McDaniel College Policy Against Sex Discrimination: Supportive Measures and Reporting Options

The College is committed to preserving an educational and employment environment that is free from sex discrimination, including but not limited to sex-based harassment and discrimination based on sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, gender identity, and parental, family, or marital status. All reports of alleged violations of this policy will be handled in accordance with this policy, other College policies and procedures, and applicable laws and regulations, including Title IX, Title VII of the Civil Rights Act of 1964, the Violence Against Women Act (VAWA), the Clery Act, and the Maryland Education Code § 11-601.

If the College becomes aware of conduct that reasonably may constitute sex discrimination under Title IX, the College will take prompt and effective action to end any discrimination that has occurred, prevent its recurrence, and remedy its effects and monitor for barriers to reporting information.

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YOUR Reporting Options

McDaniel encourages you to report what you have experienced to the college. Reporting allows the college to support and provide helpful resources to assist you with what has occurred. McDaniel encourages you to report what you have experienced to law enforcement and to participate in the college’s grievance process, but you are not obliged to do so. Later in this guide, you will see more information about how to report to the college and/or to law enforcement, and about how the College will respond to the information received.

The resources and support measures described in this guide are available to you even if you decide not to participate in the college grievance process or report to law enforcement.

In some cases, if you make an initial report but then decide not to participate further, the college may still need to review and investigate the information provided and may also be obligated to share the report with law enforcement for possible handling through the criminal justice system. Even in such cases, though, you do not have to participate in college grievance process or law enforcement process if you do not wish to do so.

The information that you share with the college is your choice. However, you are encouraged to share it so that the college may support you as you move forward from the experience.

Reporting to the college

Anyone who believes that they have experienced an incident of sex-based discrimination may report the incident 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)
- Any member of the Human Resources Department (410-857-2229)
- Any Vice President, Associate Vice President, Dean, Provost, Associate Provost, or Associate Dean
- Any member of the Campus Life Staff, who is not a Wellness Center Counselor
- Any employee with supervisory responsibilities

Please note that if a person makes a report to a mandatory reporter, 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 an incident, the residence hall assignment of that individual (if applicable), and the date, time, and location of the incident.

The report allows the college (typically the Title IX Coordinator) to speak with the reporting party about:

- Supportive measures and
• to determine if the party wishes to initiate an investigation and grievance procedure by making a formal complaint or if a formal complaint should be initiated by the Title IX Coordinator based on the factors discussed later in this brochure.

If a formal complaint is made, the investigation and grievance procedures are described in the McDaniel College Policy Against Sex Discrimination and Grievance Procedures (the Policy).

**Investigation and Grievance Procedures**

Investigations performed as part of the grievance process under the Policy are conducted by a trained investigator who is appointed by the Title IX Coordinator. The college will undertake an investigation regardless of the sex, gender identity and/or sexual orientation of the complainant or respondent. All parties will be notified of the investigation, and will have the same rights during the process, including, but not limited to, the right to be accompanied by an advisor (who may be a licensed attorney) and support person of your choice at any meeting, including any investigatory interview. A complete list of rights may be found in the Policy.

**Reporting to Law Enforcement**

The College encourages full reporting of incidents and the full use of all available campus and off-campus resources. The college also recognizes that someone who experienced conduct that reasonably may constitute sex discrimination, in most circumstances, will decide whether to report the incident to college authorities and/or law enforcement and decide what campus or community resources to use. The college cooperates with all investigative agencies. The college will do its best to comply with the wishes of someone who reports conduct that reasonably may constitute sex discrimination.

**Whom do I talk with about reporting an incident to a local law enforcement agency?**

- The Wellness Center (410-857-2243) Counseling staff members are available for students and will provide information, discuss the process, and help assess which resource would be best for you. This is a confidential resource.

- The Department of Campus Safety (410-857-2202) can provide information on the process and link you to external agencies. It is important to note that this initial contact will result in a referral to the college's Title IX Coordinator.

- CARE Healing Center of Carroll County (formerly Rape Crisis Intervention Service) (410-857-7322) is a valuable confidential off campus resource to discuss the process involved in making a report. CARE Center Staff will provide support throughout the total 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).

  *Carroll Hospital Center procedures require that all incidents be reported to the Westminster Police, unless an individual wishes to have a SAFE Exam anonymously as “Jane/John Doe”.*

- 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 petitioning for a Protective Order or Peace Order.

**Petitioning for a Protective Order or Peace Order**

An individual can petition for a Protective Order or a Peace Order with the District Court. More information can be found at https://www.courts.state.md.us/legalhelp/domesticviolence.

**Supportive Measures**

The reporting party is encouraged to meet with the Title IX Coordinator, the Dean of Students, or Associate Vice President for Administration to discuss supportive measures that they may want to consider, which may include the following:

- Creating a plan to limit or prevent contact between the parties, including a no contact order if they are a member of the campus community. This may include making changes to class, work situations, transportation, or housing arrangements for you, regardless of whether the incident is reported to campus officials or local law enforcement.

- Taking steps to increase your sense of safety and security while you continue with your classes, work and other activities. Depending upon the circumstances of the case, the college may consider other interim measures. The Policy provides more information about the possible interim measures that may be considered on a case-by-case basis.

- Coordinating academic support through the Academic Affairs Office and counseling services at the Wellness Center or requesting a leave of absence through the Academic Affairs Office and Financial Aid Office. *(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.)*

**Confidentiality**

McDaniel College strives to respect the personal nature of incidents that may occur. If an individual who experiences conduct that reasonably may constitute sex discrimination, requests confidentiality, 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 who reported the incident.

Although rare, there are times when McDaniel may not be able to honor the individual’s request. Further, if McDaniel honors the request for confidentiality, McDaniel’s ability to appropriately investigate the incident 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, those individuals may consult with other college personnel as appropriate.

The evaluation of requests will be at the discretion of the Title IX Coordinator or their designee to weigh all factors.
Support Services Available On or Off Campus

- Confidential Campus Resources for Full Time Students: McDaniel College Wellness Center (located in Winslow Center): 410-857-2243.

- Confidential Resource for Employees: Employee Assistance Program (EAP) Business Health Services (BHS): 1-800-327-2251 (24 hours/day, 7 days/week).

Additional Campus Resources (non-confidential):

- Title IX Coordinator: Elizabeth Towle, 410-857-2205, etowle@mcdaniel.edu
- The Office of the Dean of Students: 410-857-2244, Located on the top level of Roj Center.
- Department of Campus Safety: 410-857-2202 Located at 152 Pennsylvania Avenue.

Confidential Off Campus Resources

- CARE Healing Center of Carroll County (formerly Rape Crisis Intervention Service) 224 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.

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

- Love Is Respect: 1-866-331-9474 www.loveisrespect.org. This is a free and confidential hotline available 24 hours/day, 7 days/week.

- 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 TitleIXproceedings.mhec@maryland.gov for further assistance.

The McDaniel College Policy Against Sex Discrimination and Grievance Procedures may be found in its entirety at: https://www.mcdaniel.edu/media/3552.

Preserving Evidence: Sexual Assault, Dating or Domestic Violence and Stalking

Sexual Assault
Have evidence collected as soon as possible. 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 you do not think you would like to pursue a criminal case now, you can have evidence collected so you can decide later whether filing a report with the police is right for you.

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.

**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.

**Stalking**

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

Complainant 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, which can be accessed on the Title IX website can be useful to track contacts and attempted contacts.