

**MCDANIEL**  

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**COLLEGE**

**ANNUAL FIRE SAFETY  
AND SECURITY REPORT**

**2024**

*Working Together for a Safe Campus*



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## Message from the President



Dear Faculty, Staff, and Students,

The college's Mission Statement notes the importance of "human concern" and our First Principles urge a humane environment as incumbent upon each of us. It is up to each one of us to help foster a safe and supportive environment here on the Hill where individuals can learn, work and live. These values require collective responsibility to care for each other to maximize safety. In fact, safety on campus is one of our highest human concerns. A truly safe campus can only be achieved through our collective efforts.

The Annual Fire Safety and Security Report is subtitled with the motto of the Department of Campus Safety, *Working Together for a Safe Campus*. It contains information about campus safety measures and statistics about crime in our campus community. The report also describes our efforts to combat alcohol and drug abuse. I urge you to review the important policies and procedures in this report to learn how we can all continue to come together for a safe campus.

Julia

Julia Jasken, Ph.D.  
President  
McDaniel College

## Message from the Director of Campus Safety



From the Director of Campus Safety:

On behalf of the members of the Administration and Finance Division, I want to thank you for your interest in the Annual Fire Safety and Security Report. The Department of Campus Safety works with many offices on the McDaniel College campus to publish accurate and important safety information. We also publish the report to comply with the important provisions of the Clery Act. Campus safety and security and compliance with the Clery Act should be a part of everyone's responsibility here at McDaniel. We encourage you to review the information we have made available to you. You will find valuable information about the College including descriptions of certain services that we provide, our strong commitment to victims of crimes and the extensive services we make available to them. Campus safety and security is a collaborative effort at McDaniel. While the Department of Campus Safety is an effective leader in keeping us safe, each member of the campus community must do their part. I encourage you to embrace the mission of the Department of Campus Safety, *Working Together for a Safe Campus*. Last, you will find important information about security policies and procedures on our campus, crime data, and crime prevention information. We join President Jasken in the commitment to foster a secure and supportive environment at McDaniel College.

Chief Eric D. Immler  
Director of Campus Safety

## **ANNUAL SECURITY REPORT**

### **Institutional Policy for Preparing the Annual Disclosure of Crime Statistics**

The Department of Campus Safety prepares this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using information maintained by the Department of Campus Safety; provided by other offices such as but not limited to Campus Life, Residence Life, other Campus Security Authorities, and information provided by local law enforcement agencies surrounding the campus. Each of these offices provides updated policy information and crime data.

This report provides statistics for the previous three years (calendar years 2021, 2022 and 2023) concerning reported crimes that occurred on campus, public area contiguous to the campus, or property owned, leased or controlled by McDaniel College. This report also includes institutional policies concerning campus security, such as policies regarding sexual and gender-based violence, alcohol and drugs, and maintaining a safe campus.

The College distributes a notice of the availability of this Annual Security and Fire Safety Report by October 1 of each year to every member of the campus community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the Director of Campus Safety or by visiting <https://www.mcdaniel.edu/clery2024>.

### **McDaniel College Gender/Sex Based Anti-Harassment/ Non-Discrimination Policy**

In accordance with Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. and its implementing regulations, 34 C.F.R. Part 106, McDaniel College (“McDaniel College” or “the College”) does not discriminate on the basis of sex in any of the College’s educational programming and activities. The College is committed to preserving an educational and employment environment that is free from gender-based discrimination, gender-based harassment, sexual harassment, sexual violence, and relationship violence and stalking in accordance with Title IX, the United States Department of Education and the 2013 Reauthorized Violence Against Women Act. Accordingly, the College maintains comprehensive policies and procedures to ensure that all students, faculty and staff are afforded all of the rights available under Title IX. Inquiries concerning the application of Title IX may be referred to the College’s Title IX Coordinator at 410-

857-2205 or to the Office of Civil Rights of the United States Department of Education at:  
<http://www2.ed.gov/about/offices/list/ocr/index.html>.

## **Reporting Crimes and Other Emergencies**

McDaniel College has a number of ways for campus community members and visitors at all campuses to report crimes, serious incidents, and other emergencies to appropriate College officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire College community that you immediately report all incidents to the Department of Campus Safety at 410-857-2202 to ensure a prompt and effective investigation and appropriate follow-up actions, including issuing a timely warning designed to help prevent crime, or a *McDaniel Alert* to inform the campus of life-threatening emergencies.

## **Voluntary, Confidential Reporting**

McDaniel College recognizes the often-sensitive nature of sexual assault, domestic violence, dating violence, and stalking incidents. We are committed to protecting the privacy of any individual who makes a report. Different officials and personnel are, however, able to offer varying levels of privacy protection to victims. Reports made to law enforcement, including the criminal prosecution of an offense, may be made public (as applicable by the provisions of state law) and shared with the accused.

Reports made to McDaniel College officials, including identifying information about the victim, shall not be made public, except as required by law. The institution will only share information with institutional personnel as needed to investigate and effectively respond to the reported incident. The institution will make every effort to limit the scope of information shared, to keep it to a minimum of detail, and to share that information only when absolutely necessary. Reports made to medical professionals and licensed mental health counselors shall not be shared with any third parties except in cases of imminent danger to the patient, a third party, or in situations of State regulated mandatory reporting. Confidential resources for campus community members include the Wellness Center in the Winslow Center at 410-857-2243 for students; and the Employee Assistance Plan for employees at 1-800-327-2251.



## **Reporting to the McDaniel College Department of Campus Safety**

We encourage all members of the McDaniel College community to report all crimes and other emergencies to the Department of Campus Safety by phone at 410-857-2202 or in person at the Department of Campus Safety Headquarters located at 152 Pennsylvania Avenue. All employees are required to report to the Department of Campus Safety all crimes and violations of the College policy which occur on campus, an off-campus location or at College sponsored/sanctioned events. This is important for prompt investigation and accurate recordkeeping. Though there are many resources available, the Department of Campus Safety should be notified of any crime to assure the College can assess any and all security concerns and inform the community if a significant threat to the campus and/or community exists.

## **Emergency Phones**

The College has installed eight exterior “blue light” emergency phones throughout the campus, along with emergency phones in locations identified as tornado evacuation sites. Emergency phones provide direct voice communications to the Department of Campus Safety Communications Center.

## **Reporting to Other Campus Security Authorities**

While the College strongly suggests that community members promptly report all crimes and other emergencies directly to the Department of Campus Safety, we also recognize that some may prefer to report to other individuals or College offices. The Clery Act recognizes certain College officials and offices as “Campus Security Authorities (CSA).” The Act defines these individuals as an “official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.”

While the College has identified several CSAs, we officially designate the following offices as places where campus community members should report crimes occurring on McDaniel’s campus and off-campus locations:

| <b>Official</b>                | <b>Campus Address</b>                       | <b>Phone Number</b>  |
|--------------------------------|---|----------------------|
| Department of<br>Campus Safety | 152 PA Avenue                               | 410-857- <u>2202</u> |
| Office of Human<br>Resources   | Lower Level – Thompson<br>Hall              | 410-857- <u>2229</u> |
| Dean of Students               | Upper Level – Roj Student<br>College Center | 410-857- <u>2241</u> |
| Title IX<br>Coordinator        | Lower Level – Thompson<br>Hall              | 410-857- <u>2205</u> |

### **Pastoral and Professional Counselors**

According to the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by McDaniel College to serve in a counseling role are not considered Campus Security Authorities when they are acting in the counseling role. The College has no policy encouraging these professionals to notify those whom they are counseling of the voluntary, confidential reporting options available to them.

### **About the Department of Campus Safety**

#### Role, Authority, and Training

McDaniel College recognizes that, for effective learning to take place, a safe environment is necessary. This safety is achieved through the efforts of all members of the campus community. All members of the community bear responsibility for themselves and others. This is especially true of safety. The Department of Campus Safety provides leadership in safety related issues and provides 24-hour-a-day protection to the College community 365 days a year. The officers of the Department are unarmed and charged with responding to all security, criminal, fire, medical, and other emergencies on campus.

The Department of Campus Safety is responsible for a number of campus safety and security programs including uniformed campus police and security services, investigations, emergency medical services, emergency management, emergency notifications, safety awareness programming, physical security, alarm monitoring, fire extinguisher inspection, general hazard identification and mitigation, parking management, and shuttle transportation resources.

### **Mission Statement**

The Department of Campus Safety affirms that: The protection of human life is its primary charge. In addition, preservation of College resources is essential to the accomplishment of the goals indicated in the College's First Principles. Quality of life substantially affects learning, and that quality is preserved by the enforcement of rules and laws, which is a responsibility of the Department. As educators, Campus Safety staff members provide instruction in safety related topics. The Department provides services to the College community in a professional, respectful, knowledgeable, and skillful manner, with the highest standards of ethics, accountability, dignity, humanism, equity and fairness.

### **Authority**

Department of Campus Safety officers are sworn and commissioned under Maryland law as Special Police. This affords these officers full law enforcement and arrest authority on all McDaniel College property throughout the State of Maryland. As such, officers have authority to issue citations, obtain warrants, effect arrests, and administer all other duties required of a sworn police officer. All uniformed members of the Department of Campus Safety wear a distinctive police uniform and regularly patrol in marked vehicles, on bicycles, and on foot.

### **Safety, Our Number One Priority**

McDaniel College is a great place to live, learn, work and study, however no campus is immune from all the unfortunate circumstances that arise in society. McDaniel College works to maintain a safe campus where violent crime and property crime are rarities. The campus community must work cooperatively to ensure its own safety. This is encouraged and expected.

Throughout the year, various offices and departments provide information on how to enhance your safety. We encourage you to take advantage of these programs. If you have a question or would

like a program on a particular topic, the Department of Campus Safety is a good starting point to either get the answer or to help find the right office on campus to assist you. Other resources include Resident Assistants, Area Coordinators, Student Engagement, and Human Resources.

### **Working Relationship with Local, State, and Federal Law Enforcement Agencies**

The College recognizes that laws and rules are necessary for society to function and must be enforced. All persons on the campus are always subject to these laws and rules. While the College is private property, and Constitutional protections apply, public agency law enforcement officers may enter the campus to conduct business as needed. All partner law enforcement agencies work cooperatively with the Department of Campus Safety, especially while conducting any law enforcement functions on campus.

The Department of Campus Safety enjoys an especially good relationship with the Westminster Police Department (WPD), the Carroll County Sheriff's Office, and the Maryland State Police. WPD assists the Department of Campus Safety with routine patrols of the campus to deter crime. In accordance with a Memorandum of Understanding, the Westminster Police Department maintains the responsibility for the investigation of all serious crimes on campus, including all crimes categorized as Part 1 offenses under the FBI Uniform Crime Reporting (UCR) Program, and all criminal level drug offenses (Campus Safety officers maintain enforcement of minor drug offenses classified as civil infractions). All sexual assault investigations involving adults in the City of Westminster are conducted by the Westminster Police Department. Sexual assault investigations involving juveniles in Carroll County are conducted by an interagency team known as the Carroll County Advocacy and Investigation Center. The Department of Campus Safety works cooperatively with the members of the WPD Criminal Investigations Bureau and Investigation Center.

The Westminster Police Department is notified of all crime on campus and is immediately notified of major crimes via the telephone or shared radio communications. The College campus, which is entirely within the WPD jurisdiction, relies on the telephone to routinely contact the county emergency dispatch center for fire and emergency medical needs, although the County Public Safety Office has the capacity to link the Department of Campus Safety to responding fire or ambulance resources by radio.

Frequent meetings between the command staff of the Westminster Police Department and the Department of Campus Safety allow for exchanges of routine information on a timely basis. Resources from the Carroll County Sheriff's Office, the Maryland State Police, or federal agencies may be requested as needed by the Westminster Police Department and the Department of Campus Safety, and are organized in accordance with the principals and protocols of the National Incident Management System (NIMS) and the federal Incident Command System (ICS).

Crimes committed at off campus facilities under the control of the College will be disclosed in our statistics if they come to the attention of the Department of Campus Safety. Additionally, the Director of Campus Safety, as the chief law enforcement officer of the College, participates as a member of the Carroll County Chiefs of Police group.

### **Timely Warnings – Campus Alerts**

When circumstances require a timely warning, distribution is approved by the Dean of Students or designee, and is disseminated by the Department of Campus Safety as soon as possible.

The Department of Campus Safety shall issue a timely warning for any Clery Act crime that occurs on or near campus that has been reported to the Department of Campus Safety or local police agencies, and is considered to represent a serious or continuing threat to the campus the community.

Whenever a Clery Act crime or a pattern of crime occurs off campus, but is proximate enough to represent a potential threat to the McDaniel College campus, the Westminster Police Department immediately notifies the Department of Campus Safety to decide regarding the need for a timely warning.

The Department of Campus Safety shall notify the campus as quickly as possible through the campus email system. In the event of the loss of email capability timely warnings may be issued by means of *McDaniel Alert* or postings. These messages will also provide strategies and tips for preventing a similar incident from occurring on campus. When circulated by email, they will come from the mailbox identified as "Campusalerts."

The College will issue timely warnings whenever the following criteria are met: 1) a crime is committed in the geographical areas required by the Clery Act; 2) the perpetrator has not been

apprehended; and 3) there is a substantial risk to the physical safety of other members of the campus community because of this crime.

Such crimes include, but are not limited to: 1) Clery Act crimes that are reported to any campus security authority or the local police; and 2) crimes that the College determines to represent an on-going threat to the campus community.

### **Crimes Involving Student Organizations at Off-Campus Locations**

The Department of Campus Safety works with the Westminster Police Department to monitor and record student criminal activity off campus, when that activity is in the campus area, and may be actionable by the College under the Student Handbook accessible online at <https://catalog.mcdaniel.edu/index.php>.

Given there are no campus groups recognized by the College living off campus, monitoring of any such organization is not applicable. Crimes committed at off campus facilities under the control of the College shall be disclosed in our statistics if they come to the attention of the Department of Campus Safety. Under the Student Handbook, all recognized student organizations are required to abide by federal, state, and local laws, and College regulations.

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

### **Emergency Management at McDaniel College**

The Department of Campus Safety is responsible for the Critical Incident Management Plan (CIMP). This plan is designed to be an all-hazards disaster response and emergency management plan that complies with FEMA guidelines. The complete plan can be reviewed in the College portal at

<https://iammcdaniel.sharepoint.com/sites/Policies/Shared%20Documents/Forms/AllItems.aspx?id=%2Fsites%2FPolicies%2FShared%20Documents%2FCritical%20Incident%20Management%20Plan%20%282023%2D01%2D04%29%2Epdf&parent=%2Fsites%2FPolicies%2FShared%20Documents>,

but the following two sections are extracted directly from the plan in order to promote the specific procedures and decision-making criteria incorporated for evacuations, should it become necessary in an emergency.

## **Evacuations**

Conditions requiring evacuation are too numerous to list but in recent College history they have included fires, power outages, and a chemical spill. The response to an unforeseen circumstance where life is at risk will require the first responding members of the Department of Campus Safety to begin an evacuation with very little information. Once this decision is made and the safety of campus members are undertaken, the decision-making steps are applicable.

### **Evacuation Decision-Making**

If evacuation is necessary prior to the arrival of a responding outside emergency unit, the Director of Campus Safety or designee will define the location to evacuate to and oversee this movement of people.

When the evacuation of the entire College is necessary, students will be called upon to use private transportation and to provide rides to those students who do not have access to vehicles. For those students who are unable to find quarters off campus, Carroll Transit, if available, will be contacted to provide transportation to shelters designated by the American Red Cross or other officials responsible for transportation. If Carroll Transit is unavailable, the College will utilize contracted bus services.

Should evacuation be necessary for selected portions of the McDaniel College population, the decision of where to relocate students will be made by the Director of Campus Safety with special attention on the nature of the hazard or incident, and the number of students to be evacuated.

“Upwind and uphill” are pre-eminent in responding to natural and man-made disasters. The following locations will be considered for locations to place evacuees:

- A. Gill Center (will be the largest and most easily useable facility)
- B. the lower level of Gill Center
- C. the lower levels of Lewis Hall of Science
- D. the lower levels Roj/Englar
- E. the sub-ground level of Hoover Library

Officers will appoint an individual at each location to begin to compile a roster of people at this evacuation point. This will be provided to the Emergency Operations Center.

If the Health Center in Winslow Center is unavailable, a temporary infirmary will be established in the Gill Center training room or alternately in Roj Center Gold Room A. The College Grounds Shop will be used as a temporary morgue if essential and no other resources are available through local governmental agencies. If possible, an ASL interpreter will be dispatched to the shelter(s) (Coordinator of Interpreting Services).

### **Questions to Be Considered in an Evacuation Decision-Making**

1. How long will the relocation last?
2. Are essentials in place for the expected duration?
  - a. Food – is there staff to cook the food?
  - b. Water – is it potable? Is there an adequate amount for hygiene?
  - c. Heat or cooling – Is it adequate and likely to be available for the duration?
  - d. Physical and mental health resources needed?
3. If prolonged can we send students home?
4. How will we identify students who can host those who are unable to go home?
5. Has an first aid station been established?
6. Have census takers been appointed and begun (if prolonged)?
7. Has Communications & Marketing been notified and status communicated publicly?
8. Off campus infrastructure contacts made (ex. Sunbelt)?
9. Local resources alerted to potential need?
10. Disaster MOU invoked?
11. To what extent will cancellations be necessary, (e.g. classes, sporting or social events, etc.)?

### **Drills, Exercises and Training**

Annually, the College conducts an emergency management exercise to test emergency procedures. The scenarios for these exercises change from year-to-year and include a variety of campus departments. Occasionally, external public safety agencies are involved. This experience ensures the College's emergency response capacity is maximized. It may be a drill, a functional exercise, a



tabletop exercise, an emergency operations center (EOC) exercise, or a full-scale exercise. The College conducts and documents after-action reviews of all emergency management exercises.

In conjunction with at least one emergency management exercise each year, the College will notify the community of the exercise and remind the community of the publicly available information regarding emergency response procedures.

### **Emergency Notification**

McDaniel College is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. The College uses the emergency notification system known as *McDaniel Alert* in partnership with Omnilert. *McDaniel Alert* is an “opt out system.” This means that the College will enroll all email accounts at “mcdaniel.edu” and all phone numbers provided (home and cell) to be notified of an emergency. If a member of the campus community wishes to be removed from the system, she or he can notify the Department of Campus Safety by email at [campussafety@mcdaniel.edu](mailto:campussafety@mcdaniel.edu), and the request will be processed. Additionally, these messages will be posted to the Department of Campus Safety Facebook group (<https://www.facebook.com/McDanielDoCS>) (select “get notifications” under the “liked” tab).

### **Procedures Used to Notify the Campus Community**

In the event of a situation that poses an immediate threat to members of the campus community, the College has various systems in place for communicating information quickly. In addition to *McDaniel Alert*, the primary emergency notification system, the College may also utilize its email system, and the McDaniel College website as additional means of notification. The College will post updates during a critical incident via *McDaniel Alert*, McDaniel email, and possibly on the College’s webpage. If the situation warrants, the College may establish a telephone call-in center to communicate during an emergency situation.

The College encourages community members to establish a “communication plan” for personal communication during an emergency. This plan should avoid reliance on voice cellular communication since this resource is often not available during a crisis due to cellular capacity

being overtaxed.

### **Hazardous Weather Emergencies**

McDaniel College will activate *McDaniel Alert* for tornado watches and warnings. Emergency procedures are located throughout campus in all occupied and public spaces. A tornado watch indicates conditions are favorable for a tornado to occur, a tornado warning indicates that the extreme weather conditions are imminent.

In the event of a tornado warning on campus, employees, students and visitors should follow the instructions on placards posted in each room on campus. Tornado refuge points have been approved by the County and are located throughout the campus.

### **Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System**

Generally, the procedures below are how the College plans to confirm an emergency and initiate *McDaniel Alert*. However, circumstances may require deviation from this procedure to maximize the safety of the community.

Reports to the Department of Campus Safety of emergencies on campus will be confirmed by the dispatching of an officer to the location to assess the situation. Emergencies off campus will be confirmed by either report from or verification by local public safety resources. In the case of College sponsored trips, the trip leader will be responsible for reporting incidents to the College.

Upon confirmation, the Department of Campus Safety will follow established emergency notification procedures and may activate the College's Critical Incident Management Plan, if required. The goal is to maximize the safety of our community.

### **Determining the Appropriate Segment or Segments of the Campus Community to Receive an Emergency Notification**

Given that McDaniel College is a relatively small and compact campus, *McDaniel Alert* will be distributed to all members of the campus community simultaneously.

### **Determining the Contents of the Emergency Notification**

Depending upon the incident, *McDaniel Alert* notifications will be composed from either a

customized or pre-formatted message, which will be determined by the Dean of Students, Provost, and/or the Director of Campus Safety. The notification will be based upon the confirmed information available at that time.

Subsequent notifications will continue to be sent to the campus community throughout the emergency. It is important for the campus community to follow instructions provided through the *McDaniel Alert* notifications.

Emergency notifications will be developed based on information received from College officials and/or local public safety resources.

### **Procedures for Disseminating Emergency Information to the Larger Community**

In the event the “larger community” is impacted, the Department of Campus Safety will be in touch with the Westminster Police or Carroll County Office of Public Safety either by phone or two-way radio so that they can use their resources. Other “larger community” members such as parents might get information through the web, emails or *McDaniel Alert* that students may include them in, Facebook and Twitter resources, and local media outlets.

### **SECURITY OF AND ACCESS TO COLLEGE FACILITIES**

During business hours, McDaniel College (excluding residential facilities) will be open to students, parents, employees, contractors, and guests. During non-business hours, access to all College facilities is limited to those who are issued keys or granted prior approval for after-hours access. As authorized, the Department of Campus Safety will facilitate the access control to academic and administrative facilities, while Residence Life manages access control to residence facilities. In the case of periods of extended closing, some facilities may have individual hours, and may vary at different times of the year. Admittance will only be allowed with prior approval. In these cases, the facilities will be secured according to schedules developed and disseminated by the department responsible for the facility.

### **Special Considerations for Residence Hall Access**

Residence halls are secured 24 hours a day. Over breaks, the doors of all halls will continue to be secured around the clock, and will be equipped with a lock separate from the regular key issued to

resident students. Several special rules guide the behavior of guests in residential facilities including the requirement that guests be escorted while in the facility.

### **Security Considerations for the Maintenance of Campus Facilities**

Administrators from Administration and Finance, including the CFO, Physical Plant, Conference Services, and the Department of Campus Safety, and other concerned areas communicate frequently during the academic year. Areas of concern that may involve landscaping, locks, alarms, lighting, and communications are evaluated with appropriate remedial action taken by the responsible departments, typically being Physical Plant and Campus Safety. Also, the directors of the Department of Campus Safety, Office of Student Engagement, Wellness Center, and Residence Life and the Dean of Students meet each Monday during the academic year. This weekly meeting includes conversations about security concerns and, if appropriate, recommendations for remedial action and security enhancements.

We encourage community members to promptly report any security concern, including concerns about locking mechanisms, alarms, lighting, or landscaping to the Department of Campus Safety.

## **MCDANIEL COLLEGE RESPONSE TO SEXUAL AND GENDER VIOLENCE**

*(Policy Against Sex Discrimination and Grievance Procedures)*

### **How to Report Incidents of Sex Discrimination**

Anyone who believes that they have experienced or witnessed an incident of any type of conduct that reasonably may constitute sex discrimination under Title IX may report the incident to one of the authorized Title IX Officers or a mandatory reporter listed below.

#### **Title IX Officers**

The following individuals are Title IX Officers who may institute supportive measures on behalf of the College.

**Title IX Coordinator:** Elizabeth Towle

**Pronouns:** She/her/hers

**Phone:** 410-857-2205

**Email:** [etowle@mcdaniel.edu](mailto:etowle@mcdaniel.edu)

**Mailing address:**

McDaniel College

Department of Human Resources

2 College Hill, Westminster, MD 21157  
Campus Office: Ground Floor of Thompson Hall.

The Title IX Coordinator oversees the implementation of this Policy, this includes meeting with individuals to discuss the Policy, the options for making a complaint, supportive measures, accessing medical attention, academic accommodations, confidential counseling resources, and any other questions related to McDaniel's response to sex discrimination.

Reports can be made to the Title IX Coordinator in person during business hours, or by calling the listed telephone number (410-857-2205) or sending an email ([etowle@mcdaniel.edu](mailto:etowle@mcdaniel.edu)), or via mail to the address listed below or by any other means that results in the Title IX Coordinator receiving your verbal or written report.

Anyone in the College community who is approached by someone claiming to have experienced conduct that may reasonably constitute sex discrimination under Title IX is encouraged to direct or assist the individual to meet with the Title IX Coordinator or to make a report themselves.

Although all complaints will be referred to the Title IX Coordinator, the following College officials are available to discuss the Policy, the options for making a complaint, accessing medical attention, determining appropriate support services and academic accommodations, confidential counseling resources, and any other questions related to McDaniel's response to interpersonal violence.

**Dean of Students:** Dr. Phillip Sullivan

**Pronouns:** He/him/his

**Phone:** 410-857-2241

**Email:** [phillip.sullivan@mcdaniel.edu](mailto:phillip.sullivan@mcdaniel.edu)

**Mailing Address:**

McDaniel College

2 College Hill

Westminster, MD 21157

**Associate Vice President for Administration:** Jennifer Glennon

**Pronouns:** She/her/hers

**Phone:** 410-857-2403

**Email:** [jglennon@mcdaniel.edu](mailto:jglennon@mcdaniel.edu)

**Mailing address:**

McDaniel College Department of Human Resources 2 College Hill

Westminster, MD 21157

### **Mandatory On-Campus Reporters**

The following individuals are required to report any conduct that reasonably may constitute sex discrimination under Title IX to the Title IX Coordinator:

- Department of Campus Safety (Phone: 410-857-2202; Text: 443-821-1272)
- Any staff member of the Human Resources Department (410-857-2229)
- Any Vice President, Associate Vice President, Dean, Provost, Associate Provost, or Associate Dean

- Any member of the Campus Life Staff who is not a Wellness Center Counselor
- Any employee with supervisory responsibilities

Everyone listed above shall be informed about the responsibilities and details of these grievance procedures by the Title IX Coordinator upon appointment to their position.

Please note that once informed of conduct that reasonably may constitute sex discrimination under Title IX, a Mandatory Reporter is required to provide that information to the Title IX Coordinator (410-857-2205). Reports include the name of the individual(s) (if known) who allegedly experienced the conduct

**How to Report Incidents of Discrimination or Harassment that are Sex-Based including Gender-Identity, Pregnancy or related conditions, and Sexual Orientation, Marital Status and Parental status.**

Allegations of conduct that reasonably may constitute sex-based discrimination or harassment including gender-identity, pregnancy or related conditions, and sexual orientation, marital status and parental status will be investigated by this College policy. However, the relevant disciplinary procedures based on the role of the Respondent will be used to adjudicate and resolve the complaint.

**How to Report Incidents of Discrimination or Harassment that Are Not Sex-Based to the College**

Allegations of discrimination or harassment against a college employee that are believed to be on the basis of race, color, religion, national origin, age, disability, genetic information or any other protected characteristic, other than sex, will be investigated and resolved using the College’s Discrimination, Harassment & Retaliation Prevention Policy. Allegations of discrimination or harassment against a student that are believed to be based on race, color, religion, national origin, age, disability, genetic information or any other protected characteristic, other than sex, will be investigated and resolved using the Student Conduct Process.

For students, employees, and third parties, if allegations of discrimination or harassment involve multiple bases, at least one of which is sex-based, this policy will be used to resolve the sex-based allegation(s) either after the other allegations have been resolved through the appropriate grievance process or concurrently therewith. The decision on how to proceed will be made jointly by the Title IX Coordinator in conjunction with the relevant senior level administrator or Board of Trustees Chair with ultimate supervisory authority over the Respondent.

**To Request Accommodations**

If accommodations for pregnancy, disability, religion or otherwise are needed at any time to report or participate in any part of the policy/process described within, please contact the Title IX Coordinator at 410-857-2205.

**Rights of Complainants and Respondents under this Policy**

The College has established rights for both the Complainant and the Respondent to provide accessible, prompt and fair methods for reporting, investigating, and responding to complaints of prohibited conduct under this policy. These rights are defined throughout the Policy, including but not limited to the following:

- To be treated equitably throughout the process of implementing any and all aspects of this Policy.
- If the party chooses, to be assisted throughout the Title IX process by an advisor, who may be a licensed attorney, an advocate supervised by an attorney or a trained advocate, as more fully described in Section A found below;
- If the party chooses, to be accompanied throughout these proceedings by a personal supporter of the Complainant or Respondent's choice at any meeting or interview that is governed by this Policy;
- To be notified of legal service organizations and referral services available to the Complainant or Respondent;

If the initial assessment leads to an investigation, the Complainant and the Respondent have the following rights established:

- Written notice of:
  - The available supportive measures, remedies, and disciplinary sanctions
  - The Parties' rights and responsibilities under the Policy and information regarding other civil and criminal options
  - The date, time, and location of each hearing, meeting, or interview the party is required or permitted to attend
  - Any decision, resolution and/or outcome, including the basis for the determination and any sanction imposed, if applicable, at the same time as the other party
- To participate or decline to participate in any formal investigation or other part of the grievance process, with the knowledge and understanding that the College may proceed with a formal investigation, despite a decision to refrain from participating;
- To investigations, disciplinary proceedings, and resolutions that are prompt and equitable and provide an opportunity for the alleged Complainant and the alleged Respondent to be heard.

### **Roles of an Advisor and Support Person**

A Complainant and Respondent have the right to be assisted by up to two advisors of their choice throughout the process. This includes the right to be assisted throughout the Title IX grievance process by a licensed attorney, an advocate supervised by an attorney or a trained advocate (an "advisor"); and the right to be accompanied by a personal supporter ("support person") of the Complainant or Respondent's choice.

If a Complainant and/or a Respondent would like to consult with an attorney, they may do so at their own expense. In certain instances, Complainants and Respondents are authorized to access counsel paid for by the Maryland Higher Education Commission, unless the Complainant or Respondent knowingly and voluntarily chooses not to have counsel. *See* Md. EDUCATION Code Ann. § 11-601. Complainants and Respondents are encouraged to contact the Maryland Higher Education Commission ([www.mhec.maryland.gov](http://www.mhec.maryland.gov)) or the state and local bar associations to exercise their right to counsel under Maryland law. More information, including a list of MHEC-certified attorneys, can be found here: <https://mhec.maryland.gov/Pages/Title-IX-Campus-Sexual-Assault-Proceedings---Attorney-List.aspx>

A Complainant and Respondent have the right to have their advisor and their support person in attendance at any hearing, meeting, or interview that is governed by this Policy. The advisor and/or support persons have no speaking role in the process and are not permitted to ask or answer questions.

The advisor and/or support person are expected to act professionally and with decorum to all actors in this process, including other parties and witnesses. They may only provide advice to the Complainant or Respondent in a non-disruptive manner. Individuals should select an advisor and support person whose schedule allows attendance at any scheduled meetings. Delays will not normally be allowed due to the scheduling conflicts of an advisor or support person. The College will direct all communication regarding the process to the Complainant or Respondent. An advisor and/or support person will not be permitted to communicate with the College on the Complainant or Respondent's behalf. Failure to comply with any of these directives may result in the removal of any advisor or support person from any meeting or other proceeding.

Additionally, failure to comply with any of these directives may result in an investigator or other McDaniel representative terminating any meeting and proceeding with the investigation or other step in the process.

## **Intake Procedure by the College upon a Report of Sex Discrimination**

### **Initial Report Assessment**

Upon receipt of a report of conduct that reasonably may constitute sex discrimination under Title IX, the College will conduct an initial report assessment. As part of the assessment, the Title IX Coordinator and/or a designated member of the Response Team will:

- Assess the nature and circumstances of the allegation(s);
- Address immediate physical safety and emotional well-being needs;
- Notify the Complainant of their right to contact law enforcement and seek medical treatment, including the importance of preservation of evidence, if appropriate;
- Enter the report into the College's daily crime log, if appropriate;
- Assess the reported conduct for the need for a timely warning under the Clery Act, if appropriate;
- Conduct an intake meeting with the Complainant and provide information about:



- On and off campus resources
- The range of supportive measures and available remedies under this Policy
- An explanation of the procedural options and rights that may be applicable, including the Informal resolution and the Formal Resolution
- The College’s policy prohibiting retaliation;

This initial review will proceed to the point where a reasonable assessment of the individual's and the campus community's safety can be made. The determination as to how to proceed will be communicated to the Complainant. Depending on the circumstances and requested resolution, the Respondent may or may not be notified of the initial complaint or resolution. A Respondent will receive communication when the College seeks action that impacts a Respondent, such as supportive measures that involve them directly and/or the initiation of the grievance procedures. (Refer to Section V. Notice of Allegations for information related to the initiation of the grievance procedures). The Respondent will also be notified of their rights throughout the process.

### **Report Intake Meeting**

Unless circumstances dictate otherwise (e.g., the Complainant is unknown or not the reporting party), the first step of the assessment will usually be a preliminary intake meeting with the Complainant and a member(s) of the Response Team. The meeting may include others as necessary.

- **For Students:** The Response Team is comprised of the Title IX Coordinator, Dean of Students, Associate Vice President for Administration, and Director of Campus Safety.
- **For Employees:** The Response Team is comprised of the Title IX Coordinator, Director of Campus Safety, and the Associate Vice President for Administration.

At this meeting, the Complainant will be provided with the following information:

- On and off campus resources
- The range of supportive measures and available remedies under this Policy
- An explanation of the procedural options and rights that may be applicable, including the Informal resolution and the Formal Resolution
- The College’s policy prohibits retaliation.
- Supportive Measures

### **Supportive Measures**

The College can provide supportive measures after a report has been received.

Supportive measures are not disciplinary, nor punitive but rather individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent to restore or preserve that person’s access to the College’s education program or activity during the College’s Title IX grievance procedures or during the informal resolution process. Supportive measures may be temporary or continuing. The Title IX Coordinator is responsible for

coordinating the effective implementation of supportive measures.

The College will offer and coordinate supportive measures designed to restore or preserve equal access to the College's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College's educational environment, or deter further discrimination. Supportive measures are meant to support during the grievance or informal resolution process and may continue beyond the process's conclusion. Interim measures addressing safety concerns may also be appropriate under certain circumstances.

### **How to Request Supportive Measures**

A student may request supportive measures by contacting the Title IX Coordinator or Dean of Students who will work with the Title IX Coordinator and their designee to offer and coordinate supportive measures as appropriate. A faculty or staff member may request supportive measures by contacting the Title IX Coordinator who will work with the appropriate College Officials to offer and coordinate supportive measures as appropriate. In some instances, additional information may be required to sufficiently evaluate the need or provide for a requested supportive measure.

Once a complaint has been reported to the College, the Title IX Coordinator or designee will also offer supportive measures to the Complainant during the intake process. Supportive measures will also be offered to the Respondent as appropriate once the Respondent has been notified of the allegations.

The College will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures.

McDaniel will also offer and implement supportive measures that are designed to prevent and address retaliation against individuals whose requests for confidentiality have not been honored (see Section VI. D.) and respond to their needs for support, services and accommodations (See Section XIII.)

The appropriate supportive measures will be determined by considering the party's request(s) and the following factors, as applicable:

- The needs of the individual seeking supportive measures
- The impact of the supportive measures on the ability of others to access the educational program or activity;
- The opportunities for continued interaction between the Complainant and the Respondent (sharing or crossing paths during use of residential, academic, dining, office or any other facilities on campus); and
- Any other factor that is determined to be relevant to the health or safety of either party or the campus community as a whole.

The Title IX Coordinator will also work with students who need assistance registering with the Student Accessibility and Support Services Office (SASS), as appropriate. Students who require support for ongoing health-related accommodations must provide appropriate documentation as

required by SASS. Time frames for evaluation and implementation of requested supportive measures may vary based on the circumstances of a specific request.

For Students, the following supportive measures may be implemented to the extent that they are deemed reasonable, feasible, and necessary, based on the factors set forth above:

- No-contact directives
- Changes to campus housing assignment and/or class schedule(s).
- Escort services while on campus.
- Modifications to campus parking locations.
- Academic support through the Student Success Office, including allowing a student to withdraw from or retake a class without penalty and access to tutoring services.
- Counseling services at the Wellness Center.
- Course-related adjustments (e.g. schedule change, deadline extension, etc.).
- Modification of work schedule or location of a campus job.
- Leave of absence through the Student Success Office and Financial Aid Office (Note that a Leave of Absence may impact a student's eligibility to receive financial aid, to remain in the United States under a student visa, and/or to participate in intercollegiate athletics or the housing selection process. Consult a member of the Academic Life Office, Office of Student Success, Office of Residence Life, Athletics, and Financial Aid Office staff for additional information.)
- Increased monitoring and/or security of certain areas of the campus.
- Other similar measures are designed to protect the health or safety of a party or the campus community.
- Coordinating Parties' access to campus buildings and/or College property.

For Employees, the following supportive measures may be implemented to the extent that they are deemed reasonable, feasible, and necessary, based on the circumstances:

- No contact directives;
- Increased security and monitoring of certain areas of the campus;
- Escort services while on campus;
- A leave of absence from the College;
- Modifications to campus parking locations.
- Counseling through the employee assistant program.
- Modifications of work or class schedules, locations, and reporting lines;
- Other similar measures are designed to protect the health or safety of a party or the campus community.

### **Interim Measures and Emergency Removal of a Student**

In certain cases, the College may find it necessary to take interim measures or to remove a student Respondent entirely or partially from its education program or activity on an emergency basis. Before removing a student Respondent from any of the College's education programs or activities, the Response Team shall undertake an individualized safety and risk assessment to determine whether there is an immediate and serious threat to the physical health or safety of any student, other individual(s), or the Campus community arising from the allegations that justifies removal. The assessment shall be based on the totality of the known circumstances pertaining to the health or safety of a student, other individual(s), or the campus as a whole. The student Respondent will be provided with written notice of their emergency removal to their campus e-mail address

immediately that sets forth the reasons for the removal and the procedure available to challenge the decision.

The Respondent may challenge the removal by submitting a written request to the Title IX Coordinator within three days of receipt of the written notice. While the challenge is being considered, the Respondent must remain off-campus or adhere to the specific directive. The request shall set forth the reasons why the Respondent believes the Emergency Removal and/or the specific directives is not warranted. The Title IX Coordinator shall then forward that request to the Response Team or its designee, who shall make a determination on the Respondent's request within three days. If Respondent's written request is submitted via U.S. mail, three days shall be added to the time for determination to allow for delivery. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act. Nor shall this provision be construed to limit the College's ability to remove other individuals, including non-student Respondents, who may pose a risk to the health and safety of others from any part of the campus or the campus as a whole.

### **Evaluating Requests for Confidentiality**

McDaniel College strives to respect the personal and sensitive nature of conduct prohibited under Title IX. If an individual who experiences conduct that reasonably may constitute sex discrimination under Title IX requests confidentiality or that no investigation into a particular incident be conducted or any disciplinary action taken, McDaniel College will evaluate the request against its responsibility to provide a safe, non-discriminatory environment, including for the individual who reported the incident. Although rare, there are times when McDaniel may not be able to honor the individual's request and may have to initiate an investigation. Further, if McDaniel honors the request for confidentiality, McDaniel's ability to appropriately investigate the incident and pursue disciplinary action against the Respondent(s), if warranted, may be limited.

McDaniel has designated the Title IX Coordinator or their designees to evaluate requests for confidentiality, as appropriate to the circumstances. In considering an individual's request for confidentiality, those individuals may consult with other college personnel as appropriate.

The evaluation of requests will be at the discretion of the Title IX Coordinator or their designee to weigh all factors.

#### **If Confidentiality is Requested but Cannot be Maintained**

If McDaniel determines that it cannot maintain an individual's confidentiality after it has been requested based on the factor(s) set forth above, McDaniel will inform the individual prior to conducting an investigation (unless extenuating circumstances are present) and will, to the extent possible, only share information with those individuals who are responsible for McDaniel's response to the incident. McDaniel will not require the individual to participate in any investigation or disciplinary proceeding. The College reserves the right, in its sole discretion, to pursue alleged conduct that reasonably may constitute sex discrimination under Title IX to its conclusion in cases where not pursuing the incident would constitute a danger to the College community.

If, when responding to reports of conduct that reasonably may constitute sex discrimination under Title IX or retaliation, McDaniel determines it is obligated to take any action that would involve

disclosing a Complainant's identity to the Respondent, or an action from which the Complainant's identity may be easily determined by the Respondent, the individual will be informed before the action is taken unless extenuating circumstances are present. If the Complainant requests that the Respondent be informed that they requested that there be no investigation or disciplinary action, McDaniel will endeavor to honor this request and inform the Respondent that McDaniel made the decision to investigate the matter.

#### When Confidentiality Can Be Maintained

If McDaniel determines that it can respect the individual's request for confidentiality, McDaniel will take steps to assist the individual, to the extent possible, including the measures identified in Section IV. C.

As noted above, individuals should be aware that if McDaniel honors their request for confidentiality the College's ability to meaningfully investigate the incident and initiate the grievance procedures may be severely compromised.

Actions by the police or criminal courts do not in any way prejudice the right of a person to bring a complaint using the College's disciplinary procedures described below, including the College's informal resolution process explained in Section VII. A.

To encourage reporting conduct that reasonably may constitute sex discrimination under Title IX, an individual who reports such discrimination, either as a Complainant or a third-party witness, will not be subject to disciplinary action by the College for violation of the College's policy for one's own personal consumption of alcohol or drug, if the College determines that:

- The violation occurred during or near the time of the alleged discrimination
- The individual made the report of sex discrimination or is participating in an investigation as a witness, 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 College may initiate an educational discussion or pursue other educational remedies regarding alcohol and other drugs.

#### **Notice of Allegations**

Upon initiation of the College's Title IX grievance procedures, the College will notify the parties in writing of the following:

- The College's Policy Against Sex Discrimination and Grievance Procedures including the informal resolution process;
- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
- Retaliation is prohibited;
- The Respondent is presumed not responsible for the alleged sex-based harassment, sex discrimination or any other behavior prohibited by this policy until a determination is made at the conclusion of the grievance procedures. Prior to such a determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial decisionmaker;

- The parties may have an advisor of their choice who may be, but is not required to be, an attorney;
- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence.
- The parties will be notified that the relevant Code of Conduct, Staff or Faculty Handbook prohibits knowingly making false statements or knowingly submitting false information during the grievance procedures.

### **Consolidated Cases**

The Title IX Coordinator or designee may consolidate multiple cases and/or incidents to resolve as a single case through the formal resolution process when allegations of sex discrimination arise out of the same set of facts or circumstances, including situations where:

- There are allegations from multiple Complainants against the same Respondent;
- There are allegations from the same Complainant against multiple Respondents that; or
- The Respondent has filed a complaint against the Complainant.

### **Dismissal of a Complaint**

The College may dismiss a complaint of sex discrimination if:

- The College is unable to identify the Respondent after taking reasonable steps to do so;
- The Respondent is not participating in McDaniel’s education program or activity and is not employed by McDaniel;
- McDaniel College obtains the Complainant’s voluntarily withdrawal in writing of any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the College determines that, without the Complainant’s withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- The College determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, the College will make reasonable efforts to clarify the allegations with the Complainant.

Upon dismissal, the College will promptly notify the Complainant in writing of the basis for the dismissal. If the dismissal occurs after the Respondent has been notified of the allegations, then the College will notify the parties simultaneously in writing.

The College will notify the Complainant that a dismissal may be appealed and will provide the Complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the Respondent has been notified of the allegations, then the College will also notify the Respondent that the dismissal may be appealed on the same bases.

Dismissals may be appealed on the following bases:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome.

To file a dismissal appeal, the party must submit the appeal request in writing to the Title IX Coordinator within five days of receiving the dismissal notice. The appealing party must include their grounds for appeal and the basis for the appeal. The Title IX Coordinator or designee will respond within two days.

If the dismissal is appealed, the College will:

- Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the Respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- Communicate to the parties in writing that the College will provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties in writing of the result of the appeal and the rationale for the result.

When a complaint is dismissed, the College will:

- Offer supportive measures to the Complainant as appropriate;
- If the Respondent has been notified of the allegations, offer supportive measures to the Respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within the College's education program or activity.

## **Investigations**

### **Overview and Time Frame**

The College will provide for adequate, reliable, and impartial investigation of complaints. Following the initial complaint assessment, the Response Team may initiate a prompt, thorough, and impartial investigation. The Title IX Coordinator, in consultation with the Response Team, will oversee the investigation.

All investigations are expected to be completed (i.e., all relevant evidence related to the allegations will have been gathered) within 45 days from the date of the last preliminary meeting with the parties, unless extended for good cause. If the parties decide to pursue the informal resolution process at any time during the investigation, this shall pause the investigation and stay the 45-day deadline pending the outcome of the informal resolution. If either party wishes to request a reasonable extension to the investigative period, they may submit the request to the Title IX Coordinator noting their reason for the delay request to be considered on a case-by-case basis. Any extensions for good cause shall be communicated in writing to the Complainant and the Respondent along with an explanation of the delay or extension and the reasons for the extension.

The investigation will be a reliable, fair, impartial and adequate gathering of the facts. All individuals in the investigation, including the parties, and any witnesses, will be treated with

appropriate sensitivity and respect. Consistent with the need for a full assessment of the facts, the investigation will safeguard the privacy of the individuals involved as much as possible.

McDaniel's investigation and grievance procedures do not permit the Complainant and Respondent to interact or communicate directly or indirectly with each other at any time. The burden is on the College – not the parties – to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred.

### **Preliminary Investigative Meeting with the Parties**

Once the Notice of Allegations has been sent, the Title IX Coordinator or designee will contact the parties to schedule a meeting with each individual, if appropriate. At this meeting, the party will receive an explanation of the investigation and grievance procedures and can ask any questions. If the Complainant/Respondent have elected to have an advisor(s), they are encouraged to permit the advisor(s) to accompany them to this preliminary meeting.

A No Contact Order, if appropriate, is normally issued to restrict contact and communication between the Complainant and Respondent for the duration of the investigation and grievance procedures. A No Contact Order is defined in Section IV. C. 2. If the Respondent is a faculty or staff member, they may also be placed on administrative leave throughout the grievance process whether or not the case is formally resolved through the procedure set forth in Section VIII or via the appropriate staff or faculty disciplinary process.

### **Investigative Protocol**

The Response Team will designate an investigator who has specific training and experience investigating allegations of sex discrimination. Any investigator chosen to conduct the investigation must be impartial and not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

Based on the circumstances of a complaint, the College may designate two investigators to gather information. The College reserves the right to appoint an investigator or investigators from outside the College community, as determined by the Title IX Coordinator in consultation with appropriate College officials.

The investigator(s) will coordinate the gathering of information from any other individuals who may have information relevant to the complaint. The College will objectively evaluate all evidence that is relevant and not otherwise impermissible including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a Complainant, Respondent or witness. Formal rules of evidence do not apply in the process described herein.

The Complainant and Respondent will have the equal opportunity to identify witnesses, including fact and expert witnesses that they would like the investigator to interview as well as other inculpatory and exculpatory evidence. Should a party wish to designate an expert witness for the investigator to interview, that person must provide that expert witness at their own expense.

Both parties may provide, if they wish, a list of questions that they would like the investigator to ask of particular individuals. The investigator(s) will also gather any available, non-privileged physical or medical evidence, including documents, communications between the parties, and other electronic records as appropriate.



In cases where the Respondent is a student, if the investigator or Response Team becomes aware, at any point prior to or during the investigation and adjudication process, of additional allegations against the Respondent that, if proven, could constitute violations of other College Policies, these allegations may be investigated and adjudicated in accordance with the procedures set forth in Section VI.

The Complainant may request that an investigation be discontinued at any time. The College will attempt to honor the wishes of the Complainant. However, to address incidents where compelling evidence suggests significant individual or community safety concerns, the decision to discontinue an investigation is within the sole discretion of McDaniel. Please see Section IX(A)(5) for a review of the factors to be considered in pursuing an investigation.

The College will keep all parties informed of the progress of the investigation. If, during an investigation, there are additional allegations of sex discrimination by the Respondent toward the Complainant that are not included in the initial notice or that are included in a consolidated complaint, both parties will be promptly notified in writing. The Title IX Coordinator will evaluate whether the new allegations require investigation and thus the issuance of a notice with the amended allegations and the basis thereof to the parties.

In all cases, the parties will receive written notification if the investigator determines that additional allegations have arisen, or possible policy violations will be investigated and adjudicated in accordance with these procedures.

### **Prior Sexual History, Treatment Materials and other Privileged Materials**

The following types of evidence, and questions seeking that evidence, are impermissible (*i.e.*, will not be accessed or considered, except by the College to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the College obtains that party's or witness's voluntary, written consent for use in its grievance procedures;
- Evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct or is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the Complainant and Respondent does not by itself demonstrate or imply the Complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

## **Participation in an Investigation**

Should a person who may have been subjected to sex discrimination or a Respondent who has been notified of an investigation and/or grievance procedures decline to cooperate with the investigator or other part of the grievance process, the investigation may proceed, a finding may be reached, and sanction(s) may be imposed as appropriate based on the information available.

## **Cooperation with Law Enforcement Investigation**

At the request of law enforcement, the College may agree to temporarily defer its fact gathering until after the initial stages of a criminal investigation. The College will nevertheless communicate with the parties regarding rights, procedural options and the implementation of supportive measures outlined in this policy to assure safety and well-being.

## **Investigative Materials and Report**

The following will occur at the conclusion of the investigation:

- The College will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence. If the College provides a description of the evidence: the College will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.
- The College will provide a reasonable and equal opportunity for both parties to review and respond to the evidence or the investigative report. Both parties will have an opportunity to respond in writing to this information within a determined ten-day period.
- At the conclusion of the ten-day period, the investigator will consider the parties' written responses in completing the final investigative report, which will compile all relevant evidence. If either party wishes to request a reasonable extension to the investigative report review period, they may submit the request to the Title IX Coordinator noting their reason for the delay request to be considered on a case-by-case basis.
- The other party's written response statements will be provided to the parties no later than ten days before any hearing and before any pre-hearing meeting.
- If at any stage following the submission of the parties' responses but prior to the hearing date new evidence relevant to the allegations and not otherwise impermissible is gathered, it will be shared with the parties and their advisors in line with the parameters set forth in the initial section of this subsection. The parties will have an opportunity to submit an additional written response within a time frame determined by the Title IX Coordinator or designee. The parties may request to review the other party's written response statements once they have been submitted.
- Once finalized, the Parties will receive a copy of the report. Not later than ten days after the investigative report is finalized unless extended for good cause, a designated member of the Response Team will meet with both parties and their advisors separately in a post-investigative conference to once again review resolution options.
- The College will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. The parties and their advisors will be required to sign a non-disclosure agreement not to disseminate any of the evidence subject to inspection and review. Any violation of the non-

disclosure agreement may result in additional discrimination charges against a party, a report to an attorney's professional licensing board, or other legal action.

## **Complaint Resolution Options**

The complaint may be resolved using two different methods, the informal resolution process or the formal hearing process.

### **Informal Resolution Process**

Before the initiation of an informal resolution process, the College will explain in writing to the parties:

- Review the allegations included in the Notice of Allegations;
- The requirements of the informal resolution process;
- That any party has the right to withdraw from the informal resolution process and initiate or resume grievance procedures at any time before agreeing to a resolution;
- That if the parties agree to a resolution at the end of the informal resolution process, they cannot initiate or resume grievance procedures arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties.

When the Complainant and Respondent are both students, the informal resolution can be invoked at any time during the grievance procedures. Prior to beginning the informal resolution process, the parties must voluntarily provide written consent to participate, acknowledging that: (1) if the parties agree to a resolution at the end of the informal resolution process, they cannot initiate or resume grievance procedures arising from the same allegations; (2) at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the formal resolution process; and (3) any consequences resulting from participating in the informal resolution process, including the records that will be maintained.

The College will not compel any party to engage in mediation, to either party to directly confront one another, or to participate in the informal resolution. The decision to pursue informal resolution will be made when the College has sufficient information about the nature and scope of the conduct, which may occur at any time.

The Title IX Coordinator will maintain records of all reports and conduct referred for remedies-based resolution. The College will keep the parties informed of the progress of the informal resolution procedures. Statements made by either party during an informal resolution process are considered confidential and inadmissible, regardless of the outcome of the informal resolution process.

The Title IX Coordinator has the discretion to determine that the Informal Resolution Process is not an appropriate way to address the reported conduct, and that the matter must instead be resolved through the investigation and formal resolution process.

### **Formal Resolution**

The formal resolution option is a hearing that may result in disciplinary action against a Respondent when found responsible for a policy violation at the conclusion of the grievance

procedures. A hearing officer will be assigned by the Title IX Coordinator or designee based on the relevant facts derived from the completed investigation report and the testimony taken during the decision hearing. The Response Team will authorize the formal resolution process.

### **Hearing Officer Designation and Notification**

The hearing will be presided over by one decisionmaker, the “Hearing Officer.” The Hearing Officer will preside over the hearing and conduct a pre-hearing meeting with parties and their advisors. The parties will be informed of the hearing meeting at least 10 days prior to the date of the hearing. They will also be informed of the identity of the designated Hearing Officer. The College reserves the right to appoint a hearing officer from outside the College community, as determined by the Title IX Coordinator, in consultation with appropriate College officials.

### **Opportunity to Object to Designation of Hearing Officer**

The parties will be allowed to object to the designated Hearing Officer based on bias or conflict of interest. All objections must be made in writing and delivered to the Title IX Coordinator or designee within two days of receiving notification of the name of the Hearing Officer. The Complainant or Respondent should explain the basis for their objections with particularity. The party objecting to the designation of the Hearing Officer bears the burden of demonstrating why the Hearing Officer should not preside over their matter. The Title IX Coordinator or designee will respond to the objection in writing within two days with a decision, and if the objecting party prevails, include the name of the new person assigned to replace the removed Hearing Officer.

### **Pre-Hearing Meeting**

Upon receiving their designation by the Title IX Coordinator or designee, the Hearing Officer will review the investigative report and individually invite the Complainant and Respondent and their advisors to a pre-hearing meeting, which may be conducted in person, by telephone, or via videoconferencing. The hearing officer will provide the date and time of each pre-hearing meeting to the parties and their advisors not less than three days before that meeting.

On or before the hearing meeting date, each party and their advisors shall submit proposed witness lists and items of evidence. Any individuals included on the witness list or items of evidence listed must have been interviewed by the investigator or in the investigative report for it to be considered at the hearing. The Hearing Officer reserves the right to determine the appropriateness and relevance of the questions.

At the Pre-Hearing Meeting, the Hearing Officer shall review the hearing process, the rules of decorum governing the conduct of advisors, parties, and witnesses, and answer any questions from the parties. The advisors are expected to have reviewed this Policy and any other relevant investigative materials prior to the Pre-Hearing meeting. An advisor’s lack of preparedness shall not constitute cause for any delay of the Pre-Hearing Meeting or the hearing itself.

If a party does not have an advisor and does not intend to bring an advisor to the Title IX hearing, they shall inform the Hearing Officer on or before the pre-hearing meeting.

## **Formal Resolution (Title IX) Hearing**

### **Hearing Procedures**

The College will conduct the live hearing with the parties in physically separate locations with technology enabling the Hearing Officer and parties to simultaneously see and hear the party or witness while that person is speaking.

The College will provide a process that enables the Hearing Officer to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex-based harassment.

The Title IX Coordinator or designee will serve as the hearing coordinator to assist the Hearing Officer, the Parties, and Witnesses with any technical or administrative issues during the Hearing. The hearing coordinator has no decision-making power. In the event of technical difficulties, the hearing coordinator will take appropriate steps to ensure a prompt, thorough, and equitable hearing.

The order of the statements and interviews during the hearing will be determined by the Hearing Officer. Each party may have one advisor of their choice present during the hearing and a support person of their choice.

The hearing shall begin with the Hearing Officer formally opening the hearing. Each party will have the opportunity to present a brief opening statement to the Hearing Officer if they choose. Both parties will next have an opportunity to provide direct testimony to the Hearing Officer.

At their discretion, the Hearing Officer may choose to call the investigator(s) and/or witnesses to testify and may review any statements or other evidence that is mentioned in the report. Both parties may request that the Hearing Officer call any witness who was previously interviewed during the investigative process to testify. Each party is allowed to propose such questions that the party wants asked of any party or witness and have those questions asked by the Hearing Officer.

The Hearing Officer will be permitted to first ask relevant questions of the person testifying, whether the person is a party or a witness.

- If the person testifying is a party, once the Hearing Officer's questions have concluded, the Hearing Officer will then permit the opposing party to submit any additional relevant questions and follow-up questions to the party, including questions that challenge credibility to the Hearing Officer. The questions will be asked by the Hearing Officer
- If the person testifying is a witness, once the Hearing Officer's questions have concluded, the Hearing Officer will then permit each party to submit any additional relevant questions and follow-up questions to the party, including questions that challenge credibility to the Hearing Officer. The Hearing Officer shall determine in what order the questions are asked and may ask the additional questions.

The Hearing Officer will determine whether a proposed question is relevant and not otherwise impermissible before the question is posed and will explain any decision to exclude a question as not relevant or otherwise impermissible. Questions that are unclear or harassing of the party or witness being questioned will not be permitted. The Hearing Officer will give a party an

opportunity to clarify or revise a question that they determine is unclear or harassing. If the party sufficiently clarifies or revises the question, the question will be asked.

Questions that relate to the Complainant's sexual interests or prior sexual conduct are not relevant, unless such questions are offered to prove that someone other than the Respondent committed the alleged conduct or are about specific incidents of the Complainant's prior sexual conduct with the Respondent that are offered to prove consent to the alleged sex discrimination.

***Refusal to respond to questions and inferences based on refusal to respond to questions:*** The Hearing Officer may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. The Hearing Officer will not draw an inference about whether sex-based harassment occurred based solely on a party's or witness's refusal to respond to such questions.

The Hearing Officer will allow for breaks at appropriate times during the proceedings. After all testimony has been taken, each party will be allowed to offer a brief closing statement, if they choose.

At the discretion of the Hearing Officer, anyone disrupting the process may be removed from a meeting.

### **Determination Whether Sex Discrimination Occurred**

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the Hearing Officer will deliberate in private and render a decision within 7-10 days of the hearing. If there needs to be an extension for good cause, this shall be communicated in writing to the Complainant and the Respondent along with an explanation of the delay or extension and the reasons for the extension.

The Hearing Officer will rely on the Investigation Report, relevant and not otherwise impermissible evidence and the interviews conducted during the hearing for their determination of the relevant facts of the case. The Hearing Officer may consider statements made by parties or witnesses that are otherwise permitted under this Policy in reaching a determination regarding responsibility in a Title IX grievance process.

The Hearing Officer will use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred for each violation in question. This means that they will decide whether it is "more likely than not," based upon all the relevant and not otherwise impermissible evidence, that sex discrimination occurred. The standard of proof requires the Hearing Officer to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the Hearing Officer is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the Hearing Officer will not determine that sex discrimination occurred.

The Hearing Officer will notify the parties simultaneously in writing of the determination whether sex-based harassment occurred under Title IX including:

- A description of the alleged sex discrimination;
- Information about the policies and procedures that the Hearing Officer used to evaluate the allegations; The Hearing Officer's evaluation of the relevant and not otherwise impermissible evidence and determination whether sex-based harassment occurred;

- When the Hearing Officer finds that sex discrimination occurred, any disciplinary sanctions the College will impose on the Respondent, whether remedies other than the imposition of disciplinary sanctions will be provided by the College to the Complainant, and
- The College's procedures and permissible bases for the Complainant and Respondent to appeal.

The College will provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The College will not impose discipline on a Respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the Title IX grievance procedures that the Respondent engaged in prohibited sex discrimination.

If there is a determination that sex discrimination occurred, as appropriate, the Title IX Coordinator will:

- Coordinate the provision and implementation of remedies to a Complainant and other people the College identifies as having had equal access to the College's education program or activity limited or denied by sex discrimination;
- Coordinate the imposition of any disciplinary sanctions on a Respondent, including notification to the Complainant of any such disciplinary sanctions;
- Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the College's education program or activity.
- Comply with the Title IX grievance procedures before the imposition of any disciplinary sanctions against a Respondent; and
- Not discipline a party, witness, or others participating in the Title IX grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex-based harassment occurred.

## **Sanctions**

Following a determination that sex discrimination occurred, the College may impose sanctions which will be determined as follows:

- The classification of the Respondent will determine the procedure and type of sanctions available.
- The Hearing Officer will determine sanctions, based upon a full consideration of the following factors: (1) the Respondent's prior discipline history (including any previous violations of the College's Policy on Gender/Sex Based Anti- Harassment/Non-Discrimination Policy); (2) how the College has sanctioned similar incidents in the past; (3) the nature and violence of the conduct at issue; (4) the impact of the conduct on the Complainant; (5) the impact of the conduct on the community, its members, or its property; (6) whether the Respondent has accepted responsibility for his/her actions; and (7) any other

mitigating or aggravating circumstances. The Respondent's voluntary intake of alcohol and/or drugs is not considered a mitigating circumstance.

**For Students:** If a student is found responsible, the Hearing Officer, in consultation with the Dean of Students, will determine appropriate sanctions that may include those set forth below. If there is a formal resolution process underway at the end of a student's final semester at the college, the final graduation approval process may be withheld until the formal resolution process concludes. Sanctions may be issued individually, or a combination of sanctions may be imposed.

Possible disciplinary sanctions that may be imposed under this Policy include, but are not limited to, warning, restriction, service hours, educational sanctions, mandatory assessment and compliance with any resulting treatment plan, change in room assignment, restriction of activities and/or on access of campus facilities, disciplinary probation, removal from the residence halls and/or from nonacademic campus activities, modifications to future class scheduling that do not impact graduation date, suspension or expulsion from the college.

Sanctions for policy violations including sexual assault may receive a sanction ranging from suspension to expulsion. The timing and length of a suspension vary and are typically assigned in full semester increments (up to 4 semesters) and/or for the remainder of a semester already in progress.

**For staff and non-tenure track faculty:** If a staff member or a non-tenure track faculty member, is found responsible, the Hearing Officer will determine appropriate sanctions set forth below in conjunction with the Associate Vice President for Administration, their designee, and/or the appropriate divisional vice president. Dismissal is the minimum sanction for sexual assault, domestic violence, dating violence and stalking. For acts of coercion, intimidation, retaliation, sexual exploitation and sex-based harassment, the sanction include: A first written warning, a formal performance improvement plan, suspension or dismissal, according to the seriousness of the offense. Sanctions may be incremental in nature (*i.e.*, a first offense generally would have the least severe sanction). Information regarding the Respondent's employment record, including prior sanctions for violations, may be considered.

**For tenured or tenure track faculty:** If a tenured or tenure track faculty member is found responsible, the Hearing Officer will consult with the provost before determining the recommended sanction(s) set forth below. If the Respondent is a faculty member, his/her tenure status is not a protection, since sex discrimination gender-based discrimination, gender-based harassment, sexual harassment, sexual violence, interpersonal violence and stalking violate basic human rights guaranteed by law, and tenure is not a guarantee against sanction due to either established academic principles or civil or criminal laws.

Dismissal is the minimum sanction for sexual assault, domestic violence, dating violence and stalking. For acts of coercion, intimidation, retaliation, sexual exploitation and sex-based harassment, the sanction include: A first written warning, a formal performance improvement plan, suspension or dismissal, according to the seriousness of the offense. Sanctions may be incremental in nature (*i.e.*, a first offense generally would have the least severe sanction).



Information regarding the Respondent's employment record, including prior sanctions for violations, may be considered.

If the Respondent is a tenured or a tenure track faculty member and the sanction recommended for the Respondent is dismissal, the dismissal proceedings set forth in the American Association of University Professors (AAUP) 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings will be followed after the Appeals process in the previous section is satisfied. The first step of the AAUP process will be considered satisfied through the completion of the Formal Resolution Process.

Upon receipt of the sanction recommendation, the President will initiate the second step of the AAUP process by drafting a statement with reasonable particularity of the grounds proposed for dismissal and provide the statement to the elected faculty committee charged with review of personnel actions pertaining to tenured or tenure track faculty members (hereafter "the Hearing Committee").

The Hearing Committee will be charged by the President with reviewing the record of the formal hearing and issuing a finding that supports a sanction of dismissal or offers an alternative of sanction. If the Hearing Committee requires additional information in order to render its findings, it will conduct proceedings in accordance with American Association of University Professors (AAUP) Guidelines, subject to and consistent with the requirements of Title IX. Specifically, the Committee may not request additional testimony from the Complainant and witnesses who testified before the Grievance Committee. The Committee's deliberations will not be recorded.

At the conclusion of its review, the Committee will submit a written notice to the President regarding whether the faculty Respondent should be dismissed. A copy will be provided to the Title IX Coordinator who will provide the written notice to the faculty Respondent within three days of receipt of notice.

The President will transmit the Committee's written notice to the Board of Trustees Executive Compensation Committee ("BTECC"). The BTECC, in its sole discretion, may review the record of the hearings before the Grievance Committee, review the details and recommendations of the Committee's review, or grant the faculty member an opportunity for argument, oral or written. The BTECC shall make the final decision as to whether to dismiss the faculty member or to recommend an alternative course of action. The BTECC will charge the President with carrying out its recommended action(s), which shall not be subject to further review or appeal.

**For Board of Trustee Members:** If a Member of the Board of Trustees is found responsible, the Hearing Officer will consult with the Chair of the Board of Trustees before determining the recommended sanction.

**For the President:** If the President is found responsible, the Hearing Officer will consult with the Chair of the Board of Trustees before determining the recommended sanction(s).

### **Audio Recording**

The College will create an audio recording of the hearing and make it available to the parties for inspection and review. The recording shall be the property of the College. No other recordings shall be made by any person during the meetings. Deliberations will not be recorded. Recordings of meetings that result in suspension, dismissal of employment, expulsion, or loss of campus

housing shall be kept in accordance with the records retention policy.

### **Appeal Process**

Both parties may request that the final outcome be appealed. The review will be conducted in an impartial manner by a trained two-person panel comprised of a Vice President or designee appointed by the Title IX Coordinator. The individual shall be different from those persons who investigated or adjudicated the complaint.

The appeal must be submitted via email to the Title IX Coordinator or designee within three days of receiving the written outcome. The review shall consist of a concise and complete written statement stating the grounds for the review (see below) and all relevant information to substantiate the basis for the appeal. The review request must state whether the individual is appealing the sanction, or both the sanction and the decision. The only grounds for final review are:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the determination or dismissal was made; and
- The Title IX Coordinator, investigator(s), or decision-maker(s)/Hearing Officer had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome.

If a party appeals a dismissal or determination whether sex-based harassment occurred, the College will:

- Notify the parties in writing of any appeal, including notice of the allegations, if notice was not previously provided to the Respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- Ensure that the decisionmaker for the appeal has been trained consistent with Title IX regulations;
- Communicate to the parties in writing that the College will provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties in writing of the result of the appeal and the rationale for the result.

The receipt of the request for the review will be acknowledged in writing (which can include email). The Title IX Coordinator shall provide the other party with a copy of the request for review within one day of receipt. The other party shall have an opportunity to respond to the request for review within three days of receipt.

The Review Panel shall first consider whether the review request is timely filed and if so, whether the review request is properly framed based on one or more of the three grounds. If the Review Panel determines that the review request is not properly framed, the final review will be denied.

If the review request meets the final review criteria, any documents from each party will be considered together in one appeal review process. The review request and any supporting documents will be shared with the other party, who will be given three days to respond to the

review documentation in writing to the Title IX Coordinator or designee who shall forward it on to the Review Panel.

The burden of proof lies with the party requesting the final review, as the original determination and sanction are presumed to have been reasonable and appropriate.

The Final Review Panel will then issue a written decision that either:

- Accepts the decision of the Hearing Officer,
- Amends the decision of the Hearing Officer, or
- In the case of substantive new information, the Final Review Panel assesses the weight and impact of newly discovered information in light of the original decision and renders a decision.

If a party is suspended, dismissed, removed from campus, including housing, or put on leave because of the hearing, the assigned sanctions may go into effect pending the outcome of any appeal.

The Final Review Panel will render a written decision on the appeal to the parties within thirty days from the date of the submission of all appeal documents by both parties, unless extended for good cause. Final review decisions are absolute.

### **Limited Student Conduct Immunity for Reporting Parties and Witnesses**

Individuals with information about conduct that reasonably may constitute sex discrimination may hesitate to come forward out of fear of revealing that their own conduct at the time of the incident violates a College Policy.

Students are encouraged to report incidents of conduct that reasonably may constitute sex discrimination and assist a person involved in such conduct in times of crisis.

McDaniel College does not condone infractions of the Code of Student Conduct but considers reporting conduct that reasonably may constitute sex discrimination to be of paramount importance.

Therefore, the College extends limited immunity for other student conduct substance abuse violations to potential witnesses and Complainants in order to facilitate the reporting and resolution of such conduct. The College, in its discretion may extend this limited immunity to other student conduct violations.

Immunity is extended to a student under the following circumstances:

- The College determines that the substance abuse violation occurred during or near the time of conduct that reasonably may constitute sex discrimination;
- The student is determined to have made the report or is participating in an investigation as a witness in good faith; and
- The College determines that the violation was not an act that was reasonably likely to place the health or safety of another individual at risk.

## **Integrity of Proceedings**

These procedures are entirely administrative in nature and are not considered legal proceedings.

## **Records**

The Title IX Coordinator or designee will retain records of all reports and complaints, regardless of whether the matter is resolved by means of assessment, informal resolution, or formal resolution, for seven years including:

- Each sex-based harassment investigation including any determination regarding responsibility and any hearing recording, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the College's education program or activity;
- Any appeal and the result therefrom;
- Any informal resolution and the result therefrom; and
- All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
- Records of any actions, including any supportive measures, taken in response to a report, and document that it has taken measures designed to restore or preserve equal access to the College's education program or activity. If the College does not provide a Complainant with supportive measures, then the College will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the College in the future from providing additional explanations or detailing additional measures taken.

If the Complainant or Respondent is a student, the records will be retained in the Office of Campus Life for seven years from when the student graduates or leaves the College due to death, withdrawal, or academic dismissal. Affirmative findings of responsibility in matters resolved through formal resolution will be included as part of the student's conduct record. Such records shall be used in reviewing any further conduct, or developing sanctions, and shall remain a part of a student's conduct record. Records of cases resulting in suspension or expulsion may be retained for longer periods of time or indefinitely at the discretion of the Dean of Students. Further questions about record retention should be directed to the Office of Campus Life.

Complaints resolved by means of assessment or informal resolutions are not included in the student's conduct file or academic record but are maintained by the Title IX Office for seven years.

If the Complainant or Respondent is a volunteer, faculty or staff member, the records will be retained in the Office of Human Resources in a confidential file for a period of seven years post termination.

If the Complainant or Respondent is a third party, the records will be retained in the Office of Human Resources in a confidential file for a period of seven years post resolution date.

## **Misuse of Policy**

The purpose of this policy is to promote and maintain an environment at McDaniel College that is free from sex discrimination. Any member of the college community who believes that he or she has been subjected to such conduct that reasonably may constitute sex discrimination is encouraged to use the procedures provided in this policy, for the benefit and protection not only of that individual but ultimately of the entire college community. However, fabricated charges of such conduct undermine the purpose and effectiveness of this policy. A good-faith complaint that results in a finding of not responsible is not considered a false or fabricated accusation of sex discrimination. However, when a Complainant or third-party witness is found to have fabricated allegations or given false information with malicious intent or in bad faith, the individual may be subject to disciplinary action. It is a violation of the Code of Student Conduct, Faculty and Staff Handbook guidelines to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws. Such allegations may be reported to the Title IX Coordinator, who shall investigate the allegations and take any appropriate action.

## **Required Training**

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process must receive training on non-discrimination, the definition of sex-based harassment as Defined by the Department of Education and the scope of the College's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. All decision-makers will receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators will receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in paragraph (b)(5)(vii) of this section. Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints.

In addition, any hearing adjudicators must have training on non-discrimination; the dynamics of sexual harassment, sexual violence, stalking, and intimate partner violence; the factors relevant to a determination of credibility; the appropriate manner in which to receive and evaluate sensitive information; the manner of deliberation; evaluation of consent and incapacitation; the application of the preponderance of the evidence standard; sanctioning and the College's policies and procedures.

## **Title IX Coordinator and Designees**

The Title IX Coordinator and Designees, in addition to the training requirements provided above, shall be trained on their specific responsibilities, including:

- That the College must take actions to prevent sex discrimination and ensure equal access to the College's education program or activity, such as by providing reasonable modifications

for students, reasonable break time for lactation for employees, and lactation space for students and employees.

- The actions the Title IX Coordinator is required to take upon being notified of conduct that reasonably may constitute sex discrimination under Title IX.
- The College's recordkeeping system.
- Any other training necessary to coordinate the College's compliance with Title IX.

## **Employees**

All College employees must be trained on:

- The College's obligation to address sex discrimination in its education program or activity
- The scope of conduct that constitutes sex discrimination under Title IX, including the definition of sex-based harassment
- Applicable notification and information requirements, including that when a student (or a student's parent or other legal representative) informs a College employee of the student's pregnancy or related conditions, the employee provides that person with the Title IX Coordinator's contact information and informs that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the education program or activity.
- Any employee who is not a confidential employee and who either has authority to institute corrective measures on behalf of the College or has responsibility for administrative leadership, teaching, or advising in the College's education program or activity to notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination under Title IX or this part; and all other employees who are not confidential employees and either:
  - Notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination under Title IX; or
  - Provide the contact information of the Title IX Coordinator and information about how to make a complaint of sex discrimination to any person who provides the employee with information about conduct that reasonably may constitute sex discrimination under Title IX.

The training materials for these required trainings are available upon request.

## **College and External Confidential and Non-Confidential Resources for Incidents of Sex Discrimination**

### **On-Campus Confidential Resource for Full Time Students**

#### **McDaniel College Wellness Center**

Campus Location: Winslow Center, top floor

Phone: 410-857-2243

The Wellness Center's licensed medical professionals (health and counseling) are confidential resources for students. A student may choose to make an appointment with a counselor or medical staff person to discuss the situation that has occurred and the options for how to respond to the incident.

With limited exceptions, professional counselors are exempt from reporting regarding incidents of conduct that reasonably may constitute sex discrimination. A professional counselor is defined as an individual whose official responsibilities include providing mental health counseling to members of the College's community and who is functioning within the scope of the counselor's license or certification. Students can access this type of professional counselor through the Wellness Center. The Wellness Center Counseling staff members will assist a student through the reporting process if the student chooses. A student can contact a Wellness Center Counselor through the Department of Campus Safety if a report has been made or by contacting the Wellness Center directly and scheduling an appointment.

### **Confidential Resources for Employees**

Employees can access a professional counselor or legal consultation through the Employee Assistance Program (EAP) at:

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

The EAP is confidential, free service to employees. Services include clinical assessment, short-term face-to-face or telephonic counseling, and referrals to community resources. 800-327-2251. The EAP Counselor can assist the employee through the reporting process should the employee choose to file a report.

### **Confidential Resources External to the College for Students and Staff**

**Care Healing Center of Carroll County:** 410-857-7322 (24-hour hotline)

<https://carehealingcenter.org/> All services are provided free of charge. Services are available to any victim of sexual violence age 12 and older, and secondary victims. Care Healing Center provides walk-in crisis intervention (Monday-Friday) Individual and group therapy; Hospital, court, school, detention center, and police accompaniments; Information and referrals.

**Carroll Hospital Center:** 410-848-3000 for medical and SAFE exams (Please note that Carroll Hospital Center procedures require that all incidents of sexual assault be reported to the

Westminster Police, unless an individual wishes to have a SAFE Exam anonymously as “Jane/John Doe”)

**Carroll County Health Department:** 410-876-2152 for STI testing and reproductive health care.

**Confidential Stop it Now Helpline:** Provides direct help to individuals with questions or concerns about child sexual abuse, including bystanders or those at risk of committing harm. They offer a confidential national prevention Helpline (1.888.PREVENT) (available M-F 12 p.m.-6 p.m. EST), email and chat services, an interactive Online Help Center, and the “Ask Now!” advice column. <https://www.stopitnow.org/about-us>

**Love Is Respect:** 1-866-331-9474 Text LOVEIS to 22522 [www.loveisrespect.org](http://www.loveisrespect.org) This is a free and confidential youth hotline available 24 hours a day/7 days a week.

**Maryland Coalition Against Sexual Assault (MCASA):** [www.mcasa.org](http://www.mcasa.org), 1- (877) 496-SALI The website provides a detailed list of rape crisis centers located in Maryland and information about the Sexual Assault Legal Institute (SALI) that provides comprehensive legal services to survivors of sexual violence.

**Maryland Higher Education Commission Attorney List** for students who are parties to sexual assault proceedings: [Title IX Campus Sexual Assault Attorney List.pdf \(maryland.gov\)](#)

**National Domestic Violence Hotline:** 1-800-799-7233, 1-800-787-3224 (TTY) Text START to 88788 <http://www.thehotline.org> This is a free and confidential hotline available 24 hours a day/7 days a week.

**National Sexual Assault Hotline (RAINN):** 1-800-656-HOPE This is a free and confidential hotline for incidents occurring outside of Maryland available 24 hours a day/7 days a week.

**Springboard** (formerly Family and Children’s Services of Central Maryland): 443-865-8031 <https://www.springboardmd.org/family-and-childrens-services-is-now-springboard-community-services/> This is a free and confidential hotline available 24 hours a day/7 days a week for assistance with domestic violence.

### **On-Campus Non-Confidential Emergency Resources for Students and Employees**

Department of Campus Safety

Phone: 410-857-2202;

Text: 443-821-1272

Address: McDaniel College, 152 Pennsylvania Avenue, Westminster, MD 21157

The Department of Campus Safety staff are available 24 hours a day/7 days a week to:

- Help an individual access medical care and/or a SAFE exam through Carroll Hospital Center, including by providing transportation,
- Discuss safety planning, and
- Explain reporting options related to the College and local law enforcement, including applying for a protective order through the Carroll County Court System.



Anyone who has experienced conduct that reasonably may constitute sex discrimination may utilize Campus Safety to be escorted on campus if feeling unsafe.

**StalkingAwareness.Org** provides general information and resources that can help victims and survivors learn more about stalking.

**The Victim Connect Resource Center** <https://victimconnect.org/> is a referral helpline where crime victims can learn about their rights and options confidentially and compassionately. Call or text directly at 1-855-4VICTIM ([855-484-2846](tel:855-484-2846)) or chat online.

### **What To Do If You Experience an Act of Sex-Based Harassment**

Go to a safe place. Call someone you trust for support. Remember that being assaulted is not your fault.

Seek medical attention immediately to provide options for the prevention of sexually transmitted infections, internal injuries, and the possibility of pregnancy. A medical examination, performed by a specially trained nurse, is available at Carroll Hospital Center (410-848-3000) or the Care Healing Center (24 Hour Hotline: 410-857-7322).

Transportation for medical attention or other intervention services can be arranged by the Department of Campus Safety (Phone: 410-857-2202; Text: **443-821-1272** or Ext. 2202) at any time, or by calling for an ambulance at 911.

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

#### **Sexual Assault**

Have evidence collected as soon as possible. Evidence collection is necessary for the investigation of the crime. Evidence may include pictures of injuries, a forensic examination, texts, phone records, social media interactions, medical records, video recordings, photographs, receipts, diaries/journals, text, social media and voicemail messages and security footage. Even if you do not think you would like to pursue a criminal case now, you can have evidence collected so you can decide later whether filing a report with the police is right for you.

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

#### **Dating or Domestic Violence**

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

#### **Stalking**

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

Complainant should:

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

### **How to Help a Person who has Experienced Sex-Based Harassment**

- Reassure the person that the sexual assault or other event is not their fault.
- Ask the person if they want help in contacting any of the resources listed in Section II of this Policy.
- Remain calm and go to a safe place.
- Help the person seek medical treatment as soon as possible.
- Help the person preserve all physical evidence by following the practices set forth in the prior section.
- Contact someone you trust to get help and support.
- Let the person know that you are going to listen and let them talk; try not to interrupt until they are finished.
- Assure the person that there is help and support available; they are not alone, and neither are you.

### **How to Reports Incidents of Sex-Based Harassment to the Local Authorities**

The College encourages full reporting of incidents of sexual violence as well as the full use of all available campus and off-campus resources. The College also recognizes that someone who may have experienced sexual violence has the right in most circumstances to decide whether to report the incident to College authorities and/or law enforcement and to decide what campus or community resources to use. The College cooperates with all investigative agencies. The College will do its best to comply with the wishes of an individual who believes that they have experienced sexual violence.

*Who do I talk with about reporting a sexual assault and/or incident of sexual violence to a local law enforcement agency?*

- The Wellness Center (410-857-2243) counseling staff members are available for students and will provide information, discuss the process, and help assess which resource would be best for you. This is a confidential resource.
- The Department of Campus Safety (Phone: 410-857-2202; Text: **443-821-1272**) can provide information about this Policy and connect individuals to external law enforcement agencies and resources. It is important to note that this initial contact will start an internal investigation at the College.
- CARE Healing Center (formerly Rape Crisis Intervention Service of Carroll County) (410-857-7322) is a valuable off campus resource to discuss the process involved in making a report. CARE Staff will provide support throughout the total process of reporting an incident of sexual violence to a local law enforcement agency. This is a free and confidential service.
- An individual can report directly to the Westminster Police Department (410-848-4646), Maryland State Police (410-386-3000), Carroll County Sheriff's Office (410-386-2900) or go to Carroll Hospital Center (410-848-3000). Carroll Hospital Center procedures require that all incidents of sexual violence be reported to the Westminster Police, unless an individual wishes to have a SAFE Exam anonymously as "Jane/John Doe".
- An individual can file for a Peace Order or Protective Order with the District Court of Maryland for Carroll County to prevent contact with the person(s) alleged to have engaged in a crime. The Department of Campus Safety staff is available to assist in this process by transporting you to the Courthouse and back. For more information on the process, you can visit the Maryland Court website at <http://www.courts.state.md.us/legalhelp/domesticviolence>

### **Sexual Assault Prevention Education Programs**

Representatives from the Academic and Campus Life Division are primarily responsible for sexual assault prevention and education. The Academic and Campus Life Division is comprised of health and counseling services, residence life, Greek life, student activities, campus safety, and the academic deans. The group focuses on providing educational and social programming on sexual and gender violence prevention. Below is a list programs facilitated at the College:

- During January, members of the Athletic Department participated in Title IX responsibilities and sexual assault prevention awareness training, facilitated by members of the Division of Campus Life.
- All incoming new students (first year and transfers) were required to complete two on-line educational programs. These programs include a sexual assault awareness program and a

substance abuse awareness program. Additionally, all junior students and student athletes in all years complete an online sexual harassment prevention program annually.

- Department of Campus Safety Facebook page (<https://www.facebook.com/McDanielDoCS>) was used to provide awareness and prevention messages related to sexual assault.
- As a part of the campus sexual assault prevention initiative, The Department of Campus Safety hosted a staffed information table in the Roj Student Center in March with information and materials tables on a wide variety of subjects related to sexual assault reduction which included information and materials on prevention and awareness.
- In April, the Title IX Office and Office of Student Engagement hosted a series of Consent Events which are designed to educate and raise student awareness on what and what does not constitute consent in an intimate relationship.
- In August, Campus Life leaders provided joint training on gender violence awareness and Title IX issues to RAs and Peer Mentors.
- Campus Life representatives presented information to all first-year students during First Year Student Orientation for Bystander Intervention along with safety and security tips geared toward sexual assault prevention and risk minimization.
- Greek 101 Education Sessions were held for members of Greek organizations, to include sexual assault prevention information.
- Bystander Intervention programming was incorporated into a number of presentations and information campaigns throughout the year.
- McDaniel College is a member of the Baltimore, MD consortium of colleges and universities who participate in the Department of Justice (DOJ) Office of Violence against Women (OVW) Grant to prevent sexual violence. The grant provides resources for training and prevention awareness and education of students, faculty, and staff.

## **Sex Offender Registration – Campus Sex Crimes Prevention Act**

### ***Megan’s Law***

As the Clery Act requires, the College directs anyone seeking information on registered sex offenders to the website maintained by the Maryland Department of Public Safety and Correctional Services at <http://www.dpscs.state.md.us/onlineservs/socem/default.shtml> .

## **CAMPUS SECURITY POLICIES, CRIME PREVENTION & SAFETY AWARENESS PROGRAMS**

In keeping with the College's First Principles and the educational mission of the institution, the Department of Campus Safety views safety education as one of its most important responsibilities and works with other offices in Campus Life, as well as with Human Resources to provide awareness of safety issues to our community. The Department of Campus Safety motto, “Working Together for a Safe Campus,” is emblematic of the College’s position that campus community safety is a mutually held responsibility. As such, the College emphasizes the need for campus community members to be mindful of one another’s security needs through a variety of means including new employee orientation, PowerPoint presentations, and annually, student Orientation programs featuring initial floor meetings with first year students where crime prevention and safety are discussed, and presentations given during transfer student orientation, and other events. Additionally, this education is structured in lecture formats (e.g., First Look Sessions during First Year Seminars), fairs and expositions (e.g., Consent Week, and Late Nights), campus posters, informal programs which are timed to thematic months in the College calendar (e.g., Safe Spring Break), and bulletins concerning a certain crime on campus which may be current at the time of the bulletin. Sgt. Steve Curry is trained as a National Self-Defense Institute S.A.F.E program instructor, 'S.A.F.E.' (an acronym for **S**elf-defense **A**wareness & **F**amiliarization **E**xchange) is an unparalleled 2-hour educational awareness, crime-victim prevention program – encompassing Strategies, Techniques, Options, and Prevention – that provides teenaged & adult women with information that may reduce their risk of exposure to violence and introduces them to the physical aspects of self-defense. Finally, the McDaniel Free Press and campus email may be used to present crime

prevention information important to current crime trends on campus. These are supplemented by educational programming done for Resident Assistants (RA) as requested.

### **The Behavioral Intervention Team (Student Outreach Network “SON”)**

Each week the Student Outreach Network (SON) group gathers to share and discuss students who are demonstrating various signs of “at-risk” behavior. As each student is discussed, members of the group provide up-to-date knowledge that includes, but not limited to, academic performance, out-of-classroom involvement, disciplinary issues, and information gathered from faculty, coaches, family and friends. With key “players” at the table, discussion ensues to develop an appropriate plan of action. From week to week, staff and faculty members are involved in this plan of action through direct and indirect intervention of each student.

Members of SON are **not** resources to which crimes or emergencies are reported. Those reports are to be filed with the Department of Campus Safety. Rather, SON is a group that campus community members can reach out to in order to obtain assistance with concerns for the campus success of other campus community members.

Sandy Bly, Associate Director of Athletics [slaganably@mcdaniel.edu](mailto:slaganably@mcdaniel.edu) x4630

Melanie Conley, Director of Student Accessibility [mconley@mcdaniel.edu](mailto:mconley@mcdaniel.edu) x4028  
& Support Services

Felicia Ellzy, Director of Diversity, Equity & Inclusion [fellzy@mcdaniel.edu](mailto:fellzy@mcdaniel.edu) x2797

Nikki Grimes, Associate Dean of Student Support [ngrimes@mcdaniel.edu](mailto:ngrimes@mcdaniel.edu) x2257

Heidi Huber, Director of Wellness Center [hhuber@mcdaniel.edu](mailto:hhuber@mcdaniel.edu) x2769

Eric Immler, Director of Campus Safety [eimmler@mcdaniel.edu](mailto:eimmler@mcdaniel.edu) x2202

Chanda Long, Associate Dean of Student Academic Life [clong@mcdaniel.edu](mailto:clong@mcdaniel.edu) x4060

Christine Moran, Associate Vice President of Student Success [cmoran@mcdaniel.edu](mailto:cmoran@mcdaniel.edu) x2714

Michael Robbins, Associate Dean of Students [mrobbins@mcdaniel.edu](mailto:mrobbins@mcdaniel.edu) x2242

Nyambi Shannon, Associate Director of Residence Life [nshannon@mcdaniel.edu](mailto:nshannon@mcdaniel.edu) x2237

Phillip Sullivan, Dean of Students [phillip.sullivan@mcdaniel.edu](mailto:phillip.sullivan@mcdaniel.edu) x2241

Liz Towle, Title Ix Coordinator [etowle@mcdaniel.edu](mailto:etowle@mcdaniel.edu) x2205

## **Crime Prevention and Safety Awareness Programs**

The College emphasizes the need for campus community members to be mindful of one another's security needs and the responsibility for all community members to share in their own safety and security. This message is conveyed through a variety of crime prevention and safety awareness programs that are administered by trained Department of Campus Safety personnel throughout the academic year at various venues throughout campus. These specific programs include the following:

- New employee orientation PowerPoint presentations at the time of hiring,
- Annual New Student Orientation programs featuring:
  - Initial floor meetings with first year students where crime prevention and safety are discussed
  - Discussions during transfer student orientation
- Themed events such as Consent Event.
- Campus Safety officers presented Safety & Security presentations at several RA Floor Meetings in several residence halls.
- Themed weeks or months such as Safe Spring Break Week where the Department of Campus Safety works with other campus offices to increase awareness through campus posters, informal programs etc.
- Timely Warnings that related to specific criminal events on campus and in the immediate area.
- RA and Peer Mentor Training on Substance Use and Safety Awareness.
- Student Accessibility and Support Services Training
- Campus Safety Officers held self-defense classes for students.
- CHOICES: student-directed theater production as part of first-year orientation that depicts the variety of important choices related to well-being students face in college, including high risk alcohol and drug use, how concerned friends can respond, and the resources on campus.
- Social Media posts and monthly Parent/Family Newsletter safety information.
- Self-Medicating for Anxiety and Depression
- Sleep and Substance Use
- Cannabis Awareness Posters

Additionally, during the year through programming by various Academic and Campus Life departments and the Care Healing Center the topic of sexual violence is dealt with on an on-going basis. Commuter students have an opportunity to attend crime prevention events sponsored by the Department of Campus Safety and the Office of Student Engagement which are schedule upon request. Additionally, resident students are provided with programming co-sponsored by Resident

Life and Campus Safety. The frequency of these programs varies based upon the requests from students and RAs.

The campus safety awareness effort in the Department of Campus Safety is led by D/Sgt. Steve Curry ([scurry@mcdaniel.edu](mailto:scurry@mcdaniel.edu)) who is assigned to assist community members with questions about increasing their safety while on campus. Sgt. Curry may also help with requests from departments and student groups for safety awareness and crime prevention programs.

### **Bystander Intervention**

The Clery Act defines bystander intervention as, "Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene." (34 CFR 668.46(j)(2)(ii))

McDaniel College community members are strongly encouraged to actively engage in bystander intervention since bystanders play a critical role in the prevention of sexual and relationship violence. Safe and positive options for bystander intervention include the following:

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are OK.
- Distract or redirect individuals in unsafe situations.
- Ask the person if he/she wants to leave. Make sure that he/she gets home safely.
- Call 911 or Campus Safety (410-857-2202, or ext. 2202), or yell for help.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Diffuse situations. If you see a friend coming on too strong to someone who may be too drunk to make a consensual decision, interrupt, distract, or redirect the situation. If you are too embarrassed or shy to speak out, get someone else to step in.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on- or off-campus resources for support in health, counseling, or with legal assistance.

The prevention of dating and relationship violence is enhanced through the reduction of risks. The following tips are options for reducing risk and minimizing exposure to situations that could be potentially harmful:



- Notice the situation. Be aware of your surroundings.
- Interpret it as a problem. Ask yourself, “Do I recognize that someone needs help?”
- Feel responsible to act. Educate yourself on what to do.
- Intervene safely. Take action but be sure to keep yourself safe.
- Tell another person. Being with others is a good idea when a situation looks dangerous.
- What can my friends and I do to be safe?
- Have a plan. Talk to your friends about your plan BEFORE you go out.
- Go out together. Go out as a group and come home as a group; never separate and never leave your friend(s) behind.
- Watch out for others. If you are walking at night with friends and notice a woman walking by herself in the same direction, ask her to join you so she doesn’t have to walk alone.
- Trust your instincts. If a situation or person doesn’t seem “right” to you, trust your gut and remove yourself, if possible, from the situation.

## **Weapons Policy**

Unauthorized possession or use, or storage (anywhere on campus) of weapons, including but not limited to:

- Firearms, bb guns, soft pellet guns, air soft guns, paint ball guns, and air rifles,
- Electronic control devices, i.e. Tasers and stun guns
- Ammunition, explosives, combustibles, fireworks, laser guns, dangerous chemicals, all types of martial arts weaponry, any device capable of casting a projectile or other weapon (e.g. brass knuckles, swords, nunchakus)
- Knives including, butterfly knives, spring assisted/automatically opening knives, or knives with blades greater than three 3 inches in length.

On college-owned or college-supervised property are prohibited. Pepper spray or similar self-defense pressurized liquid sprays are permitted. Employees may request an exception in an email to the Director of Campus Safety. In the event of a denial, employees may request a review of the denial to their Divisional Vice Presidents. Law enforcement officers in uniform and on duty are exempted from this policy. Law enforcement officers on duty and in civilian clothing must check in with the Department of Campus Safety. Law enforcement officers off duty and in civilian clothing must obtain approval in writing (email) from the Department of Campus Safety and may not wear the firearm visibly under any circumstance.

## **Victim Rights**

### Your Rights as a Crime Victim:

As a victim of crime in Maryland you have certain rights. The State provides a website that describes these rights (<http://goccp.maryland.gov/wp-content/uploads/crime-victims-rights-and-services.pdf>). Additionally, victim's advocacy is provided by the Maryland Crime Victims' Resource Center (<http://www.mdcrimevictims.org>).

## **The Student Code of Conduct**

The Associate Dean of Students is responsible for administering the Student Code of Conduct, which articulates the behavioral standards and the procedures employed by the College to respond to allegations of student misconduct.

The Code of Student Conduct is in effect on all campus property, College sanctioned events, and may also address off campus student misconduct.

In instances where there is reasonable cause to believe a student is an immediate threat to the safety of the campus community the Dean of Students or designee, may assign an interim sanction and/or other actions, designed to protect the health and safety of the community its members.

Any individual or entity may submit reports alleging student misconduct to the Dean of Students Office and/or the Department of Campus Safety.

The complete Student Code of Conduct is available in the Handbook at <http://catalog.mcdaniel.edu/index.php> and the Student Conduct Process is also available in the Handbook at <http://catalog.mcdaniel.edu/index.php>.

## **Missing Student Notification Policy**

McDaniel College will work to ensure all reports of missing students are investigated promptly and collaboratively with the Westminster Police Department.

McDaniel College has developed the following process for residential students who are reported missing, however any student may participate. A student wishing to participate will be able to provide contact information for someone to be notified in the event the student is reported missing. The information will be entered into a confidential registry which will be maintained by Information Technology and used only for the investigation of the missing student. Only authorized College officials, namely the Dean of Students, the Director of Campus Safety, and Deputy Director

of Campus Safety will have access to this information to be shared to local law enforcement. All students who are minors (less than 18 years old) must have their guardian notified unless the minor student is emancipated. Even if the student declines to name an emergency contact, WPD will be notified and the emergency contact information the student has provided to the College will be used. Students can enroll by responding to an email which will contain a hyperlink to an on-line registration form. If you would like to register please visit

[https://mcdaniel.qualtrics.com/SE/?SID=SV\\_9BUb8Yg8V0DureQ](https://mcdaniel.qualtrics.com/SE/?SID=SV_9BUb8Yg8V0DureQ)

The College expects that students who are missing will be reported directly to the Department of Campus Safety by telephone (410-857-2202 or ext. 2202). The College will conduct a brief inquiry into the student's whereabouts. This inquiry will be by telephone and will typically take between thirty and sixty minutes. If the student is not located, the report will be turned over to WPD for further action, including notification of the designated contact. Federal law allows for the College to notify the WPD within 24 hours after notification of a missing student, and allows up to another 24 hours for the emergency contact to be notified. Neither the College nor WPD will wait that long, and will attempt to speedily locate the student. If such location requires notification of the emergency contact at any point after either the College or WPD has been made aware a student is missing such action will be appropriate.

### **Daily Crime and Fire Log**

The Department of Campus Safety maintains a combined Daily Crime and Fire Log of all crime and fire incidents reported. The log is available during the College's normal business hours. This log identifies the type, location, and time of each criminal incident reported to the Department of Campus Safety. The most current 60 days of information is available from the dispatcher and may be reviewed within the lobby of the Department of Campus Safety. Archived records (up to 7 years old) are available and access may be requested by email to the Department of Campus Safety (campussafety@mcdaniel.edu).

### **Parental Notification Policy**

The College exercises its right to report student discipline information to the parents or legal guardians of students, as noted in the sanction's provisions of the Student Handbook.

Federal legislation authorizes McDaniel College to disclose disciplinary records concerning violations of the regulations governing the use or possession of alcohol or controlled substances that involve students who are under the age of 21 regardless of whether the student is a dependent.

## **McDANIEL COLLEGE POLICIES GOVERNING ALCOHOL AND OTHER DRUGS**

### **Alcohol and Other Drug Policies:**

#### **Student Policies**

Programs designed to comply with the Higher Education Act sections 120 (a) through (d) are described in the Student Handbook. Student conduct in this area is governed by the "Code of Student Conduct" which prohibits:

..."Violations of College alcohol policy, including unauthorized possession of kegs, 'party balls', or other multi-liter containers in residential area, underage possession of alcohol, or possession of alcohol in public areas. (Specifically, the "Alcohol Beverage Policy and Procedures" reiterates the Maryland State Law concerning age of majority, false identification, and prohibited purchase. "...Failure to comply with State, county, or municipal alcohol beverage laws may result in disciplinary action through college judicial programs and or legal action through the appropriate civil authority..." "...Possession, use, sale, or distribution of controlled substances (drugs) on college property or sale or distribution to members of the college community."

Education and awareness programming related to alcohol and drug abuse is overseen by the Wellness Center (410-857-2243).

A more detailed description of student drug and alcohol awareness and treatment programs can be found on the College's website at

<https://catalog.mcdaniel.edu/content.php?catoid=55&navoid=3739>

#### **Alcohol on Campus**

McDaniel College entrusts to its students the responsibility of compliance with state, county, and municipal laws concerning the purchase, possession, consumption and transport of alcoholic

beverages. It is expected that alcoholic beverages will be used in moderation, at suitable times, and under decorous conditions. Public intoxication is prohibited. The College Alcoholic Beverage Policy states that “under Maryland state law, persons 21 years of age can purchase, possess, and consume alcoholic beverages. Any underage individual drinking, purchasing, or possessing alcoholic beverage is subject to fine or imprisonment. Borrowing or falsifying identification constitutes a felony. Procuring alcoholic beverages for underage persons is also prohibited by law. Failure to comply with state, county, or municipal alcoholic beverage laws may result in referral to the College Discipline Process and/or legal action through the appropriate civil authority.” In addition to state laws, alcoholic beverages on campus are limited. Alcoholic beverages are not permitted in any public areas of the campus, nor is any alcoholic beverage permitted in the public areas of residence halls or in residence halls designated as substance free. Hard liquor is prohibited on campus.

### **Medical Amnesty Policy for Persons in need of Emergency Medical Attention**

Students who a) proactively seek emergency medical attention on their own or b) emergency medical attention is proactively sought by other individuals present and who are transported to the hospital for reasons directly related to the consumption or use of alcohol or drugs may be eligible to receive medical amnesty. Students who receive emergency medical attention may be granted medical amnesty only once while enrolled at McDaniel College. Any subsequent violation will result in a referral to the Student Conduct System.

### **Sanctions for the College Alcohol Policy**

The minimum sanctions for violations of the College Student Alcohol Policy are as follows:

#### **First Alcohol Policy Violation**

1. \$75 fine for possession/consumption; \$100 for social host violation
2. Parental notification via letter
3. Disciplinary warning
4. Completion of the 2 hour on campus substance use education class

#### **Second Alcohol Policy Violation**

1. \$125 fine for possession/consumption; \$150 for social host violation
2. Parental notification via letter
3. Completion of the Before 1 More Program: Substance Use Assessment and Psychoeducation at the Wellness Center.

### **Third Alcohol Violation**

1. \$200 fine for possession/consumption; \$250 for social host violation.
2. Disciplinary probation
3. Parental/Guardian notification via phone contact
4. Referral to the Wellness Center for the Before 1 More Program: Substance Use Assessment and Psychoeducation.

Important: If a student has already completed the “Before 1 More” Program, an off-campus referral will likely be made instead.

### **Minimum Sanctions Resulting After Alcohol Related Hospitalization**

1. Parental/Guardian notification via phone contact at the time of the hospitalization
2. Completion of the Before 1 More Program: Substance Use Assessment and Psychoeducation
3. Fine for possession/consumption and/or social host violation

### **Employee Policies**

The McDaniel College Drug Free Workplace Policy governs employee conduct. This policy states: "McDaniel College intends to maintain a drug free workplace...The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance...is prohibited on College property, and is cause for employee discipline, up to and including dismissal from employment..." The policy further states: "...Any person employed by the College found to be unlawfully under the influence of a controlled substance while on College property is subject to disciplinary action, up to and including termination." Information on programs for both alcohol and drug abuse is available from the Office of Human Resources (410-857-2229), by visiting the website at <https://my.mcdaniel.edu/officesnservices/hr/Pages/default.aspx>, at the Employee Assistance Program Links tab or by calling the Employee Assistance Program at 1-800-327-2251.

**Please Note:** McDaniel College has adopted a "zero tolerance" drug policy for employees and students. In all criminal drug cases, McDaniel College immediately involves the Westminster Police who assume control of the matter. Where students are found responsible of Conduct Code violations, minimum sanctions will be imposed by the College as described in our "Drug Free Schools" statement issued by the Dean of Students.

## **Zero-Tolerance Drug Policy**

A ballot referendum for the state of Maryland regarding cannabis use went into effect July 1, 2023. As a result of this new law, adults 21 or older in Maryland may possess and consume a “personal use amount” of cannabis products.

It is important that members of the McDaniel College community know that this does not mean that cannabis may be used or possessed on campus or at campus activities, including medically prescribed cannabis. The Federal Drug-Free Schools and Communities Act requires all colleges and universities receiving federal funds to adopt and implement programs that include: “standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.” The use and possession of cannabis remains illegal under the Federal Controlled Substances Act of 1970 (CSA). As an institution that receives federal funds (such as financial aid to students and federal grants), McDaniel College continues to prohibit the use and possession of cannabis on campus, campus property, or while at campus sponsored activities, regardless of the age of the individual(s) involved. This applies to public places, such as campus buildings, the stadium, athletic fields, the golf course, parking lots, and quads, as well as private spaces such as residential facilities, vehicles, and offices.

As noted in the Code of Student Conduct number 8, the College does not tolerate the possession, use, sale, or distribution of controlled substances (drugs). When staff becomes aware of the presence of drugs on campus, they are required to notify the Department of Campus Safety. And if Campus Safety determines that the violation is criminal (rather than a civil infraction), by MOU, Westminster Police will be called onto campus to take enforcement action. Law enforcement authorities follow legal police procedures in investigating such matters, including searches.

### **Minimum Sanctions for the College Drug Policy**

The minimum sanctions for violations of the College Drug Policy are as follows:

#### **First Drug Policy Violation**

1. \$150 fine
2. Parental notification via letter
3. Disciplinary warning
4. Completion of the 2 hours on campus substance use education course

## **Second Drug Policy Violation**

1. \$300 fine
2. Parental notification via phone contact
3. Disciplinary probation
4. Completion of the Before 1 More Program: Substance Use Assessment and Psychoeducation at the Wellness Center.

Important: If a student has already completed the Before 1 More Program, an off-campus referral to a substance use treatment program will likely be made instead.

## **Third Drug Policy Violation**

(or any violation that is more severe specifically involving the sale and/or distribution of illegal drugs)

1. Suspension or expulsion from the College

## **Minimum Sanctions Resulting After Drug Related Hospitalization**

1. Parental/Guardian notification via phone contact at the time of the hospitalization
2. Completion of the Before 1 More Program: Substance Use Assessment and Psychoeducation.
3. Fine for possession/consumption and/or social host violation

### **Know the signs:**

- Passed out or difficult to awaken
- Cold, clammy, pale or bluish skin
- Slowed breathing
- Vomiting (asleep or awake)

### **Know how to help:**

- Turn a vomiting person on his/her side to prevent choking
- Clear vomit from the mouth
- Keep the person awake
- NEVER leave the person unattended

## **Maryland Criminal Sanctions**

Detailed information on the Maryland criminal statutes regarding drug law violations and the associated penalties may be obtained at <http://norml.org/laws/item/maryland-penalties-2>. An overview of the more common offenses is as follows:

### **Possession for Personal Use**

In Maryland cannabis is listed as a Schedule I controlled hallucinogenic substance. For adults 21 and over, simple possession (possession without the intent to distribute) of less than 1.5 ounces in Maryland is a no penalty (personal use).



Possession of between 1.5 ounces and 2.5 ounces is a civil offense with a fine not exceeding \$250 for first-time offenders.

Possession of between 2.5 ounces and less than 50 pounds of cannabis is a misdemeanor with a punishment of up to one year imprisonment and a fine not exceeding \$1,000.

Possession of 50 pounds or more of cannabis carries a punishment of a minimum of 5 years imprisonment and a fine not exceeding \$100,000.

Public consumption of cannabis carries a civil fine of up to \$250 for a first offense and \$500 for a second or subsequent offense.

“Adult sharing” of 1.5 ounces of cannabis, 12 grams of concentrated cannabis, or cannabis products containing THC in amounts up to 750mg between persons who are 21 years of age or older without remuneration is permitted. “Adult sharing” does not include instances in which cannabis is given away contemporaneously with another reciprocal transaction between the same parties; a gift of cannabis is offered or advertised in conjunction with an offer for the sale of goods or services; or a gift of cannabis is contingent upon a separate reciprocal transaction for goods or services.

### **Possession with Intent to Distribute**

Possession with intent to distribute less than 50 pounds of cannabis in Maryland is a felony with a punishment of up to 5 years imprisonment and a fine not exceeding \$15,000.

See MD. Code Ann. §5-607(a)

If a person is found to be in possession of 50 pounds or more of cannabis (acts in proceeding 90 days can be aggregated), then the punishment for this felony is imprisonment of not less than 5 years and a fine not exceeding \$100,000.

See MD. Code Ann. §§5-612 (a)-(c).

Possessing cannabis with the intent to distribute in a school vehicle, or in, on, or within 1,000 feet of real property owned by or leased to an elementary school or secondary school, is a felony and is punishable by, for a first violation, imprisonment not exceeding 20 years and a fine not exceeding \$20,000, and for each subsequent violation, imprisonment not less than 5 years and not exceeding 40 years and a fine not exceeding \$40,000. These penalties are in addition to any other conviction.

See MD. Code Ann. § 5-627

If an offender has previously been convicted of possession with intent to distribute, then there is a mandatory minimum sentence of 2 years.

See MD. Code Ann. §5-607(b)(1)

If an individual is found to be a “drug kingpin” (an organizer, supervisor, financier, or manager who acts as a co-conspirator in a conspiracy to manufacture, distribute, dispense, transport in, or bring

into the State a controlled dangerous substance), and dealt with 50 pounds or more of cannabis, then they are guilty of a felony and subject to imprisonment for not less than 20 years and not exceeding 40 years without the possibility of parole and a fine not exceeding \$1,000,000.

See MD. Code Ann. §5-613. (Does not merge. §5-613(d).)

If an adult uses or solicits a minor in a conspiracy to distribute, deliver or manufacture cannabis, then the adult is guilty of a felony and is subject to imprisonment not exceeding 20 years or a fine not exceeding \$20,000.

See MD. Code Ann. §5-628

### **Cultivation**

Cultivation of up to two plants per household is legal in Maryland. If unrelated persons live together in one residence, the maximum number of plants that may be contained within the household must not exceed 2 plants. Plants must remain out of public view and be kept in such a place where persons under the age of 21 can access the plants. A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding \$5,000 or both.

MD. Code Ann. § 5-601.2

MD. Code Ann. § 5-601.2(G)

### **Trafficking**

If a person brings 45 kilograms or more of cannabis into the state of Maryland, then they are guilty of a felony and are subject to imprisonment not exceeding 25 years and a fine not exceeding \$50,000.

If a person is guilty of trafficking more than 5 kilograms but less than 45 kilograms, they are guilty of a felony and subject to imprisonment not exceeding 10 years and a fine not exceeding \$10,000, or both.

See MD. Code Ann. §5-614(a)

If a person brings less than 45 kilograms of cannabis into the state, but more than 5 kilograms, then said person is guilty of a felony and subject to imprisonment not exceeding 10 years and a fine not exceeding \$10,000.

See MD. Code Ann. §5-614(b)

If a person is in possession of a firearm at the time they are arrested for trafficking cannabis into MD, then said person is guilty of a felony and may be punished with, for a first violation, imprisonment for not less than 5 years and not exceeding 20 years, and for each subsequent violation, imprisonment for not less than 10 years and not exceeding 20 years.

See MD. Code Ann. §5-621(c)(1)

### **Hash & Concentrates**

In Maryland, hashish and cannabis concentrates are punished at the same level as plant-form cannabis and are Schedule I controlled hallucinogenic substances. See the Maryland cannabis penalty section for further details.

Possession of less than 12 grams of concentrated cannabis or an amount of cannabis products containing up to 750 mg of THC is considered an amount for personal use. Possession of between 12 grams and 20 grams or a product containing more than 750mg but less than 1,250mg of THC is a civil offense with a fine not exceeding \$250 for first-time offenders.

See

MD. Code Ann. §5-101(q)

MD. Code Ann. §5-402(d)(vii)

MD. Code Ann. §5-402(d)(xii)

MD. Code Ann. § 5-601(c)(2)

MD. Code Ann. § 5-601.1

Hignut v. State, 17 Md.App. 399 (Md. Spec. App. 1973)

Ertwine v. State, 18 Md.App. 619, 308 A.2d 414 (Md. Spec. App. 1973)

### **Paraphernalia**

Under Maryland law, paraphernalia no longer includes products designed for use with Cannabis.

See MD. Code Ann. §5-101

If an adult delivers drug paraphernalia to a minor who is at least 3 years younger than the person, the person is guilty of a separate misdemeanor and on conviction is subject to imprisonment not exceeding 8 years and a fine not exceeding \$15,000.

See MD. Code Ann. § 5-619(d)(4).

Advertising the distribution of paraphernalia is a misdemeanor and can be punished, for a first violation, with a fine not exceeding \$500, and for each subsequent violation, with imprisonment for not exceeding 2 years and a fine not exceeding \$2,000.

See MD. Code Ann. §5-619(e)(1)

## **Mandatory Minimum**

Maryland has a mandatory minimum sentence for:

Repeat offenders who have previously been convicted of possession with intent to distribute within 1,000 ft. of a school on 2 or more occasions (5 years).

Any offender convicted of possessing 50 pounds or more of cannabis, including any acts of possession within the last 90 days (5 years).

Any offender convicted of being a “drug kingpin” who dealt in more than 50 pounds of cannabis (20 years).

Any offender who is in possession of a firearm at the time they are arrested for trafficking cannabis into MD (10 years)

See

MD. Code Ann. §§5-612 (a)-(c)

MD. Code Ann. § 5-627

MD. Code Ann. §5-613

MD. Code Ann. §5-621(c)(1)

## Federal Sanctions

| <b>Federal Mandatory Minimum Drug Sentences: 21 U.S.C., Section 841</b> |  |  |
|---|--|--|
| <b>Drug</b>   | <b>5-Year Mandatory Minimum Without Parole</b>   | <b>10-Year Mandatory Minimum Without Parole</b>  |
| LSD   | 1 gram   | 10 grams   |
| Marijuana/Cannabis  | 100 plants or 100 Kilos  | 1000 plants or 1000 Kilos  |
| Crack Cocaine   | 28 grams   | 280 grams  |
| Powder Cocaine  | 500 grams  | 5 Kilos  |
| Heroin  | 100 grams  | 1 Kilo   |
| Methamphetamine   | 5 grams (pure)/50 grams (mixture)  | 50 grams (pure)/500 grams (mixture)  |
| PCP   | 10 grams (pure)/100 grams (mixture)  | 100 grams (pure)/1 Kilo (mixture)  |
| Fentanyl  | 40 grams (mixture)/10 grams (mixture containing an analogue)                                   | 400 grams (mixture)/100 grams (mixture containing an analogue)                                 |
|   | <b>For All Drug Types:</b><br>Doubles to 10 years with one prior drug offense                  | <b>For All Drug Types:</b><br>Doubles to 10 years with one prior drug offense                  |
|   | Mandatory 20 years for first offense, if death results   | Mandatory 20 years for first offense, if death results   |
|   | Mandatory life sentence if death results <u>and</u> offender has one prior felony drug offense | Mandatory life sentence if death results <u>and</u> offender has one prior felony drug offense |
|   |  | Mandatory life sentence if offender has <u>two or more</u> felony drug offenses                |

Source: <https://www.justice.gov/usao-nh/frequently-used-federal-drug-statutes>

## **ANNUAL DISCLOSURE OF CRIME STATISTICS**

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities across the United States to disclose information about crime on and around their campuses. The Department of Campus Safety maintains a close relationship with the Westminster Police Department, with whom we work to ensure the best and most precise crime reporting possible. Additionally, College employees must notify the Department of Campus Safety when they become aware that an incident which may be a crime has taken place on campus or at a College sponsored event. All reports lead to documentation in the Department of Campus Safety's electronic records management system, where both a log entry and an incident report are created. The incident report is then reviewed by the Department of Campus Safety Investigations Manager and shared (when legally possible) with the College's disciplinary system. These records are then classified according to Clery Act regulations. Alternatively, some disciplinary referrals for violations of the law (almost exclusively underage possession of alcohol) may be recorded and disciplined without the Department of Campus Safety involvement. In order to ensure full compliance with the Clery Act requirements, statistics on disciplinary referrals of students are provided to the Department of Campus Safety by the Associate Dean of Students who oversees the College's discipline system, and the Director of Human Resources who oversees the College's employee discipline system (referrals for weapons, drug and alcohol law violations).

It is important to distinguish that the numbers disclosed are for "reported" offenses and do not reflect the outcome of any disciplinary or judicial processes. They are reports which have been filed in good faith.

### **Definitions of Reportable Crimes**

**Murder/Manslaughter** – defined as the willful killing of one human being by another.

**Negligent Manslaughter** – is defined as the killing of another person through gross negligence.

**Sexual Assault (Sex Offenses)** – is defined as any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

**a) Rape** – is defined as penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

**b) Fondling** – is defined as touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**c) Incest** – is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**d) Statutory Rape** – is defined as sexual intercourse with a person who is under the statutory age of consent.

**Robbery** – is defined as taking or attempting to take anything of value from the car, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault** – is defined as an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary** – is the unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft** – is the theft or attempted theft of a motor vehicle.

**Arson** – any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Domestic Violence** – A felony or misdemeanor crime of violence committed--

- (i) By a current or former spouse or intimate partner of the victim;
- (ii) By a person with whom the victim shares a child in common;
- (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
- (v) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Dating Violence** – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

**Stalking** – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (i) Fear for the person’s safety or the safety of others; or
- (ii) Suffer substantial emotional distress.

**Hate Crimes** – *includes all of the crimes listed above that manifest evidence that the victim was chosen based on one of the categories of prejudice listed below, plus the following crimes.*

**Larceny/Theft**—includes, pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.

**Simple Assault**—an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

**Intimidation**—to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

**Destruction/Damage/Vandalism of Property (except Arson)**—to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

***Categories of Prejudice:***

**Race** – A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

**Religion** – A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.



**Gender** – A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

**Gender Identity** – A preformed negative opinion or attitude toward a group of persons because of a person’s internal sense of being male, female, or a combination of both.

**Sexual Orientation** – A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.

**Ethnicity** - A preformed negative opinion or attitude toward a group of persons of the same race or cultural origin who share common or similar traits, languages, customs and traditions.

**National origin** – A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions.

**Disability** – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/ challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

## **Non-campus Locations**

A non-campus location includes the McDaniel Environmental Center, a property owned and operated by McDaniel College located south of Westminster and east of New Windsor, MD. The McDaniel Environmental Center (MEC) is identifiable by the physical addresses of 1644, 1646, & 1648 Stone Chapel Road, New Windsor, MD 21776. In 2023, certain McDaniel College faculty members conducted regular fieldwork on the property with their McDaniel College students. The MEC is therefore classified as a non-campus location. The Carroll County Sheriff’s Office confirmed that no crimes were reported on the property at any of the addresses in 2023.

Beginning 2021, College graduate courses have transitioned primarily on-line, eliminating locations previously identified as non-campus locations. The Department of Campus Safety continues to confirm this annually through the Graduate Professional Studies Office and the Registrar’s Office. One site, identified as the Montgomery County Education Association Center (MCEA) located at 12 Taft Ct, Rockville, MD 20850; was identified as a graduate class site. All law enforcement agencies that hold primary or secondary jurisdiction at the non-campus location (MEC) and

(MCEA) were mailed letters by the Department of Campus Safety requesting the disclosure of any *Clery Act* reportable crimes that occurred at those specific addresses or public areas during the calendar year. Those law enforcement agencies either: 1) responded, confirming that no reportable offenses occurred, or 2) responded that they lacked the ability to provide crime data so narrowly specific for the reportable classroom locations and timeframes, or 3) did not respond to the request after a good faith effort by the Department of Campus Safety to obtain crime statistics. The non-campus location, therefore, do not contribute to any campus crime statistics as tabulated in the charts on the following pages.

## Annual Reportable Offenses

| McDaniel College – Westminster Campus                      |      |           |                 |                                |                 |                  |
|--|------|-----------|-----------------|--------------------------------|-----------------|------------------|
| Offense  | Year | On Campus | Student Housing | Noncampus Building or Property | Public Property | Unfounded Crimes |
| Criminal Homicide:<br>Murder and Nonnegligent Manslaughter | 2021 | 0         | 0               | 0                              | 0               | 0                |
|  | 2022 | 0         | 0               | 0                              | 0               | 0                |
|  | 2023 | 0         | 0               | 0                              | 0               | 0                |
| Criminal Homicide:<br>Negligent Manslaughter               | 2021 | 0         | 0               | 0                              | 0               | 0                |
|  | 2022 | 0         | 0               | 0                              | 0               | 0                |
|  | 2023 | 0         | 0               | 0                              | 0               | 0                |
| Rape   | 2021 | 8         | 8               | 0                              | 0               | 0                |
|  | 2022 | 9         | 9               | 0                              | 0               | 0                |
|  | 2023 | 4         | 4               | 0                              | 0               | 0                |
| Fondling   | 2021 | 7         | 7               | 0                              | 0               | 0                |
|  | 2022 | 4         | 1               | 0                              | 0               | 0                |
|  | 2023 | 0         | 0               | 0                              | 0               | 0                |
| Incest   | 2021 | 0         | 0               | 0                              | 0               | 0                |
|  | 2022 | 0         | 0               | 0                              | 0               | 0                |
|  | 2023 | 0         | 0               | 0                              | 0               | 0                |

**McDaniel College – Westminster Campus**

| <b>Offense</b>                                      | <b>Year</b> | <b>On Campus</b> | <b>Student Housing</b> | <b>Noncampus Building or Property</b> | <b>Public Property</b> | <b>Unfounded Crimes</b> |
|---|-------------|------------------|------------------------|---------------------------------------|------------------------|-------------------------|
| Statutory Rape                                      | 2021        | 0                | 0                      | 0                                     | 0                      | 0                       |
|   | 2022        | 0                | 0                      | 0                                     | 0                      | 0                       |
|   | 2023        | 0                | 0                      | 0                                     | 0                      | 0                       |
| Robbery   | 2021        | 0                | 0                      | 0                                     | 0                      | 0                       |
|   | 2022        | 0                | 0                      | 0                                     | 0                      | 0                       |
|   | 2023        | 0                | 0                      | 0                                     | 0                      | 0                       |
| Aggravated Assault                                  | 2021        | 0                | 0                      | 0                                     | 0                      | 0                       |
|   | 2022        | 0                | 0                      | 0                                     | 0                      | 0                       |
|   | 2023        | 0                | 0                      | 0                                     | 0                      | 0                       |
| Burglary  | 2021        | 0                | 0                      | 0                                     | 0                      | 0                       |
|   | 2022        | 1                | 0                      | 0                                     | 0                      | 0                       |
|   | 2023        | 1                | 1                      | 0                                     | 0                      | 0                       |
| Motor Vehicle Theft<br>See notes below for caveats. | 2021        | 1                | 0                      | 0                                     | 0                      | 0                       |
|   | 2022        | 1                | 0                      | 0                                     | 0                      | 1                       |
|   | 2023        | 1                | 0                      | 0                                     | 0                      | 1                       |
| Arson   | 2021        | 0                | 0                      | 0                                     | 0                      | 0                       |
|   | 2022        | 0                | 0                      | 0                                     | 0                      | 0                       |

| McDaniel College – Westminster Campus                               |      |           |                 |                                |                 |                  |
|---|------|-----------|-----------------|--------------------------------|-----------------|------------------|
| Offense   | Year | On Campus | Student Housing | Noncampus Building or Property | Public Property | Unfounded Crimes |
|   | 2023 | 1         | 0               | 0                              | 0               | 0                |
| <b>Additional Offenses</b>  |      |           |                 |                                |                 |                  |
| Dating Violence<br>See notes below for 2022 caveat.                 | 2021 | 2         | 2               | 0                              | 0               | 0                |
|   | 2022 | 13        | 13              | 0                              | 0               | 0                |
|   | 2023 | 6         | 5               | 0                              | 0               | 0                |
| Domestic Violence   | 2021 | 0         | 0               | 0                              | 0               | 0                |
|   | 2022 | 0         | 0               | 0                              | 0               | 0                |
|   | 2023 | 1         | 0               | 0                              | 0               | 0                |
| Stalking  | 2021 | 0         | 0               | 0                              | 0               | 0                |
|   | 2022 | 2         | 1               | 0                              | 0               | 0                |
|   | 2023 | 2         | 0               | 0                              | 0               | 0                |
| Hate Crimes<br>See notes below for 2022 & 2023 classification type. | 2021 | 0         | 0               | 0                              | 0               | 0                |
|   | 2022 | 1         | 1               | 0                              | 0               | 0                |
|   | 2023 | 1         | 0               | 0                              | 0               | 0                |
| <b>Other Offenses – Arrest</b>                                      |      |           |                 |                                |                 |                  |
| Liquor Law Violations   | 2021 | 0         | 0               | 0                              | 1               | n/a              |
|   | 2022 | 0         | 0               | 0                              | 0               | n/a              |

**McDaniel College – Westminster Campus**

| <b>Offense</b>                                | <b>Year</b> | <b>On Campus</b> | <b>Student Housing</b> | <b>Noncampus Building or Property</b> | <b>Public Property</b> | <b>Unfounded Crimes</b> |
|---|-------------|------------------|------------------------|---------------------------------------|------------------------|-------------------------|
|   | 2023        | 0                | 0                      | 0                                     | 0                      | n/a                     |
| Drug Abuse Violations                         | 2021        | 0                | 0                      | 0                                     | 0                      | n/a                     |
|   | 2022        | 0                | 0                      | 0                                     | 0                      | n/a                     |
|   | 2023        | 0                | 0                      | 0                                     | 0                      | n/a                     |
| Illegal Weapons Offenses                      | 2021        | 0                | 0                      | 0                                     | 0                      | n/a                     |
|   | 2022        | 0                | 0                      | 0                                     | 0                      | n/a                     |
|   | 2023        | 0                | 0                      | 0                                     | 0                      | n/a                     |
| <b>Other Offenses – Disciplinary Referral</b> |             |                  |                        |                                       |                        |                         |
| Liquor Law Violations                         | 2021        | 28               | 28                     | 0                                     | 0                      | n/a                     |
|   | 2022        | 51               | 49                     | 0                                     | 0                      | n/a                     |
|   | 2023        | 62               | 57                     | 0                                     | 0                      | n/a                     |
| Drug Abuse Violations                         | 2021        | 0                | 0                      | 0                                     | 0                      | n/a                     |
|   | 2022        | 0                | 0                      | 0                                     | 0                      | n/a                     |
|   | 2023        | 0                | 0                      | 0                                     | 0                      | n/a                     |
| Illegal Weapons Offenses                      | 2021        | 0                | 0                      | 0                                     | 0                      | n/a                     |
|   | 2022        | 0                | 0                      | 0                                     | 0                      | n/a                     |
|   | 2023        | 0                | 0                      | 0                                     | 0                      | n/a                     |

McDaniel College – Westminster Campus

| Offense | Year | On Campus | Student Housing | Noncampus Building or Property | Public Property | Unfounded Crimes |
|---------|------|-----------|-----------------|--------------------------------|-----------------|------------------|
|---------|------|-----------|-----------------|--------------------------------|-----------------|------------------|

**Notes:**

- 1. 2021 Motor Vehicle Theft was determined to be joy-riding in a golf cart.**
- 2. 2022 Motor Vehicle Theft was determined to be a repossessed vehicle.**
- 3. 2023 Motor Vehicle Theft was determined to be unfounded.**
- 4. 2022 Dating Violence was a series of intimate partner incidents discovered through investigations that determined the incidents occurred numerous times through the duration of the reporting parties' respective relationships.**
- 5. 2022 Hate crime determined to be Intimidation occurred in an on-campus residence hall.**
- 6. 2023 Hate Crime determined to be Intimidation occurred electronically by known parties.**

## **ANNUAL FIRE SAFETY REPORT**

The Higher Education Opportunity Act enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The following report details all information required by this act for McDaniel College.

### **Definitions**

The following terms are used within this report. Definitions have been obtained from the Higher Education Opportunity Act:

**On-Campus Student Housing** – A student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within a reasonable contiguous area that makes up the campus.

**Fire** – Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

### **Residential Areas Fire Drills**

Fire Drills are conducted at least one time every academic year in each residential facility. These drills are undertaken cooperatively by the Office of Residence Life, the Department of Campus Safety and the Physical Plant. Campus Safety maintains detailed records of each of those fire drills conducted in each residential facility.

### **Fire Safety**

McDaniel College takes its responsibility to provide a fire safe environment very seriously and continues to enhance its programs to the campus community through education, engineering, and enforcement. Resident Assistants (RAs) and the Department of Campus Safety officers patrolling are looking out for safety and fire hazards. When these are identified, corrective action is either undertaken immediately or acted upon by the filing of a work order for Physical Plant to repair the issue. Awareness activities are presented during October to coincide with the national fire safety effort. No member of the community is expected to fight a fire; therefore, no campus community



member is trained in firefighting. McDaniel College does train RAs in the use of extinguishers but they are not expected to use them.

All McDaniel College offices, residential rooms, classroom, labs, and meeting spaces have distinctive emergency placards that address various campus emergencies and the specific procedures for community members to follow.

McDaniel College has a “Critical Incident Management Plan” that can be reviewed by any member of the campus community on the College’s portal at

<https://iammcdaniel.sharepoint.com/sites/Policies/Shared%20Documents/Forms/AllItems.aspx?id=%2Fsites%2FPolicies%2FShared%20Documents%2FCritical%20Incident%20Management%20Plan%20%282023%2D01%2D04%29%2Epdf&parent=%2Fsites%2FPolicies%2FShared%20Documents>

The Westminster Fire Department is located within one third of a mile of campus and provides prompt responses to the campus. All McDaniel buildings have fire alarm systems that are inspected in compliance with fire codes and the National Fire Protection Association requirements by licensed contractors. Additionally, campus buildings are monitored by the Department of Campus Safety via a modern fire alarm monitoring system provided by Honeywell and Underwriters Laboratories (UL) approved.

A Fire Safety Officer is employed through the Office of Risk, Environmental Health, and Safety. This position conducts regular fire safety inspections throughout all academic and residential buildings on campus.

Fire safety questions can be directed to the Department of Campus Safety at 410-857-2202.

## 2021 Fires in Residential Facilities

| Residential Facility | Number of Fires | Date of Report | Time of Report | Cause of Fire  | Number of Deaths | Number of Injuries | Total Value of Damage |
|----------------------|-----------------|----------------|----------------|----------------|------------------|--------------------|-----------------------|
| Albert Norman Ward   | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Best Western Hotel   | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Blanche Ward         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Daniel MacLea        | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Forlines             | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Garden Apts. 155     | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Garden Apts. 159     | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Garden Apts. 161     | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Harrison House       | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| McDaniel             | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA Ave. 127          | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 133 ½       | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 133         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 139         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 143         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA Apartment 144     | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 147         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 149         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 163         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 169         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 171         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA Apartment 174     | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 175         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 181         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 185         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 187         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| North Village 199    | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| North Village 201    | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| North Village 203    | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| North Village 183, E | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| North Village 189, F | 1               | 4/24/2021      | 2113           | Cooking Grease | 0                | 0                  | \$25                  |
| North Village 191, A | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| North Village 193, B | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| North Village 195, C | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| North Village 197, D | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| McDaniel House       | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |

|               |   |     |     |     |     |     |     |
|---------------|---|-----|-----|-----|-----|-----|-----|
| Rouzer        | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| West Main 257 | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| Whiteford     | 0 | N/A | N/A | N/A | N/A | N/A | N/A |

| <b>2022 Fires in Residential Facilities</b> |                 |                        |                |                |                  |                    |                       |
|---|-----------------|------------------------|----------------|----------------|------------------|--------------------|-----------------------|
| Residential Facility                        | Number of Fires | Date of Report         | Time of Report | Cause of Fire  | Number of Deaths | Number of Injuries | Total Value of Damage |
| Albert Norman Ward                          | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Blanche Ward                                | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Daniel MacLea                               | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Forlines                                    | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Garden Apts. 155                            | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Garden Apts. 159                            | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Garden Apts. 161                            | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Harrison House                              | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| McDaniel                                    | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA Ave. 127                                 | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 133 ½                              | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 133                                | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 139                                | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 143                                | 2               | 4/29/2022 & 10/10/2022 | 1556 & 1928    | Cooking Grease | 0                | 0                  | \$0                   |
| PA Apartment 144                            | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 147                                | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 149                                | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 163                                | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 169                                | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 171                                | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA Apartment 174                            | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 175                                | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 181                                | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 185                                | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 187                                | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| North Village 199                           | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| North Village 201                           | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| North Village 203                           | 1               | 10/22/2022             | 2317           | Cooking Grease | 0                | 0                  | \$0                   |
| North Village 183, E                        | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| North Village 189, F                        | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |
| North Village 191, A                        | 0               | N/A                    | N/A            | N/A            | N/A              | N/A                | N/A                   |

|                      |   |     |     |     |     |     |     |
|----------------------|---|-----|-----|-----|-----|-----|-----|
| North Village 193, B | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| North Village 195, C | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| North Village 197, D | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| McDaniel House       | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| Rouzer               | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| West Main 257        | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| Whiteford            | 0 | N/A | N/A | N/A | N/A | N/A | N/A |

### 2023 Fires in Residential Facilities

| Residential Facility | Number of Fires | Date of Report | Time of Report | Cause of Fire  | Number of Deaths | Number of Injuries | Total Value of Damage |
|----------------------|-----------------|----------------|----------------|----------------|------------------|--------------------|-----------------------|
| Albert Norman Ward   | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Blanche Ward         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Daniel MacLea        | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Forlines             | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Garden Apts. 155     | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Garden Apts. 159     | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Garden Apts. 161     | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| Harrison House       | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| McDaniel             | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA Ave. 127          | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 133 ½       | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 133         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 139         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 143         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA Apartment 144     | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 147         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 149         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 163         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 169         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 171         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA Apartment 174     | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 175         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 181         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 185         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| PA House 187         | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| North Village 199    | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| North Village 201    | 0               | N/A            | N/A            | N/A            | N/A              | N/A                | N/A                   |
| North Village 203    | 1               | 10/17/2023     | 2029           | Cooking Grease | 0                | 0                  | \$0                   |

|                      |   |     |     |     |     |     |     |
|----------------------|---|-----|-----|-----|-----|-----|-----|
| North Village 183, E | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| North Village 189, F | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| North Village 191, A | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| North Village 193, B | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| North Village 195, C | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| North Village 197, D | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| McDaniel House       | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| Rouzer               | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| West Main 257        | 0 | N/A | N/A | N/A | N/A | N/A | N/A |
| Whiteford            | 0 | N/A | N/A | N/A | N/A | N/A | N/A |

### **Fire Safety Education and Training Programs for Students, Faculty and Staff**

During National Fire Prevention Week in October, the Department of Campus Safety works with Residence Life and Student Engagement, and Human Resources to deliver fire safety displays and poster projects (both traditional and electronic). The Department of Campus Safety also leverages its Facebook group, and campus emails to remind community members about this topic.

Resident Assistants and Area Coordinators coordinate additional fire safety training and education programs for residence hall students.

### **Fire Incident Reporting**

**All members of the campus community should immediately notify the 911 Center to report a fire emergency.** When it is safe to do so, we ask that you also call the Department of Campus Safety at 410-857-2202. Likewise, any reports of past fires should be made to the Department of Campus Safety.

### **Evacuation Procedures in the event of fire on campus**

- Call 9-911 (from a campus phone) or 911 from a cell phone. And if it is safe to do so, call the Department of Campus Safety at 410-857-2202. No member of the McDaniel campus community is to engage in firefighting activity unless trained and equipped to do so.
- Activate the fire alarm if it is not already sounding.
- Evacuate the building immediately from the closest, marked exit, always using the stairs, and never an elevator.

- When opening doors, feel the handle first. If it is hot, do not open it, but instead, go to a window, and call for help to alert responding personnel.
- Report to the designated assembly area for that building which is indicated on the placard posted inside of each residence hall room.

### **Student Housing Facilities Policies Regarding Fire Safety**

McDaniel College prohibits in all residence halls the use or possession of potentially dangerous materials or devices including, but not limited to:

- Firecrackers and all fireworks
- Incense
- Electric Frying Pans
- Candles or other open flames
- Portable Heaters
- Explosive Material
- Live cut plants (e.g., Xmas trees)

Any electrical appliances, power cords, and power strips used in the residence halls must be tagged as Underwriters Laboratories (UL) approved.

Lighted grills are not permitted within 10 yards of any residential area. Charcoal and lighter fluid may not be stored in residence halls.

Bicycles or similar wheeled vehicles may not be parked in stairwells, hallways, or public areas of residence halls.

### **Plans for Future Improvements in Fire Safety**

As buildings are renovated they are brought into compliance with fire and life safety codes.

Several non-traditional student houses have been assessed for alarm and sprinkler system upgrades or retro-fitting.

### **CRIME PREVENTION TIPS**

While no community is immune from crime, there is much we can do working together to minimize its impact, and prompt and accurate reporting is a vital first step. As noted elsewhere, this is required of ALL employees, and strongly encouraged by the College by students. Crime is opportunistic. Serenity pervades the McDaniel College campus. Comparatively, crime rates are

low here at McDaniel. While these factors can create the sense that the campus is crime free; unfortunately, this isn't true. Common sense, alertness, and cooperation are the building blocks of a safe campus. If each of us takes a moment to follow a few simple precautions, we can improve safety and thus the quality of campus life here.

### **Around and About the Campus...**

- In all cases, be alert to your surroundings. Don't intervene in crimes in progress. Call the Department of Campus Safety at ext. 2202 to report ALL crime and suspicious activity.
- The old adage "better safe than sorry" is sound advice.
- While the department will not accept confidential reports of crime, you may report anonymously through the Westminster Police Department tips line (410-857-8477) or by texting an anonymous tip using the text the keyword TIPWPD and the tip to 847411 (tip411). However, further investigation, college discipline, or court action may not be possible with anonymous tips.
- Don't walk alone; stay on well-lit pathways and away from deserted areas such as the track, the golf course, and Harveystone Park.
- If you are being followed:
  - trust your "gut"
  - change direction, and go to a populated, well-lit location; know the locations of these "safe houses" in the campus area.
  - If no help is immediately available, pull a fire alarm box, or dial 911 from your cell phone.
- Don't go to parties with unfamiliar groups alone. Don't leave your friend at a party.

### **In the Residence Halls or Offices...**

Lock your door when you are leaving NO MATTER HOW SHORT THE PERIOD OF TIME!

- Don't leave notes saying you are out, and how long you will be gone.
- Don't keep excessive money or valuables in your office or room.
- Request identification of any unfamiliar person attempting to gain access to your room. If you are still unsure call the Department of Campus Safety at ext. 2202.
- DO NOT PROP DOORS TO HALLS. This jeopardizes the safety of all and is a serious offense.

### **In the Virtual World...**

- Lock up your Facebook privacy settings to the maximum.
- Nobody should ask you for any password, social security number, date of birth, ID number or other identification information in a phone call or computer exchange that you have not initiated.
- Be careful of "spoofed" websites. You may think you're on a genuine website but is in fact built to fool you into giving up private information.
- Make sure your internet browser privacy and security settings are maximized.

- Keep your software updated, not just your virus protection but all add-ons and programs. The updates often have security enhancements to “plug holes.” If you’re concerned about your computer’s integrity, don’t use it for sensitive or confidential transactions like banking until you work with Information Technology in Hoover Library.

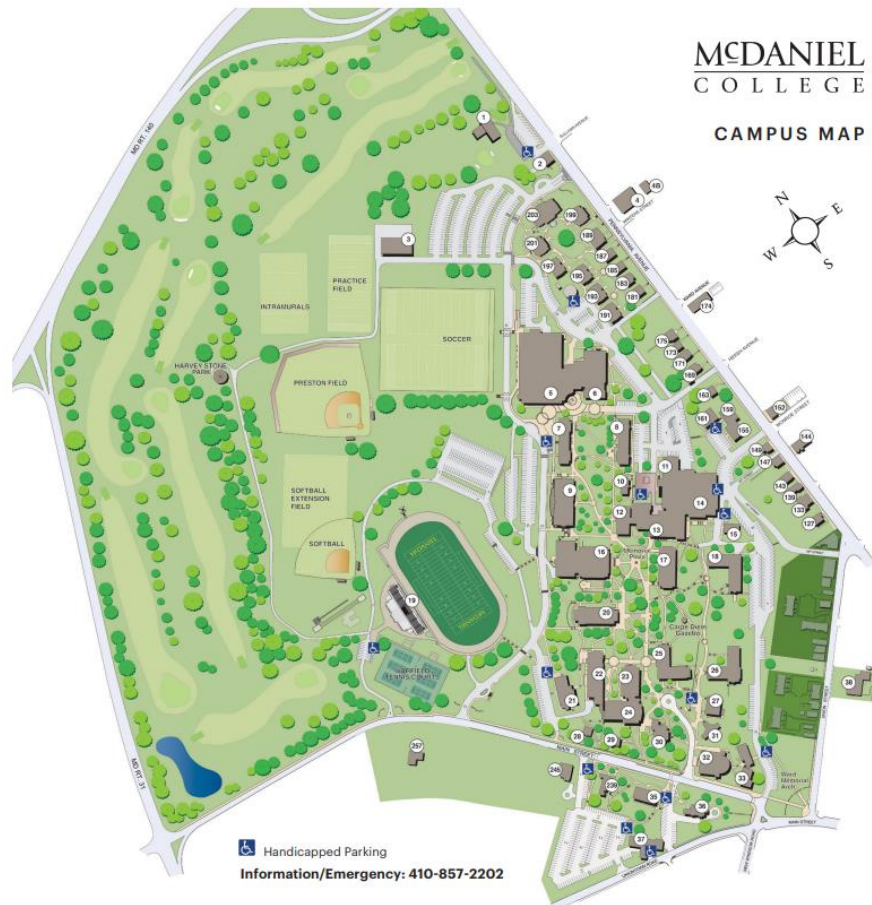
## **SURVEILLANCE POLICY**

Throughout the campus, video recording may take place in the public areas. These cameras are NOT monitored in real time. They record video images to facilitate the investigation of crimes and images are overwritten as the storage discs reach capacity, although the Department of Campus Safety reserves the right to monitor them should circumstances warrant monitoring to reduce crime and enhance community safety. Typically, these cameras will be recording areas where financial transactions take place (examples include eateries, the Bursar’s office, etc.). Cameras may also be recording areas where there has been crime or the conditions which contribute to crime are more prevalent than elsewhere on campus, examples include the public areas and lobbies in and around traditional residence halls, roadways and the student center. Security cameras are used in compliance with the colleges Acceptable Use of Safety Cameras Policy and Procedure. The purpose of this policy is to outline the responsibility, decision-making process and regulations regarding the regular use of safety cameras to monitor and record potential criminal activity, or violations of college policies in areas with no expectation of privacy such as restrooms, locker rooms, etc. to improve safety and security at McDaniel College. This policy does not include the installation of covert surveillance systems installed as part of a documented and on-going criminal investigation. The Department of Campus Safety (DoCS) is the sole group authorized to install and/or operate security cameras, closed-circuit television (CCTV), safety cameras, camera doorbells or other similar recording devices on McDaniel College owned or operated properties. Cameras are located in areas of common use, including the exterior and lobby areas of all traditional residence halls, Roj Student Center and Gill Gymnasium



The McDaniel College Campus Map below is viewable at:

<https://www.mcdaniel.edu/uploads/docs/McDanielCampusMap.pdf>



**BUILDINGS**

Albert Norman Ward Hall (ANW) ..... 7  
 Art Studio ..... 37  
 Baker Chapel (Little Baker) ..... 31  
 Baker Memorial Chapel (Big Baker) ..... 20  
 Blanche Ward Hall ..... 26  
 Campus Safety ..... 152  
 Carroll Hall (Admissions) ..... 36  
 Daniel MacLea Hall (DMC) ..... 8  
 Dean's Cottage (Common Ground) ..... 28  
 Eaton Hall ..... 22  
 Elderdice Hall ..... 12  
 Englar Dining Hall/Harlow Pool ..... 14  
 Forlines House ..... 10  
 Gill Center/Merritt Fitness/Klitzberg Pavilion 5  
 Gill Gymnasium ..... 6  
 Kenneth R. Gill Stadium/Rembert Field ..... 19  
 Golf Shop ..... 1  
 Grounds Maintenance ..... 3  
 Hill Hall ..... 17  
 Hoover Library ..... 16  
 Levine Hall ..... 33  
 Lewis Recitation Hall ..... 23  
 Lewis Hall of Science/Decker Auditorium ..... 24  
 McDaniel Hall/Coley Rice Lounge ..... 25  
 McDaniel House ..... 29  
 Merritt Hall ..... 9  
 Peterson Hall/Rice Gallery ..... 27  
 President's House ..... 30  
 Physical Plant/Central Receiving ..... 4  
 Rembert House/Gill Suite ..... 2  
 Roj Student Center ..... 13  
 Rouzer Hall ..... 11

Smith House ..... 15  
 Steam Plant ..... 38  
 Theatre Scene Shop ..... 48  
 Thompson Hall ..... 35  
 Whiteford Hall ..... 18  
 Winslow Hall ..... 21  
 WMC Alumni Hall (Theatre) ..... 32

**RESIDENCES**

PA Avenue Housing ..... 127-149, 163-181,  
 185-188  
 Garden Apt. ..... 155  
 Garden Apt. ..... 159  
 Garden Apt. ..... 161  
 North Village - Emma's Place ..... 183  
 North Village ..... 189  
 North Village - Stackhouse Hall ..... 191  
 North Village - Marshall Hall ..... 193  
 North Village - Hart Hall ..... 195  
 North Village ..... 197  
 North Village ..... 199  
 North Village ..... 201  
 North Village ..... 203  
 West Main St. - Harrison House ..... 239  
 West Main St. ..... 245  
 West Main St. ..... 257

**ADMINISTRATIVE OFFICES**

Academic & Campus Life ..... 13  
 Administration & Finance ..... 35  
 Admissions (Undergraduate) ..... 36  
 Admissions (Graduate) ..... 36

Alumni Engagement ..... 12  
 Bursar's Office (Student Accounts) ..... 11  
 Campus Life ..... 13  
 Campus Safety ..... 152  
 Campus Store ..... 13  
 Casey's Corner (Coffee Shop) ..... 16  
 Center for Experience & Opportunity ..... 13  
 Common Ground on the Hill ..... 28  
 Communications & Marketing ..... 21  
 Conference & Auxiliary Services ..... 15  
 Diversity, Equity, and Inclusion ..... 13  
 Englar Dining Hall ..... 14  
 Financial Aid ..... 11  
 First Year Experience ..... 13  
 Harlow Pool ..... 13  
 Hilltop Pub ..... 13  
 Human Resources ..... 35  
 Information Technology/Help Desk ..... 16  
 Intercollegiate Athletics ..... 6  
 International Programs ..... 11  
 Institutional Advancement ..... 12  
 Instructional Technology ..... 9  
 Merritt Fitness Center ..... 5  
 Naganna Forum ..... 13  
 Physical Plant - 192 PA Ave ..... 4  
 Post Office ..... 13  
 President's Office ..... 13  
 Provost Office ..... 13  
 Rec Lounge ..... 13  
 Registrar ..... 12  
 Residence Life ..... 13  
 Risk Management ..... 35

Student Accessibility & Support Services ..... 9  
 Student Engagement ..... 13  
 Wellness Center ..... 21

**ACADEMIC OFFICES**

Art & Art History ..... 27  
 Biology ..... 22  
 Center for the Study of Aging ..... 9  
 Chemistry ..... 22  
 Communication & Cinema ..... 23  
 Economics & Business Administration ..... 23  
 Education ..... 9  
 English ..... 17  
 Environmental Studies ..... 23  
 Graduate & Professional Studies ..... 9  
 History ..... 17  
 Kinesiology ..... 5  
 Mathematics & Computer Science ..... 24  
 Music ..... 33  
 Philosophy ..... 20  
 Physics ..... 24  
 Political Science ..... 17  
 Psychology ..... 9  
 Religious Studies ..... 20  
 ROTC/Military Science ..... 21  
 Social Work ..... 17  
 Sociology ..... 23  
 Theatre Arts ..... 32  
 World Languages, Literatures, & Cultures ..... 20

Updated June 2023