



Written Notification of Rights

Article XIV. from MA State Universities Sexual Harassment Policy

The Universities will notify **Complainants** alleging sexual harassment, sexual assault, domestic violence, dating violence, and stalking under this Policy in writing that they have the following rights to:

- an explanation of the options available;
- referrals to confidential assistance and support services from both on- and off-campus resources, including 24-hour services;
- a change in on-campus residence and/or an adjustment to their academic schedule if such changes are reasonably available;
- request that the University impose no contact/communication orders or other supportive measures;
- choose whether or not to make a formal complaint, which would initiate a formal investigation, unless the University deems it necessary to investigate to protect the safety of the community or in compliance with applicable law;
- file no complaint with the University, but receive supportive measures from the University;
- a prompt, thorough, and equitable investigation and resolution of a complaint;
- the confidentiality of the investigation process to the extent possible (reference to confidentiality section);
- know, in advance, the names of all persons known to be involved;
- an advisor of their choice who can be present at any time during the complaint resolution proceedings, including the Administrative Investigation. In addition, this Advisor will participate in the live hearing as the representative of the Complainant who shall cross-examine the

Respondent and any witnesses, but whose participation in the process is otherwise limited as outlined in this Policy;

- an advisor provided by the University during the live hearing if you do not have one;
- reasonable accommodations for a documented disability during the process;
- not to have irrelevant sexual history discussed;
- be present at certain meetings and inspect, review and respond to evidence before completion of the investigative report;
- speak and present information on their own behalf, including inculpatory and exculpatory evidence;
- provide witnesses, including fact and expert witnesses;
- submit questions for the Administrative Investigator to ask witnesses;
- know the status of the case at any point during the process;
- be provided with a copy of the Investigative Report and an opportunity to respond to the report in advance of the live hearing;
- be informed of the outcome of the process in a timely manner;
- an appeal from the outcome of the process (if proper grounds for appeal exist);
- file a police report and/or take legal action separate from and/or in addition to the University discipline process;
- seek and enforce a harassment prevention order, restraining or similar court order;
- be assisted by the University in seeking assistance from or filing a complaint with local law enforcement;
- not file a complaint or seek assistance from local law enforcement, but receive supportive measures from the University;
- be free from any behavior that may be construed by the University to be intimidating, harassing or, retaliatory; and
- have the matter handled in accordance with University policy.



Written Notification of Rights

Article XIV. from MA State Universities Sexual Harassment Policy

The Universities will notify parties who are **Respondents** to claims of sexual harassment, sexual assault, domestic violence, dating violence, and stalking under this Policy in writing that they have the following rights to:

- an explanation of the allegation(s) against them, including sufficient details known at the time;
- sufficient time to prepare a response to the allegation(s) before any initial interview;
- referrals to confidential assistance and support measures from both on- and off-campus resources, including 24-hour services;
- request that the University impose no contact/no communication orders or other supportive measures;
- receive a copy of the complaint filed against them;
- know, in advance, the names of all persons known to be involved;
- be presumed not in violation of University Policy and that a determination of responsibility is made at the conclusion of the grievance process;
- the confidentiality of the investigation process to the extent possible (reference to confidentiality section);
- an advisor of their choice who can be present at any time during the complaint resolution proceedings, including the Administrative Investigation. In addition, this Advisor will participate in the live hearing as the representative of the Respondent who shall cross-examine the Complainant and any witnesses, but whose participation in the process is otherwise limited as outlined in this Policy. Pursuant to Weingarten, Respondent unit members may exercise their right to a union representative or other University employee

at meetings which the unit member reasonably believes may result in discipline, in addition to an advisor of their choice unless such advisor is also the Weingarten representative;

- an advisor provided by the University during the live hearing if you do not have one;
- reasonable accommodations for a documented disability during the process;
- not to have irrelevant sexual history discussed;
- be present at certain meetings and inspect, review and respond to evidence before completion of the investigative report;
- speak and present information on their own behalf, including evidence inculpatory and exculpatory evidence;
- provide witnesses, including fact and expert witnesses;
- submit questions for the Administrative Investigator to ask witnesses;
- know the status of the case at any point during the investigation and resolution process;
- be provided with a copy of the Investigative Report and an opportunity to respond to the report in advance of the live hearing;
- be informed of the outcome of the process in a timely manner;
- an appeal from the outcome of the process (if proper grounds for appeal exist);
- be free from any behavior that may be construed by the University to be intimidating, harassing, or retaliatory; and
- have the matter handled in accordance with University policy.