



Stevenson University

## **Policy Manual**

Volume II

# **CAMPUS COMMUNITY POLICIES**

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The University reserves the right to make changes to the policies and appendices found in this policy manual and/or to rescind them at any time. All policies are updated on the University website as deemed necessary by the University. The master version of the policy manual is located in the Office of Human Resources and supersedes any previous versions. Nothing in this Student Policy Manual constitutes or is intended to constitute an agreement or contract.

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## **2.1 CAMPUS COMMUNITY POLICIES**

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The policies provided in this Volume II pertain to all members of the University community.

## **2.2 WHISTLEBLOWER & RETALIATION COMPLIANCE**

(Approved June 2016)

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Stevenson University is committed to complying fully with all federal, state, and local laws, rules, and regulations that are applicable to private nonprofit organizations of higher education.

Stevenson University encourages its students, faculty, officers, trustees, employees, job applicants, former employees, volunteers, contractors and vendors (the Stevenson Community) to come forward if they learn of information or have concerns about possible unlawful, fraudulent or unethical behavior on University property, in University matters, or in any way associated with Stevenson University.

To this end, the University has adopted the following Whistleblower and Anti-Retaliation Policies in order to assure the Stevenson Community that they may safely express their good faith concerns about possible University-related unlawful, fraudulent or unethical activity responsibly without fear of retaliation by Stevenson University for reporting such information or concerns in the procedures under this policy on compliance.

### **WHISTLEBLOWER POLICY**

The purpose of this Whistleblower & Retaliation Compliance Policy is to ensure the University's compliance with all applicable provisions of the False Claims Act, federal Occupational Safety and Health Act (OSHA); Maryland Occupational Safety and Health Act (MOSHA); Title IX of the Education Amendments of 1972; the Clery Act; the Sarbanes-Oxley Act (to the extent that it applies to Stevenson University); and applicable federal and state rules and regulations promulgated thereunder. The University advocates responsible reporting of any conduct that is reasonably believed to be in non-compliance with applicable law and will protect from retaliation members of the Stevenson Community who follow the reporting procedures outlined in this Policy or otherwise exercise their rights under applicable law.

### **Whistleblower Protections for Reporting of Resources-Related Prohibited Acts**

The University prohibits unlawful and/or fraudulent conduct of any kind by members of the Stevenson Community with respect to University funds, resources and/or property (Resources-Related Prohibited Acts). These Resources-Related Prohibited Acts include, but are not limited to:

- An abuse of authority, gross misconduct, misappropriation, bribery, forgery, gross waste, fraud, or misrepresentation in financial reporting regarding University funds, resources, or property;
- A substantial and specific danger to public health and/or safety; or
- A violation of federal, state, or local law, rules, or regulations relating in any way to University funds, resources, or property.

Members of the Stevenson community who are aware of or in good faith suspect the occurrence of any Resources-Related Prohibited Acts that relate in any way to the University are encouraged to report their concerns in accordance with the procedures set forth below. By adhering to the procedures set forth below, they can be assured that the University policy prohibits reprisals, retaliation, or other negative consequences of any kind by reporting possible Resources-Related Prohibited Acts. (Members of the Stevenson Community who report their concerns about Resources-Related Prohibited Acts directly to governmental entities will be afforded the same protections under this Whistleblower Policy as those who follow the recommended reporting procedures outlined below.)

### **Process for Disclosure of Resources-Related Prohibited Acts**

A member of the Stevenson community who has information or concerns about Resources-Related Prohibited Acts is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities. The University encourages any person who in good faith believes or suspects that Resources-Related Prohibited Acts have been committed to report immediately his/her concerns to the President, Vice President, Dean or Director of the applicable University department, or to the confidential Ethics Hotline via 24/7 access by phone (1-800-765-3277) or website ([www.bhsonline.com](http://www.bhsonline.com)). All reports of Resources-Related Prohibited Acts will be considered confidential to the fullest extent allowed by law and to the fullest extent practicable, and will be shared with others only on a “need-to-know” basis. Reports may be made anonymously; however, any investigation may be hampered or impracticable if the reporting individual cannot be identified and questioned about the allegations and related facts.

The University prohibits all members of the Stevenson community from engaging in Resources-Related Prohibited Acts. In the event a member of the Stevenson community learns of any such Resources-Related Prohibited Acts, he/she is expected, as soon as reasonably practicable, to follow the disclosure procedures set forth in this Policy. As stated above, the University strictly prohibits any retaliation (including, but not limited to, harassment, adverse employment action, academic or educational consequences, and/or physical, mental, or reputational harm or threats thereof) by any person (including all members of the Stevenson Community) against any individual for reporting a reasonable belief or suspicion of Resources-Related Prohibited Acts, even if that good faith belief is later determined to have been incorrect.

### **Follow-up on Reports of Resources-Related Prohibited Acts**

After receiving a report, the Dean, Director or Vice President shall consult with the President or his/her designee, typically the Chief Financial Officer and Vice President, Human Resources, and take whatever action they determine to be appropriate under the law. Such consultation may include disclosure to legal counsel and/or financial advisors. In the case of disclosure of Resources-Related Prohibited Acts involving the President of the University, the disclosure shall be directed to the Chairman of the Stevenson University Board of Trustees or his/her designee. The Chairman shall consider the disclosure in consultation with the Board and take whatever action is appropriate

under the law. Such consideration may include disclosure to legal counsel and/or financial advisors.

### **Complaints of Retaliation as a Result of Disclosure of Resources-Related Prohibited Acts**

If a member of the Stevenson Community believes that he/she has been threatened or retaliated against for disclosing information regarding Resources-Related Prohibited Acts under this Policy, then he/she should file a written complaint to the University's President, Vice President, Dean, or Director seeking remedial action. For purposes of this policy, "retaliation" may include, but is not limited to, corrective action; failure to hire, promote or retain; adverse changes in compensation; harassment; or any discernable action related to wages, hours, conditions of employment or volunteer service; adverse academic or educational consequences; or physical, mental or reputational harm or threats thereof, any of which are reasonably perceived to be causally connected to the protected disclosure. Any employee who retaliates against someone who has made a report in good faith under this Policy is subject to disciplinary action, up to and including dismissal from the University.

### **Whistleblower Protections for Reporting Title IX/Clery Act-Related Prohibited Acts**

Title IX of the Education Amendments of 1972 (Title IX) protects the Stevenson Community against all forms of sex-based discrimination, including: sexual harassment, dating and domestic violence, and other forms of sexual misconduct, stalking and retaliation. Members of the Stevenson Community who experience discrimination or harassment based on sex or gender should contact the Stevenson University Title IX Coordinator. The Title IX Coordinator is also responsible for ensuring that sex offenses reportable under the Clery Act are reported in a timely manner to the Campus Police. An optional form for making the report can be found on the SUNow Portal. Data collected for Clery Act reporting is used to increase public safety, not to identify the victim; therefore, victim identifying information is not required. (Members of the Stevenson Community who report their concerns about Title IX/Clery Act-Related Prohibited Acts directly to governmental entities will be afforded the same protections under this Whistleblower Policy as those who follow the recommended reporting procedures outlined below.)

### **Reporting to Title IX Coordinator**

If a Stevenson University administrator, faculty or staff member receives an oral or written complaint of sex-based discrimination or sexual harassment, dating or domestic violence, or other forms of sexual misconduct, stalking or retaliation involving a member of the Stevenson Community, such person has an affirmative responsibility to promptly inform Stevenson University's Title IX Coordinator, Pamela L.A. Barkett, (443) 334-2176, pbarkett@stevenson.edu. Stevenson students are also encouraged to report any sex-based discrimination or sexual harassment, dating or domestic violence, or other forms of sexual misconduct, stalking or retaliation involving a member of the Stevenson Community. The Title IX Coordinator will respond to the report in accordance with Stevenson University's policy and procedures. Employees of Stevenson who experience or are aware of such sex-based

discrimination or sexual harassment or other unlawful forms of discrimination should follow the Harassment Reporting Procedures set forth in Volume II – Campus Compliance Policies, section 2.4.

### **Title IX/Clery Act Retaliation Prohibited**

The University strictly prohibits any retaliation (including, but not limited to, harassment, adverse employment action, and/or academic or educational consequences) by any person (including all members of the Stevenson Community) against any individual for reporting a reasonable belief or suspicion of sex-based discrimination or sexual harassment, dating or domestic violence, or other forms of sexual misconduct, stalking or retaliation, even if that good faith belief is later determined to have been incorrect.

### **Complaints of Retaliation as a Result of Disclosure of Title IX and/or Clery Act Violations**

If a member of the Stevenson Community believes that he/she has been threatened or retaliated against for reporting information regarding sex-based discrimination or sexual harassment, dating or domestic violence, or other forms of sexual misconduct, stalking or retaliation under this policy, then he/she should promptly inform Stevenson University's Title IX Coordinator, Pamela L.A. Barkett, (443) 334-2176, pbarkett@stevenson.edu. If for any reason that member feels uncomfortable voicing his/her concerns to the Title IX Coordinator, then he/she should contact the University's President, Vice President, Dean, or Director of the applicable University department. For purposes of this policy, "retaliation" may include, but is not limited to, corrective action; failure to hire, promote or retain; adverse changes in compensation; harassment; or any discernible action related to wages, hours, conditions of employment or volunteer service; adverse academic or educational consequences; or physical, mental or reputational harm or threats thereof, any of which are reasonably perceived to be causally connected to the protected disclosure. Any employee who retaliates against someone who has made a report in good faith under this policy is subject to disciplinary action, up to and including dismissal from the University.

### **Whistleblower Protections for Reporting Health and Safety-Related Prohibited Acts**

The University complies with all applicable occupational safety and health standards issued under the federal Occupational Safety and Health Act (OSHA); Maryland Occupational Safety and Health Act of 1973 (MOSHA). The University prohibits all violations of occupational safety and health standards, rules, regulations and orders issued under MOSHA (Health and Safety-Related Prohibited Acts) applicable to the University. Members of the Stevenson Community who are aware of or in good faith suspect the occurrence of any Health and Safety-Related Prohibited Acts are encouraged to report their concerns in accordance with the procedures set forth below. They can be assured that they will not experience reprisals, retaliation, or other negative consequences of any kind from the University by adhering to the procedures set forth below for reporting Health and Safety-Related Prohibited Acts. (Members of the Stevenson Community who report their concerns about Health and Safety-Related Prohibited Acts directly to governmental entities will be

afforded the same protections under this Whistleblower Policy as those who follow the recommended reporting procedures outlined below.)

### **Process for Disclosure of Health and Safety-Related Prohibited Acts**

The University encourages any person who in good faith believes or suspects that Health and Safety-Related Prohibited Acts have been committed to report immediately his/her concerns to the Assistant Vice President, Facilities & Campus Services; President; Vice President; Dean or Director of the applicable University department, or to the confidential Ethics Hotline vis 24/7 access by phone (1-800-765-3277) or website ([www.bhsonline.com](http://www.bhsonline.com)). All reports of Health and Safety-Related Prohibited Acts will be considered confidential to the fullest extent allowed by law and to the fullest extent practicable, and will be shared with others only on a “need to know” basis. Reports may be made anonymously; however, any investigation may be hampered or impracticable if the reporting individual cannot be identified and questioned about the allegations and related facts.

The University requires that all members of the Stevenson Community refrain from engaging in Health and Safety-Related Prohibited Acts. In the event a member of the Stevenson Community learns of any such Health and Safety-Related Prohibited Acts, he/she is expected to, as soon as reasonably practicable, follow the disclosure procedures set forth in this Policy. (Employees or their representatives also have the right to file a complaint directly with the Commissioner of the Maryland Department of Labor, Licensing and Regulation (DLLR) requesting an inspection if they believe unsafe or unhealthful conditions exist in their workplace. The Commissioner will withhold names of employees complaining upon request. Members of the Stevenson Community who report their concerns about Health and Safety-Related Prohibited Acts directly to government entities will be afforded the same protections under this Whistleblower Policy as those who follow the recommended reporting procedures outlined herein.)

As stated above, the University strictly prohibits any retaliation (including, but not limited to, harassment, adverse employment action, and/or academic or educational consequences) by any person (including all members of the Stevenson Community) against any individual for reporting a reasonable belief or suspicion of Health and Safety-Related Prohibited Acts, even if that good faith belief is later determined to have been incorrect.

### **Follow-up on Reports of Health and Safety-Related Prohibited Acts**

After receiving a report, the Dean, Director, or Vice President shall consult with the President or his/her designee, typically the Assistant Vice President, Facilities & Campus Services. The University will investigate, inspect, and, if necessary, take reasonable remedial action designed to correct reported Health and Safety-Related Prohibited Acts.

### **Complaints of Retaliation as a Result of Disclosure of Health and Safety-Related Prohibited Acts**



If a member of the Stevenson Community believes that he/she has been threatened or retaliated against for disclosing information regarding Resources-Related Prohibited Acts under this Policy, then he/she should file a written complaint to the University's President, Vice President, Dean, or Director requesting an appropriate remedy. For purposes of this Policy, "retaliation" may include, but is not limited to, corrective action; failure to hire, promote, or retain; adverse changes in compensation; harassment; or any tangible action related to wages, hours, conditions of employment or volunteer service; adverse academic or educational consequences; or physical, mental or reputational harm or threats thereof, any of which are reasonably perceived to be causally connected to the protected disclosure. Any employee who retaliates against someone who has made a report in good faith under this Policy is subject to disciplinary action, up to and including dismissal from the University.

### **Whistleblower-Related Auditing Processes**

The University is audited each year by an independent accounting firm that reviews the following documents: Financial Statements, Schedule of Federal Awards (A133), and the 403(b) Retirement Program. The University does not utilize the services of the selected firm for any other general non-auditing services.

The Audit, Finance and Property Committee of the Board of Trustees meets with the audit partner and senior manager from the firm on a minimum of an annual basis to discuss audit results and current business, management, and governance practices in private, nonprofit higher education. The Audit, Finance and Property Committee receives the most current financial and budget reports at each meeting, prepared by the University's business office, which monitors and provides monthly financial reports to the President. The Board of Trustees has an Investment sub-committee that is responsible for the selection and monitoring of the University's investment holdings. This sub-committee is comprised of one or more trustees who are Certified Public Accountants with considerable financial expertise. No voting member of the Board of Trustees receives any financial compensation from the University. The President serves as a non-voting ex-officio member to the Board of Trustees. All University staff members who serve to support functions of the Board of Trustees do not participate in voting.

### **Whistleblower-Related Records Retention and Destruction**

Stevenson University shall maintain all operating records, including and not limited to financial, tax, license, permits, human resources and budget records, for a period of no less than the time required by applicable laws or regulations. Failure to retain those records for those minimum periods could subject the University to penalties or fines, cause the loss of rights, obstruct justice, spoil potential evidence in a lawsuit, place the University in contempt of court, or seriously disadvantage the University in litigation. University personnel should exercise the highest degree of care in preserving documents that further in any way the interests of University. In the event University personnel has any doubt about the need to preserve a particular record, he/she is required to consult with his or her supervisor for further direction. Stevenson University requires strict and exacting compliance with its Records Retention Policy. Failure to comply with this

Records Retention Policy may result in disciplinary action, up to and including dismissal from the University.

### **Records Associated with Litigation and/or Investigations**

All records (including, but not limited to, paper records, electronic files, email, voicemail and text messages) relevant to litigation, potential litigation, or government investigations must be preserved. If an employee believes, or if the University informs them, that University records are relevant to litigation, potential litigation, or government investigations (*i.e.*, a conflict, dispute or claim that could result in judicial or administrative agency investigation or legal proceeding), then the employee must preserve those records until the University advises them in writing that such records are no longer needed. This requirement supersedes any previously or subsequently established retention schedule for those University records. Employees are to retain indefinitely any and all records that reflect or relate in any way to any dispute or controversy involving a customer, vendor, donor, employee, student, *etc.* of the University. If an employee believes that they are in possession of any such records, or have a question regarding the possible applicability of the University's requirement to preserve all litigation-related and investigation-related records, they should contact the Vice President, Human Resources to discuss all questions or concerns.

### **Record Destruction**

Records that are permitted by law to be destroyed shall be destroyed in a manner that ensures no personal identifying information remains. It is a crime to intentionally alter, mutilate, conceal, cover up, falsify, make a false entry in, or destroy any record related to any governmental proceeding or investigation, or to cause someone else to do the same. Violators of this Record Destruction Policy will be subject to disciplinary action, up to and including termination and/or dismissal from the University.

The Chief Financial Officer shall have primary oversight of this policy. Each Vice President, Dean, Chair or Director of the applicable University department shall have responsibility for records retention and destruction compliance for all records maintained in or by his or her respective department. The Audit, Finance and Property Committee of the Board of Trustees retains the authority to conduct periodic audits of departmental records retention and destruction practices.

### **Prohibition Against Unlawful Retaliation**

There are many laws and regulations that explicitly prohibit organizations such as Stevenson University from retaliating against individuals who exercise certain statutory rights.

Specifically, Stevenson University will not retaliate in any way against an individual who asserts rights under applicable laws that forbid such retaliation, including, but not limited to; Title IX of the Education Amendments of 1972; the Federal and Maryland Occupational Safety and Health Acts; False Claims Act; Affordable Care Act; Title VII of the Civil Rights Act of 1964; Equal Pay Act; Section 1981 of Civil Rights Act of 1866; Civil Rights Act of 1871; American Recovery and Reinvestment Act of 2009; Animal Welfare Act; Racketeer Influenced and Corrupt Organizations Act; Major Fraud Act; Employee Retirement Income Protection Act of 1974; Age Discrimination

in Employment Act; Americans with Disabilities Act; ADA Amendments Act of 2008; Pregnancy Discrimination Act; Family and Medical Leave Act; Fair Labor Standards Act; Fair Credit Reporting Act; Labor Management Relations Act; National Labor Relations Act; Uniformed Services Employment and Reemployment Rights Act of 1994; Safe Drinking Water Act; Sarbanes-Oxley Act of 2002; Maryland law requiring reasonable accommodation for disabilities due to pregnancy; and any and all other federal, state, local laws, and rules or regulations promulgated thereunder that prohibit Stevenson University from retaliating against those who assert rights.

The University encourages any person who in good faith believes or suspects Stevenson University's non-compliance with any of the laws and regulations recited immediately above to report immediately his/her concerns to the President, Vice President, Dean or Director of the applicable University department, or to the confidential Ethics Hotline vis 24/7 access by phone or Internet (1-800-765-3277; [www.bhsonline.com](http://www.bhsonline.com)). All reports of concerns about these compliance areas will be considered confidential to the fullest extent allowed by law and to the fullest extent practicable, and will be shared with others only on a "need to know" basis. Reports may be made anonymously; however, any investigation may be hampered or impracticable if the reporting individual cannot be identified and questioned about the allegations and related facts.

The University requires the Stevenson Community to comply with any and all applicable laws that forbid retaliation against persons who exercise their legal rights thereunder. Anyone within the Stevenson Community who violates this anti-retaliation policy will be subject to disciplinary consequences, which may include, but are not necessarily limited to, termination of relationship with the Stevenson Community.

## **2.3 SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE, AND STALKING POLICY** (Approved November 2016)

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### **Prohibition of Sexual Misconduct**

Stevenson University believes that members of the Stevenson University community have the right to be free from acts of sexual misconduct, relationship violence, and stalking. The University is committed to providing a safe and non-discriminatory learning and working environment. Accordingly, by this Policy, all members of the Stevenson community and all visitors, regardless of sex, gender, sexual orientation, gender identity, or gender expression are advised that any sexual misconduct by any student, employee, or third party is prohibited. Any attempt to commit sexual misconduct, or to assist or willfully encourage any such act, is a violation of this Policy. Sexual misconduct is contrary to the basic values of Stevenson, which include promoting a sense of community, fostering learning, instilling integrity, and achieving excellence. Stevenson is committed to providing for the prompt and equitable resolution of all complaints of sexual misconduct.

This Policy applies to all complaints of sexual misconduct in Stevenson's education programs and activities. Stevenson also prohibits sexual misconduct by all third parties on Stevenson's campuses and during Stevenson activities. Third parties include but are not limited to visitors, guests, volunteers, vendors and contractors while on University property, participating in a University event, or providing services to the University, applicants for admission to or employment with the University, and former employees and students of the University. The Policy and Procedures also applies to sexual misconduct that occurs off campus among members of our community and will be addressed in the same manner as if the incident occurred on campus.

Violations of this policy may result in disciplinary action up to and including removal from the University for students and termination of employment for faculty and staff. When used in this policy the term "complainant" refers to a person claiming that a violation of this Policy occurred, and the term "respondent" refers to a person accused of violating this Policy.

To implement this Policy, Stevenson has identified a Title IX Coordinator, whose duties include oversight of Stevenson's compliance on campus with Title IX of the Education Amendments of 1972 and the response to Title IX reports and complaints, carrying out Stevenson's Title IX responsibilities, addressing patterns or systemic problems revealed by complaints, and ensuring the following: the Policy and its Procedures are well publicized; employees are trained on the Policy and Procedures; students are notified of the Policy and Procedures; allegations of violations of the Policy and Procedures are investigated; and any appeals of the Policy and Procedures violations are handled in a fair, equitable and appropriate manner.

## Definitions and Consensual Relations

- A. **Sexual Misconduct:** Sexual misconduct means any unwelcome conduct of a sexual nature, including any conduct or act of a sexual nature perpetrated against an individual without Consent. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by men or by women, and it can occur between people of the same sex or different sex. The University encourages reporting of all Sexual Misconduct. Sexual Misconduct includes, but is not limited to, sexual harassment, sexual assault, sexual exploitation, sexual intimidation, non-forcible sex acts, dating violence, domestic violence, and stalking.
- B. **Consent:** Consent is defined at Stevenson as: clear and unambiguous agreement expressed in mutually understandable words or actions to knowingly and voluntarily engage in specific sexual or intimate activity or conduct. Consent is not present (1) if obtained through the use of force, threat, coercion, or intimidation; or (2) when an individual is incapacitated; or (3) if given by someone who is not able to effectively communicate or to understand the nature of the conduct being engaged in. Silence or an absence of resistance on the part of the individual does not imply or constitute consent. Past consent does not imply future consent. Consent to one act does not constitute consent to another act. Consent can be withdrawn at any time including during a sexual act. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- C. **Incapacitated:** Incapacitated means that a person lacks the capacity to give consent to sexual activity due to: physical condition, including but not limited to sleep, lack of consciousness, alcohol, or drugs; or mental or physical disability that impairs the individual's ability to provide consent; or age. Incapacitation due to physical condition includes the inability, temporarily or permanently, to give consent, because the individual is mentally and/or physically helpless due to drug or alcohol consumption, either voluntarily or involuntarily, or the individual is unconscious, asleep or otherwise unaware that the sexual activity is occurring. Other signs of incapacitation include when an individual demonstrates that they are unaware of where they are, how they got there, or why or how they became engaged in a sexual interaction. Stevenson considers sexual contact while under the influence of alcohol to be risky behavior. Alcohol impairs a person's decision-making capacity, awareness of the consequences, and ability to make informed judgments. Being intoxicated or impaired by alcohol or drugs is never an excuse for sexual misconduct and does not excuse one from the obligation to obtain consent.
- D. **Dating Violence:** Dating violence means a violent act committed by a person who is or has been in a social relationship of a romantic nature or intimate nature with the complainant, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse and the threat of such abuse, but excludes acts covered under domestic violence.

- E. **Domestic Violence:** Domestic violence includes asserted violent misdemeanor and felony crimes of violence committed by the complainant's current or former spouse, cohabitant or intimate partner or domestic partner, person similarly situated under domestic or family violence law, or anyone else (adult or child) protected under domestic or family violence law. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound.
- F. **Sexual Assault:** Sexual assault means any actual, attempted, or threatened sexual act or sexual contact with another person without that person's consent. Sexual Assault includes but is not limited to rape and attempted rape and any other acts using force, violence, threat, intimidation, or coercion, or use of duress or deception upon the victim, or taking advantage of a victim's inability to make reasoned decisions about sexual activity. This includes:
- a. *Non-Consensual Sexual Intercourse or Rape:* Non-consensual sexual intercourse or rape is any sexual intercourse, however slight, with any object, by one person upon another, which is without consent and/or by force, or attempts to commit same. It includes vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.
  - b. *Non-Consensual Sexual Contact:* Non-consensual sexual contact is any intentional and unwelcome sexual touching, however slight, with any object by a person upon another person that is without consent and/or by force, threat or intimidation, or attempts to commit same. It includes intentional and unwelcome contact with the genitals, breasts, thighs, buttocks, anus, or groin, touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts, any intentional bodily contact in a sexual manner, though not involving contact with/of/by genitals, breasts, thighs, buttock, anus, groin, mouth or other orifice.
- G. **Sexual Exploitation:** Sexual exploitation occurs when an individual takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. Examples include but are not limited to: invasion of sexual privacy; prostituting another person (i.e., personally gaining money, privilege, power or other benefit from the sexual activities of another); non-consensual video or audio-taping or photography of intimate or sexual activity; distributing sexual or intimate information via media including, but not limited to, the Internet; images or recordings of another without that individual's full consent; going beyond the boundaries of consent (such as allowing friends to hide in the closet watching consensual sex); causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such person; voyeurism; knowingly transmitting an STI or HIV to another student; exposing one's genitals in non-consensual circumstances or inducing another to expose

his/her genitals in non-consensual circumstances; and sexually-based stalking or bullying, including, but not limited to, through social media.

- H. **Sexual Harassment:** Sexual harassment, includes unwelcome sexual advances, requests for sexual favors, and other verbal, written, visual, physical or other unwelcome 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 or participation in an educational program; (2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive environment. Quid pro quo sexual harassment may exist when anyone with power or authority over another uses any academic or supervisory benefit or opportunity (such as grades, access, promotion, or evaluation) to subject such other person to unwanted sexual activity or attention or verbal or physical conduct of a sexual nature. Hostile Environment Harassment may exist when unwelcome sexual advances, requests for sexual favors, inappropriate displays of sexually suggestive material, and other verbal, written, visual, physical or other conduct of a sexual nature unreasonably interfere with an individual's work or academic performance or create an intimidating, hostile, or offensive campus environment. This harassment must be sufficiently severe, pervasive, persistent or patently offensive to affect the complainant's ability to participate in or benefit from an employment or educational program or activity, and must create an offensive or abusive environment. Sexual harassment, like all forms of unlawful harassment, may occur between peers, or between individuals in a hierarchical relationship or otherwise in positions of unequal power. It may involve elements of coercion. Sexual harassment may be unwelcome gender-based verbal, written, visual, physical or other conduct directed toward an individual of the same or of another gender. It may consist of repeated actions or may arise from a single action if sufficiently egregious. All forms of sexual misconduct set forth in this policy are prohibited forms of sexual harassment.
- I. **Stalking:** Stalking is any knowing or intentional course of conduct directed at a specific person involving following, monitoring, observing, surveilling, communicating to or about, threatening or intimidating another by telephone, mail, electronic communication, social media, in person or any other action, device or method that would cause a reasonable person to suffer substantial emotional distress or to fear for his or her safety or the safety of others. For this definition, a course of conduct means two or more acts undertaken or caused directly or indirectly by the perpetrator.
- J. **Title IX:** Title IX refers to Title IX of the Education Amendments of 1972, which is a federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. Sexual harassment, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX and other laws.

K. **Title IX Coordinator:** The Vice President Human Resources (or their successor) is Stevenson’s Title IX Coordinator for students, faculty, staff, and administration. The role of the Coordinator is described in the section called “Prohibition of Sexual Misconduct”. The contact information for the Title IX Coordinator is as follows:

Pamela L.A. Barkett  
Stevenson University  
1525 Greenspring Valley Road  
Stevenson, MD 21153  
443-334-2176  
pbarkett@stevenson.edu

### **Consensual Relationships Involving Employees**

The educational mission of the University is promoted by professionalism in employee-student and employee-employee relationships. Professionalism is fostered by an atmosphere of mutual trust and respect.

When two parties have consented at the outset to a romantic or sexual involvement, such consent does not preclude a charge of sexual harassment for subsequent unwelcome conduct of a sexual nature. Moreover, especially when the relationship is between persons in unequal positions, the relationship may be perceived in different ways by each of the parties to it, as well as coworkers and fellow students, especially in retrospect.

Romantic or sexual relationships between University employees are often inappropriate and such relationship between employees and students are always inappropriate. University employees exercise power over students in many ways, whether in giving them praise or criticism, evaluating them, making recommendation for their further studies or their future employment, or conferring other benefits on them. Similarly, University employees may exercise power or other influence over fellow employees.

- a. *Students.* Given the fundamentally asymmetrical nature of an employee-student relationship, voluntary consent by the student in an amorous relationship is suspect. In addition to the possible sexual exploitation of the student involved, other students and employees may be affected by the relationship. Therefore, the University prohibits romantic and sexual relationships between University employees and any student enrolled at the University (except enrolled spouses /domestic partners who are exempted from this policy).
- b. *Employees.* Romantic or sexual relationships between employees that might be appropriate in other contexts may, within the University community, create the appearance or fact of an abuse of power or of undue advantage. Where such a relationship exists, the person in the position of greater authority or power will bear the primary burden of accountability, and must ensure supervisory or evaluative function over the other person in the relationship is not exercised. Where such recusal is required, the recusing party must also notify his or her



supervisor, department chair or dean, so that such chair, dean or supervisor can exercise his or her responsibility to evaluate the adequacy of the alternative supervisory or evaluative arrangements to be put in place. The responsibility for recusal and notification rests with the person in the position of greater authority or power. Failure to comply with these recusal and notification requirements is a violation of this policy and therefore grounds for discipline.

In addition, the University expects that, even in the absence of an amorous relationship, all members of the campus community recognize the existence of professional boundaries beyond which relationships become unprofessional and inappropriate.

### **What To Do After A Sexual Assault**

Immediately after an assault, the victim is strongly encouraged to do the following:

- A. **Get out of physical danger.** The victim should go to a safe place, call a friend, family member, the room of the Resident Assistant, or the Wellness Center (if during weekday business hours). The victim also may choose to call 911 or refer to other sources of support described in this policy.
- B. **Report the assault to Campus Security.** Campus Security contact information is as follows:
  1. *Owings Mills Campus:* Ratcliffe Community Center, Front Entrance, (100 Campus Circle, Owings Mills, MD 21117); phone number: 443-352-4500.
  2. *Greenspring Campus:* phone numbers: 443-352-4500; 410-486-7000 (this number is for the University receptionist; simply ask for Security when you call).

The victim also will be advised of her/his right to file a complaint with the police and to seek a Peace Order from the local court. The Director of Security or the Security Shift Supervisor can assist in contacting the police or pursuing a Peace Order. Filing a report with Stevenson does not preclude filing a police report or seeking a Peace Order.

- C. **Preserve physical evidence.** If there has been a sexual assault, removal of clothes or bathing or cleaning up in any way may destroy essential evidence. Therefore, to preserve evidence, the victim should not shower, bathe, go to the bathroom, douche, smoke, eat, drink or brush teeth or hair, or change clothes or bedding before going to the hospital or medical facility. Save all clothing worn at the time of the assault; if the victim has changed clothes, do not wash them and bring them to the hospital or medical facility. Do not disturb anything in the area where the assault occurred.
- D. **Preserve important information.** Write down as much as can be remembered about the circumstances of the assault, including a physical description of the assailant. If the alleged perpetrator was unknown to the victim, try to remember any helpful details that may lead to his or her identification, such as scars or other marks, jewelry, dress, language, approximate

height and weight in comparison to that of the victim, vehicle description, and tag number. Write these down as soon as possible, and include the date and time of writing.

E. **Obtain medical attention and forensic examinations.** Victims may receive care at a local hospital, urgent care facility, or through their personal physician, and can obtain a free exam to preserve forensic evidence.

1. **Medical Care.** Students may also seek medical care—and make confidential reports—at the Stevenson University Wellness Center (443-352-4200). The Wellness Center is open Monday through Friday, 9:00 a.m. – 5:00 p.m. with extended hours until 7:00 p.m. on Tuesday and Wednesday. A nurse practitioner or physician will conduct an examination for physical injuries, discuss emergency contraception, and test for STIs. No fees will be charged by the Wellness Center. The Wellness Center will not perform a forensic examination or evidence collection. When you make a report to the Wellness Center of a sexual assault, your report is kept confidential and will not be disclosed unless you direct otherwise.

2. **Sexual Assault Forensic Exam.** If there has been a sexual assault, the victim is strongly encouraged to immediately get a free Sexual Assault Forensic Exam (S.A.F.E.) at the Greater Baltimore Medical Center in Towson (6701 North Charles Street, Towson, Maryland 21204, 443-849-3323 or after business hours 443-849-2226) or another similar facility, no later than five (5) days after the assault. Campus Security will coordinate transportation to the hospital for the S.A.F.E. examination, if requested. For more information about the S.A.F.E. examination, contact a Residence Life Staff Member or call TurnAround’s 24-hour hotline at 443-279-0379. Even if the victim is undecided whether to make a police report, evidence may still be collected in a S.A.F.E. examination, and it will be held under an anonymous name for 60 days, giving the victim an opportunity to decide.

F. **Obtain Counseling and/or Other Advocacy Services.** Mental Health Counselors and Health Care Professionals located in the Stevenson University Wellness Center (443-352-4200) are available to provide confidential counseling and support to student victims and can assist them in evaluating the options available. After normal business hours, students wishing to speak to a professional in the Wellness Center may do so by simply contacting Campus Security and requesting that a counselor from the Wellness Center contact them. Employees may contact Business Health Services, the University’s Employee Assistance Program, 1-800-327-2251.

Crisis counseling is also available from TurnAround, Inc., which provides counseling and support services to victims of domestic violence and sexual assault. Legal assistance and victim advocacy services may also be accessed by contacting the Sexual Assault Legal Institute (SALI) which is a program of the Maryland Coalition Against Sexual Assault (MCASA).

Contact information for each organization is provided below:

Wellness Center  
Stevenson University  
Caves Building  
443-352-4200

TurnAround  
24-hour Crisis Hotline  
443-279-0379  
www.turnaroundinc.org

MCASA  
Sexual Assault Legal Institute  
24-hour Crisis Hotline  
877-496-7254 or  
301-565-2277  
www.mcasa.org

**G. Criminal complaint:** A person who believes they are a victim of sexual violence may also contact law enforcement authorities and decide whether to file a criminal complaint. Law enforcement may be contacted by dialing 911 and an officer from the appropriate jurisdiction will respond and take a report detailing the circumstances of the allegation. Campus Security will provide help to a victim in making this contact with law enforcement authorities if requested by the victim. The victim also has the right not to report the incident to criminal authorities. A law enforcement inquiry does not alter Stevenson's obligation or commitment to conducting a prompt investigation. While Stevenson may temporarily delay its investigation while law enforcement authorities investigate, that investigation is a separate process. However, Stevenson will not wait until the outcome of a criminal proceeding to undertake an investigation and make a decision on the complaint. Stevenson will take appropriate interim steps during the law enforcement agency's investigation to provide for the safety of the victim(s) and the school community.

### **Confidentiality**

Stevenson believes that confidentiality is an important element in its Policy and that all parties should understand the different stages at which confidentiality issues arise and what are the rights and expectations.

**A. Confidential Report of Sexual Misconduct.** As noted above, if a sexual assault or other form of sexual misconduct occurs, the student victim has the important option to make a confidential report to Stevenson's Mental Health Counselors and Health Care Professionals located in the Wellness Center and the contact hours and information are described above. These reports will not be disclosed without the victim's permission.

Employees wishing to make a confidential report may contact Business Health Services (6225 Smith Avenue, Baltimore, MD 21209 1-800-327-2251).

**B. Confidentiality in Connection with the Report to the Vice President, Human Resources/Title IX Coordinator and Others.** If a victim decides to pursue an informal or formal report to Stevenson other than to the Wellness Center as described above, it is his or her right to determine how to proceed, which may include asking for confidentiality or asking that the complaint not be pursued. Stevenson University will strive to maintain confidentiality.

While Stevenson will make good faith efforts to provide confidentiality to the parties in sexual misconduct matters, the University is not able to ensure total confidentiality. Stevenson will be as discreet as reasonably possible in conducting the investigation, limiting the disclosure of confidential information to individuals who are believed to have a legitimate basis for needing to have that information for that part of the investigation, or when Stevenson is required to respond to legal process, or when the University's need to protect the safety of others outweighs confidentiality concerns. Any decision regarding the release of confidential information, and to whom, will be made by Stevenson University's Title IX Coordinator (or designee) in consultation with the Director of Security (or designee).

Notification by a complainant that he or she is seeking anonymity or confidentiality or does not want Stevenson to conduct an investigation greatly restricts the University in addressing the matters alleged, and Stevenson's response will depend on the facts of the matter. In considering whether to honor a request for anonymity or confidentiality, Stevenson will weigh the request against Stevenson's obligation to provide a safe, non-discriminatory environment for all students and employees, including the complainant. Stevenson may determine that it will undertake an investigation when, in Stevenson's judgment, that is necessary to protect the welfare of the University community.

Stevenson will inform complainant prior to starting any investigation. Stevenson is committed to taking ongoing steps to protect the complainant from retaliation or harm and to work with the complainant to make reasonable efforts to ensure their safety. If the University is required to notify the campus community of the assault, including recording the assault in the campus crime log and the Annual Security Report, no identifying information about the complainant will be included, to the extent permissible by law. Parties are not restricted from discussing and sharing information related to the complaint with advisors that may support or assist them in presenting their case.

- C. Confidentiality in Connection with the Investigation and Resolution.** Stevenson recognizes that confidentiality is important in matters of alleged sexual misconduct. All individuals involved in an investigation conducted under this policy, including the complainant, the respondent, advisors, and witnesses, are required to keep confidential any information learned in preparation for and during the investigation and appeal process.

## **Reporting Violations of this Policy**

### **A. Informal Resolution**

1. In many instances, counseling, advice, or informal discussion may be useful in resolving concerns about allegations of discrimination prohibited by Title IX.

Complainants who wish to resolve their concerns informally should bring them to the attention of the Vice President, Human Resources/Title IX Coordinator.

2. In working to resolve the matter, the Vice President, Human Resources/Title IX Coordinator (or designee) or the Director, Student Conduct (or designee) will interview the complainant and, as appropriate, others who may have knowledge of the facts underlying the complaint. At any point, including while the informal process is ongoing or afterward, the complainant may elect to end the informal process in favor of filing a formal complaint.

Although Stevenson encourages informal resolution of complaints when appropriate, it will not use mediation between a complainant and respondent or any other informal resolution mechanism to resolve complaints pertaining to sexual assault.

- B. Formal Report of Sexual Misconduct.** Reports of sexual misconduct should be made to the Vice President of Human Resources/Title IX Coordinator, Stevenson’s Security Office, or the Vice President, Student Affairs. While there is no time deadline for making such a report, the earlier the better as important information or evidence may become unavailable due to delayed reporting. It is also recommended that a report be made by the complainant in writing. However, reports may also be made orally. The contact information for each of the above is as follows:

Pamela L.A. Barkett VP Human Resources/ Title IX Coordinator Knott Hall A108 Greenspring Campus 443-334-2176 pbarkett@stevenson.edu	Security Office Ratcliffe Community Center Owings Mills Campus 443-352-4500	Claire Moore VP Student Affairs Rockland Center 214 Owings Mills Campus 443-352-4307 cmoore@stevenson.edu
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All employees (e.g. faculty, staff, and resident assistants) to whom a report is made must then report the incident to Campus Security (443-352-4500, Ratcliffe Community Center, Owings Mills Campus), including identifying information about the parties involved.

- C. Notice.** Once a report of alleged sexual misconduct is made, the Vice President, Human Resources/Title IX Coordinator (or designee) will contact the complainant to confirm that the report has been received, provide support, and ensure the complainant is made aware of various resources. Promptly after the University has determined that an investigation is to be undertaken, the complainant and respondent will be notified in writing that a complaint has been received by the University and will be investigated under this Policy.
- D. Interim Measures.** Stevenson will take measures it deems necessary in response to an allegation of sexual misconduct in order to protect students’ and employees’ rights and personal safety following receipt of the complaint, both during the investigatory period and

following the investigation. For students, such measures include, but are not limited to, restrictions on contact between the parties, restrictions from being present on certain areas of the campus, removal or relocation from residence halls and residential areas of the campus, arranging for an escort while moving between classes, changes to class schedules, alteration in campus employment or work-study arrangements, leaves of absence from the University, special transportation measures, change in position or supervisor, providing counseling services, academic support services such as tutoring, interim suspension from campus pending the outcome of the investigation, and reporting the matter to the local police. For employees, some of these measures may also be appropriate. Requests for interim measures may be made to the Vice President, Human Resources/Title IX Coordinator or designee. Good faith efforts will be made to grant such requests if interim measures are reasonably available and appropriate and to limit any negative impact of such measures. However, Stevenson is obligated to comply with a student's reasonable request for a residential and/or academic situation change following an alleged sex offense. *Stevenson University will maintain as confidential any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.*

- E. **Student Amnesty Policy and Bystander Intervention.** Stevenson University is committed to the safety and well-being of all of its students. As such, Stevenson has a variety of policies in place to help enhance the safety of the campus community. Stevenson encourages the reporting of sexual misconduct. Sometimes, students may be reluctant to come forward and report an incident of sexual misconduct, or serve as a witness, because they are concerned that they may be charged with violating other campus policies, such as Stevenson's alcohol or drug policy. Therefore, for students who report an incident of sexual misconduct or who serve as witnesses to an incident of sexual misconduct, the University will not institute disciplinary sanctions for his or her own personal consumption of drugs or alcohol related to the incident as long as any such violations did not place the health or safety of any other person at risk. Stevenson may pursue other educational remedies regarding the use of alcohol and illegal drugs in order to protect the health and well-being of the student.
- F. **Criminal complaint.** As described in more detail in the above section titled "What to Do After a Sexual Assault", a person who believes they are a victim of sexual misconduct may also contact law enforcement authorities and decide whether to file a criminal complaint. A person has the right not to report the incident to criminal authorities.

### **Investigations of Complaints of Sexual Misconduct**

Stevenson University is committed to providing a prompt, fair, equitable and impartial investigation and resolution to all reports of sexual misconduct. Regardless of how or when a report of sexual misconduct is made, except for confidential, privileged communications between

the health practitioner and the complainant, and except when specific circumstances preclude an investigation, Stevenson will investigate to determine whether a violation of this policy occurred.

- A. **Investigation.** The investigation of a report of sexual misconduct will begin promptly after the Vice President, Human Resources/Title IX Coordinator (or designee) has received the complaint, and normally within five (5) business days after the Notice has been issued to the complainant and the respondent. The complainant and respondent will be promptly informed regarding who will be investigating the complaint and what to expect during the investigation process. Investigations involving students will be led by the Director, Student Conduct (or designee) and investigations involving faculty or staff will be led by a member of the office of the Vice President, Human Resources/Title IX Coordinator (or designee); in both cases a second investigator normally will be appointed who will be a Stevenson administrator who has received annual training on issues related to sexual misconduct as defined above. The investigation will normally include interviewing the complainant(s), respondent(s), witnesses, and other relevant individuals. Both the complainant and the respondent may provide the investigator(s) with the names of witnesses, documents, and other information. Relevant information and documentation, if any, will be obtained by the investigator(s). The interviews, meetings, and other proceedings are not electronically recorded by Stevenson and may not be recorded by others.
- B. **Assertions and Evidence.** The investigator(s) will request that the complainant describe in detail his or her assertions and provide pertinent witnesses, records, exhibits, and witness statements as evidence for consideration at the discretion of the investigator(s). The respondent will have the allegations described to him or her and the investigator(s) will request that the respondent respond in detail to the assertions and provide pertinent witnesses, records, exhibits, and witness statements as evidence for consideration at the discretion of the investigator(s). The complainant and the respondent are afforded equal procedural rights during the investigation. The investigator(s) will exercise their discretion in deciding which other individuals identified as witnesses during the investigation should be interviewed. No expert witnesses shall be permitted. All investigatory interviews with the complainant, respondent, and witnesses shall be conducted in private with the pertinent investigator(s) and/or other Stevenson administrators, if any, as determined by the investigator(s). The respondent will not be present for the complainant's interviews; the complainant will not be present for the respondent's interviews.
- C. **Prior or Current Sexual Conduct.** The complainant's prior sexual relationships or conduct are neither relevant nor admissible during the investigation and will not be considered, other than the prior sexual relationship or conduct with the respondent if the respondent alleges consent during the investigation. The fact that a complainant may currently have or had in the past a dating or sexual relationship with the respondent that was consensual is not sufficient by itself to constitute consent and does not preclude a determination that sexual misconduct occurred.

- D. **Timeframes.** Stevenson strives to complete its investigations and resolve cases in a timely manner and will make reasonable efforts to complete its investigation and decision within sixty (60) days of the report. The time period will be affected by unusual or unexpected circumstances, witness availability issues, and the extent of the investigation. In addition, if the investigation involves multiple incidents or multiple complainants or respondents, the investigation may take longer than sixty (60) days. If the Title IX Coordinator determines that good cause exists for an extension of time, Stevenson will issue a limited extension and will provide notice of any extension in writing to the complainant and the respondent.
- E. **Advisors.** Complainants and respondents may be accompanied throughout the investigation and appeal process by an advisor of their choice who agrees to keep the matter confidential. The purpose of the advisor is to provide advice to the student or employee in a quiet manner that is not disruptive to the proceedings. The advisor may not provide verbal, written, or other input during meetings or interviews in the investigation or appeal process other than to the student or employee being advised. An advisor cannot serve as a witness on the same complaint.
- F. **Preservation of Evidence.** The Title IX Coordinator and/or investigators will request that the complainant, the respondent, any witnesses and the University preserve all relevant evidence, including paper documents, email and other electronically stored information, text messages, voicemail messages, photos, and postings on social media.

## **Resolution and Discipline**

- A. **Written Decision.** Upon completion of the investigation, and after consultation with the Title IX Coordinator, the investigator(s) will prepare a document containing the investigative findings and the rationale for the findings. The investigation may result in one of two outcomes set forth in a written decision: (1) a decision that the respondent did not violate this policy or (2) a decision that the respondent violated this policy. The investigator(s) will base the decision on the evidence presented and use **the preponderance of the evidence standard** in reaching the decision.
- B. **When a Student is the Respondent.** When the respondent is a student and the decision of the investigator(s) is that the respondent violated this policy, the investigator(s) will provide the written decision and recommended sanctions to the Dean of Students (or designee). The Dean of Students (or designee) will make a decision regarding the discipline or remedial action to be imposed in consultation with the Title IX Coordinator. The discipline or remedial action will be based upon the nature and severity of the offense, prior violations by and disciplinary history of the respondent, the impact of the conduct on the complainant and the community, whether the respondent is likely to engage in the conduct in the future, providing a remedy for any effects on a complainant or any other members of the community, and other mitigating or aggravating factors. Drug use or alcohol use are not mitigating factors. Discipline for students may include, but is not limited to, verbal or



written warnings; loss of rights or privileges; requirement to attend coaching or training sessions or to receive counseling or other support; changes to the respondent's living arrangements; and academic, social or other probation, suspension, or expulsion from activities, residence halls, academic classes, programs, schools, or the University. The Dean of Students (or designee) will provide the complainant and the respondent with written notification of the outcome of the University's investigation which will be given at the same time and shall be delivered in the same manner. The notification will include (1) whether or not the respondent violated this policy, and (2) if the finding is that the respondent violated this policy, a summary of the manner in which it was violated, and a description of the sanctions or discipline that the respondent has received or will receive to the extent that they pertain to the complainant.

**When a Faculty or Staff Member is a Respondent.** When the respondent is a faculty or staff member of Stevenson and the decision of the investigator(s) is that the respondent violated this policy, the written decision will be sent by the investigator(s) to the appropriate administrator (the "Administrator") as determined by the Vice President, Human Resources/Title IX Coordinator for a decision regarding the discipline or remedial action to be imposed. In consultation with the Title IX Coordinator, the Administrator will make a decision regarding the discipline, sanctions and/ remedial actions to be imposed, based on applicable University policy. Discipline for faculty and staff may include but is not limited to: written warnings, probation, demotion, suspension, or termination of employment. The Administrator will provide the complainant and the respondent with written notification of the outcome of the University's investigation, if any discipline will be imposed, which will be given at the same time and shall be delivered in the same manner. The notification will include (1) whether or not the respondent violated this policy, and (2) if the finding is that the respondent violated this policy, a summary of the manner in which it was violated, and a description of the sanctions or discipline that the respondent has received or will receive to the extent that they pertain to the complainant.

C. **Mediation.** Mediation of the complaint will not be allowed in cases alleging sexual assault.

## **Appeals**

A. **Written Appeal.** Written appeals are permitted only as set forth in this section. The appeal may be submitted by the complainant or the respondent or both. Students may appeal the decision and/or sanction to the Vice President, Student Affairs. Faculty members may appeal the decision and/or sanction to the Executive Vice President, Academic Affairs. Staff members may appeal the decision and/or sanction to the Vice President with whom the staff member ultimately reports. If the staff member ultimately reports to the Vice President, Human Resources, an appeal may be made to the Executive Vice President, Academic Affairs. The administrator authorized in this section to decide the appeal is referred to herein as the "appeals official." The appeal request must be in writing and made within seven calendar (7) days of notification of the decision. For the

purposes of this section, the date of notification shall be the date of the letter of notification.

- B. **Grounds for Appeal.** There is a presumption that the decision and any sanction or discipline were made properly, and the sole grounds for appeal that will be considered are: (1) A procedural error that significantly impacted the final decision; (2) Previously unavailable, substantive and relevant information that could materially impact the final decision; and (3) The sanction or discipline imposed is substantially disproportionate for the facts of the case or the violation that was found to have occurred. The burden of proof during the appeal is on the party appealing.
- C. **Notice.** When a party requests an appeal, the appeals official shall notify all other parties involved of the appeal. All other parties shall be provided with a written summary of the appeal and notified of their right to respond in writing within a timeframe set by the appeals official, normally 10 calendar days.
- D. **Decision.** The appeals official will review the written decision and any responses made by the parties, and may exercise the discretion to request further information or documents from the parties and/or the person who issued the original decision and/or to meet with the parties. If the appeals official elects to meet with the complainant or respondent, a meeting will be held with each separately. A complainant or respondent who is invited to meet with the appeals official in connection with the appeal may bring an advisor as described above.
- E. **Final Determination.** The decision of the appeals official shall be Stevenson University's final determination regarding the decision and the sanction. There are no further appeals. The appeals official will provide the complainant and the respondent with written notification of the outcome of the appeal which will be given at the same time and shall be delivered in the same manner. This notification will include (1) whether or not the original decision was changed or upheld and (2) if the original decision was changed, a description of the changes, including any sanctions or discipline that the respondent has received or will receive to the extent that they pertain to the complainant.

### **Protection Against Retaliation**

Stevenson University considers retaliation against the complainant or others involved in the process to be as serious as an act of sexual misconduct. Retaliation of any kind against any person, who in good faith reports sexual misconduct, assists another in making a complaint, participates in an investigation, or provides information in connection with a complaint or investigation, is prohibited. Good faith initiation of a complaint of sexual misconduct will not adversely affect a complainant's grades, class selection, or any other matter pertaining to student status, or in the case of employees, the individual's employment, compensation, or work assignment. Someone who believes that they are the victim of retaliation, or is aware of someone else who is the victim of retaliation, is encouraged to report this immediately to one of the following: Vice President,

Human Resources/Title IX Coordinator (443-334-2176), Stevenson’s Security Office (443-352-4500), or the Vice President, Student Affairs (443-352-4307).

### **Publication of Policy and Procedures**

The Vice President, Human Resources/Title IX Coordinator will be responsible for the publication of the Policy and Procedures to all students, faculty, staff, and administration and its review by all employees and students. The Policy and Procedures will be maintained on Stevenson’s external web site, Stevenson’s SUNow Portal, distributed via campus email, and included in the Student Policy Manual. It is the responsibility of all students and employees to review, understand, and comply with all Policy and Procedures.

### **Education**

Stevenson University is committed to educating the campus community on the topics addressed in this policy. All new students (residential and commuter) are required to successfully complete an online educational program through MyStudentBody.com. The program, which is a required component of the Stevenson University health form, focuses on three areas: alcohol, drugs and sexual violence.

In addition to requiring the [MyStudentBody.com](http://MyStudentBody.com) program for all new students, Stevenson University also offers educational programs throughout the academic year for students, faculty and staff. Recent examples of programs include, but are not limited to, the following: introduction to Stevenson’s Sexual Misconduct Policy during new student orientation; Sex Education and Healthy Relationships during new student orientation; sexual misconduct presentation offered to all students, faculty and staff by a national expert; Title IX training for senior leaders on campus; resident assistant training; and training for conduct officers and administrators involved in the investigation process.

Finally, resources pertaining to sexual assault prevention, sexual assault response, and other related topics may be found on the SUNow portal by going to the “Resources” page and clicking on “Wellness” as well as on MyStudentBody.com.

### **Amendments to Policy and Procedures**

The Sexual Misconduct Policy and Procedures are subject to change at any time. Such amendments shall be placed on Stevenson’s website, SUNow Portal, and will be inserted in the Student Policy Manual.

### **Title IX Statement**

It is the policy of Stevenson University to comply with Title IX of the Education Amendments of 1972, which prohibit discrimination (including sexual harassment and sexual violence) based on sex in the University’s educational programs and activities. Title IX also prohibits retaliation for asserting or otherwise participating in claims of sex discrimination.

## **Questions Pertaining to Title IX**

The designated official at Stevenson University to ensure compliance with Title IX is Pamela L.A. Barkett, Vice President, Human Resources, who serves as the University's Title IX Coordinator (1525 Greenspring Valley Road, Stevenson, MD 21153, Phone: 443-334-2176, [pbarkett@stevenson.edu](mailto:pbarkett@stevenson.edu)). Questions concerning Title IX or the application of Title IX to Stevenson University may also be referred to the Office for Civil Rights (OCR) of the U.S. Department of Education, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202.

## **2.4 POLICIES RELATED TO DISCRIMINATION AND HARASSMENT** (Approved June 2016)

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Stevenson University is committed to equal opportunity for its faculty, staff, and students. In order to provide equal employment and advancement opportunities to all individuals, employment, and admission decisions at the University will be based on merit, qualifications, and abilities. The University does not engage in discrimination or harassment in employment, admissions, or academic opportunities or practices on the basis of race, color, gender, sex (including pregnancy), disability, national origin, ethnicity, age, sexual orientation, gender identity or expression, religion, marital status, veteran, or Vietnam era veteran status, genetic information, or any other characteristic or status protected by federal, state, or local law in admission, treatment or access to, or employment in, its programs or activities.

Stevenson is subject to the provisions of "Title IX" and related regulations (45 C.F.R., Subtitle A, Part 86), which prohibit discrimination on the basis of sex in educational programs receiving federal financial assistance. The prohibition extends to employment practices. Inquiries concerning the application of "Title IX" should be addressed to the office of the Vice President, Human Resources/Title IX Coordinator.

The procedures set forth in this policy are not applicable to complaints of sexual misconduct, relationship violence, or stalking, which are processed under the Sexual Misconduct, Relationship Violence, and Stalking Policy of the University.

Individuals with questions or concerns about any type of discrimination in the campus community are encouraged to bring these issues to the attention of their immediate supervisor, Department of Human Resources, the Vice President, Human Resources/Title IX Coordinator or the Dean of Students as appropriate. Any member of the campus community can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination may be subject to disciplinary action up to and including expulsion from the University or termination of employment.

### **Discrimination and Harassment Are Prohibited**

The University is committed to maintaining and strengthening an environment that upholds standards of respect, civility and human dignity in an environment fostering learning and professionalism. It is the policy of the University to maintain an educational and work environment free from all types of discrimination and harassment, an open environment that values and protects individual dignity and the integrity of human relationships. Accordingly, all forms of discrimination against or harassment of any member of the University community, whether based on actual or perceived race, color, gender, sex (including pregnancy), age (except when age or sex is a bona fide qualification), disability, national origin, sexual orientation, gender identity or expression, religion, marital status, political affiliation, veteran, Vietnam era veteran

status, genetic information, or any other status protected by law, are prohibited. The above includes discrimination or harassment that is based upon the legally protected status of an individual with whom an employee, applicant or student associates.

**A. Relationship to Freedom of Expression.** The educational process at the University is based on mutual trust, freedom of inquiry, freedom of expression, and the absence of intimidation and exploitation. Such an atmosphere of respect and regard for individual dignity among members of the academic community is essential for the University to function as a center of academic freedom and intellectual advancement. In addition, the University has a compelling interest in assuring the provision of an environment in which learning and work may thrive. Such an environment requires free and unfettered discussion of the widest possible nature, one that encourages expression of all points of view. Discrimination and harassment, however, are not legally protected expression and are not an appropriate exercise of free inquiry or free expression. Discrimination and harassment compromises the integrity of the University and its standards of academic freedom and mutual trust, and will not be tolerated.

**B. Discriminatory Harassment.** Discriminatory harassment is strictly prohibited by this policy and by federal, state and local law. It is verbal, written, visual, physical or other conduct that demeans, humiliates, embarrasses, abuses, denigrates or shows or creates hostility towards a person based on actual or perceived race, color, gender, sex (including pregnancy), age (except when age or sex is a bona fide qualification), disability, national origin, sexual orientation, gender identity or expression, religion, marital status, political affiliation, veteran, Vietnam era veteran status, genetic information, or any other status protected by law when:

1. Submission to such conduct is made implicitly or explicitly a term or condition of an individual's employment or participation in an educational program;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive work or learning environment.

To constitute a hostile environment under this Policy, the harassment must be sufficiently severe, pervasive, persistent, or patently offensive that it creates an employment, admissions or educational environment would be considered intimidating, hostile or abusive by a reasonable person. In some instances, a single incident or isolated incidents may be sufficient to create a hostile environment.

**C. Sexual Harassment.** Sexual harassment is strictly prohibited by this policy and by federal, state and local law. The University's Sexual Misconduct, Relationship Violence, and Stalking Policy addresses sexual harassment and applies to sexual harassment reports, investigations, and resolution. All forms of sexual violence are prohibited forms of sexual harassment.

## **Reporting, Investigating, and Resolving Complaints of Discrimination and Harassment**

The University must be made aware of discrimination and harassment in order to prevent or stop it. Complaints that may be addressed under this policy include complaints based on the conduct of University students, faculty, staff, volunteers, visitors and other persons acting in official University capacities.

Any manager or supervisor who knows or has reason to know about discrimination or harassment and takes no action to stop it or report it may be subject to discipline.

**A. Informal Resolution.** In many instances, counseling, advice, or informal discussion may be useful in resolving concerns about allegations of discrimination or harassment.

Individuals who wish to resolve their concerns informally should bring them to the attention of the Vice President Human Resources/Title IX Coordinator (or designee). Students who wish to resolve their concerns about discrimination and harassment informally should bring them to the attention of the Vice President Student Affairs (or designee).

In working to resolve the matter, the appropriate University representative will interview the reporting individual and, as appropriate, others who may have knowledge of the facts underlying the complaint. At any point, including while the informal process is ongoing or afterward, the reporting individual may elect to end the informal process in favor of filing a formal report.

If the individual feels that reporting to the individual identified above is not appropriate or does not feel comfortable doing so, concerns should be addressed to the appropriate Vice President or supervisor. If the Vice President, Human Resources/Title IX Coordinator is the subject of the complaint, the complaint should be reported to the President of the University.

**B. Formal Reports of Discrimination and Harassment.** Reports of discrimination and harassment should be made to the Vice President, Human Resources/Title IX Coordinator or the Vice President, Student Affairs. While there is no time deadline for making such a report, the earlier the better as important information or evidence may become unavailable due to delayed reporting. It is also recommended that a report be made by the person reporting in writing. However, reports may also be made orally.

## **Investigating and Resolving Complaints of Discrimination and Harassment**

Investigation and resolution of all discrimination and harassment complaints will be pursuant to the procedures set forth below.

**A. Investigation.** After the Vice President Human Resources/Title IX Coordinator or Vice President, Student Affairs has received a complaint, the investigation of the complaint will normally begin within five (5) business days after a notice has been issued to the complainant and the respondent that a complaint has been received. The complainant and respondent will be informed regarding who will be investigating the complaint and what to expect during the investigation process. Investigations will be handled as follows:

- If the complaint is against a faculty, staff or third party the Vice President Human Resources/Title IX Coordinator (or designee) will appoint the investigator(s)
- If the complaint is against a student: the Vice President Student Affairs (or designee) will appoint the investigators(s).

Depending on the circumstances, a second investigator may be appointed. The investigation will normally include interviewing the complainant(s), respondent(s), witnesses, and other relevant individuals. Both the complainant and the respondent may provide the investigator(s) with the names of witnesses, documents, and other information. Relevant information and documentation, if any, will be obtained by the investigator(s). The interviews, meetings, and other proceedings are not recorded by Stevenson and may not be recorded by others. Stevenson will make reasonable efforts to complete the investigation promptly.

- B. Assertions and Evidence.** The complainant will describe his or her allegations and provide pertinent witnesses, records, exhibits, and witness statements as evidence for consideration at the discretion of the investigator(s). The respondent will have the allegations described to him or her and the investigators will request that the respondent respond in detail to the assertions and provide pertinent witnesses, records, exhibits, and witness statements as evidence for consideration at the discretion of the investigator(s). The complainant and the respondent are afforded equal procedural rights during the investigation. The investigator(s) will exercise their discretion in deciding which other individuals identified as witnesses during the investigation should be interviewed. No expert witnesses shall be permitted. All investigatory interviews with the complainant, respondent and witnesses shall be conducted in private with the pertinent investigator(s) and/or other Stevenson administrators, if any, as determined by the investigator(s). The respondent will not be present for the complainant's interviews. The complainant will not be present for the respondent's interviews.
- C. Advisors.** Complainants and respondents may be accompanied throughout the investigation and appeal process by an advisor of their choice from the University community who agrees to keep the matter confidential. However, the advisor may not be a practicing attorney, parent, guardian, family member, a witness or a possible witness in the case, a person involved in the University's disciplinary process, or a complainant or respondent in the case. The purpose of the advisor is to provide advice to the student or employee in a quiet manner that is not disruptive to the proceedings. The advisor may not provide verbal, written, or other input during the investigation or appeal process other than to the student or employee being advised.
- D. Written Decision.** Upon completion of the investigation, and after consultation with the appropriate Vice President, Human Resources/Title IX Coordinator (or designee), the investigator(s) will prepare a document containing the investigative findings and the rationale for the findings. The investigation may result in one of two outcomes set forth in a written decision: (1) a decision that the respondent did not violate this policy or (2) a decision that the respondent violated this policy. The investigator(s) (or designee) will base



the decision on the evidence presented and use the preponderance of the evidence standard in reaching the decision.

1. **When a Student is the Respondent.** When the respondent is a student and the decision of the investigator(s) is that the respondent violated this policy, the investigator(s) will provide the written decision to the Dean of Students. The Dean of Students (or designee) will make a decision regarding the discipline or remedial action to be imposed in consultation with the Vice President Human Resources/Title IX Coordinator as appropriate. The discipline or remedial action will be based upon the nature and severity of the offense, prior violations by and disciplinary history of the respondent, the impact of the conduct on the complainant and the community, whether the respondent is likely to engage in the conduct in the future, providing a remedy for any effects on the complainant or any other members of the community, and other mitigating or aggravating factors. Drug use or alcohol use are not mitigating factors. Discipline for students may include, but is not limited to, verbal or written warnings; loss of rights or privileges; requirement to attend coaching or training sessions or to receive counseling or other support; changes to the respondent's living arrangements; academic, social or other probation; and suspension or expulsion from activities, residence halls, academic classes, programs, schools, or the University. The Dean of Students will provide the complainant and respondent with appropriate written notification of the outcome of the University's investigation which will be given at the same time and shall be delivered in the same manner. The notification will include (1) whether or not the respondent violated this policy, and (2) if the finding is that the respondent violated this policy, a summary of the manner in which it was violated, and a description of the sanctions or discipline that the respondent has or will receive to the extent that they pertain to the complainant.
2. **When a Faculty or Staff Member is a Respondent.** When the respondent is a faculty or staff member of Stevenson University or third party and the decision of the investigator(s) is that the respondent violated this policy, the written decision will be sent by the investigator(s) to the appropriate administrator (the "Administrator") as determined by the Vice President, Human Resources/Title IX Coordinator for a decision regarding the discipline or remedial action to be imposed. In consultation with the Vice President, Human Resources/Title IX Coordinator, the Administrator will make a decision regarding the discipline, sanctions and/or remedial action to be imposed, based on applicable University policy. Discipline for faculty and staff may include but is not limited to: written warnings, probation, demotion, suspension or termination of employment. The Administrator will provide the employee with appropriate written notification of the outcome of the University's investigation, and discipline, if any, that will be imposed. However, when a student is the complainant, the Administrator will also provide the complainant and the respondent with written notification of the outcome of the

University's investigation, which will be given at the same time and shall be delivered in the same manner. The notification will include (1) whether or not the respondent violated this policy, and (2) if the finding is that the respondent violated this policy, a summary of the manner in which it was violated, and a description of the sanctions or discipline that the respondent has or will receive to the extent that they pertain to the complainant.

- E. **Written Appeal.** Written appeals are permitted only as set forth in this section. In cases in which a student is the respondent, an appeal of the decision and/or the sanction may be made to the Vice President, Student Affairs. In cases in which a faculty member is the respondent, an appeal of the decision and/or the sanction may be made to the Executive Vice President, Academic Affairs. In cases in which a staff member is the respondent, an appeal of the decision and/or the sanction may be made to the Vice President to whom the staff member ultimately reports. The appeal of a staff member who is a respondent and who ultimately reports to the Vice President Human Resources/Title IX Coordinator, may be made to the Executive Vice President, Academic Affairs. The administrator authorized in this section to decide the appeal is referred to herein as the "appeals official." The appeal request must be in writing and made within seven calendar (7) days of notification of the decision. For the purposes of this section, the date of notification shall be the date of the letter of notification. An appeal may be submitted by the complainant or the respondent or both.
- F. **Grounds for Appeal.** There is a presumption that the decision and any sanction or discipline were made properly. The sole grounds for appeal that will be considered are: (1) A procedural error that significantly impacted the final decision; (2) Previously unavailable, substantive and relevant information that could materially impact the final decision; and (3) The sanction or discipline imposed is substantially disproportionate for the facts of the case or the violation that was found to have occurred. The burden of proof during the appeal is on the party appealing.
- G. **Notice.** When a party requests an appeal, the appeals official shall notify all other parties involved of the appeal. All other parties shall be provided with a written summary of the appeal and notified of their right to respond in writing within a timeframe set by the appeals official, normally 10 calendar days.
- H. **Decision.** The appeals official will review the written decision and any responses made by the parties, and may exercise the discretion to request further information or documents from the parties and/or the person who issued the original decision and/or to meet with the parties. If the appeals official elects to meet with the complainant or respondent, a meeting will be held with each separately. A complainant or respondent who is invited to meet with the appeals official in connection with the appeal may bring an advisor as described above.
- I. **Final Determination.** The decision of the appeals official shall be Stevenson's final determination regarding the decision and the sanction. There are no further appeals.

## **False Reports**

Intentionally making a false report or complaint or initiating a discrimination or harassment complaint in bad faith may result in disciplinary action. A finding that there was no reasonable basis to believe that a violation of the policy occurred does not constitute a finding that the complaint or report was intentionally false or in bad faith.

## **Protection Against Retaliation**

Stevenson considers retaliation against the complainant or others involved in the process to be as serious as an act of discrimination or harassment. Retaliation of any kind against any person, who in good faith reports discrimination or harassment, assists another in making a complaint, participates in an investigation, or provides information in connection with a complaint or investigation, is prohibited. Good faith initiation of a complaint of discrimination or harassment will not adversely affect a complainant's grades, class selection, or any other matter pertaining to student status, or in the case of employees, the individual's employment, compensation, or work assignment. Someone who believes that she or he is the victim of retaliation, or is aware of someone else who is the victim of retaliation, is encouraged to report this immediately to one of the following: Vice President of Human Resources/Title IX Coordinator (443-334-2176), or the Vice President, Student Affairs (443-352-4307).

## **2.5 INSTITUTIONAL POLICY ON DISABILITY**

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“The Americans with Disabilities Act of 1990 (ADA) is the civil rights guarantee for persons with disabilities in the United States. It provides protection from discrimination for individuals on the basis of disability.” (American Council on Education)

The Americans with Disabilities Act of 1990 upholds and extends Section 504 of the Rehabilitation Act of 1973, which states:

“No otherwise qualified person with a disability in the United States shall, solely by reason of [a] disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

A “person with a disability” includes any person who:

1. has a physical or mental impairment that substantially limits one or more of such person’s major life activities
2. has a record of such impairment
3. is regarded as having such impairment

Major life activities include but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. They may also include the operation of a major bodily function, such as the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

### **POLICY FOR EMPLOYING PEOPLE WITH DISABILITIES**

It is the policy of the University to comply with the ADA (including the ADA Amendments Act of 2008) and applicable state and local laws that forbid discrimination in employment against qualified individuals with disabilities and that require reasonable accommodation for qualified individuals with disabilities.

#### **Procedure for Employing People with Disabilities**

The purpose of these procedures is to support equal opportunity in employment for all qualified persons with disabilities and to reasonably accommodate qualified individuals with disabilities. In support of the University’s policy to comply fully with the Americans with Disabilities Act (ADA) and other federal and state laws that prohibit discrimination in employment against qualified individuals with disabilities, the Human Resources Office will use the following procedures:

1. review recruiting, advertising and job application procedures to provide persons with disabilities meaningful employment opportunities. Upon request, the University will make

applications available in alternative accessible formats, such as providing assistance in completing employment applications. Pre-employment inquiries will be made only with regard to an applicant's ability to perform the duties of the position, not any disabling condition. However, the University may make pre-employment inquiries into the ability of an applicant to perform job-related functions and may ask an applicant to describe or to demonstrate how, with or without reasonable accommodation, the applicant will be able to perform job-related functions.

2. require physical examinations only after bona fide job offers and only for those job categories for which physical examinations are given to all persons entering the position. Pre-employment medical examinations may or may not be job related and consistent with business necessity. Medical examinations of existing employees will be required only when job related and justified by business necessity.
3. conduct voluntary medical examinations and activities, including voluntary medical histories, which are part of the University's employee health program.
4. maintain all medical-related information in a confidential manner in separate confidential files.
5. provide reasonable accommodation to qualified persons with disabilities, whether applicants for employment, employees or student employees, except where making an accommodation would create an undue hardship on the University.
6. entitle all qualified employees with disabilities to equal pay and other forms of compensation (or changes in compensation) as well as job assignments, promotion and demotion, leaves of absence (including sick leave), fringe benefits, and other terms, conditions, or privileges of employment.
7. notify all individuals with disabilities that the University provides reasonable accommodation to qualified individuals with disabilities by including a statement to this effect in the University's Policy Manual and by posting the Equal Employment Opportunity Commission's poster regarding non-discrimination against the disabled and other protected groups in conspicuous places upon the University premises where notices to employees and applicants for employment are customarily posted.

### **Accommodation Procedures**

1. Qualified applicants and employees with disabilities are encouraged to submit all requests for accommodation in writing. The request should contain the name, address, and telephone number of the person requesting the accommodation, and describe the reason for which the accommodation is being requested: If a request is made verbally, the supervisor shall put it in writing. All requests for accommodation must be referred to the Human Resources Department.
2. Upon receipt of an accommodation request, the Vice President of Human Resources will meet with the applicant or employee requesting the accommodation to discuss and clarify the individual's needs and to review potential accommodations that may meet those needs.
3. If necessary, the Vice President of Human Resources will discuss potential

accommodations with the individual's supervisor or potential supervisor. Additionally, the Vice President of Human Resources may contact outside agencies specializing in providing technical assistance for the disabled or consult with medical experts about potential accommodations.

4. In order to identify a reasonable accommodation, the Vice President of Human Resources will undertake these activities:
  - a. determine the purpose and essential functions of the job involved.
  - b. consult with the disabled individual to discuss and clarify the individual's needs. Identify potential barriers to job performance and potential methods of overcoming the effects or conditions that could limit the individual's ability to perform the essential functions of the job
  - c. consult with the disabled individual to identify potential accommodations and assess the effectiveness of alternative potential accommodations
5. In order to evaluate potential accommodations, the Vice President of Human Resources may do one or more of the following:
  - a. request a written statement from the disabled individual's physician to verify the disability and legitimate need for an accommodation
  - b. if the University determines that the information from an individual's physician is insufficient, after allowing the employee the opportunity for clarification, the University may require the employee to be examined by a medical expert elected by the University, at the University's expense, to determine the existence of an ADA disability and the functional limitations that require accommodation.
6. The Vice President of Human Resources or a supervisor who has a need to know (e.g., the disabled individual's supervisor, or, if an applicant, prospective supervisor), will determine the feasibility of potential accommodations. Proposed accommodations will be reviewed by the Vice President of Human Resources. The factors taken into consideration shall include, but may not be limited to, the following:
  - a. the nature and net cost of the accommodations needed, including tax credits and deductions or outside funding available to the University.
  - b. the financial resources of the University, the number of employees at the University, and the effect on expenses and resources of the University.
  - c. the overall financial resources, size, number of employees, and location and types of facilities of the University.
  - d. consideration of special types of employment operations, on a case-by-case basis, where providing a particular accommodation might be an undue hardship.
  - e. the impact of making the accommodation on the operation of the University, including the impact on the ability of other employees to perform their duties and the impact on the University's ability to conduct business.

7. The University is not required to make a reasonable accommodation if such accommodation would impose an undue hardship on the operation of the University. However, if a particular accommodation would impose an undue hardship, the University must consider whether there are alternative accommodations that would not impose such hardship.

An undue hardship is an action that requires significant difficulty or expense in relation to the size of the University, the resources available and the nature of the operation. The concept of undue hardship may include any action that meets one of these criteria:

- a. unduly costly
  - b. extensive
  - c. substantial
  - d. disruptive
  - e. that would fundamentally alter the nature or operation of the University
8. The Vice President of Human Resources shall determine whether an accommodation can be made without causing the University undue hardship. All accommodation requests involving expenditures not budgeted shall be reviewed by the Vice President of Human Resources and approved by the President of the University prior to granting any accommodation.
  9. In choosing between several effective accommodations that would provide an equal employment opportunity, the University will consider the preference of the individual to be accommodated; but if there are two or more effective accommodations, the University may choose the accommodation to be provided.
  10. Once the decision is reached as to whether an accommodation can be made without causing the University undue hardship or how an accommodation will be made, the Vice President of Human Resources will inform the applicant or employee of the University's decision regarding the accommodation.
  11. Situations may arise where an employee who is known to have a disability may have difficulty in performing the essential job functions. In these circumstances, the employee's supervisor may discuss the matter with the Vice President of Human Resources. If it is determined that the employee should be approached about the possibility of the University's providing a reasonable accommodation, the Vice President of Human Resources and the supervisor will jointly initiate a discussion with the employee about the need for an accommodation.

## **STUDENTS WITH DISABILITIES**

The policies, procedures and protocols regarding students with disabilities can be found in the Stevenson University Student Handbook and Planner.

## **2.6 HEALTH-RELATED POLICIES**

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### **UNIVERSITY HEALTH SERVICES POLICY**

The Wellness Center includes both Student Health Services and Counseling Services. These services are located at the Owings Mills campus on the top level of the Caves Sports and Wellness Center. The Wellness Center is open Monday through Friday from 9:00 a.m. to 5:00 p.m.

The University Nurse may provide the following services to students of the University Community:

1. comfort and advice, including informational brochures and videos concerning health issues, along with a list of community agencies and services.
2. routine first-aid services and supplies, including bandages, ice packs, bee sting relief, etc.
3. blood pressure, weight and glucose screening.
4. informal health education offered monthly in the Student Union.
5. maintains student health forms.
6. provides meningitis information and vaccine requirements.
7. in cases of acute anaphylactic shock when medical care is not available, may administer Epinephrine and Benadryl.

From time to time, students are presented with concerns or problems that require challenging decisions and effective coping strategies. Talking with a professional counselor is an opportunity for students to explore issues that may be interfering with their success and happiness in college. Counseling is a confidential process designed to help students learn more about themselves, address their concerns and problems, and discover effective solutions. Some of the typical concerns students may have include adjustment difficulties, anxiety, depression, substance abuse, sexual assault, identity issues, and self-esteem. Counseling is confidential and provided free for all Stevenson University students.

The Wellness Center offers limited primary care services by appointment with a nurse practitioner, physician, and nurse. A minimal fee will be charged to the student's account for services and supplies; private health insurance is not accepted for payment. Free HIV testing and tuberculin skin testing is offered each semester.

Health Services has numerous informational brochures and videos addressing health issues and will offer assistance with community referrals. Health awareness as well as promotion events such as "Wellness Wednesday's" are held frequently throughout the year and include health education, screenings and guest speakers. These events sponsored by the Wellness Center include partnership with various Stevenson University community clubs and departments. A certified peer



education (CPE) program which includes a 2-day training for qualified applicants interested in health promotion/education has also been established. CPEs will assist in planning, promoting, and executing Wellness events.

### **Student Health Requirements**

All full-time students (commuters and those in on-campus housing) are required to have the Stevenson University Student Health Form completed and on file in the Wellness Center by August 1 for fall entrance and January 2 for spring entrance. All full-time students are required to complete the Student Health form even if they are turning in other health related records to other departments. Please refer to those specific departments for any health requirement questions, e.g., Athletics, School of the Sciences, and GPS. Any part-time student who becomes full-time must also complete an annual Student Health Form. Those reapplying for admission following a separation of two or more years will need to complete a new, updated Student Health Form. In addition, all students living in Stevenson University Residential Housing are subject to the Health-General Article 18-102(b) Annotated Code of Maryland 10.06.05 Meningococcal Vaccination Requirements for Students in Institutions of Higher Education. If the primary dose of meningitis was administered before the 16<sup>th</sup> birthday, a booster will be required before moving into residence on campus. Housing students will not be permitted to move in unless the Student Health Form is complete and on file with the Wellness Center by the above deadlines. Failure to submit a completed Student Health Form will block students from registering for future classes and/or lead to removal from housing.

### **Serious Disease Policies and Procedures**

Employees, faculty or students with infectious, long-term, life-threatening, or other serious diseases may continue their work or attendance at the University as long as they are physically and mentally able to perform the duties of their job or meet their academic responsibilities without undue risk to their own health or the health of other employees or students.

Serious diseases, for the purposes of this policy, include but are not limited to, cancer, heart disease, multiple sclerosis, hepatitis, tuberculosis, human immunodeficiency virus (HIV), and acquired immune deficiency syndrome (AIDS). The University will support, where feasible and practical, educational programs to enhance employee and student awareness and understanding of serious diseases.

The mere diagnosis of HIV, AIDS, AIDS-Related Complex (ARC), or AIDS virus antibodies, or any other serious communicable disease is not, in itself, sufficient basis for imposing limitations, exclusions or dismissal. Harassment of individuals with or suspected of being infected with any disease is not acceptable behavior at the University and will be strictly censored. The diagnosis of the condition, as any other medical information, is confidential.

In working with faculty, employees or students diagnosed with HIV, AIDS or any other serious communicable disease, the University will proceed on a case-by-case basis, with the advice of medical professionals. These factors will be considered:

1. the condition of the person involved and the person's ability to perform job duties or academic responsibilities.
2. the probability of infection of co-workers or other members of the University community based on the expected interaction of the person in the University setting
3. the possible consequences to co-workers and other members of the University community, if infected.
4. possible reasonable accommodations and modifications to the individual's job or other obligations to take account of the condition.
5. risk to the person's health from remaining on the job or in the University community.
6. other appropriate factors.

Any determination with respect to an employee or student will be made following consultation with the affected employee or student, the employee's or student's treating physician (if available), and such other persons as need to be involved in such a situation.

Disclosure will take place only if deemed medically advisable and legally permissible. The appropriate Health Department will be informed.

## **2.7 DRUG AND ALCOHOL POLICY**

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### **Drug-Free Workplace**

Stevenson University recognizes the health, social and emotional programs caused by the use of illicit drugs and the abuse of alcohol or prescription drugs. This policy is the University's response to these problems. It applies to students, faculty, staff, and where relevant, guests on University property or at University-sanctioned events off campus.

This policy is also provided in accordance with the Drug-Free Workplace Act of 1988.

### **Standards of Conduct Regarding Unauthorized Drugs**

The Stevenson University community affirms unauthorized drug use to be contrary to the goals of the University. The use, possession (including constructive possession), manufacture, distribution and solicitation of controlled dangerous substances, drug paraphernalia, look-alike drugs, unauthorized legal drugs, man-made or naturally occurring substances or inhalants used for the purpose of altering behaviors, mood, or for changing the brain or nervous system, and over-the-counter drugs/medications or prescription drugs in excess of the recommended or prescribed dosage(s) is strictly prohibited on Stevenson University property, Stevenson sponsored travel, or in connection with any program or activity sponsored or endorsed by Stevenson University.

### **Standard Sanctions for Unauthorized Drugs**

Violations of the University's Drug Policy are considered serious and may result in suspension, dismissal or expulsion from the University. Students who are found to be distributing drugs will be expelled from the University. Students who are found in possession of large quantities of drugs may also be expelled from the University as the large quantity, by itself, may be viewed as intent to distribute.

### **Standards of Conduct Regarding Alcohol**

The health and safety of members of the Stevenson University community are the primary concerns of the University. It is the University's policy to uphold the alcohol laws of the state of Maryland. Possession and consumption of alcoholic beverages is permitted only by those who are at least 21 years of age. Alcoholic beverages are not to be furnished to or consumed by minors. Members of the Stevenson community and guests are expected to accept responsibility for their actions, to obey the law and to police their own behavior. Individuals who violate the law, in addition to being subject to criminal penalties, will be subject to University disciplinary measures. These specific policies that follow apply to Stevenson University events both on and off campus.

1. Except as permitted by the following paragraphs, the possession, use or distribution of alcohol by students, faculty, staff, and guests on university property or in connection with any University activity is strictly forbidden.
2. All University-sponsored events where alcohol is served, either on or off campus, must be approved by the Vice President, Student Affairs or Chief of Staff in the President's office

30 days prior to the event. The Event Application Request for Service of Alcoholic Beverages will serve as a formal application for approval.

- a. All individuals attending the event must be of legal drinking age. Student organizations may request an exception to this guideline if the primary purpose of the event is other than a social drinking party and the majority of the guests are of legal drinking age.
  - b. The organization's adviser or an alternative faculty/staff member must be present for the duration of the event.
  - c. Security must be present for the duration of the event.
3. Alcohol may only be served by a licensed caterer trained to serve alcohol. Caterers must provide proof of license and training certification to the University prior to the event. A list of approved caterers is included with the Event Application Request for Service of Alcoholic Beverages.
  4. Proper proof of age must be provided to the server.
  5. Kegs, multi-liter containers and pitchers used for the serving of alcohol are not allowed at student-sponsored events.
  6. At events where alcohol is served, substantial food and non-alcoholic drinks must be provided. During late night events, the service of alcohol will stop one hour prior to the ending time of the event.
  7. It is recognized that this document cannot address, in specific fashion, all possible social situations that may occur. Where these procedures are not specific on a particular point, individual and organizational hosts are expected to conduct their social events and themselves in the spirit of social responsibility consistent with these procedures.

### **Rules Specifically Applicable to University Housing**

Residents of legal drinking age may drink beer or wine in their residence hall only if they are not in the presence of residents or guests who are under 21 years of age. Absolutely no alcohol is permitted in the residence hall where underage students reside. Beer and wine may not be served or consumed in any common areas. No drinking is permitted in the common areas of the University residence facility (i.e., hallway, parking lot, etc.). Guests are expected to abide by the University's rules while visiting SU housing. Students may be held responsible for the conduct of their guests. The Residence Life staff will confiscate or require underage residents to dispose of alcohol they observe being brought or having been brought into the residences and to stop consumption of alcoholic beverages in all common areas. Kegs, beer balls, and other multi-liter containers are not permitted in SU residence halls. The Residence Life staff will inform students of University policy, clarify if they are violating the University's policy, and counsel them regarding the consequences of their behavior, both in terms of health and safety risks and legal consequences. Students in violation of the housing agreement or University policy will be held accountable. The Residence Life staff is to report offenders to the Director of Student Conduct. The students involved will meet with the Director of Student Conduct or a professional Residence Life staff member to determine appropriate sanctions if warranted. Any student failing to meet with a Residence Life staff member will be subject to termination of the housing contract for

failure to comply with directions of a University official.

### **Standard Sanctions for Alcohol Violations**

*First time violators may be subject to:*

Formal warning

\$100 fine and/or discipline service

Participation in an alcohol education program designated by the University

*Second time violators may be subject to:*

\$150 fine and/or discipline services

Housing probation

Parental notification (official warning letter sent to the resident with a copy mailed to the student's parents/guardians)

Participation in an alcohol education program or referral for treatment designated by the University

*Students with subsequent alcohol violations will generally be subject to one or more of the following:*

Increased fine, referral for treatment, removal from residence, and termination of the students'

Housing Contract and/or suspension and/or expulsion from the University

### **Reporting Use and Misuse**

Each member of the Stevenson community is advised to report all suspicions of unlawful possession, use or distribution of illicit drugs or alcohol or of alcohol abuse to the appropriate University authorities.

### **Sanctions**

Stevenson University will impose sanctions on students, faculty and staff who violate the standards of conduct set forth above.

Stevenson students are governed by the policies, rules and regulations set forth in Stevenson University Policy Manual. Within these guidelines, students are subject to institutional discipline for violations of such standards of conduct and will be referred to the Dean of Students. The student will then be subject to sanctions in accordance with the Student Grievance Procedures in the Student Planner (Volume VI) and in this Volume II of the Stevenson Policy Manual. The specific penalty imposed will depend upon the nature of the violation. Students have the right to appeal any sanctions imposed by the Dean of Students to the University Hearing Board.

Staff of the Wellness Center are available to provide suggestions for securing drug or alcohol counseling, treatment, or rehabilitation.

## **ANNUAL NOTICE REGARDING DRUG-FREE WORKPLACE POLICY**

In order to ensure that members of the Stevenson community continue to be aware of this policy, a notice of this program will be distributed each year to all faculty, staff and students advising them to review the policy on the University's intranet.

### **Biennial Review**

At least every other year, Stevenson will review its drug-free workplace policy to:

1. determine its effectiveness and implement any needed changes
2. ensure that the disciplinary sanctions described above are consistently enforced

### **Federal Trafficking Penalties**

Please see Federal Trafficking Penalties chart in Appendix II-E.

### **State of Maryland Sanctions for Drug and Alcohol Use Violations**

Please see Maryland Sanctions for Drug and Alcohol Use Violations chart in Appendix II-F.

### **Health Risks Associated with Alcohol**

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of the alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse.

Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumptions of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other of becoming alcoholic youngsters.

### **Controlled Substances – Use and Effects**

Please see Controlled Substances – Uses and Effects chart in Appendix II-G.

## **SMOKING POLICY**

Stevenson University is committed to a policy of creating a smoke-free environment in all its facilities and in providing a healthy, comfortable environment for students, faculty, staff, and guests. Smoking is not permitted in any building on the Greenspring or Owings Mills campuses.

In order to create a healthier environment:

- All areas within 15 feet of building entrances are designated smoke-free zones.
- The space between the Dawson Academic Center and the Manuszak Center Buildings on the Greenspring Campus will be designated smoke-free due to the close proximity of these two buildings.
- Cigarette receptacles will be placed 15 feet from building entrances.
- Proper signage will be posted indicating “Smoke-Free Zones”.
- Enforcement will be by self-governance of the campus community.
- Smoke reduction and cessation education will be offered during the academic year by The Wellness Center.

## **2.8 SAFETY AND SECURITY POLICIES**

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Stevenson University is committed to the safety and security of all members of the University community. For a description of the security office and its functions, see the Campus Community Handbook.

### **Firearms and Weapons**

The possession of or the use of any firearm, weapon, deadly weapon, or other dangerous or flammable material is strictly forbidden on the property owned or operated by the University and will be cause for immediate termination of employment or expulsion. University Security Officers who are licensed to carry a firearm are exempt from this policy. “Deadly Weapon” is defined to be any firearm, knife or substance or thing that, in the manner it is used, is intended to be used, or threatened to be used, is known to be capable of producing death or serious bodily injury.

### **Hazing**

Hazing by any group or organization is not allowed at Stevenson University. Hazing is defined as any action or activity taken or situation intentionally created, whether on or off campus, that produces mental or physical discomfort, embarrassment, harassment or ridicule, or any form of violence, abuse, or failure to accord to any student the dignity due the student. Consent of a pledge does not exempt any organization from this regulation.

### **SEXUAL ASSAULT POLICY**

Stevenson University is committed to providing all employees with a work environment and all students with an educational environment that promotes personal security. Consistent with the University’s commitment, the University has adopted the following policy addressing incidents of sexual assault and the procedures to follow if a sex offense does occur, applicable to all members of the University community. University policy prohibits sexual exploitation of any kind, including all forms of assault. Further, the University provides students, faculty and staff with programs and additional information designed to educate members about and promote the awareness of rape, acquaintance rape, and other forcible and nonforcible sex offenses, and to prevent sex offenses.

If a member of the University community is the victim of a sexual assault while on campus and wants to pursue a criminal prosecution, the victim should immediately report the crime to Campus Security, by dialing “0.” Campus Security will contact the Baltimore County Police Department and provide transportation to a medical facility, should the victim request. Evidence of a sexual offense must be preserved to aid in possible identification of and prosecution of the assailant. The following procedures should be followed to preserve evidence:

1. Do not clean up the location where the crime was committed, e.g., car, room.
2. Do not bathe, shower, or douche prior to the medical examination. The doctor will



- give instruction on appropriate hygiene and medications to protect your health.
3. Do not discard any clothing worn during the assault; put them in a paper bag.
  4. As soon as possible, write down everything you can remember about your attacker, e.g., height, weight, scars, marks, tattoos, age, clothing, jewelry, language, accent, vehicle description, and tag numbers.

The Greater Baltimore Medical Center (GBMC) is the closest facility equipped with a Maryland State Police Sexual Assault Evidence Collection Kit and is located at 6701 N. Charles Street, Baltimore, 410-849-2000.

The victim decides whether to pursue a criminal prosecution. Pursuant to the Higher Education Reauthorization Act, Stevenson University administrators who have significant responsibility for student and campus activities are required to report all allegations of sexual assault to Campus Security. The University Personal Counselor is exempt from this requirement. However, the University encourages members of the University community who are the victims of, or who have knowledge of, a sexual assault occurring on campus, or occurring in the course of a University-sponsored activity, or perpetrated by a member of the University community, to promptly report the incident to Campus Security. The criminal law of the state of Maryland and the University's procedures are independent processes that are not substituted for each other. The University may pursue disciplinary action regardless of the state criminal justice process.

The University reserves the right to independently discipline any member of the student body, staff or faculty who has committed a sexual or other assault whether or not the victim is a member of the University community and whether or not criminal charges are pending. The University has a formal disciplinary procedure for sexual assault allegations including rape, acquaintance rape, or other forcible or nonforcible sex offenses.

The first step under the University's formal procedure is to file a complaint with the Dean of Students (if the accused is a student) or the Director of Human Resources (if the accused is an employee) and detail in writing the offense.

Second, the accused is advised, in person and in writing but in confidence, of the accusation against him/her, including the name of the complainant. Concurrently, the University's President will be informed of the complaint and the situation.

Third, the President will direct certain University staff to investigate the matter. After investigating the allegations, the staff will prepare a report of its findings with recommendations to the President of the appropriate University action.

Fourth, the President reviews the report with all supporting information and implements the appropriate disciplinary measures.

The University's decision from an investigation will constitute its final determination regarding the alleged sex offense and will include the details of the University's sanction, if any, against the accused. Sanctions may include warning, censure, suspension, dismissal, expulsion, or termination. A finding of sexual assault against a University employee may be grounds for termination from employment. Both the accuser and the accused shall be informed of the outcome of any University disciplinary proceeding involving allegations of sexual assault. Both the accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding, but may not be represented by legal counsel.

A University counselor is available to provide confidential counseling and support to victims of sexual assault and can assist victims in evaluating the options available. Counseling is also available from the Baltimore County Sexual Assault and Domestic Violence Center's hotline, 24 hours a day at (410) 828-6390. The University will accommodate to the extent possible sexual assault victims' reasonable requests for changes in academic or living situations.

### **Hazardous Materials**

The procedures described below shall be followed in order to allow for proper clean-up and protection of University faculty, staff, students, and environment in the event of a hazardous material spill.

#### **If Outside**

1. Move upwind away from spilled material.
2. Contact Campus Security at the Greenspring Campus by dialing "0" on any in house phone or on the Owings Mills Campus by dialing "4500" or 443-352-4500. Be prepared to report the location and the identity or nature of the spilled material.
3. Security will contact the Environmental Health and Safety Officer.
4. Be sure to specify if anyone is injured so that 911 can be contacted.
5. Security and other Emergency Personnel (if needed) will provide direction and determine when it is safe to return to the area.

#### **If Inside**

1. Avoid direct or indirect contact with the spilled material. If an individual is exposed by direct contact to a hazardous material, they should proceed to the nearest water source to flush the exposed skin. All contaminated clothing should be removed and put into a plastic bag.
2. Contact Campus Security at the Greenspring Campus by dialing "0" on any in house phone or on the Owings Mills Campus by dialing "4500" or 443-352-4500. Be prepared to report the location and identity of the spilled material, if known.
3. Security will contact the Environmental Health and Safety Officer.
4. Individuals responding to the spill will refer to the MSDS for proper response procedures.
5. All individuals should be removed from the spill area until clean-up is complete and

Security has given permission to re-enter the space. It is recommended that all individuals move outside or to an alternate location that does not have a common ventilation system. On the Owings Mills campus, the Ratcliffe Community Center can be a designated meeting area to allow emergency vehicles a clear path through the parking areas.

6. If the substance is airborne, cover your nose and mouth with layers of fabric (such as a cotton t-shirt, handkerchief, towel or several layers of paper towels).
7. Security will determine whether medical observation or treatment is necessary so that 911 can be contacted.

### **Finding a Suspicious Object/Package on Campus**

1. Once you discover an object, don't touch it any further. Make a note of what it looks like, smells like, sounds like and then clear the area.
2. Do not use the telephone to report the object. (A phone call may trigger an explosion of the item.) Go yourself, or send someone else, to the closest reception area to contact Security:
  - a. Stevenson – Learning Resource Center – Reception Office
  - b. Owings Mills – Garrison Hall – Admissions reception Suite 200 or GPS reception - Suite 100
  - c. Owings Mills – Caves Sports & Wellness Center – Wellness Reception
  - d. Owings Mills – Avalon Community Center – Residence Life Reception
  - e. Owings Mills – Rockland Center – Student Activities Reception
3. Report the location of the suspicious object.
4. **IN THE EVENT THAT A SUSPICIOUS OBJECT IS FOUND, IT SHOULD NOT BE TOUCHED OR MOVED.** Warn others to stay away from the suspicious object and maintain at least a 500 ft. clearance area.
5. When the police arrive, they are in command, and their orders are to be followed.
6. Follow instructions of Security regarding where to go on or off campus to be safe.
7. All personnel should be restricted from entering the building until the police approve access.

### **Hate Crimes**

A hate crime is defined as evidence that exhibits animosity on the part of the person committing the act against a person or group because of that person's or group's race, color, religious, beliefs, national origin, or sexual orientation.

1. The person identifying the hate message should notify Campus Security at x4500 or 443.352.4500.
2. A Security officer will report to the location to investigate.
3. Security may or may not call the police, but will also conduct its own investigation including photographing evidence and speaking to witnesses.
4. Security, in conjunction with the police, will report results of the investigation to the Vice President/Dean of Students for potential disciplinary action.

5. The Facilities Department will immediately cover and/or remove any graffiti or other evidence.

### **Hostage/Barricade**

If a hostage or barricade situation occurs on the property do not attempt to negotiate. Establish a line of communication to get information only. If there is communication regarding the hostage/barricade over the telephone, attempt to maintain communication with the caller to gain additional information until authorities arrive.

1. Call Campus Security immediately at x4500 or 443-352-4500.
2. Security will notify the police.
3. Security will meet the police at the entrance of the University property and escort them to the scene.
4. **DO NOT APPROACH/CONFRONT A PERSON SUSPECTED OF HAVING A WEAPON.** Make every effort to keep your eyes on the suspect until help arrives so that you can point him/her out to the police.
5. It is best to have the police officer confront the suspect and conduct the search. The police should take possession of the firearm, weapon or explosive.
6. Security will ask the police officer to photograph the weapon.
7. Treat all firearms, weapons or explosives as if they were loaded. If one is found, do not pick it up but report the location to security, immediately.

### **Sniper/Shooter**

1. If the shooter is outdoors or outside the room where you are located, attempt to lock and barricade the doors if it appears safe to do so, and then take cover immediately. Drop down to the floor and get away from doors and windows. Do not attempt to run outside.
2. If you are near a phone and can safely do so, dial 911 or 8-911.

### **Attempted Suicide**

Suicide attempts vary greatly in severity, but any attempt must be taken seriously. Because of the sensitivity around suicide attempts and issues of confidentiality, discretion must be used. The need to serve the individual's best interest must be balanced with the need to ensure that the University responds appropriately.

1. In the event that a faculty or staff member encounters an individual who indicates a desire or intention to harm her/himself, Campus Security (and Residence Life staff if in the residential areas) should be called immediately at x4500 or 443-352-4500.
2. Stay with the individual until a staff member from Security can respond.
3. Security or Student Affairs/Residence Life staff (in consultation with the University Counselor if available) will make a determination as to whether it is advisable to go to the Emergency Room. If so, 911 will be called and the person will be transported to the nearest hospital.
4. The University Counselor will work with a staff member to coordinate notification of

family members.

5. The Vice President/Dean of Students will work with the University Counselor and the student & family to determine the conditions upon which the student may return to SU.

## **Death**

1. Upon discovery, call Campus Security immediately at x4500 or 443-352-4500. Security will call the police.
2. Keep everyone away from the deceased.
3. Wait at the location until Security and/or the police arrive.
4. Security will secure the area.
5. Security will be posted at the entrance to escort police to the specific area.
6. Security will notify Human Resources if the death involved a faculty or staff member.
7. The Vice President/Dean of Students will be notified in case of a student death. These offices will coordinate notification of family members.
8. The Vice President of Human Resources and the Vice President/Dean of Students will coordinate the Crisis Management Team, campus intervention and communication, including the Wellness Center x4200 (443-352-4200) and the Residence Life staff x4007 (443-352-4007), if appropriate.

## **Bomb Threats**

Upon receipt of a bomb threat by phone:

1. Use telephone checklist and obtain as much information as possible from and about the caller.
2. Listen carefully. DO NOT INTERRUPT!
3. Try to take down the entire message.
4. Try to keep the caller talking.
5. If possible, note the following information:
  - a. Date
  - b. Time call received
  - c. Time caller hung up
  - d. Exact words of caller
  - e. Background noises
  - f. The caller was: Male \_\_\_ Female \_\_\_ Adult \_\_\_ Child \_\_\_
  - g. Estimated age \_\_\_ Race/Ethnicity of caller \_\_\_\_\_

Questions to ask the caller if you have the opportunity:

1. Can you tell me when is the bomb to explode? Date \_\_\_\_\_ Time \_\_\_\_\_
2. Where is the bomb now?
3. What kind of bomb is it?
4. What does it look like?
5. Why did you place the bomb?
6. What type of explosive is it?

Upon completion of the call, contact Campus Security at x4500 or 443-352-4500. You will be advised how the matter will be handled.

Do **not** talk on any radio, cellular or cordless phone within 100 yards of the suspected bomb. Turn these devices off.

**If the Bomb threat is received on voice mail**, save the voice mail and notify Campus Security immediately at x4500 or 443-352-4500.

**If the Bomb threat is received by email**, do not delete the email, make a hard copy of the email, and notify Campus Security immediately at x4500 or 443-352-4500.

### **Evacuation/Shelter-In**

Communication: The University will monitor the news at all times for all potential threats and attacks. If the University is aware of a credible threat or attack, the Crisis Management Team will immediately convene to take action. Everyone will be notified of news as soon as possible by all means available. Those means include the SUALERT; a blast e-mail to all computers; voice mail to a selected group to be shared with others; a message on the university's website, and notification by Campus Security and other trained crisis workers using bullhorns or walking through buildings and coming to your classes and offices. Please quickly and calmly follow the directions and advice of the Security staff, members of the crisis team and their representatives. Do not use mobile phones as they may to tie-up the circuits.

Evacuating the campuses: If the property needs to be closed, everyone will be instructed to leave in an orderly fashion. Please follow the directions of Campus Security personnel at all times during an evacuation. Other arrangements will be made for those who are unable to leave the campus or do not have a place to go. Those persons should report to the Residence Life Office in the Ratcliffe Community Center on the Owings Mills Campus or to the Academic Support Services Office in the Academic Center on the Greenspring Campus.

Shelter-In: Should the University receive news that advises people to seek cover indoors,

everyone will be advised by the methods outlined in paragraph one above to report to the nearest location described below (“shelter”) in an expedient but controlled manner and wait for further information:

Greenspring Campus:

1. Basement of the Student Union, below the gymnasium, where the fitness center and locker rooms are located.
2. Basement of the Academic Center, where the lecture and video studios and scene shop are located.
3. Emergency response team members will be available to provide assistance.

Owings Mills Campus:

1. Caves Sports & Wellness Center: Lower level, interior building locations will be utilized as directed by Caves staff and coaches.
2. Garrison Hall: Stairwell corridors and lower areas of the building will be utilized as directed by the Garrison Hall Emergency Management Team.
3. Rockland Center: Lower level, interior building locations
4. Residential: Individual apartments and suites will be utilized if possible. Residents will be asked to stay out of hallways & lounges. If weather related emergency requiring lower level shelter, residents will be directed to the 1st floor hallways of each building.
5. Emergency response team members and Residence Life staff will be available to provide assistance.

Persons with disabilities: Please make an effort to safely assist those who are having difficulty. The Office of Academic Support Services and Security maintain a list of all students on campus with a temporary or permanent disability that would prevent them from evacuating the campus or getting to the shelter on campus. If someone still needs assistance evacuating, please be sure to let emergency personnel know of their location in the building. Stair towers can be used if necessary to await transport by emergency personnel.

Communication with officials: The crisis management team will continuously monitor the situation and communicate with county and state officials to determine when the danger has passed.

**Media Procedures**

The Vice President of Marketing and Digital Communications (x 4480 or 443-352-4480) is responsible for coordinating internal and external communication. The Marketing and Digital Communications office will provide prompt and accurate information. Because misinformation can create confusion and isolated quotes from individuals are usually incomplete or misleading, they must be avoided. Please do not talk to the media and refer all calls from the media to the Vice President of Marketing and Digital Communications, or

in their absence, the Chief of Staff (x2547 or 443-334-2547). If these persons are not available take down the person's name and number and someone will return his/her call.



## **2.9 CRISIS-MANAGEMENT POLICY**

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Stevenson University has a commitment to safety that includes a policy on managing potential or real crises. In essence, a crisis management plan establishes guidelines for the team who gather in response to threats from potential emergencies, including the formation of a crisis command center. The Crisis Management Plan in its entirety is on the Stevenson University Human Resources webpage.

## **2.10 TREATMENT OF HAZARDOUS SUBSTANCES**

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### **HAZARDOUS WASTE MANAGEMENT POLICY**

The University is committed to providing a safe and healthful work environment while protecting employees, students, the general public, and the environment from exposure to hazardous waste. The purpose of this policy is to ensure that all hazardous waste is properly and safely managed with regards to storage, handling and disposal, in accordance with federal, state and local law. Members of the campus community who knowingly violate these laws and statutory requirements are advised that they are not only endangering themselves and the University community, but are subject to personal liability. Questions regarding the storage, handling, or disposal of hazardous materials should be directed to the Environmental Health and Safety (EHS) officer.

The disposal of all hazardous waste must be handled in a responsible manner, which includes hazardous waste removal by a licensed hazardous waste hauler. The University maintains a contract with a licensed disposal firm for the removal and destructions of hazardous waste from university property. Any employee of the University who is involved in the management of hazardous waste must participate in training to ensure familiarity with proper waste handling and emergency procedures.

Any member of the campus community, who violates any such laws, unless such violation occurs despite reasonable reliance upon advice given by the university, shall be deemed to have acted outside the scope of authority.

Refer to the Hazardous Waste Management Plan for further detail. The hazardous waste management plan will be reviewed and revised, as needed, on an annual basis.

### **Hazard Communication Policy**

It is the policy of Stevenson University to reduce employee exposure to hazardous chemicals and the overall incidence of chemical-related injuries and illnesses. All employees who are potentially exposed to hazardous chemicals in their assigned job duties must be fully informed of both the hazardous properties of the chemicals and protective measures that are available to minimize exposure to these chemicals. This type of information will be made available to employees by means of labels on chemical containers, MSDSs, and training. Employees will be informed of any known hazards associated with chemicals to which they may be exposed before their initial assignment, whenever the hazards change, or when new hazardous chemicals are introduced into their respective work areas. All employees will be informed of the location of the written Hazard Communication Plan, chemical listing, and MSDSs.

The Environmental Health and Safety (EHS) officer will have the overall responsibility for coordinating the program for the University. This individual will work in conjunction with the Director of Facilities and the Science Laboratory Safety Manager.

Refer to the Hazard Communication Plan for further detail. The hazard communication plan will be reviewed and revised, as needed, on an annual basis.

## **2.11 BLOODBORNE PATHOGEN EXPOSURE CONTROL PLAN**

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### **BLOODBORNE PATHOGENS POLICY**

Stevenson University is committed to providing a safe and healthful work environment for all employees. In pursuit of this endeavor, the University has developed a bloodborne pathogens exposure control plan (ECP) in accordance with Occupational Safety and Health Administration (OSHA) Standard 29 CFR 1910.1030. “Occupational Exposure to Bloodborne Pathogens.” The ECP establishes guidelines for employees who have a definite or possible risk of an occupational exposure to bloodborne pathogens or other potentially infectious materials. It is the intent of the ECP to train, educate, and specify procedures and precautions that will minimize the likelihood of an exposure to these infectious materials.

Refer to the ECP for further detail. The ECP will be reviewed and revised, as needed, on an annual basis. The ECP is included, in its entirety, on the Stevenson University Human Resources webpage.

## **2.12 SOCIAL MEDIA POLICY** (Approved August 2016)

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Social media are media used through web-and mobile-based technologies to turn communication into interactive dialogue and engagement, and they have become a staple of social dialogue and action in the new millennium. Websites and user-generated content include, but are not limited to, Facebook, Twitter, LinkedIn, YouTube, Flickr, Instagram and blogs. Knowing the etiquette and scale of social media can be the key to understanding how to operate in the twenty-first century.

Students and employees at Stevenson University are expected to follow institution-wide social media uses, limitations, and practices. Social media communication is public and visible, and posting inappropriate texts, pictures, videos, or images could provoke institutional or legal ramifications for the individual or group. The University and its representatives may monitor and follow non-protected or public social media communications to help create a balanced and positive environment, and when the University is acting in compliance with certain other requirements under federal and Maryland law. This policy should not be interpreted to violate the National Labor Relations Act to the extent employees' posts or comments on social media are made in an attempt to engage in protected concerted activity related to their employment at the University.

A current list of official University user-generated and social media websites can be found on the online Student Life page at <http://www.stevenson.edu/student-life/online-student-life>.

Examples of items that would be deemed inappropriate for Stevenson's official pages and websites include:

- Personally identifiable material including, but not limited to, full names, government identifiers, e-mail addresses, physical addresses, or health information of individuals following FERPA guidelines.
- Threatening, harassing, or discriminatory posts.
- Posts that incite or encourage violence or illegal activities.
- Material that could be reasonably interpreted as containing obscene, offensive, or sexual themes.
- Information that could compromise public safety.
- Comments that are off-subject or out of context from the original post made by or to the University (i.e., trolling).

Stevenson University students and employees are considered representatives of the institution and are expected to set a favorable example to others outside of the University community. This principle can carry over to posts made on non-SU websites or web pages, where students and employees may still be held responsible for the subject matter and actions that

they post publicly. References to individuals, groups, or any other entity, whether in jest or not, reflect upon the University. Accountability and responsibility come with any social media activities. Good judgment and character are values expected of the University and its community members, whether in-person or online via social media outlets. Violation of this policy by an employee will be referred to Stevenson University's Vice President for Human Resources/Title IX Coordinator or designee. Violation of this policy by a student will be referred to the Office of Student Conduct. Violations may result in sanctions being issued.

In accordance with Maryland law, however, the University will not engage in any prohibited conduct related to seeking access to a personal electronic non-Stevenson University account belonging to a student, an applicant, prospective student, or an applicant for employment. The University, however, reserves all rights to monitor and follow social media communications in compliance with certain other requirements under federal and Maryland law, including the University's investigatory obligations under Title IX. The University and its representatives may also monitor and follow such communications owned or provided by the University, or related information available on the University's property, which includes information that is contained or stored on University systems because students or employees have placed them there by using the University's servers, electronic equipment, wi-fi networks, printers, or other hardware, software, or electronic devices to access, create or transmit them. Students and employees should not expect that information coming through or contained on these systems is private. Personal accounts which do not utilize University systems identified above are another matter and are protected under Maryland law.

If an individual believes that he/she has been asked to grant access to a personal account improperly or have concerns or questions about this policy, he/she should contact the Vice President for Human Resources /Title IX Coordinator or designee. The University will not retaliate against any person for reporting violations of this Policy or for refusing to provide protected information or access related to a nonpublic personal electronic account. Further information about the use of University systems is available in the University's Email Usage and Acceptable Use Policies contained on the Portal.

## **DEFINITIONS**

*Engagement* refers to the activity of any party on the social media website. Engagement includes the posting of updates, articles, pictures, videos, comments, or any other action that can be performed on social media websites.

*Official Pages* are pages that the University maintains and manages for the benefit of the user who has liked, subscribed, or joined the social media page.

*Official Representatives* are defined as users with permission and the ability to modify

Official Pages of the institution. These individuals could be staff, faculty, or students.

*Unofficial Users* are defined as those individuals who post using their personal social media accounts who are not Official Representatives and do not have permission to post on the University's behalf.

Stevenson University's Official Pages will be monitored and managed by Official Representatives of the University. Official Pages will be updated and used as resources and connections to the SU community, both internally and externally to campus life. By posting pictures, videos, links, or any other items submitted on Official Pages, individuals consent to allowing SU to use that engagement in the future. Any engagement posted to the Official Page by Official Representatives can be considered legitimate information. Any engagement posted by Unofficial Users does not constitute a representation of the University. Engagement posted by Unofficial Users on the Official Pages does not represent the ideas, opinions, views, or beliefs of the University. Such content, however, is still subject to the University's policies and procedures. The University and its representatives are not responsible for any information that could be perceived as inappropriate, wrongful, false, hurtful, or illegitimate. However, the University and its Official Representatives may remove engagements of that nature as they are discovered.

Students or employees who post information on public sites using the University's system or servers should be aware that the University's systems retain information and are subject to University access. Users have no expectation of privacy in those materials, and they are subject to monitoring and search by the University or by those who obtain access to these systems through lawful means.

## 2.13 CHILDREN ON CAMPUS

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Stevenson University values family and work/life balance. The University encourages families to participate in university-sponsored family activities and to attend community events such as plays, sports competitions, art openings, etc. However, the presence of children in the workplace with the employee or in the classroom with the faculty or student parent/caregiver is discouraged and should be avoided except in emergency situations. Moreover, under no circumstances may a child be left unsupervised by a caregiver, and the caregiver of a disruptive child will be asked to remove the child from the campus.

The University is an environment that is conducive to work and learning; therefore, this policy is established to avoid disruptions in learning and in job duties of employees and co-workers, to reduce property liability, and to help maintain the University's professional work and learning environment.

If bringing a child to work or class seems unavoidable, the employee or student parent/caregiver must contact his/her supervisor or professor as soon as possible to discuss the situation. Factors the supervisor or professor will consider are the age of the child, how long the child needs to be present, the work or classroom environment in the parent's/caregiver's area, and any possible disruption to the employee's and co-workers' work and to other students. Consideration will not be given to allowing a child with an illness to come to work or school with the employee or student parent/caregiver.

Eligible faculty and employees are encouraged, when necessary, to use their Family Medical Leave Act (FMLA) benefits for qualifying circumstances as outlined at <http://www.dol.gov/esa/whd/fmla/>. The employee should refer to the University's FMLA policy and contact his/her supervisor for additional information when scheduling FMLA leave.



## **2.14 PET POLICY**

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The University prohibits bringing animals onto University owned or leased property. Exceptions include animals that provide ADA accommodations and those used in theatrical productions. If an individual would like to use an animal for educational purposes, a request must be made to and approved by his/her supervisor and the appropriate Vice President.

## 2.15 MARKETING & DIGITAL COMMUNICATIONS

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### Media Procedures

The Vice President, Marketing and Digital Communications is responsible for coordinating internal and external communication and serves as the official spokespersons for the University. The Marketing and Digital Communications office will provide prompt and accurate information. Because misinformation can create confusion, and isolated quotes from individuals are usually incomplete or misleading, they must be avoided. Employees should not speak to the media without discussing with the Assistant Vice President, Digital Communications, or in the absence of the AVP, the VP, Marketing and Digital Communications. If these persons are not available, take down the person's name and the call will be returned.

### PRINTING/PUBLICATION POLICY

As an institution of higher learning, Stevenson strives for clear, accurate, high-quality, and unified publications in order to sustain and support a *consistent brand image* for all of its diverse constituents.

In order to achieve these objectives, the VP, Marketing and Digital Communications makes the decisions about the best means to develop and complete projects that require graphic design or external message generation. Such projects include print, broadcast, and online advertisements, brochures and flyers, newsletters, magazines, and related projects. In some cases, generally based on timing and scope, an external designer or group may be utilized under the project management of the Marketing and Digital Communications office. With organization and cooperation, Stevenson will produce uniformly cohesive, attractive, and professional-quality publications for external and internal audiences.

However, for purposes of controlling quality and cost, all campus external print projects will be produced utilizing the print management services of the Marketing and Digital Communications office in order to ensure that appropriate level of printers are selected for the specific project, that proof checks are monitored as indicated, that projects are tracked and of acceptable quality, and, most importantly, that a formal and legal bidding process is followed.

The University's official *Guide to Publication Style and Visual Standards* is to be used as standard for all marketing and Web projects, defining consistent logo and language usage. This guide is maintained by the Marketing and Digital Communications office and is available as a downloadable document on its –SUNow portal page. The style guide is revised and distributed annually and includes specific instructions on requesting publications as

guidelines to the campus departments. The Marketing and Digital Communications office will serve as editorial support staff for publications, but it is ultimately each department's responsibility to check facts and dates before a project goes to press.

### **Use of University Name, Seal and Logos**

The University's name, seal and logos are the exclusive property of the University and, consequently, may not be used in connection with goods or services offered by any outside organization without the prior permission of the VP, Marketing and Digital Communications.

### **LOGO POLICY**

The official University logo is a carefully developed visual identity for the University and is, therefore, for branding purposes, placed on all publications and printed materials pertaining to Stevenson University. It is always to be used on external publications, including websites.

While many of Stevenson's individual programs are distinctive and deserving of publicity, a proliferation of logos that differ in look from the official Stevenson University logo will dilute its overall message and overshadow the purpose of the official University logo. Campus organizations and departments that have designed logos that are not utilizing the official logo should utilize those strictly for internal usage (i.e., they cannot be used on external publications, mail or on websites.) For more on the University's name, seal, and logos, please refer to the style guide as noted previously.

### **Official University Notices**

#### **1. Official Bulletin Boards**

There are "Official Bulletin Boards" located in each classroom building. Only "Official Notices," approved by the Office of Student Affairs, should be placed on these bulletin boards. There are additional "Official Bulletin Boards" placed in hallway areas and marked as such. The same regulations apply. The criteria used in determining official notices are: the information issues from an official of the University; it is of University-wide importance; its effect is long- range (one year, or permanent); non-knowledge of the information carries a sanction or long- range effect.

#### **2. Department Bulletin Boards**

Bulletin Boards relevant to academic/staff department\* activities are assigned by the Office of Student Affairs to a designated individual who is responsible for the design, periodic review and maintenance of the Bulletin Board. These academic-oriented displays should be neat, current, and attractive throughout the year, including summer. No commercial items (for-profit), other than opportunities such as graduate school admissions testing support, should be placed. Such items are subject to removal. Materials may not be placed on hallway walls, windows or doors. Faculty may post items on their own doors.

### 3. Student Bulletin Boards

Clubs/Student Organizations\* The Office of Student Affairs will assign Bulletin Boards to specific organizations. The designs and lettering should be neat, with correct spelling/grammar and maintained as current and attractive throughout the calendar year. No commercial items are to be placed on these assigned sites without the approval of Student Affairs. Failure to maintain the site appropriately will result in the loss of the organization's use of the Bulletin Board.

Specific Student Display Bulletin Boards\* The Office of Student Affairs designates specific sites for placement of student-oriented classified ads (roommates/jobs/classified etc.) Students may post items appropriately. The items should be dated at time of placement. The Office will monitor these Bulletin Boards and reserves the right to remove any item it deems inappropriate to the University.

\*Standards for all Bulletin Board Displays include use of a header and printed (not hand) lettering, contact information for responsible person(s); use of a background material and border suggested but not required. Boards may not be used for the purpose of any form of solicitation.

## **TEMPORARY SIGNAGE POLICY**

### 1. Student-prepared flyers/banners/posters

Items advertising events, directions or accomplishments should be reviewed prior to posting and initialed by the Office of Student Affairs. NO signs or notices may be posted on entrance doors, with the exception of an official notice posted by a University official regarding a University emergency. No flyers are to be placed on any window, door, in restrooms, painted surfaces or floors. Approved posters and notices must be removed within one week after the event. Non-approved posters and notices will be removed.

### 2. Staff/Academic Department flyers/banners/posters

Flyers and posters for athletic events, alumni activities, admissions and career services events, cultural affairs, etc. must be reviewed by each department head for correct spelling and compliance with the *Guide to Publication Style & Graphic Standards*. The departments are responsible for removing the signage in a timely manner. The Marketing and Digital Communications Office will assist with external professional signage as requested by individual departments if there is an approved budget. Banners to be placed across the central quadrangle area on the Greenspring campus will be scheduled through the Marketing and Digital Communications Office before ordering and will be placed by the Facilities Department. These will be limited to special University events of a general nature (e.g., SU Homecoming and Family Weekend).

### 3. Owings Mills Apartments Posting Policy

Bulletin Boards are installed in the central area of each floor in the residence halls and suites. Boards are to be used for posting of information for residents as well as passive educational programs each month (i.e., AIDS, STDs, diversity, etc.) Residence Life staff will post all flyers. Offices or individuals should bring the flyers(s) to the Office of Residence Life in the Community Center for approval and posting by RAs. RAs will remove outdated flyers. Flyers will be posted only on bulletin boards. Use of hallway walls, windows, glass doors, elevators, laundry rooms, and rest room areas are prohibited for posting of flyers. Glass doors at the building entrances and elevator doors will be used only in emergency situations by RL staff to announce notices affecting residential living (temporary power outages, water issues, etc.). Display of commercial materials is subject to approval by the Director of Residence Life. Parking lots are private property. Solicitation and placement of flyers on cars is strictly prohibited.

### 4. Plasma Screens Policy

The University has installed several plasma screens in the student unions and other locations for the purpose of coordinating accurate and time-sensitive information on student-related activities and news. Promotion of club activities is encouraged, with the policy of club event details to be provided via Club Event and Proposal forms coordinated by the Student Affairs Office and online using the website address. Events will be developed into PowerPoint format by the Office and posted by 9 a.m. on a current day. The order of sequence is events for current day preceding events for current week and future weeks. Corrections will be made by contacting the Student Affairs office. A copy of the PowerPoint presentation will be transferred to the Owings Mills Center. Saturday presentations will be coordinated by the Residence Life Office.

### **Commercial Advertising for Student Publications**

The student newspaper of the University, *The Villager*, utilizes general advertising guidelines adapted from the *Student Media Guide to Advertising Law*, 2001 Student Press Law Center. Courts have recognized the right of student media to reject ads submitted by third parties provided that the students--not school officials-- decide whether to accept or reject the ad. Students should therefore decide whether ads should run, based on the values and ethical issues that are conveyed by the institution.

*The Villager and other student publications:*

1. Reserve the right to refuse any commercial advertising that they believe to be inappropriate.
2. Will not print any commercial advertising that promotes violence or uncontrolled aggression.
3. Will not print any commercial advertising that promotes unhealthy student

behavior in regard to smoking, drugs, or alcoholic beverages, particularly binge drinking.

4. Will not print any adoption notices, although they understand that such notices are legal in the state of Maryland.
5. Will not print any commercial advertising that disrespects or denigrates any population, or that promotes irresponsibility or exclusion.

## **2.16 UNIVERSITY ADVANCEMENT POLICIES**

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### **Soliciting Charitable Contributions**

In soliciting charitable contributions, no staff member or representative of the University is authorized to commit the University to an agreement that is in conflict with established policies and procedures, or that compromises, in any manner, the position of any office or department in the performance of its assigned responsibilities.

Any member of the campus community who wishes to seek a grant or other contribution of foundation, or other nongovernmental agency for the purpose of establishing, continuing, enlarging, or replicating an approved program, project or activity, will coordinate such solicitation effort from its inception with the Vice President, University Advancement by following the procedures set forth below. The Vice President, University Advancement will ensure that, in the solicitation of support from such sources, the University priorities are observed and plans for such programs or projects or activities have been reviewed and approved in advance of solicitation by academic, financial, and other appropriate administrative officers. Approval for such activities is at the sole discretion of the University.

### **Procedures for Soliciting Contributions and Fundraising Events**

All fundraising events and campaigns conducted by students, parents, faculty or staff on campus or on behalf of any of the University's clubs, organizations, departments or members must be authorized in writing, prior to the solicitation or collection of any funds greater than \$500, as set forth below:

A Fundraising Authorization Form seen in Appendix II-A and available in the Student Affairs Office) must be completed, signed by the club's or organization's moderator, or School Dean, and submitted to the Dean of Students for approval. Students, faculty, staff and other University representatives are required to alert the Office of University Advancement before the solicitation of any cash and/or in-kind gifts of \$500 or more.

A written record of all funds collected by student organizations and clubs must be kept by the person officially designated by the Dean of Students, and such funds must be turned into the Office of Student Affairs on the next business day. The written record shall include the name and address of each donor, the amount given, the date received, and the purpose for which the funds were given.

All checks shall be made payable to Stevenson University.

### **Externally Funded Grants and Contracts**

Any member of the Stevenson University community interested in seeking funding from corporate, foundation or government sources in support of their department, shall follow

these steps:

1. Review the Guidelines for Requesting Grant Support.
2. Complete the Grant Development Worksheet available in Appendix II-B and obtain the appropriate signatures.
3. Meet with the Director of Corporate, Foundation and Government Relations in the Office of University Advancement to determine timeline and desired level of support needed from the Advancement Office.
4. Develop the proposal within the parameters decided in Step 3.
5. Review the proposal with the head of the department, the Office of University Advancement, and any other appropriate people (such as the Executive Vice President, Academic Affairs).
6. Complete the Grant Submission Cover Sheet (see Appendix II-C).
7. Direct questions to the Office of University Advancement.

All appendices referenced in this section are available online at

<http://www.stevenson.edu/services/ord/forms.asp>

### **Gift Acceptance**

Stevenson University has a comprehensive Gift Acceptance Policy that is designed to provide guidance to the Stevenson University community and its constituents to facilitate the gift giving process. The intent of this policy is to provide prospective donors with the greatest flexibility possible in formulating their gifts within governing policy and legal parameters while assuring that gifts obtained will support programs consistent with the mission of Stevenson University.

A copy of the complete Gift Acceptance Policy may be obtained by calling the Office of University Advancement.

### **General Topics Covered in Gift Acceptance Policy:**

- The University seeks gifts from individuals, corporations, foundations, government agencies and other organizations to fulfill its mission. The University can only accept gifts that will advance the mission of the institution.
- The University highly values and is responsible for maintaining its integrity and commitment to academic excellence and freedom. Accordingly, the University will not accept gifts which involve discrimination based upon race, religion, gender, sexual orientation, age, national origin, color, disability, or any other basis prohibited by federal, state, and local laws. Additionally, the University reserves the right to refuse any gift that it believes is not in the best interest of the University.
- Proposed gifts that may expose the University to adverse publicity, require undue



expenditures, or involve the University in unexpected responsibilities because of their source, conditions, or purposes will be referred to the Gift Acceptance Committee, whose members are the incumbents in the following positions: 1) the University President; 2) the Vice President, University Advancement; 3) the Chief Financial Officer. This Committee is established to review gifts offered to the university and to recommend whether to accept or decline these gifts. The final decision authority on gifts brought to the Gift Acceptance Committee lies with the University President.

- In accepting a gift, the University also accepts a responsibility to the donor to steward that gift. This includes administering the gift properly, providing the donor with appropriate financial information about the gift, and reporting to the donor about the use of the funds.
- Various methods of gift giving can provide flexibility, security, and tax savings to donors. Unrestricted resources are essential to ensure the continued quality of the University's academic programs and supporting services and to sustain and enhance the institution's financial strength and flexibility.
- Gifts accepted by the University must not inhibit it from seeking gifts from other donors, be they similar or different, foreign or domestic. Finally, gifts must be designed and administered in a manner consistent with legal requirements, as well as requirements defined and set forth by other internal or external regulatory entities.
- Donations for certain purposes are not acceptable as charitable gifts to the University. For example, gifts cannot be accepted as payment for tuition, fees, loans, room, board, or other student expenses. Payments of this kind made with the condition that the proceeds will be spent by the University for the personal benefit of a named individual or individuals are generally not deductible as charitable contributions.

### **Supporting Procedures**

- Any gifts other than cash, publicly traded securities, and tangible personal property (to be retained for the University's use and that is valued at less than \$5,000) must be brought to the Gift Acceptance Committee for review.
- Examples of some common gift giving vehicles and assets that are addressed in the complete version of the policy manual include cash, publicly traded securities, tangible personal property, real estate, and bargain sales.
- Examples of common gift types or giving methods are addressed in the complete version of the policy manual include bequests and retirement plan designations, life

income arrangements, life insurance policies, and charitable trusts.

- The University's advancement officers are available to provide assistance to donors seeking to understand and choose from the wide range of gift giving vehicles and types. The gift officers are required to inform donors about the specific protocols involved in the University's approval and acceptance of various gift vehicles and types. Donors should note that in certain cases, such as gifts of real estate or tangible personal property, the University will generally look to the donor to bear certain expenses incurred in receiving or maintaining gifts. These expenses may include, but are not limited to real estate appraisal fees, environmental audit expenses incurred by the university as part of their due diligence, and ongoing maintenance costs incurred for holding the asset prior to sale.

## **2.17 FAMILY EDUCATIONAL RECORDS PRIVACY ACT (FERPA)**

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An applicant is deemed a student for FERPA purposes once the applicant is enrolled and the deadline for adding a course in the applicant's first semester or session has passed.

### **External Lawful Access to Student Records**

Student educational records are not released to anyone without the written consent of the student except as otherwise permitted by the statute. Exceptions include:

- a. release of information to officials of other institutions in which students seek to enroll.
- b. persons or organizations providing student financial aid; accrediting agencies carrying out their accrediting function; persons in compliance with a judicial order.
- c. authorized officials who audit, evaluate or enforce federal and state supported programs.
- d. persons in an emergency in order to protect the health or safety of students or that of other persons; parents of a student who have established the student's status as a dependent according to the Internal Revenue Code of 1954, Section 152.

### **Internal Lawful Access to Student Records**

Students have the right to inspect and review their own education records within 45 days after the University receives a request for access. Students should submit to the Registrar written requests that identify the record(s) they wish to inspect. The Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained in the Registrar's office, the Registrar shall contact the appropriate office and arrange for inspection.

Students have the right to request the amendment of their education records that the student believes are inaccurate or misleading. Students may ask the Registrar to amend a record that they believe is inaccurate or misleading. Students must write to the Registrar clearly identifying the part of the record they want changed and specifying why it is inaccurate or misleading. If the Registrar determines the student is correct, the records shall be amended accordingly.

If the Registrar determines the student is incorrect, the student shall be notified within a reasonable period of time (e.g., three weeks) that the record will not be amended and that the student has the right to request a hearing to appeal the Registrar's decision. The request for hearing must be made in writing. The hearing will be scheduled by the Registrar within 30 days of the day the request was received. The student may present evidence relevant to the issues raised and may be assisted or represented at the hearing by one or more persons of the student's choice, including an attorney, at the student's expense. The

hearing panel may be composed of the Executive Vice President, Academic Affairs, the Dean of Students and the Dean of the School or designee (e.g., Department Chair or Program Coordinator) of the student's program. The decision of the hearing panel will be final. The decision will be based solely on the evidence presented at the hearing, and will consist of written statements summarizing the evidence and stating the reason for the decision, and will be delivered to all parties concerned. If, as a result of the hearing, the University decides the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, the University will amend the education records of the student accordingly and so inform the student in writing. If, as a result of the hearing, the University decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the University will inform the student of the right to place in the student's education record a statement commenting upon the information in the education record and/or setting forth any reasons for disagreeing with the decision of the University. This statement will be placed in the education records and released whenever the records in question are disclosed.

Students have the right to consent to disclosure of personally identifiable information contained in the student's education records by completing the authorization contained in Appendix II-H. The authorization is valid until such time as the student withdraws it. FERPA authorizes disclosure without the student's authorization and consent under the following circumstances:

Educational records may be disclosed to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position; a person or company with whom the University has contracted (such as an attorney, auditor or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, is assisting another school official in performing the official's tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill the official's professional responsibility.

Release of "Directory Information"; viz., the student's name, address (including e-mail address), telephone number (if listed), photograph, dates of attendance, program pursued, degrees and awards received, and the most recent previous educational agency or institution attended by the student. Students may withhold "Directory Information" by notifying the Registrar in writing, on the form provided for this purpose located in the Registrar's office, also available online. Requests for non-disclosure must be received prior to September 15 and will remain in effect for the remainder of the academic year. Requests for nondisclosure must be filed annually.

Students have the right to file a complaint with the U.S. Department of Education if they believe that the University has violated their FERPA rights. Complaints may be filed with the Family Educational Rights and Privacy Act Office (FERPA), Department of Education, 330 Independence Avenue, S.W., Washington, D.C. 20201.

## 2.18 ACADEMIC INTEGRITY POLICY (Approved March 2017)

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Stevenson University expects all members of its community to behave with integrity. Honesty and integrity provide the clearest path to knowledge, understanding, and truth – the highest goals of an academic institution. For students, integrity is fundamental to the development of intellect, character, and the personal and professional ethics that will govern their lives and shape their careers. Stevenson University embraces and operates in a manner consistent with the definitions and principles of Academic Integrity as set forth by the International Center for Academic Integrity:

*Academic integrity is a commitment, even in the face of adversity, to six fundamental values: honesty, trust, fairness, respect, responsibility, and courage. From these values flow principles of behavior that enable academic communities to translate ideals into action.<sup>1</sup>*

- **Honesty.** *Academic communities of integrity advance the quest for truth and knowledge through intellectual and personal honesty in learning, teaching, research, and service.*
- **Trust.** *Academic communities of integrity both foster and rely upon climates of mutual trust. Climates of trust encourage and support the free exchange of ideas which in turn allows scholarly inquiry to reach its fullest potential.*
- **Fairness.** *Academic communities of integrity establish clear and transparent expectations, standards, and practices to support fairness in the interactions of students, faculty, and administrators.*
- **Respect.** *Academic communities of integrity value the interactive, cooperative, participatory nature of learning. They honor, value, and consider diverse opinions and ideas.*
- **Responsibility.** *Academic communities of integrity rest upon foundations of personal accountability coupled with the willingness of individuals and groups to lead by example, uphold mutually agreed-upon standards, and take action when they encounter wrongdoing.*
- **Courage.** *To develop and sustain communities of integrity, it takes more than simply believing in the fundamental values. Translating the values from talking points into action – standing up for them in the face of pressure and adversity – requires determination, commitment, and courage.<sup>2</sup>*

Stevenson University expects academic integrity from all members of its community. Behaviors that violate the principles and expectations of academic integrity are considered to be forms of academic misconduct and are addressed under the University's Academic Misconduct Policy.

<sup>1</sup> [International Center for Academic Integrity. \(2014\). The Fundamental Values Project.](http://www.academicintegrity.org/icai/resources-2.php) Retrieved from <http://www.academicintegrity.org/icai/resources-2.php>

<sup>2</sup> [The Fundamental Values of Academic Integrity. \(2013\).](http://www.academicintegrity.org/icai/assets/Revised_FV_2014.pdf) Retrieved from [http://www.academicintegrity.org/icai/assets/Revised\\_FV\\_2014.pdf](http://www.academicintegrity.org/icai/assets/Revised_FV_2014.pdf)

## **2.19 INTERNATIONAL & OFF-CAMPUS STUDY EMERGENCY RESPONSE POLICY** (Approved March 2017)

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The Office of International & Off-Campus Study routinely monitors the safety and security conditions in locations where Stevenson University students travel for the purpose of taking part in University sanctioned credit-bearing courses. The International & Off-Campus Study Emergency Response Plan designates the process in the event of an emergency or crisis involving the well-being of Stevenson University students, faculty, and/or staff in a University sponsored program or role off-campus (domestic or international). While acknowledging that no single plan can address all contingencies, Stevenson recognizes the importance of establishing, in advance, policies and procedures that are designed to safeguard the safety and well-being of participants.

For this purpose, a crisis is any circumstance that poses a genuine risk to, or that has already disturbed, the ongoing safety and well-being of the Stevenson University participants.

Crises could include, though are not limited to, the following:

- Arrests by police or other security forces
- Death
- Disappearance or kidnapping
- Hospitalization for any reason
- Legal action involving a participant
- Local political crisis that could affect the participants' safety and well being
- Natural or man-made disaster
- Physical assault resulting in serious injury
- Robbery resulting in serious injury
- Serious illness (physical or emotional)
- Sexual assault or rape
- Significant accident and/or injury
- Terrorist threat or attack

Once the information on the crisis situation is established, the Associate Dean, International & Off-Campus Study will consult with the Executive Vice President, Academic Affairs to make an initial determination if a particular situation warrants the activation of the International & Off-Campus Study Emergency Response Team. The International & Off-Campus Study Emergency Response Team is the main body that makes decisions and coordinates a response in the event of an emergency or crisis involving student and/or faculty participants.

The Team is made up of the following positions:

- Assistant Vice President, Facilities & Campus Services
- Assistant Vice President, Wellness Center
- Associate Dean, International & Off-Campus Study
- Associate Vice President & Controller, Business Office
- Director, Security
- Executive Vice President, Academic Affairs
- Vice President & Chief of Staff, President's Office
- Vice President, Marketing & Digital Communications
- Vice President, Student Affairs
- Vice President, Human Resources & Title IX Coordinator

In the case that the Team is called to action, additional members may be called upon on a case-by-case basis to include expertise on a geographical region or issue that is pertinent to the crisis at hand.

The International & Off-Campus Study Emergency Response Plan is intended to be updated on a regular, ongoing basis as needed. The Crisis Management Plan in its entirety is on the Stevenson University Human Resources webpage.



## 2.20 SPONSORED TRAVEL TO TRAVEL WARNING COUNTRIES (Approved March 2017)

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As part of Stevenson University's mission to prepare graduates to achieve excellence in a dynamic global community, it is dedicated to offering international opportunities to meet the needs of its diverse population. Accordingly, Stevenson is committed to maintaining the safety and well-being of its community members on Stevenson-related travel.

Stevenson recognizes U.S. Department of State (DOS) Travel Warnings. Travel Warnings indicate the need to consider carefully whether travel by U.S. citizens to a particular country, or location(s) within a country, are advisable given conditions that may include an unstable government, civil war, ongoing intense crime or violence, or frequent terrorist attacks.<sup>1</sup> The Office of International & Off-Campus Study maintains a list of current Travel Warnings on its online application homepage, <https://studyabroad.stevenson.edu>. Furthermore, Stevenson sets guidelines relating to where members of its community (defined as students, faculty and staff) may travel for Stevenson-associated pursuits as they pertain to countries with an active Travel Warning.

Stevenson observes the following Travel Warning policy:

If there is an active Travel Warning for a particular country as a whole or region(s) within a country, approval for travel will be suspended to that country (or region(s) within) as long as the warning is in effect, unless a petition application to waive this policy is submitted and approved.<sup>2</sup> Travel with Stevenson funds to countries for which a mandatory evacuation order has been issued will not be authorized. This policy applies to all Stevenson community member travel sponsored, organized, supported or recognized by Stevenson.

The rationale for this policy is that countries under Travel Warnings are considered to present an elevated risk to travelers' health and safety. However, Stevenson recognizes that a Travel Warning does not always negate compelling academic reasons for travelling to a country, and that security situations may vary considerably in different parts of a country under a Travel Warning.

Specific waivers (petition applications), depending on the Stevenson community member and their reason for travel (e.g. study abroad students, students traveling on non-credit experiences, student-athletes, faculty and staff travel, etc.), will require an exemption application which will be considered on a case-by-case basis by the respective authority.<sup>3</sup> The presiding authority may seek input from appropriate Stevenson administrators, faculty, staff

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<sup>1</sup> See <https://travel.state.gov/content/passports/en/alertswarnings.html>.

<sup>2</sup> With the exception of Israel, for which a petition application is not necessary but a liability waiver will be required.

<sup>3</sup> Exemption review will fall under the home department of the petitioner, e.g.: Study Abroad student travel – Student Petitions Subcommittee of the International & Off-Campus Study Committee; Non-credit student travel – Vice President Student Affairs; Student athletes – Athletics Director; and Faculty – Executive Vice President and Provost Academic Affairs.

and/or consultants with expertise in the proposed country or region in reviewing the application for an exemption to this policy.

If the respective authority approves the petition, the traveler will be required to sign a liability waiver indicating their awareness of the Travel Warning and their personal responsibility for the associated risks. If the respective authority denies the petition, all elements of Stevenson sponsorship will be withheld and the denial will be final.

Should a Travel Warning be issued while a member or group of the Stevenson community is already engaged in planning or has departed on Stevenson-sponsored travel in the subject country, the respective authority will assess the situation and make appropriate recommendations and decisions based on concern for the safety and security of Stevenson travelers.

The Policy on Stevenson University Sponsored Travel to Travel Warning Countries will be reviewed on a regular, ongoing basis as needed.