



RESPONDENT RIGHTS

August 28, 2017

If you are a University of Alaska student or employee and have been accused of allegations of sexual or gender-based discrimination you have certain rights. These rights are summarized below and can be found in more detail in University of Alaska Board of Regents Policy and Regulation (BOR P&R) 01.04 at: <http://alaska.edu/bor/policy-regulations/>

Who is a respondent? A respondent is the individual or individuals who allegedly engaged in the conduct prohibited under the UA sex and gender-based discrimination policy.

Who is a complainant? A complainant is the individual or individuals who have allegedly been the subject of conduct prohibited under the UA sex and gender-based discrimination policy, regardless of whether the individual or individuals file a complaint or otherwise seek disciplinary action.

1. You have the right to a learning and working environment free of discrimination and unlawful harassment at the University of Alaska. Student and employee safety is of primary concern and UAF takes issues of sexual harassment and sexual misconduct very seriously. *Other violations that are connected to a Title IX related offense will be addressed as collateral behavior during the investigation of the allegations.*

2. Students have the right to amnesty under University Regulation 01.04.060. The university will provide amnesty for conduct that would warrant minor sanctions under the student code of conduct, such as under-age drinking or prohibited drug use that is related to the misconduct reported under the sex and gender-based discrimination policy. However, although

granted amnesty, students may be required to complete related educational programs.

3. You have the right to assistance in resolving an allegation of sexual harassment and/or sexual misconduct. Neither students nor employees are required to resolve an allegation directly with the complainant.

4. You have the right to be free from retaliation as detailed in University Policy 01.04.130. Threats or other forms of intimidation or retaliation by faculty, staff or students against complainants, respondents, witnesses, investigators or anyone involved in the investigative process will constitute a violation of university policy and may be subject to administrative action.

5. You have the right to file a complaint of discrimination or retaliation with the Office of Diversity and Equal Opportunity (D&EO) or Office of Civil Rights. You may request use of the informal or formal resolution process to resolve your complaint. The informal process may be ended at any time, and a formal process initiated.

The university conducts an administrative investigation to determine if, by a preponderance of the evidence, there is a violation of University Policy and Regulation. The University does not conduct criminal investigations.

6. You have the right to request changes to your academic, work and living situations. Once a report is filed, the University may take immediate action or provide interim measures as detailed in University Regulation 01.04.070. Interim measures may include, but are not

limited to: escorts, no contact orders, academic support and adjustments to classes, housing, and work environments. Requests for adjustments must be submitted to the Title IX Coordinator at 907-786-0818 or uaa_titleix@alaska.edu. Interim measures can be changed or adjusted at any time.

7. You have the right to a prompt, fair, and impartial investigation of the complaint. You will have an opportunity equal to that of the complainant to present relevant witnesses and evidence directly to the investigator. You will be provided the information and/or evidence the investigator is considering prior to the analysis of evidence gathered and conclusion of the investigation.

8. You have the right to information regarding the status of the complaint, including the outcome of the administrative investigation. You and the complainant will be simultaneously informed in writing of the status of the complaint, the outcome of the investigation and the procedures to appeal.

9. You have the right to select an advisor for assistance and support throughout the university proceedings. You have the right to an advisor of your choice to be present with you through any interviews during the investigation, and any proceedings or meetings resulting from a Title IX investigation or any appeal. This advocate can be a person of your own choosing, provided the advocate does not have a conflict of interest or conflict of position. The role of the advocate is to be of support to you. Advocates are not permitted to ask or answer questions for you, nor are they to interfere in the process for any reason at any time. If an advocate does not adhere to these or other applicable ground rules, the advocate will be dismissed from the applicable interview, proceeding, or meeting.

10. Union representation

If you are a bargaining unit employee, you have a right to union representation through any interviews during the investigation, and any proceedings or meetings resulting from a Title IX investigation or any appeal.

11. You have the right to receive confidential counseling and advocacy support services.

Students may receive counseling from UAA Student Health & Counseling Center in Rasmuson Hall 116/120. Appointments may be made by calling 907-786-4040 or uaa_studenthealth@uaa.alaska.edu.

Eligible employees may seek counseling through the university Employee Assistance Program by calling 800-697-0353, with 24 hours a day, seven days a week availability.

The Center for Advocacy, Relationships and Sexual Violence operated by STAR has an on-campus office providing 24 hours a day, seven days a week availability (phone). Call 907-276-7273 or go to Rasmuson Hall 118 Monday-Friday from 1-5 p.m.

12. You have the right to privacy. The university will take steps to respect the privacy of those involved. Absolute confidentiality may not be maintained in all circumstances, especially in cases where the university must take action to protect the safety of others. Information will not be shared beyond those with a need to know. More details on confidentiality and privacy are available in University Policy 01.04.040.

13. Respondents are not required to participate in an investigation.

If an investigation is conducted and you do not wish to participate, the Title IX investigator will complete the investigation in light of the information available.