

When I submit a report, what rights do I have?

When UMBC receives a report of sexual misconduct (sexual assault, stalking, cyberstalking, sexual exploitation sexual coercion, and/or sexual harassment), intimate partner violence, or other related misconduct such as retaliation, **everyone involved in the report has the right to:**

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Treatment with dignity, respect, and sensitivity by the all of the people at UMBC who are involved in your case

Fair and impartial (not biased) review and response to all concerns and reports

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An explanation of how confidentiality works throughout the process.

This includes notification at any time during the process that information *must* be shared with more people than originally agreed to

The ability to choose whether or not to file a report with law enforcement except when UMBC officials determine they must notify law enforcement because there is an imminent (immediate) risk of harm to an individual or the community

If a report *must* be filed, you have the right to decline personal participation in a police investigation

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Access to law enforcement to file a report with or without support from OEI or other UMBC community members

Access to information and the ability to ask questions about all formal and informal options for resolving the report.

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An explanation of protective and supportive measures, and the opportunity to request those measures

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Accommodations (such as protective or supportive measures) are available at any time and cannot be limited based on how much someone participates in an investigation, how interested someone is in having an investigation, or their interest in coming to a formal or informal resolution

A resolution to the report that sticks to the timelines outlined in UMBC's policy, is fair and not biased, and allows everyone involved to be heard

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Written notification that is prompt and fair and includes:

- What was reported including the date, time and location (if known) and the possible sanctions associated with what was reported
- Information about rights under UMBC's policy and information about additional potential ways to address the situation including criminal charges or civil lawsuits.
- The date, time, and location of each hearing, meeting, and/or interview that takes place during the process that participants can or must attend
- Any final decision about whether a policy violation occurred and information about why that decision was made
- The details of any sanctions that come with the final decision (if the law allows -- this is not always the case)
- Information about the right to appeal and a description of the appeal process (only for a formal investigation)

Ongoing assistance from and access to a support person and/or advisor who can be a licensed attorney, an advocate supervised by an attorney, or a trained advocate for the whole process, including a formal investigation. The support person or advisor can:

- Come to hearings, meetings, and interviews with you
- Privately consult with you during meetings and interviews, except during questioning at a hearing
- Help you use your rights during the process

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These rights apply throughout the entire process including throughout a formal investigation process

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If the person/people who perpetuated harm (responding party) is a student, staff or faculty member at UMBC, **everyone involved in the case has the right to:**

Informal resolution tools such mediation **only if** (1) the report *does not* involve sexual assault or sexual coercion; (2) the person who experienced harm asks for an informal resolution; (3) everyone involved in report & the Office of Equity and Inclusion agree to an informal process; and (4) UMBC provides trained staff for the informal resolution process. **Anyone involved can end the informal resolution process at any time and choose to switch to a formal investigation.**

A formal investigation with the option for full participation by everyone involved to include:

- Opportunity to be heard through the process, as well as to review and provide written response to reports and proposed findings.
- Ability to submit evidence, witness lists, and suggest specific questions to be asked to the other party
- Access to the case file including any evidence from the investigation that the decision-maker will consider (some information will be kept out of the file as required by law)
- Option to participate without being required to be in the physical presence of the other party
- Opportunity to appeal the final decision or sanctions
- Assurance that, except for minor necessary delays, UMBC review will continue parallel to any investigation by law enforcement or other outside agencies.