LOYOLA UNIVERSITY MARYLAND

Notice of Rights and Options for Sex-based Harassment and Discrimination Incidents

TABLE OF CONTENTS

Introduction	1
Privacy and Discretion	2
Supportive Measures	2
Reporting Options	3
Medical Recommendations and Preservation of Evidence	6
Resolution Options	7
Title IX Intake Officers for Students	11
Title IX Intake Officers for Faculty, Staff, and Administrators	11

INTRODUCTION

Loyola University Maryland is committed to a learning and working environment free from sexual misconduct, including sexual harassment and sexual discrimination. Sexual misconduct is a form of sex discrimination prohibited by federal law, including Title IX, state law, and University policies. Violence or threats of violence of any kind, including sexual assault, dating violence, domestic violence, sexual exploitation, and stalking are prohibited and will not be tolerated. Reports of such offenses, including acquaintance rape and other types of sexual assault, are taken very seriously. This document provides a list of rights and options whether the incident occurs on or off campus for complainants (reporting parties) and respondents (responding parties) who are collectively referred to as "parties" in this document.

THE REVISED POLICY ON SEXUAL MISCONDUCT IS CONTAINED IN THE HARASSMENT AND DISCRIMINATION POLICY AND PROCEDURES FOR STUDENTS AND FOR EMPLOYEES AND IS AVAILABLE ONLINE AT **WWW.LOYOLA.EDU/DEPARTMENT/TITLE-IX-BIAS/TITLE-IX/ABOUT/POLICY.**

PRIVACY AND DISCRETION

Privacy and discretion will be exercised in every incident. If a complainant requests confidentiality and does not want to disclose their identity to the respondent, the University may not be able to pursue charges of sex-based harassment or discrimination unless the complainant is willing to be identified in a complaint. However, the University may pursue other steps by evaluating other factors, such as, the responsibility to provide a safe and non-discriminatory environment for all community members when determining next steps. See section Title IX Coordinator Authority to Initiate a Complaint in the Sex-Based Harassment and Discrimination Policy. Each party may disclose information to persons who need to know it in order to participate in or administer the process, and/or to provide support and assistance. Parents or guardians of students will not be contacted by the University except at their request or in the case of a health and safety emergency. University officials are required to document the reports of sex-based harassment for general Clery Act statistics. There will be no personally identifiable information about the complainant shared in that report. If the University is required to notify the community of the incident, including recording the assault in the campus crime log, no identifying information will be included, to the extent permissible by law.

SUPPORTIVE MEASURES

Supportive measures are available for complainants, respondents, and other necessary parties regardless of whether the victim chooses to report the crime to Public Safety or local law enforcement. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge and can include actions deemed necessary to protect the well-being of the individuals involved in cases of sex-based harassment as well as the educational environment of the University community. These supportive measures may include but are not limited to:

- No contact orders
- Changes to class schedules,
- Assistance with rescheduling an academic assignment (paper, exam, etc.)/ tutoring support.
- Restricting access to certain campus buildings, changes to work schedules/ situations, changes to work locations, leaves of absences,
- Relocating residence hall assignments
- Transportation assistance and escorts to and from campus locations,
- Increased security and monitoring of certain areas, and other measures for safety as necessary.
- Visa and immigration assistance
- Counseling

Additionally, the University may act to remove a respondent entirely or partially from its education program or activities on an emergency basis. See section Emergency Removal and Administrative Leave under the Sex-Based Harassment and Discrimination Policy.

REPORTING OPTIONS

Reports involving sexual harassment, sexual assault, domestic violence, dating violence and stalking can be made to a Title IX Intake Officer who will meet with complainants and other reporting parties to review their rights, resources, and reporting options both on and off campus, including offering supportive measures, regardless of whether a formal complaint is filed. A list of Intake Officers and their contact information is located toward the end of this document. Reports may also made to any Title IX Coordinator/Deputy listed at the end of this document.

All reports involving sex-based harassment, sexual assault, domestic violence, dating violence and stalking made to mandated reporters such as members of Public Safety and Residence Life & Housing staff will automatically be referred to the appropriate Title IX Coordinator, and a complainant may pursue a complaint through the student conduct process for student respondents and the disciplinary procedures for employee respondents. This referral to the appropriate Title IX Coordinator or designee is made even if the complainant chooses not to pursue on-campus resolution options.

If a student experiences a sexual assault, they can call Public Safety 410-617-5911 (emergency) or 410-617-5010 (non-emergency) and ask for an officer to respond or ask to be connected to the Residence Life & Housing Area Coordinator who is “on call” if the incident involves a student. A Residence Life & Housing representative and Melissa Lees, Sexual Violence Prevention, Education and Response Coordinator, or a member of the Counseling Center, will respond and speak with the student and other third parties.

Further, complainants may file a complaint with local law enforcement for criminal prosecution. They can enact both processes, as they are different and can proceed at the same time. They can proceed with one process and not the other. They can decline to engage in either process. The University may need to inform and notify the community via a Timely Warning email. The purpose of the warning is to aid in the prevention of similar crimes by enabling community members to protect themselves from incidents that represent a serious or continuing threat to students and employees. These notices will not include personally identifying information. For examples of Timely Warning messages, go to https://www.loyola.edu/department/public-safety/services/greyhound-alerts/. Students may request that directory information on file be removed from public sources by request, in writing, and on an annual basis, to the Registrar Office, Loyola University Maryland, 4501 N. Charles Street, Baltimore, MD 21210. Reports may also be submitted through the online sexual assault reporting system. Reports that are submitted online will not be considered complaints under the Sex-Based Harassment and Discrimination Policy.

To encourage reporting, a student who reports sex-based harassment and discrimination, either as a complainant or a third- party witness, will not be subject to disciplinary action by the University for their own personal involvement with alcohol and/or drugs at or near the time of the incident unless the involvement was reasonably likely to place the health or safety of another individual at risk. The University may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol and/or other drugs.

Title IX prohibits retaliation, and University officials will take steps to prevent retaliation and take strong responsive action if retaliation occurs. If retaliation occurs, contact the appropriate Title IX Coordinator located at the end of the document immediately.

Confidential

Confidential resources are available for support on campus. Reports made to a licensed counselor, health care provider, or designated confidential advocate are confidential and will not be reported for investigation without the complainant's permission unless an imminent threat exists.

On-Campus

- The Counseling Center is located in the Humanities Building room 150 is available for all students and can be reached at 410-617-CARE (2273). You can also access REACT on-line at www.loyola.edu/counselingcenter.
- The Student Health Center is located in Seton Court 02A and can be reached at 410-617-5055
- Clergy offering pastoral care can be reached at 410-617-2444
- Women's Center located in Seton 450A. Melissa Lees Sexual Violence Prevention, Education, and Response Coordinator can be reached at 410-617-6769
- Employees may call the Employee Assistance Program 24 hours a day at 1-800-765- 0770.

Off-Campus

- Turnaround Inc. 24/7 Hotline, Emergency Shelter
  Call 443-279-0379 for 24/7 hotline.

  Turnaround Inc. offers individual and group advice for victims of domestic violence, sexual assault and abuse. Services also include emergency and transitional housing for victims with children, pets, legal services and referrals, intervention programs for abusers.

- House of Ruth 24/7 hotline, Emergency Shelter
  Call 410-889-7884 for 24/7 Hotline.

  The House of Ruth provides safety planning, basic needs assistance, resources referral, and legal advice for those experiencing intimate partner violence.

- bMORESAFE Mercy medical center is the designated treatment center sexual assault and domestic violence in Baltimore City. Can be reached at 410-332-9000 www.bmoresafemercy.org
- SAFE Program at GBMC 24/7 Hotline, 24/7 Free confidential In-Person Services Call 443-849-3323 or the emergency department at 443-849-2225; ask for a safe nurse.
- Maryland Coalition Against Sexual Assault (MCASA) 301-565-2277 www.mcasa.org
- National confidential resources (available 24/7) include, but are not limited to:

  RAINN (Rape, Abuse & Incest National Network) National Sexual Assault Hotline at 1-800-656-HOPE (4673) and an online chat with a trained staff member.

  National Domestic Violence Hotline at 1800-799- 7233 or text LOVEIS to 22522

  TTY at 1800-787-3224 with an online chat option.

Non-confidential

Non-confidential resources can provide people who experience sex-based harassment or discrimination with support and discuss options. They have the responsibility to report incidents of sexual assault and other types of sexual misconduct. Investigations and further proceedings will not be conducted without the complainant's permission unless an imminent threat exists.

The list of on-campus non-confidential resources can be found on page 11 of this document.

MEDICAL RECOMMENDATIONS AND PRESERVATION OF EVIDENCE

It is strongly encouraged that the complainant seeks medical assistance in cases of sexual assault or misconduct. According to Maryland regulations, Sexual Assault Forensic Examination (SAFE) available free of charge within 15 days of the alleged offense. It is recommended the complainant have an exam within 120 hours of the incident as evidence can only be collected through a SAFE during this time. Public Safety can provide transportation to Mercy Hospital located on 300 St. Paul Street, Baltimore, Maryland in the Emergency Department at 410-332-9477, which is designated as the city's sexual assault and domestic violence treatment center. Mercy has trained nurses who perform the SAFE program and will provide victim services, including treatment of injuries and steps to address concerns of pregnancy and/or sexually transmitted disease. An on-call University staff member may also accompany and assist a student at the hospital.

- It is recommended that the complainant not take a shower or wash or discard clothing they were wearing at the time of the assault. All clothing (including underwear) should be put into a paper bag and brought to the hospital.

- Complainants of sexual harassment, sexual assault, domestic violence, dating violence, stalking, and other forms of sexual misconduct are encouraged to preserve evidence by saving text messages, instant messages, social networking pages, pictures, and other communications such as phone logs or other copies of documents that would be useful to investigators, decision-makers and/or law enforcement.

- If criminal charges will be filed, a Sexual Assault Forensic Examination (SAFE) is recommended and must be collected within 120 hours of the incident in order for it to be admissible in court. The SAFE program is used to medically evaluate the incident and collect evidence from the body. If the incident occurred on campus, then the Baltimore Police Crime Scene Unit may secure the site and collect evidence from student rooms, common areas and other areas that may produce evidence from the incident. Evidence collection is very important when pursuing criminal charges.

- A complainant does not have to decide whether to file criminal charges before obtaining a forensic exam. The exam is free, and the evidence will be kept in a secured locker indefinitely. There is no statute of limitations on filing a criminal complaint in Baltimore City. If they wish to remain anonymous, they can have the exam listed.

- While the SAFE program is not available at the Student Health Center, students may schedule appointments for health-related concerns by calling 410-617-5055 and meet with a healthcare provider in the office. The office is in Seton Court 02A, and all appointments are private and confidential.

RESOLUTION OPTIONS

The University is committed to providing a prompt, fair, equitable, and impartial investigation, and grievance process from the formal complaint to the final outcome. If a formal complaint is filed, then the parties to a complaint have the right to present documents, names of witnesses, and other evidence to the investigator(s). Investigations and grievance proceedings are conducted by investigators and decision-makers who are trained annually and who do not have a conflict of interest or bias for or against the parties involved in the incident. The preponderance of the evidence or "more likely than not" standard is used in the grievance proceedings. All parties will be treated with dignity, respect, and sensitivity by officials of the University. A respondent will be presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the applicable grievance process.

A respondent who participates in an on-campus grievance proceeding is considered "not responsible" for the alleged conduct until a determination of responsibility is made at the conclusion of the applicable grievance process. A respondent is entitled to supportive measures as outlined above to preserve access to the University's education program, activity, or work environment. A respondent is also entitled to advisors of choice to support and accompany them through any meeting or hearing (see section on "Advisors of Choice" below).

On-Campus

Violations of the sexual and gender-based misconduct policy are serious, and the range of status sanctions includes the following for student cases: residence hall probation, disciplinary probation, deferred suspension from the residence halls, deferred suspension from the University, suspension from the residence halls, suspension from the University, and Expulsion. The range of additional sanctions includes the following: Alcohol and drug screening/education/treatment, athletics department notification, civility hours, continuation/modification of supportive measures, core advisor notification, educational project, fine, loss of room selection privileges, mentoring with an administrator, parental/guardian notification, periodic drug testing, postponement of activity participation and conferring of honors and degrees, reflection with Campus Ministry or a Jesuit, relocation to another residence, restitution, restorative practices referral, restricted access or privileges, restricted contact, senior week restrictions, social restrictions, student development assessment and evaluation, and written reprimand.

The complainant and respondent will receive weekly updates from the appropriate Title IX coordinator until the case has been fully resolved. Further, the complainant and respondent will concurrently be informed in writing of the outcome of the inves-

tigation, will be provided an opportunity to respond, in writing, to the Investigation Report, and will be notified in a timely manner of the date, time, and location of the hearing before hearing panel members or decision- makers who are trained and free of bias, along with the documents obtained during the investigation. At the conclusion of the hearing, both parties will be concurrently advised of the following result to a formal complaint:

- Identification of the allegations allegedly constituting sexual harassment; a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held.
- Findings of fact supporting the determination.
- Conclusions regarding the application of the University's conduct code to the facts.
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the complainant; and procedures and permissible bases for the complainant and respondent to appeal.

The University will, upon written request, disclose to the victim of a crime of violence or a non- forcible sex offense, the results of any disciplinary proceeding against a respondent of such crime or offense. If the victim is deceased as a result of such crime or offense, the next of kin of the victim shall be treated as the victim.

Student Formal Resolution
Once a formal complaint under the Sexual and Gender-Based Misconduct Process is made to the appropriate Title IX Coordinator, a prompt, equitable, and impartial process from the investigation to the final outcome will be completed within a timely manner that is transparent, provides timely notice of meetings, and equal access to information for both the complainant and respondent. Any delays in the process will be communicated to the parties in writing.

Student Informal Resolution
Once a formal complaint is filed, the matter may be resolved through an informal resolution process where trained staff provide remedies and interventions without proceeding to an investigation and adjudication. This process requires that all parties to the complaint agree to the use of informal resolution, and either party may decide not to proceed with or to end informal resolution in favor of formal resolution at any time. Informal resolution will not be used for student complaints against employees.

Reports of sexual assault may not be resolved through mediation or informal resolution.

Employee Formal Resolution
Once a formal complaint under the Sexual and Gender-Based Misconduct Process is made to the appropriate Title IX Coordinator, a prompt, equitable, and impartial process from the investigation to the final outcome will be completed within a timely manner that is transparent, provides timely notice of meetings, and equal access to information for both the complainant and respondent. Any delays in the process will be communicated to the parties in writing.

Advisors of Choice for Complainants and Respondents
In matters involving sexual harassment, sexual assault, stalking, dating violence, and domestic violence, the complainant and respondent may each have no more than two people, defined as advisors, present throughout the entire on campus grievance process. The advisor may be a personal supporter of the student's choice, a licensed attorney, an advocate, or an advocate supervised by an attorney. Advisors may assist a party with understanding the investigation process and preparing for meetings and interviews; attending meetings and interviews with the party; reviewing any statements prepared by the party; and providing assistance and support to the party as they move through the grievance process. Advisors may not speak on behalf of the party at any meetings or interviews or through any written documents except for cross-examination during hearings that fall within the Title IX Grievance Process. Advisors should consult with the appropriate Title IX Coordinator regarding any questions that arise during the process. The Title IX Coordinator maintains a list of advisors who have been specifically trained in the policy and student conduct process. Advisors can be recommended upon request. The Title IX Deputy Coordinator for Faculty, Staff, and Administrators maintains a list of advisors who have been trained in the policy and employee processes. Employees of the University who serve as adjudicators for a particular incident are not able to serve as advisors to avoid a conflict of interest. Students who are complainants or respondents may access attorneys paid for by the Maryland Higher Education Commission (MHEC) or who agree to participate on a pro bono (without charge) basis. Information for students regarding accessing counsel through MHEC can be found on the MHEC website, https://mhec.maryland.gov/Pages/Title-IX-Campus-Sexual-Assault-Proceedings---AttorneyList.aspx. Attorneys may not be available through MHEC for complaints involving allegations solely based on sexual and/or gender-based harassment. The attorneys paid for by MHEC are not available for representation in a criminal or civil matter. Students or employees may knowingly and voluntarily choose not to have legal counsel. While the University does not recommend any specific attorneys, employees may contact the Maryland State Bar Association at 1-800-492-1964, or online at www.msba.org for referrals to attorneys who may serve as advisors for a fee.

External Complaints Off-Campus
Complainants have the right to file complaints of sex discrimination with an external governmental agency. This may happen before, after or during an on-campus and/or

off-campus grievance process. Complaints may be filed with the Office of Civil Rights, U.S. Department of Education, The Wanamaker Building, Suite 515, 100 Penn Square East, Philadelphia, PA 19107, telephone at 1-800-421-3481 or by email at OCR.Philadelphia@ed.gov.

The Maryland Judiciary provides information on how to file for a peace or protective order at http://mdcourts.gov/courtforms/joint/ccdcdvpo001br.pdf. You may also contact Melissa Lees, Sexual Violence Prevention, Education and Response Coordinator, in the Women's Center at 410-617-6769 or Public Safety for assistance in securing a protective or peace orders and/or to assist with the development of a safety plan.

Information regarding legal assistance and attorneys who can help to secure a protective order or peace order, may be obtained by contacting the Maryland Coalition Against Sexual Assault (MCASA)'s Sexual Assault Legal Institute (SALI) at 301-565-2277 or toll-free at 1-877-496-SALI (7254) www.mcasa.org/law-public-policy/maryland-law-regulations.

While the University does not recommend specific attorneys, parties may wish to use the referral service of the Maryland State Bar Association at 1-800-492-1964, or online at www.msba.org which can also provide referrals to attorneys for visa and immigration services, among other areas. The State's Attorney's office can be reached at 443-984-6096 or 443-984- 6094 and is responsible for prosecuting sex crimes on behalf of the State of Maryland.

TITLE IX TEAM

Title IX Coordinator (for the university)
David Tiscione (he/him)
Director of Title IX and Bias Compliance
Jenkins Hall, 105B
410-617-2763
dmtiscione@loyola.edu

Title IX Coordinator (for students)
Sydney Quantock (she/her)
Assistant Director Title IX and Bias Compliance
Jenkins Hall, 105D
410-617-2842
squantock@loyola.edu

Deputy Coordinator (for faculty, staff, and administrators)
Nikia Woodard (she/her)
Director Employee Relations and Organizational Development
202J York Road Annex
410-617-1345
ntwoodard@loyola.edu

TITLE IX INTAKE OFFICERS FOR STUDENTS

Teddi Burns (she/her)
Associate Athletic Director
Andrew White Student Center, 3rd Floor 410-617-2643
tburns@loyola.edu

Pat Cassidy (he/him)
Director of LGBTQIA+ Student Services
Student Center E315B
410-617-2112
pjcassidy@loyola.edu

Rhona Little (she/her)
Diversity and Inclusion Specialist
Humanities, 243G
410-617-2082
rlittle1@loyola.edu

Dennis Velez(he/him)
Associate Director of ALANA Services
Andrew White Student Center, E315F
410-617-2004
dvelez@loyola.edu

Kelli Walker(she/her)
Program Assistant of Title IX and Bias Compliance
Jenkins Hall, 105C
410-617-7319
kawalker1@loyola.edu

TITLE IX INTAKE OFFICERS FOR FACULTY, STAFF, AND ADMINISTRATORS

Toya Dailey-Smith
Associate Director Employee Relations and Organizational Development
5000 York Rd., 2nd Floor
410-617-1360
tdaily-smith@loyola.edu