



Carroll Community College

2022 Annual Security Report

Contains Crime Statistics & Campus Policies
for Calendar Year 2021

Prepared September 2022 by
Carroll Community College Campus Police

Carroll Community College Campus Police Mission Statement

The mission of the Carroll Community College Campus Police is to serve and protect in order to establish a safe and secure learning environment for all members of the Carroll Community College community and visitors to the College; protect physical assets of the College in accordance with Maryland and Carroll County laws using sound security principles; ensure that the rules and regulations of the College are upheld and equitably enforced; and support the educational mission of the College.

In support of that commitment and pursuant to 20 United States Code section 1092(f) and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the College publishes an Annual Security Report that is available by October 1 of each calendar year. The College provides the information herein to meet the requirements of the Act. This report has been prepared using the information obtained by the Carroll Community College Campus Police and combined statistics supplied by the Westminster City Police Department, Carroll County Sheriff's Office, Maryland State Police, Carroll's Office of Human Resources, the College Title IX Coordinator and Office of Student Care & Integrity.*

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SECTION I: Contacting the Campus Police

Campus Police office location: Carroll Community College, 1601 Washington Rd, Building A, Room 137, Westminster, MD 21157. For emergencies and routine police matters, call 410-386-8123, or internally dial 8123. Persons in need of police services are strongly encouraged to contact the Campus Police to make a prompt, accurate incident report.

The Carroll County Sheriff's Office, Maryland State Police or Fire and Rescue Services may be reached by calling 911.

Carroll Community College contains a main campus, located at 1601 Washington Rd, and a Multi-Service Center, located at 224 N. Center St, Westminster, MD 21157.

Carroll Community College holds individual classes and events at several locations in the County (public schools) but does not control or supervise those locations. Emergency services may be requested by calling 911 from any landline or mobile phone from those locations. Carroll Community College has no public roadways or property within its campus boundaries.

All information used to compose this report is filed in the Campus Police offices at 1601 Washington Rd, Westminster, and is accurate as of September 14, 2022.

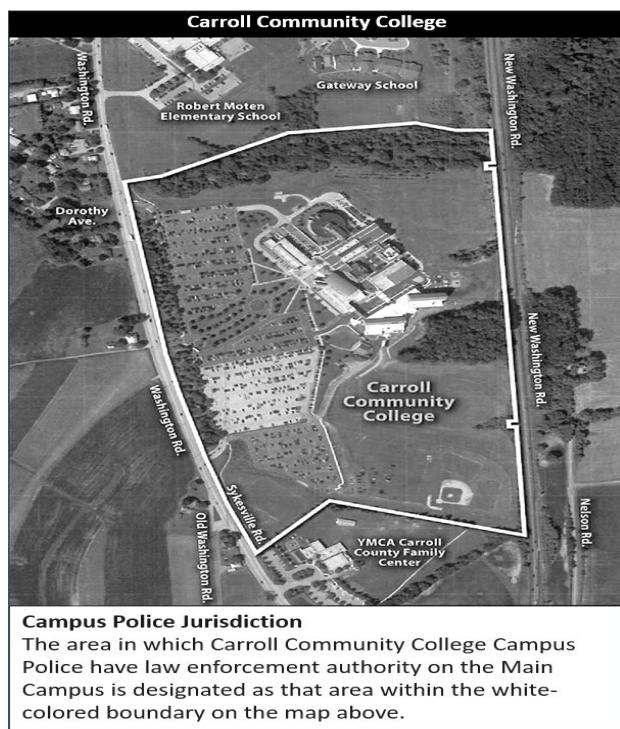
Overview of Carroll Community College's Campus Police: Authority and Jurisdiction

Carroll Community College's Campus Police is staffed by highly trained and experienced personnel. The Department is managed by Chief Brian Lintz, and Assistant Chief Sherri Warner. The office consists of full-time and part-time campus police officers who are sworn Maryland Special Police Officers (SPOs). All sworn SPOs have successfully completed a certified law enforcement or public safety academy or an SPO academy and have satisfied the requirements to be State appointed as SPOs. They are sworn in through the local jurisdictional circuit court and are empowered to enforce all State and local laws on campus properties.

Through a Use of Force policy, Maryland State Police licensing authority and training certified by the Maryland Police Training and Standards

Commission, SPOs have full authority to arrest and carry firearms. SPOs have authority to issue criminal and civil citations. Until fully trained and certified, officers are considered public safety officers and act as first responders in emergency and security situations. Duties include but are not limited to: monitoring persons entering and exiting campus, patrolling the buildings and grounds, enforcing College regulations, and assisting other members of the Department with the above responsibilities. Officers investigate all crimes and incidents for proper resolution. Officers staff security stations in various buildings, monitor cameras, and regularly patrol the buildings and stairwells. Officers also provide routine vehicle and foot patrols of parking areas and grounds for crime prevention purposes, enforce parking regulations, and provide escort services to and/or from vehicles upon request.

When authorized by the Maryland State Police to serve as Special Police Officers, law enforcement authority is granted for "Properties owned, leased, or used by Carroll Community College." Carroll's main campus is located at 1601 Washington Rd, and its off-campus location is located at 225 N. Center St, in Westminster. On occasion, the College uses space at McDaniel College (for commencement), but the non-campus use of other facilities is extremely limited. Carroll's Campus Police captures incident and crime data on its main campus, off-campus location, and streets and sidewalks adjacent to both locations.



Campus Police Jurisdiction

The area in which Carroll Community College Campus Police have law enforcement authority on the Main Campus is designated as that area within the white-colored boundary on the map above.

Members of the Department receive regular and ongoing training, including CPR/AED, basic first aid, naloxone, Mental Health First Aid, Advanced Law Enforcement Rapid Response Training (ALERRT), Single Officer Response to an Active Threat (SORAT) training, and training with and through other agencies. All training helps Carroll's Campus Police officers prepare to quickly manage incidents in advance of the response from local public safety agencies. In addition, Carroll Community College has excellent partnerships with the Sheriff's Office and other local agencies in the County for mutual support and cooperation.

Partnerships

The College has a standing Memorandum of Understanding (MOU) with the Carroll County Sheriff's Office that is reviewed annually, which includes a clear delineation of service and investigative responsibilities.

The Lethality Assessment Program (LAP) was implemented at the College in cooperation with Springboard Community Services. LAP is an assessment tool used by law enforcement personnel to determine, through a series of questions asked of a victim of domestic violence, the level of danger to the victim. The goal of the LAP is to prevent domestic violence homicides, serious injury, and re-assault by encouraging more victims to utilize the support and shelter services of domestic violence programs. All Campus Police officers and key staff members are involved in the LAP training. However, only SPOs are eligible to administer the assessment. Campus Police officers received refresher training in January 2021.

Campus Access and Campus Maintenance

Carroll Community College is an open campus permitting individuals to attend credit and continuing education courses, meetings, and activities. Everyone using the campus locations, including visitors, is required to show proper identification when requested by a Campus Police or public safety officer or authorized personnel of the College. Visitors are welcome on campus locations when conducting College business or using the facilities in accordance with college policy.

Campus Police officers open all buildings on campus and secure/lock them upon closing, in accordance with scheduled classes and activities in the buildings. On Sundays, the College is closed unless there is a

planned special event or class. In these cases, the doors nearest that event are opened 1/2 hour prior to the scheduled starting time and secured 1/2 hour after the event. During these special events, the only doors open are those doors needed to provide access to the event and emergency fire exits. When the College is closed, faculty, staff members, students and visitors are not permitted inside college buildings. It is the policy of Carroll Community College to have an advisor present at all student organization events (on- or off-campus). The advisor is responsible for reporting all criminal activity to the local law enforcement agency in that jurisdiction, as well as to Carroll's Campus Police by the next working day. The College does not have any student organizations housed off-campus.

Carroll Community College maintains campus facilities in a manner that minimizes hazardous conditions. Employees of Carroll County government and employees of the College maintain campus facilities, exterior buildings, walkways, landscaping, and exterior grounds. Campus Police officers report facility defects and concerns to the Office of Facilities Management without delay. Outside vendors/contractors are contracted to perform maintenance work occasionally at the College, and vendors/contractors are required to follow College policies. Maintenance-related concerns may be directed to the College Office of Facilities Management at 410-386-8492.

SECTION II: Awareness and Educational Programs in 2021, by Department

Visitors to Carroll's main campus and off-campus location share in the overall responsibility for their own safety and should take proactive steps to maintain situational awareness while on Carroll property. Being alert to one's surroundings, protecting one's personal property, and reporting suspicious persons and conditions all assist in maintaining a safe and secure environment. In addition, Carroll Community College is dedicated to offering awareness programs, prevention and awareness campaigns, and training to the College community.

Effective July 1, 2015, the College appointed a College Title IX Coordinator. The Director of Human

Resources position was expanded to include the additional title of Deputy Title IX Coordinator.

Both positions are responsible for administering the *Gender-Based and Sexual Misconduct Policy and Gender-Based and Sexual Misconduct Reporting, Investigation, Decision, Sanctions, and Appeal Policy Procedures*. The policy was adopted by the College in 2015, with the latest revisions made in August 2020. It is included, in its entirety, in Section V of the *Annual Security Report*. The entire campus, to include students, faculty, and staff, is continuously educated about the policy, in keeping with federal and state laws, regulations, and guidelines.

In the summer of 2020, the College replaced the Judicial Affairs Advocate position by hiring a new Director of Student Care and Integrity. The Director of Student Care and Integrity provides stewardship of the College's Code of Integrity for Academic and Behavioral Standards, Student Rights and Responsibilities, health, and wellness, works with multiple stakeholders on COVID policy, and oversees case management.

The Director of Student Care and Integrity also supervises the R.E.A.C.H. committee and chairs the Behavioral Intervention Team. The R.E.A.C.H. committee was formed in early 2018, restructured in the summer of 2021, and implemented in the Fall of 2021. The R.E.A.C.H. committee promotes student-centered resources to provide empowerment and advocacy for community health. The committee includes students, staff, and faculty in addressing critical health-related issues. R.E.A.C.H. comprises three subcommittees, Wellness, Drugs, Alcohol, Opioids, and Interpersonal Violence Prevention. R.E.A.C.H. raises awareness and offers student health and wellness resources for all three areas. These initiatives address Title IX; public safety; V.A.W.A.; drugs and alcohol guidelines. R.E.A.C.H. also addresses other potential challenges to student success. Events and activities are promoted on the College's website, advertised on banners and bulletin boards, the CLAW, and posted on social media.

The Behavioral Intervention Team (BIT) (formerly the CARE Team) is a multi-disciplinary group of diverse professionals on campus who seek to maintain a safe and supportive campus environment by receiving, evaluating, and responding to reports regarding student concerns. BIT members meet regularly to review reports, assess information, and provide students with assistance and resources.

College leaders collaborate to plan, implement, and evaluate initiatives related to programs, awareness, and campaigns that the College is currently offering. Such efforts comply with applicable laws and promote activities to make the College safer. There is a particular emphasis in this section on programs provided by the College which target the prevention of dating violence, domestic violence, sexual assault, stalking, discrimination, hate crimes, and drug and alcohol abuse.

Campus Police Prevention and Education Programs

Carroll's Campus Police provides safety and emergency preparedness information to the College community through multiple mediums. Pre-semester new faculty and new tutor orientation events and Collegewide meetings for staff and faculty members serve as an opportunity for the Chief of Campus Police to provide guidance on safety and security matters such as campus security procedures and practices, safety awareness, how to be responsible for one's own security and the security of others, crime prevention, emergency preparedness, and information on topics such as sexual assault, dating and domestic violence, child abuse, and direction on how the College community can contact Carroll's Campus Police. In addition, various safety/awareness and emergency preparedness brochures are distributed to faculty, staff, and students by Carroll's Campus Police during new student orientations and faculty orientations. Safety and security information is posted in every classroom throughout the College. The College has a Crisis Management Team, in which emergency response team members and building monitors have been trained in safety issues on campus. Each year, emergency training, drills and safety programs are provided on campus.

During student orientations, faculty orientations, and Collegewide meetings, the College community is given guidance on registering for e2Campus so that all can receive emergency notifications via phone alerts. The *Daily Crime/Incident Log* is available on the Campus Police web page, so that anyone can have quick access to this important information. Members of Carroll's Campus Police are frequently invited to present information during staff meetings, classes, and student organization meetings.

Carroll's Campus Police acknowledge that training, participating in community events/organizations and

increasing awareness among the College community is important and unceasing. Highlights of significant 2021 initiatives and achievements of Carroll's Campus Police include:

- **Active Shooter Response In-Service Training** completed by all campus police officers, January 2021.
- **Active Assailant Drill**, February 26, 2021
- **Sport Venue Evacuation & Protective Actions** training attended by Chief Lintz, June 2021.
- **Evacuation Drill**, October 6, 2021
- **Carroll County Opioid Senior Policy Group/Behavioral Health Advisory Council** quarterly meetings attended by College President, Chief of Campus Police, and Chief Communications Officer.
- **Carroll County Disaster Preparedness Group Executive Council/Local Emergency Planning Committee** monthly meetings attended by Chief Lintz.
- **Principled Policing** training attended by Chief Lintz and Asst. Chief Warner, June 2021.
- **Anti-Defamation League Hate Crimes for Campus Law Enforcement** training attended by Chief Lintz, August 2021.
- **New Tutor Orientation** conducted by Chief Lintz, August 16, 2021.
- **New Faculty Orientation** conducted by Chief Lintz, August 19, 2021.
- **Walk a Mile** is a community walk where participants give of their time to walk to stand up against sexual violence. The event is hosted annually by Rape Crisis Intervention Service of Carroll County in downtown Westminster, Maryland. In 2021, Assistant Chief Sherri Warner participated in planning this important community event to increase awareness of sexual violence and to help raise funds for this essential community organization. She also participated in the event, which was conducted virtually.
- **The Maryland State Police Polar Bear Plunge** is an annual event to support Special Olympics Maryland. Participants plunge into the Chesapeake Bay in January to raise money to support the 4,340 athletes in Maryland. In 2021, Asst. Chief Warner participated in this event virtually.
- **Carroll County Emergency Operations Center** – Chief Lintz represented the College during the

virtual EOC activation for COVID-19 beginning in March 2020 through May 2021.

- **De-escalation Training** completed by all campus police officers, August 2021.
- **Active Shooter Incident Management (ASIM) Training** completed by Asst. Chief Warner, November 2021.
- **Clergy Compliance Academy** completed by Asst. Chief Warner, November 29-December 10, 2021.

CCC's Campus Police actively seeks College employee and student feedback about the effectiveness of its efforts and has received comments which continue to endorse and praise the overall public safety outreach effort.

Compliance and Integrity Activities

The Title IX Coordinator oversees the College's "Gender-Based and Sexual Misconduct Policy and Gender-Based and Sexual Misconduct Reporting, Investigation, Decision, Sanctions, and Appeal Policy Procedures" for faculty, staff, and students. The policy is included, in its entirety, in Section V of this Annual Security Report.

During the first week of each semester, the College Title IX coordinator sends an email to all registered students with a link to the web-based training module. All students are encouraged to take the training, as it relates to the critical topics of sexual assault, dating violence, domestic violence, stalking and bystander intervention.

The Title IX Coordinator and staff raise awareness on campus as follows:

JANUARY

- Presented updates and reminders at the College-wide meeting
- Orientation for new students
- Training for new student employees
- Training for new tutors
- Title IX Coordinator attended MOU training by ATIXA
- Title IX Coordinators meeting
- Title IX Team meeting to review process

FEBRUARY

- Title IX Coordinator meeting

MARCH

- Virtual Resource Fair for students

- Meeting with local RCIS to build educational programming for campus
- Conducted training on the Good Samaritan Law and the consequences of addiction

APRIL

- Title IX Coordinators Meeting

MAY

- Presented Title IX issue summary at the College Wide meeting
- Title IX Coordinators Meeting

JUNE

- New Title IX team member attended ATIXA trainings

AUGUST

- Trained New Student Employees
- Safe Colleges online trainings sent to new students for completion
- Trained new and returning Tutors
- Provided review of Title IX policy at Virtual College wide meeting
- Replace updated educational material in all bathrooms/locker-rooms for Title IX contact information

SEPTEMBER

- Virtual New Student Orientation
- Implemented Safe Colleges for new and returning students
- Mental Health Awareness Program by NAMI
- Title IX Team meeting to review process
- Title IX Coordinators meeting

OCTOBER

- Title IX Coordinators meeting
- Training of club leaders regarding Title IX
- Interpersonal Subcommittee meeting to develop student programming

November

- Title IX Coordinators Meeting
- Interpersonal Subcommittee meeting to develop student programming
- Title IX team attends 2-day virtual ATIXA training

DECEMBER

- Title IX Coordinators Meeting
- Interpersonal Subcommittee meeting to develop student programming

Student Engagement and Completion

The College's Student Engagement and Completion effort is now being led by the Associate Provost, Student Affairs and Marketing. Within the Student Affairs Division, Student Engagement offers a variety of activities and programs to help students succeed while at college. Student Engagement also offers bus trips, concerts, theatrical productions, lectures, and multicultural programs.

Student Engagement hosts biannual New Student Orientation events prior to the start of the spring and fall semesters. New Student Orientation events provide new students with an opportunity to meet College faculty, staff, and other students; ask questions; learn how to balance responsibilities of home, work and College; learn about college clubs and organizations; tour the campus; and obtain information on a vast number of resources available to students. As part of New Student Orientation, students are provided information regarding sexual assault; Title IX, personal safety; and related safety topics.

Student Engagement continually examines the needs of the College population and plans events and activities with direction from other College leaders to enhance each student's learning experience. The REACH committee, formed in early 2018, is composed of several college functions whose mission is to coordinate all prevention training: Title IX; public safety; VAWA; drugs and alcohol, and other areas of risk to students. Events and activities are promoted on the College's website, advertised on banners and bulletin boards, and posted on Student Engagement calendars.

The primary prevention program for students is published by Safe Colleges: The Campus SAVE Act; Bystander Intervention; and Drug Awareness and Abuse. The first week of each semester, the College Title IX Coordinator sends an email to all registered students with a link to the web-based training module. All students are encouraged to take the training, as it relates to the critical topics of sexual assault; drug and alcohol issues; dating violence; domestic violence and stalking. All student employees are required to take the training.

The Office of Student Engagement publishes a weekly newsletter that is distributed to students and faculty. This newsletter announces campus events and initiatives and gives information on important

topics such as FERPA, mental health issues, and student wellness.

Office of Human Resources

The Director of Human Resources\Deputy Title IX Coordinator facilitates Title IX training programs for College employees. These training sessions are mandatory. The Human Resource Office tracks participation through Safe Colleges, an on-line, self-paced training program and follows-up with any employees who do not complete training by deadlines. Highlights of awareness activities and instruction programs follow:

- **Diversity Awareness** - The goal of this course is to provide staff with an awareness of how a diverse workforce strengthens an organization. The course examines behaviors, both unintentional and intentional, that can discriminate or contribute to a hostile work environment. It also discusses ways to respond or even intervene in discriminatory acts that are in concert with your organization's policies and showcase positive reinforcing behaviors that show respect and appreciation for staff who are different than you.
- **Title IX and Sexual Harassment** - This introductory course is designed to provide postsecondary staff members with information about the importance and implications of Title IX and sexual harassment, including sexual assault. Topics covered include the definition of sexual harassment, Title IX's regulations and obligations, and the elements of effective policies.
- **Workplace Bullying: Awareness and Prevention** - This course is designed to help staff members gain greater understanding of the nature of workplace bullying so that it may be prevented. It will review the impact of workplace bullying, identification of bullying behavior, and effective ways to deal with workplace bullying.
- **Workplace Violence: Awareness and Prevention** - The goal of this course is to provide employees and supervisors with basic information about awareness and prevention of violence in the workplace. The course will review the levels and causes of workplace violence, early warning signs

of violence, and techniques for defusing hostile situations.

Employment Application Notice – The College website for job postings and staff employment applications contain a statement that the College's Annual Security Report (ASR) is available to prospective employees, and a link to the report is provided.

Hard copies of the ASR are also available on campus in the Campus Police office, Room A137, main campus, as well as at the College's Information Center. Individuals may request copies by contacting the Campus Police at 410-386-8123.

SECTION III: Crime Prevention and Reporting

Campus Crime Reporting

If you are the victim of a crime:

1. Do not approach or attempt to apprehend the person(s) involved.
2. Make an effort to obtain an accurate description of the offender, including weapons, method and direction of flight, vehicle registration, etc.
3. Contact Carroll's Campus Police at 410-386-8123 or 911 immediately.
4. Crime scene—make note of the presence of items associated with the crime but do not handle these items if at all possible. **If a student or other person on campus should become the victim of a crime, sexual assault or sexual offense, the person should report the incident to Carroll's Campus Police immediately, either by dialing 410-386-8123, or by dialing 8123 from any internal College phone.** The College community is encouraged to immediately report all emergencies and criminal and/or suspicious activities to Carroll's Campus Police as soon as reasonably possible so that a Timely Warning can be issued to protect the safety and security of the College community. The College encourages accurate and prompt reporting of all crimes, including sexual crimes, to Carroll's Campus Police and the appropriate police agencies when and if the victim of a crime elects to do so. When a victim chooses not to report a crime to Carroll's Campus Police or the Carroll County Sheriff's Office, Carroll's Campus Police will offer every service and accommodation possible to the victim, to ensure the victim's safety and well-

being. Carroll's Campus Police works closely with several internal departments and teams, including emergency operations, risk management, facilities, information technology and academic affairs, as well as the College's Behavioral Intervention Team (BIT) to ensure a safe environment. The College also works closely with officials in the Carroll County Department of Emergency Management.

Carroll's Campus Police works closely with local law enforcement officers who quickly respond for assistance and/or arrest and prosecution when notified by college personnel or when requested by the victim of a crime.

You do not have to give your name to report a crime. Campus Police will not divulge the names of victims and other necessary parties as part of Clery Act reporting and disclosures and will take the necessary and appropriate steps to maintain the confidentiality of any accommodations or protective measures provided to the victim to the extent that maintaining confidentiality would not impair the ability of the College to provide the accommodation or protective measures.

If you are the victim of a crime, you do not have to press charges. Although the College may urge victims of crime to press charges, it is your decision. State prosecutors have the authority to file charges for any crime they deem appropriate.

In summary, the victim of a crime may:

1. Notify proper law enforcement authorities, including on-campus (Campus Police) and local police (Carroll County Sheriff's Office)
2. Be assisted by campus authorities in notifying law enforcement authorities if the victim chooses
3. Decline to notify such authorities

The College has a Memorandum of Understanding (MOU) with the Carroll County Sheriff's Office for the investigation and response to alleged criminal offenses. This MOU includes responsibility for the investigation of sexual assaults, other sex offenses, child abuse, and other crimes as defined in the Clery Act.

Campus Police collaborates with Family and Children's Services of Central MD to assist victims of domestic violence. This includes participation in the Lethality Assessment Program (LAP).

To ensure that the College community is able to assist victims of rape, Campus Police partnered with the

Rape Crisis Intervention Service (RCIS) of Carroll County to provide services for victims of sexual assault.

Campus Police works with the Carroll Hospital's Adult and Pediatric Sexual Assault Forensic Examiner (S.A.F.E.) Program to provide sexual assault forensic exam services to adults and children who are students, employees, and visitors of the College who are victims of sexual assault. This allows both parties to improve the overall response to sexual assault at Carroll Community College. S.A.F.E. provides comprehensive care, support and evidence collection for victims of sexual assault. S.A.F.E. allows victims to be evaluated in comfort and privacy by a specially trained forensic nurse within (3) to (4) hours. These services are available 24 hours a day to students, employees, and visitors to the College.

In the event of student actions not requiring police intervention, Carroll's Campus Police officers escort or refer students to the Director of Student Care and Integrity for student disciplinary action as appropriate.

Campus Police officers are available at all times that the College is open. Faculty, staff, and students are encouraged to report suspicious, behavioral, or criminal activity by speaking with a Campus Police officer directly, by dialing 8123 from any internal College phone located in each classroom and in hallways, or by dialing 410-386-8123 from any other phone. One may also call the Campus Police by dialing "0" for the Information Center to request assistance from a Campus Police officer.

Reporting by Campus Security Authorities (CSA)

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the College is required to disclose statistics concerning the occurrence of certain criminal offenses reported to local law enforcement agencies, Campus Police, or any official of the institution who is defined as a "Campus Security Authority" (CSA). The law defines "Campus Security Authority" as "An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings." The College has designated all campus employees as Campus Security Authorities.

Campus Security Authorities must disclose statistics for offenses that occur on campus, in or on non-campus buildings or property owned or controlled by the College, and public property within or immediately adjacent to the campus and related to the following three categories:

1. Murder/non-negligent manslaughter, manslaughter by negligence, sex offenses (rape, fondling, incest, statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, domestic violence, dating violence, and stalking.
2. Any bias-related (*hate) crimes related to the above listed crimes but also including larceny-theft, simple assault, intimidation, or destruction of property/vandalism.
3. Any arrests or referrals for weapons violations, drug violations or alcohol violations.

Employees are notified annually by Carroll's Campus Police that they are federally mandated to report crimes and are provided with instructions for documentation. In 2020, all current employees were required to complete CSA training through Safe Colleges. All employees must complete this training when hired and annually thereafter. CSAs are also instructed as to why a student may be more inclined to report crime to them and the specific crimes they are required to report. CSAs have been notified that they must immediately contact the Chief or Assistant Chief of Carroll's Campus Police via phone with the details of the incident to be reported. The Campus Police manager receiving the report will document the incident in a Departmental Incident Report.

If the reporting person or victim indicates that the report voluntarily being made of a Clery-reportable incident should remain confidential, Carroll's Campus Police will include the incident in the [Annual Security Report](#) but will not include any personally identifiable information.

Daily Crime/Incident Log

A [Daily Crime/Incident Log](#) is located on the College's website on the Campus Police home page so that anyone may have quick access to this information. The log is maintained by Campus

Police and contains, at a minimum, information for the current year and the two previous years. This log, which is updated daily, contains the nature, date, time, general location, and disposition of each incident. The log also contains incident information for the Multi-Service Center/BERC Center, located at 224 North Center Street, Westminster, MD.

Behavioral Intervention Team (BIT)

Carroll Community College adheres to policies that foster the safety and security of all members of the College community. The purpose of the BIT, an interdisciplinary committee composed of key administrators, faculty, and staff, is to serve as a network focused on prevention and early intervention in situations involving students experiencing distress or engaging in harmful or disruptive behaviors. The BIT provides ongoing assessment related to student behavioral issues, in an effort to prevent violence on campus. The BIT is not a crisis response team but responds proactively to student behavior issues and may work with the Crisis Management Team to respond to a campus crisis situation. Faculty, staff, and students are encouraged to report any behavioral issues that may be of concern to the safety and security of the individual and/or the College community. A message to the team may be sent to BIT@carrollcc.edu.

The BIT seeks to identify troubled students before a violent or threatening incident occurs. Trained members of the BIT respond to tips and reports of threats, threatening or concerning behavior or other information that suggests a student may be planning to hurt himself or others. Using proven intervention steps, the BIT seeks to interrupt plans for a violent act and return the student to class when s/he is no longer in crisis and a threat to others.

Student Assistance Program (SAP) & the Suicide & Crisis Lifeline

The College partners with BHS to provide a free and confidential Student Assistance Program (SAP). Students can access the SAP 24/7 by calling 1-800-327-2251, downloading the BHS app, or visiting <https://www.bhsonline.com>.

Anyone experiencing a personal crisis may also contact the Suicide & Crisis Lifeline, formerly the National Suicide Prevention Lifeline, by dialing 9-8-8.

Drug Free Schools and Communities Act and Higher Education Act

Carroll Community College is concerned about the adverse effects that drugs and alcohol can have upon society, families, and education. It is the policy of the College to comply with the Drug-Free Schools and Communities Act Amendments of 1989 by adopting and implementing a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by the students and employees of Carroll Community College. The College pays particular attention to the risks inherent in the illegal consumption of alcohol by underage persons and works with the Carroll County Sheriff's Office (pursuant to the MOU) to enforce and deter violations when observed by Campus Police or College administrators.

Carroll Community College's substance use policy declares that the College will not tolerate the illegal use of alcohol or the manufacture, possession, use, distribution, dispensation, or sale of controlled dangerous substances, illegal drugs of any kind, or associated paraphernalia at any of its locations, within any of its facilities or vehicles, or at any College-sponsored or supervised activity on or off-campus.

Violation of this policy by employees or students will result in disciplinary action, up to and including dismissal, consistent with normal College policy and procedures, and violators may be subject to Federal and State drug laws as civil or criminal prosecution, which can include fine and imprisonment. The College will cooperate with appropriate health and law enforcement agencies.

Students and employees who need help dealing with such problems are encouraged to use their health insurance plans or other appropriate community assistance programs. The College recognizes the significant risk that persons assume when using alcohol and/or drugs and publishes a list of treatment providers at the end of this report that may assist a student or employee who requests such services. A list of Carroll County agencies and descriptions of various health risks associated with the use of illicit drugs or alcohol is also available in the Office of Student Engagement, Wellness Center, and Human Resources. Employees of the College may seek assistance through the College's Employee Assistance Program (EAP). The Office of Human Resources will provide referral information.

Under the Drug-Free Workplace Act of 1988, should an employee be convicted of a criminal drug statute violation occurring in the workplace, it is the employee's obligation to notify the appropriate vice president no later than five (5) days after such a conviction. The employer must then notify the appropriate federal agency within ten (10) days after the receipt of such notice from the employee. Within thirty (30) days of receipt, it is the College's responsibility to take the appropriate personnel action.

As required by the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act Amendments of 1989, and as a condition of employment and enrollment at Carroll Community College, each student, faculty, and staff member is required to abide by the terms of this policy.

In addition, the College adheres to the requirements of the HEA (Higher Education Act of 1965), Section 120 (a)-(d), as outlined below.

The College publishes the Annual Security Report (ASR) each October 1 and sends an email with a link to the report to each registered student and current employee. The ASR contains information that meets the following requirements of the HEA:

The College, in its ASR, describes (A) standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on the institution's property or as part of any of the institution's activities; (B) a description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol; (C) a description of the health-risks associated with the use of illicit drugs and the abuse of alcohol; (D) a description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and (E) a clear statement that the institution will impose sanctions on students and employees (consistent with local, State, and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct required by this policy.

Carroll Community College is concerned about the adverse effects that drugs and alcohol can have upon society, families, and education. To that end, the College is committed to establishing and promoting a campus environment free from the use of illegal

drugs and alcohol. The College can establish a drug-free campus through the distribution of a policy statement; development of awareness and educational programs; and the establishment of a referral program for campus members.

Prevention activities

In an effort to reach the wider student population, the College publishes a link for all incoming students to Safe Colleges, an online training program that addresses the college drug scene, harmful effects of drug abuse, when and how to get help, and getting help at Carroll, followed by an online quiz. This is part of a bigger prevention effort (also through Safe Colleges) which covers the topics of bystander intervention and the Campus SAVE Act for students (sexual violence awareness). Training is not mandatory, but all students are invited to participate.

Carroll Community College subscribes to the Network of Drug-free Colleges and Universities Statement of Standards (1988) which states, "American society is harmed in many ways by alcohol abuse and drug use – decreased productivity; serious health problems; breakdown of the family structure; and strained societal resources. Problems of abuse have a pervasive impact upon many segments of society: all socioeconomic groups, all age levels, and even the unborn. Education and learning are especially impaired by drug use and alcohol abuse. Abuse among College students inhibits their educational development and is a growing concern among our nation's institutions of higher education."

As an institution concerned with drug use and alcohol abuse and as an institution receiving federal funds, Carroll Community College has established a drug and alcohol policy and will enforce and support both the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. These laws require the College to notify campus members about such items as policies, legal and disciplinary sanctions, health risks, and available sources for counseling, treatment, or rehabilitation.

Carroll Community College's substance use policy declares that the College will not tolerate the manufacture, possession, use, distribution, dispensation, or sale of controlled, dangerous substances, illegal drugs of any kind, or associated paraphernalia on any of its locations, within any of its facilities or vehicles, or any College-sponsored or supervised activity on or off campus. Students, faculty, or staff who violate this policy may be suspended and subject to dismissal, criminal

prosecution under local, state, or federal law and/or participation in a drug education/rehabilitation program. Irresponsible or illegal use or distribution of alcohol will be subject to penalties set forth in individual campus policy.

The usual penalty for drug distribution, manufacture, and dispensing will be dismissal, while use or possession may incur a lesser penalty, to include successful completion of an approved drug education/counseling component. Punishment could be up to 30 years in jail or a \$250,000 fine, or both, under federal law for the manufacture, distribution, dispensation, or possession of a controlled, dangerous substance.

Violations of MD State law provides for penalties including a maximum prison sentence up to 20 years or a fine up to \$25,000, or both.

Under the Drug-Free Workplace Act of 1988, should an employee be convicted of a criminal drug statute violation occurring in the workplace, it is that employee's obligation to notify the appropriate vice president no later than five (5) days after such conviction. While it could be assumed because of the size and organizational structure of the College that the College administration may be aware of the conviction, it does not relieve the employer of his/her responsibility to notify the appropriate federal agency within ten (10) days after the receipt of such notice from the employee. Within 30 days of receipt, it is the College's responsibility to take the appropriate personnel action.

The College provides referral and resource services for anyone confronted with a problem of drug and/or alcohol abuse. If you suspect that you, a colleague, or a friend might be experiencing drug or alcohol-related problems, you are encouraged to contact the appropriate College office (Human Resources or Student Engagement) or the Director of Student Care and Integrity, 410-386-8217.

As required by the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act Amendments of 1989 and as a condition of employment and enrollment at Carroll Community College, each student, faculty, and staff member is required to abide by the terms of this policy.

Carroll Community College will continue to make a good faith effort to maintain a pleasant working and learning environment. We ask that you do your part to help make our campus drug-free.

Sex Offender Information

The Campus Sex Crimes Prevention Act is a Federal law enacted on October 28, 2000, that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education or working or volunteering on campus. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in the State at which the person is employed, carries on a vocation, or is a student. To find the sex offender registry for Maryland, go to <http://www.dpscs.state.md.us/sorSearch> or access the web link through Carroll's website on the Campus Police page. This site provides information on registered sex offenders enrolled and/or employed at all Maryland institutions of higher education.

Carroll Community College is committed to offering accessible educational opportunities to our community. In support of that commitment, the College maintains an open-door policy of admission. However, the College also provides learning opportunities for younger learners and houses a Child Development Center on campus. Therefore, the College prohibits the enrollment or employment of sex offenders listed on any State Services Sex Offender registry and/or Maryland Department of Public Safety and Correctional Services Sex Offender Registry. This policy also prohibits any registered sex offender from enrolling in online classes or programs, or from attending or participating in any College-sponsored events or activities, on or off campus.

Weapons Prohibition

Carroll Community College prohibits the possession of weapons at the main campus, off-campus location and other locations owned, leased, occupied, or used by and under the control of the College. Weapons include guns, firearms, ammunition, explosives, dangerous chemicals, metal knuckles, knives with blades more than 3 inches long, electronic devices/Taser, other weapons and any object or instrument which has been designed or altered to appear to be a weapon, or which can reasonably be construed or used as a weapon (dependent on the circumstances of its use, possession, or display). This prohibition applies to employees, students,

guests, tenants, visitors, and other persons on Carroll Community College properties.

The prohibition of handguns does not apply to:

- a) A law enforcement officer in the regular course of the officer's duty;
- b) A law enforcement officer-recruit in the regular course of the recruit's training;
- c) An off-duty law enforcement officer; or
- d) A retired or past law enforcement officer in good standing from a law enforcement agency of the United States, the State or a local unit in the State who has met the standards of LEOSA (the Law Enforcement Officer's Safety Act) provided that:
 - i. The officer or retired officer is in possession of the officer's or retired officer's badge or credential (and a current LEOSA card for retired or past officers).
 - ii. The weapon carried or possessed by the officer or retired officer is concealed, or worn openly as part of the officer's uniform or official dress; and
 - iii. The officer or retired officer is authorized to carry a concealed handgun in Maryland.
- e) A uniformed employee of an armored car company who is authorized to carry a firearm in Maryland in the regular course of employment.
- f) A Carroll employee carrying or possessing a weapon on college property who is required or authorized by Carroll policy to possess a weapon.
- g) Persons who are granted permission to possess a weapon or replica weapon by the Chief of Campus Police for historical or educational purposes, or for other good reasons.

SECTION IV: **Emergency Response**

The College has placed Help Locator Signs in the parking lots that provide the location of the sign and the phone number for the Campus Police so that a person in need may contact the police using a more reliable, geo-based communications device (personal cellular phones).

Timely Warnings – Emergency Response and Notification

Carroll Community College has an emergency plan that provides a protocol for multi-hazard events, found in its Emergency Management Plan. In the event of a campus-based emergency, natural or man-made, Campus Police will work with College Administration to:

- Determine the nature of the emergency.
- Determine the risks to persons on campus, and persons reporting to campus.
- Determine the best response action (evacuate; shelter-in-place; lockdown, etc.).
- Engage all notification systems to alert the College community.
- Engage the services of Building Monitors to assist in the response action.
- Work with College Administration and first responders to resolve the crisis.
- Engage the Crisis Management Team to mitigate the crisis relating to educational and business activities.

Immediate emergency notification to the campus community is achieved through a multi-faceted system of communication utilizing Omnilert (e2Campus), which reaches registered users through their cell phones, via text messaging and email. e2Campus also posts messages on the College's website, Facebook page, and Twitter page. Additionally, messages are posted to Canvas, the Learning Management System, that serves as the College's online system to engage students. The College also uses the PA system and the College's radio system. In 2022, the College activated additional notification modes in e2Campus that will be used to post messages and sound an audible alert on all College computers that do not have the sound muted. Updates are provided to the community using the College's website, as well as e2Campus notifications. Carroll provides timely warnings to the entire College community regarding offenses or incidents that are reported to and confirmed by Campus Police officers, CSA's (Campus Security Authorities) or local police, and which may represent a threat to students and employees. This process is designed to protect the confidentiality of reporting persons and victims, and to aid in the prevention of

other crimes. Circumstances that may require the issuance of a timely warning constitute an immediate threat, and may include weather emergencies, violent incidents, fires, explosions and critical incidents that may directly affect the safety of students and staff on campus.

Carroll will issue a timely warning for all Clery Act crimes that:

- Are reported to CSA's (Campus Security Authorities), Campus Police or local police agencies; and
- Are considered by Carroll to represent a confirmed serious or ongoing threat to students and employees.

Carroll will issue an **emergency notification**:

- Upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.

Carroll's Campus Police is responsible for the issuance of Timely Warnings at its discretion, based on an assessment of the direct threat to the College community. Supervisors and managers of the Campus Police (the shift commander and/or the Chief or Assistant Chief), through its campus-based management of the reported emergency, collect information critical to the evaluation of the event and risk to the College community, and broadcast the warning without delay if it is determined to be in the best interest of persons on campus.

Campus Police managers consider the nature of the threat; location and identification of any involved persons (suspects or offenders); evacuation scenarios and developing circumstances. Follow-up messages may be sent if circumstances change, or if additional accomplices are identified and are not immediately apprehended. If the incident affects the larger community, the Chief or Assistant Chief of the Campus Police coordinates with the Carroll County Sheriff's Office to ensure that actions taken by the College or the local police do not negatively affect the other entity.

Carroll will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

As soon as Carroll has confirmed that a significant emergency or dangerous situation exists, it will:

- take into account the safety of the campus community
- determine the nature of the crime and the continuing danger to the campus community
- assess the possible risks of compromising law enforcement efforts
- determine what information to release about the situation, and
- begin the notification process, to include the incident type and suggested actions

The only reason that Carroll would not immediately issue a notification for a confirmed emergency or dangerous situation would be if doing so would compromise efforts to:

- assist a victim
- contain the emergency
- respond to an emergency, or
- otherwise mitigate the emergency

The warnings that are broadcast describe the nature of the emergency, recommended mitigation actions (such as evacuation or sheltering-in-place), and preventive actions (such as campus closings).

The College also uses a P.A. system on each campus to alert students and employees of critical incidents that are threatening or in-progress. Though other offices of the College may broadcast a warning or notification through other means, all official safety warnings are scripted and authorized by the Vice President of Administration; or shift commander, Chief or Assistant Chief of the Carroll Campus Police.

- a) When an emergency is reported or identified on any campus or at an off-campus building that affects the safety of the College community, Carroll's Campus Police gathers all known and relevant information, and assesses the need to alert the College community of the risk AND advisable actions (such as evacuation, sheltering-in-place or lockdown). **In the case of an Active Threat, such as an active shooter, the community may be advised to “Take run, hide, fight action”.** This recommendation allows for community members to decide which action is appropriate, allows message recipients to choose the action that best fits the situation, and to change the individual's response as the condition changes.

- b) During an emergency, the Department evaluates the risk to the campus, including those students and employees who may be in transit from one campus location to the other (main campus to the off-campus location in Westminster).
- c) Each notification (alert) contains information relating to the nature of the event, and
 1. Recommended action, and/or
 2. College closure information. Students and staff may be told to evacuate, shelter-in-place, lockdown or remain away from the College campus, or take run, hide, fight action.
- d) A follow-up notification may be made with additional information, or to cancel the alert.
- e) In the event of an evacuation, Carroll's alerting systems specified above will be used to notify the College community, and Campus Police officers and College Building Monitors will act to ensure that involved buildings or campuses are clear of occupants before that building or campus is declared to be 'safe' or reoccupied.

On a monthly basis, Carroll's Information Technology unit and College Administration conduct a test of the electronic alerting systems listed above. These tests may be announced or unannounced and are performed year-round. At least once annually, Carroll's Campus Police, in concert with the College Crisis Management Team, conducts an exercise to test and refine the Emergency Management Plan. In February 2021, the College conducted an active assailant exercise, and, in October 2021, the College conducted an evacuation drill.

Training on emergency policies and procedures is provided at every opportunity. In addition, College officials present materials to students, faculty, and staff through orientation, faculty development and professional development sessions. Policies and procedures are reviewed and updated annually. The Chief of Campus Police meets regularly with the chiefs of all local, state and college law enforcement agencies in Carroll County, during which response to crisis and crisis management is a standing topic.

The College has a Crisis Management Team and a Building Monitor Group to assist with emergency response and practice drills. The Crisis Management Team is a diverse group of college leaders who serve to consult and review the College's Emergency Plan for content and completeness. This group is also

trained and will respond as called upon to any incident or emergency on campus.

The Building Monitors Group includes selected individuals who assist in emergency planning, training, drills, and evacuation. Many Crisis Management Team members and Building Monitors are assigned College-issued two-way radios so that they may monitor College communications networks and notify Campus Police or College Administration of vital information. Both groups receive routine training to familiarize members with locating fire alarm pull stations; locating AEDs; knowing assigned evacuation routes and assembly areas; and assisting disabled individuals. For evacuation, they will direct people to the assembly areas as indicated on the evacuation map, at least 200 feet from the building (except for a bomb threat where 500 feet constitutes the safety area).

The College conducted the following crisis drills in 2021:

- **Active Assailant Drill** – February 26, 2021
- **Evacuation Drill** – October 6, 2021

SECTION V: Gender-Based and Sexual Misconduct Policy and Procedure

Overview

The College's Board of Trustees approved on March 18, 2015, a Gender-based and Sexual Misconduct Policy and Procedure. The sexual assault policy changes for the College were guided by the Association of Title IX Administrators' (ATIXA), Gender-based and Sexual Misconduct Model policy and Model Grievance Process and consistent with the White House Task Force to Protect Students from Sexual Assault Report – Not Alone, and Federal and State laws, regulations, and guidelines.

The policy replaces the College's existing sexual assault and harassment policies. The policy contains greater explanation regarding the following topics:

- Overview of policy expectations with respect to physical sexual misconduct.
- Overview of policy expectations with respect to consensual relationships.
- Sexual violence – risk reduction tips.
- Sexual misconduct offenses include, but are not limited to: sexual harassment, non-consensual

sexual contact, non-consensual sexual intercourse, and sexual exploitation. Definitions and examples are provided for each area.

- Additional Applicable Definitions and amnesty provision.
- Sanction Statement with examples.
- Other Potential Misconduct Offenses
- Confidentiality, Privacy, and Reporting Policy. Reporting to those who can maintain the privacy of what a victim shares.
- Amnesty
- Commonly asked questions and answers.

The College is undertaking specific education and training about sexual assault to fully implement the policy for faculty, staff, and students. The entire campus will be educated with respect to the policy and sexual misconduct in keeping with Federal and State laws, regulations, and guidelines. The College has contracted with LawRoom to provide CampusClarity online training for faculty, staff, and students regarding sexual misconduct, bystander intervention, and reporting of sexual misconduct incidents.

Gender-Based and Sexual Misconduct Policy

ATIXA 2020 MODEL POLICY AND PROCEDURES

**USE AND ADAPTATION OF THIS MODEL WITH
CITATION TO ATIXA IS PERMITTED
THROUGH A LIMITED LICENSE
To Carroll Community College
ALL OTHER RIGHTS RESERVED.
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INTRODUCTION

Members of the Carroll Community College community, guests and visitors have the right to be free from all forms of gender and sex-based discrimination, which can include acts of sexual violence, sexual harassment, domestic violence, dating violence, and stalking. Sexual Misconduct is a form of sex discrimination prohibited by federal and state discrimination laws, including Title IX of the Education Amendments of 1972, 2020 Title IX Regulations (34 C.F.R. Part 106) and Title VII of the Civil Rights Act. In addition, some forms of Sexual Misconduct violate the criminal laws of the State of Maryland.

All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The College has a zero-tolerance policy for gender-based misconduct. Serious sanctions will be used to reasonably ensure that such actions are never repeated. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and to establish a mechanism for determining when those expectations have been violated.

OVERVIEW OF POLICY EXPECTATIONS WITH RESPECT TO PHYSICAL SEXUAL MISCONDUCT

The expectations of our community regarding sexual misconduct can be summarized as follows: In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing and voluntary consent prior to and during sexual activity.

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Under this policy, “No” always means “No,” and “Yes” may not always mean “Yes.” Anything but a clear, knowing and voluntary consent to any sexual activity is equivalent to a “No.”

OVERVIEW OF POLICY EXPECTATIONS WITH RESPECT TO CONSENSUAL RELATIONSHIPS

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as teacher and student, supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both

parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable sections of the faculty/staff handbooks. The College does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the College. For the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student, administrator-student, staff-staff) are strongly discouraged.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor and will likely result in the necessity to remove the employee from the supervisory or evaluative responsibilities or shift the student out of being supervised or evaluated by someone with whom they have established a consensual relationship. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor as required may result in disciplinary action for an employee.

Any incidents of potential gender-based or sexual misconduct may be reported by students; faculty and staff are required to report. Incidents are to be reported to the Title IX Coordinator following the Gender-Based and Sexual Misconduct Reporting, Investigation, Decision, Sanctions, and Appeal Policy Procedures - found on pages 22-26 of this document.

In College investigations, legal terms like “guilt,” and “innocence” are not applicable. The College/Recipient never assumes a student, faculty, or staff member is in violation of college policy. College investigations are conducted to take into account the totality of all evidence available from all relevant sources. When a complaint of sexual misconduct is made the College/Recipient will use a preponderance-of-the-evidence (i.e., more likely than not) standard in any Title IX proceedings, including any fact-finding, investigation, and hearings.

EMERGENCY REMOVAL, ADMINISTRATIVE LEAVE AND SUPPORTIVE MEASURES

The College/Recipient reserves the right to take whatever measures it deems necessary in response to an allegation of sexual harassment in order to protect student, faculty, and staff rights and personal safety.

This may include emergency removal of a respondent if it is determined that there is an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment, in which case the respondent will have an opportunity to appeal the emergency removal decision.

In addition, a non-student employee respondent may be placed on administrative leave during the investigation and grievance process.

Supportive measures are “individualized services” reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.

Supportive measures may be provided to both complainant and respondent before or after the filing of a formal complaint, or where no formal complaint has been filed. Such measures may include, but are not limited to, class or schedule changes, leaves of absence, increased security and monitoring of certain areas of the campus, and imposition of a “No Contact” order to both parties. The College/Recipient will consider the concerns and rights of both the complainant and the respondent and will make every effort to avoid depriving any student of their education. Consideration of supportive measures will be made available to both parties. Determination of supportive measures will be made based on the information available at the time of consideration.

RIGHTS AND RESPONSIBILITIES

The College/ Recipient will provide notice of grievance procedures, including rights and how to file a complaint to students, and employees.

The College/Recipient will designate and follow a reasonably prompt time frame for major stages of the grievance process.

The College/Recipient will ensure an adequate, reliable and impartial investigation of complaints, including the opportunity to present witnesses and other evidence.

The College/Recipient will take steps to prevent recurrence of sexual misconduct and to remedy its discriminatory effects, as appropriate.

The College/Recipient will ensure institutional interests do not interfere with the impartiality of the grievance process.

Rights afforded to the parties will be on equal terms in all matters during the investigation, supportive measures, live recorded hearing, and resolution.

PROHIBITED CONDUCT:

- 1. Sexual Harassment**
- 2. Sexual Assault, Dating Violence, Domestic Violence, and Stalking**
- 3. Retaliation**

DEFINITIONS:

1. Sexual Harassment

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

- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
- An employee of the College/Recipient conditioning the provision of an aid, benefit, or service of the College/Recipient on an individual's participation in unwelcome sexual conduct.
- Sexual assault, dating violence, domestic violence, or stalking as defined in this policy.

2. Sexual Assault

Any sexual act directed against another person, without consent, including instances where the victim is incapable of giving consent. Sexual Assault includes Rape, Statutory Rape, Fondling, and Incest as defined below:

- a. **Rape**- The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, regardless of the age of the victim, if the victim did not consent or if the victim was incapable of giving consent.
- b. **Statutory Rape**- Sexual intercourse with a person who is under the statutory age of consent where the victim consented, and the offender did not force or threaten the victim.
- c. **Fondling**- The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of

the person subject to the touching, including instances where the person subject to the touching is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

- d. **Incest**- Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

3. Consent:

Consent is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Previous relationships or prior consent cannot imply consent to future sexual acts.

There is a rebuttable presumption that a person under age 18 cannot give effective consent. If a person under age 18 is involved in any matter where consent is an issue, capacity to give effective consent will be determined in accordance with Maryland law.

Sexual activity with someone who one should know to be -- or based on the circumstances should reasonably have known to be -- mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), constitutes a violation of this policy.

Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction).

This policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of these substances, including, but not limited, to Rohypnol, Ketamine, Gamma-hydroxybutyric Acid (GHB), Burundanga, etc. is prohibited, and administering one of these drugs to another student, faculty or staff member is a violation of college policy. More

information on these drugs can be found at <http://www.911rape.org/>

A responding party's use of alcohol or other drugs is not a mitigating factor.

The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegations under this policy.

4. Force:

- Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent (“Have sex with me or I’ll hit you. Okay, don’t hit me, I’ll do what you want.”).
- Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
- There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

5. Dating Violence

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

6. Domestic Violence

Violence committed by:

- a current or former spouse or intimate partner of the complainant;
- a person with whom the complainant shares a child in common;

- a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner;
- a person similarly situated to a spouse of the complainant; or
- any other person against a complainant who is protected from those acts under the domestic or family violence laws of Maryland.

Domestic violence can be a single act or a pattern of behavior.

7. Stalking

Engaging in a course of conduct, directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means – follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Stalking includes unwanted, intrusive, or frightening communications by phone, mail, texting, social media and email.

8. Retaliation

Any adverse employment or educational action taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual harassment.

Sanction Statement

The purpose of sanctioning is for deciding how best to enforce the College's Gender-Based and Sexual Misconduct Policy. Sanctions must represent a proportionate response to the violation.

Any student, faculty, or staff member found responsible for violating the College's Gender-Based and Sexual Misconduct Policy will likely receive a sanction ranging from warning to expulsion or termination of employment, depending on the severity of the incident, and taking into account any previous violations.

The College reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously

offensive behavior. The College will not deviate from the range of recommended sanctions unless compelling justification exists to do so.

Confidentiality, Privacy and Reporting Policy

Non-Confidential Reporting

Institutions of higher education are state and federally mandated to clearly articulate who are "responsible employees" under Title IX for purposes of initiating notice and/or investigation. All staff and faculty of Carroll Community College are responsible reporters and must report any information relating to sexual harassment, gender based or sexual misconduct.

When speaking to campus resources, all parties should be aware of the mandatory reporting requirement in order to make informed decisions about with whom to share information.

You are encouraged to speak to officials of the College to make formal reports of incidents of sexual misconduct. Notice to them is official notice to the College/Recipient. You have the right and can expect to have reported incidents taken seriously by the College when formally reported, and to have those incidents investigated and properly resolved through the grievance procedures.

You also have the right not to file a formal complaint. All reports of sexual misconduct will be taken seriously, regardless of whether the reporting party files a formal complaint or not. A formal complaint is a written document signed by a complainant or the Title IX Coordinator alleging sexual misconduct against a respondent about conduct within its education program or activity requesting initiation of the school's grievance procedures. When a formal complaint is filed, the College/Recipient will complete an investigation, and a live-recorded hearing with a panel of Hearing Officers to determine if any policy violations have occurred. If a complainant elects not to file a formal complaint, the College/Recipient will respond by offering supportive measures and weigh any request not to proceed with an investigation against the College/Recipient's obligation to provide a safe and non-discriminatory environment for all members of the campus community.

To Report Confidentially

If one desires details of an incident be kept confidential, they should speak with off-campus rape crisis resources, licensed health and mental health

care providers, licensed counselors or members of the clergy and chaplains to determine under what circumstances such individuals are able to maintain confidentiality. If you are unsure of someone's ability to maintain confidentiality, ask before you talk to them.

The following organizations are available to provide confidential support:

- **Carroll County Domestic Violence Hotline**
Phone: 443-865-8031
- **Rape Crisis Intervention Service**
224 N. Center St, #102, Westminster, MD 21157
Website: www.rapecrisiscc.org
Hotline: 410-857-7322
Phone: 410-857-0900 V/TTY
- **Maryland Coalition Against Sexual Assault (MCASA)**
Website: www.mcasa.org
- **Carroll Hospital Center**
200 Memorial Avenue, Westminster, MD 21157
Phone: 410-386-3000; TTY: 410-386-7186
- **Sexual Assault Forensic Examiner (S.A.F.E.) Program**
Website: <http://www.lifebridgehealth.org/Carroll/AdultSAFEProgram.aspx>
Phone: 410-876-6655

Amnesty for Students who Report Sexual Misconduct

In an effort for Carroll Community College to encourage reporting of alleged sexual misconduct, relationship violence, and stalking violations, neither complainant nor witnesses will face referrals for action under the College's Standards of Student Conduct if they personally engaged in the unlawful or prohibited use of alcohol or drugs during the incident when the alleged violation occurred.

Amnesty is a limited opportunity given to complainants and witnesses who in good faith come forward and report allegations of sexual misconduct. The College does not want the fear of receiving disciplinary action and/or a disciplinary sanction to prevent a student from reporting an incident of sexual misconduct. Amnesty does not extend to a person who violates this Sexual Misconduct Policy, or to any other person whose participation is not in good faith. Please note that amnesty applies only to the personal use of alcohol or drugs and does not extend to other potential violations of the Standards of Student Conduct that may have been committed, even if the

student may have been under the influence of alcohol or drugs at the time the alleged violations were committed.

This policy prohibits the imposition of a campus conduct action, except for a mandatory intervention for substance abuse, for a violation of the alcohol or drug use policies of the College by a student who reports to the College or a law enforcement officer an incidence of sexual assault or who participates in an investigation and/or live recorded hearing of a sexual assault as a witness if:

- The College determines the violation occurred during or near the time of the alleged sexual assault;
- The student is determined to have made the report of sexual assault or is participating in an investigation and/or a live recorded hearing as a witness in good faith; and
- The College determines that the violation was not an act that was reasonably likely to place the health or safety of another individual at risk.

The severity of the infraction will determine the nature of the College's response, but whenever possible the College will respond educationally rather than punitively to the illegal use of drugs and/or alcohol. The seriousness of sexual misconduct is a major concern, and the College does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of sexual misconduct.

Federal Statistical Reporting Obligations

Certain campus officials have a duty to report sexual assault, domestic violence, dating violence and stalking for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the annual Campus Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. The Clery report will reflect information gathered from staff including those in: student/conduct affairs, campus law enforcement, local police, student engagement staff, human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities. The information includes the date, the location of the incident (using

Clery location categories) and the Clery crime category. This reporting protects the identity of the reporting party and may be done anonymously.

Federal Timely Warning Reporting Obligations

Victims of sexual misconduct should also be aware that College administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The College will make every effort to ensure that a complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

Bystander Intervention

Important to the prevention and intervention of sexual misconduct at Carroll Community College is the response of individuals who are bystander observers or witnesses to the sexual misconduct. Individuals who observe or witness any misconduct, while not directly involved, have the choice to act by intervening directly, e.g., asking if the person perceived to be in trouble is okay or initiating action (verbal or nonverbal) to attempt to stop the offender, dialing 911 to contact law enforcement, dialing 8123 on campus to reach campus police, and/or contacting other persons of authority at the College. Help protect your friends and colleagues by intervening as appropriate for the situation. If you observe or witness sexual or other misconduct, please say something. If you believe that it is not safe for you to directly intervene in a situation, at a minimum, immediately dial 911, 8123 on campus, or contact the appropriate College authorities. All Carroll Community College students and employees are expected to be aware of and abide by the College security procedures and practices in this document and the College encourages students and employees to be responsible for their own safety and the safety of others.

Bystander Intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, and overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Campus Contacts:

- **Campus Police – Carroll Community College**
On Campus Dial: 8123
Phone 410-386-8123
- **Title IX Coordinator,**
Dr. Melody Moore, Associate Provost of Program Development and Partnerships
Phone: 410-386-8412
Email: titleix@carrollcc.edu
Office: A117C
- **Title IX Deputy Coordinator,**
Lisa Kuhn, Director of Human Resources,
Phone: 410-386-8032
Office: A138
- **Online Title IX Report Form**
<https://carrollcc.edu.185r.net/survey/?id=200>

Counseling Resources:

- **Carroll County Domestic Violence Hotline**
Phone: 443-865-8031
- **Rape Crisis Intervention Service**
224 N. Center Street #102, Westminster, MD
Website: www.rapecrisiscc.org
Hotline: 410-857-7322
Phone: 410-857-0900 V/TTY
- **Maryland Coalition Against Sexual Assault (MCASA)**
Website: www.mcasa.org
- **Carroll County Sheriff Office**
100 North Court Street, Westminster, MD
Emergency: 911
Phone: 410-386-2900
- **Maryland State Police –Barrack G**
1100 Baltimore Blvd., Westminster, MD
Phone: 410-386-3000
- **Carroll Hospital Center**
200 Memorial Avenue, Westminster, MD
Phone: 410-386-3000; TTY: 410-386-7186
- **Sexual Assault Forensic Examiner (S.A.F.E.) Program**
Website:<https://www.lifebridgehealth.org/Carroll/AdultSAFEProgram.aspx>
Phone: 410-876-6655

Commonly Asked Questions and Answers

Here are some of the most commonly asked questions regarding College's sexual misconduct policy and procedures.

Does information about a complaint remain private?

The privacy of all parties to a complaint of sexual misconduct must be respected, except insofar as it interferes with the College's obligation to fully investigate allegations of sexual misconduct. The College will consider the need to maintain privacy of individuals involved and weigh it against the College's obligation to provide a safe and non-discriminatory environment for all members of the campus community. Where privacy is not strictly kept, it will still be tightly controlled on a need-to-know basis. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted. Violations of the privacy of the complainant or the respondent may lead to conduct action by the College/Recipient. In all cases, the complainant has the right to file criminal charges through the assistance of the Carroll County Sheriff's Office. In all cases, complainant has the right to seek and receive trauma-informed service through the Rape Crisis intervention Service (RCIS), and to be assured of cooperation by the College and RCIS to improve the overall response to sexual assault by the College.

In all complaints of sexual misconduct, all parties will be informed of the outcome. In some instances, the administration also may choose to make a brief public announcement of the nature of the violation and the action taken, without using the name or identifiable information of the complainant or respondent. Certain College administrators are informed of the outcome within the bounds of student privacy (e.g., the President of the College, appropriate vice president(s), Chief of Campus Police). If there is a report of an act of alleged sexual misconduct to a Title IX Coordinator or Chief of Police of the College and there is evidence that a felony has occurred, local police will be notified. This does not, however, mean that charges will be automatically filed or that a complainant must speak with the police. The institution also will statistically report the occurrence on campus of major violent crimes, including certain sex offenses, in an annual report of campus crime

statistics. This statistical report does not include personally identifiable information.

Will my parents be told?

No, not unless you tell them. Whether you are the complainant or the respondent, the College's primary relationship is with the student and not to the parent. However, in the event of major medical, disciplinary, or academic jeopardy, students are strongly encouraged to inform their parents. College officials will directly inform parents when requested to do so by a student, in a life-threatening situation, or if the complainant or the respondent has signed the permission form to release information to parents, which allows such communication.

Will the person a complaint named in a complaint know my identity?

Yes, if you file a formal complaint. Sexual misconduct is a serious offense, and the respondent has the right to know the identity of the complainant/alleged victim. If there is an investigation and live recorded hearing requiring both parties, the College may provide options for questioning without in-person confrontation between parties, including closed-circuit testimony, Skype, FaceTime, using a room divider, or using separate rooms.

Do I have to name the respondent?

Yes, if you want formal disciplinary action to be taken against the alleged respondent. No, if you choose to respond informally and do not file a formal complaint (but you should consult the complete confidentiality policy above to better understand the College's legal obligations depending on what information you share with different College officials). Complainants should be aware that not identifying the respondent might limit the institution's ability to respond comprehensively.

What do I do if I am named in a sexual misconduct complaint?

DO NOT contact the alleged complainant. You may immediately want to contact someone who can act as your advisor; anyone may serve as your advisor. You may also contact the Title IX Coordinator, Dr. Melody Moore (410-386-8412), or Deputy Title IX Coordinator, Lisa Kuhn (410-386-8032), who can explain the College's procedures for addressing

sexual misconduct complaints. You may also want to seek other community assistance.

What should I do about preserving evidence of a sexual assault?

Police are in the best position to secure evidence of a crime. Physical evidence of a criminal sexual assault must be collected from the alleged victim's person as soon as possible, though evidence can often be obtained from towels, sheets, clothes, etc. for longer periods of time. If you believe you have been a victim of a criminal sexual assault, you should go to the Carroll Hospital Center Emergency Room, before washing yourself or clothing. The Sexual Assault Nurse Examiner (a specially trained nurse) at the hospital is on call 24 hours a day, 7 days a week (call the Emergency Room if you first want to speak to the nurse; the Emergency Room will refer you). A College staff member from Campus Police or from Student Affairs can also accompany you to the Hospital and law enforcement or Campus Police can provide transportation. Having the evidence collected in this manner will help to keep all options available to a victim but will not obligate her or him to any course of action. Collecting evidence can assist the authorities in pursuing criminal charges, should the victim decide later to exercise it.

Once involved, the hospital staff will collect evidence, check for injuries, or arrange for medical care, address pregnancy concerns, and address the possibility of exposure to sexually transmitted infections. If you have changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe, and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital, if possible, as they will likely keep the clothes you are wearing as evidence. You can take a support person with you to the hospital, and that person can accompany you through the exam, if you want.

Do not disturb the scene of reported incident — leave all sheets, towels, etc. that may bear evidence for the police to collect.

Will a complainant be sanctioned when reporting a sexual misconduct policy violation if he/she has illegally used drugs or alcohol?

Please refer to the Amnesty for Students who Report Sexual Misconduct section on page 17 of this policy.

Will the use of drugs or alcohol affect the outcome of a sexual misconduct complaint?

The use of alcohol and/or drugs by either party will not diminish the respondent's responsibility. Alcohol and/or drug use is likely to affect memory and, therefore, may affect available evidence.

Will either party's prior use of drugs and/or alcohol be a factor when reporting sexual misconduct?

Not unless there is a compelling reason to believe that prior, use or abuse is relevant to the present complaint.

What should I do if I am uncertain about what happened?

If you believe that you have experienced sexual misconduct but are unsure of whether it was a violation of the institution's sexual misconduct policy, you should contact the Title IX Coordinator, or Campus Police. If requested, the Campus Police will assist in contacting local law enforcement authorities

What counseling or referral services are available?

The College offers counseling referrals from a number of county and state organizations, including mental health services and the nearest State designated rape crisis program (RCIS). See the resource list in this Policy for a comprehensive list of available resources.

Gender-Based and Sexual Misconduct Reporting, Investigation, Decision, Sanctions, and Appeal Policy Procedures

Members of the Carroll Community College community, guests, and visitors have the right to be free from all forms of gender and sex-based misconduct and discrimination, examples of which can include acts of sexual violence, sexual harassment, domestic violence, dating violence, and stalking.

All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The College believes in a zero-tolerance policy for gender and sex-based misconduct. When an allegation of misconduct is brought to a Title IX Coordinator's attention, and a respondent is found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions are never repeated. All Respondents

have the presumption of not responsible for policy violation until the hearing officers reach a determination.

Reporting, Investigation and Hearing

All College faculty and staff are required to report gender-based and sexual misconduct to the Title IX Coordinator: Dr. Melody Moore (410) 386-8412.

- Before discussing an incident with a complainant, all faculty or staff members must inform the complainant of staff responsibility to report the incident to the Title IX Coordinator. The College/Recipient will provide information to the complainant about the counseling resources listed in this policy. The College/ Recipient will inform the complainant of the opportunity to make a report of the incident to the Campus Police and to local law enforcement if they would like to do so. Victims have the right to file criminal charges with local law enforcement. The Title IX Coordinator and Campus Police may assist the individual in making a report to the College and to local law enforcement.
- The Title IX Coordinator, after having an incident reported to them, will determine whether the grievance process applies and, depending on the nature of the incident, the necessity of informing Campus Police and local law enforcement.

Supportive measures, provided before or after a formal complaint is filed, or when no complaint is filed, may include but are not limited to the following:

- **Campus Police** can offer personal escorts at any time, reserve a parking space near classroom buildings, coordinate with local law enforcement for safety checks off campus, and provide internal emergency phone contact numbers.
- **The Title IX Coordinator** may immediately offer alternate course sections for the complainant and/or the respondent, issue a no-contact order to both the complainant and/or respondent, and/or offer other supportive measures. The Title IX Coordinator will make every effort to minimize interruption to educational access for both parties.

If a respondent is removed from campus based on a determination that the respondent is an immediate threat to the physical health or safety of any student

or other individual arising from the allegations of sexual harassment, the respondent will have an opportunity to submit a written appeal of the emergency removal decision to the Title IX Coordinator at: titleix@carrollcc.edu, Office A117C, within 10 days of the date that notice of the emergency removal is provided. The appeal will be reviewed and decided by an individual who is trained to serve as a Hearing Officer.

INFORMAL RESOLUTION PROCESS

An informal resolution process may be utilized that is mutually voluntary and does not involve a full investigation and adjudication. The complainant may request informal resolution. The College/recipient will participate in the informal resolution by providing trained staff to conduct the meetings. An informal resolution is permissible if:

- The complainant requests an informal mechanism.
- All parties voluntarily agree, and provide written consent, to engage in informal resolution.
- Parties have received a full disclosure of the allegations.
- Parties have received a full disclosure of their resolution options.
- Either the complainant or respondent can end the informal process at any time in favor of a formal resolution proceeding.
- The alleged misconduct does not involve sexual assault (non-consensual sexual intercourse or contact) or sexual coercion.
- The allegations do not involve sexual harassment or misconduct by an employee against a student.
- The College/Recipient determines the complaint is appropriate for informal resolution.

ATTORNEYS, NON-ATTORNEY ADVISORS, AND PERSONAL SUPPORTERS

Both the complainant and the respondent are permitted to be accompanied by a personal supporter of choice, a licensed attorney, an advocate supervised by an attorney, or a trained advocate during any interview, meeting or disciplinary proceeding under the formal investigation process described in this Policy. No more than two persons may accompany the involved party, including a personal supporter, an attorney, or a non-attorney advocate. During the Live

recorded hearing in front of the Hearing Officers, an advisor of the complainant's choice and respondent's choice, who may or not be an attorney or non-attorney advocate, will be required to cross question all parties and witnesses. The chosen advisors will ask questions after the Hearing Officers have questioned of all parties and witnesses involved in the formal complaint. Attorneys and non-attorney advocates are not direct participants in the investigation process occurring prior to the Live recorded hearing. Their role is to attend proceedings, consult privately with the involved party and/or assist with exercise of rights. Complainants or respondents who do not have a chosen advisor will be appointed a trained advisor by the College/Recipient.

PAID LEGAL REPRESENTATION FOR STUDENTS

In accordance with Maryland law, and subject to funding, any current or former student who makes a complaint or responds to a complaint on which a formal Title IX investigation is initiated, and who was enrolled as a student at Carroll Community College at the time of the incident giving rise to the complaint, is authorized to access counsel paid for by the State for attendance at interviews, meetings and/or disciplinary proceedings, in accordance with applicable law and regulations. Students may select an attorney from available resources provided by the Maryland Higher Education Commission (Commission), located at

<https://mhec.state.md.us/Pages/default.aspx> or may select an independent attorney, in which case students should speak with their counsel and/or the Commission to access payment of reasonable attorney's fees by the State equivalent to those paid under civil legal services programs administered by the Maryland Legal Services Corporation. The Commission is not required to pay a student's attorney's fees for representation in a criminal or civil matter.

Students may select and retain an attorney prior to conclusion of the formal Title IX proceedings. Students will not be discouraged from retaining an attorney.

Formal Investigation Process, Live Hearing with Hearing Officers and Sanctions

If it is determined by the Title IX Coordinator that a complaint alleges conduct that: (1) did not occur against a person in the United States; (2) would not constitute sexual harassment, within the meaning of Title IX, even if proven; or (3) did not occur in a

College education program or activity, within the meaning of Title IX, then the complaint will be dismissed for purposes of Title IX only, with written notice provided to the complainant and respondent. Nothing, however, precludes the College from addressing conduct that is outside the scope of Title IX, under other applicable policy or procedures, including the College's Equal Employment Opportunity Complaint Procedure or Disciplinary Action Policy (for employees), or the College's Integrity Council Hearing Process. If a complaint is dismissed because the allegations are outside the scope of Title IX, the College will determine whether the complaint alleges conduct that is covered by other College policy and will then decide the appropriate College procedure for any further investigation and resolution.

When a decision is made to investigate an incident, the Title IX Coordinator will provide a written, detailed notice of investigation to the respondent. The complainant will also receive written notice. The Notice of Investigation will include sufficient details including the identity of the parties involved, specific policies allegedly violated, the precise misconduct alleged, and the date and location of the alleged incident.

The College/Recipient will provide for a prompt, impartial and equitable resolution of complaints of sex discrimination, including sexual misconduct. The College will ensure an adequate, reliable, and impartial investigation of complaints, including the opportunity to present witnesses and other evidence.

If warranted, the Title IX Coordinator will remain available to both complainant and respondent to investigate the case, initiate initial supportive measures, inform all parties in writing regarding the initiation of investigation and supportive measures and designate a team of two trained Title IX College investigators to investigate in tandem as neutral parties.

Involved parties have the right to the following:

- Access case files and evidence regarding the incident with personally identifiable information redacted;
- Opportunity to provide testimony to the Hearing Officers during live recorded hearing;
- Opportunity to submit evidence, witness lists and suggested questions to be posed to the other involved party by their advisors during live recorded hearing;

- Opportunity to provide testimony via other means that does not require physical presence with the other involved party;
- Opportunity to review and provide written responses to reports and proposed findings.

The Title IX Coordinator will provide both parties with written notice of any meetings and interviews with sufficient time to prepare for meaningful participation.

The College/Recipient will provide the complainant, the respondent and appropriate officials with timely and equal access to any information that will be used during the informal or formal disciplinary meetings.

Trained investigator(s) will analyze and document the available evidence to support reliable decisions, objectively evaluate the credibility of parties and witnesses, synthesize all available evidence, including both inculpatory and exculpatory evidence, and take into account the unique and complex circumstance of each case. The investigator(s) will be free from conflicts of interest or bias for or against complainants or respondents.

The Title IX Coordinator will inform all parties in writing of the progress of the investigation.

Following their investigation, the investigator(s) will provide the report to the Title IX Coordinator for review. The Title IX Coordinator will arrange an opportunity for each party to review the report. The complainant and respondent will each be provided ten (10) business days, from the date the report is available for review, to submit to the Title IX Coordinator a written response to the report. The Title IX Coordinator may make adjustments to the report based on the responses received and will provide a final review of the report to complainant and respondent on or before ten (10) business days prior to any scheduled hearing.

If it is determined that the complaint should proceed under the College's Sexual Misconduct and Gender Based Policy grievance procedure, The Title IX Coordinator will then forward the report, evidence, and any written responses to the trained Hearing Officers. Prior to the live recorded Hearing with the Hearing Officers, the Title IX Coordinator will confirm the complainant and respondent have advisors to cross question parties involved. If either the complainant or respondent do not have an advisor available, the College/recipient will assign a trained advisor for cross-questioning during the live hearing. If an advisor is refused or unavailable, the live

hearing will not proceed and may need to be rescheduled.

Three (3) trained Hearing Officers will host a live-recorded hearing where all involved parties, complainant, respondent, and witnesses will be questioned in regard to the complaint and investigation. The Hearing Officers will question all parties first. This will be followed by the cross questioning by the complainant's advisor and then the respondent's advisor. The complainant and the respondent will not directly cross-examine each other during the hearing. After all questioning is complete, the Hearing Officers will make a determination of responsibility. To reach a finding of responsible, the evidentiary standard of a preponderance of the evidence will be used. This standard is the same standard of evidence used to evaluate any other administrative, academic, or disciplinary violation at the College.

The Hearing Officers will determine whether sexual harassment or other gender-based or sexual misconduct has occurred, using a preponderance of the evidence standard. The Hearing Officers will inform all parties in writing of the decision and sanctions.

The Hearing Officers will be individuals who are trained employees of the College/Recipient. Three (3) Hearing Officers will be hosting the live, recorded hearing for cross-examination of all parties involved and will make a determination of any policy violation. Hearing Officers will be free from conflicts of interest or bias for or against complainants or respondents.

- The complainant or the respondent may accept the decision and sanctions of the Hearing Officers or appeal the decision or sanctions in writing. See below, Appeal of Hearing Officers' Decision and Sanctions.

In order to achieve a balanced and fair process for resolving complaints of sexual harassment and misconduct, the following considerations will be afforded to both parties:

- During the investigation, the parties will not cross-question each other. Cross-questioning will occur during the Live Recorded Hearing by the parties' chosen advisors after the Hearing Officers have had an opportunity to ask questions.
- No questions or evidence will be permitted about sexual history except for that between the

- parties, or to prove that someone other than the respondent committed the conduct alleged by the complainant.
- This policy prohibits consideration of evidence about an involved party's mental health unless the party has given consent.
 - All proceedings will be concluded within a timely manner after the initial notice of the complaint, except in the event of extenuating circumstances.
 - All parties will be afforded the same opportunity to present witnesses and evidence.
 - All parties' advisors will be afforded the opportunity to cross question with relevant questions to the opposing parties after the Hearing Officers have had an opportunity to ask their questions.
 - Adjudication of a complaint by the College will not be delayed because of concurrent criminal or civil investigation or action.
 - Supportive measures, such as course schedule adjustments, academic and/or mental health support, escort services, etc., will be provided to the complainant and the respondent as necessary.
 - Parties are permitted to be accompanied by a personal supporter and/or an attorney or non-attorney advocate in accordance with college policy.
 - A "preponderance of evidence" will be the evidentiary standard used to determine a finding of responsible.
 - Both parties will be notified, in writing, about the outcome of both the complaint and any appeal.
 - An appeal of the findings will be available to both complainant and the respondent.
- Procedural irregularity that affected the outcome of the matter;
 - New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
 - The Title IX Coordinator, investigator(s), or decision-makers had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- The appeal officer will not be the same person as the decision maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator. The appeal officer will review all case information; prior decisions, sanctions imposed, and make a final determination. The appeal officer will be free from conflicts of interest or bias for or against complainants or respondents.
- The decision and sanctions determined by the appeal officer will be final. All parties will be informed in writing of the appeal, decision, and sanctions.
- These policies and procedures are implemented on an interim basis. The College/ recipient reserves the right to make modifications to the policies and procedures for reasons, including but not limited to, if any court strikes any portions of the 2020 Title IX Regulations (34 C.F.R. Part 106) or any administrative agency orders them suspended or withdrawn.

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Approved- Board of Trustees- June 19, 2019

Revised July 29, 2019

Revised- 5/29/2020

Approved-Board of Trustees 6/17/2020

Reviewed and approved by counsel- 6/29/2020

Approved- Board of Trustees 8/19/2020

Appeal of Hearing Officers' Decision or Dismissal of Formal Complaint

An appeal must be submitted in writing within 14 days of receipt of the Hearing Officers' decision to Title IX Coordinator at titleix@carrollcc.edu, A117C, who will then forward the appeal to the appeal officer. The complainant and the respondent are each entitled to one appeal.

Appeals are limited to the following reasons and may not be pursued on any other bases:

SECTION VI:

Campus Crime Statistics

This report contains categories of crime statistics for the main campus and non-campus properties, which have been reported to Campus Police, local police and Campus Security Authorities for the three most recent calendar years and includes combined statistics for on-campus, branch campus, non-campus, and public property adjacent to the College's facilities.

Crime statistics are requested from the police records of the Carroll County Sheriff's Office, the Maryland State Police (Westminster Barrack), the Westminster City Police, and McDaniel College. This report is distributed to current students and employees by direct email, stating where the report is posted on the College's website. Individuals may also request a paper copy of this report. The College also notifies prospective employees and students through various means.

Reports are classified as either On-Campus, Non-Campus Buildings, or Public Property. Any report that is included in the statistics below will be designated as one of the 3 classifications listed.

Unfounded Reports

In some cases, according to the Memorandum of Understanding with the Carroll County Sheriff's Office (CCSO), reports of serious crimes are classified as UNFOUNDED by the CCSO. This classification is only made by the CCSO after an extensive investigation, in which the investigator concludes that the crime or incident reported did not occur.

The reporting person does not have to be charged with making a false report in order for the incident to be classified as unfounded.

Statistics by Campus

Statistics are collected from law enforcement agencies that have jurisdiction over the main campus and off-campus location, as well as internal College departments that are involved with Title IX, Student Conduct or Human Resources.

1. Main Campus: 1601 Washington Road

(No off-campus or public property incidents were reported at this on-campus location in 2021)

Offenses	2019	2020	2021
Murder/ Non-negligent Manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Rape	0	0	0
Fondling	1	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

Hate Crimes

(Hate crimes include all of the above categories as well as larceny-theft; simple assault; intimidation; and destruction, damage, or vandalism of property, or any other crime involving bodily injury) – One was reported in 2021.

Murder/ Non-Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Larceny—Theft	0	0	0
Simple Assault	0	0	0
Intimidation	0	0	0
Destruction/Damage/Vandalism of Property	0	0	1

VAWA Offenses

Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Arrests and Referrals for Disciplinary Action

Arrests on Campus—Liquor Law Violations	0	0	0
Arrests on Campus—Drug Law Violations	0	0	0
Arrests on Campus—Illegal Weapons Possession	0	0	0
Disciplinary Actions—Liquor Law Violations	0	0	0
Disciplinary Actions—Drug Law Violations	0	0	0
Disciplinary Actions—Illegal Weapons Possession	0	0	0

Total **1** **0** **1**

**2. Off-Campus Location: Multi-Service Center,
225 North Center Street, Westminster, MD 21157**

(No on-campus, off-campus, or public property incidents were reported at this off-campus location in 2021)

Offenses	2019	2020	2021
Murder/ Non-negligent Manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

Hate Crimes

(Hate crimes include all of the above categories as well as larceny-theft; simple assault; intimidation; and destruction, damage, or vandalism of property, or any other crime involving bodily injury) – None were reported in 2021.

Murder/ Non-Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Larceny—Theft	0	0	0
Simple Assault	0	0	0
Intimidation	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0

VAWA Offenses

Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Arrests and Referrals for Disciplinary Action

Arrests on Campus—Liquor Law Violations	0	0	0
Arrests on Campus—Drug Law Violations	0	0	0
Arrests on Campus—Illegal Weapons Possession	0	0	0
Disciplinary Actions—Liquor Law Violations	0	0	0
Disciplinary Actions—Drug Law Violations	0	0	0
Disciplinary Actions—Illegal Weapons Possession	0	0	0

Total **0** **0** **0**

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