

Allegany College of Maryland
STUDENT & LEGAL AFFAIRS – Title IX

PROCEDURES: RESOLUTIONS / CONSEQUENCES
SEXUAL MISCONDUCT & SEX DISCRIMINATION POLICY

When a report/complaint of sexual misconduct or sex discrimination is received, the College shall conduct a preliminary inquiry. The investigator(s) shall determine whether the report/complaint is founded. Resolutions and/or consequences shall be determined on a case-by-case basis by the Title IX Coordinator and/or investigators in consultation with appropriate ACM personnel and policies. These resolutions and/or consequences shall be independent of any criminal and/or civil proceeding in a court of competent jurisdiction.

Possible Resolutions:

Insufficient information to proceed beyond Preliminary Inquiry

Standard: Reasonable cause based upon sufficient, substantiating evidence*

*Rules of evidence for court do not apply.

» If there is sufficient information to find that sexual misconduct or sex discrimination occurred, the College can implement either an informal or a formal resolution.

Informal Resolution

- Interim Remedies (already implemented or additional) to resolve the situation
- Other institutional policies or processes can be implemented to resolve the situation
- Complainant requests no formal action by the College (Such requests are not determinative but are strongly considered.)
- May not be mediation.

Formal Investigation

- Apply: Code of Student Conduct / Human Resources policies
- Determine: can the investigation be completed internally or does it require an outside investigator (typically can be completed internally unless there is a clear conflict of interest among qualified investigators, the scope of the allegations exceed internal resources, or the matter also includes systemic allegations against the institution itself)
- Student or employee is found not responsible for violating the policy
- Student or employee is found responsible for violating the policy; possible consequences identified below.

Possible Consequences to Students found responsible for violating this policy:

Probation with Special Conditions pursuant to the Code of Student Conduct

Suspension from Allegany College of Maryland pursuant to the Code of Student Conduct

Dismissal/expulsion from Allegany College of Maryland pursuant to the Code of Student Conduct

Possible Consequences to Employees found responsible for violating this policy:

Probationary employment terminated pursuant to Human Resources policy/procedure

Disciplinary action pursuant to Human Resources policy/procedure

Dismissal pursuant to Human Resources policy/procedure