the Hearing Officer or by failure to appear.
  - d. To have present an Advisor during the hearing and to consult with such Advisor during the hearing, and have the Advisor conduct cross-examination and other questioning on behalf of the Party at the hearing.
  - e. To have an Advisor of the University's selection appointed for a Party where the Party does not have an Advisor of their own choice at a hearing.

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<sup>1</sup> Please note that this listing of rights pertains to matters involving conduct alleged to have occurred on or after August 14, 2020.

- f. To testify at the hearing or refuse to testify at the hearing; however, if a Party or witness fails to submit to cross-examination at the hearing, the Hearing Panel shall not rely on any statement of that Party or witness in reaching a determination regarding responsibility. The Hearing Panel shall not draw any inference about the determination regarding responsibility based solely on a Party's or witness's failure to submit to cross-examination.
  - g. To have an equal opportunity to present and question witnesses, including fact and expert witnesses, and present relevant evidence.
  - h. To request that the hearing be held virtually, with technology enabling participants simultaneously to see and hear each other.
16. Additional Rights for Academic Medical Center Process:
- a. To receive notice of the meeting with the decision-maker.
  - b. To submit written, relevant questions that a Party wants asked of any Party or witness and to be provided with the answers to such questions.
  - c. To be allowed additional, limited follow-up questions.