

MCDANIEL TITLE IX POLICY:

GRIEVANCE PROCEDURES AND SUPPORTIVE MEASURES

MCDANIEL
COLLEGE

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The College is committed to preserving an educational and employment environment that is free from sexual harassment, sexual assault, dating violence, domestic violence, and stalking 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 afforded by Title IX and other applicable laws are upheld.

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

SUPPORTIVE MEASURES

An individual who experiences conduct that may reasonably constitute sexual harassment is encouraged to meet with the Title IX Coordinator, the Dean of Students, or Associate Vice President for Administration & Government Relations to discuss what occurred and the supportive measures available to them. Supportive measures may include the following:

- Creating a plan to limit or prevent contact between parties, including a no contact order if they are a member of the campus community. This may include making changes to class schedules, work situations, transportation, or housing arrangements, regardless of whether the incident is formally reported to campus officials or local law enforcement.
- Taking steps to increase one's sense of safety and security while the individual continues with 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 Life Office, counseling services at the Wellness Center or requesting a leave of absence through the Academic Life 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 Life 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 sexual harassment, 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(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.

**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.

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 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)
Business Health Services (BHS)
Phone: 1-800-327-2251
(24 hours/day, 7 days/week)

**NON - CONFIDENTIAL
ON CAMPUS RESOURCES**

Title IX Coordinator
Elizabeth Towle
410-857-2205
etowle@mcdaniel.edu
Thompson Hall, lower level

Dean of Students
Phillip A. Sullivan, Ph.D
410-857-2241
phillip.sullivan@mcdaniel.edu
Roj Student Center, top level

Associate Vice Pres. for Administration and Government Relations
Jennifer Glennon
410-857-2403
jglennon@mcdaniel.edu
Thompson Hall, lower level

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

YOUR REPORTING OPTIONS

McDaniel encourages individuals to report conduct that they have experienced to the college. Reporting allows the college to support and provide helpful resources to assist community members based on what has occurred. McDaniel encourages individuals to report what they have experienced to law enforcement and to participate in the college's grievance process, but they are not obliged to do so. Later in this guide, there is more information about how to report conduct 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 community members even if they choose not to participate in the college grievance process or report conduct to law enforcement.

In some cases, if someone makes an initial report but then decides 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. In such cases, though, individuals do not have to participate in the grievance process or law enforcement process if they do not wish to do so.

The information that an individual shares with the college is their choice. However, everyone is encouraged to share it so that the college may support them as they move forward from the experience.

REPORTING TO THE COLLEGE

Anyone who believes that they have experienced 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)
- 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 the conduct, the residence hall assignment of that individual(s) (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 effected party about supportive measures and to determine if the party wishes to initiate an investigation and grievance procedures by making a formal complaint. Based on the factors discussed later in this brochure, the Title IX Coordinator will determine if a formal complaint should be initiated by the College.

If a formal complaint is initiated, the investigation and grievance procedures are described in the McDaniel College Title IX Policy 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. 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 one's 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 the 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 sexual harassment, 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 sexual harassment.

Who Do I Talk to 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 an individual. This is a confidential resource.
- The Department of Campus Safety (410-857-2202) can provide information on the process and connect an individual 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 the 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>.

**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.**

PRESERVING EVIDENCE: SEXUAL ASSAULT, DATING AND 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 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.

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 above in the section on preserving evidence in stalking incidents.
- Take timestamped photos of injuries or any damage to property.
- If injured during an incident, seeking medical attention may be needed.