



## ANNUAL SECURITY & FIRE SAFETY REPORT 2024



This report contains information for the 2024-2025 Academic Year, and includes crime statistics for 2021, 2022, and 2023

Prepared by the Office of the President

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## **Maryland University of Integrative Health Notice of Non-Discrimination**

Maryland University of Integrative Health (“University” or “MUIH”) values safety, diversity, equity, inclusion, and social responsibility. Consistent with these principles, the University does not discriminate and prohibits harassment with respect to access to and participation in its educational and extracurricular programs and activities or with respect to employment terms and conditions on the basis of age, color, creed, disability, genetic information, marital status, national or ethnic origin or ancestry, race, religion, sex (including pregnancy, sexual orientation, or gender identity or expression) or veteran status or any other characteristic protected in accordance with applicable federal, state, and local laws and regulations including but not limited to Title IX of the Education Amendments of 1972 as amended (Title IX), Title VI of the Civil Rights Act of 1964 as amended (Title VI), Title VII of the Civil Rights Act of 1964 as amended (Title VII), Section 504 of the Rehabilitation Act of 1973 (Section 504), Americans with Disabilities Act of 1990 as amended (ADA), and Age Discrimination in Employment Act of 1967 as amended, etc.

MUIH ensures adherence to these principles, laws, and regulations through the application of Policy 1010: Equal Opportunity Institution; Policy 1015: Non-Discrimination Policy; Policy 1020: Sexual Harassment, Sexual Misconduct, Sexual Assault, and Retaliation Policy; Policy 3020: Maintaining Appropriate Boundaries; and Policy 7010: Disability Services.

Inquiries or concerns regarding the application of this statement and related policies may be referred to:

Greg FitzGerald, Title IX/504/ADA Coordinator  
Maryland University of Integrative Health  
4701 N. Charles Street  
Caroline Hall, Room 106  
Baltimore, MD 21210  
(410) 532-5109  
[TitleIX@muih.edu](mailto:TitleIX@muih.edu)

Additional information is available at

<https://muih.edu/admissions/financial-aid/policies/student-consumer-information/>

Office for Civil Rights – Regional Office  
U.S. Department of Education  
The Wanamaker Building  
100 Penn Square, East-Suite 515  
Philadelphia, PA 19107  
Telephone: (215) 656-8541  
[OCR.Philadelphia@ed.gov](mailto:OCR.Philadelphia@ed.gov)  
<https://www2.ed.gov/about/offices/list/ocr/index.html>

Office for Civil Rights – National Office  
U.S. Department of Education  
LBJ Dept. of Education Bldg.  
400 Maryland Ave, SW  
Washington, DC 20202  
Telephone: (800) 421-3481  
[OCR@ed.gov](mailto:OCR@ed.gov)

# ANNUAL SECURITY REPORT

## Preparation of the Annual Security Report and Disclosure of Crime Statistics

The MUIH Office of the President Office prepares this report annually to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act* (the *Clery Act*). The report is compiled using information maintained by University offices such as Student Affairs, Human Resources, Title IX, and other campus security authorities (CSAs) and information provided by local law enforcement agencies surrounding the campus. Each of these offices provides updated policy information and crime data.

This report provides statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned, leased, or controlled by MUIH. This report also includes institutional policies concerning campus security, such as policies regarding sexual misconduct, alcohol, and other drugs.

MUIH distributes a notice of the availability of this Annual Security and Fire Safety Report by October 1 of each year to every student and employee member of the MUIH community. Anyone, including prospective students and employees, may access this report online at <https://muih.edu/admissions/financial-aid/policies/student-consumer-information/> or obtain a paper copy of this report by contacting the Office of the President at [presidentsoffice@muih.edu](mailto:presidentsoffice@muih.edu) or 410-888-9048.

## ABOUT THE OFFICE OF THE PRESIDENT

### Role, Authority, and Training

The MUIH Office of the President and its designees protect and serve the MUIH community during standard business hours and when the building is open. The Office is responsible for a number of campus safety and security activities, including risk management, emergency management, community safety and security education, physical security, security technology, and facilities management. The Office works together with all University offices and departments to provide a safe environment in which to learn and work. It collaborates with the Office of the Dean of Students and the Behavioral Intervention Team (BIT) on behavioral threat assessment.

The Office is comprised of the fulltime Interim President, who collaborates with the Vice Presidents and Directors in other offices. The President is responsible for developing and enforcing safety and security policies, in collaboration with other designees. The President does not make arrests, and their jurisdiction to enforce University rules is limited to property operated by MUIH. The President participates in required security and safety related trainings as well as employee trainings related to diversity, equity, and inclusion topics.

## **Safety is Our Priority**

The Office of the President has your safety as its priority and ensures this with ongoing monitoring of the University facilities. The MUIH community is a great place to learn and work, however, this does not mean that the campus community is immune from unfortunate circumstances that arise in other communities. With that in mind, MUIH has taken measures to create and maintain a reasonably safe environment on campus.

Though MUIH is progressive with its policies, programs, and education, it is up to each one of us to live with a sense of awareness and use reasonable judgment when living, working, visiting campus. There is a lot you can do yourself to make our campus even safer:

- Report any suspicious behavior, criminal activity, or emergency to the Office of the President at [presidentsoffice@muih.edu](mailto:presidentsoffice@muih.edu), the Ambassador's Desk in person in the main lobby or by phone at 410-888-9048, or the Howard County Police Department at 911.
- Take responsibility for your safety; walk in pairs at night.
- Do not leave personal valuables unattended while in the building.
- Keep all valuables out of sight in your car.
- Report any unescorted strangers, male or female.
- Do not prop open any exterior doors, and report any found propped open.
- Pay attention to university alerts and updates.

We strongly encourage prompt and accurate reporting of crimes. This is critical for many reasons (e.g., evidence preservation or issuance of timely warnings) to enhance community safety. We also encourage adherence to all MUIH rules of conduct, as well as local, state, and federal laws and your engagement and common sense! to keep our campus safe.

Victims of, or witnesses to, criminal activity in which there is no immediate danger may report an incident by contacting the Office of the President at [presidentsoffice@muih.edu](mailto:presidentsoffice@muih.edu), the Ambassador's Desk in person in the main lobby, or to call any of these entities by phone at 410-888-9048. A University staff member will make a report and follow up on your incident.

## **Working Relationship with Local, State, and Federal Law Enforcement Agencies**

The Office of the President maintains a working relationship with the Howard County Police Department and other surrounding police agencies. The Office monitors Howard County Police Department crime statistics in the Montpelier Road corridor of Laurel, Maryland (in which the University is located) on a regular basis (Howard County Police Crime Data Dashboard, <https://www.howardcountymd.gov/police>). We also cooperate with State and federal law enforcement agencies as appropriate when called upon.

## **Crimes Involving Student Activities at Off-Campus Locations**



MUIH non-campus locations are patrolled by, and crimes are reported to, the respective law enforcement agency of that jurisdiction. The University relies on its close working relationships with such off-campus locations and their local law enforcement agencies to receive information about incidents involving MUIH students and official MUIH student activities. In coordination with local law enforcement agencies, the Office of the President will cooperate with local law enforcement agencies in their active investigation of certain crimes occurring on or near campus. If the Office of the President learns of criminal activity involving students or student activities, it will coordinate with the appropriate external law enforcement agency to forward information about the situation to the Vice President of Academic Affairs (Provost), Associate Vice President of Student Life & Dean of Students, and Senior Director of Human Resources, as appropriate.

MUIH may become involved in the off-campus conduct of recognized student activities when such activities are determined to violate Policy 7000: Code of Student Conduct and/or other relevant academic policies for the involved activities (<https://muih.edu/academics/office-of-the-registrar/student-policies>).

## **REPORTING CRIMES AND OTHER EMERGENCIES**

MUIH has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to appropriate University officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire campus community that you immediately report all incidents to the Office of the President at [presidentsoffice@muih.edu](mailto:presidentsoffice@muih.edu) to ensure an effective investigation and appropriate follow-up actions, including issuing a timely warning or emergency notification.

### **Voluntary, Confidential Reporting**

If crimes are never reported, little can be done to help other members of the community from also being victims. We encourage campus community members to report crimes promptly and to participate in and support crime prevention efforts. The MUIH community will be much safer when all community members participate in safety and security initiatives.

If you are the victim of a crime or want to report a crime you are aware of, but do not want to pursue criminal or disciplinary action, we ask that you consider filing a voluntary, confidential report with the Office of the President at [presidentsoffice@muih.edu](mailto:presidentsoffice@muih.edu) or the University's Title IX Coordinator at [titleIX@muih.edu](mailto:titleIX@muih.edu). In most cases, it is possible for you to file a report with a campus security authority while maintaining your confidentiality. The purpose of a confidential report is to comply with your wish to keep your personally identifying information confidential, while taking steps to ensure your safety and the safety of others. Confidential reports allow MUIH to compile accurate records on the number and types of incidents occurring on campus and to help determine if there is a serious or continuing threat to the safety of the campus community that would require an alert. Reports filed in this manner are counted and disclosed in the Annual Security and Fire Safety Report. In limited circumstances, the Office of the President may not be able to assure confidentiality and

will inform you in those cases. For more information, please contact the Office of the President at [presidentsoffice@muih.edu](mailto:presidentsoffice@muih.edu).

Anyone may contact the Office of the President at [presidentsoffice@muih.edu](mailto:presidentsoffice@muih.edu) or 410-888-9048 to report concerning information. Callers may remain anonymous.

### **Reporting to the MUIH Office of the President**

We encourage all members of the campus community to report all crimes and other emergencies to the MUIH Office of the President in a timely manner. The Office can be reached at [presidentsoffice@muih.edu](mailto:presidentsoffice@muih.edu) or 410-888-9048 during standard business hours and when the building is open. The Office should be notified of any crime, whether or not an investigation continues, to assure MUIH can assess any public safety concerns and inform the community if there is a significant threat to the campus community.

### **Emergency Phones**

There are phones located in public areas of buildings including the Ambassadors desk in the main lobby, the reception desks in the library and Natural Care Center, and the elevator. These phones provide direct emergency communications to call 911. Please visit <https://muih.edu/about-muih/about-campus/safety-and-security/> to learn more about MUIH's safety and security resources.

### **Reporting to Other Campus Security Authorities (CSAs)**

The Clery Act mandates that institutions must disclose statistics for crimes reported to local police agencies and Campus Security Authorities (CSAs). While MUIH recommends that community members promptly report all crimes and other emergencies directly to the Office of the President, the Ambassador's desk in the main lobby, or to local law enforcement at 911, we also recognize that some may prefer to report to other individuals or University offices. The Clery Act recognizes certain campus officials and offices as CSAs. The Act defines CSAs as:

1. A campus police department or a campus security department of an institution.
2. Any individual or individuals who have responsibility for campus security but do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
4. **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. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.**



For reporting purposes at MUIH, Campus Security Authorities (CSA) at MUIH are identified as:

- President
- Vice President of Academic Affairs (Provost)
- Associate Vice President of Student Life and Dean of Students
- Senior Director of Human Resources
- Director of Natural Care Center
- Title IX/504/ADA Coordinator
- Director of Accessibility & Student Advocacy
- Director of College Counseling
- Academic Advisors
- Academic Department Chairs and Program Directors

### **Professional Counselors**

According to the Clery Act, professional counselors who are appropriately credentialed and hired by MUIH to serve in a counseling role are not considered CSAs when they are acting in the counseling role. As a matter of policy, the University encourages professional counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them.

### **TIMELY WARNING REPORTS – CRIME ALERTS**

To provide timely notice to the campus community in the event of a Clery Act crime that may **pose a serious or ongoing threat to members of the community**, the Office of the President and designees issue “Timely Warnings” (i.e., Crime Alerts). The Office of the President may issue a Timely Warning for the following crimes: arson; aggravated assault; criminal homicide; domestic violence, dating violence, robbery, burglary, motor vehicle theft, sexual assault, hate crimes, and stalking.

Timely warnings will be distributed via a variety of methods reasonably likely to reach the entire campus community. This is typically accomplished via email but may also include notifications via notices on the University webpage and social media; notices in the Canvas learning management system; and/or bulletins posted on building entrances, exits, and common areas. Once the decision has been made to issue a timely warning, the Office of the President is responsible for distributing the warning. In accordance with Federal law, the institution will withhold the names of victims as confidential in any Timely Warning.

The purpose of a Timely Warning is to notify the campus community of the incident and to provide information that may enable the community to take steps to protect themselves from similar situations. As soon as pertinent information is available, the Office of the President, will evaluate the need to issue a Timely Warning based upon the following conditions:

1. One of the above listed crimes, occurring within the institution's Clery geography, has been reported to campus security authorities or local law enforcement; and
2. The crime is considered by the institution to represent a serious or continuing threat to students and employees.

An institution is not required to provide a Timely Warning with respect to crimes reported to a professional counselor.

In determining whether to issue a timely warning, on a case-by-case basis, the institution will consider all the facts surrounding the crime including factors such as the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts.

Additionally, the University may, in some circumstances, issue a Crime Alert when there is a pattern of crimes against persons or property. For incidents involving off-campus crimes, the University may issue a Crime Alert if the crime occurred in a location used and frequented by the MUIH community.

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

### **Emergency Management at MUIH**

The Office of the President will issue an emergency notification in order to immediately notify the campus community, or segment(s) of the community, when there is confirmation of a significant emergency or dangerous situation that involves an immediate threat to the health or safety of students or employees and is currently occurring on the campus or immediately threatening the campus. The Office will utilize all information resources at their disposal to confirm there is an emergency and to determine which segments of the campus community must be warned.

Once the Office confirms an emergency or a dangerous situation, an emergency notification will be initiated immediately 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. An emergency notification may apply to both criminal and non-criminal incidents and can include but is not limited to weather or natural disaster events, public health emergencies, hazardous materials spills or gas leaks, civil unrest or rioting, armed intruders, bomb threats, or terrorist incidents.

The method and content of the emergency notification may vary based upon the circumstances but may include e-mail alerts, social media, campus telephone system, announcements in the Canvas learning management system, posted advisories in campus common areas, and notices on the web page. Depending on the circumstances, it may be appropriate to alert only a specific segment or

segments of the campus. The President is responsible for determining the content of the notification and appropriate segment(s) of the campus community to receive the notification. Likewise, the President is responsible for initiating all emergency notifications. Information will be provided to the larger community through website postings and local media. As needed, follow-up information will be provided to the community utilizing the same systems as the initial emergency notification.

## **Evacuation Procedures**

Evacuation exercises prepare building occupants for an organized evacuation in case of an emergency. During the exercise, occupants practice emergency procedures and familiarize themselves with the location of exits and the sound of the fire or other alarms. These exercises also provide an opportunity to test the operation of fire alarm system components.

Evacuation exercises are monitored and coordinated by the Office of the President to evaluate egress and behavioral patterns. These exercises may be announced or unannounced. The Office documents, for each test, a description of the exercise, the date, time and whether it was announced or unannounced. The University also publicizes its emergency response and evacuation procedures in conjunction with publication of this Annual Security and Fire Safety Report by October 1 of each year to every student and employee member of the campus community.

Campus Emergency Procedures are located on the University web site at:

<https://muih.edu/about-muih/about-campus/safety-and-security/>.

## **Emergency Management Plan**

The Office of the President is responsible for the Emergency Management Plan, in consultation with the President's Executive Council. This plan is designed to be an all-hazards disaster response and emergency management plan that complies with FEMA guidelines for Higher Education that includes planning, mitigation, response, and recovery actions. In addition to the Emergency Management Plan, Policy 5000: Emergency Closing governs outline the University's policy and operating procedures for campus operations during periods of severe inclement weather and other emergencies (e.g., natural disasters, major utility failure, or other reasons). The University monitors the National Weather Service's hazardous weather condition forecasts for the Baltimore/Washington region on an ongoing basis, and on a daily basis during of extreme weather conditions (<https://forecast.weather.gov/MapClick.php?lat=39.270428&lon=-76.868857>).

Our priorities are to:

- Focus on life safety, infrastructure integrity, and environmental protection during an emergency.
- Coordinate with MUIH departments to write, maintain, test, and exercise the Emergency Management Plan.

- Develop cooperation, integration, and mutual aid with local, state, and federal planning, response, and public safety agencies and their Emergency Management Plans.

A summary of the University's emergency response and notification procedures are located at: <https://muih.edu/about-muih/about-campus/safety-and-security/>.

## **Drills, Exercises and Training**

To ensure the University's emergency management plans remain current and actionable, MUIH conducts at least one annual exercise of its Emergency Management Plan. These exercises may include a variety of tabletop, drill, and full-scale emergency exercises. The President's Executive Council conducts after-action reviews of all emergency management exercises. The President and the President's Executive Council work with campus officials to develop scenarios. Outreach to local, state, and federal agencies and other stakeholders is conducted, as needed, to create and implement the Emergency Management Plan and training exercises. In 2023, the President's Executive Council engaged in a tabletop exercise focused on campus safety procedures in an environment of a primarily remote workforce.

## **Emergency Notification**

The University is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. The University will immediately notify the campus community upon confirmation of an emergency or dangerous situation. MUIH uses an email-based emergency notification system, supplemented with other communication means.

The following procedures outline the process MUIH uses when issuing emergency notifications:

### *Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System*

The Office of the President and/or other University officials may become aware of a critical incident or other emergency that potentially affects the health and/or safety of the campus community. Generally, University officials become aware of these situations when they are reported directly to a university employee.

Once internal or external first responders confirm that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, first responders will notify the President or to issue an emergency notification.

The President will immediately initiate all or some portions of the University's emergency notification system. If, in the professional judgment of the President or other University officials, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, MUIH may elect to delay issuing an emergency notification. As soon as the condition that may compromise efforts is no longer present, the University will issue the emergency notification to the campus community.

#### *Determining the Appropriate Segment or Segments of the Campus Community to Receive an Emergency Notification*

University officials, in conjunction with the Office of the President will determine the appropriate segment or segments of campus community that should receive the notification. Campus community members in the immediate area of the dangerous situation (i.e., the building, adjacent buildings, or surrounding area) will receive the emergency notification first. The University may issue subsequent notifications to a wider group of community members. In addition to the emergency notification that may be issued via the campus email notification system, MUIH will also send alerts and post applicable messages about the dangerous condition in the Canvas learning management system and on its homepage and social media to ensure the rest of the campus is aware of the situation and the steps they should take to maintain personal and campus safety. If the emergency affects a significant portion of the entire campus, officials will distribute the notification to the entire campus community.

#### *Determining the Contents of the Emergency Notification*

Speed and accuracy of the information are of the utmost importance in issuing emergency notifications. To expedite this process and ensure each message contains essential information, MUIH has developed template messages addressing several different emergency situations. The individual authorizing the alert will select the template message most appropriate to the on-going situation and modify it to address the specifics of the present incident. In those cases, where there are no predetermined template messages in the system, the individual authorizing the alert will develop the most succinct message to convey the appropriate information to the community. The goal is to ensure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

#### *Procedures Used to Notify the Campus Community*

In the event of a situation that poses an immediate threat to members of the campus community, the University has various systems in place for communicating information quickly. Some or all these methods of communication may be activated in the event of emergency notification to all or a segment of the campus community. These methods of communication include the University's e-mail system, verbal announcement within the building and public address system, posting print announcements in common spaces in the building, and posting announcements in the Canvas

learning management system and on the University's website and social media accounts. If the situation warrants, MUIH will establish a telephone call-in center to communicate with the campus community during an emergency situation.

#### *Procedures for Disseminating Emergency Information to the Larger Community*

The University will notify the larger community through the local media outlets, coordinating with local public safety agencies' public information officers, and by providing information on the University's social media sites ([Facebook](#), [X \(Twitter\)](#), [Instagram](#), [LinkedIn](#), [Pinterest](#)) and homepage (<https://muih.edu/>).

#### *Enrolling in MUIH's Emergency Notification System*

All students and employees are automatically enrolled in the University's email-based emergency notification system by virtue of having an assigned official University-issued email address. We encourage MUIH community members to regularly check their University-issued email account for new messages.

## **SECURITY OF AND ACCESS TO MUIH FACILITIES**

The MUIH campus is a very safe place to learn and work. A truly safe campus, however, can only be achieved only through cooperation of all students, and employees, and the responsible decisions they make every day.

The campus building is generally open and accessible from 7:00am to 9:00pm, Monday through Friday, and 7:30am to 7:00 pm on weekends, dependent on class and clinic schedules. Access to individual classrooms is limited to those enrolled in the courses meeting there, as noted in Policy 1065: Children on Campus. Likewise, access to most programs is limited to those enrolled in the program or otherwise authorized access. Use of the campus grounds is limited to employees and students. The campus building is locked and secured overnight. The Natural Care Center clinic is open to the public. Only those who have demonstrated a need are issued keys/access to a building or area.

The Division of Finance and Administration and the Office of Information Technology collaborate to provide ongoing maintenance and physical and technological security enhancements on campus. This includes routine inspections of physical locks, door access control system, technology-based security systems, and lighting systems.

### **Security Considerations for the Maintenance of Campus Facilities**

MUIH is committed to campus safety and security. On campus, landscaping and outdoor lighting are designed for safety and security. Sidewalks and building entrances are illuminated to provide



well-lit travel, and routes between the building and the parking lot. At least annually, the Division of Finance and Administration, in collaboration with the Office of the Dean of Students, the Natural Care Center, and the Title IX/504/ADA Coordinator survey the campus grounds and buildings for lighting and other safety concerns. Specific items and areas of concern are documented and submitted for action to the Vice President for Finance and Administration for discussion with the President.

We encourage community members to promptly report any security concern, including concerns about doors, windows, locking mechanisms, lighting, or landscaping to the Division of Finance and Administration at [facilities@muih.edu](mailto:facilities@muih.edu).

## **MUIH’S RESPONSE TO SEXUAL- AND GENDER-BASED VIOLENCE**

All members of the University community who learn of instances of sexual misconduct are encouraged to report this behavior immediately to the Title IX Coordinator to help the University provide a fair, prompt, and impartial proceeding that includes an investigation and resolution. University officials conducting these proceedings receive annual training regarding investigation and adjudication best practices in alignment with university policy.

### **Sexual Harassment & Other Sexual Misconduct Policy and Procedures**

Policy 1020: Sexual Harassment, Sexual Misconduct, Sexual Assault, and Retaliation and Policy 3020: Maintaining Appropriate Boundaries guide MUIH’s preparation and response to sexual harassment and misconduct. Policy 1020 is available in the Appendix to this Report and on the University’s website (<https://muih.edu/academics/office-of-the-registrar/student-policies/>). Kindly note that these policies are under review in accordance with the U.S. Department of Education’s new (August 1, 2024) Title IX Regulations.

### **Sex Offenses, Dating Violence, Domestic Violence and Stalking Awareness and Prevention**

At the beginning of each academic trimester, MUIH distributes the Student Handbook which contains Policy 1020 and Policy 3020. Once each trimester, MUIH distributes a reminder to all students and employees about the various ways that students can share their concerns with the University and/or submit various formal grievances, including those related to sexual harassment, misconduct, and assault, and retaliation. As a part of the online course MUIH500 University Wide Orientation for New Students, an overview of university policies and procedures is provided. This includes Policy 1020 and Policy 1015 Non-Discrimination. Each year, all employees are required to complete web-based trainings through Everfi including trainings focused on Title IX, sexual harassment and misconduct, discrimination, bias, and diversity, equity, and inclusion. Throughout the year, MUIH provides diversity, equity, and inclusion programming for all students and employees, some of which focus on gender-based harassment, misconduct, assault, and discrimination.

The University's Director of College Counseling and cross-functional Behavioral Intervention Team provide support for individuals who have experienced sexual harassment, misconduct, assault, and/or retaliation.

Beginning in 2016 and every two years thereafter, the University conducts a Campus Climate Survey to solicit feedback on the University's initiatives and identify areas of strength and areas in need of address or improvement. The results are submitted to the Maryland Higher Education Commission (MHEC), reviewed by the President's Executive Council, and shared during the monthly All Employee meeting series. The most recent survey was completed in Spring 2024.

### **Procedures for Victims of Sexual Assault, Dating Violence, Domestic Violence or Stalking.**

If you are a victim of sexual assault, dating violence, domestic violence or stalking, the following is a list of recommended actions to take to preserve evidence. If you believe that you may at any time, choose to pursue a legal remedy related to the assault, please request that the hospital perform a free Sexual Assault Forensic Examination (SAFE). Agencies vary as to the exact length of time, but physical evidence is most effectively obtained within five days (120 hours) hours of a sexual assault. Maryland law allows a hospital to provide the SAFE exam free of charge, and there is no requirement for you to report an attack to the police; you can remain anonymous, and the evidence will be held for a time with no identification. Johns Hopkins Howard County Medical Center, also known as Howard County General Hospital, is the designated hospital for those who are in the MUIH building; it is located six miles from the MUIH building. The University will ensure the student or employee has transportation to medical care when the Title IX Coordinator is notified that the student requests medical attention.

If you are planning to have a SAFE examination, please preserve all physical evidence of the assault. Please do not wash or throw away any articles of clothing worn during the assault. If an incident of sexual assault, domestic violence, dating violence, or stalking occurs, it is important to preserve evidence to aid in the possibility of a successful criminal prosecution or obtaining a protection order. The victim of a sexual assault should not brush your teeth, eat, or drink, wash, douche, use the toilet, or change clothing prior to a medical exam. Any clothing removed should be placed in a paper bag. Evidence of violence, such as bruising or other visible injuries, following a sexual assault, an incident of domestic or dating violence, should be documented, including through the preservation of photographic evidence. Evidence of stalking or any of the other crimes of interpersonal violence listed above, including any communication, such as written notes, voice mail, text messages, or other electronic communications should be saved and not altered in any way.

The University will assist victims with notifying local law enforcement if they wish to although we support the victim's right not to report the crime to law enforcement and we shall not condition any service on the victim's decision whether or not to file either a campus disciplinary complaint or file a report with law enforcement.

## **Written Notice of Rights and Options for Victims of Interpersonal Violence**

Any student or employee, who reports an incident of sexual or gender violence, including sexual assault, domestic violence, dating violence, or stalking, whether the offense occurred on or off campus, shall receive a written explanation of their rights and options. This written explanation identifies existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims, both within the institution and in the community; and describes options for available assistance in; and how to request changes to academic, living, transportation, and working situations or protective measures. A copy of the University's Policy 1020: Sexual Harassment, Sexual Misconduct, Sexual Assault, and Retaliation is available in the Appendix to this Report and on the University's website (<https://muih.edu/academics/office-of-the-registrar/student-policies/>).

### **Prohibition on Retaliation**

MUIH prohibits retaliation either directly or indirectly by any member of our campus community and will deal swiftly with such violations of policy and federal laws that prohibit it, as noted in Policy 1020.

MUIH defines retaliation as behavior or speech that is intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX, or Policy 1020 or because an individual has made a report or complaint, testified, been interviewed as a witness, assisted, or participated in any manner in an investigation, proceeding, or hearing related to a matter covered by Policy 1020. The University will impose sanctions on any faculty, staff, or student found to be engaging in retaliation, or individuals who encourage third parties to retaliate on their behalf.

Parties are encouraged to report any concerns of retaliation to the University's Title IX Coordinator at [titleix@muih.edu](mailto:titleix@muih.edu).

### **Sex Offender Registration – Campus Sex Crimes Prevention Act**

The University directs anyone seeking information on registered sex offenders to the website maintained by the Maryland Department of Public Safety and Correctional Services website at: <http://www.dpscs.state.md.us/onlineservs/socem/default.shtml>

## **CAMPUS SECURITY POLICIES, CRIME PREVENTION & SAFETY AWARENESS PROGRAMS**

In addition to programs offered by various offices at the University, MUIH has established a number of policies and procedures related to ensuring a reasonably safe and secure campus community. These policies include:

- Policy 1010: Equal Opportunity Institution
- Policy 1015: Non-Discrimination Policy
- Policy 1020: Sexual Harassment, Sexual Misconduct, Sexual Assault, and Retaliation Policy
- Policy 1030: Drug, Alcohol, and Tobacco-Free Policy
- Policy 1035: Confidential Information Management
- Policy 1036: Family Educational Rights and Privacy Act (FERPA)
- Policy 1065: Children on Campus
- Policy 2035: Identity Theft Policy and Prevention
- Policy 3035: Code of Conduct
- Policy 3015: Employee Grievances
- Policy 3020: Maintaining Appropriate Boundaries
- Policy 4010: Information Security Program
- Policy 5000: Emergency Closing
- Policy 5005: Health & Safety Incident Policy
- Policy 5010: Animals on Campus
- Policy 5015: Campus Security
- Policy 6095: Research Involving Human Subjects
- Policy 7000: Code of Student Conduct
- Policy 7005: Student Grievances
- Policy 7010: Disability Services
- Policy 8005: Teaching Clinical Protocol Violation
- Policy 8010: Privacy of Patient Records

### **Behavioral Intervention Team**

To extend our efforts on emergency preparedness and prevention, MUIH has established the Behavioral Intervention Team (BIT) to address situations where a person is displaying disruptive or threatening behavior, and behavior that has the potential to harm the individual or others. The BIT is a cross-functional working group responsible for proactively reviewing student cases that pose, or may reasonably pose, a threat to the safety and wellbeing of the University community or its members. Its primary purpose is to assess risk and intervene and/or provide timely resources and support, as appropriate, for students displaying disruptive, problematic, or concerning behavior that may appear threatening to self or others, thus, focusing on the safety and well-being of the individuals involved and the campus community. The BIT team is comprised of qualified members from around the University, including but not necessarily limited to: the Associate Vice President of Student Life and Dean of Student, Associate Dean of Case Management and Community Standards, Director of the Counseling Center, and the Title IX/504/ADA Coordinator, among others.

Members of the MUIH community can share their concerns with the BIT at [wecare@muih.edu](mailto:wecare@muih.edu), or by completing an online referral form (<https://muih.edu/student-affairs/student-support-care-team>).

Faculty may also share concerns about students enrolled in their classes using the Notice of Faculty Outreach and Support (NOFOS) embedded in MUIH's Student Information System.

## **Weapons Policy**

The possession, carrying and use of weapons, ammunition, or explosives is prohibited on MUIH owned or controlled property, as specified in Policy 7000: Code of Student Conduct and Policy 3035: Employee Code of Conduct. The only exception to this policy is for authorized law enforcement officers or others, specifically authorized by the University. Failure to comply with the weapons policy will result in disciplinary action against violators, in accordance with the Policy 7000 (for students) and Policy 3035 (for staff and faculty).

## **Victim Rights**

### Your Rights as a Crime Victim:

The State Constitutional Amendment for Crime Victims' Rights and implementing laws entitle crime victims to various rights and services including the right to participate in the criminal justice process. You can expect to receive information, practical and emotional support, and be able to participate in the criminal justice process. These standards were created to make sure that you are always treated with dignity and respect, regardless of your gender, age, marital status, race, ethnic origin, sexual orientation, disability, or religion.

You have the right to be told...

- About basic services available to you in your county
- About certain court events, including information on bail, escape of offender, release of an offender
- About the details of the final disposition of a case

You have the right to receive...

- Notice of the arrest of the offender
- Information about restitution and assistance with compensation
- Accompaniment to all criminal proceedings by a family member, a victim advocate, or a support person

You have the right to provide input...

- Into the sentencing decision and to receive help in preparing an oral and/or written victim impact statement

- Into post-sentencing decisions

Please see the resource list for local victim assistance options at <https://www.stattorney.org/resources/victims-witnesses>. Informational brochures of victim's rights is available at: <https://gocpp.maryland.gov/victim-services/rights-resources/brochures-forms/>.

For more additional information about your rights or to file a complaint if you believe your rights have been violated, please contact: The Governor's Office of Crime Control & Prevention at <https://gocpp.maryland.gov/victim-services> or the Office of Maryland Attorney General at <http://www.marylandattorneygeneral.gov/Pages/VictimServ/default.aspx>

## **Student Conduct**

### The Office of the Dean of Students

The mission of the Office of the Dean of Students is to promote a safe, orderly, and civil MUIH community and to encourage and inspire students to become good citizens by engaging in personal responsibility, ethical decision making, and demonstrating respect for the rights and safety of others.

### The Student Code of Conduct

The Office of the Dean of Students is responsible for administering Policy 7000: Code of Student Conduct, which articulates the behavioral standards, and the equitable procedures employed by MUIH to respond to allegations of student misconduct. The Code of Student Conduct is administered equally at the MUIH campus, and off-campus locations and online where students are engaged in official University activities.

Students who are found responsible for violations may be subject to one of twelve sanctions ranging from Warning, Restitution, Service, Behavioral Requirements, and Probation, up to Suspension or Expulsion from the University. In most cases the Office of the Dean of Students will also assign developmental and educational interventions designed to promote greater awareness and improved decision-making for students and to further deter future misconduct. In instances where there is reasonable cause to believe a student is an immediate threat to the safety of himself/herself or other persons or property or is an immediate threat to disrupt essential campus operations, the Office of the Dean of Students also consults with the Behavioral Intervention Team.

Any individual or entity may submit reports alleging student misconduct to the Dean of Students via an online Incident Report Form ([https://cm.maxient.com/reportingform.php?NotreDameMaryland=&layout\\_id=1](https://cm.maxient.com/reportingform.php?NotreDameMaryland=&layout_id=1)) or via email at [studentaffairs@muih.edu](mailto:studentaffairs@muih.edu). Individuals who wish to express a complaint about another student that does not rise to the level of a violation of the Code of Student Conduct can do so using the criteria and procedures outlined in Policy 7005: Student Grievances.



The Office of the Dean of Students also provides outreach programming designed to inform and educate students and to promote MUIH's foundational principles and values. Please visit the Student Policies, Forms, and Handbooks webpage (<https://muih.edu/academics/office-of-the-registrar/student-policies/>) where you will find Policy 7000 and Policy 7005 and all policies, procedures, and forms related to the Student Conduct process.

### Additional Information Regarding the Student Code of Conduct

The University is obligated to provide all students with regulations, policies, and procedures governing student conduct. The Student Handbook and policies and procedures related to student conduct are published on the Student Policies, Forms, and Handbooks webpage (<https://muih.edu/academics/office-of-the-registrar/student-policies/>). If you have additional questions or wish to request a hard copy of this information, please contact the Office of the Dean of Students at [deanofstudents@muih.edu](mailto:deanofstudents@muih.edu).

### **Clinic Safety and Security**

MUIH maintains and administers a set of safety policies and procedures for clinic courses and patient/client clinic appointments in the Natural Care Center. These are overseen by the Director of the Natural Care Center, in collaboration with the acupuncture, herbal medicine, nutrition, and yoga therapy department chairs and clinic directors. These policies and procedures are specified in the Natural Care Center Handbook, Acupuncture Teaching Clinic Handbook, Herbal Medicine Teaching Clinic Handbook, Nutrition Teaching Clinic Handbook, Yoga Therapy Teaching Clinic Handbook, and Policy 8010: Privacy of Patient Records.

Students attend a clinic orientation at the start of their first trimester of enrollment in a clinic course. This orientation is conducted jointly by the Director of the Natural Care Center and the acupuncture, herbal medicine, nutrition, and yoga therapy clinic directors. Details of the policies and procedures included in the clinic handbooks, Policy 8010, and Policy 8005: Teaching Clinical Protocol Violation are reviewed during the clinic orientation. In addition, students enrolled in clinic courses complete two annual online trainings – 1) blood borne pathogens, and 2) Health Insurance Portability and Accountability Act (HIPAA). Acupuncture students also complete annual CPR training, in alignment with program accreditation requirements.

Student violations of the clinic safety policies and procedures are governed by Policy 8005: Teaching Clinical Protocol Violation. This policy outlines violations of protocols in the University Teaching Clinic at the Natural Care Center and describe the procedures and sanctions for remediation of the violations.

### **Daily Crime and Fire Log**

The Office of the President maintains a combined Daily Crime and Fire Log of all crime and fire incidents reported to the Office. This log identifies the nature, date, time, general location, and disposition of the complaint of all criminal incidents and alleged criminal incidents that are reported to the Office for its campus and off-campus locations where classes are held. An entry, an addition to the entry, or a change in the disposition of a complaint will be recorded within two business days of the reporting of the information to the Office of the President, except if the disclosure is prohibited by law, if the disclosure would jeopardize the confidentiality of the victim, or other limited circumstances. The most current information is available at the Office of the President located in MUIH's building. Upon request a copy of any maintained Daily Crime and Fire Log (up to seven years) will be made available for viewing, within 48 hours (two business days) of notice.

### **Crime Prevention and Safety Awareness Programs**

To promote safety awareness, MUIH's Office of the President maintains a strong working relationship with the local community. This relationship includes offering a variety of safety and security programs and services and crime prevention programming. Below are some of the programs and services available:

- MUIH500 University-Wide Orientation for New Students course.
- New employee orientation.
- Periodic email reminders to all students and employees about safety and security policies and procedures.
- On-and off-campus meetings and discussion with Howard County Police and other law enforcement agencies.
- Campus Security Authority Training.
- Sexual Misconduct (Title IX) and Responsible Employees Training.
- Diversity, equity, and inclusion trainings related to harassment, violence, and crime.

### **MUIH Alcohol and Drug Policy**

In compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act, the University is committed to maintaining a safe and healthy University, free from the influence of alcohol and drugs.

### **Alcohol and Illegal Drugs**

Pursuant to maintaining a drug-free workplace, Policy 1030: Drug, Alcohol, and Tobacco-Free prohibits the possession, use, consumption, sale, purchase or distribution, dispensation, or manufacture of alcohol, illegal drugs, or any illegally used legal drugs on the University's property or as part of any of the University's activities, except that alcohol may be served at certain events with prior written permission. Policy 1030 is available on the MUIH website at <https://muih.edu/academics/office-of-the-registrar/student-policies/>.

In April 2022, the Maryland General Assembly passed, and Governor Moore signed Cannabis Reform legislation which built upon the prior session's legislation and statewide referendum to include a recreational adult-use framework. Marijuana is referred to as cannabis by Maryland law. Effective July 1, 2023, adults 21 years and older may possess, use, and grow cannabis within certain limitations. However, despite the change in State law, marijuana remains illegal under federal law. MUIH prohibits the possession, use, sale or growing of marijuana in accordance with federal law (the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989). Failure to comply with federal law could result in the University being ineligible for federal funding, including Title IV financial aid for students. Therefore, the possession, use, sale, or growing of marijuana, including for medical use, remains prohibited at the University including on university property and at off-campus events sponsored by the University. MUIH's Post-Baccalaureate Certificate in Cannabis Science is a non-experiential program; there are no internships, laboratories, field work, or hands on work with cannabis as part of this curriculum and program.

Acceptance as a student coming into applicable programs and/or employment at the University is conditional upon compliance with this policy. Any student or employee who is or has been convicted of any infraction of a drug or alcohol statute must notify either the Vice President for Academic Affairs/Provost (for students) or Human Resources (for faculty and staff). Notification of a conviction must be made no later than five calendar days after such conviction. An appeal of a conviction does not affect the obligation to report the conviction. If applicable, the University will notify any appropriate contracting or granting agency within 10 days after receiving notice that a covered employee has been convicted of a criminal drug violation in the workplace.

### **Alcohol Beverages (For Events Where Alcohol Will Be Served)**

Alcoholic beverages may be served in certain instances only with prior written permission from MUIH's President or the Chief Financial Officer. Alcohol may only be served to individuals who are authorized to consume alcoholic beverages under the laws of Maryland, specifically Criminal Law Article 10 of the Annotated Code of Maryland. If alcohol is to be served, the sponsor of the event must submit a written request at least ten days prior to the event. In the request, event organizers must demonstrate procedures that ensure only legal, responsible alcohol consumption, including obtaining identification to verify age. No alcohol may be sold on campus.

### **Sanctions for Violating this Policy**

Students and employees suspected of violations of Policy 1030: Drug, Alcohol, and Tobacco-Free will be subject to investigation and potential sanction/disciplinary action. Failure to comply with Policy 1030 will result in disciplinary action consistent with local, state, and federal law, up to and including termination of employment or expulsion and referral for prosecution. Violations of Policy 1030 are processed through Policy 7000: Code of Student Conduct (for students) and Policy 3035: Employee Code of Conduct (for staff and faculty). Disciplinary actions are in the sole judgment of

the University and may include referral for treatment, with any continued association with the University contingent on the successful completion of treatment.

### **Assistance and Education**

Individuals who are in the MUIH building and who are in need of immediate overdose support have access to Narcan, stored within the AED machine box.

The University recommends that individuals who have a drug or alcohol abuse problem seek professional help.

A Drug and Alcohol Abuse Prevention Program exists to prevent the use of illegal drugs and the abuse of alcohol by students and employees. This program prohibits the use of illegal drugs and alcohol at the University and provides educational materials about university policies and available resources for the referral of those in need. This program, at a minimum, includes the following components:

1. Prior to October 1 of each year, the Office of Human Enrichment shall document that each student and employee has received a copy of Policy 1030.
2. Prior to October 1 of each year, the Office of Human Enrichment shall document that each student and employee has received educational material that includes at least the following:
  - a. A description of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol.
  - b. A description of the health-risks associated with the use of illicit drugs and the abuse of alcohol; and,
  - c. A description of any drug or alcohol counseling, treatment, or rehabilitation available to employees or students.

All students have access to free support through MUIH's Office of Counseling and Referral Services. For more information visit <https://muih.edu/student-affairs/counseling-wellness/> or contact [counseling@muih.edu](mailto:counseling@muih.edu).

In addition to coverage provided by the University's health plan, the Employee Assistance Program (EAP) is available to help. The contact information for the EAP is 1-877-757-7587, which can be called 24 hours a day, 7 days a week. Faculty and staff need not be enrolled in the University's health plan to use the EAP.

The following organizations may be contacted to identify assistance programs offered in local communities for students and employees across the U.S.

Alcoholics Anonymous  
Phone: (212) 870-3400  
<https://www.aa.org/>

Narcotics Anonymous  
Phone: 800-913-2720  
<https://www.narcotics.com/na-meetings/>

## **Policy Review**

This policy is maintained by the Office of the President. It is reviewed annually by the President's Executive Council, in accordance with Policy 1000: Policy on Policies. Students and faculty are represented on the Council by the Vice President for Academic Affairs (Provost), and staff and faculty are represented by the Vice President Finance and Administration, who oversee the Office of Human Resources. The annual review determines the effectiveness of the policy and its alignment with changing local, state, and federal regulations, make changes if necessary and to ensure that sanctions are consistently enforced.

## **ANNUAL DISCLOSURE OF CRIME STATISTICS**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, (Clery Act), requires institutions of higher learning to prepare, publish, and distribute a report concerning campus crime statistics and security policies on an annual basis.

This publication contains the annual report concerning specific campus crime and arrest statistics as well as information about campus policies and practices intended to promote crime awareness, campus safety, and security.

The report also contains policies and practices pertaining to campus security, crime reporting, alcohol and drugs, victims' assistance programs, student discipline, campus resources, community safety alerts, crime prevention, access to campus facilities, and personal safety tips. The report encourages the reporting of all crime occurrences. The report describes how and to whom to report crimes. Copies of this report may be obtained from the MUIH Office of the President at [presidentsoffice@muih.edu](mailto:presidentsoffice@muih.edu) and on the MUIH web site at: <https://muih.edu/admissions/financial-aid/policies/student-consumer-information/>.

The Office of the President collects the crime statistics disclosed in the charts through a number of methods. The Office records all reports of crime incidents made directly to the department via email, phone, or in-person reports. The Office periodically examines the data to ensure that all reported crimes are recorded in accordance with the crime definitions outlined in the FBI Uniform Crime Reporting Handbook and the FBI National Incident-Based Reporting System Handbook (sex offenses only). In addition to the crime data that MUIH's Office of the President maintains, the statistics below also include crimes that are reported to various campus security authorities, as defined in this report, and the Howard County Police Department. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics

reported for the subcategories on liquor laws, drug laws and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented.

### **Definitions of Reportable Crimes**

- Murder/Manslaughter – defined as the willful (non-negligent) killing of one human being by another.
- Negligent Manslaughter – is defined as the killing of another person through gross negligence.
- Sexual Assault – is defined as an offense that meets the definition of rape, fondling, incest, or statutory rape.
  - Rape – is defined as 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, without the consent of the victim.
  - Fondling – is defined as touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
  - Incest – is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - Statutory Rape – is defined as sexual intercourse with a person who is under the statutory age of consent.
- Robbery – is defined as taking or attempting to take anything of value from the car, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- Aggravated Assault – is defined as an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
- Burglary – is the unlawful entry of a structure to commit a felony or a theft.
- Motor Vehicle Theft – is the theft or attempted theft of a motor vehicle.
- Arson – any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.



- Domestic Violence – A felony or misdemeanor crime of violence committed—
  - By a current or former spouse or intimate partner of the victim.
  - By a person with whom the victim shares a child in common.
  - By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner.
  - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
  - By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
  
- Dating Violence – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
  
- 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.

Hate Crimes – are a criminal offense that manifests evidence that the victim was internationally selected because of the perpetrator’s bias against the victim. See the *Categories of Bias* below. Hate Crimes include all of the crimes listed above in addition to the following crimes:

- Larceny/Theft—the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
- Simple Assault—an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.
- Intimidation—to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.
- Destruction/Damage/Vandalism or Property (except Arson)—to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

#### Categories of Bias:

- Race – A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

- Religion – A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.
- Gender – A preformed negative opinion or attitude toward a group of persons because those persons are male or female.
- Gender Identity – A preformed negative opinion or attitude toward a group of persons because of a person’s internal sense of being male, female, transgender, or non-conforming.
- Sexual Orientation – A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.
- Ethnicity - A preformed negative opinion or attitude toward a group of people whose members identify with each other, through common heritage, often consisting of a common language, common culture, and/or ideology that stresses common ancestry.
- National origin – A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- Disability – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

### **Clery Act Geography Definitions**

#### On Campus –

- Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and
- Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

#### On Campus Student Housing Facility –

- Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.
- Student Housing Facilities are a subset of “On Campus” as defined above.

Public Property –

- All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Non-Campus Property –

- Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
- Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

## Crime Statistics

MARYLAND UNIVERSITY OF INTEGRATIVE HEALTH						
Offense	Year	On Campus	Student Housing (subset of On Campus)	Non-Campus Building or Property	Public Property	Unfounded
<b>CRIMINAL HOMICIDE</b>						
Murder and Non-negligent Manslaughter	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Negligent Manslaughter	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
<b>SEX OFFENSES</b>						
Rape	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Fondling	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Incest	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Statutory Rape	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Robbery	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Aggravated Assault	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Burglary	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Motor Vehicle Theft	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Arson	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0

## MARYLAND UNIVERSITY OF INTEGRATIVE HEALTH

Offense	Year	On Campus	Student Housing (subset of On Campus)	Non-Campus Building or Property	Public Property	Unfounded			
<b>ADDITIONAL OFFENSES</b>									
Dating Violence	2021	0	0	0	0	0			
	2022	0	0	0	0	0			
	2023	0	0	0	0	0			
Domestic Violence	2021	0	0	0	0	0			
	2022	0	0	0	0	0			
	2023	0	0	0	0	0			
Stalking	2021	0	0	0	0	0			
	2022	0	0	0	0	0			
	2023	0	0	0	0	0			
<b>REFERRED FOR DISCIPLINARY</b>									
<b>ARREST</b>									
<b>ACTION</b>									
Other Offense	Year	On Campus	Student Housing	Non-Campus Building or Property	Public Property	On Campus	Student Housing	Non- campus Buildings or Property	Public Property
Liquor Law Violations	2021	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0	0
Drug Abuse Violations	2021	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0	0
Illegal Weapons Possession	2021	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0	0
<b>NOTES:</b>									
Maryland University of Integrative Health received no reports of hate crimes during the three years of this report									

## **CRIME PREVENTION TIPS**

While the MUIH campus is a reasonably safe environment, crimes do occur. In addition to the Clery Act crimes, other common crimes that may occur on campus are outlined below:

### **Theft**

Theft is a common occurrence on college campuses. Often this is because theft is a crime of opportunity. Many open classrooms and other learning spaces provide thieves with effortless opportunities, as they are unlocked when not occupied for short periods of time.

It is important to be very vigilant when it comes to suspicious persons. Never leave items and valuables lying around unsecured. Doors that lock should be always locked. The following is a list of suggestions to help you not fall victim of theft:

- Classroom and office doors that lock, should be locked when not occupied.
- Do not provide access to unauthorized persons into buildings or classrooms, including holding doors for individuals unfamiliar to you (also known as “piggybacking” or “tailgating”)
- Do not carry large amounts of money with you.
- Do not leave valuable unattended in the building or in vehicles in the parking lot, even if it is for a short period of time.
- Do not lend credit cards or identification cards to anyone.
- Report loitering persons or suspicious persons to the Office of Business Services, Office of the President, and other campus security authorities, or the local police immediately; do not take any chances.

### **Identity Theft**

Identity theft is a crime in which someone wrongfully obtains and uses another person’s personal information in some ways that involve fraud or deception, typically for economic gain. This personal data could be a Social Security number, password, bank account or credit card information.

MUIH uses seven policies to ensure the confidentiality and security of the personal information of MUIH students and employees, and patients/clients seen in MUIH’s Natural Care Center clinic.

- Policy 1035: Confidential Information Management
- Policy 1036: Family Educational Rights and Privacy Act (FERPA)
- Policy 2035: Identity Theft Policy and Prevention
- Policy 4010: Information Security Program



- Policy 6095: Research Involving Human Subjects
- Policy 7010: Disability Services
- Policy 8010: Privacy of Patient Records

Persons involved in identity theft often use computers or other forms of technology and media to assist them.

There are measures you can take to prevent this from happening to you:

- Do not give anyone your personal information unless there is a reason to trust them.
- Never give your credit card information, passwords, date of birth, or other information over the telephone, unless you can confirm the person receiving that information.
- Complete a free annual credit check on a regular basis to assure there is no suspicious activity (<https://www.annualcreditreport.com>).
- Examine financial information often to assure all transactions are authorized and accounted for.
- Use of computer security software on computers and installation of firewalls are key means of protection.

# **APPENDIX**

**Maryland University of Integrative Health**

**Policy 1020: Sexual Harassment, Sexual Misconduct,  
Sexual Assault, and Retaliation**



**Maryland University of Integrative Health**  
***Policy and Procedures***

**No. 1020 Rev.: 5**  
**Date: May 20,**  
**2024**

**Review Period: 1 year**

**Subject: Title IX Sexual Harassment, Sexual Misconduct, Sexual Assault, and Retaliation Policy**

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## **1. Purpose**

Maryland University of Integrative Health (MUIH) is committed to maintaining a positive learning and working environment free from acts of sexual misconduct, domestic and/or dating violence, and stalking. The University operates with the expectation that all persons are entitled to respect and that each person has a responsibility to act in a way that is respectful of others. This policy:

1. provides a general overview of conduct that may constitute discrimination, harassment, sexual misconduct, sexual assault, or retaliation;
2. explicitly prohibits discrimination, harassment, sexual misconduct, sexual assault, and retaliation; and,
3. establishes procedures to follow when a member of the University community believes they have been subject to discrimination, harassment, sexual misconduct, sexual assault, and/or retaliation.

## **2. Policy**

This policy applies to all complaints of sexual misconduct in the University's employment, education programs and activities. MUIH also prohibits sexual misconduct by all third parties at MUIH. The University will follow distinct guidelines as related to Title IX and the University for sexual misconduct.

### **2.1 Title IX Sexual Harassment**

The Title IX Sexual Harassment policy is based on definitions set forth in regulations from the U.S. Department of Education under Title IX of the Education Amendments Act of 1972.

Prohibited conduct under Title IX Sexual Harassment must meet all of the following requirements:

- Occurs within the United States; and
- Occurs within the University's education program or activity
- At the time of filing the formal complaint, a complainant is participating in or attempting to participate in the education program or activity at the University.

Prohibited behaviors under Title IX Sexual Harassment are:

- Quid Pro Quo Sexual Harassment
- Title IX Sexual Harassment
- Sexual Assault

- Domestic Violence
- Dating Violence
- Stalking

For the purposes of this policy, the University considers consent as a voluntary, informed, un-coerced agreement through words or actions freely given, which could be reasonably interpreted as a willingness to participate in mutually agreed-upon sexual acts.

Allegations of sexual misconduct that do not fall under this policy because they do not constitute prohibited conduct as defined in this section may constitute violations of Section 2.2 University Sexual Misconduct.

Faculty and staff members who violate this policy will be subject to disciplinary action, up to and including termination of employment. Students who violate this policy will be subject to disciplinary action, up to and including expulsion.

## **2.2 University Sexual Misconduct**

The University does not tolerate any acts of discrimination in accordance with [Policy 1015 Non-Discrimination Policy](#). This policy specifically addresses discrimination based upon sex (including pregnancy, childbirth, breastfeeding or related medical conditions), gender (including gender identity and gender expression), marital status, registered domestic partner status, sexual orientation, and any other basis protected by federal, state, or local law, ordinance, or regulation as they may pertain to these characteristics.

Additionally, the University does not tolerate acts of harassment, sexual misconduct, sexual assault, or retaliation against or by any member of the University community. Each member of the University community shares in a common responsibility to maintain an environment free from discrimination, harassment, sexual misconduct, sexual misconduct, and retaliation.

Faculty and staff members who violate this policy will be subject to disciplinary action, up to and including termination of employment. Students who violate this policy will be subject to disciplinary action, up to and including expulsion.

Robust discussion and debate are fundamental to life at the University. Consequently, this policy shall be interpreted in a manner that is consistent with academic freedom. Free speech rights apply in the classroom and in all other educational programs and activities of institutions. Care will be taken not to inhibit open discussion, academic debate, and expression of personal opinion, particularly in the classroom. Nonetheless, speech or conduct of a sexual or hostile nature which occurs in the context of educational instruction may exceed the protections of academic freedom and constitute prohibited discrimination, harassment, or sexual misconduct if it meets the definition of those terms as noted through this policy and:

1. is reasonably regarded as non-professorial speech (i.e., advances a personal interest of the faculty member as opposed to furthering the learning process or legitimate objectives of the course); or
2. lacks accepted pedagogical purpose or is not germane to the academic subject matter.

## **2.3 Retaliation**

The University encourages students, faculty, and other employees to express freely, responsibly, and in an orderly way, facts, opinions, feelings, or complaint of discrimination, harassment, sexual misconduct, and/or sexual assault. Retaliation against persons who report or provide information about discrimination, harassment, sexual misconduct, and/or sexual assault or behavior that might constitute these actions is strictly prohibited. Any act of reprisal for reporting a violation of this policy in good faith or cooperating with an investigation, including internal interference, coercion, and restraint, by a member of the University community or by one acting on behalf of the University, is a violation of this policy and will result in appropriate disciplinary action.

## **3. Procedures**

### **3.1 Reporting Violations of This Policy**

Any member of the University community, including faculty, staff, and students, who wishes to report an incident of discrimination, harassment, Title IX harassment, sexual misconduct, sexual assault, or retaliation should contact:

MUIH Title IX Coordinator  
7750 Montpelier Road, Laurel, MD 20723  
[titleix@muih.edu](mailto:titleix@muih.edu)

The persons charged with handling and investigating discrimination, harassment, Title IX sexual harassment, sexual misconduct, sexual assault, and/or retaliation complaints are trained and will maintain confidentiality and sensitivity to the situation. They may consult with legal counsel at any point during the process.

We understand that some may not wish to come forward or pursue a complaint. The University will do all it can to respect the victim's wishes, but may proceed to address allegations of discrimination, harassment, Title IX harassment, sexual misconduct, sexual assault, and/or retaliation if and when the University becomes aware of such allegations, especially where the circumstances present a threat of harm or injury to the victim or other members of the community.

Prompt reporting of a complaint of discrimination, harassment, sexual misconduct, sexual assault, and/or retaliation is strongly encouraged. However, the University will investigate and take appropriate action in response to any report regardless of when the alleged conduct occurred. If a staff member, faculty member, or student leaves the University with a pending complaint against them, they will not be permitted to return to the University until the case is resolved.

### **3.2 Assessment and Dismissal of Formal Complaints**

Upon receipt of a formal complaint, the Title IX Coordinator will respond to any immediate health or safety concerns raised. The Title IX will then follow the process below to conduct an initial assessment to determine whether the alleged conduct would constitute prohibited conduct under this policy.

- Within five (5) business days, unless unusual or complex circumstances exist, the Title IX will meet with the Complainant to review the complaint, related policies, and procedures.

- If the allegations in the formal complaint constitute prohibited conduct as defined by this policy, the Title IX Coordinator will implement appropriate support resources and interventions or interim measures available to the Complainant. The Coordinator will then initiate an investigation based on the formal complaint policy. If the Coordinator deems the formal complaint appropriate for informal resolution, upon consent of both parties, the Title IX Coordinator may refer the matter to the informal resolution process.
- If the allegations in the formal complaint would not constitute prohibited conduct as defined in this policy, the Title IX Coordinator shall dismiss the formal complaint from the Title IX process. If appropriate, the Coordinator may refer the process to another department for review or refer to the informal resolution process.

In addition, any time prior to a hearing, the University may dismiss a formal complaint if:

- The complainant notifies the Title IX Coordinator in writing that the complainant wishes to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled or employed by the University; or
- Specific circumstances prevent the University from gathering sufficient evidence to reach a determination as to the formal complaint or allegations therein.

Upon dismissal, the University shall promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties via electronic format. Both parties will have equal right to appeal the dismissal through the appeal process. The determination of dismissal is final either on the date that the parties are provided with the written determination of the result of an appeal, or the date on which an appeal would no longer be considered timely. Once final, a complainant cannot file a formal complaint under this policy concerning the same alleged conduct.

### **3.3 Options for Complainants, Respondents, and Other Reporting Individuals**

A complainant, respondent, or witness has options for them, including counseling and support services, as well as contacting law enforcement or other confidential resources.

#### **3.3.1 Employees' Responsibility to Report**

In emergency situations, if there is a suspected crime in progress or serious threats to the safety of anyone, employees must immediately contact law enforcement by calling 911. In non-emergency situations, employees must promptly report suspected violations of this policy to the Title IX Coordinator.

#### **3.3.2 Confidentiality and Mandatory Reporting**

Those responsible for carrying out the responsibilities outlined in this policy will respect the confidentiality and privacy of the individuals involved, and will keep identities and information confidential to the extent reasonably possible. Those individuals reporting, involved in, Complainant of, Respondent of, or otherwise involved in a complaint regarding any alleged violation of this policy are also required to keep the matter confidential.

Absolute confidentiality may not be possible in all circumstances, including but not limited to when the University is required to disclose information in response to legal process, when the University is legally mandated to report an alleged violation to local law enforcement or other authorities (including when the

alleged violation involves a minor or vulnerable adult), or when the University has a need to protect the rights of others (including when the alleged violation involves a minor or a vulnerable adult).

Confidential resources are available for those who wish for absolute confidentiality:

- MUIH Office of Counseling and Referral Services – [counseling@muih.edu](mailto:counseling@muih.edu)
- HopeWorks of Howard County – 5457 Twin Knolls Road, Columbia, MD 21045. 410-997-2272; 800-752-0191; <http://www.wearehopeworks.org/>

Faculty and staff are required to report incidents that may give rise to allegations under this policy to the Title IX Coordinator.

### **3.3.3 Anonymous Complaints**

The University will reasonably respond to all allegations of discrimination, harassment, sexual misconduct, sexual assault, and/or retaliation. However, due to the inherent difficulty of investigating and resolving allegations from unknown persons, it may difficult for the University to resolve an anonymous complaint and pursue appropriate response to these allegations if a Complainant insists that their name not be revealed.

### **3.3.4 Amnesty**

Disciplinary sanctions for a violation of [Policy 7000 Code of Student Conduct](#) may not be imposed upon a student who files a complaint for sexual assault or who participates in an investigation as a witness, unless the University determines that (1) the Code of Conduct violation occurred at or near the time of the alleged sexual assault, and (2) the Code of Conduct violation was an act that was reasonably likely to place the health or safety of another individual at risk.

### **3.3.5 Frivolous Complaints Prohibited**

False charges of discrimination, harassment, sexual misconduct, sexual assault, and/or retaliation undermine the purpose and effectiveness of this policy. Accordingly, persons who knowingly make false charges of discrimination, harassment, sexual misconduct, sexual assault, and/or retaliation may be subject to disciplinary action. The failure of a complaint to result in a finding of discrimination, harassment, sexual misconduct, sexual assault, and/or retaliation is not alone evidence that the charges were knowingly false.

## **3.4 Supportive Measures**

Upon receipt of a report or formal complaint, the University will promptly contact the Complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. The University will also consider supportive measures for the respondent.

## **4. Grievance Procedures for Title IX and University Sexual Misconduct Complaints**

The University is committed to providing a prompt and impartial investigation and adjudication of all formal complaints alleging violations of this policy. During the grievance process, both parties (complainant and respondent) have equal rights to participate.



## **4.1 Investigation and Adjudication**

### **4.1.1 Timing**

The University will seek to complete the investigation and adjudication within ninety (90) business days from the receipt of the formal complaint. Timeframes for all phases of the grievance process, including the investigation, the hearing, and any related appeal, apply equally to both parties. If an extension of time is needed to accurately and completely complete the investigation or adjudication, the University will notify the parties in writing of any extension and the reason for the extension.

### **4.1.2 Investigation**

If the Title IX Coordinator has deemed that an investigation is appropriate, the Coordinator will refer the matter for investigation to a panel of investigators, typically two individuals.

#### **4.1.2.1 Notice of Investigation**

Following the receipt and review of the formal complaint by the Title IX Coordinator, and it being determined that the matter falls under the policy, the parties will be informed in writing of the initiation of the investigation. The written information shall include:

- The identities of the parties, if known.
- A concise summary of the alleged conduct at issue (including when and where it occurred, if known).
- Notice of the allegations
- A statement that the respondent is presumed not responsible and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement informing both parties that they may have an adviser of their choice, who may be, but is not required to be, an attorney.
- A statement informing the parties that they may request to inspect and review evidence.
- A statement informing the parties that knowingly making false statements or knowingly submitting false information during the grievance process may constitute a violation of University policy.
- Information regarding the applicable grievance procedures, including the informal resolution process.

#### **4.1.2.2 Collection of Evidence**

The Investigators will conduct interviews as needed with the Complainant, Respondent, and all appropriate individuals that the Investigator in their discretion decides should be interviewed, and will gather any pertinent evidentiary materials. Parties and witnesses are expected to provide all available relevant evidence to the investigators during the investigation. If a party or witness fails to provide available relevant evidence during the investigation, such evidence may be excluded from consideration at the hearing. While parties are not restricted from presenting information attesting to the parties' character, such evidence generally is not considered relevant.

Investigators will provide to a party written notice of the date, time, location, participants, and purpose of all investigative interviews to which they are invited or expected, with sufficient time (generally no less than 3 business days) for the party to prepare to participate.

Interviews will be held with the panel of investigators and each party separately. The investigators will interview any witnesses, as necessary. Investigators will take notes of the interviews. Medical and counseling records are confidential and investigators will not access, consider, disclose, or other use a party's records that are made or maintained by a medical professional without the party's voluntary, written consent.

#### **4.1.2.3 Case File**

After all parties are interviewed and the investigators have gathered evidence, the investigators will prepare a case file. The case file will include all collected evidence directly related to the allegations raised in the formal complaint, including evidence upon which the University does not intend to use in reaching a determination. The case file may include, transcripts or summaries of party and witness interviews and other collected documents and evidence. The investigators will provide the case file, redacted of personally identifiable information in accordance with privacy regulations, to each party and their adviser in electronic form or hard copy. An updated Notice of Allegations will be provided, if appropriate.

Within ten (10) business days of receiving the case file, each party may respond in writing, which may include a request that the investigators collect additional evidence. If the investigators believe more information is needed, they will pursue additional steps. The parties and their advisers will be provided with each party's written responses to the case file along with any additional evidence collected.

#### **4.1.2.4 Investigative Report**

Upon completion of the Investigation, the investigators will prepare a written investigative report that summarizes all relevant evidence. The investigative report will be provided to the parties and their advisers via electronic format at least ten (10) business days prior to the hearing.

Parties may choose to provide a written response to the investigative report, which must be submitted at least five (5) business days prior to the hearing. The parties and their advisers will be provided with the other parties written response to the investigative report electronically within 48 hours prior to the hearing.

#### **4.1.2.5 Hearing**

A hearing panel of three individuals will hear every case with an attorney or former attorney serving as the Presiding Hearing Panelist and two other individuals that may be internal or external to the University.

The Presiding Hearing Panelist will have absolute discretion with respect to administering the hearing and will decide whether evidence and witnesses are relevant to the case. The Presiding Hearing Panelist will be responsible for maintaining an orderly, fair, and respectful hearing and will have the authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding the offending individual.

The Hearing Panel will be provided with the case file, investigative report, and any responses to the investigative report prior to the hearing.

The parties and their advisers will be notified of the hearing date, time, and location (or relevant information to meet remotely) at least five (5) business days prior to the hearing.

Parties are required to identify witnesses to be called at the hearing, and provide a brief explanation of the information each witness would be asked to provide, so the Presiding Hearing Panelist can determine their relevance. The Presiding Hearing Panelist has the discretion to exclude witnesses, evidence, and questions deemed irrelevant.

#### **4.1.2.6 Standard of Proof**

The standard of proof under this policy is preponderance of evidence. A finding of responsibility by a preponderance of evidence means that it is more than likely than not, based on all the relevant evidence and reasonable inferences from the evidence, that the respondent violated this policy.

#### **4.1.2.7 Expectation regarding the Complainant, the Respondent, and the Witness regarding the Hearing**

If the Complainant, the Respondent, or a Witness informs that University that they will not attend the hearing (or will refuse to be cross-examined), the hearing may proceed, as determined by the Title IX Coordinator. The Hearing Panel may not, however: a) rely on any statement or information provided by that non-participating individual in reaching a determination regarding responsibility; or b) draw any adverse inference in reaching a determination regarding responsibility based solely on the individual's absence from the hearing.

Each party may make requests related to the format or the nature of their participation in the hearing. The Presiding Hearing Panelist will accommodate requests by either party for the hearing to occur with the parties located in separate locations with technology enabling the Hearing Panel and the parties to simultaneously see and hear the party answering questions. As appropriate, hearings may be conducted in person or by video conference or any other means of communications by which all individuals participating are able to see and hear each other.

#### **4.1.2.8 Case Presentation**

The parties will be provided with equal opportunity for their advisers to conduct cross-examination of the other party and/or relevant witnesses. A typical hearing may include brief opening remarks by the Presiding Hearing Panelist; questions posed by the Hearing Panel to one or both of the parties; questions posed by the Hearing Panel to any relevant witnesses; and cross-examination by either party's adviser of the other party and relevant witnesses.

Other University administrators may attend the hearing at the request of or with prior approval of the Presiding Hearing Panelist, but the parties will be notified in advance of anyone else who will be in attendance.

#### **4.1.2.9 Record of Hearing**

The University will create an official record in the form of a recording or transcript of any live hearing and make it available to the parties for inspection and review. Any other record of the hearing or any other recording is prohibited and violations may result in discipline.

#### **4.1.2.10 Written Determination**

The Hearing Panel will consider all of the relevant evidence and deliberate regarding responsibility after the hearing. The Presiding Hearing Panelist will make a determination, based on preponderance of evidence, whether the respondent has violated the policy. The Presiding Hearing Panelist will prepare a written determination, which will contain: 1) the allegations potentially constituting Title IX sexual harassment; 2) a description of the procedural steps taken from the receipt of the formal complaint

through the determination; 3) findings of fact supporting the determination; 4) conclusions regarding the application of this policy to the facts; 5) a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed if there has been a finding of responsibility, and whether any remedies designed to restore or preserve equal access to the University's education program or activity or working environment will be implemented; and 6) relevant appeal information for the parties. The parties and their advisers will simultaneously be provided with the written determination via electronic format.

## **5. Disciplinary Sanctions**

In consultation with the Title IX Coordinator, the Provost in the case of a Respondent who is a student or the Vice President of Finance and Administration in the case of a Respondent who is a faculty or staff member may consider the following in determining sanction(s):

- the nature of and the circumstances surrounding the violation;
- the Respondent's prior disciplinary record;
- precedent cases;
- University safety concerns; and,
- any other information deemed relevant.

The sanction(s) will be structured to end the conduct, prevent its recurrence, and remedy its effects on the Complainant and the University community. The Provost or Vice President of Finance and Administration will render a sanction decision within five (5) business days of receiving the Investigator's findings.

Not all violations will be deemed equally serious offenses, and the University reserves the right to impose different sanctions, ranging from warning to expulsion/termination, depending on the severity of the offense. The University will consider the concerns and rights of both the Complainant and the Respondent. Where appropriate, the sanctions will be reported to the Complainant and the Respondent in writing within the same 24-hour period. The sanction(s) imposed will be implemented immediately and will be in effect pending the outcome of any hearing or appeal as provided for in this policy. Sanctions for Respondents who are third parties (not faculty, staff, or students) will be determined by the Director of Human Enrichment and may include removal from campus and termination of contractual arrangements.

The sanctions described in this policy are not exclusive of and may be in addition to other actions taken or sanctions imposed by outside authorities. Sanctions imposed will be determined on the basis of the facts and the extent of harm to the individuals involved and the University's interests. The sanctions imposed will be implemented immediately and will be in effect pending the outcome of any appeal.

### **5.1 Student Sanctions**

Sanctions imposed upon students who are determined to have violated this policy may include a variety of institutional responses or requirements, including, but not limited to, the following: written letter of warning; not being allowed to represent the University in volunteer or paid work; restitution; required attendance at educational programs; required assessment or counseling; restriction of privileges; probation, suspension and/or expulsion; and any other sanctions listed in [Policy 7000 Code of Student Conduct](#) or deemed appropriate under the circumstances.

## **5.2 Faculty Sanctions**

Sanctions imposed upon faculty who are determined to have violated this policy may include a variety of institutional responses or requirements, including, but not limited to, the following: an oral warning; a written warning; a letter of reprimand; mandatory attendance of an educational program; mandatory referral for psychological assessment and compliance with any resulting treatment plan; restriction of responsibilities; reassignment; denial of salary increase; suspension without pay; or dismissal.

## **5.3 Staff Sanctions**

Sanctions imposed upon staff who are determined to have violated this policy may include a variety of institutional responses or requirements, including, but not limited to, the following: an oral warning; a written warning; a letter of reprimand; mandatory attendance of an educational program; mandatory referral for psychological assessment and compliance with any resulting treatment plan; restriction of responsibilities; reassignment or transfer to another department; denial of salary increase; suspension without pay; final written warning; or termination.

## **6. Appeals**

The Complainant and the Respondent have the right to appeal upon the dismissal of a formal complaint or allegations therein and upon receiving the Presiding Hearing Panelist's written determination regarding responsibility and sanctions. Appeals will be heard by an appeal panel which is comprised of a Chair and two members designated by the President, all of whom were not involved in the formal hearing. Appeals will be decided by majority vote.

### **6.1 Grounds for Appeal**

Appeals may be submitted on the following bases:

- A procedural irregularity that affected the outcome of the hearing.
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made which could affect the outcome.
- The Title IX Coordinator or their staff, investigators, any member of the Hearing Panel had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome; and/or

### **6.2 The Sanctions are not Commensurate with the Violation Appeal Process**

A party must electronically submit a written appeal statement to the HR Generalist within five (5) business days of receipt of the written determination or dismissal. The appeal should outline the basis for appeal and the relevant information to substantiate the appeal. The non-appealing party will be provided with a copy of the appealing party's written statement and may submit a written response to the HR Generalist within five (5) business days of receipt of the appealing party's written statement. The non-appealing party's statement will be provided to the appealing party.

The Appeal Panel may consider the case file and any responses, investigative report and any responses, the hearing record, the written determination, and any written appeals or statements by the parties. The parties and their advisers will simultaneously be provided with the written decision describing the result of the appeal and the rationale for the result.

- If the Appeal Panel finds that the earlier decision should stand, the parties will be so informed and the Title IX process is concluded.
- If the Appeal Panel finds that there was procedural irregularity that affected the outcome of the matter, the matter will be remanded to the Presiding Hearing Panelist to determine appropriate further action.
- If the Appeal Panel finds that new evidence is available which was not reasonably available at the time of the determination regarding responsibility or dismissal, and such evidence could alter the outcome of the matter, the matter will be remanded to the Presiding Hearing Panelist for appropriate further action.
- If the Appeal Panel finds that the Title IX Coordinator or their staff, investigator(s), member of the Hearing Panel 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 Panel will take appropriate measures to address and remediate the impact of the bias or conflict consistent with the general procedures of this policy.
- If the Appeal Panel finds that the sanctions (or recommended sanctions) are not commensurate with the violation, the matter will be remanded to the person that made the determination for reconsideration.

The Appeal Panel will seek to complete the appeal review within twenty (20) business days of receipt of the appealing party's written statement.

The determination becomes final either on the date that the parties are provided with the written determination of the result of an appeal if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

### **6.3 Informal Complaint Resolution Process**

The informal complaint resolution process is a voluntary, remedies-based process designed to provide members of the MUIH community with an option to resolve certain disputes with other members of the community in a forum that is separate and distinct from the formal grievance processes for Title IX and Sexual Misconduct. The informal complaint resolution process is available in matters involving a student complainant and a student respondent as well as in matters involving a faculty/staff complainant and a faculty/staff respondent; the informal resolution process is not applicable in matters involving a student and an employee. Prior to participating in the informal resolution process, parties will be notified in writing of the information contained in this Appendix B.

The following are features of the informal resolution process:

- Participation in the informal resolution process is completely voluntary.
- No party will be required to participate in the informal resolution process and the University will not require, encourage, or discourage the parties from participating in the informal resolution process.
- All parties must consent in writing to participation in the informal resolution process.
- The University may offer the informal resolution process only under the following circumstances:
- A formal complaint (as defined in [section II](#)) has been filed by the complainant;
- The Title IX Coordinator has determined, through an initial assessment (see [section IV](#)), that the alleged conduct, if substantiated, would constitute Title IX Sexual Harassment or University Sexual Misconduct;

- The Title IX Coordinator has determined that the informal resolution process is appropriate for this matter.
- All parties will be provided with a written notice disclosing the allegations, the requirements of the informal resolution process, and any outcomes resulting from participating in the informal resolution process.
- At any time prior to signing an informal resolution agreement, any party has the right to withdraw from the informal resolution process and resume the formal grievance process.
- Under the informal resolution process, there will be no disciplinary action taken against a respondent, and the resolution will not appear on the respondent's disciplinary record. If a formal complaint is filed against the respondent in a subsequent matter under the Title IX Sexual Harassment policy or the University Sexual Misconduct policy, the respondent's participation in a prior informal resolution process will not be considered relevant and will not be taken into account in the resolution of the subsequent complaint.
- Parties may be accompanied by a member of the University community who will serve as a support person to any meeting related to the informal resolution process. However, the University support person may not actively participate in meetings and may not serve as a proxy for the party. Any individual who serves as a University support person is expected to make themselves available for meetings as scheduled by the University. The University (including any official acting on behalf of the University) has the right at all times to determine what constitutes appropriate behavior on the part of a University support person and to take appropriate steps to ensure compliance with this policy.
- Any agreements reached as part of the informal resolution process must be approved by the Title IX Coordinator in order to ensure consistency with the University's federal obligations. If the Coordinator determines at any time prior to the signing of the informal resolution agreement that the informal resolution process is no longer appropriate, the Coordinator may terminate the process.
- Upon signing the informal resolution agreement, the parties are bound by its terms and cannot opt for a formal grievance process based on the conduct alleged in the formal complaint.
- Failure to comply with the signed agreement may result in disciplinary action for either party.
- If the parties' circumstances change significantly, they may request a supplemental agreement; the Coordinator will determine whether it is appropriate to proceed.

## **7. Training**

The University is committed to providing effective educational and training programs as a key component in maintaining an environment free from discrimination, harassment, sexual misconduct, sexual assault, and retaliation. The University will provide educational programs for all new students, faculty, and staff (including student employees) on the following: discrimination; harassment; the definition of consent in reference to sexual activity; safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervention when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander; information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and sexual misconduct. Periodic refresher, prevention, and awareness programs will also be provided.

The Title IX Coordinator, Investigators, members of the Panel, members of the Appeal Committee, and any other individual with responsibilities under this policy shall receive training as required to carry out their roles under this policy.

## **8. Consensual Relationships**

Persons in positions of power or authority over others should be aware of and sensitive to the problems that may arise from apparently consensual relationships with their subordinates. The power differential inherent in such relationships may compromise free choice. Any perceived abuse of authority diminishes trust and respect among members of the University community. Therefore, all members of the University community are expected to maintain appropriate professional relations with one another. For more information, see [Policy 3020 Maintaining Appropriate Boundaries](#).

## **9. Resources in the Event of Sexual Assault**

Individuals who have suffered a sexual assault should immediately contact the local police department by calling 911 and the MUIH Title IX Coordinator at [titleix@muih.edu](mailto:titleix@muih.edu).

## **10. Records Retention**

Records of investigations and hearings are maintained by the University for five (5) years. If the Respondent is a student, the records will be maintained for five (5) years past the student's graduation or, if the student leaves the University before graduation, for five (5) years past their original expected graduation date. If the Respondent is a faculty or staff member, the records will be maintained for five (5) years past the conclusion of the investigation and any hearing.

## **11. Information Concerning Registered Sex Offenders**

As required by the federal [Campus Sex Crimes Prevention Act](#), institutions of higher education must issue a statement advising institution community members where information concerning registered sex offenders may be obtained. Persons convicted of certain sex offenses are required by law to register with the State. Information on registered sex offenders in Maryland is available at: <http://www.dpscs.state.md.us/sorSearch/search.do>. The Department of Justice National Sex Offender Public Website is also a source for sex offender information. For information on registered sex offenders attending or employed at the University, contact the local police department or the Title IX Coordinator.

## **12. Definitions**

- **COMPLAINANT** – A person who alleges that they or another have been harmed or aggrieved because of another individual's violation(s) of this policy
- **CONSENT** – Consent is expressed in explicit words and means willingly and knowingly agreeing to engage in mutually understood sexual conduct. Consent must be mutual and ongoing, offered freely and knowingly, and cannot be given by a person who is incapacitated, as described below. Non-communication or silence constitutes lack of consent. A verbal "no" constitutes lack of consent, even if it sounds insincere or indecisive. Incapacitation also constitutes a lack of consent. If at any time during a sexual interaction any confusion or ambiguity should arise about consent, it is the responsibility of the person initiating the activity to stop and clarify the other's willingness to continue. If at any time consent is withdrawn, the activity must stop immediately. Consumption of drugs or alcohol does not relieve a party of responsibility to obtain ongoing consent.

In order for consent to be valid, all parties must be capable of making a rational, reasonable decision about the sexual act and must have a shared understanding of the nature of the act to which they are consenting. It is not possible for a person to give consent if incapacitated by



drugs, alcohol, or other physical/mental impairment, or if incapacitated by being threatened, intimidated, or coerced into giving consent.

Examples of incapacitation include, but are not limited to, being intoxicated, passed out, asleep, unable to communicate, or subjected to violence. Physical indicators of incapacitation may include slurred speech, unsteady gait or stumbling, vomiting, unfocused or bloodshot eyes, disorientation, unresponsiveness, or outrageous or unusual behavior.

- **DATING VIOLENCE** –Violence committed by a person: (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved.
- **DISCRIMINATION** – Discrimination, as it pertains to this policy, is defined as treating someone unfavorably because of that person’s sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender (including gender identity and gender expression), marital status, registered domestic partner status, sexual orientation, or any other basis protected by federal, state, or local law, ordinance, or regulation or treating someone less favorably because of their connection with an organization or group that is generally associated with people of a certain sex, gender, marital status, registered domestic partner status, sexual orientation, or any other basis protected by federal, state, or local law, ordinance, or regulation. Such behavior is prohibited when it has the effect of excluding individuals from participation, denies the individual the benefits of, treats the individual differently, or otherwise adversely affects a term or condition of an individual’s employment, education, living environment, or participation in a university program or activity. Gender discrimination extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity. The actual or perceived sexual orientation or gender identity of parties to a gender discrimination complaint does not change the University’s obligation to investigate and resolve these complaints. Gender discrimination also encompasses forms of sexual harassment and sexual violence. All such acts are forms of gender discrimination are prohibited by [Title IX of the Education Amendments of 1972](#) (“Title IX”).
- **DOMESTIC VIOLENCE** – A felony or misdemeanor committed (a) by a current or former spouse or intimate partner of the victim; (b) by a person with whom the victim shares a child in common; (c) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (d) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or (e) by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- **FORMAL COMPLAINT** – refers to a document filed by a complainant that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the individual filing the formal complaint alleging sexual misconduct against a respondent and requesting that the University investigate the allegation of misconduct.
- **FORMAL COMPLAINT** – may also refer to a document signed by the Title IX Coordinator alleging sexual misconduct against a respondent. The investigation will be conducted following University Sexual Misconduct guidelines.
- **GENDER-BASED HARASSMENT** – Acts of verbal, nonverbal, or physical aggression, intimidation, stalking, or hostility based on gender or gender-stereotyping constitute gender-based harassment. Gender-based harassment can occur if a member of the University

community is harassed either for exhibiting what is perceived as a stereotypical characteristic for the sex assigned to them at birth, or for failing to conform to stereotypical notions of masculinity or femininity. In order to constitute harassment, the conduct must be such that it has the effect of unreasonably interfering with an individual's academic performance or creating an intimidating, hostile, demeaning, or offensive work, academic, or living environment.

- **RESPONDENT** – A person against whom a complaint is filed for alleged violation(s) of this policy
- **SEX OFFENSES** – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
- **SEXUAL ASSAULT** – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. This includes:
  - Rape: The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
  - Sodomy: Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
  - Sexual Assault with an Object: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
  - Fondling: The touching of private body part of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
  - Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or
  - Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.
- **SEXUAL EXPLOITATION** – Occurs when a person takes non-consensual, unjust, or abusive sexual advantage of another person for their own benefit or for the benefit of anyone other than the person being exploited and which conduct does not otherwise constitute sexual harassment or assault under this policy. Examples of conduct prohibited include, but are not limited to: non-consensual video/audio taping of sexual activity by any electronic device; non-consensual sharing of a consensually made video/audio tape of sexual activity; prostituting another individual; going beyond the boundaries of consent given, such as by secretly allowing others to watch consensual sex; or voyeurism of a sexual nature. Sexual exploitation is prohibited and will be treated as sexual misconduct.
- **SEXUAL HARASSMENT** – Unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal and physical conduct of a sexual nature constitute sexual harassment.
- **TITLE IX SEXUAL HARASSMENT** – Unwelcome sexual conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies an individual equal access to the University's education program or activity.

While it is not possible to list all the conduct or circumstances that may constitute sexual harassment, the following are some examples of conduct which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances, whether they involve physical touching or not, and unwanted discussions of sexual matters;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life;
- Comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Sexist remarks and sexist behaviors;
- Requests or demands for sexual favors accompanied by implicit or explicit promised rewards or threatened punishment;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

This definition of harassment is intended to be illustrative and is not limited to the stated definition. Types of sexual harassment may include:

- **HOSTILE ENVIRONMENT HARASSMENT** – In general, sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace, learning environment, or living environment that is hostile, offensive, intimidating, or humiliating may constitute sexual harassment. Such conduct may create a hostile environment for individuals other than those at whom the conduct is directed. Hostile environment harassment includes peer harassment, such as student-to-student or colleague-to-colleague. To constitute a hostile environment, the harassment must be sufficiently severe or pervasive to affect the conditions of the Complainant's employment, academic standing, or participation in an education program or activity, and must create an offensive or abusive environment. A single incident or isolated incidents of offensive sexual conduct or remarks may create a hostile environment, but generally do not unless the conduct is quite severe. Even instances that may not constitute a hostile environment should be addressed under the informal procedures of this policy.
- **QUID PRO QUO HARASSMENT** – *Quid pro quo* sexual harassment may occur when anyone in a position of power or authority over another uses any academic or supervisor reward to subject such other person to unwanted sexual attention or to subject such other person to verbal or physical conduct of a sexual nature. In general, *quid pro quo* sexual harassment means unwelcome sexual advances, requests for sexual favors, or other verbal and physical conduct of a sexual nature by one in a position of power or influence when:
  - submission by an individual is made either an explicit or implicit term or condition of employment or of academic standing; or
  - submission to or rejection of such conduct is used as the basis for academic or employment decisions affecting that student or employee.

- **SEXUAL MISCONDUCT** – Includes sexual harassment, sexual assault, sexual exploitation, dating and domestic violence, and stalking
- **STALKING** –Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for their safety or the safety of others; or (b) suffer substantial emotional distress.

### **13. References**

Policy 1015 Non-Discrimination Policy,

[https://my.muih.edu/wp-content/uploads/Policy\\_1015\\_Non-Discrimination\\_Policy.pdf](https://my.muih.edu/wp-content/uploads/Policy_1015_Non-Discrimination_Policy.pdf)

Policy 3020 Maintaining Appropriate Boundaries,

[https://my.muih.edu/wp-content/uploads/Policy\\_3020\\_Maintaining\\_Appropriate\\_Boundaries.pdf](https://my.muih.edu/wp-content/uploads/Policy_3020_Maintaining_Appropriate_Boundaries.pdf)

Policy 7000 Code of Student Conduct,

[https://my.muih.edu/wp-content/uploads/Policy\\_7000\\_Code\\_of\\_Student\\_Conduct.pdf](https://my.muih.edu/wp-content/uploads/Policy_7000_Code_of_Student_Conduct.pdf)

### **14. Approval and Revisions**

Approved April 23, 2019 by President and CEO, Marc Levin.

- Note: This policy replaces the former “Sexual Harassment, Sexual Misconduct, Sexual Assault and Retaliation Policy” Standards & Practice, which was last reviewed in January 2019. A copy of the “Sexual Harassment, Sexual Misconduct, Sexual Assault and Retaliation Policy” is available from the President’s Office.

- Revision 1

Expanded Section 3.1.1.1 Formal Hearing Process to include information on timely written notice, the rights of students participating in disciplinary hearings, and the Panel’s decision-making function. Other grammatical edits throughout.

Approved July 23, 2019 by President and CEO, Marc Levin.

- Revision 2

Redefined this policy as Title IX Sexual Harassment and University Sexual Misconduct policies with updated processes for hearings based on the Title IX regulations changes effective August 14, 2020.

Approved September 8, 2020 by President and CEO, Marc Levin.

- Revision 3

Updated titles throughout the policy.

Approved February 2, 2022 by President and CEO, Marc Levin.

- Revision 4

Updated titles throughout the policy.

Approved March 2, 2023 by President and CEO, Marc Levin.

- Revision 5

Update Title IX Coordinator contact information.

Approved May 20, 2024 by Interim President, Christina Sax