

Rights of Complainant

Complainants (individuals who have experienced behavior that could violate AR 6:2) have the following rights:

1. To choose whether to file a Formal Complaint with the University.
2. To access supportive measures regardless of whether you file a Formal Complaint.
3. In addition to pursuing University penalties and remedies, maintain the right to pursue criminal or other legal action.
4. To have the University respect their rights provided by the United States and Kentucky Constitutions.
5. To be treated with respect by University officials.
6. To experience safe living, educational, and work environments.
7. To have up to two (2) Advisors, including attorneys, present during any investigation, pre-hearing meeting, or hearing.
8. To have an attorney represent them at any hearing.
9. To refuse to have an allegation resolved through conflict resolution procedures.
10. To receive amnesty for certain student misconduct, such as alcohol or drug violations, that occurred ancillary to the incident.
11. To be free from retaliation for reporting violations of this regulation or cooperating with an investigation.
12. To have complaints heard in accordance with University procedures.
13. To be informed in writing of the outcome/resolution of the complaint, any sanctions where permissible, and the rationale for the outcome where permissible.
14. To have minimal interaction or contact with Respondent.
15. To present witnesses, including fact and expert witnesses and other inculpatory and exculpatory evidence.
16. To discuss the allegations under investigation or to gather and present relevant evidence.
17. To refuse to speak to the Equal Opportunity Investigator or to answer specific questions. Refusal to speak or answer questions will not result in the investigator drawing a negative inference based on the refusal to answer questions.

Confidentiality: *The University will keep confidential to the greatest extent possible the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a Formal Complaint of Sexual Harassment or Sexual Misconduct, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness. The University may be required to disclose the identity of individuals when necessary to provide due process to the Respondent or to comply with federal or state law.*