

Appendix D: Rights of the Responding Party

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At all times during the Title IX process, the responding party has the following rights:

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1. The right to investigation and appropriate resolution of all credible complaints of relationship violence and/or sexual misconduct made in good faith to university administrators;
 2. The right to have all personally identifiable information kept private and only revealed as required by the Relationship Violence and Sexual Misconduct (RSVM) policy and law;
 3. The right to be treated with respect by university officials;
 4. The right to be informed of, and have, university policies and procedures followed without material deviation; and the right to have a support person to guide and support them in the process;
 5. The right to bring a support person to all phases of the investigation proceeding;
 6. The right to be informed of and have access to campus resources for medical, counseling, and advisory services, both on-campus and in the community;
 7. The right to be fully informed of the nature, rules, and procedures of the process and to timely written notice of all alleged violations within the report, including the nature of the violation and possible outcomes;
 8. The right to review the preliminary investigative report and offer additional relevant materials and relevant witnesses to be interviewed and considered before the final investigative report is created;
 9. The right to review the preliminary and final report, subject to the privacy limitations imposed by state and federal law, at least two working days prior to a requested appeals hearing;
 10. The right to be informed of the names of all witnesses, except in cases where a witness' identity will not be revealed for compelling safety reasons;
 11. The right to have reports heard by persons who have received annual Title IX and trauma informed training;
 12. The right to a review panel comprised of representatives of sex, ethnicity, and culture;
 13. The right to identify and petition that any party be removed on the basis of bias and/or conflict of interest;
 14. The right to have a support person during an investigation and/or hearing;
 15. The right not to have any prior unrelated sexual history admitted as evidence;
 16. The right to a finding based on the preponderance of evidence presented during the investigation process. Such evidence shall be credible, relevant, based on fact, and without prejudice. For a definition of preponderance of evidence, see Section 2;
 17. The right to be informed in writing of the findings and outcomes of any alleged relationship violence and/or sexual misconduct process, usually within five working days of the determination; and
 18. The right to appeal the findings and/or outcomes, in accordance with the standards for appeal established in section A.5 of the Relationship Violence and Sexual Misconduct policy.