

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT



Annual Report 2014

ub UNIVERSITY OF BALTIMORE
POLICE DEPARTMENT

Published August 2014

[A Message from the Chief of Police, Samuel D. Tress](#)

As students, faculty, staff or visitors to our campus you each have specific goals and/or purposes that bring you to UB. The purpose of this information is both to comply with the legal requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and to inform and alert you to the role that you play in the safety and security of yourself and others.

Each of us plays an important role in creating and maintaining a safe environment. The University of Baltimore Police Department considers all university community members as partners in providing a safe and secure campus in which to pursue your personal or professional goals. This concept is known as the "community policing" model and it has been embraced by the University of Baltimore Police Department.

I encourage everyone to act as an extra pair of "eyes and ears" and report anything that looks suspicious to the university police department at 410.837.4444. As partners, we have a shared responsibility to ensure that UB remains a desirable learning and working environment. To that end, I look forward to working with you.

[ACCREDITATION](#)

The University of Baltimore Police Department having fully demonstrated its commitment to law enforcement excellence, and having exemplified the best professional standards and practices in fulfilling its responsibilities to the campus community; received full accreditation from the Commission on Accreditation for Law Enforcement Agencies (CALEA) on August 3, 2013.

TABLE OF CONTENTS

<u>UBPD CRIME STATISTICS</u>	3
JEANNE CLERY STATISTICS FOR THE UNIVERSITY OF BALTIMORE	4
JEANNE CLERY HATE RELATED STATISTICS	5
UNIVERSITY OF BALTIMORE – ON CAMPUS	5
UNIVERSITY OF BALTIMORE – PUBLIC PROPERTY	6
UNIVERSITY OF BALTIMORE – STUDENT RESIDENCES	7
JEANNE CLERY STATISTICS FOR THE UNIVERSITY OF MARYLAND, (UNIVERSITY OF BALTIMORE) CAMPUS AT THE UNIVERSITY AT SHADY GROVE	8
<u>DAILY LOG</u>	11
<u>REPORTING A CRIME</u>	11
<u>EMERGENCY RESPONSE STATEMENT</u>	12
<u>TIMELY NOTICE</u>	12
<u>OPERATIONAL AUTHORITY</u>	13
<u>MAINTENANCE AND ACCESS TO CAMPUS FACILITIES</u>	13
<u>SEXUAL ASSAULT POLICY AND REPORTING PROCEDURE</u>	14
POLICY	14
REPORTING PROCEDURE	33
<u>CAMPUS SEX CRIMES PREVENTION ACT</u>	37
<u>MISSING STUDENT POLICY</u>	38
<u>ORDERS OF PROTECTION</u>	40
<u>POLICIES ON DRUG AND ALCOHOL USE</u>	40
GENERAL POLICE STATEMENT	40
DRUG POLICY	41
ALCOHOL POLICY	42
<u>SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS</u>	44
<u>ANNUAL FIRE SECURITY REPORT</u>	45
<u>CAMPUS MAP</u>	46

UPBD Crime Statistics

Introduction:

The University of Baltimore's annual security report is prepared to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The report includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings owned or controlled by the University of Baltimore, and on public property immediately adjacent to and accessible from the campus. The annual security report is prepared in cooperation with the Baltimore Police Department, and the Office of Student Affairs.

Campus crime, arrest and referral statistics include those reported to the UBPD, the Baltimore Police Department, and identified campus security authorities. Moreover, a procedure is in place to anonymously capture crime statistics disclosed confidentially to a counselor.

Each year, an e-mail notification is sent to all enrolled students, current faculty and staff. This notification provides the website to access this report. Copies of the report may also be obtained at the UBPD headquarters, Charles Royal Building, 1st floor. This same notification is also printed on employment applications, admissions applications, handbooks, and catalogs.

To obtain reported criminal offenses for over 6000 colleges and universities in the United States, click the link below for the US Department of Education, Office of Postsecondary Education.
<http://ope.ed.gov/security>

JEANNE CLERY STATISTICS FOR THE UNIVERSITY OF BALTIMORE

OFFENSES	ON-CAMPUS			STUDENT RESIDENCES ⁽¹⁾			NON-CAMPUS PROPERTY			PUBLIC PROPERTY**		
	2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013
MURDER OR NON-NEGLIGENT MANSLAUGHTER	0	0	0	N/A	0	0	N/A	N/A	N/A	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	N/A	0	0	N/A	N/A	N/A	0	0	0
ROBBERY	0	0	0	N/A	0	0	N/A	N/A	N/A	12	6	6**
AGGRAVATED ASSAULT	1	0	0	N/A	0	0	N/A	N/A	N/A	10*	6*	1*
MOTOR VEHICLE THEFT	0	0	0	N/A	0	0	N/A	N/A	N/A	5*	1*	2*
ARSON	0	0	0	N/A	0	0	N/A	N/A	N/A	0	0	0
BURGLARY	1	8#	5#	N/A	0	3	N/A	N/A	N/A	0	0	0
SEX ASSAULTS (FORCIBLE)	0	0	0	0	0	0	N/A	N/A	N/A	0	0	0
SEX ASSAULTS (NON-FORCIBLE)	0	0	0	0	0	0	N/A	N/A	N/A	0	0	0
DOMESTIC VIOLENCE	N/A	N/A	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
DATING VIOLENCE	N/A	N/A	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
STALKING	N/A	N/A	0	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	0
LIQUOR LAW ARRESTS	0	0	0	N/A	0	0	N/A	N/A	N/A	0	1*	0
LIQUOR LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	1	N/A	0	0	N/A	N/A	N/A	0	0	0
DRUG LAW ARREST	1	0	0	N/A	0	0	N/A	N/A	N/A	1*	9*	4*
DRUG LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0	N/A	0	0	N/A	N/A	N/A	0	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	1	0	0	N/A	0	0	N/A	N/A	N/A	2* (knife)	2*	1*
ILLEGAL WEAPONS POSSESSION REFERRED FOR DISCIPLINARY ACTION	0	0	1	N/A	0	0	N/A	N/A	N/A	0	0	0

(1) Student Residences is a sub-set of On Campus and is already included in On Campus totals. Crimes reflect dates July 1, 2012 – June 30, 2013 relative to written agreement.

* NO UB INVOLVEMENT

** 0 COMMERCIAL ROBBERIES/ 6 STREET – 1 UB INVOLVEMENT

2 ARRESTS MADE

**JEANNE CLERY HATE RELATED STATISTICS FOR THE UNIVERSITY OF BALTIMORE
(ON CAMPUS)**

OFFENSES	RACE			GENDER			RELIGION			ETHNICITY		
	2011	2012	2013	2012	2013	2013	2011	2012	2013	2011	2012	2013
MURDER / NON-EGLEGT MANSLAUGHTER	0	0	0	0	0	0	0	0	0	0	0	0
NEGLEGT MANSLAUGHTER	0	0	0	0	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0	0	0	0	0
SEX ASSAULTS (FORCIBLE)	0	0	0	0	0	0	0	0	0	0	0	0
SEX ASSAULTS (NON-FORCIBLE)	0	0	0	0	0	0	0	0	0	0	0	0
DOMESTIC VIOLENCE	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
DATING VIOLENCE	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
STALKING	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
THEFT	0	0	0	0	0	0	0	0	0	0	0	0
COMMON ASSAULT	0	0	0	0	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0	0	0	0	0
MALICIOUS DESTRUCTION	0	0	0	0	0	0	0	0	0	0	0	0
OTHER CRIMES INVOLVING BODILY INJURY	0	0	0	0	0	0	0	0	0	0	0	0

OFFENSES	SEXUAL ORIENTATION			GENDER IDENTITY			DISABILITY			NATIONAL ORIGIN		
	2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013
MURDER / NON-EGLEGT MANSLAUGHTER	0	0	0	NA	NA	0	0	0	0	NA	NA	0
NEGLEGT MANSLAUGHTER	0	0	0	NA	NA	0	0	0	0	NA	NA	0
ROBBERY	0	0	0	NA	NA	0	0	0	0	NA	NA	0
AGGRAVATED ASSAULT	0	0	0	NA	NA	0	0	0	0	NA	NA	0
MOTOR VEHICLE THEFT	0	0	0	NA	NA	0	0	0	0	NA	NA	0
ARSON	0	0	0	NA	NA	0	0	0	0	NA	NA	0
BURGLARY	0	0	0	NA	NA	0	0	0	0	NA	NA	0
SEX ASSAULTS (FORCIBLE)	0	0	0	NA	NA	0	0	0	0	NA	NA	0
SEX ASSAULTS (NON-FORCIBLE)	0	0	0	NA	NA	0	0	0	0	NA	NA	0
DOMESTIC VIOLENCE	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
DATING VIOLENCE	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
STALKING	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
THEFT	0	0	0	NA	NA	0	0	0	0	NA	NA	0
COMMON ASSAULT	0	0	0	NA	NA	0	0	0	0	NA	NA	0
INTIMIDATION	0	0	0	NA	NA	0	0	0	0	NA	NA	0
MALICIOUS DESTRUCTION	0	0	0	NA	NA	0	0	0	0	NA	NA	0
OTHER CRIMES INVOLVING BODILY INJURY	0	0	0	NA	NA	0	0	0	0	NA	NA	0

**JEANNE CLERY HATE RELATED STATISTICS FOR THE UNIVERSITY OF BALTIMORE
(PUBLIC PROPERTY)**

OFFENSES	RACE			GENDER			RELIGION			ETHNICITY		
	2011	2012	2013	2012	2013	2013	2011	2012	2013	2011	2012	2013
MURDER / NON-EGLEGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0	0	0	0
NEGLEGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0	0	0	0	0
SEX ASSAULTS (FORCIBLE)	0	0	0	0	0	0	0	0	0	0	0	0
SEX ASSAULTS (NON-FORCIBLE)	0	0	0	0	0	0	0	0	0	0	0	0
DOMESTIC VIOLENCE	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
DATING VIOLENCE	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
STALKING	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
THEFT	0	0	0	0	0	0	0	0	0	0	0	0
COMMON ASSAULT	0	0	0	0	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0	0	0	0	0
MALICIOUS DESTRUCTION	0	0	0	0	0	0	0	0	0	0	0	0
OTHER CRIMES INVOLVING BODILY INJURY	0	0	0	0	0	0	0	0	0	0	0	0

OFFENSES	SEXUAL ORIENTATION			GENDER IDENTITY			DISABILITY			NATIONAL ORIGIN		
	2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013
MURDER / NON-EGLEGENT MANSLAUGHTER	0	0	0	NA	NA	0	0	0	0	NA	NA	0
NEGLEGENT MANSLAUGHTER	0	0	0	NA	NA	0	0	0	0	NA	NA	0
ROBBERY	0	0	0	NA	NA	0	0	0	0	NA	NA	0
AGGRAVATED ASSAULT	0	0	0	NA	NA	0	0	0	0	NA	NA	0
MOTOR VEHICLE THEFT	0	0	0	NA	NA	0	0	0	0	NA	NA	0
ARSON	0	0	0	NA	NA	0	0	0	0	NA	NA	0
BURGLARY	0	0	0	NA	NA	0	0	0	0	NA	NA	0
SEX ASSAULTS (FORCIBLE)	0	0	0	NA	NA	0	0	0	0	NA	NA	0
SEX ASSAULTS (NON-FORCIBLE)	0	0	0	NA	NA	0	0	0	0	NA	NA	0
DOMESTIC VIOLENCE	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
DATING VIOLENCE	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
STALKING	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
THEFT	0	0	0	NA	NA	0	0	0	0	NA	NA	0
COMMON ASSAULT	0	0	0	NA	NA	0	0	0	0	NA	NA	0
INTIMIDATION	0	0	0	NA	NA	0	0	0	0	NA	NA	0
MALICIOUS DESTRUCTION	0	0	0	NA	NA	0	0	0	0	NA	NA	0
OTHER CRIMES INVOLVING BODILY INJURY	0	0	0	NA	NA	0	0	0	0	NA	NA	0

**JEANNE CLERY HATE RELATED STATISTICS FOR THE UNIVERSITY OF BALTIMORE
(STUDENT RESIDENCES)** - Crimes reflect dates July 1, 2012 – June 30, 2013 relative to written agreement.

OFFENSES	RACE			GENDER			RELIGION			ETHNICITY		
	2011	2012	2013	2012	2013	2013	2011	2012	2013	2011	2012	2013
MURDER / NON-EGLEAGENT MANSLAUGHTER	NA	0	0	NA	0	0	NA	0	0	NA	0	0
NEGLEAGENT MANSLAUGHTER	NA	0	0	NA	0	0	NA	0	0	NA	0	0
ROBBERY	NA	0	0	NA	0	0	NA	0	0	NA	0	0
AGGRAVATED ASSAULT	NA	0	0	NA	0	0	NA	0	0	NA	0	0
MOTOR VEHICLE THEFT	NA	0	0	NA	0	0	NA	0	0	NA	0	0
ARSON	NA	0	0	NA	0	0	NA	0	0	NA	0	0
BURGLARY	NA	0	0	NA	0	0	NA	0	0	NA	0	0
SEX ASSAULTS (FORCIBLE)	NA	0	0	NA	0	0	NA	0	0	NA	0	0
SEX ASSAULTS (NON-FORCIBLE)	NA	0	0	NA	0	0	NA	0	0	NA	0	0
DOMESTIC VIOLENCE	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
DATING VIOLENCE	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
STALKING	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
THEFT	NA	0	0	NA	0	0	NA	0	0	NA	0	0
COMMON ASSAULT	NA	0	0	NA	0	0	NA	0	0	NA	0	0
INTIMIDATION	NA	0	0	NA	0	0	NA	0	0	NA	0	0
MALICIOUS DESTRUCTION	NA	0	0	NA	0	0	NA	0	0	NA	0	0
OTHER CRIMES INVOLVING BODILY INJURY	NA	0	0	NA	0	0	NA	0	0	NA	0	0

OFFENSES	SEXUAL ORIENTATION			GENDER IDENTITY			DISABILITY			NATIONAL ORIGIN		
	2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013
MURDER / NON-EGLEAGENT MANSLAUGHTER	NA	0	0	NA	0	0	NA	0	0	NA	0	0
NEGLEAGENT MANSLAUGHTER	NA	0	0	NA	0	0	NA	0	0	NA	0	0
ROBBERY	NA	0	0	NA	0	0	NA	0	0	NA	0	0
AGGRAVATED ASSAULT	NA	0	0	NA	0	0	NA	0	0	NA	0	0
MOTOR VEHICLE THEFT	NA	0	0	NA	0	0	NA	0	0	NA	0	0
ARSON	NA	0	0	NA	0	0	NA	0	0	NA	0	0
BURGLARY	NA	0	0	NA	0	0	NA	0	0	NA	0	0
SEX ASSAULTS (FORCIBLE)	NA	0	0	NA	0	0	NA	0	0	NA	0	0
SEX ASSAULTS (NON-FORCIBLE)	NA	0	0	NA	0	0	NA	0	0	NA	0	0
DOMESTIC VIOLENCE	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
DATING VIOLENCE	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
STALKING	NA	NA	0	NA	NA	0	NA	NA	0	NA	NA	0
THEFT	NA	0	0	NA	0	0	NA	0	0	NA	0	0
COMMON ASSUALT	NA	0	0	NA	0	0	NA	0	0	NA	0	0
INTIMIDATION	NA	0	0	NA	0	0	NA	0	0	NA	0	0
MALICIOUS DESTRUCTION	NA	0	0	NA	0	0	NA	0	0	NA	0	0
OTHER CRIMES INVOLVING BODILY INJURY	NA	0	0	NA	NA	0		0	0	NA	NA	0

*** THE UNIVERSITY OF MARYLAND, (UNIVERSITY OF BALTIMORE)
CAMPUS AT THE UNIVERSITIES AT SHADY GROVE**

The Universities at Shady Grove (USG) is a regional center located in Rockville, Maryland, that supports programs from nine different institutions within the University System of Maryland. Students attend classes at USG but are still considered students of their “home campus.” In addition, employees at USG can be affiliated with any of the nine institutions.

Please access the link <http://www.shadygrove.umd.edu/about/public-safety/> for the USG *Annual Security Report* that is compiled and distributed annually in compliance with the *Clery Act*. This publication contains crime statistics and statements of security policy. Annually, prior to October 1st, current students and employees are sent an email message providing them with a link to this brochure and notification that the current edition of the *Safety & Security* publication has been posted on the Universities at Shady Grove website. Printed copies may be obtained from the 24 hour security desk located in the Camille Kendall Academic Center on the Shady Grove campus.

Crime statistics for USG are reported, in their entirety, by each of the nine institutions that conduct classes at USG.

*** UNIVERSITY OF MARYLAND, (UNIVERSITY OF BALTIMORE) AT THE UNIVERSITIES AT SHADY GROVE CRIME STATISTICS ***

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (the *Clery Act*) mandates the manner and format in which statistics are to be collected and published. Statistical updates, if any, will be posted online (<http://www.shadygrove.umd.edu/about/public-safety/>).

The Universities at Shady Grove ⁽¹⁾					
Crime Report Statistics					
Category	Year	On Campus	Non-Campus Buildings or Property	Public Property ⁽²⁾	Total
Murder & Non-Negligent Manslaughter	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Negligent Manslaughter	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Sex Offenses - Forcible	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Sex Offenses - Non-Forcible	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Robbery	2013	0	0	0	0
	2012	0	0	0	0
	2011	1	0	0	1
Aggravated Assault	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0

Burglary	2013	2	0	0	2
	2012	2	0	0	2
	2011	1	0	0	1
Motor Vehicle Theft	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Arson	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Hate Crimes ⁽³⁾	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Domestic Violence ⁽⁴⁾⁽⁵⁾	2013	0	0	0	0
Dating Violence ⁽⁴⁾⁽⁵⁾	2013	0	0	0	0
Stalking ⁽⁴⁾⁽⁵⁾	2013	0	0	0	0

Arrest Statistics					
Category	Year	On Campus	Non-Campus Buildings or Property	Public Property ⁽²⁾	Total
Liquor Law Violation Arrests	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Drug Law Violation Arrests	2013	0	0	1	1
	2012	1	0	0	1
	2011	0	0	0	0
Illegal Weapons Possession Arrests	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0

Campus Disciplinary Referrals ⁽⁶⁾					
Category	Year	On Campus	Non-Campus Buildings or Property	Public Property ⁽²⁾	Total
Liquor Law Violation Referrals	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0

Drug Law Violation Referrals	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Illegal Weapons Violation Referrals	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Footnotes:					
1	The Universities at Shady Grove (USG) is a Regional Center for the University System of Maryland (USM). Degree programs from 9 of the 12 USM institutions are offered at USG. Students from each of these 9 institutions attend classes at USG and in some cases may attend classes on both campuses.				
2	Statistics listed in the "Public Property" category include those that took place off campus, on public property immediately adjacent to and accessible from the campus, but not on USG-owned property.				
3	Hate Crimes are crimes that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived Race (RA), Religion (RE), Sexual Orientation (SO), Gender (G), Ethnicity (E), or Disability (D). Any numbers in small-print parentheses would indicate how many of the total number or reported incidents were motivated by each type of bias.				
4	This category is new for reporting. Statistics for this crime were not collected for 2011 or 2012.				
5	The Montgomery County Police Department does not classify crimes into this category, but other crime incidents that could possibly have had elements of this category were reviewed with MCPD before inclusion or exclusion.				
6	Individuals not arrested, but referred for possible campus disciplinary action (e.g. first offenders required to attend educational programs).				

Daily Log

The University of Baltimore Police Department maintains a daily log of all crimes reported. The log lists the nature, date, time, location, and disposition. The log is open for inspection during normal business hours in the Police Communications Center, 1st floor of the Charles Royal Building or via our website at <http://www.ubalt.edu/about-ub/offices-and-services/university-police/campus-safety/daily-log.cfm> . Special arrangements can be made to view the log during non-business hours.

Reporting a Crime

All crimes, incidents or like emergencies should be reported immediately and directly to the University of Baltimore Police Department at 410.837.4444 to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the campus community. All crimes, incidents should be reported when victim of such crime elects or is unable to make such a report. The offices of the UB Police Department (X-4444) are located on the 1st floor of the Charles Royal Building. Any campus member who is a victim of a crime is also encouraged to report the incident to the Baltimore Police Department.

A crime or incident may also be reported to a campus security authority such as an *individual who is responsible for monitoring entrance into institutional property, the Human Resources Office or any official of the institution who has significant responsibility for student and campus activities, including, but not limited to, student center, student housing, student discipline, advisors to students/student organizations, counselors, director of athletics, and campus judicial affairs.* The University of Baltimore Police Department will investigate and report to the appropriate authority all crimes in accordance with university policy.

Any victim of, or witness to, a crime should report the incident to any of the following:

- University of Baltimore Police Department – 1st Fl Charles Royal Bldg. - (410)837-4444
- Baltimore Police Department - 911
- Dean of Students - Academic Center, room 112, (410)837-4755
- Office of Student Affairs (Law School) - Law Center, room 103, (410)837-5623
- Counseling Services – Academic Center, room 111, (410)837-5159
- Executive Director for Student Development - Academic Center, room 112, (410)837-5592

Confidential Report:

If you are the victim of a crime and do not want to pursue action within the University System or the criminal justice system, you may still want to consider making a confidential report. A confidential report, while protecting your identity, affords UB an accurate record of incidents to determine threats to the campus community, and provides an opportunity to take a proactive approach to protecting the campus. Such reports shall be included in the annual crime statistics. You may make a voluntary, confidential report to a professional university counselor at 410-837-5159. Victim confidentiality is strictly observed.

Emergency Response Statement

The University of Baltimore draws upon a nationally recognized standard of the Incident Command System developed by the Federal Emergency Management Agency. This system is widely used at the federal, state, local community levels, and at the college and university level. This system lends consistency, efficiency, and effectiveness to the manner in which the university shall respond to an immediate emergency and/or a situation that may require the evacuation of the campus. Specific procedures are in place to respond to an immediate emergency or dangerous situation involving the health and safety of the campus community to include evacuation procedures. When buildings are ordered to be evacuated it is university policy that all faculty, staff and students exit the building and report to the pre-designated staging area at the direction of the university police. These procedures are delineated in the Emergency Resource Guide which can be found on the University of Baltimore Police Department's website. Moreover, these guides have been distributed to all departments on campus. These procedures are tested and published annually.

UB also employs a redundant emergency communications and warning system. This system is designed to provide critical information to the campus community before, during and after an immediate emergency or threat. The university police department shall confirm through appropriate methods that an emergency does, in fact, exist. The Chief of the University Police shall initiate notification without delay unless it will compromise efforts to assist a victim or contain, respond to, or otherwise mitigate the emergency. The components of the campus communication protocol are: activation of an emergency webpage dedicated to the incident, email, text message, Facebook, Twitter and an emergency phone message in a looping pattern.

[Emergency Resource Guide](http://www.ubalt.edu/about-ub/offices-and-services/university-police/campus-safety/emergencies/emerg-res-guide.cfm) – <http://www.ubalt.edu/about-ub/offices-and-services/university-police/campus-safety/emergencies/emerg-res-guide.cfm>

Timely Notice

The University of Baltimore Police Department works closely with the Baltimore Police Department to review current criminal activity and information, both on campus and on our public property area. In the event that a situation comes to the attention of the University Police and is considered by the university to represent a **serious** or **continuing** threat to the campus community, the Chief of the University Police will issue a campus wide "alert" or safety bulletin without delay. The alert will be issued through the e-mail system to all students, faculty, and staff. The alert shall be communicated via (list is not all inclusive):

- Broadcast e-mail to the campus community
- Campus Text Alert System
- Other Communication methods that may be available

Anyone with information they believe warrants a timely warning should report the situation to the University Police at 410-837-4444 or in-person at the Police Communications Center located on the 1st floor of the Charles Royal Building, 1319 N. Charles Street.

Operational Authority

The University Police and the Baltimore Police Department have an official memorandum of understanding and an excellent working relationship. Each department augments the other, within their respective jurisdictions, in all matters of mutual concern. University police attend weekly meetings with the BPD to exchange ideas and resolve problems which may be of concern for the campus community. The jurisdiction, as outlined in the MOU between the UBPD and the BPD, extends north to Lanvale Street; south to Madison Street; east to Hunter Street; and west to Howard Street; approximately 40 square blocks.

The University of Baltimore Police Department is a legislated police agency. University police officers are vested with full police authority under provisions of Title 13, Subtitle 6, Section 13-601, Education Article, Annotated Code of Maryland. In addition, police officers are granted additional jurisdictional authority as prescribed in the Criminal Procedure Act, Title 2, Subtitle 1, Section 2-102.

The Department consists of two operational components - police-*full arrest authority*; security officers-*no arrest authority*. The Department works cooperatively with the Baltimore Police Department, and other law enforcement agencies to ensure an exchange of information, directly related to personal safety issues on campus exists and is maintained. Moreover, this information exchange ensures that the university is in compliance with local, state, and federal laws, regulations pertaining to campus safety issues. Further, it is the policy of the University of Baltimore Police Department to monitor crimes at non-campus facilities owned, leased or controlled by UB including student organizations with non-campus housing facilities and report such incidents to the university community. An administrative staff of full-time employees assists the Department in fulfilling its mission.

Maintenance and Access to Campus Facilities

The Office of Facilities Management maintains the campus buildings and grounds with a concern for safety and security. Routine inspections are conducted to identify any changes in exterior lighting conditions. In addition, defective lighting conditions are reported as detected by other building service personnel and Campus Police Officers. Ad hoc meetings between Facilities Management and the University of Baltimore Police Department are held to establish other relevant safety issues or concerns.

Selected officers routinely conduct various surveys and forwards reports to the appropriate department or agency. These surveys not only address existing conditions but also can include recommendations for improvements. Additionally, Police/Security officers report any safety hazard to the appropriate authority on or off campus. Any repairs which have security and safety implications are prioritized and handled accordingly.

UB is an open, non-residential, campus which welcomes faculty/staff, students and visitors to use the facilities available as scheduled by the university. Faculty/staff and students are issued identification cards. Everyone using the campus is required to show proper identification when requested by a Police/Security officer or by authorized personnel of the university.

Visitors are welcome on campus when conducting business or using the facilities in accordance with university policy. All buildings are locked and secured by Police/Security officers in accordance with scheduled activities in the buildings. No unauthorized persons are permitted in the buildings during non-operational hours. Trespass laws are vigorously enforced.

Sexual Assault Policy & Reporting Procedure

University of Baltimore

II-7.1 Sexual Misconduct Policy

Updated 8.5.15

General Nondiscrimination Statement

The University of Baltimore (“UB” or “University”) does not discriminate on the basis of sex, gender, race, religion, age, disability, national origin, ethnicity, sexual orientation, gender identity, or other legally protected characteristics in its programs, activities or employment practices. Inquiries regarding discrimination related to educational programs and activities should be directed to the Title IX coordinator, Anita Harewood, Vice President, Office of Government and Community Relations, Academic Center, Room 336, phone: 410.837.4533, T9@ubalt.edu; Dean of Students, Office of Community Life, Academic Center, Room 112, phone: 410.837.4755, communitylife@ubalt.edu; or Assistant Vice President, Office of Human Resources, Charles Royal Building, Third Floor, 410.837.5410, mmaher@ubalt.edu. This includes inquiries regarding Title IX of the Education Amendments of 1972 as amended (“Title IX”), Title VII of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973.

Policy Statement

I. POLICY PURPOSE

In accordance with Title IX, the University of Baltimore is committed to creating a university setting that is safe from Sexual Misconduct, all types of which are forms of sex and gender-based discrimination. Sexual Misconduct includes, but is not limited to, sexual violence, dating violence, domestic violence, sexual exploitation, sexual coercion, sexual intimidation, and stalking. The University actively seeks to:

- Prevent issues of Sexual Misconduct by educating, training and providing resources to raise awareness of these issues;
- Recognize, respond and provide support to those who have experienced Sexual Misconduct to include the pursuit of formalized agreements with a State designated rape crisis center and local law enforcement. UB also endeavors to identify, respond and provide support in a way that eliminates Sexual Misconduct, prevents its recurrence and addresses its effects.

This Policy applies to Sexual Misconduct in connection with any UB office or regional center education programs or activities, including, but not limited to, Sexual Misconduct: (1) in any UB facility or on any UB property or location under UB’s control; (2) in connection with any UB sponsored, recognized or approved program, visit or activity, regardless of location; (3) that impedes equal access to any UB education program or activity or adversely impacts the employment of a member of the UB Community; or (4) that otherwise threatens the health or safety of the UB Community. Nothing in this Policy is intended to supersede or conflict with any state or federal compliance obligations.

Retaliation for participating in any matter and in any process under this Policy is also a form of sex or gender-based discrimination prohibited by this Policy. UB Community Members are required at all times to

participate in good faith in any proceeding or matter related to this Policy. This participation includes, but is not limited to, all activities in connection with filing, reporting, investigating, or resolving an alleged violation of this Policy; opposition to policies, practices, or actions that a UB Community Member has a good faith and reasonable belief are in violation of the policy; providing assistance to another UB Community Member in filing or reporting an alleged violation of this policy. Good faith activity does not include retaliatory and/or unlawful activities such as acts or threats of violence.

II. OVERSIGHT OF SEXUAL MISCONDUCT POLICY COMPLAINTS

As part of UB's commitment, and in compliance with applicable law and policy, the University has designated a Title IX Coordinator to provide oversight and coordination on issues surrounding compliance with Title IX Act and the Violence Against Women Act Reauthorization of 2012. The Title IX Coordinator is responsible for ensuring that appropriate standards and requirements are met to afford reporting and responding parties' prompt and equitable resolution of complaints under this Policy, and for educating the University community. The Title IX Coordinator will review all cases periodically to look for potential patterns or systemic concerns and will implement remedies when necessary. The Title IX Coordinator is:

Anita Harewood
Vice President
Government & Community Relations
Office of Government and Community Relations
1420 N. Charles Street, Academic Center, Room 336
410.837.4533
T9@ubalt.edu

The Dean of Students and the Assistant Vice President for Human Resources serve as Deputy Title IX Coordinators in the University's effort to respond most effectively to concerns and support awareness programs within the UB community.

The Dean of Students manages the process to address complaints where the responding party's primary status is a University student. The Deputy Title IX Coordinator's (Dean of Students) contact information is:

Kathleen Anderson
Dean of Students
Office of Community Life and the Dean of Students
1420 N. Charles Street, Academic Center, Room 112
410.837.4755
communitylife@ubalt.edu

The Assistant Vice President for Human Resources manages the process to address complaints where the responding party's primary status is a University employee or university contractor. The Deputy Title IX Coordinator's (Assistant Vice President for Human Resources) contact information is:

Mary Maher
Assistant Vice President
Office of Human Resources
1319 N. Charles Street, Charles Royal Building, 3rd Floor
410.837.5410
mmaher@ubalt.edu

Individuals with inquiries or complaints concerning the application of Title IX may also contact an outside agency as follows:

The Office of Civil Rights, Philadelphia Office
U.S. Department of Education
The Wanamaker Building, Suite 515
100 Penn Square East
Philadelphia, PA 19107-3323
OCR.Philadelphia@ed.gov

III. POLICY APPLICABILITY

A. Sexual Misconduct - Stalking, Domestic Violence, Dating Violence, Sexual Harassment, Sexual Assault, Sexual Violence, Sexual Exploitation, and Sexual Intimidation

The University reaffirms the principle that its students, faculty, and staff have a right to be free from all types of Sexual Misconduct. Sexual Misconduct generally represents a failure in ethical behavior and will not be condoned or tolerated as it subverts the mission of the University and may affect the careers, educational experience, and/or well-being of students, faculty, and staff.

The University of Baltimore prohibits all types of Sexual Misconduct, including, but not limited to, stalking, domestic violence, sexual harassment, sexual assault, sexual coercion, sexual violence, dating violence, sexual exploitation, and sexual intimidation, and the University shall take appropriate measures to protect faculty, staff, students and visitors from such actions. The University will process all complaints of Sexual Misconduct, regardless of where the conduct occurred, to determine whether the conduct occurred in the context of an educational program or activity or had continuing effects on campus or in an off-campus education program or activity. Retaliation for participation in any matter related to this Policy is prohibited.

B. Definitions – For purposes of this Policy, the following definitions apply:

- i. **Consent** means a knowing, voluntary, and affirmatively communicated willingness to mutually participate in a particular sexual activity or behavior. It must be given by a person with the ability and capacity to exercise free will and make a rational and reasonable judgment. Incapacitation may result from sleep, unconsciousness, temporary or permanent mental or physical disability, involuntary physical restraint, and the influence of alcohol, drugs and other medications. *See also Policy Definitions section, Incapacitation.* Consent may be expressed either by affirmative words or actions, as long as those words or actions create a mutually understandable permission regarding the conditions of sexual activity. Consent may be withdrawn at any time. Consent cannot be obtained by force, threat, coercion, fraud, manipulation, reasonable fear of injury, intimidation or through the use of the one's mental or physical helplessness or incapacity. Consent cannot be implied based upon the mere fact of a previous consensual dating or sexual relationship. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. It is the responsibility of the person who wants to engage in sexual activity to ensure that he/she has the consent of the other to engage in the activity.
- ii. **Domestic Violence** means violence committed by a current or former spouse or intimate partner of the reporting party, by a person with whom the reporting party shares a child in common, by a person who is cohabitating with or has cohabitated with the reporting party as a spouse or intimate partner, by a person similarly situated to a spouse of the reporting party, or by any other person against an adult or youth reporting party protected from those acts by domestic or family violence laws of Maryland. Types of domestic violence may include: physical violence, coercion, threats,

intimidation, isolation, or other forms of emotional, sexual, or economic abuse directed toward a person who is or has been in a relationship described herein.

- iii. **Good Faith** means honesty and sincerity of intention when reporting acts of Sexual Misconduct. Allegations of Sexual Misconduct are very serious and could cause great harm. This Policy shall not be used to bring baseless, frivolous or malicious complaints or reports against a member of the UB community. Disciplinary action may be taken against any person who files a complaint or reports Sexual Misconduct under this Policy that is not made in good faith.
- iv. **Incapacitation** means an individual who is incapacitated is unable to give Consent to sexual contact. States of Incapacitation include sleep, unconsciousness, intermittent consciousness, or any other state where the individual is unaware that sexual contact is occurring. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to Consent to sexual contact. Alcohol or drug use is one of the prime causes of Incapacitation. Because the impact of alcohol or other drugs varies from person to person, evaluating whether an individual is incapacitated, and therefore, unable to give Consent, requires an assessment of whether the consumption of alcohol or other drugs has rendered the individual physically helpless or substantially incapable of:
 - Making decisions about the potential consequences of sexual contact;
 - Appraising the nature of one's own conduct;
 - Communicating Consent to sexual contact; or
 - Communicating unwillingness to engage in sexual contact.
- v. **Interim Measures** means reasonably available steps that UB may take to protect the parties while a Sexual Misconduct investigation is pending. Interim Measures may include, but are not limited to, change in academic arrangements, class section, changing office responsibilities, alternative work schedule or location for employees, interim suspension, and contact restrictions among the parties and others pending resolution.
- vi. **Investigator** means an individual appointed to receive and review a complaint in accordance with the established policy and procedures, assist with Interim Measures, as appropriate, handle the processing of matters related to the complaint, and participate in the issuance of the final outcome and decision.
- vii. **Relationship/Dating Violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the reporting party. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Types of relationship violence may include: physical violence, coercion, threats, intimidation, isolation, or other forms of emotional, sexual, or economic abuse directed toward a person who is or has been in a relationship.
- viii. **Reporting Party** means (1) the person who initiated the filing of a report of Sexual Misconduct or (2) an individual who reportedly experienced Sexual Misconduct regardless of whether that individual participates in the disclosure or review of that report by the University at any point.
- ix. **Responding Party** means an individual who has been accused of Sexual Misconduct as described herein.
- x. **Responsible Employee** includes any employee who (1) has the authority to take action regarding Sexual Misconduct; (2) is an employee who has been given the duty of reporting

sexual misconduct; or (3) is someone another individual could reasonably believe has this authority or duty to report sexual misconduct. Responsible employees at the University of Baltimore include: the Title IX Coordinator, the Title IX Deputy Coordinators, Title IX Investigators, faculty and instructors, University administrators, all exempt employees and non-confidential employees in supervisory roles, University law enforcement and other University first responders. Responsible Employees must report allegations of Sexual Misconduct to the University's Title IX Coordinator or Deputy Coordinators within 24 hours of receiving such information. If an individual reports an instance of Sexual Misconduct to a Responsible Employee, confidentiality or anonymity cannot be guaranteed, although the Responsible Employee can make a reasonable effort to disclose information on a need-to-know basis.

- xi. **Retaliation** means intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or University of Baltimore, or University System of Maryland policy, or because an individual has made a complaint, assisted, or participated in any manner in an investigation, proceeding or hearing related to sexual misconduct. Retaliation includes retaliatory harassment.
- xii. **Sexual Assault**
 - i. Sexual Assault I. – Non-Consensual Sexual Intercourse*

Any act of sexual intercourse with another individual without consent. Sexual intercourse includes vaginal or anal penetration, however slight, with any body part or object, or oral penetration involving mouth to genital contact.
 - ii. Sexual Assault II. – Non-Consensual Sexual Contact*

Any intentional touching of the intimate parts of another person, causing another to touch one's intimate parts, or disrobing or exposure of another without consent. Intimate parts may include genitalia, groin, breast, or buttocks, or clothing covering them, or any other body part that is touched in a sexual manner. Sexual contact also includes attempted sexual intercourse.
- xiii. **Sexual Coercion** means an act of using unreasonable pressure in an effort to obtain Consent for sexual activity. Coercion arises after the victim clearly communicates verbally or non-verbally the intent to stop or refrain from sexual activity.
- xiv. **Sexual Exploitation** means taking non-consensual or abusive sexual advantage of another person for one's own advantage or benefit or for the advantage or benefit of anyone other than the person being exploited.
- xv. **Sexual Harassment** is any unwelcome sexual advance, unwelcome request for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature when: (1) Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, evaluation of academic work, or participation in any aspect of a University of Baltimore program or activity; (2) Submission to or rejection of such conduct by an individual is used as the basis for academic, employment, or activity or program participation related decisions affecting an individual; or (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, i.e., it is sufficiently severe, persistent or pervasive to create an intimidating, hostile, humiliating, demeaning or sexually offensive working, academic, residential or social environment.

- xvi. **Sexual Intimidation** means (1) threatening to sexually assault another person; (2) gender or sex-based stalking, including cyber-stalking; or (3) engaging in indecent exposure.
- xvii. **Sexual Misconduct** is an umbrella term that includes dating violence, domestic violence, sexual assault, sexual exploitation, sexual harassment, sexual intimidation, sexual violence, and stalking.
- xviii. **Sexual Violence** is a form of sexual harassment and refers to physical sexual acts perpetrated without consent. Sexual violence includes rape, sexual assault, sexual battery, and sexual coercion. Sexual violence, in any form, is a criminal act.
- xix. **Sex and Gender-Based Stalking** means engaging in a course of sex and/or gender based conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.
- xx. **UB Community Members** means all University Employees and includes all full-time, part-time, visiting and adjunct faculty and instructors, UB administrators and staff, UB regular and contractual employees, contractors, UB students, alumni, volunteers, and third parties (such as vendors and consultants) under UB control.
- xxi. **University Employee** means all full-time, part-time, visiting and adjunct faculty and instructors, all UB administrators and staff, regular and contractual employees and contractors, vendors and consultants under University contract.

C. Procedures for the Resolution of Sexual Misconduct Complaints

The University of Baltimore has adopted procedures to provide prompt and equitable resolution of Sexual Misconduct complaints involving students, faculty and staff and third parties having business with the University (i.e. contractors, vendors, etc.), as well as to take reasonable steps to prevent recurrence of any sexual violence and remedy discriminatory effects on the reporting party and others, if appropriate.

Complaints covered under these procedures are those in which the alleged action(s) is prohibited by state law, federal law, University System of Maryland policy and/or University of Baltimore policy and where the alleged action(s) involves students, faculty, staff and/or third parties as noted above. A reporting party's rights to a prompt and equitable resolution of complaints made under the University's procedure will not be affected if the reporting party also chooses to pursue other legal remedies, including those initiated by filing a complaint with the responsible federal department or agency. The rules governing this procedure are intended to encourage the early and constructive consideration of concerns, while at the same time protecting the substantive rights of interested persons, meeting appropriate due process standards, and assuring that the University of Baltimore complies with applicable state and federal regulations.

1. Reporting

The University will respond to claims of Sexual Misconduct. An individual who has experienced Sexual Misconduct is not required to try to resolve the matter themselves. Students should contact the Deputy Title IX Coordinator located in the Office of Community Life for allegations involving a University student respondent(s). Employees should contact the Deputy Title IX Coordinator located in the Office of Human Resources for allegations involving a University Employee respondent(s). The Title IX Coordinator located in the Office of Government and Community Relations can be contacted for any reported allegation and can direct a reporting party to the appropriate Deputy Title IX Coordinator or Investigator to provide assistance. *See Policy section,*

Oversight of Sexual Misconduct Complaints, for contact information of the Title IX Coordinator and Deputy Coordinators. Sexual Misconduct may also be reported to a University Responsible Employee.

Any victim or witness of Sexual Misconduct is encouraged to report the incident and may also choose to contact law enforcement and/or medical personnel, as needed and as soon as possible following the incident to receive guidance in the preservation of evidence needed for proof of criminal assaults and the apprehension and prosecution of assailants. Through its concurrent Jurisdiction and Mutual Aid Agreement with the Baltimore City Police Department, the University of Baltimore Police Department may have access to the Baltimore City Police resources upon request and as appropriate.

Any acts of Retaliation, including but not limited to intimidation, threatening, coercing, or discriminating against an individual because of that individual's complaint or participation in any process under this policy, is prohibited and is subject to adjudication through the University's conduct process and/or through legal and employment processes.

2. Investigation & Resolution

When a Sexual Misconduct complaint is brought, this policy assures the reporting party and the responding party an adequate, reliable and impartial investigation and resolution of the complaint, including the following rights:

- The reporting party and the responding party are entitled to the same opportunity to have an advisor of their choice during the University's process and to be accompanied to any related meeting or proceeding by an advisor of the party's choice. However, the advisor may not participate in an investigation under this policy except to (1) observe any portion of investigation in which the party who selected him or her participates, and (2) advise the party who selected him or her. An advisor may not have a speaking role during any adjudication proceedings and may be excused from any meeting or proceeding if the advisor fails to comply in a non-speaking role.
- Both the reporting party and the responding party will have the opportunity to present witness names and evidence for consideration during an investigation;
- Both the reporting party and the responding party are informed of the outcome of the University's investigation that followed an allegation of Sexual Misconduct, to the extent allowed under applicable federal and Maryland law;
- The reporting party and the responding party will be treated with dignity, courtesy, and professionalism; and
- While the offense must be reported according to federal reporting mandates and Maryland law, and while the University may proceed with a matter despite a party's request for confidentiality or to proceed in a specific way in certain cases, the reporting party's requests for confidentiality and resolution options will be upheld to the greatest extent possible.
- ***For more full information on Procedures, see Complaint Procedures.***

3. Amnesty Policy for Students

The safety and security of the University Community is the University's primary concern. Except for situations of mandatory intervention for substance abuse, a student conduct violation for alcohol and drug

use will not apply to a student reporting party(s) or witness who report a Sexual Misconduct matter to the University or law enforcement, if the University determines that:

- the violation occurred during or near the time of the alleged Sexual Misconduct;
- the student reporting party or witness made the report of Sexual Misconduct in Good Faith; and
- the violation was not an act that was reasonably likely to place the health and safety of another individual at risk.

The University may initiate an educational discussion or pursue other educational assistance remedies regarding alcohol or other drugs, as necessary.

D. Confidentiality

The University works collaboratively with a reporting individual to establish the appropriate parameters of confidentiality, and in each case makes every effort to operate with discretion and maintain the privacy of individuals involved. Requests for confidentiality will be evaluated in the context of the institution's responsibility to provide a safe and secure environment. The University cannot, in every case where it is requested, ensure confidentiality, nor can it ensure that it will not pursue an investigation or resolution of a case. All reports of Sexual Misconduct received, including confidential reports, are to be included in the University's annual disclosure of crime statistics (Annual Security Report), in accordance with the federal law, Crime Awareness and Campus Security Act of 1990 ("Clery Act"). In its Annual Security Report, the University can exclude identifying information about the parties as permitted by law.

A request for confidentiality will be weighed against the following factors: the seriousness of the alleged conduct; whether there have been other complaints about the same individual; the University's responsibility to provide a safe working and learning environment and the responding party's right to receive information about the allegation(s).

If a reporting party requests confidentiality or fails to cooperate in an investigation and adjudication, reasonable steps to investigate and respond to the complaint will still need to be taken. However, the University's ability to issue certain Interim Measures, investigate the complaint and respond to the complaint may be limited by the request for confidentiality or the lack of cooperation. The University will maintain as confidential accommodations or protective Interim Measures provided to the reporting party, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodation or protective Interim Measure.

E. Confidential Reports & Resources

UB has designated confidential resources and counselors. These select professional counselors employed by the University are generally exempt from the mandatory requirement to report to the University alleged Sexual Misconduct that they become aware of in their official positions, other than to comply with federal crime reporting requirements as explained above. These professional counselors include certain psychiatrists, psychologists, and other mental health professionals affiliated with the University Counseling Center.

Exceptions to a confidential resource's ability to maintain complete confidentiality may occur in certain situations where disclosure is required by law, for example, when an individual reports incidents of child abuse, or where there is an imminent health or safety threat. As appropriate, the counselors identified in the preceding paragraph will inform those they counsel of procedures for reporting crimes, and procedures for reporting information to the University on an anonymous basis for inclusion in the Annual Security Report.

Confidential Resources

University of Baltimore Counseling Center Staff
1420 N. Charles Street, Academic Center, Room 111
410.837.5159

counseling@ubalt.edu

Dr. Myra Waters, Director, Psychologist - Counselor
mwaters@ubalt.edu

Dr. Marquette Turner, Psychologist - Counselor
mturner@ubalt.edu

Mr. Barachius “Chislon” Thomas, Psychologist – Counselor
bthomas@ubalt.edu

F. Record Keeping

The University will keep records of actions taken under this policy including, but not limited to, records of any reports of sexual misconduct, proceedings, investigations, resolutions of complaints, training activities, and related surveys. Records of incidents and investigations shall be kept in accordance with the University’s records retention schedule.

G. Support for Parties Involved

The University is aware that a reporting party of, or witness to, Sexual Misconduct may be uncertain, confused, or unaware of certain procedures or investigative processes available to him or her and possibly unfamiliar with the medical, emotional, trauma, and counseling support groups and services that are available. In addition, because Sexual Misconduct may constitute both a violation of UB Policy and a crime, a reporting party may also report incidents of Sexual Misconduct to the campus police or other appropriate law enforcement agency.

In order to provide resources and to help alleviate the concerns of involved individuals, services are available that can provide support to mentor a reporting party or witness through the various processes or services. An individual having the need for assistance or information may at any time contact:

Available On-Campus Services include:

Office of Community Life and the Dean of Students

1420 N. Charles Street, Academic Center, Room 112

410.837.4755

communitylife@ubalt.edu

Office of Human Resources

1319 N. Charles Street, Charles Royal Building, Third Floor

410.837.5410

hr@ubalt.edu

Counseling Center

1420 N. Charles Street, Academic Center, Room 111

410.837.5159

counseling@ubalt.edu

University of Baltimore Police Department

1319 N. Charles Street, Charles Royal Building, First Floor

410.837.4444

ubpolicedepartment@ubalt.edu

INOVA Employee Assistance Program

800.346.0110

877.845.6465 (TDD for hearing impaired)

Available Off-Campus Services include:

Local Crisis Centers for Sexual Assault and Intimate Partner Violence with Hotlines and Trained Advocates Offer Confidential Support and Information

TurnAround, Inc. (Rape Crisis Center)

24-hour Helpline: 443.279.0379

www.turnaroundinc.org

House of Ruth (Intimate Partner Violence)

24-hour Legal Clinic: 1.888.880.7884

24-hour Hotline: 410.889.7884

National Domestic Violence Hotline

1.800.799.SAFE (7233)

Maryland Network Against Domestic Violence Statewide Helpline

1.800.MD.HELPS (1.800.634.3577)

<u>Medical Attention, Hospitals Offering a SAFE Exam (Sexual Assault Forensic Evidence):</u>	
Greater Baltimore Medical Center – Emergency Room	443.849.2226
Mercy Hospital	
Mercy Medical Center’s Forensic Nurse Examiner (FNE) and Sexual Assault Forensic Examiner (SAFE)	410.332.9494
Mercy Hospital – Emergency Room Ask for FNE/SAFE Nurse	410.332.9477

Criminal Reporting and Court Remedies:

University of Baltimore Police Department	410.837.4444
Baltimore City/County Police	911
Sexual Assault Legal Institute	877.496.7254
Baltimore City Protection Order Advocacy & Representation Project	410.783.0377
Baltimore County Protection Order Advocacy & Representation Project	410.887.3162

Individuals may also seek a protective order from the District Court in accordance with the provisions of Title 3, Subtitle 15 of the Courts and Judicial Proceedings of the Maryland Code, or a protective order or temporary protective order in accordance with Title 4, Subtitle 5 of the Family Law Article of the Maryland Code. Off-campus service providers’ views, opinions, representations, programs and services are solely the responsibility and obligation of the service provider. The University of Baltimore assumes no liability for services rendered through off-campus programs.

Complaint Procedures

H. Reporting Sexual Misconduct Complaints – General

A student or employee who believes that he or she has experienced Sexual Misconduct should report the incident to the University as soon as possible. *See definition of Responsible Employee for more on reporting requirements.* Once UB knows, or reasonably should know, of possible Sexual Misconduct, it will take immediate and appropriate action to determine what occurred or to investigate. This obligation applies to Sexual Misconduct covered by this Policy regardless of whether a parallel law enforcement action is pending or regardless of whether a complaint has been filed. In certain circumstances, UB may need to delay temporarily the fact-finding portion of the Title IX investigation while the police are initially gathering evidence. If UB determines that Sexual Misconduct has occurred, it will take prompt and effective steps to eliminate the Sexual Misconduct, prevent its recurrence, and address its effects.

The University has appointed and trained individuals to serve as Investigators for reported incidents of Sexual Misconduct.

1. For reported incidents where the responding party to the complaint holds primary status as a University student, reports can be made to the Title IX Coordinator, a Responsible Employee, and any of the following individuals:

Kathleen Anderson
Deputy Title IX Coordinator
Office of Community Life
1420 N. Charles Street, Academic Center,
Room 112
410.837.4755
communitylife@ubalt.edu

Christy Lee Koontz
Title IX Investigator
Office of Community Life
1420 N. Charles Street, Academic Center,
Room 112
410.837.4755
communitylife@ubalt.edu

2. For reported incidents where the responding party to the complaint holds primary status as a University Employee or University contractor, reports can be made to the Title IX Coordinator, any Responsible Employee, and any of the following individuals:

Mary Maher
Deputy Title IX Coordinator
Office of Human Resources
1319 N. Charles Street, Charles Royal
Building, 3rd Floor
410.837.5410
mmaher@ubalt.edu

Rebecca Spence
Title IX Investigator
Office of Human Resources
1319 N. Charles Street, Charles Royal
Building, 3rd Floor
410.837.5410
rspence@ubalt.edu

An individual who is unsure of a responding party's primary status can report to any of the Coordinators and Investigators indicated above who will assist with communication to the appropriate individual.

I. Process for Reporting and Reviewing Complaints – Student as Respondent

1) Process – General:

A student who believes that s/he has experienced Sexual Misconduct should report the incident as soon as possible to the Title IX Coordinator, Responsible Employee or Deputy Title IX Coordinator or Investigator located in the Office of Community Life, which is responsible for responding to Sexual Misconduct matters and the investigation of complaints. *See Policy section, Oversight of Sexual Misconduct Complaints for contact information.* A non-student who believes that s/he has experienced a sexual offense committed by a student should also report the incident to the same individuals.

The Office of Community Life/Deputy Title IX Coordinator or Investigator has jurisdiction to investigate and resolve complaints alleging Sexual Misconduct and related Retaliation and is empowered to issue findings and impose sanctions for any violations of the Student Code of Conduct directly related to the alleged Sexual Misconduct or any alleged Policy violations. Determination of responsibility and sanctions for related violations will be issued in the same or a separate notice of decision, as permitted by law. In Sexual Misconduct investigations, the procedures outlined in this Policy supersede the University's procedures for addressing Code of Conduct violations. The Deputy Title IX Coordinator and Investigator (s) will consider and make decisions concerning the applicability of the University's Amnesty Policy, as appropriate. *See Policy section, Amnesty Policy for Students.*

- a) **Preliminary Meeting:** The Title IX Investigator(s) will hold a preliminary meeting with a reporting party to discuss a Sexual Misconduct matter of concern and in accordance with the Process for Complaints outlined herein. The purpose of this meeting is to provide the reporting party with general information, outline the University's policy and procedures, provide various options for pursuing a complaint, identify forms of support, as appropriate, and determine whether the claim is within Title IX jurisdiction. The investigator may gather relevant information from the reporting party during this meeting and may, at the meeting or thereafter, proceed with an investigation as requested by the reporting party or as directed by University practice.
- b) **Timeline:** Complaints of Sexual Misconduct should be initiated as soon as possible. However, there is no time limit for which an individual has to make a complaint or request an investigation; allowing more time to pass may have an impact on the University's ability to respond.
- c) **Interim Measures:** Interim Measures are reasonable steps UB may take to protect and support the safety of all involved parties while a Sexual Misconduct investigation is occurring. Such measures may include, but are not limited to, protective orders, no contact orders, and changing of academic, transportation, and working situations, if such accommodation is reasonably available. Contact the Office of Community Life at communitylife@ubalt.edu or 410-837-4755 with any requests for Interim Measures.

2) Reporting and Reviewing Complaints:

Once the complaint is reported, an alleged student violation of the Sexual Misconduct policy can be pursued as: (1) informal review and resolution, or (2) investigation and resolution, as set forth herein:

a) Informal Review and Resolution

The University encourages informal resolution options when the reporting party and responding party desire to resolve the situation cooperatively, or when inappropriate behavior does not rise to the level of violation of University policy, as determined by the Title IX Investigator(s), but nonetheless is adversely affecting the University or educational environment. The process may include an inquiry into the facts, but typically does not rise to the level of a full investigation.

- i. **Participation:** The informal review process requires that the reporting party and responding party agree to participate and the alleged action cannot be significantly severe or threaten the health, safety or welfare of the parties or members of the University Community. Some reports of discrimination or harassment may not be appropriate for informal resolution. Complaints of sexual assault are not permitted to be remedied with informal resolution processes. *See Policy section: Investigation and Resolution.*
- ii. **Notice:** If the terms for pursuing an informal resolution are appropriate as determined by the Title IX Investigator(s), notice will be given to the reporting party and responding party of the opportunity to participate in a meeting or other informal process on the matter.
- iii. **Terms:** The Title IX Investigator(s) will set the terms of the interactions between parties to facilitate a resolution. If the either party declines or fails to participate in the meeting or subsequent process, or an agreement cannot be reached, either party can elect to end the informal process or pursue an investigation. At any time, the University can elect to proceed with a formal investigation when necessary to comply with University obligations.
- iv. **Resolution/Outcome:** Informal resolutions may include, but are not limited to, contact restrictions and separation of the parties. Situations that are resolved through informal resolution are usually subject to follow-up after a period of time to assure that resolution has been implemented effectively. Steps taken by the Title IX Investigator(s) to help the parties achieve informal resolution will be documented.

The reporting party is not required to attempt an informal resolution prior to pursuing an investigation.

b) Investigation and Resolution

In response to reports of discrimination or sexual misconduct in cases where the reporting party does not wish to engage in informal resolution, where informal resolution is not appropriate, or in cases where attempts at informal resolution are unsuccessful, the University may initiate a full investigation where appropriate.

- i. **Participation:** When filing to initiate a formal complaint and investigation, individuals are asked to provide the complaint in writing to the Title IX Investigator(s) containing the contact information of the person filing the complaint and a description of the alleged misconduct to include the following information:
- reporting party's full name, phone number, and UB email address for official communication;
 - when and where the alleged conduct occurred;
 - the name(s) of the person(s) alleged to have violated the policy, if known;
 - description of the complaint
 - the names of any witnesses to the violation;
 - any relevant documentation that is available at the time of the report; and
 - any relief requested.
- ii. **Notice:** Within ten (10) calendar days of receiving a formal complaint or a University decision to proceed with an investigation of Sexual Misconduct, the University will notify the responding party, in writing, of the allegations and provide him/her with an opportunity to respond to the allegations made.
- iii. **Terms:** An investigation will be made of the complaint. The reporting party, responding party, and witnesses will be given the opportunity to submit relevant information during the investigation. If a Title IX Investigator(s) has not already met with the reporting party, s/he will schedule a meeting. The purpose of this meeting is to provide the reporting party with a general understanding of these procedures and, if applicable, to identify forms of support or immediate intervention available to the reporting party, as appropriate, and to gather relevant information. The Title IX Investigator(s) will also have a preliminary meeting with the respondent. The purpose of this meeting is to provide the responding party with a general understanding of these procedures and, if applicable, to identify forms of support available to the responding party, as appropriate, and to gather relevant information.

After preliminary meetings with the reporting party and the responding party, the Title IX Investigator(s) will review all relevant information, meet with all individuals involved, and consider all relevant facts and circumstances, such as the nature of the conduct, the context in which the conduct occurred, and the history of the conduct involving the parties. Both parties shall have the opportunity to see evidence that is collected by the Title IX Investigator(s), including written statements made by a party or witness, unless such viewing is prohibited by law; these reviews shall occur before the Title IX Investigator(s) makes a final determination. All determinations regarding a violation of the policy will be made based on a "preponderance of the evidence" standard. The investigation will be completed within sixty (60) calendar days, unless doing so would compromise the integrity of the investigation process or other extenuating circumstances exist. This timeframe does not include the appeal process.

iv. **Resolution/Outcome:** After the investigation is complete, the Investigator(s) will make a decision regarding responsibility. The reporting party and responding party will receive a written notice of decision – a document summarizing the Title IX Investigator(s)'s findings and conclusions. The findings will state one of the following conclusions:

1. No violation of University policy has occurred, and the student is found to be not responsible for the allegations made.
2. There has been a violation of University policy, and the student is found responsible for one or more of the allegations made.

3) Sanctions:

If the Title IX Investigator(s) concludes after a comprehensive investigation that there has been a violation of University policy, the Title IX Investigator(s) will then make a determination of an appropriate sanction(s), and will notify the parties of that sanction, unless such disclosure is prohibited by law. The range of student sanctions for those found responsible for sexual misconduct includes, but is not limited to: reprimand, probation, temporary loss of privilege, permanent loss of privilege, removal from a university activity, withdrawal from a University course, reflection experience, completion of a reflection paper/project, completion of a service learning project, completion of a personal development experience, contact restrictions, deferred sanctions, suspension, dismissal, expulsion, or other sanctions as appropriate.

4) Support for Reporting Party After Final Outcome of Investigation:

If Sexual Misconduct is substantiated after investigation and the responding party is found responsible for the complaint, the range of potential remedies for the student found to be the injured party may include: taking appropriate measures to prevent the students involved in the violation from sharing classes or extracurricular activities; providing academic adjustments to allow the student to successfully complete classes or course work; arranging for the student to withdraw from a class or classes without academic or financial penalty; providing the student with victim services, such as counseling and appropriate academic support services; and reviewing any disciplinary action against the student to see if there is a connection between the Sexual Misconduct and other misconduct that may have resulted in the student being disciplined.

5) Appeal:

The outcome of an investigation may be appealed by either party to the Title IX Coordinator in accordance with the appeal procedure outlined in this Policy. *See Policy section, Process for Appeal.*

J. Process for Reporting and Reviewing Complaints -- Employee as Respondent

1) Process – General:

A University Employee who believes that s/he has experienced Sexual Misconduct committed by a University Employee or individual contracted with the University should report the incident as soon as possible to the Title IX Coordinator, Responsible Employee or Deputy Title IX Coordinator or Investigator located in the Office of Human Resources, which is responsible for responding to Sexual Misconduct matters and the investigation of complaints. *See Policy section, Oversight of Sexual Misconduct Complaints for contact information.*

2) Process – Reporting and Reviewing Complaints:

a) Informal Review and Resolution

The University of Baltimore encourages informal resolution options when the parties desire to resolve the situation cooperatively, or when inappropriate behavior does not rise to the level of violation of UB policy, as determined by the Title IX Investigator(s) located in the Office of Human Resources, but nonetheless is adversely affecting the workplace or educational environment. Informal resolution may include an inquiry into the facts, but typically does not rise to the level of an investigation. Some reports of discrimination or harassment may not be appropriate for informal resolution. Complaints of sexual assault are not permitted to be remedied with informal resolution processes.

Resolution/Outcome: Informal resolution may include, but is not limited to, options such as referral to another University office or program, mediation, separation of the parties or referral of the parties to counseling programs, informal and formal disciplinary action. Situations that are resolved through informal resolution are usually subject to follow-up after a period of time to assure that resolution has been implemented effectively. Steps taken by the Title IX Investigator(s) to help the parties achieve informal resolution will be documented.

The reporting party does not have to attempt informal resolution prior to pursuing an investigation.

b) Investigation of Complaint

In response to reports of discrimination or Sexual Misconduct in cases where the reporting party does not wish to engage in informal resolution, where informal resolution is not appropriate, or in cases where attempts at informal resolution are unsuccessful, an investigation will be initiated.

- i. **Participation:** When filing to initiate a formal complaint and investigation, individuals will be asked to provide the complaint in writing containing the contact information of the person filing the complaint and a brief description of the alleged misconduct, including:
 - when and where the alleged conduct occurred;
 - the name(s) of the person(s) alleged to have violated the policy, if known;
 - the names of any witnesses to the violation; and
 - the relief requested.
- ii. **Filing:** Any formal complaint should be filed within ten (10) days after the individual becomes aware of the claimed offense. There is no statute of limitations on the length of time an individual has to make a claim; however, allowing more time to pass may have an impact on the University's ability to respond.

- iii. **Notice:** Upon receiving the complaint, written notice will be provided to any person(s) alleged to have violated discrimination or Sexual Misconduct policies within ten (10) working days of receiving the formal written complaint. In situations involving students, the Office of Community Life will be notified immediately upon receipt of the complaint.
- iv. **Terms:** An investigation will be made of the complaint. Reporting party, responding party, and witnesses will be given the opportunity to submit relevant information. If the Title IX Investigator(s) has not already met with the reporting party, s/he will schedule a meeting. The purpose of the meeting is to provide the reporting party with a general understanding of the procedures and, if applicable, to identify forms of support or immediate intervention available to the reporting party, as appropriate, and to gather relevant information. The Title IX Investigator(s) will also meet in a preliminary manner with the respondent. The purpose of this meeting is to provide the responding party with a general understanding of these procedures and, if applicable, to identify forms of support available to the responding party, as appropriate, and to gather relevant information.

After preliminary meetings with the reporting party and responding party, the Title IX Investigator(s) will review all relevant information, meet with all individuals involved, and consider all relevant facts and circumstances, such as the nature of the conduct, the context in which the conduct occurred, and the history of the conduct involving the parties. Both parties shall have the opportunity to see evidence that is collected by the Title IX Investigator(s), including written statements made by a party or witness, unless such viewing is prohibited by law; these reviews shall occur before the Title IX Investigator(s) makes a final determination. All determinations regarding a violation of the policy will be made based on a “preponderance of the evidence” standard. The investigation will be completed within sixty (60) calendar days unless doing so would compromise the integrity of the investigation process or other extenuating circumstances exist. This timeline does not include the appeal process.

- v. **Interim Measures:** During the investigation, the University will take appropriate measures to encourage the safety and security of all involved parties to the greatest extent possible. Such measures may include protective orders, no contact orders, and changing academic, transportation and working situations, if such accommodation is reasonable and available

Resolution/Outcome: If, after the investigation, the Title IX Investigator(s) concludes that there has been no violation of University policy, the Title IX Investigator(s) will notify the reporting party and responding party that the investigation is closed. The reporting and responding parties will be notified, in writing, about the outcome of the complaint with a written notice of decision.

- vi. **Disciplinary Action:** If the Title IX Investigator(s) determines that sexual misconduct has occurred, the Title IX Investigator(s) will take steps to address the behavior and impose disciplinary action in accordance with applicable University policy and procedures. Disciplinary actions shall include, but not be limited to, reprimand, demotion, suspension without pay or recommendation for termination to prevent its recurrence. If the Title IX Investigator(s) located in the Office of Human Resources determines that the complaint is false, all references to the complaint shall be expunged from the records of the responding party.

IV. PROCESS FOR APPEAL

The outcome of an investigation may be appealed by either the reporting or responding party.

- A. Filing:** A party wishing to appeal the outcome of an investigation must submit a written request to the Title IX Coordinator located in the Office of Government and Community Relations within five (5) working days after the date of the written notice of decision. If no appeal is submitted within the five-day period, the Investigator's finding(s), sanction(s), disciplinary action(s), or corrective action(s) will be final.
- B. Conditions:** A written request for an appeal must include an explanation of how one or more applicable conditions for appeal have been met. The sole conditions for an appeal are limited to the following:
1. A procedural error or procedural omission occurred that significantly impacted the outcome of the investigation. A written summary inclusive of this error or omission and its potential impact on the decision must be included.
 2. Consideration of certain new evidence, unknown or unavailable during the original investigation, which could have substantially impacted the outcome of the investigation. A written summary inclusive of this new evidence and its potential impact on the decision must be included.
- C. Notice:** The Title IX Coordinator will review the appeal and provide notice of the appeal to the non-appealing party, allowing the non-appealing party to respond.
- D. Outcome:** The Title IX Coordinator will provide a written decision to the appealing party and non-appealing parties within ten (10) calendar days of the appeal or, if applicable, of receiving the non-appealing party's response, unless extenuating circumstances exist; this decision is the final outcome of the University's process.
- E. Conflict of Interest:** If a conflict of interest exists for the Title IX Coordinator, the president of the University will designate an alternative individual to review the appeal and issue a decision. In this circumstance, additional time may be taken to issue the decision.
- F. Request for Extension:** A reporting or responding party may request an extension of time to submit a request for an appeal due to demonstrated extenuating circumstances only. To do so, the request must be submitted to the Title IX Coordinator in writing within five (5) working days from the date of the written notice of decision. All other requirements for the appeal process apply.

Policy and Procedures approved by Kurt L. Schmoke, President: November 21, 2014
Updated: August 5, 2015

The UBPD has instructed its personnel, while investigating or becoming aware of a sexual assault, domestic violence, dating violence or stalking incident (s) involving a campus member, all UBPD personnel are authorized to advise the victim/complainant of their right to file a Title IX sex discrimination complaint with the university in addition to filing a criminal complaint, and to report such incidents of sexual violence to Anita Harewood, Title IX Coordinator, (X-5020) if the victim/complainant consents.

Law Enforcement Reporting Procedure and Protocols

Victims are encouraged to report any sexual assault, domestic violence, dating violence or stalking.

Victims of sexual assault, domestic violence, dating violence or stalking are urged to contact law enforcement or medical personnel as soon as possible following the occurrence to receive guidance in the **preservation of evidence needed for proof of criminal assaults** and the apprehension and prosecution of assailants. Through its concurrent Jurisdiction and Mutual Aid Agreement with the Baltimore Police Department, the Campus Police have access to the Baltimore City Police crime lab and other investigating units upon request.

Any victim of, or witness to, a crime should report the incident to any of the following:

- University of Baltimore Police Department – 1st Fl of Charles Royal Bldg. - (410)837-4444
- Baltimore Police Department - 911
- Dean of Students - Academic Center, room 112, (410)837-4755
- Office of Student Affairs (Law School) - Law Center, room 103, (410)837-5623
- Counseling Services – Academic Center, room 111, (410)837-5159
- Executive Director for Student Development - Academic Center, room 112, (410)837-5592

It is important to report the incident immediately and to preserve all physical evidence.

Victims or witnesses may make a voluntary, confidential crime report for inclusion in the annual crime report. Counselors may inform their clients of the opportunity to make such a report.

Non-Campus Reporting of sexual assault, domestic violence, dating violence or stalking

When a report of sexual assault, domestic violence, dating violence or stalking is made to the institution's initial contact, that person will encourage the alleged victim to contact the Baltimore Police Department and medical personnel as soon as possible following the incident to receive guidance in the preservation of evidence needed for proof of criminal assaults and the apprehension and prosecution of assailants. Campus authorities will assist in notification of non-campus authorities at the request of the alleged victim. University of Baltimore Police Department also monitors non-campus crime through cooperation with the Baltimore Police Department

Additionally, campus personnel will retain the right to contact law enforcement personnel directly where an issue of campus security is involved. Campus personnel will also assist the alleged victim in obtaining medical attention, if the victim chooses, including providing transportation to the Mercy Medical Center or other S.A.F.E. hospital.

What To Do If You Are a victim of a Sexually Assault, domestic violence, dating violence or stalking

- Get to a place where you will be safe from further attack. For your own protection, call the police immediately, especially if the assailant is still nearby. The police will help you whether or not you choose to prosecute the assailant.
- Call a friend or family member for support.
- Get medical attention immediately. The primary purpose of a medical examination following a rape is to check for physical injury, the presence of sexually transmitted diseases or pregnancy as a result of the rape. The secondary purpose of a medical examination is to aid in the police investigation and legal proceedings. So, get medical attention as quickly as possible.
- Don't bathe or douche. Bathing or douching might be the first thing you want to do. However, you will literally be washing away valuable evidence. Wait until a doctor has examined you.
- Save your clothing. It is all right to change clothes. But save what you were wearing. Your clothing could be used as evidence for prosecution. Place each item of clothing in a separate paper bag for the police.
- Report the incident to the police. It is up to you, but reporting a rape isn't the same thing as prosecuting a rape.
- Prosecution can be determined later. To contact the University Police, call (410)837-4444, 24-hours a day. A number of campus personnel are willing and able to assist victims in reporting assaults to the proper authorities.

Victims of **Domestic/Dating Violence** should take steps to preserve any possible evidence that may aid in any administrative action and/or criminal prosecution that may result.

Examples of items that may serve as evidence would be:

- Any recorded media such as voice mails, e-mails, text messages, facebook or other social media messaging.
- You should also preserve any other notes, writings, correspondence, etc., that may be relevant to the case.
- Depending on the situation, clothing worn by the victim and/or suspect may also be needed as evidence and therefore should be preserved in its original state.
- Do not disturb the scene of any domestic/dating violence incident as police may want to photograph the scene upon their arrival. They will also want to photograph any injuries that are immediately apparent or that may appear days later.
- If any weapon was used or any object was used as a weapon, leave it in its original position and do not touch it until police arrive

If you are a victim of a sexual assault, domestic violence, dating violence or stalking and decide not to notify the police, please secure medical attention and contact any of the victim support resources listed below. The campus will also assist the victim with contacting any of these supporting agencies.

- Turn Around –Hot Line at (443)279-0379 or for appointments at (410)377-8111
- Maryland Coalition Against Sexual Assault – (301)565-2277
- Baltimore City's Rape Help Line – (443)279-0379

The campus will assist the victim, at their request, in notifying the appropriate law enforcement authorities to file criminal charges. The university will also provide full and prompt cooperation in assessing the appropriate medical attention for the victim, including transportation to a hospital equipped with a sexual assault evidence collection kit.

The university will investigate sexual assault, domestic violence, dating violence or stalking complaints and adjudicate them in accordance with university disciplinary procedures. Both the victim and the accused will be allowed to have witnesses present during the hearing process, and will be notified of the outcome of the university disciplinary process.

UB is committed to protecting reasonable confidentiality of the victim, affording protection against reprisal, and providing due process to those accused of violations. The university will provide other services as appropriate or feasible including alternative class scheduling and psychological support to the extent possible.

An educational and informational campaign to assist with the prevention sexual assaults, domestic violence, dating violence or stalking will be readily available to students, faculty, and staff. The educational programs are provided through various formats, which address the issues germane to sexual assault and its prevention, including domestic violence, dating violence or stalking, and self-defense. In addition, there are free pamphlets available on all these topics.

Victim's Services

Victims of sexual assault, domestic violence, dating violence or stalking have access to counseling through a university-associated psychotherapist or referral to nearby community resources. After a sexual assault, domestic violence, dating violence or stalking has been reported, and upon the request of the alleged victim, the victim shall be offered an alternative academic or employment situation if such an alternative is available, feasible, and appropriate to the facts of the reported assault.

Student Disciplinary Procedures

Violations of law and university policies and regulations regarding sexual misconduct may be subject to prosecution through both legal and civil authorities, and the campus judicial system. The range of university penalties shall include, but are not limited to one or more of the following: reprimand up to and including suspension, dismissed and expulsion.

The on-campus procedures guarantee that:

- the complainant and the respondent are entitled to the same opportunities to have others present during a campus disciplinary proceeding;
- both the complainant and the respondent shall be informed of the outcome or any campus disciplinary proceeding brought alleging sexual misconduct; both the reporting party and responding party will receive a document summarizing the Title IX investigator's findings;
- the complainant and the respondent will be treated with dignity, courtesy, and professionalism, and
- that while the offense must be reported according to federal reporting mandates and Maryland law, the victim's right to choose the course of action to be or not to be taken will be upheld to the extent possible.

Employee Disciplinary Procedures

No disciplinary actions will be recommended until a thorough investigation of the alleged offense has been completed by the Office of Human Resources.

Violations of laws, university policies and regulations regarding rape or sexual offenses will be subject to prosecution through both legal and civil authorities, and the appropriate employee disciplinary procedures. The range of university actions are progressive, depending on the violation, and shall include, but are not limited to one or more of the following: counseling, reprimand, suspension, or termination.

Disciplined employees accused of rape or a sexual offense are entitled to avail themselves of the appropriate grievance process for their category of employment. Information on grievance processes is available from the Office of Human Resources. The university procedures guarantee that:

- both the reporting party and the responding party shall be informed of the disposition of the sexual assault, domestic violence, dating violence or stalking complaint;
- the reporting party and the responding party will be treated with dignity, courtesy, and professionalism, and
- that while the offense must be reported according to federal reporting mandates and Maryland law, the reporting party's right to choose the course of action to be or not to be taken will be upheld.

Rape and Sexual Offense Awareness — Educational and Counseling Programs

The university offers numerous educational programs for the awareness and prevention of sexual offenses and counseling services for the victims/survivors of sexual assaults, domestic violence, dating violence or stalking.

Counseling Services offers confidential assessment and referral for treatment using mental health services in the community including individual/group therapy and peer group support. A current list of advocates (survivors of sexual trauma) is maintained for student/employee outreach should the need arise.

The university community is notified of services through prevention programs, university publications, flyers on bulletin boards, and by calling the Office of Student Affairs for specific information.

In cooperation between the Center for Student Involvement and the Campus Police, a Rape Aggression Defense Program (RAD) is offered to female employees and students by a university police officer, certified as a RAD instructor.

Persons wishing more information are encouraged to contact Campus Police, the Center for Student Involvement and/or the Human Resources Office.

Campus Sex Crimes Prevention Act

The Campus Sex Crimes Prevention Act was signed into law on October 28, 2000. The law mandates that institutions of higher education alert faculty, staff and students where they can obtain information concerning registered sex offenders that may frequent a campus. To access this information go to:

www.dpscs.state.md.us/sorSearch/

You can perform a general search or go to the right side of the page and click on "MD Institutions of Higher Education." Also, through the Maryland Sex Offender Alert Line, you can receive a phone call when a convicted sex offender moves into your zip code. Call the Maryland Sex Offender Alert Line at 1-866-559-8017 and enter your phone number and zip code. When the Department of Public Safety and Correctional Services receives notice that a registered sex offender is moving into that area, you will receive a notification call. You will then be directed to the Maryland Sex Offender Registry at www.socem.info for more information.

The University of Baltimore Police Department offers these suggestions on [what to do if you're assaulted](http://www.ubalt.edu/about-ub/offices-and-services/university-police/policies/campus-sex-crimes-prevention-act/what-to-do-if-you-are-sexually-assaulted.cfm) - <http://www.ubalt.edu/about-ub/offices-and-services/university-police/policies/campus-sex-crimes-prevention-act/what-to-do-if-you-are-sexually-assaulted.cfm>

Missing Student Policy

University of Baltimore

Residence Life @ The Varsity Emergency Contact form

Fall _____ Spring _____ Summer _____

Room: _____

Check-in Date: _____

Name: _____
(Last) (First)

ID#: _____

Permanent Street Address: _____

Home Telephone: _____

Town, State, Zip: _____

Cell Phone: _____

Birth Date: _____

Medical Information (Optional): _____

Emergency Contact Information

Name: _____ Relationship: _____ Telephone: _____

Missing Student Contact Information

Name: _____ Relationship: _____ Telephone: _____

Student Signature: _____ Staff Signature: _____

Date: _____

Residence Life @ The Varsity

Missing Student Policy

The Varsity at UB and the University of Baltimore has established a policy to investigate all reports made for a missing student who reside at the Varsity facility. This policy will establish a protocol for The Varsity at UB and the University of Baltimore to locate and assist students who have been reported as missing.

A missing student shall be classified as a student who has been reported absent from The Varsity at UB for more than 24 hours without any known reason. All reports of missing students shall be made to the University of Baltimore Police Department. University Police will investigate all reports to make a determination of whether the student is missing in accordance with this policy.

Students residing within The Varsity will be given an option to identify a person (s) whom UB shall notify within 24 hours after the determination that student is missing. The request to identify an individual(s) will be made annually, and the information collected will be managed by the Residence Hall Director.

Only authorized campus officials and law enforcement officers in furtherance of a missing person investigation may have access to this information.

If a missing student is under 18 years of age and not an emancipated individual, the university will notify a custodial parent or guardian of the missing student not later than 24 hours after the determination by University Police that the student is missing.

University Police may also notify the Baltimore City Police and other law enforcement agencies no later than 24 hours after it determines that the student is missing, even if a student has not registered a contact person.

If University Police has been notified and makes a determination that a student who is the subject of a missing person report has been missing for more than 24 hours and has not returned to the campus, the institution will initiate the emergency contact procedures in accordance with the student's designation.

In keeping with trends across the nation, The Varsity at UB was built for apartment style living and therefore may not adhere to regular or prescribed timelines for monitoring students. Student welfare and safety is paramount to the institution; however, the University recognizes and makes known its limitations in obtaining accurate and timely information on the whereabouts of students.

Key Positions that have a responsibility to report missing students are:

- Onyinye Anike: Hall Director, The Varsity at UB, Apt. 708
- Troy Richardson: Resident Assistant, The Varsity at UB, Apt. 308
- Teisha Miles: Resident Assistant, The Varsity at UB, Apt. 507
- Kathleen Anderson: Dean of Students, 410.837.4655
- University of Baltimore Police Department – 410.837.4444
- Saba Younis, Community Manager Varsity at UB, 410.637.3730

Approved August 2015

Orders of Protection

The UBPD shall assist with the adherence to any orders of protection, no contact orders, restraining orders or similar lawful orders issued by a criminal, civil court brought to our attention.

Victims may also seek a peace order from the District Court in accordance with the provisions of Title 3, Subtitle 15 of the Courts and Judicial Proceedings Article of the Maryland Code, or a protective order or temporary protective order in accordance with Title 4, Subtitle 5 of the Family Law Article of the Maryland Code. Any victim who obtains a peace order, protective order, temporary protective order, or similar order issued by a civil or criminal court should notify the University Police Department (and provide a copy of the order), so the Police Department may take steps to enforce the order on campus.

Policies on Drug and Alcohol Use

General Policy Statement

The use or abuse of controlled or illegal substances, and alcohol, poses a serious threat to the health and welfare of a large segment of the college student population through a lessening of academic performance, estrangement of social relations, creation of mental health and physiological problems, vandalism, and in some cases bodily injury, illness, and death.

The University of Baltimore drug and alcohol policies are designed to help protect the health and welfare of students, observe state, federal and local laws and maintain an atmosphere and environment appropriate for learning.

Health Risks

Substance abuse is recognized as the number one public health problem in the United States accounting for about 150,000 deaths annually. This includes deaths from stroke, disease of the heart and liver, and all alcohol and drug related suicides, homicides and accidents. About 30 percent of all those admitted to general hospitals and 50 percent to psychiatric hospitals have detectable substance abuse.

Treatment/Referral

Persons interested in discussing drug or alcohol related problems are encouraged to contact the University of Baltimore Counseling Center (UBCC) for either counseling or referral services. They are located in room 111 of the Academic Center, 410.837.5159, counseling@ubalt.edu, www.ubalt.edu/counseling. Besides offering crisis intervention and short-term counseling, the UBCC makes an up-to-date resource directory available. Resources in the directory include a broad range of treatment modalities and support groups. As with any type of health care, confidentiality is always maintained. Additional help can also be found by contacting the:

Addiction Helpline
1.800.559.9503

Baltimore County Substance Abuse Program
410.789.2647

Alcohol & Drug Abuse Administration
www.maryland-adaa.org

Drug Policy

The University of Baltimore is committed to using all available means to prevent illegal activities on campus. Use, possession, sale, distribution, and being under the influence of controlled substances or illegal substances on University premises or at University-organized activities is strictly prohibited, except as permitted by law.

Violations

Violations of laws and university policies and regulations regarding the use of controlled/illegal substances and alcohol at on-campus or University-organized activities off-campus are subject to prosecution through both law enforcement authorities and the campus judicial system. Penalties through the latter authority will depend on a careful review of the facts and circumstances of each individual case, but will take into consideration such factors as the accused person's previous record, the nature of the substance, and the degree of culpability. The range of university penalties shall include, but not be limited to, disciplinary reprimand, loss of privilege, restitution, disciplinary probation, disciplinary suspension, disciplinary dismissal, and disciplinary expulsion.

Legal Sanctions

Students and employees at the University of Baltimore are subject to federal, state and local laws regarding the possession and distribution of illegal drugs. *Federal Law 21 USCA, sections 841 and 844*, states that it is unlawful to possess, manufacture, distribute or dispense a controlled substance. In addition, the state of Maryland has additional laws dealing with distribution, manufacturing, and possession of controlled substances. Maryland law (*Sections 5-601, 5-602 and 5-607, Criminal Law Article*) states that any persons who unlawfully manufacture, distribute, dispense or possess a controlled dangerous substance may be subject to imprisonment up to 5 years and fines up to \$25,000. *Maryland. Ann. Code Art. 27, section 286 (1989)*, further states that any person who unlawfully manufactures or distributes any controlled dangerous substances may be fined up to \$25,000 and may be imprisoned for up to 20 years for a first offense.

Federal law 21 USC, sections 841 and 844–845a (1990), states that it is unlawful to possess any controlled substance for any illegal purpose. If the substance is cocaine, or contains a cocaine base, the penalty for simple possession is a fine and/or imprisonment from 5 to 20 years. For other illegal drugs, the penalty for simple possession is a fine of at least \$1,000 and/or imprisonment for up to 3 years. The penalties increase if the possession includes intent to manufacture, distribute, or dispense a controlled substance, especially if done so near a public or private elementary, vocational, or secondary school, or a public or private college or university. Additionally, any person who violates this law shall also be liable to the United States for an amount up to \$10,000 in civil penalties.

Convictions related to controlled and/or illegal substances will adversely impact a student's ability to receive federal financial aid.

Also, in Baltimore City, under *Article 19, section 58C of the City Code*, it is illegal to loiter in a certified drug-free zone, with penalties of imprisonment of up to 30 days and a fine of up to \$400.

Alcohol Policy

The University of Baltimore permits the use of alcoholic beverages in designated areas on campus if such use is in conformity with all applicable alcoholic beverage laws and the specific University regulations. The use of alcoholic beverages on campus or at off-campus University sponsored events must also be consistent with the maintenance of a high standard of conduct conducive to learning.

Violations

Violation of any regulation regarding alcoholic beverages will be adjudicated through the University's judicial system, and where appropriate, through legal action. Students and organizations found to be in violation shall face a range of University sanctions as provided in the Code of Conduct, including but not be limited to, disciplinary reprimand, loss of privilege, restitution, disciplinary probation, disciplinary suspension, disciplinary dismissal, and disciplinary expulsion.

Legal Sanctions

Students and employees of the University of Baltimore are subject to state laws for possessing, consuming and obtaining alcohol. It is illegal in the state of Maryland for any person under 21 to falsify or misrepresent his or her age to obtain alcohol or to possess alcoholic beverages with the intent to consume them. It is also illegal in most situations to furnish alcohol to a person under 21 or to obtain alcohol on behalf of a person under 21. The penalty is a fine of up to \$500 for a first offense and up to \$1,000 for repeat offenses. Under section *TR16-113* of the Maryland *Annotated Code*, licensees under the age of 21 years are prohibited from driving or attempting to drive a motor vehicle while having alcohol in the licensee's blood. Violation of this license restriction may result in a license suspension or revocation and/or a fine.

All sales, distribution, and consumption of alcoholic beverages, must conform to regulations of the University as set forth herein, to the regulations of the Board of Liquor License Commissioners for Baltimore City, and the laws of the state of Maryland. Specifically, *Article 2B* of the Annotated Code of Maryland (Alcoholic Beverages Law):

1. Prohibits selling or permitting consumption of alcoholic beverages after the prescribed hours (*Section 86*);
2. Prohibits permitting any person to drink any alcoholic beverage not purchased from the license holder on the premises covered by the license and not permitted by the license to be consumed on the premises (*Section 114*);
3. Prohibits selling or furnishing any alcoholic beverages to a minor or a person visibly under the influence of any alcoholic beverage (*Section 18*). The City of Baltimore Liquor Board requires that a one-day liquor license be obtained and displayed at any event where beer and wine are sold. Information about the acquisition of permits is available from the Center for Student Involvement.

Regulations for the Marketing, Sale, Distribution, and Consumption of Alcoholic Beverages at University Events

All state, federal and local laws must be observed when marketing, selling and consuming alcoholic beverages.

Designated Areas

Alcoholic beverages may only be served and consumed in areas designated and approved by the Office of Auxiliary Services. When sold by student groups, alcoholic beverages must be approved and ordered through the Center for Student Involvement ten days prior to the event.

Precautionary Measures

Individuals or organizations sponsoring events on or off-campus are to implement precautionary measures to ensure that alcoholic beverages are not abused, accessible, or served to persons under the legal drinking age (21) or to persons who appear intoxicated. Such measures shall include but not be limited to: identification and age verification checks, wristbands or hand stamps identifying those eligible to drink alcoholic beverages, having designated servers distribute all alcoholic beverages, prohibiting any form of drinking "contest" or game, restricting distribution of free and inexpensive alcoholic beverages, informing and arranging for UB police to be on call for all events, and having nonalcoholic beverages and food available where alcoholic beverages are served.

Advertising/Promotion

Promotional materials including advertisement of University events may not:

1. Make reference to the amount and price of alcoholic beverages (such as the number of beer kegs available),
2. Encourage any form of alcohol abuse,
3. Place emphasis on quantity and frequency of use,
4. Associate alcohol consumption with the performance of tasks that require skilled reactions such as the operation of motor vehicles or machinery, or
5. Portray drinking as a solution to personal or academic problems of students or as necessary to social, sexual, or academic success. All promotional materials shall note the availability of non-alcoholic beverages as prominently as alcohol. Alcoholic beverages may not be used as inducement to participate in a university/student organization sponsored event. Display or availability of promotional material for both on-campus and off-campus events shall be determined in consultation with the Director for the Center for Student Involvements or his/her designee.

Campus Marketing Programs

Campus marketing programs which include controlled sampling are permitted but shall conform to all University alcohol regulations, including the availability of alternative nonalcoholic beverages and food. No uncontrolled sampling as part of a campus event is permitted. The consumption of alcoholic beverages shall not be the sole purpose of any promotional activity. Marketing programs should have educational value and subscribe to the philosophy of responsible and legal use of the products represented. Marketers shall support campus alcohol awareness programs that encourage informed and responsible decisions about the use or nonuse of alcoholic beverages.

Free Alcoholic Beverages

Alcoholic beverages may not be provided as promotions, free awards or prizes to individual students or campus organizations. Free alcoholic beverages may not be served at student events without prior approval from the Director for the Center for Student Involvement or his/her designee.

Security Awareness and Crime Prevention Programs

PRIMARY PREVENTION & AWARENESS STRATEGY FOR INCOMING STUDENTS & EMPLOYEES:

With data from the National Institute of Justice showing that one in five college women (and one in 16 men) will experience some form of non-consensual sexual activity by graduation, the widespread impact of sexual violence on students presents an urgent and pressing challenge for our nation's campuses. Haven – Understanding Sexual Assault™ addresses the critical issues of sexual assault, relationship violence, and stalking, which impact countless college students across the country.

Haven uses a population-level approach to educate all students on the issues associated with sexual assault and relationship violence, taking into account their unique perspectives and experiences, providing:

- Key definitions and statistics
- Reflective and personalized content
- Bystander skill and confidence-building strategies
- Campus-specific policies, procedures and resources
- Rich data summaries to inform future programming

<http://www.everfi.com/haven>

SECURITY AWARENESS:

During orientations each semester students and employees are informed of services offered by the University of Baltimore Police Department. Video, PowerPoint, and lectures outline ways to maintain personal safety on and off campus. Security awareness programs and crime prevention programs are offered on a continual basis throughout the academic year or upon request.

A common theme of awareness and crime prevention programs is to encourage the campus community to be aware of their responsibility for their own security and the security of other campus members. The University of Baltimore Police Department's overall message to the students, faculty and staff is to "act as an extra pair of eyes and ears" and report anything that makes them feel uncomfortable or looks suspicious. "If it doesn't look right, it probably isn't - REPORT it!"

CRIME PREVENTION:

- [LiveSafe App](#)
- [Rape, Aggression, Defense \(RAD\) training](#)
- Bike patrol program
- Bike Registration Program
- [Daily Crime Log](#)
- Published articles in periodicals
- Community, Accountability, Responsibility & Excellence (CARE Team)
- IP Surveillance Cameras
- Duress Alarms
- "Gotcha" notices for unattended property, or property left in vehicles, etc.
- Guest speaker series
- Crime Awareness literature
- [Escort Program](#)
- Quality Assurance Report
- Orientation lectures
- [Shuttle Service](#)
- [Safety Tips Web Site](#)

Rape Aggression Defense Class

Note: Attendance of all sessions is strongly encouraged and a certificate of completion will be issued accordingly.

There will be a \$15 cost to cover the comprehensive reference manual.
A minimum of eight (8) persons is required for the course to commence.

For additional information and to sign up, please contact Sgt. Russell Kemp at 410.837.5584, or Nicole Svehla at 410.837.5529

Stop by the Police Communications on the first floor of the Charles Royal Building.
Send an e-mail to ubpolicedepartment@ubalt.edu

Annual Fire Security Report

The Annual fire Safety Report outlines the policies, procedures, practices and rules for resides in the Varsity as it relates to fire safety. Evacuation procedures and fire reporting procedures are clearly delineated with this report. Also contained in the report is a list of names and titles that residents must report any fire related issues to include, but not limited to: false alarms, extinguished fires, and any fire safety issue.

The Annual Fire Security Reports can be found at:

<http://www.ubalt.edu/about-ub/offices-and-services/university-police/annual-fire-reports.cfm>