

Title IX Sexual Harassment– Student Rights

At West Virginia University, individuals reporting or with a complaint of sexual harassment that falls under the jurisdiction of Title IX are afforded certain basic rights. The University will take the appropriate steps to end the misconduct, prevent any further misconduct or retaliation, remedy the effects of misconduct, and eliminate any hostile environment that has been created.

To that end, this form is to notify you that you have the right:

* To be entitled to a fair and impartial investigation of the complaint;
* To receive information and ask questions about the Title IX formal and informal processes
* To the presumption of “not responsible” for the alleged conduct until a determination is made in the grievance process, if you are the Respondent.
* To understand consequences for providing knowingly false statements or submitting false information.
* To file a civil or criminal complaint in addition to any complaint filed as part of the institution’s process under BOG Rule 1.6;
* To be protected from further prohibited conduct through supportive measures during an investigation;
* To have your privacy respected to the extent permissible by law; although, confidentiality cannot be guaranteed;
* To be encouraged to protect the sensitive nature of the investigation, but neither party is restricted in discussing the allegations under investigation;
* To bring forth any witnesses (including expert witnesses) and evidence relevant to the investigation; although the burden of gathering sufficient evident to reach a determination rests with the University and not with the parties;
* To have privileged records and information, such as medical records, remain confidential unless the University obtains that party's voluntary written consent to disclose information as part of the resolution process;
* To be given periodic status updates;
* To have your complaint investigated within prompt and reasonable time frames;
* To be protected from retaliation;
* To review and respond to all relevant information, including evidence the University does not intend to use, at least ten (10) days prior to a final investigation report being completed and to review and respond to the final investigation report at least ten (10) days prior to a Student Conduct hearing;
* To be provided an advisor for the purpose of cross-examining witnesses during a hearing;
* To be notified of the outcome of an investigation and any sanctions that relate to you;
* To appeal the results of a Student Conduct Hearing, if any;
* To pursue an informal resolution of the complaint;
* To have a lawyer and/or advocate participate in any stage of the process;
* To have a copy of the WVU Board of Governor's Governance Rule 1.6 and WVU's Board of Governor's Governance Rule 6.1.

Provided to: Date:

Student Conduct Administrator: (eff 11-1-21)