Doing More: Reducing Sexual Misconduct at Maryland's Colleges and Universities

Maryland Attorney General's Office Report
November 12, 2014

Doing More: Reducing Sexual Misconduct at Maryland's Colleges and Universities

Maryland Attorney General's Office Report
November 12, 2014

Douglas F. Gansler
Maryland Attorney General

This Report is available online at
www.oag.state.md.us/reports/sexual_misconduct.pdf

I. FOREWORD

Here in Maryland and across the country significant progress has been made in reducing sexual violence against men and women. Significant work remains to be done, however. In particular, work remains to reduce the incidence of sexual violence on our college and university campuses and in connection with college and university activities.

Recognizing this task, President Barack Obama established the White House Task Force to Protect Students from Sexual Assault in January 2014. The White House Task Force came on the heels of the Violence Against Women Reauthorization Act of 2013 (VAWA) and passage of the Campus Sexual Violence Elimination (SaVE) Act, and it marked the beginning of a period of increased scrutiny of how our colleges prevent campus sexual misconduct, respond to campus sexual misconduct, and remedy that misconduct's discriminatory effects.

This increased scrutiny has challenged our Maryland colleges and universities to do more, and it has challenged all of us to do better. It is against this backdrop that I present to you this report, "Doing More: Ending Sexual Misconduct at Maryland's Colleges and Universities."

I hope this report will help all of us in Maryland to better understand and more effectively tackle the problem of sexual misconduct in higher education. I also hope this report will provide assistance to institutions of higher education as they work to develop stronger, more effective procedures to respond to--and prevent--sexual misconduct.

As you review this report, you will first get a glimpse into some of the challenges faced on many of our college and university campuses. The report then provides a brief history of Title IX and federal regulations that outlines the legal framework to address sexual misconduct. It also highlights the University System of Maryland's most recent efforts addressing the issue of campus sexual misconduct and the role of the Office of the Attorney General in shaping that policy. Finally, the report provides some recommendations, best practices, and references to programs currently in development at campuses in Maryland and around the country that I hope will assist ongoing efforts to eliminate campus sexual misconduct.

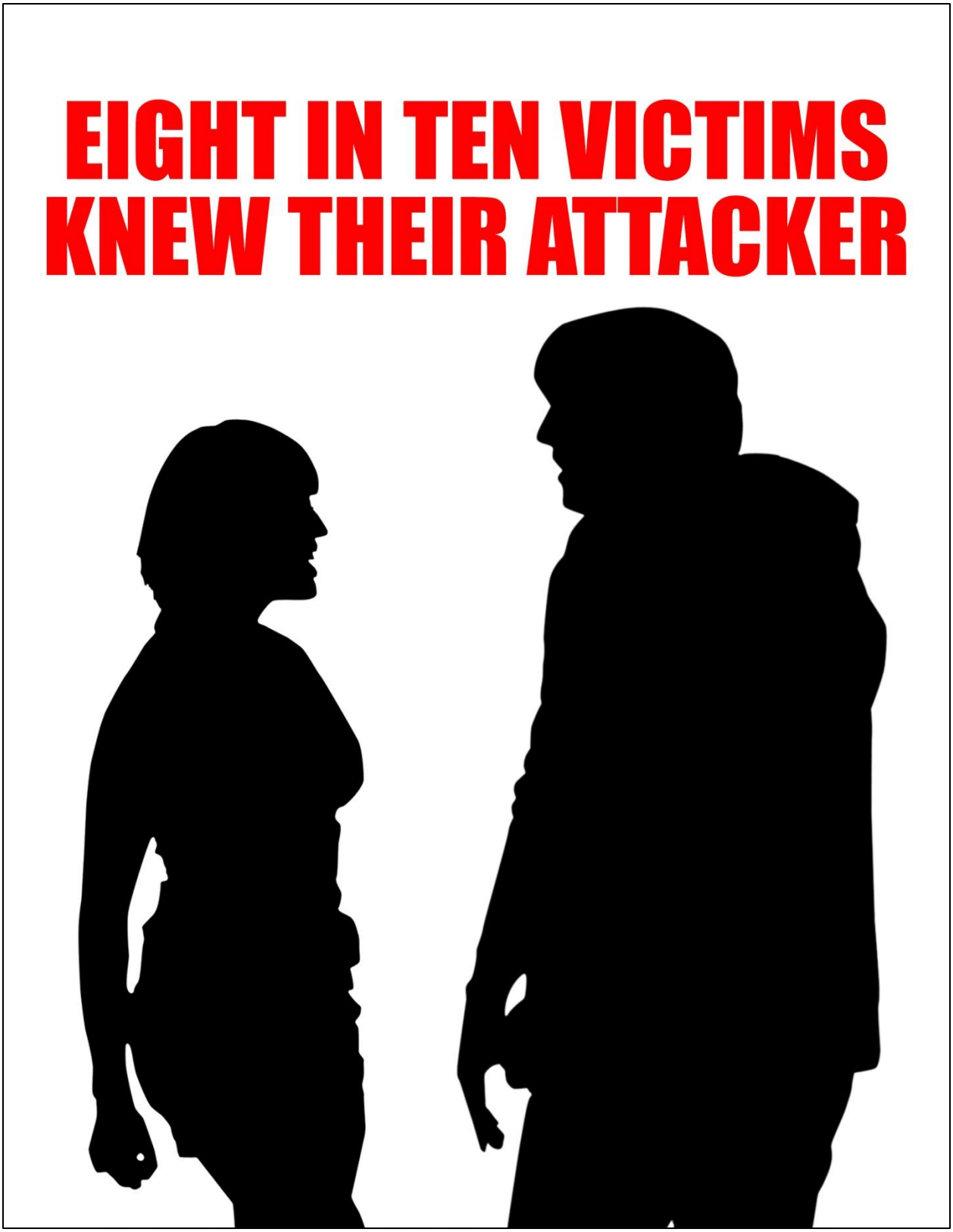
I would like to thank all of the members of my Office who contributed to the production of this report. We are convinced that it's on us, all of us, to implement stronger, more effective policies and procedures to prevent sexual misconduct on campus and in our communities.

Douglas F. Gansler
Maryland Attorney General

Table of Contents

I. FOREWORD 1
II. INTRODUCTION 6
III. The Evolution of Sexual Assault Laws and Regulations 8
IV. Landscape of Maryland Higher Education 10
V. In Partnership: The Attorney General's Office and the University System of Maryland 16
VI. It's On All Of Us 19
VII. Recommendations for Maryland Colleges and Universities 21
VIII. CONCLUSION 29
IX. ACKNOWLEDGEMENTS 30
X. Appendix A: Sexual Misconduct Prevention and Awareness Related Resources 31
XI. Appendix B: Charts on Sexual Assaults at Maryland Colleges and Universities 34
XII. Appendix C: Laws and Regulations Timeline 35
XIII. Appendix D: University System of Maryland Policy on Sexual Misconduct 38

ARE SEXUALLY ASSAULTED WHILE IN COLLEGE.


EIGHT IN TEN VICTIMS
KNEW THEIR ATTACKER

Across the U.S., only 13% of rape survivors report assault, and only 2% of incapacitated rape survivors report assault.

II. INTRODUCTION

Over the past year, the issue of sexual violence on college and university campuses has come to the forefront. It is hardly a new issue, but a renewed focus on curbing what's been dubbed an epidemic from the White House has prompted a closer look at how higher educational institutions respond and react to them. In our fast-paced, social media-driven world where information – and misinformation – spread fast, colleges and universities should utilize best practices to strengthen how they handle sexual assault in a way that's supportive and protective of the alleged victim, but also just and thorough to the accused, all while keeping the campus community at-large informed.

The U.S. Department of Education's Office for Civil Rights is investigating over 80 colleges and universities for their handling of sexual violence complaints and possible violations of federal law. This is troubling, but a challenge we can and must face head on.

The findings of a multiyear investigation by the Center for Public Integrity into how reports of sexual assault on college campuses are handled, as well as a survey of more than 150 crisis services programs and clinics on or near college campuses, indicated that students deemed responsible for alleged sexual assaults on college campuses face little or no penalty for their acts.[1] Conversely, many victims do not get the support they need and face a complex, secretive and prolonged judicial review process. Many victims end up dropping out of school, while their alleged attackers remain enrolled, according to the investigation.

At the federal level, a bipartisan group of lawmakers have drafted several pieces of legislation aimed at better protecting victims of campus sexual assault, holding institutions more accountable for how they respond to such incidents and requiring colleges and universities to establish an independent on-campus advocate to support victims of sexual violence. This Congressional effort follows a White House task force releasing recommendations in April

[1]Kristen Lombardi, *A Lack of Consequences for Sexual Assault*, THE CENTER FOR PUBLIC INTEGRITY,(Feb.24, 2010), http://www.publicintegrity.org/accountability/education/sexual-assault-campus.

designed to help colleges and universities respond to campus sexual violence. It aims to build on the legal framework outlined in the Campus Sexual Violence Elimination Act, known as Campus SaVE, which took effect in October 2014.

We must move from a position of fear of exposure to admittance and action. If one out of every five female and one out of every sixteen males on college campuses experiences sexual assault then the realities are that sexual assaults are happening on our college campuses much more than are currently reported and there is more work to be done to make victims comfortable with coming forward. It requires everyone to step up, be proactive, and do more to end sexual assaults on our college campuses.

This report is designed as a tool for Maryland higher education institutions to examine, implement, and improve upon existing policies and procedures related to incidents of sexual assaults. This report will hopefully serve as a resource to the public as an informative overview on federal law and the status of Maryland colleges and universities as it relates to sexual assaults. It aims to capture best practices that might be applied beyond where they are currently in place. It is not a one-size-fits-all manual to be adopted by all institutions, but it does call for college and university administrators, advocates, law enforcement, students and the community at large to do more to end sexual assaults on our college campuses.

III. The Evolution of Sexual Assault Laws and Regulations

Title IX states that "[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."[2] In 1972, Congress enacted Title IX to expressly prohibit sex discrimination in federally funded education programs.[3] In more recent decades, and in response to growing concern on the topic, Title IX discussion, guidance, and lawmaking has been focused on sexual misconduct, which includes sexual harassment and sexual assault.

In 1997, the Department of Education Office for Civil Rights ("OCR"), the federal agency charged with Title IX enforcement, stated in guidance that Title IX prohibits sexual harassment as a form of sex discrimination.[4] Shortly thereafter, the Supreme Court recognized a private right of action under Title IX where a school had "actual knowledge" of harassment and nonetheless exhibited "deliberate indifference."[5]

In April, 2011, as national dialogue became increasingly focused on issues of campus sexual misconduct, OCR issued further Title IX guidance and stated that liability would be imputed to colleges and universities who "know or should have known" about sexual harassment and failed to take appropriate steps to stop the alleged harassment and remedy its discriminatory effects.[6] This guidance also emphasized that sexual violence is a subcategory of sexual harassment, and it specified dozens of recommendations related to sexual violence that colleges and universities were encouraged to implement.[7]

---

[2] 20 U.S.C. § 1681.
[3] Title IX, 20 U.S.C. §1681 *et seq.*
[4] U.S. Department of Education, Office for Civil Rights, "Dear Colleague Letter" (1997), *available at* http://www2.ed.gov/about/offices/list/ocr/docs/sexhar01.html.
[5] *Davis v. Monroe Cnty. Bd. Of Educ.*,119 S. Ct. 1661 (1999).
[6] U.S. Department of Education, Office for Civil Rights, "Dear Colleague Letter" (Apr. 11, 2011), *available at* https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.html
[7] *Id.* For a list of ways in which the 2011 Dear Colleague Letter expanded upon previous guidance, see Ann H. Franke and Lawrence White, "The Substance of the Dear Colleague Letter: Its Antecedents and How it Changed the Law," National Association of College and University Attorneys, conference outline (Feb. 3, 2012).

In 2013 and 2014, Title IX laws, guidance, and best practices rapidly evolved. First, in 2013 with the reauthorization of the Violence Against Women Act (VAWA), Congress amended the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act").[8] The amendments expanded college and university obligations to track and report instances of sexual violence.[9] Second, in April 2014, OCR issued a 52-point sub-regulatory guidance document that clarified new and expanding compliance obligations. And third, also in April 2014, the White House prioritized the issue of campus sexual misconduct by launching the "Not Alone" campaign, which included additional guidance to help colleges and universities address sexual misconduct.

Throughout recent years, and during the issuance of the 2014 Dear Colleague Letter, White House initiatives and VAWA, OCR has been rigorously enforcing Title IX compliance. In May 2014, it published a list of 55 colleges and universities that were under investigation for non-compliance.[10] That number has since increased to over eighty colleges and universities, including three in Maryland.[11] Although OCR has not yet divested any college or university of federal funding, Catherine Lhamon, Assistant Secretary of the Department of Education Office of Civil Rights, has indicated intent to exercise the Office's authority to pull federal funds in egregious instances of non-compliance.[12]

Apart from federal legislation and guidance, Maryland has long been aware of the problem of sexual misconduct in higher education. In 1993, the Maryland General Assembly enacted Chapter 226, Higher Education- Sexual Assault Policy law, which required every college and university in the State to adopt and submit for review a written policy on sexual assault.[13]

---

[8] Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, 20 U.S.C. § 1092(f); 34 C.F.R. § 668.46.
[9] *Id.*
[10] U.S. Dep.'t of Ed. (May 1, 2014), http://www.ed.gov/news/press-releases/us-department-education-releases-list-higher-education-institutions-open-title-i
[11] Nick Anderson, "Ohio State Accord on Sexual Assault Ends Federal Investigation," THE WASHINGTON POST (Sept. 14, 2014), http://www.washingtonpost.com/local/education/ohio-state-reaches-accord-with-feds-on-steps-to-prevent-sexual-assault/2014/09/14/a304f50e-3c19-11e4-9587-5dafd96295f0story.html
[12] Meredith Clark, "Official to Colleges: Fix Sexual Assault or Lose Funding," MSNBC (July 15, 2014), http://www.msnbc.com/msnbc/campus-sexual-assault-conference-dartmouth-college.
[13] MD. CODE ANN., EDUC. §11-601.

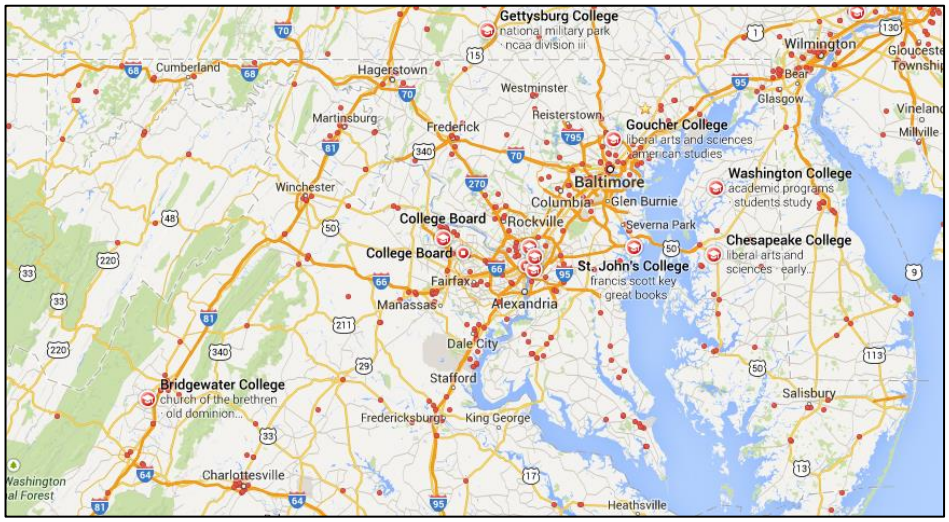
Each institution was also required to implement, distribute, and post the policy. The law has remained substantively unchanged since enactment.

For a more in-depth timeline of the evolution of sexual assault laws and regulations, see Appendix C.

IV. Landscape of Maryland Higher Education

On October 26, 2014, a female student at a Maryland college was grabbed from behind and fondled by an unidentified male. Fortunately, she was physically unharmed. Campus security and police response alerted students of the sexual assault via text message, email, and phone. In March 2013 at an off-campus, privately-owned fraternity house a female student alleged three men forced her into non-consensual sexual acts at a party.

Sexual assaults like these, and worse, are occurring at colleges and universities across Maryland. The Campus Safety and Security Data Analysis Cutting Tool[14] operated by the U.S. Department of Education, collects data on forcible sex offenses[15] at colleges and universities across the country, including the more than 90 educational institutions in Maryland. According to the data, forcible sex offenses occur at every type of Maryland institution



[14] U.S. Dep't of Education, The Campus Safety and Security Data Analysis Cutting Tool, http://ope.ed.gov/security/. However, data for 2014 is not yet available.
[15] Forcible sex offenses is defined as any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

of higher education irrespective of geographical location, student body or campus size. Between 2009 and 2013, there were 340 such offenses at Maryland colleges and universities.[16] *See* Table 1. Public 4-year institutions reported the largest number of offenses at 176 while private 4-year institutions reported 96 offenses, community colleges reported 46 offenses, religiously affiliated institutions reported 19 offenses, and other private non-4-year institutions reported 3 offenses during that period.

Table 1. Total Forcible Sex Offenses by Educational Institution Type

	2009	2010	2011	2012	2013	2009-13
Community College	10	13	7	9	7	**46**
Public 4-year	26	30	39	39	42	**176**
Private 4-year	14	6	12	18	46	**96**
Religiously Affiliated[17]	4	2	3	5	5	**19**
Private, Other[18]	0	1	0	1	1	**3**
Total	**54**	**52**	**61**	**72**	**101**	**340**

Though the colleges and universities reporting offenses varied each year, 21 schools on average reported at least one offense between 2009 and 2011. . *See* Table 2. In 2012, however, 27 schools reported at least one offense meaning nearly one-third of all Maryland schools reported having a forcible sex offense. Meanwhile, across the United States, only 13% of rape survivors report their assault. As such, the prevalence of these offenses is likely far higher since sexual assault and harassment are generally greatly underreported.

Table 2. Number of Educational Institutions Reporting At Least 1 Forcible Sex Offense

	2009	2010	2011	2012	2013
Community College	6	5	3	5	4
Public 4-year	6	9	9	13	8
Private 4-year	5	3	4	6	9
Religiously Affiliated	3	1	2	2	2
Private, Other	0	1	0	1	1
Total	**22**	**22**	**19**	**27**	**24**

[16] The Tool does not provide data for the United States Naval Academy located in Annapolis, Maryland.
[17] "Religiously affiliated" institutions refer to Loyola University Maryland, Mount St. Mary's University, and Washington Adventist University.
[18] "Private, Other" refers to Baltimore International College and Hair Academy II.

Moreover, 6 out of 10 schools with the highest on-campus sex offenses were Maryland public 4-year universities. *See* Table 3. Of course, there are any number of reasons why this may be the case, including the fact that Maryland's 4-year public universities are all residential. Residential colleges and universities likely report more instances of sexual violence than commuter colleges and universities, since students live in residence halls, attend on-campus parties, and spend greater amounts of time on-campus than commuter students.

The higher numbers may also be attributable to the State's efforts to create safe spaces in which students feel empowered to report instances of sexual violence. St. Mary's College of Maryland is a good example of this phenomenon. While St. Mary's is the smallest public 4-year university other than University of Maryland, Baltimore, enrolling about 1,900 students each year or 1.6% of all students attending public 4-year universities in Maryland, it has reported a disproportionate number of on-campus sex offenses during the 5-year period, relative to other colleges and universities. St. Mary's College's 16 on-campus sex offenses exceeded that of larger public institutions like Frostburg State University and Bowie State University, who both have student enrollment above 4,000. The increased statistics at St. Mary's College follow an admirable massive effort on the part of the college to change a culture of non-reporting into an environment encouraging students and employees to report instances of sexual violence.

Increases in reporting can be found at private schools as well as public institutions. The Washington Post compiled a list of colleges with the most per-capita reports of sexual assault.[21] The list shows that those schools with a higher ranking tend to be small, liberal arts colleges. However, it is very plausible that these campuses have cultivated an environment where survivors feel more comfortable speaking out. At smaller schools, students may feel more comfortable with counselors or know more about the available resources. As public awareness increases and colleges and universities commit greater resources to training and programs, it is extremely likely for the numbers to increase at every school as more victims start to come

[21] Nick Anderson, *Sex offenses on U.S. college campuses*, WASHINGTON POST, http://apps.washingtonpost.com/g/page/local/sex-offenses-on-us-college-campuses/1077/. St. Mary's College is the highest ranking Maryland school on the list at #67.

forward. This level of transparency and engagement may explain why some schools like McDaniel College had a notable increase in reported oncampus sex offenses in 2013. *See* Appendix B. While it is too early to draw any conclusions from reported statistics, one thing is for certain: a single instance of sexual violence is one instance too many.

Table 3. Educational Institutions with Highest On-campus Reported Forcible Sex Offenses (2008-12 Descending Order)

	2009	2010	2011	2012	2013	2009-13
University of Maryland-College Park	4	9	4	9	19	**45**
McDaniel College	4	1	3	2	19	**29**
Towson University	3	2	7	2	5	**19**
Salisbury University	2	6	1	6	3	**18**
University of Maryland-Baltimore County	3	1	6	4	4	**18**
Goucher College	3	3	3	4	4	**17**
Montgomery College	2	5	4	1	4	**16**
St Mary's College of Maryland	0	1	9	4	2	**16**
Frostburg State University	0	3	6	2	4	**15**
Johns Hopkins University	0	0	1	5	7	**13**

As mentioned, earlier this year the U.S. Department of Education Office for Civil Rights, which monitors sexual misconduct occurring at colleges and universities across the country, issued a list of the higher education institutions under investigation for possible violations of federal law over the handling of sexual violence and harassment complaints. The list continues to grow and has reached over eighty institutions. Three Maryland universities are among the institutions receiving national attention in connection with claims of sexual misconduct—Frostburg State University, Morgan State University, and Johns Hopkins University. The fact that these schools are being investigated is not necessarily an indication that there is a problem with the way the campus is addressing sexual misconduct.

Frostburg State University's incident concerns a reported 2013 off-campus sexual assault of a female student.[22] In 2014, the student filed a complaint against the university with the U.S. Department of Education Office for Civil Rights claiming that the University mishandled her case. She asserts that not only was her rapist allowed to remain on campus, but he continued harassing her throughout the university's investigation of the incident. On February 28, 2014, a female Morgan State University student reported that she was sexually assaulted in off-campus student housing by a fellow classmate she knew at the university.[23] The victim did not report the incident to the university until March 20, 2014. Because of the length of time between the assault and the time it was reported, the university chose not to report the sexual assault to the campus community. Upon learning of the incident, university officials contacted the Baltimore City Police Department. The Baltimore City State's Attorney's Office, however, declined to prosecute the case. Afterward, the university initiated its own investigation to determine possible violations of university policies and procedures. The Johns Hopkins University incident arises from a reported March 2013 gang-rape of a female Towson University student at a Hopkins fraternity.[24] Though the incident was reported to the Baltimore City Police, the Baltimore City State's Attorney's Office declined to prosecute the case. Hopkins is also a defendant in a federal lawsuit under the Title IX and Clery Act for its alleged failure to alert the university community of the alleged rape.

A university's responsibilities under Title IX include distributing a policy against sex discrimination, publishing grievance procedures for sex discrimination complaints, responding to reports of sexual violence, and taking appropriate steps to resolve incidents.[25] Under the Clery Act, universities are required to disclose crime statistics for incidents that occur on or near campus and disclose campus safety policies and procedures relating to sexual assault

---

[22] Carrie Wells, *Morgan State under federal investigation for handling of sexual assault case*, BALTIMORE SUN, July 2, 2014, *available at* http://articles.baltimoresun.com/2014-07-02/news/bs-md-morgan-title-ix-investigation-20140702_1_morgan-state-university-sexual-assault-case-federal-investigation.
[23] *Id*.
[24] Colin Campbell, *JHU failed to notify students of sexual assault*, BALTIMORE SUN, Oct. 1, 2014, *available at* http://articles.baltimoresun.com/2014-10-01/news/bs-md-ci-hopkins-letter-20141001_1_sexual-assault-towson-university-fraternity-house.
[25] Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq*.; 34 C.F.R. § 106.1 *et seq*.

prevention.[26] All three universities have a campus public safety escort program and full-time 24-hour university police authorized to investigate all crimes and incidents on campus and respond to emergencies. They all provide information relating to sexual assault, including information on immediate emergency help, expert advice, dating violence, stalking resources, and other campus and community resources.[27,28,29] They also provide some level of student sexual assault prevention training, make their sexual assault and sexual harassment policies available online, and report Clery Act information.[30,31,32]

Although each individual school is required to post their policy and crime statistics, there is no state clearinghouse of information on the policies and programs offered at every Maryland college and university. Each school is currently in the process of updating their sexual misconduct policies as requested by the Maryland Higher Education Commission (MHEC), pursuant to Section 11-601 of the Education Article. MHEC had advised Maryland's higher education community about the recent White House initiative to combat sexual violence on college campuses and the advice from the U.S. Department of Education, Office of Civil Rights, on legal compliance, and asked each institution to submit an updated sexual violence policy to MHEC. The new federal policies and the Maryland statutory requirements have been discussed at several meetings of representatives of all Maryland higher education institutions. Under Section 11-601, MHEC will review and comment on the institutions' sexual assault policies, and is currently assessing methods for assisting the institutions on this subject. For example, MHEC has received a request from the Maryland Association of Community Colleges to provide

[26] Clery Act, 20 U.S.C. § 1092(f).
[27] Frostburg State University, Advisory Council Against Gender-Based Violence, http://www.frostburg.edu/gbv/
[28] Morgan State University, "Sexual Assault…What is it?" http://www.morgan.edu/campus_life/counseling_center/sexual_assault.html
[29] Johns Hopkins University, Sexual Assault Response & Prevention: Help & Support, http://sexualassault.jhu.edu/index.html
[30] Frostburg State University, Policy Statements 2014-2015, http://static.frostburg.edu/fsu/assets/File/Administration/policies/policystatements.pdf
[31] Morgan State University, Policy Prohibiting Sexual Harassment and Procedures for Complaints of Sexual Harassment, http://www.morgancounsel.org/files/Sexual-Harassment.pdf
[32] Johns Hopkins University, Sexual Assault Response & Prevention: Policies and Laws. http://sexualassault.jhu.edu/policies-laws/

training to the colleges. Resources may limit MHEC's ability to provide assistance on an individual institutional basis and to be aware of school specific initiatives.

V. In Partnership: The Attorney General's Office and the University System of Maryland

The University System of Maryland (hereinafter "the System" or "USM") and its constituent institutions--which together comprise almost all of Maryland's public 4-year universities--are all represented by Assistant Attorneys General who advise and handle much of their legal affairs.[33] The Office of the Attorney General has worked diligently with the University System to ensure that not only is the overall guidance legally sufficient but that the best practices and highest standards are followed in developing and implementing each school's sexual misconduct policy. This section outlines the Office of the Attorney General and the University System's most recent efforts in that regard.

In 2014, in light of the new and expansive compliance obligations discussed earlier, the Office of the Attorney General's Educational Affairs Division worked with University System Vice Chancellor for Academic Affairs Dr. JoAnn Boughman and her staff to determine what changes, if any, needed to be made to the System's policies. They determined that the separate USM Policies on Sexual Assault and Sexual Harassment should be revised and combined into one comprehensive Policy on Sexual Misconduct. The Chancellor designated this new Policy on Sexual Misconduct as a top priority and created a fast-paced timeline for stakeholder and Board of Regents review by June 27, 2014.

Assistant Attorneys General in the Educational Affairs Division undertook a comprehensive review of the existing policies for compliance with recent updates to federal law and federal guidance regarding Title IX. In particular, the Educational Affairs Division

[33] System institutions include Bowie State University, Coppin State University, Frostburg State University, Salisbury University, Towson University, University of Baltimore, University of Maryland- Baltimore, University of Maryland- Baltimore County, University of Maryland, College Park, University of Maryland Eastern Shore, and the University of Maryland University College. Although not a part of the University System, Morgan State University and St. Mary's College are also public universities represented by Assistant Attorneys General.

referenced the 2011 Dear Colleague Letter (Title IX)[34] issued by the U.S. Department of Education Office for Civil Rights which provides subregulatory guidance pertaining to Title IX's prohibition against sexual harassment and sexual violence. The Division also referenced subsequent guidance, issued by OCR in 2014,[35] which provided additional clarification on proactive efforts schools can take to prevent and remedy sexual violence. Using these and other tools,[36] the Educational Affairs Division and USM worked to develop a comprehensive sexual misconduct policy that would replace, update, and expand the two existing System policies and provide System institutions with direction and guidance as they worked to better foster a climate free from sexual misconduct.

The Office of the Attorney General also helped the System identify campus stakeholders to participate in the development of the updated sexual misconduct policy. Stakeholders were a key part of the process in order to ensure not only future compliance but greater understanding among all parties on the process and the practicalities of the policy's implementation on campus. Stakeholders included institution presidents, faculty and staff representatives, human resources officers, academic affairs and student affairs representatives, students, and campus general counsel. The System and its constituent institutions and stakeholders met several times between March and June 2014 to develop a Policy on Sexual Misconduct that would provide clear guidance to institutions regarding requirements for Title IX compliance through mandated training, education, and prevention programs, mandatory reporting, timely, fair and impartial investigations, and prompt resolutions of sexual misconduct.

The final document includes a section devoted to defining the language used throughout the policy. While each institution may adopt its own definitions, they are encouraged to adopt elements as defined in the System's policy. Paying close attention to defining consent, dating violence, domestic violence, as well as sexual exploitation, harassment, intimidation, misconduct and violence was critical to make certain all stakeholders were clear about each element. Thus,

---

[34] U.S. Department of Education, Office for Civil Rights, "Dear Colleague Letter" (2011), available at https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.html.
[35] U.S. Department of Education, Office for Civil Rights, "Dear Colleague Letter" (2014), available at http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201405-charter.pdf.
[36] See Appendix A for additional resources.

while allowing for variation, an important objective was ensuring consistency and a shared level of expectation across institutions.

The USM Sexual Misconduct policy appropriately focuses on institutional obligations as required by Title IX and the Clery Act. Compliance oversight is a key part of the requirements and calls for an individual to be responsible for coordinating the institution's efforts to comply with and carry out its responsibilities under Title IX. Depending on the size and needs of an institution a full Title IX team may be warranted and is encouraged to ensure that activities across various departments of the school are fully coordinated. Another important obligation is the requirement of notice. An institution must publish a notice of nondiscrimination that contains the appropriate Title IX language; it must also disseminate such notice so that it is available and easily accessible on an ongoing basis. Notice is also important when updating certain campus authorities and law enforcement, as well as informing the parties concurrently about the outcome of the complaint.

Due to the collaborative efforts throughout the drafting process, the approval of the Policy was able to proceed relatively quickly without substantial revisions. On June 3, 2014, the Office of the Chancellor of the University System presented a revised Sexual Misconduct Policy to the USM Board of Regents' Education Policy and Student Life Committee. On June 27, 2014, the Board of Regents approved the revised Policy on Sexual Misconduct.[37] See the Policy in Appendix D.

University System institutions are now reviewing their own policies for compliance with the revised Policy on Sexual Misconduct; they have been directed to complete necessary changes to their campus policies and procedures by December 31, 2014. The Office of the Attorney General is assisting the public institutions with their efforts.

In an effort to continue the dialogue beyond the written policy process, in the spring of 2014, the University System convened a Sexual Misconduct Policy Workgroup. The Workgroup, consisting of approximately twenty institutional representatives and advised by the

[37] The final USM BOR VI-1.60-Policy on Sexual Misconduct is available via the following link: http://www.usmd.edu/regents/bylaws/SectionVI/.

Office of the Attorney General's Educational Affairs Division, has been charged with guiding the System's institutions as they review policies, work through implementation issues, and consider emerging best practices. The Workgroup aspires to bring consistency to the implementation process and address the practical and psychological issues that are embedded in the problem of sexual assault. Workgroup members include institution legal counsel, Title IX coordinators, human resources, student affairs, academic affairs representatives, law enforcement, faculty, and student council members. At present, the Workgroup's efforts are ongoing, and the Office of the Attorney General will remain active as the response to sexual misconduct on campuses continues to evolve.

VI. It's On All Of Us

The progress by our colleges and universities shows their steadfast commitment to the issue, but the work must be done off campus as well. Over time, colleges, universities, governmental bodies, and students have not only participated in a national discussion about sexual misconduct, they have also responded to the sexual misconduct crisis in a variety of ways that draw on different strengths and expertise. For example:

- Several national college fraternities created the Fraternal Health and Safety Initiative Consortium where members participate in curriculums focused on stopping dangerous behaviors exhibited by college-aged men and implementing prevention strategies.[38] Just launched September 2014, it is an effort to make their more than 75,000 fraternal members around the country change agents. The Consortium expects to reach 35,000 young men with the program during the 2014-2015 school year. Using an individualized plan, each fraternal organization in the Consortium offers the curriculum to their members such as, "Taking a Stand: Preventing Sexual Misconduct on Campus" which teaches members to recognize the warning signs and proactively intervene in situations where sexual misconduct may occur. Maryland institutions participating in the Consortium are the University of Maryland- Baltimore County, University of Maryland-College Park, University of Maryland- Eastern Shore, Frostburg State University, Johns Hopkins University, McDaniel College, Towson University, and Washington College.

[38] The eight participating fraternities are: Lambda Chi Alpha, Phi Delta Theta, Pi Kappa Alpha, Sigma Alpha Epsilon, Sigma Alpha Mu, Sigma Chi, Tau Kappa Epsilon, and Triangle. More information found at: http://fhsi.jrfco.com/.

- This year the National Association of Attorneys General hosted its first-ever regional meeting dedicated solely to the issue of addressing sexual misconduct on college campuses. Attorneys General, their staff, federal regulators, members of campus departments of public safety, Title IX coordinators, and law enforcement officers from around the country gathered to discuss pertinent issues and identify best practices to protect the rights of both survivors and the accused while ensuring public safety. Highlights included a presentation from Cindy Southworth, the Founder of the Safety Net Project at the U.S. National Network to End Domestic Violence, who stressed the importance of services for survivors on campus being confidential as outlined in both the Violence Against Women Act and Title IX. Many presentations interlaced the importance of collaborative sexual assault investigations from the law enforcement perspective. The Chief of Police at Cornell University, Kathy Zoner, who oversees 74 full time staff (50 of whom are sworn officers) who are charged with protecting 33,400 students, faculty and staff has a protocol in place on campus that works in tandem with other local law enforcement. Notably, many emphasized that the state criminal code applies equally to conduct that occurs on college campuses and that local police and prosecutors have the authority to perform all aspects of their job on campus. As such a thorough, sensitive investigation by trained, specialized police investigators in conjunction with a specially trained prosecutor are the preferred personnel to put on a sexual assault case.

- Shortly after the White House launched its campaign, Senator Claire McCaskill introduced the Campus Accountability and Safety Act (CASA).[39] CASA has garnered wide support from lawmakers from both parties. Among other things, it requires that colleges and universities appoint confidential advisors and train forensic interviewers to investigate allegations of sexual harassment.[40] In its current form, CASA provides for a fine of up to 1% of the college or university operating budget for noncompliance.

- There is also a burgeoning use of technology to impact the security, privacy and safety of survivors. In response to the "Apps Against Abuse" challenge[41] launched by the Office of the Vice President, the Department of Health and Human Services and the White House Office of Science and Technology Policy, a group of sexual assault survivors

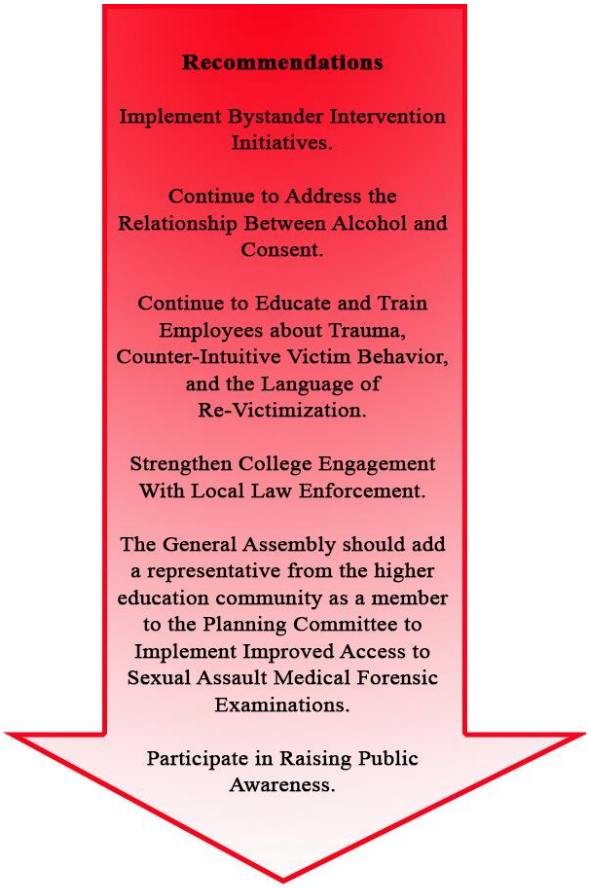
[39] Campus Accountability and Save Act, 113th Cong., 2d available at http://www.nacubo.org/documents/campussafetyandaccountabilityactbill.pdf.
[40] *Id.*
[41] More information found at: U.S. Department of Health and Human Services, "The Department of Health and Human Services challenged developers to create apps that empower young adults to prevent abuse and violence," http://appsagainstabuse.challengepost.com/.

developed the Circle of 6 app. One of the winning apps, Circle of 6 allows students to easily and quickly access their personal networks when they feel unsafe. The app also gives students the ability to tap into national hotlines and emergency numbers with just a few touches to their mobile device. Another example is WitnessOne Safe Campus, a mobile and web solution allowing first responders to instantly respond to a crisis situation or active campus threat. During an emergency, students and others on campus can broadcast real-time photos, video to campus security.

These programs, conferences, and technology advances are examples of efforts aimed at reducing the number of sexual assaults at higher education institutions. There is much more that must be done in order to really change the culture on campuses about sexual misconduct; however, each initiative not only extends the dialogue but helps to raise awareness, shift expectations and change the culture about how sexual assault, harassment and misconduct are viewed and treated by students, administrators and the community at large.

VII. Recommendations for Maryland Colleges and Universities

While the work to date by our colleges and universities should be applauded, Maryland's public and independent four-year colleges and universities, and community colleges can continue to do more to combat sexual misconduct on campus. Many schools have formed a Title IX review committee while also seeking guidance from relevant governmental agencies and attorneys in order to develop and revise their policies and provide better practices of prevention and response. In addition, the State's colleges and universities must better train and expose their students on bystander intervention, consent, and the effects of alcohol consumption on consent. Our colleges and universities must likewise better train their staff on appropriate methods for conducting sexual misconduct investigations, and build



on existing relationships with local law enforcement agencies so that law enforcement may effectively aid investigations of campus sexual violence.

1. **Implement Bystander Intervention Initiatives.**

Every college and university in Maryland should have mandatory bystander intervention initiatives for its students and employees. Although bystander intervention training is mandatory for all University System of Maryland institutions per USM BOR VI-1.60 Policy on Sexual Misconduct, not all schools in Maryland have mandatory training. Some, like Johns Hopkins, mandate bystander intervention training for certain groups at heightened risk like varsity athletic teams.[42] Bystander intervention programs are not unique to Maryland; schools around the country have a variety of programming.[43]

Bystander intervention education teaches students safe and positive ways to intervene when they witness sexual misconduct or events that could lead to sexual misconduct. They empower students with the skills to intervene and protect one another from dangerous and harmful situations. The concept is analogous to the designated driver initiative, which during the late 1980s and 1990s was seen on the news, popular television shows and commercials with the phrase "friends don't let friends drive drunk".[44] Designated driving became a national movement as then President Bill Clinton participated in public service announcements and an extensive range of organizations and civic leaders endorsed the efforts. Similarly, effective bystander intervention programs foster platforms for witnesses of sexual misconduct to speak out against sexist attitudes, rape myth beliefs, and sexual violence. Such programs help community members develop an awareness of sexual misconduct and learn the appropriate skills to intervene safely and effectively, in both direct and indirect ways.

---

[42] Megan Ditrolio, *Entire Student Body Needs to Do Bystander Intervention Training*, THE JOHNS HOPKINS NEWS-LETTER, Oct. 29, 2014, available at http://www.jhunewsletter.com/2014/10/09/entire-student-body-needs-to-do-bystander-intervention-training-22535/.

[43] For other bystander intervention initiatives *See* University of NH, http://cola.unh.edu/prevention-innovations/bystander; MIT, http://web.mit.edu/bystanders/; University of Iowa, http://www.uni.edu/cvp/bystander-engagement; Michigan State University, http://studentlife.msu.edu/sarv; and the University of Northern Iowa http://www.uni.edu/cvp/bystander-engagement.

[44] Mandy Shaivitz, CTR. FOR EXCELLENCE IN GOVERNMENT AND THE USC ANNENBERG NORMAN LEAR CTR., HOW PRO-SOCIAL MESSAGES MAKE THEIR WAY INTO ENTERTAINMENT PROGRAMMING, http://www.learcenter.org/pdf/MCDReport.pdf (last visited Nov. 10, 2014.) (referencing Jay A. Winsten, THE HARVARD ALCOHOL PROJECT: PROMOTING THE 'DESIGNATED DRIVER'," Advocacy Groups and the Entertainment Industry, (Michael Suman and Gabriel Rossman eds., 2000).

Some Maryland schools already have specialized programming geared towards their unique student populations. The Ten Man Plan/Ten Woman Plan at the University of Maryland College Park offers fraternity and sorority members an opportunity to examine how they can intervene to prevent sexual assault and other interpersonal violence, as well as support individuals who may be victims.

One promising bystander intervention training program is the Green Dot Initiative. Green Dot is a for-profit organization that aspires to reduce violence using a community-based, intervention approach. The goal is to foster a cultural shift from bystander inaction to bystander intervention. The Green Dot Initiative empowers individuals to actively participate in dismantling a culture of bystander inaction, and in so doing, build a safe community. For example, Green Dot is very active on the campus of St. Mary's University's where they have a Facebook page regularly updated with information, alerts and student comments. For more information about the green dot initiative, visit www.livethegreendot.com.

Green Dot trainings have been conducted around the state, specifically:

Adam's House
Anne Arundel Community College
Bowie State University
Community College of Baltimore County
Community Advocates-Family/Youth
Coppin State University
Domestic Violence/Sexual Assault Center at Dimensions Healthcare System
For All Seasons Inc., Easton, MD
Frostburg State University
Goucher College
Heartly House
Interfaith Community Against Domestic Violence, Beltsville, MD
Johns Hopkins University
Loyola University, Maryland
Marriage Nectar, Suitland, MD
Maryland Coalition Against Sexual Assault
Morgan State University
Mount St. Mary's University
Prince George's Community College
Salisbury University
St. Mary's College of Maryland
Student Success, Rockville, MD
University of Maryland, College Park
University of Maryland, Baltimore County
US Naval Academy

2. Continue to Address the Relationship Between Alcohol and Consent.

Colleges and universities must continue to address the relationship between alcohol and consent with their students as part of their sexual misconduct training.

According to the July 2014 survey of Maryland colleges and universities entitled *High-risk Drinking among College Students in Maryland: Identifying Targets for Intervention*, sexually-related consequences experienced as a result of other's alcohol consumption, rather than directly from their own drinking behavior, exceeded 17% of the student population.[45] Specifically, according to the survey, unwanted sexual advances were experienced by 15.1% and sexual assaults or "date rape" were experienced by 2.3% of all college students in Maryland. Although the percentage may appear small, it translates into significant numbers when juxtaposed against student populations. Mathematically, this means that as a result of student drinking it is more likely that 857 out of 37,248 students at the University of Maryland College Park[46] experienced a sexual assault or "date rape." Likewise, for 460 out of nearly 20,000 students at Johns Hopkins University,[47] 41 out of 1,788 enrolled students at St. Mary's College of Maryland[48] and 34 out of 1,481 students at Goucher College[49]-- and the list goes on. Also, according to a 2007 survey conducted by the National Criminal Justice Reference Service, 89% of sexual assault survivors who were incapacitated at the time of the assault had consumed alcohol prior to the assault.[50] The consequences of alcohol abuse on student safety are very real regardless of whether it takes place at a large public university or a small private college.

---

[45] *High-risk Drinking among College Students in Maryland: Identifying Targets for Intervention - Results of the First Annual Maryland College Alcohol Survey (MD-CAS)* – July 2014, http://marylandcollaborative.org/wp-content/uploads/2014/09/MD-CAS-Report_FINAL.pdf

[46] University of Maryland Highlights (2013), http://umdrightnow.umd.edu/sites/umdrightnow.umd.edu/files/2013_fact_card_final.pdf.

[47] The Schools of the Johns Hopkins University, http://webapps.jhu.edu/jhuniverse/academics/schools/. The Johns Hopkins University enrolls nearly 20,000 full-time and part-time students on three major campuses in Baltimore, one in Washington, D.C., one in Montgomery County, Md., and facilities throughout the Baltimore-Washington area and in China and Italy.

[48] St. Mary's College of Maryland, Key Facts, http://www.smcm.edu/about/key-facts.html.

[49] Goucher College Facts and Stats, http://www.goucher.edu/about/facts-and-stats.

[50] Christopher P. Krebs et al., The Campus Sexual Assault Study: Final Report xiii,5-5 (Nat'l Criminal Justice Reference Serv., Oct. 2007), *available at* https://www.ncjrs.gov/pdffiles1/nij/grants/221153.pdf

3. **Continue to Educate and Train Employees about Trauma, Counter-Intuitive Victim Behavior, and the Language of Re-Victimization.**

Because victim behavior bear on credibility assessments, it is imperative that employees who participate in sexual assault investigations be trained in trauma and counter-intuitive victim behavior. Survivors of sexual assault may engage in ways that seem counter-intuitive. In addition, survivors of sexual assault are often required to endure long waits without eating, drinking or urinating and undergo multiple interviewers and examiners all of whom are not experienced with trauma patients. All of these factors may affect how they respond to requests for information.

Nurses and counselors on campus should be trained in caring for victims of violence. Sexual assault nurses and forensic examiners can be critical on-campus resources as they are health care providers who have been specially educated to provide comprehensive care for the sexual assault patient. These providers demonstrate competency in conducting a forensic examinations and they have the ability to be expert or fact witnesses in court. These specialized health care providers promote patient safety but can also serve as an important liaison with law enforcement since they understand certain legal elements like maintaining the chain of custody. The Maryland Coalition Against Sexual Assault (MCASA) organizes and presents some of the trainings, which they advise can cost approximately $8,500, and has a capacity of about 10 nurses.

Likewise, untrained first responders can use language that sometimes inadvertently blames the victim. Colleges, universities, and local law enforcement should continue to train first responders and those involved in sexual assault investigations on the use of

non-judgmental language when communicating with victims so that survivors are not subjected to re-victimization when they report instances of sexual assault.

4. Strengthen College Engagement With Local Law Enforcement.

Colleges and universities should strengthen their relationships with local law enforcement to partner in efforts to eradicate sexual misconduct. Each college and university should have an assigned Assistant State's Attorney from its respective local jurisdiction available to work with the campus administration. Each States' Attorney would dedicate an Assistant States Attorney to be a point of contact in case of a reported sexual assault. Acting as a liaison, this person would be kept up to date on new trainings and initiatives aimed at preventing sexual assault at the school. This prosecutor would also coordinate with campus, local and state law enforcement.

Local law enforcement is uniquely situated to gather forensic evidence and conduct interviews that are forensically sound. It is a best practice to have a Memorandum of Understanding (MOU) with local police that is Title IX compliant. Although USM policy requires that institutions review any MOU for legal compliance, it should be a universal practice by Maryland colleges and universities to have an MOU with local law enforcement. Most states are at least updating their MOU's with local law enforcement per recommendations in the 2011 Dear Colleague Letter. OCR has indicated that it will be providing a draft MOU for colleges and universities to use in connection with sexual misconduct matters.

Many Maryland schools already have Title IX Coordinating Committees or Sexual Assault Response Teams but all schools across the state should have a multidisciplinary collaboration dedicated to creating and maintaining an effective response to sexual violence on campus. These teams may include on a campus sexual assault victims' advocate, resident advisors, the campus Title IX coordinator, nursing/medical professionals from the campus clinic, and other law enforcement agencies. When the school proactively establishes cooperation among internal offices as well as law enforcement, it diminishes the likelihood that victims will have a complicated maze of governmental and community agencies to navigate following an assault. Victims, the accused and their families often have legal questions and safety concerns that can be better addressed when campus and law enforcement entities are cooperating.

Accordingly, colleges and universities will benefit tremendously from a strong partnership with law enforcement. Law enforcement, including State's Attorneys and

police departments, should work with colleges and universities to delineate plans for coordination and information sharing so that the fight against sexual misconduct is a coordinated effort with clear and consistent roles and practices.

5. The General Assembly should add a representative from the higher education community as a member to the Planning Committee to Implement Improved Access to Sexual Assault Medical Forensic Examinations.

During the 2014 legislative session, the General Assembly passed House Bill 963, sponsored by Delegate Ariana Kelly, that required each hospital that provides emergency medical services to have a protocol to provide timely access to a sexual assault medical forensic examination by a forensic nurse examiner or a physician to a victim of an alleged rape or sexual offense who arrives at the hospital for treatment. Prior to legislation, not all hospitals had the capability nor any protocol in place to perform sexual assault medical forensic examinations.

In addition to the above, House Bill 963 created the Maryland Planning Committee to Implement Improved Access to Sexual Assault Medical Forensic Examinations in an effort to ensure deeper analysis and attention on this important issue. The Committee includes representatives from a number of Maryland agencies, medical professionals, law enforcement, nursing, and advocates, but no one from the higher education community. As such, the General Assembly should amend the Committee composition to include at least one representative from a higher education institution. The Maryland Higher Education Commission, which is in the process of collecting updated sexual misconduct policies from every college and university, should also be included as a member of the Committee.

6. Participate in Raising Public Awareness.

One of the ways that we can curb sexual assaults is for everyone to get involved and make it a part of our culture to be informed and stay engaged on the issue. Society recognizes the role of the designated driver and the importance of not littering because of concerted efforts involving public service announcements and media campaigns to bring awareness to the general public. Elected officials and civic leaders spoke out on these issues for years and advocated for greater public scrutiny and resources. The same level of attention should be given to raising awareness and changing the culture around sexual assaults.

Coppin State University and Bowie State University students have joined Historically Black Colleges and Universities from around the country to mobilize the campus around sexual assault awareness in an event called Denim Day where students wear jeans and a Denim Day t-shirt as a visible sign to support ending sexual violence on campuses.

The White House launched the It's On Us public awareness campaign to create an environment in which sexual assault is unacceptable and survivors are supported. It is a pledge to not be a bystander to the problem but be a part of the solution to help keep women and men safe from sexual assault. Attorney General Doug Gansler took the pledge and invited his entire office to stand with him. To see his It's On Us pledge video, go to: http://youtu.be/PmTiEtNBLHs. He also included it in his monthly office update and wrote an op-ed piece on the issue. Don't be silent. Stand up. Get Involved. Do More.

VIII. CONCLUSION

Our colleges and universities are integral to our communities in so many ways: We are college students, college alumni, college employees, college professors, college neighbors, college parents, college siblings, and college sports fans. Given this, campus sexual misconduct is all of our concern, and we must all be part of the solution.

In this report, I have highlighted important issues that Maryland's colleges and universities should consider as they work to address and eradicate sexual misconduct in higher education. While I applaud the excellent work that Maryland's institutions have done thus far to comply with federal and State requirements, they can do more to end sexual misconduct on their campuses. Maryland's colleges and universities do not stand alone, however. All of us—elected officials, law enforcement, and concerned citizens—can and must help make Maryland's campuses safe and secure.

IX. ACKNOWLEDGEMENTS

This document is the collaborative effort of many dedicated individuals in the Office of the Attorney General of Maryland. Many thanks are due to the hard working Assistant Attorneys General of the Educational Affairs Division who diligently represent Maryland's public higher education institutions every day.

Contributors include:

Douglas F. Gansler
Maryland Attorney General

Kisha A. Brown
Director of Civil Rights
Director of Legislative Affairs

Alan Brody
Deputy Director of Communications

David Paulson
Director of Communications

Fritz Schantz
Media Specialist

Richard Tabuteau
Deputy Director of Civil Rights and
Legislative Affairs

X. Appendix A: Sexual Misconduct Prevention and Awareness Related Resources

Government Sites & National Organizations

- US Department of Education, www.ed.gov
- US Department of Justice, www.justice.gov
- Office of Violence against Women (OVW), http://www.justice.gov/ovw
- Not Alone, https://www.notalone.gov/
- It's On Us, http://itsonus.org/
- National Organization for Women (NOW), http://www.now.org/
- Rape, Abuse & Incest National Network (RAINN), https://www.rainn.org/
- National Sexual Assault Online Hotline, https://ohl.rainn.org/online/
- 2011 Dear Colleague Letter: http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.html
- 2014 Dear Colleague Letter: http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201405-charter.pdf
- White House Checklist: https://www.notalone.gov/assets/checklist-for-campus-sexual-misconduct-policies.pdf

Maryland Organizations

- Maryland Coalition Against Sexual Assault (MCASA), http://www.mcasa.org/
- SARC Sexual Assault/Spouse Abuse Resource Center, http://www.sarc-maryland.org/

Other Potentially Helpful Sites:

- Red Flag Campaign, www.TheRedFlagCampaign.org
    - Designed to encourage college students to intervene when they see a warning sign ("a red flag") of intimate partner violence. This social marketing campaign works by breaking the silence regarding sexual violence and gender myths and communicating the expectation that all intimate relationships be respectful and safe.

    - Delivers the message through social marketing and public awareness primarily based on a series of posters, each focusing on a particular component of dating violence.
- White Ribbon Campaign, http://www.whiteribbon.ca
    - Worldwide organization targeting men and boys of all ages and cultures to promote gender equality & prevent violence against women.
    - This program uses an environmental change strategy, in which participants speak at schools and communities about the problem of violence against women to raise awareness and encourage men to join; men are encouraged to wear a white ribbon as a personal pledge to never commit, condone, or remain silent about violence against women.
- Culture of Respect, https://cultureofrespect.org/
    - A new American Association of State Colleges and Universities partnership with an organization called Culture of Respect, which was founded by a group of concerned parents. The website offers various tools and resources in an actionable famework.
- Walk a Mile in Her Shoes, http://www.walkamileinhershoes.org/
    - Sponsors an annual, international men's march against sexual violence against women. The campaign literally encourages men to walk one mile in women's high-heeled shoes to raise awareness.
- Green Dot Campaign, https://www.livethegreendot.com/
    - Targets all community members as potential bystanders and seeks to engage individuals through awareness, education, and skill practice in developing proactive behaviors establishing intolerance of violence.
    - This is a social marketing campaign, where a "green dot" is an action countering each "red dot" of violence by promoting safety and intolerance of violence.
- Men Can Stop Rape Campus Strength Program, www.mencanstoprape.org
    - Engages college and university men in preventing violence against women, developing and supporting healthy masculinity, and organizing to create violence-free campuses through mentorship, peer education, activism, and social events.
    - Provides workshops, training sessions, and campus chapters.
- Mentors in Violence Prevention, www.mvpnational.org
    - Engages college students in raising awareness about the level of men's verbal, emotional, physical and sexual abuse of women.
    - Provides interactive trainings for college and community-based leadership groups, sports teams, teachers, coaches, administrators, as well as campus-based professionals based on a bystander approach to violence prevention.
- Men stopping violence, http://www.menstoppingviolence.org

    - Targets male college students; enables men to take action to stop male sexual violence and encourages bystander intervention.
    - Provides a multi-session, curriculum based program for a classroom setting.
- National Sexual Violence Resource Center, http://www.nsvrc.org/saam/campus-resource-list
    - A resource list dedicated to campus sexual violence awareness and prevention which includes campus policy information, statistics, and resources.
- kNOw MORE, http://www.knowmoresaymore.org
    - Engages college students in a social norms campaign by encouraging the audience to say “no more” to sexual violence and “know more” about how to stop it. The program encourages survivors of violence to speak about their experience and bystanders to intervene, as well as educates the audience about reproductive health consequences of sexual violence.
    - Provides a Campus Toolkit to help college students develop events, programs, and trainings on violence against women and its link to reproductive health.
- Students Active For Ending Rape (SAFER), http://www.safercampus.org/
    - Volunteer-run organization that fights sexual violence and rape culture by empowering student-led campaigns to reform college sexual assault policies.
    - Facilitates student organizing through a comprehensive training manual, in-person workshops and trainings, free follow-up mentoring, a Campus Sexual Assault Policies Database, and a growing online resource library and network for student organizers.

XI. Appendix B: Charts on Sexual Assaults at Maryland Colleges and Universities

On-campus Reported Forcible Sex Offenses by Educational Institution (Alphabetical)

	2009	2010	2011	2012	2013	2009-13
Allegany College of Maryland	1	0	0	1	1	**3**
Anne Arundel Community College	1	3	0	1	0	**5**
Baltimore International College	0	1	0	0	0	**1**
Bowie State University	2	2	2	4	2	**12**
Cecil College	0	0	1	0	0	**1**
Coppin State University	0	1	0	1	0	**2**
Frostburg State University	0	3	6	2	4	**15**
Garrett College	1	0	0	1	0	**2**
Goucher College	3	3	3	4	4	**17**
Hagerstown Community College	0	0	0	0	1	**1**
Hair Academy II	0	0	0	0	1	**1**
Harford Community College	1	0	0	0	0	**1**
Hood College	3	0	0	0	0	**3**
Howard Community College	0	2	0	1	0	**3**
Johns Hopkins University	0	0	1	5	7	**13**
Loyola University Maryland	2	2	1	2	4	**11**
Maryland Institute College of Art	1	0	0	1	1	**3**
McDaniel College	4	1	3	2	19	**29**
Montgomery College	2	5	4	1	4	**16**
Morgan State University	0	0	1	1	2	**4**
Mount St Mary's University	1	0	2	3	1	**7**
Prince George's Community College	0	0	0	0	1	**1**
Salisbury University	2	6	1	6	3	**18**
Sojourner-Douglass College	2	0	0	0	0	**2**
St John's College	0	0	0	0	2	**2**
St Mary's College of Maryland	0	1	9	4	2	**16**
Stevenson University	0	0	0	1	3	**4**
The Community College of Baltimore County	3	2	1	3	0	**9**
Towson University	3	2	7	2	5	**19**
University of Maryland Eastern Shore	3	2	1	2	0	**8**
University of Maryland-Baltimore County	3	1	6	4	4	**18**
University of Maryland-College Park	4	9	4	9	19	**45**
University of Maryland-University College	0	0	0	1	0	**1**
Washington Adventist University	1	0	0	0	0	**1**
Washington College	0	2	4	2	2	**10**
Total	**43**	**48**	**57**	**64**	**92**	**304**

XII. Appendix C: Laws and Regulations Timeline

The following timeline highlights key events in the history of campus sexual misconduct laws and regulations:[51]

1972: Title IX of the Education Amendments of 1972 is enacted ("Title IX"). Title IX prohibits discrimination on the basis of sex in all federally assisted education programs and activities.

1975: Department of Health, Education and Welfare (HEW) issues final Title IX regulations; colleges are given three years to comply. HEW publishes "Elimination of Sex Discrimination in Athletics Programs" and sends it to college and university presidents.

1980: Department of Education is established; Title IX oversight assigned to its Office for Civil Rights (OCR). OCR issues Title IX compliance Interim Investigators' Manual to investigators in its regional offices.

1986: The rape and murder of Lehigh University student Jeanne Clery puts national spotlight on the issue of campus crime and violence.

1987: OCR publishes "Title IX Grievance Procedures: An Introductory Manual" to assist schools with their obligations to establish a Title IX complaint procedure and designate a Title IX coordinator to receive those complaints.

1990: The Crime Awareness and Campus Security Act is first enacted, requiring colleges and universities participating in federal student aid programs to disclose campus security

[51] Sources:
http://now.org/blog/some-history-behind-womens-history-month/
http://www.equalrights.org/title-ix-timeline/
https://www2.ed.gov/pubs/TitleIX/part3.html
http://www.ncwge.org/PDF/Title%20IX%20Timeline.pdf
http://www.nowldef.org/history-vawa
http://www.justice.gov/ovw/about-office
http://clerycenter.org/summary-jeanne-clery-act
http://www.justice.gov/ovw/responding-campus-sexual-assault
http//notalone.gov
http://www.whitehouse.gov/http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.html
http://www2.ed.gov/about/offices/list/ocr/whatsnew.html

information. In 1998, the law expands reporting requirements and is formally named in the memory of Jeanne Clery ("Clery Act"). In 2000 and 2008, Clery Act amendments add provisions dealing with registered sex offender notification, campus emergency response, and protection of crime victims and whistleblowers from retaliation.

OCR updates and finalizes its Title IX Investigator's Manual, originally issued in 1980.

1993: The Maryland General Assembly enacts Chapter 226, entitled "Higher Education- Sexual Assault Policy," which requires each institution of higher education to adopt and submit a written policy on sexual assault to the Maryland Higher Education Commission for review and make recommendations.

1994: Congress passes Violence Against Women Act of 1994 (VAWA 1994) as part of the Violent Crime Control and Law Enforcement Act of 1994. VAWA is expanded in 2000 and again in 2005 to cover not only domestic violence, but sexual assault and stalking.

1995: The Department of Justice, Office on Violence Against Women (OVW) is created. OVW administers financial and technical assistance to communities across the country that are developing programs, policies, and practices aimed at ending domestic violence, dating violence, sexual assault, and stalking.

1997: OCR issues "Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties." This document describes standards for Title IX compliance for schools' sexual harassment policies and details OCR's standard procedures for investigating and resolving allegations of sexual harassment; it also emphasizes that institutions are responsible for student-on-student sexual harassment.

1998: OVW's Grants to Sexual Assault, Domestic Violence, Dating Violence, and Stalking on Campus Program is authorized, funding higher education institutions to adopt comprehensive responses to domestic violence, dating violence, sexual assault, and stalking.

U.S. Supreme Court rules in *Gebser v. Lago Vista Independent School District* that a student may sue a school for damages for a teacher's sexual harassment only if the school had actual notice of the teacher's misconduct and acted with deliberate indifference to the harassment.

1999: U.S. Supreme Court rules in *Davis v. Monroe County Board of Education* that Title IX covers student-on-student harassment. To be actionable, the harassment must be so severe, pervasive, and objectionably offensive that it deprives the victims of access to the benefits of education. Damages are available only if the school had actual notice of the misconduct and acted with deliberate indifference to the harassment.

2001: OCR issues "Revised Sexual Harassment Guidance."

2011: OCR issues policy guidance, in the form of a Dear Colleague Letter, that clarifies Title IX's protections against sexual harassment and sexual violence.

2013: President Obama signs into law the reauthorization of VAWA, Violence Against Women Reauthorization Act of 2013. This legislation updates the Clery Act.

The Campus Sexual Violence Elimination (SaVE) Act is enacted to address violence faced by women on college campuses. This legislation is passed as part of VAWA and similarly updates the Clery Act.

2014: The website NotAlone (www.notalone.gov) is launched in connection with the White House Task Force to Protect Students from Sexual Assault. The website includes links to non-governmental organizations, websites and other resources.

OCR further clarifies Title IX legal requirements regarding sexual harassment and sexual violence in its 2014 Dear Colleague Letter.

The White House Task Force to Protect Students from Sexual Assault publishes its first report in April 2014, and launched its "1is2many" Public Service Announcement.

For the first time, OCR releases the names of colleges and universities under investigation for possible Title IX violations related to their responses to incidents of sexual violence and other gender discrimination on campus.

The U.S. Department of Education promulgates a final rule on amendments to the Clery Act under VAWA, and issues guidance to institutions regarding the implementation of those changes.

The White House launches the "Its On Us" public awareness campaign to Protect Students from Sexual Assault.

XIII. Appendix D: University System of Maryland Policy on Sexual Misconduct

Begins on the next page.

UNIVERSITY SYSTEM OF MARYLAND

VI-1.60 – POLICY ON SEXUAL MISCONDUCT (Approved by the Board of Regents, June 27, 2014)

PURPOSE & APPLICABILITY

The University System of Maryland (USM) is committed to providing a working and learning environment free from Sexual Misconduct, including sexual and gender-based harassment, sexual violence, dating violence, domestic violence, sexual exploitation, and sexual intimidation. USM prohibits and will not tolerate Sexual Misconduct. Sexual Misconduct is a form of sex discrimination prohibited by state and federal laws, including Title IX of the Education Amendments of 1972 as amended ("Title IX") and Title VII of the Civil Rights Act of 1964 as amended, and also may constitute criminal activity.

USM endeavors to foster a System-wide climate free from Sexual Misconduct through training, education, prevention programs, and through policies and procedures that promote prompt reporting, prohibit retaliation, and promote timely, fair and impartial investigation and resolution of Sexual Misconduct cases in a manner that eliminates the Sexual Misconduct, prevents its recurrence, and addresses its effects. All USM community members are subject to this policy, regardless of sex, sexual orientation, gender identity and gender expression. This includes all students, faculty, and staff of USM institutions (including USM offices and regional centers), as well as third parties and contractors under USM or USM constituent institution control. This Policy applies to Sexual Misconduct in connection with any USM institution, office or regional center education programs or activities, including Sexual Misconduct: (1) in any USM institution facility or on any USM institution property; (2) in connection with any USM or USM institution sponsored, recognized or approved program, visit or activity, regardless of location; (3) that impedes equal access to any USM institution education program or activity or adversely impacts the employment of a member of the USM community; or (4) that otherwise threatens the health or safety of a member of the USM community. Nothing in this policy is intended to supersede or conflict with any federal compliance obligation.

I. Definitions

For purposes of this Policy, the following definitions apply. While institutions may adopt their own definitions that do not conflict with the language below, institutions are strongly encouraged, at a minimum, to adopt the elements of these definitions in institution policies/procedures:

A. Consent means a knowing, voluntary, and affirmatively communicated willingness to mutually participate in a particular sexual activity or behavior. It must be given by a person with the ability and capacity to exercise free will and make a rational

and reasonable judgment. Consent may be expressed either by affirmative words or actions, as long as those words or actions create a mutually understandable permission regarding the conditions of sexual activity. Consent may be withdrawn at any time. Consent cannot be obtained by force, threat, coercion, fraud, manipulation, reasonable fear of injury, intimidation, or through the use of one's mental or physical helplessness or incapacity. Consent cannot be implied based upon the mere fact of a previous consensual dating or sexual relationship. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.

B. **Dating Violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

C. **Domestic Violence** means violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant, or by any other person against an adult or youth complainant protected from those acts by domestic or family violence laws of Maryland.

D. **Interim Measures** means reasonably available steps an institution may take to protect the parties while a Sexual Misconduct investigation is pending.

E. **Responsible Employee** includes any employee who (1) has the authority to take action regarding Sexual Misconduct; (2) is an employee who has been given the duty of reporting Sexual Misconduct; or (3) is someone another individual could reasonably believe has this authority or duty. At a minimum, Responsible Employees must include: the Title IX Coordinator and any Title IX Team members, all institution administrators, all non-confidential employees in their supervisory roles, all faculty, all athletic coaches, institution law enforcement, and all other non-confidential first responders.

F. **Retaliation** means intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or USM policy relating to Sexual Misconduct, or because an individual has made a report, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing related to Sexual Misconduct. Retaliation includes retaliatory harassment.

G. Sexual Assault

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

Sexual Assault II. – Non-Consensual Sexual Contact
Any intentional touching of the intimate parts of another person, causing another to touch one's intimate parts, or disrobing or exposure of another without Consent. Intimate parts may include genitalia, groin, breast, or buttocks, or clothing covering them, or any other body part that is touched in a sexual manner. Sexual contact also includes attempted sexual intercourse.

H. Sexual Exploitation means taking non-consensual or abusive sexual advantage of another person for one's own advantage or benefit or for the advantage or benefit of anyone other than the person being exploited.

I. Sexual Harassment is any unwelcome sexual advance, unwelcome request for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature when: (1) Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, evaluation of academic work, or participation in any aspect of a USM or USM institution program or activity; (2) Submission to or rejection of such conduct by an individual is used as the basis for academic, employment, or activity or program participation related decisions affecting an individual; or (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, i.e., it is sufficiently severe or pervasive to create an intimidating, hostile, humiliating, demeaning or sexually offensive working, academic, residential or social environment.

J. Sexual Intimidation means (1) threatening to sexually assault another person; (2) gender or sex-based Stalking, including cyber-Stalking; or (3) engaging in indecent exposure.

K. Sexual Misconduct is an umbrella term that includes Dating Violence, Domestic Violence, Sexual Exploitation, Sexual Harassment, Sexual Intimidation, Sexual Violence, and Stalking.

L. Sexual Violence is a form of Sexual Harassment and refers to physical sexual acts perpetrated without Consent. Sexual Violence includes rape, Sexual Assault, sexual battery, and sexual coercion. Sexual Violence, in any form, is a criminal act.

M. Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

II. Institutional Obligations

A. Title IX Compliance Oversight

1. Title IX Coordinator

Each Chief Executive Officer of a USM institution shall designate a Title IX Coordinator responsible for coordinating the institution's efforts to comply with and carry out its responsibilities under Title IX.

The Title IX Coordinator must have adequate training on the requirements of Title IX, including what constitutes Sexual Misconduct, Consent, credibility assessments, and counter-intuitive behaviors resulting from Sexual Misconduct. The Coordinator must understand how relevant institution procedures operate and must receive notice of all reports raising Title IX issues at the institution.

2. Title IX Team

Depending on the size and specific needs of the institution, the institution may want to identify a Title IX Team, which may include the Title IX Coordinator, Deputy Title IX Coordinators, Title IX investigators, and representatives from campus safety, Student Affairs, the Provost's Office, and Human Resources. The Title IX Coordinator shall be responsible for coordinating the activities of the Title IX Team.

B. Notice of Nondiscrimination

1. Content

Each institution must publish a notice of nondiscrimination that contains the following content:

a. Title IX prohibits the institution from discriminating on the basis of sex in its education program and activities;

b. Inquiries concerning the application of Title IX may be referred to the institution's Title IX Coordinator or the Office for Civil Rights; and

c. The Title IX Coordinator and any Title IX Team Member's title, office address, telephone number and email address.

2. Dissemination of Notice

The notice must be widely distributed to all students, employees, applicants for admission and employment, and other relevant persons. The notice must be prominently displayed on the institution's web site and at various locations throughout the campus, and must be included in publications of general distribution that provide information to students and employees about the institution's services and policies. The notice should be available and easily accessible on an ongoing basis.

C. Prompt Investigation and Resolution

1. Investigation

Once an institution knows or reasonably should know of possible Sexual Misconduct, it must take immediate and appropriate action, in accordance with its internal procedures, to investigate or otherwise determine what occurred. This obligation applies to Sexual Misconduct covered by this Policy regardless of where the Sexual Misconduct allegedly occurred, regardless of whether a parallel law enforcement investigation or action is pending, and regardless of whether a formal complaint is filed.

2. Prompt Resolution

If the institution determines that Sexual Misconduct has occurred, the institution must take prompt and effective steps to eliminate the Sexual Misconduct, prevent its recurrence, and address its effects.

a. In this subsection, "prompt" generally means within 60 calendar days from the time a report is brought to the institution's attention until an initial decision is rendered.

b. There may be circumstances that prevent an institution from meeting the 60-day timeline. When an institution is unable to meet the 60-day timeline, the institution should document the reasons why it was unable to meet the 60-day timeline.

3. Notice of Outcome

As permitted by law, the institution must notify the parties concurrently, in writing, about the outcome of the complaint and whether or not Sexual Misconduct was found to have occurred. The institution must also concurrently inform the parties of any change to the results or outcome that occurs before the results or outcome become final, and the institution must inform the parties when the results or outcome become final.

D. Policy & Procedures

1. General

a. Each institution shall adopt and publish policies and procedures, as needed, that:

i. Prohibit Sexual Misconduct;

ii. Prohibit Retaliation against any individual who reports, testifies, assists, or participates in any manner in a Sexual Misconduct investigation, hearing, or proceeding;

iii. Maintain employee and student procedures that provide for the prompt and equitable reporting, investigation, and adjudication of Sexual Misconduct and/or Retaliation cases;

iv. Require prompt Interim Measures be implemented, as necessary, to protect the parties during the investigation and adjudication processes;

v. Apprise the institution community of various USM institution resources and education programs, as well as other community resources and programs, geared to promote the awareness of and eliminate Sexual Misconduct, prevent its recurrence; and, as appropriate, remedy its effects; and

vi. Are easily understood, easily located, and widely distributed.

b. Each institution shall ensure that Sexual Misconduct cases undergo an appropriate legal sufficiency review by counsel prior to any decision.

2. Required Content

At a minimum, policies and procedures must:

a. Include a statement prohibiting Sexual Misconduct and Retaliation;

b. Define Consent, Dating Violence, Domestic Violence, Retaliation, Sexual Harassment, Sexual Exploitation, Sexual Intimidation, Sexual Misconduct, Stalking, and Sexual Violence;

c. Identify Responsible Employees required to report any knowledge of Sexual Misconduct to the Title IX Coordinator;

d. Identify confidential and non-confidential medical, counseling and advocacy resources on and off campus to assist individuals affected by Sexual Misconduct, including sexual assault centers, victim advocacy offices, women's centers, and health centers;

e. Identify options and procedures for immediate and ongoing assistance following an incident of Sexual Misconduct, including encouragement to obtain immediate medical help and notify law enforcement as appropriate (especially to receive guidance in the preservation of evidence needed for proof of criminal assaults and the apprehension and prosecution of assailants), institution resources available to help obtain such medical or law enforcement assistance, and available Interim Measures; and

f. Detail the following:

i. Identify who can file a complaint of Sexual Misconduct with the institution (to include students, institution employees, and third parties);

ii. Explain how to file a complaint;

iii. Identify to whom such complaints should be directed;

iv. Describe any institutional policies governing confidentiality;

v. Identify any USM or institution policies that may grant amnesty to a party or witness for a violation of drug, alcohol and other student conduct policies;

vi. Inform the parties about Interim Measures and how to request them. Each institution must provide notice, in writing, to the parties about options for, and available assistance in, obtaining no contact or protective orders, enforcing existing and lawful no contact or protective orders, and changing academic, transportation, residential, and working situations, if such an accommodation is reasonably available. The institution also must advise the parties of existing options for counseling, health, mental health, victim advocacy, legal assistance, and other services available on and off campus;

vii. Explain the parties' options and rights, as well as institution responsibilities, regarding notification of law enforcement and campus authorities, as well as student conduct options;

viii. Afford an investigative process and adjudicative process that provides the parties equal opportunity to present relevant witnesses and evidence throughout the process, and affords the parties similar and timely access to information to be used during any process;

ix. Explain that the parties are entitled to the same opportunities to have others present during an institution disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an adviser of their choice, and explain the scope of any adviser's role or potential involvement;

x. Specify "preponderance of the evidence" as the standard of review;

xi. Identify the range of possible employment and student sanctions for those found responsible for Sexual Misconduct, up to and including suspension, dismissal, expulsion and termination of employment;

xii. Provide an appeal process that is equally available to the parties;

xiii. Require the institution, after a legal sufficiency review, to inform the parties, concurrently and in writing, as permitted by law, about the outcome of any investigation, adjudication, and appeal conducted under this policy;

xiv. Designate reasonably prompt timeframes for the major stages of the process, and set forth the procedure for extending such timeframes, to include the timeframes within which (1) the institution will conduct a full investigation, (2) the parties will receive a notice of outcome, and (3) the parties may file an appeal;

xv. Provide an affirmative statement to the institution community that the institution will take steps to prevent the occurrence of any Sexual Misconduct and remedy its discriminatory effects;

xvi. Advise the community of institutional programs that endeavor to promote the awareness of Sexual Misconduct and prevent its occurrence; and

xvii. Advise the community of external options for reporting Sexual Misconduct, including local law enforcement, the Equal Employment Opportunity Commission and the U.S. Department of Education Office for Civil Rights.

3. Prohibited Content

Policies and procedures may not include any of the following content:

a. Requirement that the parties attempt to resolve any Sexual Misconduct matter informally;

b. Requirement for or allowance of mediation in Sexual Assault cases;

c. Allowing a party to personally cross-examine the other party, if an institution allows cross-examination;

d. Allowing or requiring the institution to wait until a concurrent law enforcement proceeding concludes to begin any Sexual Misconduct investigation, Interim Measures or adjudication;

e. Allowing questioning or evidence about the complainant's sexual history with anyone other than the respondent during any adjudication proceeding (in a proceeding where such evidence or questioning may be appropriate); and

f. Discouraging a reporter from notifying local law enforcement of alleged Sexual Misconduct.

III. Clery Act Compliance

In handling Sexual Misconduct reports, each institution remains responsible for complying with the requirements of the Crime Awareness and Campus Security Act of 1990 ("Clery Act") and its amendments. Institutions must comply with Clery Act requirements, including crime recording and reporting requirements, where compliance is not otherwise reached by actions under this policy.

IV. MOU with Local Law Enforcement

Each institution must review any Memoranda of Understanding ("MOU") with local police forces to ensure that the terms of any MOU allow the institution to meet its legal obligations.

V. Training

A. Prevention and Awareness Education

Each institution must develop and implement preventive education, directed toward both employees and students, to help reduce the occurrence of Sexual Misconduct. At a minimum, these educational initiatives must contain information regarding what constitutes Sexual Misconduct, definitions of consent and prohibited conduct, the institution's procedures, bystander intervention, risk reduction, and the consequences of engaging in Sexual Misconduct. These educational initiatives shall be for all incoming students and new employees. Each institution also must develop ongoing prevention and awareness campaigns for all students and employees addressing, at a minimum, the same information.

B. Training for Persons Involved in Sexual Misconduct Cases

All persons involved in any way in responding to, investigating, or adjudicating Sexual Misconduct reports, including but not limited to, the Title IX Team, Responsible Employees, law enforcement, pastors, counselors, health professionals, resident advisers, and complainant advocates, must have annual training in receiving, reporting and handling complaints of Sexual Misconduct; must be familiar with the institution's procedures; and must understand the parameters of confidentiality.

VI. Record Keeping

Each institution must keep records of actions taken under this policy, including, but not limited to, records of any reports of Sexual Misconduct, records of any proceedings or resolutions, and records of any Sexual Misconduct trainings (including, but not limited to, lists of trainees, dates of training, and training content), and must maintain such records in accordance with the institution's Records Retention Schedule.

VII. Implementation

Each Chief Executive Officer shall promptly communicate this policy and applicable procedures to his/her institutional community after the Board of Regents approves the policy. Each Chief Executive Officer also shall promptly identify his/her Title IX Coordinator and other designee(s), as appropriate for this policy. No later than December 31, 2014, each institution must develop procedures as necessary to implement this policy; and shall forward a copy of its Title IX designations and

procedures, and any subsequent changes in such designations and procedures, to the Chancellor.

Replacement for: USM Policy on Sexual Harassment (VI-1.20) and USM Policy on Sexual Assault (VI-1.30) in their entirety

Cross-reference with: USM Policy on the Reporting of Child Abuse & Neglect (VI-1.50)

Maryland Office of the Attorney General
www.oag.state.md.us

Douglas F. Gansler
Maryland Attorney General