McDANIEL COLLEGE

TITLE IX MANDATED REPORTER GUIDE



TITLE IX COORDINATOR

Liz Towle
etowle@mcdaniel.edu
(410) 857-2205

Office located on the second level of Winslow Center in the Human Resources Office

McDANIEL COLLEGE MANDATED REPORTERS

Department of Campus Safety (Phone: 410-857-2202; Text: 443-821-1272)

Any member of the college faculty and staff who is not a Wellness Center Counselor.

Student leaders including, resident assistants, peer mentors, Step Ahead mentors, Edge mentors, and McDaniel Local Leaders

CONFIDENTIAL RESOURCES

For Students: McDaniel College Wellness Center (located in Winslow Center): 410-857-2243.

For Employees: Employee Assistance Program (EAP) Telus Health: 1-866-408-2755

WHAT IS A MANDATED REPORTER?

A mandated reporter is a College employee who is required to report information or allegations of unwelcome sexual conduct, including but not limited to sexual harassment, sexual assault, domestic violence, dating violence and stalking, to the Title IX Coordinator

WHAT IS A MANDATED REPORTER'S OBLIGATION?

All McDaniel College mandated reporters who learn about an incident that could constitute unwelcome sexual conduct are required to report it to the Title IX Coordinator promptly. It does not matter how the mandated reporter becomes aware of the information – shared by the person who experienced the conduct, the perpetrator, a third party or overheard; in person, via email or some other medium, it must be reported.

Before an individual reveals any information about the unwelcome sexual conduct that occurred, a mandated reporter should explain that they are NOT a confidential resource and that they are required to report the information shared with them. Mandated reporters should provide the individual with information about confidential resources, like the Wellness Center. A resource list is available on the Title IX web page and a link to the page can be found at the bottom of the College homepage.

WHAT IF AN INDIVIDUAL WANTS TO REMAIN ANONYMOUS?

If an individual would like to tell a mandated reporter about an incident but also asks that the reporter not share the information, a mandated reporter must inform the person that they are obligated to report to the Title IX Coordinator. The mandated reporter should inform the individual of the confidential resources available to them. A list is available on the Title IX web page, a link to the page can be found at the bottom of the College homepage.

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

Confidential Resource for Employees: Employee Assistance Program (EAP) Telus Health: 1-866-408-2755

WHAT HAPPENS IF A MANDATED REPORTER DOES NOT REPORT?

It is a violation of college policy for a mandated reporter to not share information about incidents of unwelcome sexual conduct or retaliation when they become aware of them. Failure to report may be subject to disciplinary action up to an including termination.

The Wellness Center is the confidential resource for full-time McDaniel students.

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DOES REPORTING AN INCIDENT INITIATE AN INVESTIGATION?

Once aware of an incident, the Title IX Coordinator will reach out to the individual to ensure they are safe, offer support and resources, and inform them of their options. They are not required to share any information about what happened or meet with the Title IX Coordinator.

It is the individual's choice whether to file a formal complaint with the College or a criminal complaint with a local law enforcement agency.

In limited circumstances, the College may not be able to honor the individual's request for confidentiality and may have to initiate an investigation.

WHAT TO DO IF SOMEONE DISCLOSES TO YOU

LISTEN & SUPPORT

Listen actively and respectfully. It isn't necessary for you to inquire about details or push for more information. You may be the first person someone has spoken to about the incident. Thank them for sharing and express empathy. "I am sorry you're going through this." Individuals are more likely to continue seeking support when their first interaction is a positive one.

INFORM & REFER

Assure them that their safety is important to us and gently remind them of your responsibility to share this information with the Title IX Coordinator to ensure they receive support.

Examples of What To Say:
"It sounds like you're about to share something private with me, and I'd like to help in anyway possible. However, if you disclose something like harm to self or others or sexual misconduct, I am required to report that information to ensure you have information about the options available to you. If you would like to talk with someone who is not required to report what you share, I can connect you with a confidential resource."

"It sounds like you want to talk about a sensitive situation, can we pause so I can share my role as a mandated reporter with you and what that means?"

If they do disclose, be sure to tell them that the Title IX Coordinator will be reaching out and inviting them to meet to provide support, resources and review available options.

REPORT

Share the names of those involved including all impacted parties, alleged perpetrators and witnesses and what occurred, including the date, time and location of the incident, to the Title IX Coordinator.

Share the information even if you believe a report has already been made. The more quickly you make the report, the more quickly a community member will be connected to resources.

McDaniel College strives to respect the personal nature of incidents that may occur and discretion will be exercised in every incident.

To report an incident, contact the Title IX Coordinator by email or phone.

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DEFINITIONS & BEHAVIORS

Consent. Affirmative decision to engage in mutually acceptable sexual activity given by clear actions or words. Consent for one sexual act does not constitute consent to all sexual acts. Consent can be withdrawn at any time. Consent cannot be obtained through force, threat, intimidation, or coercion. Silence or absence of resistance does not indicate consent. Consent cannot be given by someone who is incapacitated due to drug or alcohol consumption.

Red Flags. "They went further than I wanted to," "They were being really pushy, so I just didn't say anything, but I didn't want to," or "I said no but they ignored me."

Sexual Harassment. Behaviors in the form of unwanted sexual advances, requests and other verbal, written, or electronic communications for physical conduct of a sexual nature. This includes actions that create a hostile environment based on someone's sex.

Red Flags."They are making me uncomfortable," content of conversation involves sex (sexual jokes, unwanted sexual conversation, unwanted contact), inappropriate social media interactions (sending unwanted nude images or videos, sending unwanted messages with sexual content)

Hostile Environment Sexual Harassment. Unwelcome conduct based on sex that a reasonable person would consider so severe, pervasive, and objectively offensive that it effectively denies a person's equal access to the College's education program or activity.

Quid Pro Quo Sexual Harassment. An employee or other person authorized by the College to provide an aid, benefit, or service under the institution's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.

Sexual Assault. Penetration, no matter how slight, of vagina or anus with any body part or object, or orally by a sex organ of another person without consent of the complainant, without the consent of the victim.

Red Flags. "That didn't go the way I wanted," "You always hear about this happening to other people," or "I feel like I was drugged, I don't remember what happened last night", or "I said I didn't want to have sex but they ignored me when I said no and just kept going."

Sexual Contact. Touching of private body parts without the consent of the complainant.

Red Flags. "I don't know how to process what happened last night," or "They just starting rubbing on me and wouldn't stop."

Sexual Exploitation. Purposefully taking sexual advantage of another person without consent. It may involve use of one's own or another individual's nudity or sexuality, including watching or posting pictures or videos of another in a state of undress or of a sexual nature or exposing one's genitals to another without consent.

Red Flags. "I just heard that my ex shared a nude picture of me with their friends. How could they do that?"

Dating/Domestic Violence. Violence committed by someone against a complaint while the two are in or share a romantic or intimate relationship with one another. Examples of a romantic or intimate relationship are current/former spouse or intimate partner; someone with whom they share a child in common; a person cohabitating with them as a romantic partner or spouse, etc. Violence includes but is not limited to: use or attempted use of physical or sexual abuse, patterns of coercive behaviors (verbal, psychological, economic, and/or technological).

Red Flags. Unexplained physical injuries, abnormal flinching at movements, "Please don't tell them, they'll get so mad at me," "I'm not sure what they'll do next," "Oh, I can't buy lunch, my partner doesn't let me eat with other people," or "I can't wear that, they wouldn't like that."

Stalking. Course of conduct directed at a specific person which would cause a reasonable person to fear for their safety/the safety of others or suffer substantial emotional distress.

Red Flags. "They track everywhere I'm going," "They won't let me go anywhere without telling them," "I keep getting messages from random numbers and it's always the same person," or "They showed up at my house uninvited."

Pregnancy. Includes pregnancy, childbirth, termination of pregnancy, or lactation, medical conditions related thereto, or recovery therefrom.

Red Flags. "My professor won't let me leave class to express milk," "My supervisor told me I should've told them I was pregnant during my interview," "I just found out I'm pregnant and think I need to drop out."