

MORGAN STATE UNIVERSITY
SEXUAL HARASSMENT AND PROHIBITED CONDUCT POLICY

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I. POLICY STATEMENT/NOTICE OF NON-DISCRIMINATION

Morgan State University (the “University”) is committed to maintaining an academic and working environment in which students, faculty, and staff feel safe and are free to develop intellectually, professionally, personally, and socially. Such an environment must be free from all forms of Prohibited Conduct and Sexual Harassment in addition to free from Retaliation.¹ It is the responsibility of all members of the University community to create a safe and inclusive environment that is free from Prohibited Conduct and/or Sexual Harassment. Such acts subvert the mission of the University and threatens the well-being, and employment, academic, and social opportunities and experiences of students, faculty and staff; thus, it is expressly prohibited and will not be tolerated.

The University does not discriminate on the basis of sex or gender in employment or any of its Education Programs or Activities, including applicants for admission or employment. Prohibited Conduct and/or Sexual Harassment are forms of sex discrimination that are not only prohibited under the Morgan State University’s Prohibited Conduct And Sexual Harassment Policy (the “Policy”), but also under federal and state discrimination laws. In accordance with the Federal Regulations implementing Title IX of the Education Amendments of 1972 (“Title IX”), certain procedures are required when an institution obtains Actual Knowledge of Sexual Harassment in an Education Program or Activity against a person in the United States. In addition, certain disciplinary procedures are required under state law, Maryland Annotated Code, Education Article Section 11-601. Along with the federal law that prohibits discrimination on the basis of sex in federally funded educational programs and activities, this Policy also implements provisions of the Violence Against Women Reauthorization Act of 2013 (“VAWA”), Title VII of the Civil Rights Act of 1964 (“Title VII”), and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) by providing for the prompt, equitable, and impartial investigation and resolution of alleged incidents of Prohibited Conduct and/or Sexual Harassment. Retaliation is strictly prohibited under Title IX and this Policy.

This Policy provides the expectations for maintaining a safe, inclusive, and nondiscriminatory environment and the process for reporting and resolving alleged violations of the Policy. Students, faculty, and staff who violate this Policy may face disciplinary action up to and including expulsion or termination from the University.

This Policy applies to all alleged incidents of Sexual Harassment and/or Prohibited Conduct and replaces the Morgan State University Gender and Sexual-Based Harassment and Violence Policy approved by the Board of Regents August 6, 2019.²

¹ All capitalized terms are defined in this Policy.

² This amendment is effective August 14, 2020. On May 6, 2020, the United States Department of Education released new Title IX regulations, effective August 14, 2020 (the “2020 Title IX Regulations”). The 2020 Title IX Regulations require some modifications to this Policy. Several plaintiffs have filed lawsuits seeking to block some of the provisions in the 2020 Title IX Regulations. Should a court strike down, either temporarily or permanently, any portion of the 2020 Title IX Regulations, the University shall make any necessary modifications to this Policy, which will become effective immediately. The University may also revert to the August 6, 2019 version of this Policy.

The above Policy Statement/Notice of Non-Discrimination will be prominently displayed on the University's website and widely distributed to all students, employees, applicants for admission and employment and other relevant persons (including all unions or professional organizations holding collective bargaining or professional agreements with the University). The notice will also be displayed at various locations throughout the campus and included in publications of general distribution that provide information to students and employees about the University's services and policies. The Policy will be available and easily accessible on an ongoing basis.

Parties have the right to seek redress from state and federal governmental agencies, including the Department of Education's Office of Civil Rights at 215.656.8541 or ocr.philadelphia@ed.gov; U.S. Equal Employment Opportunity Commission at 1.800.669.4000; and the Maryland Commission on Civil Rights at 410.767.8600.

II. SCOPE AND APPLICABILITY

A. Individuals covered and protected by this Policy

This Policy applies to the conduct of, and protects all University students, faculty, and staff regardless of gender, sexual orientation, gender identity or gender expression.

This Policy also applies to contractors and other third parties within the University's control. This includes individuals doing business with the university and/or working on behalf of the University in any capacity, volunteers, visitors, and guests.

B. Jurisdiction

The jurisdiction of this Policy applies as follows:

1. Sexual Harassment.

Sexual Harassment that occurs in the University's Education Program and Activities within the United States, which includes locations, events or circumstances over which the University exercised substantial control over both the Respondent and the context in which the alleged Sexual Harassment occurs and also includes any building owned or controlled by a student organization that is officially recognized by the University; and

2. Prohibited Conduct.

Prohibited Conduct (excluding Sexual Harassment) that occurs:

(1) On campus, which includes any University facility or University property;

(2) Off campus, if the conduct:

- occurred in connection with a University sponsored, recognized, or approved program (e.g., University- sponsored study abroad or internship program);
- occurred within facilities that are located on University-owned land and/or leased property;

- impedes equal access to any University education program or activity or has the effect of creating a hostile education or employment environment for a member of the University community, or
- otherwise threatens the health and/or safety of a member of the University community.

In determining whether the University has jurisdiction over off-campus Prohibited Conduct that is not part of a University sponsored, recognized, or approved program, the University will consider the following factors:

- the seriousness of the alleged conduct,
- the risk of harm involved,
- whether both parties are members of the University community, and
- whether the off-campus conduct is part of a series of actions that occurred both on and off campus.

C. Reports involving minors or suspected child abuse and neglect³

All members of the University community are required to comply with applicable laws and regulations regarding the reporting of child abuse and neglect. Under Maryland law, University employees who learn or have reason to believe that a child under the age of 18 has been subjected to abuse or neglect, including sexual abuse, must report this abuse or neglect to law enforcement or the appropriate child protective services agency. This reporting obligation includes past incidents of abuse or neglect – meaning individuals must report suspected child abuse or neglect even if the abuse occurred in the past and the victim is now an adult. In order to ensure compliance with the law, employees shall notify University Police within 48 hours of the event that caused them to believe that a child has been subjected to abuse or neglect. University Police will take immediate steps to assist with the protection of the child and comply with all applicable legal reporting requirements.

III. DEFINITIONS

For the purposes of this Policy, the following terms have the definitions provided below. Please note that some of these terms may also be used in other contexts, such as in connection with criminal or legal proceedings, and their meaning may be different in those contexts.

A. Actual Knowledge

Notice of alleged Sexual Harassment to the University's Title IX Coordinator or any University official who has authority to institute corrective measures on behalf of the University.

B. Complainant

The individual who is alleged to be the victim of Prohibited Conduct and/or Sexual Harassment.

³ Md. Code Ann. Fam. Law §§ 5-701, 5-704, 5-705. More information on mandatory reporting of child abuse and neglect can be found on the Maryland Department of Human Resources website.

C. Coercion

Words and/or conduct that substantially impairs an individual's ability to voluntarily choose whether to engage in a sexual activity. It exists when a person applies an unreasonable amount of pressure on another for sex. For example, when a person makes clear that they do not want sex, want to stop, or that going past a certain point of sexual interaction is unwanted, continued pressure can be coercive. Coercion is evaluated based on the intensity, frequency, and duration of the words or actions.

D. Complicity

Any act that knowingly aids, facilitates, promotes, or encourages the commission of Sexual Harassment and/or Prohibited Conduct by another person.

E. Consent

Knowing, voluntary and unambiguous agreement, affirmatively expressed in mutually understandable words or actions, to engage in a specific sexual activity.

Consent must be obtained. It is the responsibility of the person who wants to engage in the sexual activity to ensure that they have consent from the other party, and that the other party is capable of consent. Accordingly, when there is a dispute as to whether sexual activity was consensual, the University's investigation will assess whether the person initiating the sexual activity knew, or should have known, that the sexual activity was not consensual or that the other party was incapable of providing consent.

Consent must be voluntary. Consent can never be obtained by use of physical force, threats, intimidating behavior or coercion. Furthermore, consent cannot be obtained by taking advantage of an individual's inability to give consent because of incapacitation.

Consent must be affirmative. Consent requires an affirmative demonstration, through words or actions that conveys a clear willingness to engage in the sexual activity.

As a result:

- An individual cannot infer consent through silence, lack of resistance, or absence of a verbal "no" or "stop."
- Consent cannot be inferred by the existence of a current or prior dating or sexual relationship between individuals.
- Consent to any one form of sexual activity does not automatically imply consent to other forms of sexual activity.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent cannot be obtained from someone who is incapacitated.

Consent must be ongoing. Consent must be present throughout the sexual activity and may be withdrawn at any time. However, withdrawal of consent requires an outward demonstration, through understandable words or actions, which clearly conveys that a party is no longer willing

to engage in the sexual activity. If there is any confusion as to whether there is consent or whether prior consent has been withdrawn, the parties should stop the activity until the confusion is resolved.

F. Confidential Employees

University employees who are not required to report incidents of Prohibited Conduct and/or Sexual Harassment to the University's Title IX Coordinator because of their privileged relationship. The only confidential employees at the University are employees at the:

- Harriet A. Woolford University Health Center
- University Counseling Center
- University Memorial Chapel

G. Dating Violence

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.

H. Domestic Violence

Felony or misdemeanor crimes of 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.

I. Education Program and Activity

Locations, events, or circumstances over which the University exercised substantial control over both the Respondent and the context in which the alleged Sexual Harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the University.

J. Employee

Faculty or staff employee, regardless of type (*i.e.*, regular or contractual).

K. Force

Physical violence and/or imposing on someone physically to gain sexual access. Force can include threats, intimidation, and coercion that are used to overcome resistance.

L. Formal Complaint of Prohibited Conduct

A document filed by a Complainant⁴ or signed by the Title IX Coordinator that alleges Prohibited Conduct against the Respondent:

⁴ The phrase "document filed by a Complainant" means a document or electronic submission that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal

- (1) On campus, which includes any University facility or University property;
- (2) Off campus, if the conduct:
 - occurred in connection with a University sponsored, recognized, or approved program (e.g., University- sponsored study abroad or internship program);
 - occurred within facilities that are located on University-owned land and/or leased property;
 - impedes equal access to any University education program or activity or has the effect of creating a hostile education or employment environment for a member of the University community, or
 - otherwise threatens the health and/or safety of a member of the University community.

M. Formal Complaint of Sexual Harassment

A document filed by a Complainant⁵ or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the University investigate the allegation. At the time of the filing of a Formal Complaint of Sexual Harassment, a Complainant must be participating in or attempting to participate in the Education Program or Activity of the University. A Formal Complaint of Sexual Harassment may be filed with the Title IX Coordinator in person, by mail, or by email.

N. Gender Harassment

Unwelcome verbal, physical, or electronic conduct of a nonsexual nature based on sex, sex-stereotyping, sexual orientation, gender identity or gender expression that has the purpose or effect of unreasonably interfering with an individual's academic or work performance (*i.e.*, it is sufficiently severe, persistent, or pervasive to create an intimidating, hostile, humiliating, demeaning, or offensive working or learning environment). For example, harassment for exhibiting what is perceived as a stereotypical characteristic for one's sex or for failing to conform to stereotypical notions of masculinity or femininity, regardless of the actual or perceived sex, gender, sexual orientation, gender identity, or gender expression may violate this Policy.

O. Incapacitation

A state where an individual cannot make an informed and rational decision to engage in sexual activity because the individual lacks the mental and/or physical ability to understand the nature

Complaint of Prohibited Conduct. Where the Title IX Coordinator signs a Formal Complaint of Prohibited Conduct, the Title IX Coordinator is not a Complainant or otherwise a party.

⁵ The phrase "document filed by a Complainant" means a document or electronic submission that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint of Sexual Harassment. Where the Title IX Coordinator signs a Formal Complaint of Sexual Harassment, the Title IX Coordinator is not a Complainant or otherwise a party.

of the sexual activity (*i.e.*, the who, what, where, why, or how of the sexual activity). There are a number of causes for incapacitation, including, but not limited to:

- Being asleep or unconscious
- Intermittent consciousness
- Existence of a mental, physical, or developmental disability
- Consumption of alcohol or other drugs (includes prescription and illegal drugs)

Alcohol or drug use is one of the primary causes of incapacitation, but consumption alone is insufficient to establish incapacitation. Incapacitation is a state beyond intoxication, impairment of judgment, or “drunkenness.” The impact of alcohol and drugs vary from person to person, and evaluating whether an individual is incapacitated and unable to give consent, requires an assessment of whether the consumption of alcohol or other drugs has rendered the individual physically helpless and substantially incapable of:

- Making decisions about the potential consequences of the sexual activity;
- Appraising the nature of one’s own conduct;
- Communicating consent to the sexual activity; or
- Communicating unwillingness to engage in the sexual activity.

An individual who is incapacitated is unable to consent to sexual activity. Under this Policy, in evaluating incapacitation, the University will assess whether the Respondent knew or should have known, the Complainant was incapacitated.

P. Parties

Refers to the Complainant and Respondent collectively.

Q. Prohibited Conduct

All gender and sexual conduct prohibited under this Policy to include, but not limited to, gender harassment, sexual violence, sexual exploitation, sexual intimidation, relationship violence, stalking, complicity, University Sexual Harassment and all other conduct of a sexual nature. Prohibited Conduct can occur between people of the same sex or between people of different sexes. It can also include both intentional conduct and conduct that results in negative effects, even if those negative effects were unintended. Prohibited Conduct does not include Sexual Harassment as defined in this Policy.

R. Relationship Violence

Relationship violence is a broad term that encompasses Domestic Violence and Dating Violence.

1. Domestic Violence⁶

Domestic violence refers to sexual or physical abuse committed by any of the following individuals:

⁶ In addition to violating this Policy, domestic abuse is also a crime under Maryland law. Complainants may seek relief from the court by filing a petition for a peace or protective order against the Respondent. Maryland law provides criminal penalties for violations of certain orders of protection.

- a current or former spouse or intimate partner of the Complainant;
- a person with whom the Complainant shares a child in common;
- a person who is cohabitating with or who has cohabitated with the Complainant as a spouse or intimate partner;
- a person similarly situated to a spouse of the Complainant; or
- any other person against an adult or youth complainant who is protected from those acts by Maryland's domestic and family laws.

For the purposes of this Policy, individuals are not covered within the scope of this definition solely by virtue of their status as a roommate or former roommate in University housing or as a co-tenant or former co-tenant in off-campus housing shared with other students.

2. Dating Violence

Physical or sexual abuse committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. Whether the relationship is of a romantic or intimate nature is determined by a variety of factors, which include:

- the length of the relationship;
- the type of relationship; and
- the frequency of interaction between the persons involved in the relationship.

S. Respondent

An individual who has been reported as the perpetrator of conduct that could constitute Prohibited Conduct and/or Sexual Harassment..

T. Retaliation

Intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because an individual has made a report or complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing related to Prohibited Conduct and/or Sexual Harassment.

Retaliation includes bringing charges against an individual for violations of other University policies that do not involve Prohibited Conduct or Sexual Harassment, but arise out of the same facts or circumstances as a Formal Complaint of Prohibited Conduct or Formal Complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX.

- Retaliation can be committed by one individual or a group of individuals, not just by a Respondent or Complainant.
- Retaliation may include intimidation, threats, coercion, harassment, and adverse employment or educational actions.

U. Sexual Assault

An offense classified as a sex offense in the uniform crime reporting system of the Federal Bureau of Investigation. Sex offenses are any sexual act including Rape, Sodomy, Sexual Assault with An Object, or Fondling directed against another person, without the consent of

the victim, including instances where the victim is incapable of giving consent; also, unlawful sexual intercourse.

1. **Rape**—(Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their⁷ age or because of their temporary or permanent mental or physical incapacity.
2. **Sodomy**—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of their temporary or permanent mental or physical incapacity.
3. **Sexual Assault With An Object**—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
4. **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
5. **Incest**—Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
6. **Statutory Rape**—Non-forcible sexual intercourse with a person who is under the statutory age of consent.⁸

V. **Sexual Coercion**

The use of unreasonable pressure in an effort to compel another individual to initiate or continue sexual activity against the individual's will. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Sexual Coercion includes, but is not limited to, sexual intimidation, manipulation, threats of emotional or physical harm, and blackmail. Examples of sexual coercion include threatening to disclose another individual's private sexual information, or threatening to harm oneself if the other party does not engage in the sexual activity.

⁷ All pronouns in this Policy are gender neutral and non-binary.

⁸ The age of consent in Maryland is 16. See Md. Code Ann., Crim. Law §§ 3-301 through 307.

W. Sexual Exploitation

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, or taking advantage of another person's sexuality.

Examples of sexual exploitation include, but are not limited to:

- observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved;
- non-consensual sharing or streaming of images, photography, video, audio recordings of nudity or sexual activity, or distribution of such without the knowledge and consent of all parties involved (includes, but is not limited to, posting and/or distribution of such images/audio via social media, text messages, group chats, etc.);
- knowingly exposing another individual to a sexually transmitted disease or virus without their knowledge;
- inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity; and
- threatening to disclose an individual's sexual orientation, gender identity, or gender expression.

X. Sexual Harassment

In accordance with Title IX, Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct (also known as Quid Pro Quo); or
2. Unwelcome conduct determined by a reasonable person to be so severe and pervasive and objectively offensive that it effectively denies a person equal access to the Education Program or Activity; or
3. Sexual Assault (as defined in the Clery Act), Dating Violence, Domestic Violence, or Stalking.

Y. Sexual Intimidation

Threatening behavior of a sexual nature directed at another person.

Sexual intimidation includes, but is not limited to:

- threatening to sexually assault another person;
- engaging in indecent exposure; and
- gender-based stalking, including cyber-stalking

Z. Sexual Violence⁹

Physical sexual acts perpetrated without consent. Sexual violence includes rape, sexual assault, sexual battery, and sexual coercion.

1. Sexual Assault I – Nonconsensual sexual intercourse involves 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.

2. Sexual Assault II – Nonconsensual sexual contact involves 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 the clothing covering them, or any other body part that is touched in a sexual manner. Sexual contact also includes attempted sexual intercourse.

AA. Stalking¹⁰

A course of gender-based physical or verbal conduct directed at another individual that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress.

- A “course of conduct” consists of at least two acts.
- “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical treatment or professional counseling.
- A “reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.
- Stalking includes cyber-stalking (i.e., using electronic means such as the Internet, social media, blogs, cell phones, texts, etc., to pursue, harass, or make unwelcome contact with another person in an unsolicited fashion).

BB. Supportive Measures

Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties before or after the filing of a Formal Complaint of Prohibited Conduct or a Formal Complaint of Sexual Harassment or where no Formal Complaint of Prohibited Conduct or a Formal Complaint of Sexual Harassment has been filed. Such measures are designed to restore or preserve equal access to the Education Program or Activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or deter Sexual Harassment and/or Prohibited Conduct. Supportive Measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the

⁹ In addition to violating this Policy, certain acts of sexual violence are crimes in the State of Maryland. Additional information on Maryland's sexual assault laws can be found on the Maryland Coalition Against Sexual Assault (MCASA) website.

¹⁰ In addition to violating this Policy, stalking is a crime in Maryland.

parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

CC. University Sexual Harassment

University Sexual Harassment is a non-Title IX form of unlawful sex discrimination and means any unwelcome sexual advances, unwelcome requests for sexual favors, or other unwelcome verbal, physical, or electronic conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, evaluation of academic work, or participation in a University-sponsored educational program or activity;
2. Submission to or rejection of such conduct by an individual is used as a basis for an academic, employment, or activity or program participation decision affecting that individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance, (*i.e.*, it is sufficiently severe, persistent, or pervasive to create an intimidating, hostile, humiliating, demeaning or sexually offensive working or learning environment).

University Sexual Harassment:

- May be blatant and involve an overt action, threat, or reprisal; or may be subtle and indirect, with a coercive aspect that is unstated but implied.
- May or may not include an intent to harm.
- May not always be directed at a specific individual.
- May be committed by anyone, regardless of gender, age, position, or authority. While there may be a power differential between the parties, often due to differences in age, educational, employment, or social status, harassment can occur in any context.
- May be committed by a stranger, an acquaintance, or someone with whom the Complainant has a current or previous relationship, including a romantic or sexual relationship.
- May be committed by or against an individual or may be a result of the actions of an organization or group.
- May occur in the classroom, in the workplace, in residential settings, or in any other setting.
- May occur by or against an individual of any sex, gender identity, gender expression, or sexual orientation.
- May be committed in the presence of others or when the parties are alone.
- May occur through electronic communications, including email, text message, and social media.

The following are examples of behavior of a sexual nature that if unwelcome, may constitute University Sexual Harassment:

Physical Conduct: touching, hugging, kissing, fondling, or touching oneself sexually for others to view.

Verbal Conduct: sexual or “dirty jokes,” comments on physical attributes or an individual’s body, spreading sexual rumors, bragging about one’s sexual activity in front of others, using sexually degrading words or sounds to a person or to describe a person, sexually explicit statements or stories that are not legitimately related to employment duties.

Visual Conduct: leering, displaying or distributing sexually explicit drawings, pictures, and/or written material.

Written Conduct: letters, emails, instant messaging, text messaging, blogs, web pages, and social media containing comments, words, or images of conduct described above.

Quid pro quo: making an academic or employment decision dependent on whether an individual submits to sexual advances, threatening reprisals after an individual has turned down sexual advances, offering academic or employment benefits in exchange for sexual favors.

A person’s subjective belief alone that a behavior is offensive does not necessarily make that behavior University Sexual Harassment. The behavior must be objectively offensive meaning that a reasonable person in similar circumstances would find the behavior hostile, intimidating, or abusive based upon a totality of the circumstances.

A single isolated incident of University Sexual Harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to create a hostile environment, particularly if the harassment is physical.

IV. TITLE IX COORDINATOR’S COMPLIANCE OVERSIGHT

The University designates and authorizes a Title IX Coordinator to coordinate its efforts to comply with Title IX and this Policy and to coordinate the effective implementation of remedies, including Supportive Measures.

The Title IX Coordinator leads the University’s Office of Diversity and Equal Employment Opportunity (“Office of Diversity and EEO”), which includes staff responsible for investigating complaints of alleged Sexual Harassment and Prohibited Conduct and assisting the Title IX Coordinator with case management, training, and prevention.

The Office of Diversity and EEO is located on the University's West Campus, in the new Martin D. Jenkins Hall, Room 327.¹¹ The University's Title IX Coordinator can be reached at 443-885-3559 or 443-885-3580. Individuals may also send an email to titleixcoordinator@morgan.edu.

Individuals are encouraged to contact the Title IX Coordinator with any concerns about this Policy or the University's application of Title IX.

A. Title IX Team

The Title IX Coordinator leads the University's Title IX Team. Members of the Title IX Team include the following University officials:

1. The Title IX Coordinator;
2. Any staff member within the Office of Diversity and EEO
3. The President;
4. The Chief of Staff;
5. The Vice President of Student Affairs;
6. The Associate Vice President of Student Affairs;
7. The Chief of Police;
8. The Deputy Chief of Police;
9. The Athletic Director;
10. The Deputy Athletic Director;
11. The Provost;
12. The Associate Vice President of Academic Affairs;
13. The Vice President for the Division of Research and Economic Development; and
14. The Associate Vice President of Human Resources.

B. Training for Persons Involved in Sexual Harassment Cases

The Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process, will receive training on the definition of Sexual Harassment, the scope of the University's Education Program or Activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

Investigators will receive training on issues of relevance to create investigative reports that fairly summarize relevant evidence.

Decision-makers will receive training on any technology to be used at a live administrative hearing, and on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.

¹¹ The physical locations of all on-campus resources identified in this Policy are subject to change. Please check the University's website and/or contact the office to confirm its current location.

Training materials will not rely on sex, stereotypes and will promote impartial investigations and adjudications of formal complaints of Sexual Harassment.

V. REPORTING OPTIONS

It is important for Complainants to be aware of their options in order to make informed choices when reporting their experience. The information below discusses the various options available for reporting an incident of Prohibited Conduct. The University and criminal justice processes are not mutually exclusive; and an individual can choose to pursue both a report under this Policy and criminal investigation at the same time.

A. Reports to Law Enforcement

Complainants have the right to report alleged incidents of Sexual Harassment and/or Prohibited Conduct, including Sexual Assault to law enforcement and to file criminal charges. Reporting these alleged incidents to law enforcement does not preclude an individual from also reporting the alleged incident to the University. A Complainant can choose to pursue both a report under this Policy and a report to law enforcement at the same time. Reports made to the University and law enforcement may be pursued simultaneously; and the outcome of one investigation does not determine the outcome of the other.

At the request of a Complainant, University Police will promptly assist individuals in reporting an incident of Sexual Harassment and/or Prohibited Conduct, including Sexual Assault, to the appropriate law enforcement agency and the Title IX Coordinator. The University Chief of Police or Deputy Chief of Police will forward the report to the University's Title IX Coordinator, regardless of whether the incident constitutes a crime under the law.

Contact Information	
Morgan State University Police	Baltimore City Police, Northeast District
The police station is open 24-hours a day and located in the Washington Service Center Emergency: 443-885-3103 Non-emergency: 443-885-3100 msupolice@morgan.edu	1900 Argonne Drive, Baltimore, MD 21228 Emergency: 911 Non-emergency: 410-396-2444

When a Complainant wishes to pursue criminal charges related to an alleged incident of Sexual Harassment and/or Prohibited Conduct, including Sexual Assault, the criminal investigation will be handled by the University Police Department and/or Baltimore City Police Department.

Information and resources to obtain additional help and support are provided below in the section entitled, "Obtaining Help and Support."

B. Reports to the University

Any person may report alleged Sexual Harassment and/or Prohibited Conduct (whether or not the person reporting is the Complainant) to the Title IX Coordinator by phone, mail, email, or in person or by submitting the complaint form which can be accessed on the Office of Diversity and EEO's website by email, mail, facsimile or in person.

- Morgan State University, Office of Diversity and EEO, New Jenkins Hall, Room 327,

1700 E. Cold Spring Lane, Baltimore, MD 21251

Email: titleixcoordinator@morgan.edu

Phone: 443-885-3559 or 443-885-3580

Fax: 443-885-8209

Website:

<https://www.morgan.edu/Documents/ADMINISTRATION/OFFICES/EEO/EEOComplaint.pdf>

The University makes every effort to respect an individual's autonomy in how to proceed with a report of Sexual Harassment and/or Prohibited Conduct. Resources are available to support an individual regardless of the course of action ultimately chosen.

The University does not impose a time limit for reporting allegations of Sexual Harassment and/or Prohibited Conduct. However, individuals are strongly encouraged to report the incident as soon as possible after the incident occurred in order to maximize the University's ability to respond promptly and effectively. Delays may make it more difficult to gather relevant and reliable information and impair the University's ability to respond and take appropriate action.

VI. PRIVACY AND CONFIDENTIALITY

The University is committed to protecting the privacy of all individuals involved in an incident reported under this Policy. Every effort will be made to respect and safeguard the privacy interests of the individuals involved in a manner consistent with the need for a careful assessment of the allegations and any necessary steps to eliminate the Sexual Harassment and/or Prohibited Conduct, prevent its recurrence, and address its effects.

A. Privacy

Privacy generally means that information related to a reported incident will only be shared with a limited number of individuals "who need to know" the information in order to assist in the review, investigation and/or resolution of the incident. While not bound by confidentiality, these individuals will be discrete and respect the privacy of all individuals involved in the process. If a decision is made to pursue disciplinary action against a Respondent, information related to the report will be shared with him or her.

B. Confidentiality of Investigations

Formal investigations must not restrict the ability of either party to discuss the allegations or gather and present relevant evidence. The University will keep confidential the identity of anyone who has made a report or filed a Formal Complaint of Sexual Harassment and/or a Formal Complaint of Prohibited Conduct, anyone who has been reported as a perpetrator, any

Respondent, and any witness, except as permitted by FERPA or required by law or to carry out the purposes of the Title IX regulations and this Policy.

When a student is a party, information regarding the alleged incident or University process will not be shared with the student's parents or guardians unless the student has submitted a signed waiver that complies with FERPA or there is an articulable threat to the health or safety of the party or other individuals.

The University will keep confidential any Supportive Measures provided to the parties, to the extent that maintaining confidentiality would not impair the ability to provide the measures.

C. Information Shared With Confidential Employees

Information shared with a designated confidential campus or community professional will only be disclosed with the individual's express written permission, unless there is an imminent threat of harm to self or others. An individual can seek confidential assistance and support by speaking with specifically designated Confidential Employees or using the Confidential Resources, identified below in the Section XVI, "Obtaining Help and Support."

D. Requests for Confidentiality that Limits the University's Response

If a Complainant requests that their name or other identifiable information not be shared with the Respondent or that no formal action be taken, the Title IX Coordinator, in consultation with the Title IX Team, will balance this request with the University's obligation to provide a safe and non-discriminatory environment to the Complainant and the rest of the University community.

If the University honors the Complainant's request to not share their name or other identifiable information, the University will still take all reasonable steps to investigate and respond to the report, but its ability to do so may be limited based on the nature of the Complainant's request, the requirements of Title IX and/or any procedures pursuant to this Policy. If the Complainant's request prevents the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein, the Title IX Coordinator will inform the Complainant in writing that the Complaint has been dismissed.

At times, in order to maintain safety and a non-discriminatory environment, the University will not be able to honor a Complainant's request to take no formal action on a Complaint or the allegations therein. In such circumstances, the Title IX Coordinator will inform the Complainant, in writing, prior to starting a formal process. The Complainant can choose not to participate in the University's process. In such cases, the University's ability to meaningfully investigate the alleged incident and/or pursue disciplinary action against the Respondent may be limited.

E. Records

The University will maintain records of the following:

1. Each Sexual Harassment and Prohibited Conduct investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript required; any disciplinary sanctions imposed on the Respondent; and

- any remedies provided to the Complainant designed to restore or preserve equal access to the education program or activity;
2. Any appeal and the result therefrom;
 3. Any informal resolution and the result therefrom; and
 4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.

All training materials will be publicly available on the University's website.

Additionally, the University will maintain records of any actions, including any Supportive Measures, taken in response to a report of Prohibited Conduct or Formal Complaint of Sexual Harassment. In each instance, the record will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to its education program or activity. If the University does not provide a Complainant with Supportive Measures, it will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the University, in the future, from providing additional explanations or detailing additional measures taken.

These records will be maintained for a minimum of seven (7) years or in accordance with University policies and Maryland state law.

F. Release of Information

If a report made under this Policy discloses a serious and immediate threat to the University community, University Police will issue a timely warning notification to protect the health or safety of the community as required by the Clery Act. This timely warning notification will not include any identifying information about the Complainant.

Pursuant to the Clery Act and state law, anonymous statistical information regarding reported criminal incidents must be shared with University Police for inclusion in the daily crime log. This information will also be included in the University's Annual Security Report and annual report to the Maryland Higher Education Commission. The University may also share aggregate and not personally identifiable data about reports, outcomes, and sanctions.

All University proceedings are conducted in accordance with the requirements of Title IX, the Clery Act, FERPA, state and local law, and University policy. No information, including the identity of the parties, will be released from such proceedings except as required or permitted by law or under University policy.

G. Campus Sexual Assault Climate Survey

On or before March 1, 2016, and at least every two (2) years, the University shall: (1) develop an appropriate Sexual Assault campus climate survey using nationally recognized best practices for research and climate surveys; and (2) administer the Sexual Assault campus climate survey to students in accordance with the procedures set by MHEC. On or before June 1, 2016, and at least every two (2) years, the University shall submit to MHEC a report in accordance with the requirements set forth in Md. Code Ann., Educ. § 11-601(g).

VII. SUPPORTIVE MEASURES

The University may implement Supportive Measures for the parties involved and/or for the larger University community in order to enhance safety and protect the integrity of the University's process. The University will offer reasonable and appropriate Supportive Measures to protect the parties and facilitate their continued access to University employment or education programs and activities. Supportive Measures may be temporary or permanent. Supportive Measures are available to either party regardless if the Complainant pursues formal disciplinary action through the University's process or pursues criminal charges with law enforcement.

The Title IX Coordinator has the discretion to determine the appropriateness of any Supportive Measures. All individuals are encouraged to report concerns to the University's Title IX Coordinator about the Supportive Measures or failure of another person to abide by any restrictions imposed by a Supportive Measure. Violations of Supportive Measures will be addressed under this Policy and the University will take appropriate, responsible, and prompt action to enforce such measures.

A. Types of Supportive Measures

Supportive Measures may include, but are not limited to:

- Restrictions on contact between the parties that are mutually agreed upon
- Access to counseling services and assistance setting up initial appointments, both on and off campus
- Arranging for medical services
- Academic accommodations and support services such as tutoring
- Academic schedule modification, including the ability to drop a course without penalty or to transfer sections
- Work schedule or job assignment modifications
- Residence modification
- Escort service to assure safe movement to and from classes, activities, and/or job site.
- Limiting access to certain University facilities
- Restrictions on campus activities
- Leave of absence from school or work (with or without pay)
- Any other measure that can be tailored to achieve the goals of this Policy

B. Leave of Absence from the University or Loss of Privileges

In certain circumstances, the alleged Sexual Harassment and/or Prohibited Conduct may require the University to place a student, a student organization, or employee on a leave of absence or to impose a loss of privileges, such as student housing. The Title IX Coordinator or designee shall conduct an individualized safety and risk analysis before requesting that a party be placed on a

leave of absence or loss of privileges. During this leave of absence or loss of privileges, the individual or organization may be denied access to campus, campus facilities and/or all other University activities or privileges for which the individual or organization might otherwise be eligible.

Students. If the Title IX Coordinator determines that, after individualized safety and risk analysis, a leave of absence and/or loss of privileges is appropriate, the Title IX Coordinator or designee shall refer the matter to the Division of Student Affairs. Upon receipt of the referral, the Vice President for Student Affairs or designee shall hold a show cause hearing to provide the Respondent with the opportunity to demonstrate why the leave of absence and/or loss of privileges should not be imposed. Such leave of absence and/or loss of privileges is to become immediately effective without prior notice, if the Vice President for Student Affairs or designee determines that the continued presence of the student or student organization on the University campus poses a substantial and immediate threat of harm to the safety or well-being of an individual, the broader University community, or to the performance of normal University functions.

Employees. If the Title IX Coordinator determines that, after an individualized safety and risk analysis, a leave of absence and/or loss of privileges and/or reassignment is appropriate, the Title IX Coordinator or designee shall make the request to the appropriate University official. Such requests shall be made to the Provost (faculty) or Vice President for Finance and Management (non-faculty staff) in consultation with the appropriate area Vice President and/or Associate Vice of President of Human Resources (non-faculty staff) and proceed in accordance with the appropriate faculty handbook, collective bargaining agreement, and/or applicable employee policies and procedures.

VIII. ACADEMIC FREEDOM AND FIRST AMENDMENT PROTECTION

This Policy shall not be interpreted to infringe on First Amendment rights, academic freedom or freedom of expression. The fact that speech or a particular expression is offensive is not, standing alone, a sufficient basis to establish a violation of this Policy. In order to violate this Policy, the conduct must be sufficiently serious and/or pervasive to interfere with an individual's ability to participate in employment or educational programs and activities from both a subjective and objective perspective. Sexual Harassment and/or Prohibited Conduct, as described in this Policy, are neither legally protected expressions nor proper exercises of academic freedom.

IX. AMNESTY FOR ALCOHOL AND DRUG POSSESSION AND CONSUMPTION

To encourage reporting of alleged Sexual Harassment and/or Prohibited Conduct and participation in the relevant procedures, a student complainant or witness will not face disciplinary action for their consumption or possession of alcohol or drugs in violation of University policy. To receive amnesty, the violation of University policy must occur (i) during or near the time of the alleged Sexual Harassment and/or Prohibited Conduct; (ii) the student is the Complainant of Sexual Harassment and/or Prohibited Conduct, or is participating in the

investigation as a witness, in good faith; or (iii) the violation was not an act that was reasonably likely to place the health or safety of another individual at risk.

X. CONSENSUAL RELATIONSHIPS AND PROFESSIONAL CONDUCT

Sexual or other intimate relationships between a faculty or staff member and a student or between supervisor and employee, while not expressly forbidden, are generally deemed very unwise. Power differences between faculty and students or between supervisors and supervisees make the subordinate's voluntary consent to even an apparently consensual relationship questionable. Romantic or sexual relationships where there is a differential in power or authority produce risks for every member of the University community and undermine the professionalism of faculty and supervisors. Individuals should also be aware that these relationships may impact third parties based on perceived or actual favoritism or special treatment based on the relationship. Wherever a power differential exists between persons who are romantically or sexually involved, the parties must realize that if a complaint alleging Sexual Harassment and/or Prohibited Conduct is subsequently filed, mutual consent will not necessarily be accepted as a reasonable defense.

XI. FALSE REPORTS

The University will not tolerate the false reporting of Sexual Harassment and/or Prohibited Conduct. The University takes the accuracy of information very seriously as an accusation of Sexual Harassment and/or Prohibited Conduct may carry severe consequences for the accused. A good-faith complaint that results in a finding of not responsible is not considered a false or fabricated accusation of Sexual Harassment and/or Prohibited Conduct. However, when a Complainant or third-party witness is found to have fabricated allegations or given false information with malicious intent or in bad faith, the Complainant or third party witness may be subject to disciplinary action, including termination of employment or expulsion from the University. Not only is it a violation of this Policy to make an intentionally false report, but such conduct may also violate state criminal statutes and civil defamation laws.

XII. EDUCATION, TRAINING, AND PREVENTION PROGRAMS

The University is committed to preventing Sexual Harassment and Prohibited Conduct on its campus. To that end, the University provides regular and ongoing prevention education and awareness programs. Incoming students and new employees are exposed to primary prevention and awareness programs as part of their orientation. Current students, faculty, and staff receive ongoing training. All training provides information regarding what constitutes Sexual Harassment, definitions of consent and Prohibited Conduct, the University's procedures, bystander intervention, risk reduction, the consequences of engaging in Sexual Harassment, and how to prevent Sexual Harassment, Prohibited Conduct, and Retaliation. Educational initiatives for employees shall comply with Md. Code Ann., State Pers. & Pens. § 2-203.1. The Title IX Coordinator is responsible for overseeing the University's training and educational programs related to this Policy. To learn more about the University's prevention programs or to request

training, please contact the Office of Diversity and EEO at 443-885-3559 or 443-885-3580 or titleixcoordinator@morgan.edu.

XIII. RIGHTS OF PARTIES

Parties will be treated with dignity, respect and sensitivity by University officials during all phases of the process. The accompanying procedures to this Policy are designed to allow for a fair and impartial investigation, as well as prompt and equitable proceedings and resolutions that provide an opportunity for Parties to be heard.

Parties will be given timely written notice of:

- i. The reported violation, including the date, time, and location, if known, of the alleged violation, and the range of potential sanctions associated with the alleged violation;
- ii. The Party's rights and responsibilities under this Policy and information regarding other civil and criminal options;
- iii. The date, time, and location of each hearing, meeting, or interview that the Party's is required or permitted to attend;
- iv. A final determination made by the University regarding whether Prohibited Conduct and/or Sexual Harassment occurred and the basis for the determination;
- v. Any sanction(s) imposed, as permitted by law; and
- vi. The Party's rights to an appeal of the final determination and a description of the appeal process.

Parties will be entitled to participate in the investigation and adjudication of the Formal Complaint of Prohibited Conduct and/or the Formal Complaint of Sexual Harassment in accordance with the procedures accompanying this Policy. Parties will be provided with:

- i. Access to the case file and evidence regarding the incident obtained by the University during the investigation or considered by the University's adjudicating official or body, with personally identifiable or other protected information redacted as required by applicable law;
- ii. An opportunity to offer testimony at a hearing or, in the alternative, to the University's adjudicating official or body;
- iii. An opportunity to submit evidence, witness lists, and suggest specific questions to be posed to the other Party during the investigation, or to the other Party at a hearing through the other Party's advisor;
- iv. An opportunity to review testimony electronically or in a way in which the Party(s) are not required to be in the physical presence of one another;
- v. An opportunity to review and provide written responses to draft and final investigation reports;
- vi. An opportunity to participate at a hearing without being required to be in the

- physical presence of the other Party; and
- vii.** An opportunity to appeal a determination and/or a sanction; and
- viii.** And the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney; the legal services organizations and referral services available to the Party; and the Party's right to have a support person of the Party's choice at any meetings or proceedings.

XIV. Legal Representation Fund for Title IX Proceedings (Students Only)

A current or former student who makes a complaint or responds to a complaint on which a formal Title IX investigation is initiated, and who was enrolled as a student at the institution at the time of the incident that is the basis of the complaint, is permitted to access counsel paid for by MHEC, unless the student knowingly and voluntarily chooses not to have counsel, and provide that in accordance with COMAR 13B.09.01:

- i. A student may select and retain an attorney before the conclusion of the formal Title IX proceedings;
- ii. A student may obtain from MHEC, through MHEC's website, a list of licensed attorneys who have indicated that they will represent such students in Title IX proceedings on a pro bono basis or for reduced legal fees; and
- iii. A student's attorney may seek reimbursement of certain legal costs and fees from MHEC's Legal Representation Fund for Title IX proceedings, subject to the availability of funding.

XV. Allegations of Sexual Harassment and/or Prohibited Conduct against Third Parties Not Affiliated with the University

The University does not tolerate Sexual Harassment and/or Prohibited Conduct by third parties when the third party has been brought into contact with members of the University community through a University program or activity. While individuals who are not students or employees of the University are not subject to discipline under the University's internal process, the University will provide a prompt and equitable response that is consistent with this Policy and the law. For example, the University may refer the matter to local law enforcement or may deny the third party access to University's buildings or grounds.

XVI. OBTAINING HELP AND SUPPORT

Members of the University community who experience Sexual Harassment and/or Prohibited Conduct are urged to immediately seek help. In addition to filing a report with law enforcement and the University, help also includes seeking medical treatment and obtaining confidential counseling or crisis response. It is important for individuals who experience Sexual Harassment and/or Prohibited Conduct to attend to any physical injuries as well as their emotional well-being.

A. Finding a Safe Place

Sexual Harassment and/or Prohibited Conduct can be traumatic and shatter a person's sense of security. In the immediate aftermath of an incident, it is important to seek a safe place. Individuals who are in immediate danger or seriously injured should dial 911.

B. Seeking Medical Attention and Preserving Evidence

If it is safe to do so, individuals are encouraged to take precautions in order to preserve any evidence that may help with a criminal prosecution, orders of protection, and/or University investigation. Regardless of whether a person intends to file criminal charges or seek a protective order, they are encouraged to obtain a forensic medical exam in order to preserve evidence that may be on their body and clothes. A forensic examination will allow a trained healthcare professional to assess the individual's medical needs and collect evidence that can later be used if the person decides to pursue a criminal complaint or obtain an order of protection.

Mercy Medical Center located at 345 St. Paul Street, Baltimore MD 21202, has specially-trained nurses who can perform a forensic exam and provide medical care to individuals who have experienced sexual violence.

If possible, individuals should refrain from showering or bathing, brushing their teeth, washing their hands, and urinating or defecating.

The best way to preserve evidence is to go to the hospital in the clothing worn at the time of the assault.

Individuals who end up changing their clothes should take the clothes worn during the assault with them to the hospital.

Try to use a paper bag to store any clothing rather than a plastic bag, which can degrade or contaminate forensic evidence.

In addition to the physical evidence on the body and clothes, evidence may also include text messages, emails, voicemail messages, social network postings, photographs, and written documents such as cards, notes, and letters.

Individuals should preserve this evidence as well in order to assist in the process if a person decides to file a complaint with law enforcement, obtain an order of protection and/or the University.

Individuals who experience sexual violence are encouraged to be examined by a healthcare professional even if they have no visible injuries and do not want a forensic exam. Individuals may go to Mercy Medical Center and have a medical exam performed without having any forensic evidence collected.

In addition, students can go to the Harriet A. Woolford University Health Center ("University Health Center"), located on campus, where medical staff can perform a physical exam and screen and provide treatment for STIs and pregnancy.

The University can also arrange transportation to the hospital for any student wanting a forensic medical examination performed.

C. Obtaining Confidential Support

It is important to find people who can provide support after experiencing a form of Sexual Harassment and/or Prohibited Conduct. Individuals may use any of the Confidential Resources listed below to access confidential assistance or to explore reporting options without initiating further action from the University. This means that Confidential Employees and the other confidential resources listed below will not share information about an individual (including whether that individual has received services) without the individual's consent, unless there is an imminent threat of harm to self or others.

Individuals who choose to discuss incidents of Sexual Harassment and/or Prohibited Conduct with Confidential Employees or utilize only Confidential Resources should understand that the University will not be able to conduct an investigation into the particular incident, or pursue disciplinary action against the alleged perpetrator, unless the incident is reported to the University's Title IX Coordinator directly by the victim, law enforcement, or someone who does not have the obligation to keep it confidential. Individuals who initially choose only to disclose Sexual Harassment and/or Prohibited Conduct to Confidential Employees or Confidential Resources may report the incident to the University's Title IX Coordinator or law enforcement at a later time to initiate an investigation.

1. On-Campus Confidential Resources

University Counseling Center

Carter Grant Wilson Administration Building, Room 202 • 443-885-3130 •
www.morgan.edu/counselingcenter

The University Counseling Center is staffed by trained counselors who can provide confidential support and assistance to current students. The University Counseling Center offers individual and group counseling for those who experience sexual misconduct, relationship violence, and stalking as well as to students who may need support in assisting a friend who is a survivor. There is no cost for counseling services. Counselors are available for appointments from 8:00 am to 5:00 pm Monday through Friday. If you are coming to the University Counseling Center for a brief consultation, for the first time or in an emergency, you may speak with the counselor on Walk-In duty for up to thirty minutes. Walk-in hours are Monday-Friday, 10 a.m. - 3 p.m. A counselor is also available on call 24 hours a day, 7 days a week in case of emergency. Students may contact their Residence Hall Director or the Campus Police (x3103) to get in touch with the counselor on call.

University Memorial Chapel

443-885-5105 • www.morgan.edu/universitychapel

Clergy of various faiths are available for students, faculty, and staff to discuss religious, spiritual, and personal issues.

University Health Center

443-885-3236 • www.morgan.edu/healthservices

The University Health Center is staffed by confidential licensed healthcare providers. The University Health Center offers complete physical exams, screening and treatment for sexually transmitted infections (STIs), emergency contraception, and pregnancy tests. The closest hospital that can conduct a forensic medical examination is Mercy Medical Center in Downtown Baltimore.

2. On-Campus Resources: Non- Confidential

Title IX Coordinator/Deputy Title IX Coordinator - Office of Diversity & EEO

West Campus, new Martin D. Jenkins Hall, Room 327 • 443-885-3559/443-885-3580 • titleixcoordinator@morgan.edu • www.morgan.edu/eo

The Office of Diversity and EEO is charged with the day-to-day implementation of the University's nondiscrimination policies as well as the coordination of Title IX related policies, procedures, training and prevention efforts.

Office of Student Rights & Responsibilities

George W. F. McMechen Hall, Room 602 • 443-885-3527

The Office of Student Rights and Responsibilities has the primary responsibility to manage and direct the University's efforts in matters involving student conduct. The Office of Student Rights and Responsibilities enforces the Code of Student Conduct and oversees the adjudication of an extensive range of student misconduct.

University Police

Washington Service Center • 443-885-3103 • msupolice@morgan.edu • www.morgan.edu/police

The University Police and Public Safety Department serves to provide a safe and secure campus environment conducive to education for Morgan State University students, faculty, staff and visitors. The Department provides police coverage and response 24 hours a day, 365 days a year. The Department is comprised of sworn police officers, civilian personnel, police communication operators, parking enforcement officers, and security officers. The Department responds to criminal offenses, service requests, complaints, and incidents. In addition, the Department is responsible for issuing timely warnings as needed, maintaining campus crime logs, and compiling the Annual Campus Security and Fire Safety Report (Clery Report).

3. Off-Campus and Community Resources

House of Ruth

2201 Argonne Drive, Baltimore, MD 21218 • 410-889-7884 • www.hruth.org

Provides confidential transitional shelter, legal (including assistance with obtaining protective/peace orders), counseling, and advocacy services to individuals who have experienced intimate partner violence.

Maryland Coalition Against Sexual Assault (MCASA)

P.O. Box 8782, Silver Spring, MD 20907 • 301-328-7023 • www.mcasa.org

Sexual assault advocacy and referral organization. MCASA provides valuable information and resources for sexual assault survivors, including the locations of rape crisis and recovery centers located across the state of Maryland so survivors can find help when they are home and away from the campus.

TurnAround, Inc.

8503 LaSalle Road, Towson, MD, 21286 • 410-377-8111 • www.turnaroundinc.org

Provides confidential counseling, crisis intervention, referral and support services to individuals who have experienced sexual assault and domestic violence.

National Domestic Violence Hotline

1-800-799-SAFE (7223)

The National Domestic Violence Hotline operates 24-hour confidential and free support for survivors. Individuals who have experienced abuse, have abused, or are trying to help a friend in an abusive relationship can speak with an advocate via telephone or instant message.

National Sexual Assault Hotline

1-800-656-HOPE (4673) • <https://ohl.rainn.org/online>

The National Sexual Assault Hotline was created by the Rape, Abuse & Incent National Network (RAINN). It provides 24- hour confidential support and referral information for survivors. Individuals can also use online instant messaging to connect with a confidential support specialist.

Sexual Assault Legal Institute (SALI)

P.O. Box 8782, Silver Spring, MD 20907 • 301-565-2277 •

www.mcasa.org/for-survivors/sali/

Provides legal assistance to sexual assault survivors.

Tahirih Justice Center

571-282-6161 • <http://www.tahirih.org/>

The Tahirih Justice Center works to protect immigrant women and girls seeking justice in the United States from gender violence. Tahirih provides holistic legal services, case management, advocacy, and education. It can assist domestic violence and sexual assault survivors with adjustment to their immigration status and with family law matters.

The Pro Bono Counseling Project (PBCP)

1-877-323-5800

PBCP links Maryland individuals and families with limited resources with licensed mental health professionals who can provide counseling and therapy at no cost.

Protective Orders and Peace Orders

<http://mdcourts.gov/courtforms/joint/ccdcvpo001br.pdf>

Under certain circumstances, a person may be entitled to obtain a protective order or a peace order. A protective order can require the abuser to stay away from you and your residence and provide other relief for up to one year with the possibility of being renewed for an additional period of time. A peace order can require the abuser to stay away from you for up to 6 months and can be renewed for an additional period of time.

Maryland Criminal Injuries Compensation Board

www.dpscs.state.md.us/victimservs/cicb/index.shtml

Provides aid and assistance to victims of crime such as reimbursement for medical and dental expenses, counseling expenses, loss earnings, disability, and crime scene clean up.

Office of the Public Defender for Baltimore City

The Office of the Public Defender provides low-cost representation for individuals in criminal cases.

Office of the Baltimore City State's Attorney

The Office of the State's Attorney prosecutes crimes occurring in Baltimore City and provides victim/witness assistance.

U.S. Department of Education, Office for Civil Rights

The Wanamaker Building, 100 Penn Square East, Suite 515, Philadelphia, PA 19107 •
215-656-8541 • ocr.philadelphia@ed.gov • www2.ed.gov/ocr

Federal agency where individuals may file an external Title IX complaint.

Equal Employment Opportunity Commission

10 S. Howard Street, 3rd Floor, Baltimore, MD 21201 • 1-800-669-4000 •
www.eeoc.gov

Federal agency where employees may file an external sex discrimination/harassment complaint.

Maryland Commission on Civil Rights

6 St. Paul Street, Suite 900, Baltimore, MD 21202 • 410-767-8600 •
www.mccr.maryland.gov

State agency where employees may file an external sex discrimination/harassment complaint.