McDANIEL COLLEGE TITLE IX POLICY

NOTICE OF RIGHTS AND OPTIONS AND SUPPORTIVE MEASURES

McDANIEL COLLEGE

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INTRODUCTION

The College is committed to preserving an educational and employment environment that is free from sexual harassment, sexual assault, dating violence, domestic violence, stalking, discrimination based on pregnancy, parental, family, or marital status, and retaliation in accordance with all applicable state and federal laws including Title IX, Title VII, the United States Department of Education and the 2013 Reauthorized Violence Against Women Act. Accordingly, the College maintains comprehensive policies and procedures to ensure that all rights available under Title IX and other applicable laws are upheld.

If the College becomes aware of conduct that may reasonably constitute sexual harassment, sexual assault, dating violence, domestic violence, or stalking (referred to collectively as sexual harassment), the College will take prompt and effective action to end any discrimination that has occurred, prevent its recurrence, remedy its effects, and monitor for barriers to reporting information.

CONFIDENTIALITY AND DISCRETION

McDaniel College strives to respect the personal nature of incidents that may occur and discretion will be exercised in every incident. If an individual who experiences conduct that reasonably may constitute sexual harassment, sexual assault, dating violence, domestic violence, or stalking, requests confidentiality and that no investigation into a particular incident be conducted or any disciplinary action taken, McDaniel College will evaluate the request against its responsibility to provide a safe, non-discriminatory environment for all students, faculty and staff, including the individual(s) who reported the incident.

Although rare, there are times when the College may not be able to honor an individual's request for confidentiality. Further, if the College does honor the request for confidentiality, McDaniel's ability to appropriately investigate conduct that occurred using the grievance procedures, if warranted, may be limited. McDaniel has designated the Title IX Coordinator or their designee to evaluate requests for confidentiality, as appropriate to the circumstances. In considering an individual's request for confidentiality, college personnel may consult with others as appropriate. The evaluation of requests and weighing of all factors. will be at the discretion of the Title IX Coordinator or their designee.

SUPPORTIVE MEASURES

An individual who experiences conduct that may reasonably constitute sexual harassment are encouraged to meet with the Title IX Coordinator, the Dean of Students, or Associate Vice President for Administration to discuss what occurred and the supportive measures available to them. Supportive measures are meant to restore and preserve the person's access to the College's education program and activities.

Supportive measures are available regardless of whether an individual chooses to make a formal complaint through the college grievance process or report conduct to law enforcement and may include the following:

- Creating a plan to limit or prevent contact between parties, including a no contact order if both are members of the campus community.
- Making changes to class and campus employment schedules, transportation, campus parking locations or housing arrangements.
- Coordinating academic support through the appropriate office.
- Referring to the Counseling services available at the Wellness Center.
- Requesting information about a leave of absence through the Academic Affairs and Financial Aid Offices. (Note that a Leave of Absence may impact a student's eligibility to receive financial aid, to receive counseling services in the Wellness Center, to remain in the United States under a student visa, and/or to participate in intercollegiate athletics. Consult a member of the Academic Affairs Office and Financial Aid Office staff for additional information.)

YOUR REPORTING OPTIONS

McDaniel encourages individuals to report incidents of sexual harassment to the college. Reporting allows the college to meet with complainants and other reporting parties to review their rights, available resources, and reporting options both on and off campus. An individual may report an incident to law enforcement and make a formal complaint to the College. They can enact both processes, as they are different and can proceed at the same time.

Everyone is encouraged to share information with the college about what they experienced so that the college may offer support to them.

In some cases, an individual makes an initial report and then decides to not participate further with the college. In limited circumstances, the college may still need to review and investigate the information provided and may also be obligated to share the report with law enforcement. In such cases, though, individuals are not forced to participate in the grievance or law enforcement processes.

The following information is an overview of the specific rights and reporting options described in their entirety in McDaniel College Title IX Policy and Grievance Procedures (the Policy).

REPORTING TO LAW ENFORCEMENT

The College encourages the reporting of incidents to local law enforcement, cooperates with all investigative agencies. and will do its best to comply with the wishes of someone who reports conduct that reasonably may constitute sexual harassment.

Reporting sexual harassment to law enforcement means formally telling law enforcement that an incident occurred, so they can start an official investigation. Specifically, an individual would contact local law enforcement in person, by phone, or sometimes through a hospital or advocacy center (like the CARE Healing Center or the Carroll Hospital Center). An individual would be asked to explain what happened — when, where, and who was involved — in as much detail as possible.

If you have questions about how to report an incident to law enforcement, please consider reaching out to any of the following resources.

- The Department of Campus Safety (410-857-2202) can provide information about the reporting process and connect an individual to local law enforcement agencies. It is important to note that this contact with Campus Safety will result in them referring an individual to the Title IX Coordinator.
- The CARE Healing Center of Carroll County (formerly Rape Crisis Intervention Service) (410-857-7322) is a valuable confidential off campus resource available to discuss the process involved in making a report. CARE Healing Staff will provide support throughout the process of reporting an incident to a local law enforcement agency.
- An individual can report directly to the Westminster Police Department (410-848-4646), Maryland State Police (410-386-3000), Carroll County Sheriff's Office (410-386- 2900) or go to Carroll Hospital Center (410-848-3000).

REPORTING TO THE COLLEGE

Anyone who believes that they have experienced conduct that may reasonably constitute sexual harassment may report the conduct to any of the following non-confidential mandatory reporters:

- Elizabeth Towle, Title IX Coordinator (410-857-2205); etowle@mcdaniel.edu
- Department of Campus Safety (410-857-2202)

In accord with the 2020 Title IX Regulations, all McDaniel College faculty and staff are designated as mandatory reporters, except those who are licensed therapists fulfilling their role as a counselor in the Wellness Center.

Please note that if a person makes a report to one of the College's mandated reporters, federal law requires that the information be reported to the Title IX Coordinator (410-857-2205). Reports include the name of the individual who experienced the conduct, the residence hall assignment of that individual(s) (if applicable), and the date, time, and location of the incident.

Upon receiving a report, the Title IX Coordinator invites the person to meet and review the supportive measures and reporting options available to them. This includes the right to make a formal complaint that will initiate an investigation and grievance procedures. In certain circumstances, the Title IX Coordinator will determine if a formal complaint should be initiated by the College.

FORMAL COMPLAINTS AND INVESTIGATIONS

A formal complaint is a written submission provided to the Title IX Coordinator that describes the conduct that an individual believes to have violated the Policy and requests that the College initiate an investigation. Investigations performed as part of the grievance process are conducted by a trained investigator who is appointed by the Title IX Coordinator.

All parties will be notified of the investigation, and will have the same rights during the process, including, but not limited to, being treated equitably and with dignity, respect, and sensitivity. Parties have the right to participate (or not) in the process and to be accompanied by an advisor (who may be a licensed attorney) and support person of one's choice at any meeting, including any investigatory interview. A complete list of rights and the investigation and grievance procedures are described in their entirety in McDaniel College Title IX Policy and Grievance Procedures (the Policy).

RESOLUTION OPTIONS

Once a formal complaint is made and a notice of allegations has been provided to both parties, there are two procedural options for resolving the complaint: the agreement-based resolution and the formal resolution.

Agreement-Based Resolution

With the College serving as go between, both parties voluntarily propose and agree to a resolution of the complaint. Either party has the right to withdraw from the agreement-based resolution process and initiate or resume grievance procedures at any time before agreeing to a resolution. According to the law in the state of Maryland, the agreement-based resolution option may not be used to resolve sexual assault complaints.

Formal Resolution

A formal resolution process is a live hearing that may result in disciplinary action against a respondent if found responsible for a policy violation. A hearing officer will be assigned by the Title IX Coordinator. Parties may be assisted by up to two support persons, one who may be an attorney. Parties have the ability to make an opening statement, request that the hearing officer call witnesses, and propose questions that they want the hearing officer to ask of the other party or witnesses.

A complete list of rights and the investigation and grievance procedures are described in their entirety in McDaniel College Title IX Policy and Grievance Procedures (the Policy).

PRESERVING EVIDENCE: SEXUAL ASSAULT, DATING AND DOMESTIC VIOLENCE AND STALKING

SEXUAL ASSAULT

Medical Treatment: Individuals are encouraged to receive medical care following an assault to allow for the treatment of injuries and distribution of medication. Often individuals need medical care even if they do not want to document evidence or report an incident to law enforcement. If an individual would like to have evidence collected and documented, they are encouraged to go to the Carroll Hospital Center (or other hospital) to have a forensic medical examination performed by a trained medical professional.

Evidence collection is necessary for the investigation of the crime. Evidence may include pictures of injuries, a forensic examination, texts, phone records, social media interactions, medical records, video recordings, photographs, receipts, diaries/journals, text, social media and voicemail messages and security footage. Even if an individual does not think that they would like to pursue a criminal case now, collecting evidence right away affords an individual the option to decide later whether filing a report with the police is right for them.

Do NOT shower, bathe, brush your teeth, and if possible, avoid using the restroom prior to having a medical exam. This can allow important evidence to be collected. Place all clothing worn at the time of the assault in a paper, not plastic, bag to preserve any evidence present on the items. Do not apply medication to any injuries unless necessary.

In Maryland, individuals do not have to pay for Sexual Assault Forensic Exams or any related medical or hospital care if the exam is conducted UP TO 15 DAYS after a sexual assault. No insurance will be billed.

More information about medical treatment and evidence collection may be found on McDaniel's Title IX webpage.

STALKING

It is recommended the individual preserve evidence of contact or attempted contact by the other party. Evidence in the form of text and voice messages will be lost in most cases if an individual changes their phone number.

An Individual should:

- Make a secondary recording of any voice messages and/or save the audio files to a cloud server.
- Take screenshots and/or a video recording of any text messages or other electronic messages (e.g., Instagram, Snapchat, Facebook)
- Save copies of e-mail and social media correspondence, including notifications related to account access alerts.
- Take timestamped photographs of any physical evidence including notes, gifts, etc. in place when possible.
- Save copies of any messages, to include those showing any request for no further contact.
- Obtain copies of call logs showing the specific phone number being used rather than a saved contact name if possible.
- Resources such as a stalking log can be useful to track contacts and attempted contacts. An example is found here: https://www.familyjusticecenter.org/resources/stalking-incident-log/

DATING OR DOMESTIC VIOLENCE

- Log any incident of abuse (verbal, physical, emotional, or otherwise). Suggested steps for logging incidents can be found below in the section on preserving evidence in stalking incidents.
- Take timestamped photos of injuries or any damage to property.
- If you are injured during an incident, seeking medical attention may be needed.

PETITIONING FOR A PROTECTIVE ORDER

An individual can petition for a Protective Order or Peace Order with the District Court for Carroll County to prevent contact with the other party who has allegedly engaged in a crime. The Department of Campus Safety staff is available to help with the petitioning for a Protective Order or Peace Order.
More information can be found at https://www.courts.state.md.us/legalhelp/domesticviolence.

The McDaniel College Title IX Policy and Grievance Procedures may be found under the heading Title IX Information located at the bottom of the home page www.mcdaniel.edu.

CONFIDENTIAL OFF CAMPUS RESOURCES

CARE Healing Center of Carroll County
(formerly Rape Crisis Intervention Service)
24 N Center St Westminster Office:
410-857-0900, 24 hr. hotline: 410-857-7322
All services are provided free of charge. We serve any victim of sexual violence age 12 and older, and secondary victims.

Carroll Hospital Center: 410-848-3000
(Please note that Carroll Hospital Center procedures require that all incidents of sexual assault be reported to the Westminster Police, unless an individual wishes to have a SAFE Exam anonymously as "Jane/John Doe").

National Sexual Assault Hotline:
1-800-656-HOPE; this is a free and confidential hotline for incidents occurring outside of Maryland available 24 hours/day, 7 days/week.

Springboard Community Services:
1-410-876-1233: provides resources for victims of domestic violence including emergency housing.
https://springboardmd.org/carroll-county/

Maryland Coalition Against Sexual Assault (MCASA) www.mcasa.org. (The website provides a detailed list of rape crisis centers located in Maryland.)

National Domestic Violence Hotline:
1-800-799-7233, 1-800-787-3224 (TTY)
http://www.thehotline.org/. This is a free and confidential hotline available 24 hours/day, 7 days/week.

An attorney may also be available to assist you at no cost through the **Maryland Higher Education Commission**. Please contact MHEC at Title IX proceedings.mhec@maryland.gov for further assistance.

CONFIDENTIAL ON CAMPUS RESOURCES

For Full Time Students:
McDaniel College Wellness Center
Winslow Center, top level
Phone: 410-857-2243
Urgent walk-in appointments available
Monday-Friday between 8:30am-4:30pm

For Employees:
Employee Assistance Program (EAP)
Telus Health Services
Phone: 1-866-408-2755
(24 hours/day, 7 days/week)

NON - CONFIDENTIAL ON CAMPUS RESOURCES

Title IX Coordinator
Elizabeth Towle
410-857-2205
etowle@mcdaniel.edu
Winslow Center, top level

Associate Vice President for Finance and Administration
Jennifer Glennon
410-857-2403
jglennon@mcdaniel.edu
Winslow Center, top level

Department of Campus Safety
410-857-2202
Available 24/7
152 Pennsylvania Avenue