



ANNUAL SECURITY & FIRE SAFETY REPORT

2024

Containing Information for the 2024-2025 Academic Year

UMBC
UMBC - Shady Grove
Rita Rossi Colwell Center



UMBC



Land Acknowledgement

UMBC was established upon the land of the Piscataway and Susquehannock peoples. Over time, citizens of many more Indigenous nations have come to reside in this region. We humbly offer our respect to all past, present, and future Indigenous people connected to this place.

Non-Discrimination Statement

The University of Maryland, Baltimore County ("University" or "UMBC") values safety, cultural and ethnic diversity, social responsibility, lifelong learning, equity, and civic engagement.

Consistent with these principles, the University does not discriminate and prohibits harassment with respect to access to its educational programs and activities or with respect to employment terms and conditions on the basis of a UMBC community member's race, creed, color, religion, sex, gender, pregnancy, ancestry, age, gender identity or expression, national origin, veterans status, marital status, sexual orientation, physical or mental disability, or genetic information.

This policy protects all UMBC students, faculty and staff, guests, visitors, volunteers, invitees, and campers as well as third parties and contractors under UMBC's control (including but not limited to, admitted students, undergraduate, graduate, exchange, visiting, professional, doctoral, and post-doctoral students, and temporary and contingent faculty and staff) if, when and while they are attempting to participate or participating in a UMBC program or activity or employment.

The University protects against discrimination in accordance with applicable federal, state, and local laws and regulations, as well as University System of Maryland ("USM") policies.

This policy also prohibits retaliation against anyone who makes a report or asserts a claim under this policy or participates in the resolution or investigation of a report or complaint under this policy.

To make a report or referral related to discrimination, complete the online reporting form at ecr.umbc.edu.

Office of Equity and Civil Rights

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ANNUAL SECURITY REPORT

This report contains statistics for certain crimes reported in calendar years 2021, 2022, and 2023 that occurred on campus or on surrounding public property, in certain off-campus buildings, and on property owned, leased, or controlled by UMBC. This report also includes campus safety and security policies, procedures for reporting crimes, and information regarding resources and crime prevention programs.

The Annual Security Report for UMBC at The Universities at Shady Grove (UMBC-Shady Grove) can be found on page 59 of this report. The report contains statistics for certain crimes reported in 2021, 2022, and 2023 that occurred on campus or on surrounding public property, and on property owned, leased, or controlled by UMBC-Shady Grove.

The Annual Security Report for the Rita Rossi Colwell Center (formerly the Columbus Center), home of IMET, the Institute of Marine and Environmental Technology, can be found on page 62 of this report. The report contains statistics for certain crimes reported in 2021, 2022, and 2023 that occurred on campus or on the public property immediately adjacent to the Rita Rossi Colwell Center. This report also contains campus security policies and procedures, and information regarding campus safety and reporting incidents.

By October 1 of each year, UMBC distributes a notice of the availability of this Annual Security Report to all current students and employees. Anyone, including prospective students and employees, may obtain a paper copy of this report by visiting the UMBC Police Department or emailing clery@umbc.edu.

Daily Crime Log

For a current record of alleged criminal incidents reported to UMBC Police, view the Daily Crime Log available at police.umbc.edu/crime. Crime log entries older than 60 days may be requested by visiting the UMBC Police Department or emailing clery@umbc.edu.

Preparation of the Annual Security Report and Disclosure of Crime Statistics

The UMBC Police Department publishes this report to inform the UMBC community about the occurrence of crime on campus, campus security policies and procedures, initiatives to prevent crime and emergencies, and the University's response to crime and emergencies. This report complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and uses information maintained by UMBC Police, the Office of Equity and Civil Rights (ECR), Residential Life, Student Conduct and Community Standards, and information provided by Campus Security Authorities (CSAs) and local law enforcement agencies. Each of these entities provides updated policy and procedural information and/or crime data for this report.

About UMBC Police

The UMBC Police Department is a nationally accredited agency responsible for protecting and serving a community comprising of more than 17,000 students, employees, and campus visitors.

The UMBC Police Department is a 24/7 full-service police department with sworn police officers who have full arrest powers. Every officer is equipped with a firearm and body-worn camera (BWC).

The Chief of Police reports to the Vice President of Administration and Finance and is responsible for all police operations. The UMBC Police Department has two divisions: Operations and Support Services. Each division is supervised by a Lieutenant, and each Lieutenant reports directly to the Deputy Chief of Police. The Support Services division includes records management, evidence control, and compliance. The Operations division includes event management, community outreach, investigations, and patrol.

To ensure 24/7, uninterrupted service, UMBC Police has three patrol squads of eight sworn Police Officers, five Police Communications Officers, three Security Officers, and Student Police Aides.

Police Communications Officers, Security Officers, and Student Police Aides are civilian personnel with no arrest powers. Police Communications Officers receive emergency and non-emergency calls and relay essential information to deploy police services and other resources. Security Officers and Student Police Aides are responsible for conducting security patrols, safety escorts, and securing buildings. Civilian personnel are not equipped with BWCs, firearms, or any less-lethal weapon.

The UMBC Police Department is committed to its core values of truth, civility, and dignity to provide professional and compassionate service to the community while upholding the public's trust.

Officer Training and Authority

Pursuant to the Code of Maryland Regulations, all police officers in the state of Maryland are required to successfully complete an entrance-level training program approved by the Maryland Police and Correctional Training Commission (MPCTC). Entry level officers hired at UMBC Police are also required to complete a minimum of 240 hours of field training; experienced officers are required to complete a minimum of 80 hours of field training.

Officers are also required to complete a minimum of 18 hours of Commission-approved in-service training and firearms training annually, which includes first aid, crisis intervention, community policing, and use of force and de-escalation.

Commissioned under MPCTC, officers are authorized to carry firearms and empowered to make arrests. UMBC Police investigates all criminal incidents reported to UMBC Police that occurred within its jurisdiction, which is on campus or on property owned or controlled by UMBC.

Safety is Our Priority

UMBC takes great pride in the supportive community of inquiring minds that connects innovative teaching and learning. Despite being a great place to live, learn, and work, the UMBC community is not immune to problems that arise in nearby communities. Because of this, UMBC has

taken progressive measures to create and maintain a safe environment on campus.

While UMBC is progressive with its policies, programs, and education, we are all responsible for living with a sense of awareness and must use reasonable judgment while on campus.

Local Law Enforcement Agencies

UMBC Police maintains a cooperative relationship with the Baltimore County Police Department (BCPD) and other surrounding police agencies.

The UMBC Police Department has a Memorandum of Understanding with BCPD to take primary investigative responsibility for serious crimes and incidents, including rape, homicide, unattended deaths, and physical or sexual abuse of children. BCPD has the additional resources necessary to conduct a thorough investigation of these incidents.

Sexual assault and rape investigations require the victim's written and informed consent prior to notifying BCPD for further investigation. If consent is not provided, UMBC Police will investigate as resources allow and will provide information regarding available resources and victims' rights.

UMBC does not have any officially recognized student organizations with noncampus locations or noncampus housing facilities to be monitored by local law enforcement agencies.



Reporting Crimes and Emergencies

The University has several ways for community members and visitors to report crimes, serious incidents, and other emergencies. Regardless of how and where you report these incidents, it is critical for the safety of the entire University community that you immediately and accurately report incidents to the appropriate officials to assess and determine if further action is required.

Reporting to UMBC Police

The University encourages all campus community members to promptly report all crimes and other emergencies directly to UMBC Police. The Communications Center at the UMBC Police Department is available by phone at 410-455-5555 or in person twenty-four hours a day. Although many resources are available, UMBC Police strongly encourages all crimes be reported, whether or not an investigation ensues, to assure the University can assess any and all security concerns and inform the community members if there is a significant threat to the community.



Emergency Phones

Approximately 200 emergency phones are installed in various locations on the UMBC campus. The emergency phones provide direct voice communication to the UMBC Police Department Communications Center twenty-four hours a day.

The emergency phones can be found inside elevators and parking garages or illuminated with a blue light outside parking lots, student housing areas, and numerous other locations. A map with exact locations can be found at police.umbc.edu/services/emergency-phone-locations/.

Anonymously

Anyone may call UMBC Police at 410-455-5555 or 911 to report a crime or security concerns. Callers may request to remain anonymous, and when possible, UMBC Police will make every effort to preserve anonymity when requested.

Voluntary, Confidential Reporting

Some individuals may not be prepared to make a report to law enforcement or to the University. Therefore, the University has Confidential Resources available to provide confidential counseling, crisis support, medical care, and/or advocacy services for UMBC community members.

Confidential Resources include pastoral and professional mental health counselors who are appropriately credentialed and hired by the University to serve exclusively in a counseling role and licensed healthcare providers who provide care through Retriever Integrated Health.

Community members may report crimes to a Confidential Resource, but the Confidential Resource generally does not have an obligation to report to the Title IX Coordinator, Office of Equity and Civil Rights, or UMBC Police. Reports to Confidential Resources will remain confidential except when there is an imminent or continuing threat to health or safety, a legal obligation to report, or the reporter provides consent to disclose the information.

If a community member discloses information about conduct that reasonably may constitute Prohibited Conduct under University policy, the Confidential Resource must provide the Title IX Coordinator's contact information and information regarding the complaint process and available Supportive Measures. The Title IX Coordinator is not considered a Confidential Resource; therefore, UMBC does not have voluntary, confidential reporting. The crime statistics included in this report are from non-confidential sources.

Campus Security Authorities

While the University encourages all campus community members to promptly report all crimes and other emergencies directly to UMBC Police, we also recognize that some may prefer to report to other trusted individuals or departments.

The Clery Act recognizes certain University officials and offices as "Campus Security Authorities" (CSAs). The Clery Act defines these individuals as "an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as a person who has the authority and the duty to take action or respond to particular issues on behalf of the institution."

CSAs are required to report certain incidents to UMBC Police by submitting a CSA Incident Report Form at police.umbc.edu/csa. The CSA Incident Report Form is used to collect and disclose aggregate crime data and assess ongoing threats to the University. The CSA is not required to provide the victim's personally identifiable information; UMBC Police will reach out to an identified victim only if the CSA Incident Report Form indicates police involvement is requested.

While the University has identified several hundred CSAs, campus community members may also report crimes to the Office of Equity and Civil Rights by visiting ecr.umbc.edu.

Pastoral and Professional Mental Health Counselors

According to the Clery Act, pastoral and professional mental health counselors who are appropriately credentialed and hired by the University to serve exclusively in a counseling role are not considered CSAs. The University encourages pastoral and professional mental health counselors to inform those whom they are counseling of the resources and reporting options available to them.



Crime Alerts (Timely Warning)

UMBC Police issues 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 University may issue a Crime Alert for the following: arson; aggravated assault; criminal homicide; domestic violence; dating violence; robbery; burglary; motor vehicle theft; sexual assault; hate crimes; and stalking. The University may also issue a Crime Alert for alcohol, drug, and weapon arrests or referrals that may cause a continuing threat to the community. UMBC Police will distribute these warnings through a variety of ways, including but not limited to emails, web postings on myUMBC, and social media.

The purpose of a Crime Alert 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 incidents. The University will issue Crime Alerts on a case-by-case basis considering the following criteria: (i) one of the above listed crimes are reported; (ii) the perpetrator has not been apprehended; and (iii) there is a substantial risk to the safety of other members of the campus community because of this crime. The University is not required to provide a Crime Alert with respect to crimes reported to a pastoral or professional counselor. The University has discretion to issue advisories in circumstances other than the previously listed crimes that pose an ongoing or continuing serious threat to the campus community.

Process

The Chief of Police or designee, in consultation with the Clery Coordinator and other University officials, will determine if a reported crime or incident constitutes an ongoing or continuing serious threat to the university community and requires a Crime Alert. The University may issue a Crime Alert for incidents off-campus if the crime occurred in a location used and frequented by the community.

The Clery Coordinator will draft the Crime Alert using a pre-scripted template to expedite the process. Upon receiving approval from the Chief of Police, the Clery Coordinator will send the Crime Alert to the Vice President for University Communications and Marketing and

the Vice President for Institutional Equity for review. Upon approval, the Crime Alert will be posted by the Clery Coordinator on the Police Announcement myUMBC group, which generates an email to every person with a UMBC email address. The Crime Alert is also posted to the UMBC Police website at police.umbc.edu/announcements. As a courtesy, the Chief of Police will also notify the Vice President of Administration and Finance prior to dissemination.

Emergency Response and Evacuation Procedures

The Emergency Manager, Executive Preparedness Group (EPG), and Emergency Preparedness Committee (EPC) collaborate with and assist departments with developing, maintaining, and implementing emergency operations plans and developing and conducting exercises and hazard and risk education.

Facility Emergency Action Plans

Facility Emergency Action Plans (FEAP) are web-based guides that facilitate workplace, learning space, and living area readiness. Online FEAPs can be accessed at police.umbc.edu/emergency-preparedness/facility-emergency-action-plans.

FEAPs provide preparedness information to include access and hours of operation, facility manager contacts, and occupant departments. Emergency exits, fire alarm operations, medical and elevator emergencies are also detailed here. Evacuation procedures provide instructions and maps for rally points and assembly areas and floor plans illustrate interior shelter areas for environmental hazards areas.

Emergency Management Response Guides

Emergency Management Response Guides are pamphlets intended as planning tools and can supplement training. The notification and response procedures provide management and leadership actions to help initiate response and stabilize an emergency as soon as possible.

View and download the access guides at police.umbc.edu/emergency-preparedness/notification-and-response-procedures.

Drills, Exercises, and Training

To ensure the campus emergency management plans remain current and actionable, the University conducts regular reviews and exercises of the Emergency Operations Plan (EOP). These exercises include a variety of tabletop, drill, or full-scale exercises. The campus conducts after-action reviews of all emergency response plan exercises. The Emergency Manager and the EPC works with University officials and UMBC Police to develop exercise scenarios. The University will notify the campus community prior to a full-scale exercise and remind the community of the University's Omnilert and Alertus warning systems and emergency response procedures.

UMBC Alert (Emergency Notification)

UMBC 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 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.

Generally, the Chief of Police or designee determines the contents of a UMBC Alert and the appropriate segments of the community to receive the alert and disseminates the alert after an immediate threat to health and safety is confirmed. If the Chief or designee is unavailable, Police Officers and Police Communications Officers are trained and authorized to disseminate UMBC Alerts.

The University uses the emergency notification systems Omnilert and Alertus. Omnilert is an emergency mass text notification service available to students, faculty, and staff. Omnilert is a closed, opt-in system. Omnilert can be used to send emergency messages within minutes of the occurrence of an incident. Alertus provides desktop notifications for users logged in to University computers and Wi-Fi. To register for text and desktop alerts, visit umbc.edu/go/alerts. UMBC's emergency communication system is multimodal, covering various forms of media. The UMBC Police Facebook and X (formerly Twitter) accounts are available for individuals that do not have UMBC

email addresses. All UMBC email addresses are automatically entered in the system and cannot be removed by the user.

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

Community members are advised to report critical incidents or other emergencies that may affect the health and/or safety of the campus community to UMBC Police by calling 410-455-5555 or 911.

UMBC Police 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 to UMBC Police or directly to a University employee.

Upon receiving the report, UMBC Police, and other qualified first responders or external resources, if necessary, will respond to the incident to assess the situation. Once UMBC Police and first responders confirm that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, the University will, without delay, determine the content of the UMBC Alert, 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.

Determining the Appropriate Segments of the Campus Community to Receive an Emergency Notification

University officials, in conjunction with UMBC Police and first responders, will determine the appropriate segments to notify and the appropriate modes to use. Generally, the entire campus community will receive the UMBC Alert. UMBC Police, University officials, and first responders will continually evaluate the situation and assess the need to notify specific segments of the campus population.

Determining the Contents of the UMBC Alert

Speed and accuracy of the information are of utmost importance in issuing UMBC Alerts. Once a threat is confirmed, the Omnilert administrator can immediately activate a pre-approved message from a mobile phone or desktop computer. Pre-

approved messages cover the most likely threats and provide recipients with immediate protective actions to be taken. The Omnilert administrator will select the most appropriate pre-approved message. In cases where there are no pre-approved messages, the Omnilert administrator may draft a specific message. Activation will take longer if an emergency requires revision of a pre-approved message or if the administrator must create a new, unique message for an unlikely, unanticipated situation.

Responsible authorities must use professional judgement to determine if activating an alert or the contents may compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The goal is to ensure people are aware of the situation and know the steps to take to stay safe.

Procedures Used to Notify the Campus Community

The University has various systems in place for communicating information quickly in the event of a situation that poses an immediate threat to members of the campus community. Some, or all, of these methods of communication may be activated in the event of an emergency. These methods of communications include the emergency campus siren and the mass notification systems Omnilert and Alertus, which may include SMS text messages, emails, Twitter posts, and Facebook posts. Verbal announcements within buildings, public address systems, fire alarms, and myUMBC posts may also be utilized.

Procedures for Disseminating Emergency Information to the Larger Community

If the emergency notification system is activated in response to a situation that poses an immediate threat beyond the campus community, campus leadership may notify the larger community about the situation and steps the campus has taken to address the emergency. Generally, University Communications and Marketing is responsible for crisis communications, which includes updating notices on social media, maintaining communications with news outlets, distributing press releases, and scheduling press conferences. UMBC Police may also notify the Baltimore County Police Department Wilkens Precinct and/or activate

the emergency siren to notify the surrounding community.

Enrolling in the University's Mass Notification Systems

All employees and students of the campus community are encouraged to register for UMBC Alerts at umbc.edu/go/alerts. All employees and students with a UMBC email are automatically enrolled in the system, but employees and students must opt-in to receive text messages. Employees and students are encouraged to add their mobile phone number in the Omnilert portal at umbc.omnilert.net/. Additional email addresses may also be added.

Members of the campus community are also encouraged to download the Alertus software program at umbc.edu/downloads/alertus to receive notifications on their computer while connected to UMBC WiFi. Members of the larger community are encouraged to follow the University and UMBC Police on social media.

Security of and Access to UMBC Facilities

Generally, administrative office business hours are from 8:00 a.m. until 4:30 p.m., Monday through Friday. Academic buildings are generally open from 7:00 a.m. to 11:00 p.m., Monday through Friday. These hours may vary by department or as needed. Access to individual classrooms and laboratories is limited to those enrolled in the courses meeting there.

Many entertainment and athletic events held in UMBC facilities are open to the public. Other facilities, such as the bookstore, library, and the Commons, are also open to the public during the posted hours of operation. Only those who have approval are issued keys or card access to a building.

Opening and closing procedures are detailed at police.umbc.edu/emergency-preparedness/facility-emergency-action-plans/facility-opening-and-closing-procedures/.

Access Control Systems

Physical security is an essential component of maintaining a safe and welcoming campus. The access control systems utilized by UMBC facilities include scheduled automatic timers, a combination

of automatic timers and manual access, manual access only, and controlled access for residential communities.

Scheduled Automatic Timers

Six buildings utilize automatic timers for all entrances. The Information Technology/Engineering Building, Performing Arts and Humanities Building, and the Public Policy Building are on a shared automatic timer. All exterior entrances are on the same automatic schedule managed by DoIT Enterprise Infrastructure and Support. They are automatically unlocked at 7:30 a.m. and locked at 11:00 p.m., Monday through Friday. Outside these hours, entry requires physical key access or swipe-card access.

The Commons, the RAC, and the Interdisciplinary Life Sciences Building (ILSB) are on unique automatic timers. At least one exterior entrance is on an automatic schedule managed by the primary occupant. Outside these hours, entry requires physical key access or swipe-card access.



Combination of Automatic Timers and Manual Access

The eight buildings listed below utilize automatic timers, manual access, and swipe-card access.

- Albin O. Kuhn Library and Gallery
- Center for Well-Being
- Central Plant
- Chesapeake Employers Insurance Arena
- Engineering Building
- Fine Arts Building
- Meyerhoff Chemistry Building
- University Center

Some exterior entrances are on the shared or a unique, automatic timer managed by DoIT Enterprise Infrastructure and Support. Automatic unlocking and locking schedules vary depending on hours of operation and by semester. Exterior entrances not on automatic timers require manual unlocking and locking by authorized personnel or by UMBC Police. Authorized personnel have 24/7 access to some entrances via swipe-card access.

Manual Access Only

There are a total of 18 buildings on campus that require manual opening and closing and have no, or limited, swipe-card access. The following seven buildings require UMBC Police to manually unlock all exterior entrances Monday through Friday by 6:00 a.m. Unless instructed to lock earlier or later, UMBC Police lock these buildings by 11:00 p.m. Outside these hours, entry requires physical key access. There are no exterior entrances with swipe-card access at these buildings.

- Administration Building
- Biological Sciences Building
- Lecture Hall 1
- Math and Psychology Building
- Physics Building
- Sherman Hall
- Sondheim Hall

The following four buildings require manual unlocking and locking by authorized personnel or UMBC Police during normal hours of operation or for special events. Authorized personnel have 24/7 swipe-card access to some exterior entrances.

- Apartment Community Center
- Technology Research Center
- Warehouse
- 900 Walker

The following seven buildings require authorized personnel or UMBC Police to manually unlock and lock all exterior entrances during normal hours of operation or for special events. There are no exterior entrances with swipe-card access.

- Alumni House
- Army ROTC Building
- Facilities Management Building
- Naval ROTC Building
- Tech 2 Building

- True Grit's Dining Hall
- Y Preschool at UMBC

Residential Facility Access

Access Control

For the safety and comfort of the residential community, residential buildings are locked 24 hours and only accessible to residents of that community and authorized University officials with a legitimate purpose. All 35 residential buildings on campus require 24/7 swipe-card access. Exterior entrances without swipe-card access require physical key access.

All residential facilities operate under a computerized access control and security monitoring system. To maintain the security of the community, tampering with or minimizing the effectiveness of access control or safety and security systems in any way is prohibited. Student identification cards authorize electronic entry access to the specific building and unit a student resides; the system denies entry to all unauthorized persons. An audible alarm will activate if a door is left ajar. UMBC Police Officers routinely patrol residential areas and are responsible for securing and checking exterior doors as needed. Malfunctioning doors are immediately repaired to ensure security.

Authorized Entry

The University is committed to the safety and security of the residential communities and maintains rules and procedures entering and exiting residential facilities.

Residents receive stickers to affix on UMBC identification cards to establish that the student has a legitimate purpose on campus or within a specific community.

Residents should enter and exit residential buildings through marked entryways (main entrance or front door) and exits. Residents must use their UMBC identification card to swipe through locked doors. Propping or holding the locked door open for others is prohibited. Resident students entering a building with a staffed community service desk must show, provide, or furnish their current, valid UMBC identification card as instructed by building staff. Resident students

without their UMBC identification card must wait for building staff to verify their identity.

Residential facility emergency and fire exits should only be used in emergencies. No person shall enter any residential area, or use any egress, which is not intended for the use of that resident (i.e., emergency doors, roofs, windows, etc.).

Unauthorized Entry

Borrowing, lending, stealing, or duplicating UMBC keys, UMBC identification cards, or resident identification cards for any purpose is strictly prohibited. Giving unauthorized entry to others and/or using improperly gained keys or identification or access control cards is strictly prohibited. Residents may not assist others in entering the community without properly signing in. Propping open doors or forcibly opening exterior doors is strictly prohibited. At no time should residents access the rooftop of any residential facility.

Guests

Guests may visit residential students in their rooms or buildings. Guests are defined as any person who is not a licensed resident of the room and community in which they are visiting. Visiting residential facilities as a guest is not a right but a privilege granted by the host, roommate(s), and Residential Life. This privilege may be revoked. Residential Life reserves the right to deny entry or access to any guest or visitor for any reason and without prior notice.

It is the resident host's responsibility to check guests in and out at the community desk and to ensure guests are aware of University policies. Guests are not provided with room keys or door access cards. Guests must always be escorted by the resident host. If UMBC Police receives a report of an unescorted person or a guest refusing or failing to check in at the front desk, an officer will be dispatched to locate and identify the individual.

Low Occupancy Periods

During low-occupancy periods such as holidays and scheduled breaks, residential students are consolidated into designated buildings and gain access via the University's electronic access control system. During the summer when groups who are not regularly associated with UMBC are using the

University student housing facilities, guests are issued identification cards that allow the individuals to gain access to their assigned building via the electronic access control system.

Athletic Facility Access

The Retriever Activities Center (RAC) is accessible only by those individuals with a valid UMBC student, faculty, or staff identification card or a valid annual or monthly membership card. Valid identification or membership cards must be presented at the front desk to enter the facilities. Guest passes are not available.

Individuals with valid identification or membership cards are authorized to access the RAC during the posted hours of operation. Hours are subject to change and may vary each semester, on holidays, and during scheduled breaks. Generally, the hours of operation during the fall semester are:

- Monday – Thursday: 7:00 a.m. – 10:00 p.m.
- Friday: 7:00 a.m. – 9:00 p.m.
- Saturday: 10:00 a.m. – 6:00 p.m.
- Sunday: 12:00 p.m. – 7:00 p.m.

Spaces designated for specific intercollegiate athletic programs will be accessible only by those University athletes and athletic personnel authorized to access such facilities. A valid UMBC identification card is required to gain access.



Maintenance of Campus Facilities

Grounds

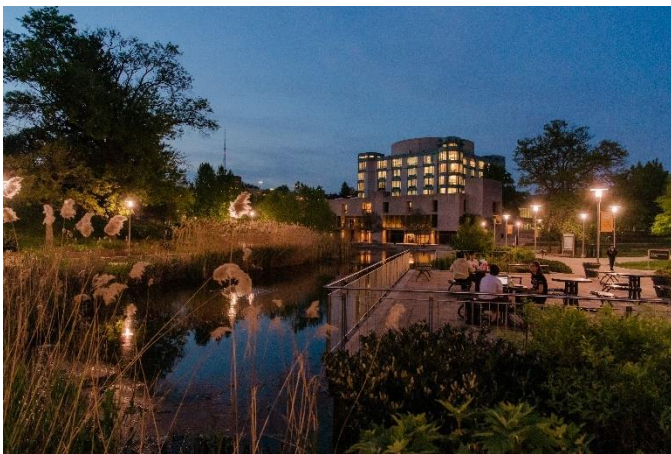
The University is committed to maintaining a safe, attractive, and environmentally respectful landscape for the community. Certified arborists and horticulturists partner with outside contractors to provide comprehensive maintenance of the 512

acres that comprise the campus. Regular maintenance includes snow, ice, and tree removal during campus emergencies and repairing hardscapes and turf after damage from storms or other activities.

Accessibility

The campus is designed and maintained for optimal safety, security, and accessibility. This includes ample lighting for well-lit walkways, sidewalks, and streets. Lighting upgrades were most recently conducted on Hilltop Circle between Back Road and Commons Drive.

The campus features wayfinding bollards, signage (interior and exterior) for accessible routes, a Skywalk, and updated elevators. Upgrades to stairwell handrails were most recently conducted in the Math and Psychology Building. The Office of Accessibility and Disability Services organizes the Accessibility Tour: Wayfinding, Skywalks and Resources. The tour is conducted throughout the year and highlights the accessible route and provides resources for community members to report safety or accessibility concerns on campus. The Campus Map with Accessible Routes can be found at umbc.edu/about/visit/directions.



Power Supply Upgrade

The University, in collaboration with the University's electric provider, addressed ongoing and disruptive power outages that could potentially impact health and safety. The power supply upgrade project to improve reliability and reduce outages was completed in November 2023.

Work Requests

The University uses a maintenance management system to report maintenance issues and request services. Community members may submit a work request on a smart phone, tablet, or computer. for a variety of issues and security concerns. Work request categories include, but are not limited to:

- Door & Lock (no key requests)
- Elevators (non-entrapment)
- Grounds & Exterior
- Lighting & Power
- Safety Concerns
- Windows & Glass

Community members are encouraged to report potential security concerns, such as poor lighting, malfunctioning locks, or broken windows. Work requests and security concerns can be submitted at umbc.assetworks.cloud/ready or call Work Control at 410-455-2550.

Missing Student Notification

The Higher Education Opportunity Act of 2008 requires any institution participating in a Title IV federal student financial aid program that maintains on campus housing facilities to establish a missing student notification policy and related procedures (20 USC 1092(j) Section 488 of the Higher Education Opportunity Act of 2008) for students living in on campus housing.

Missing Student Contact

UMBC will provide every student living in on-campus student housing the opportunity and means to identify a Missing Student Contact to be used in the event the student is reported missing. Current and prospective residential students may register their Missing Student Contact when completing the annual UMBC Housing Application. This option is in addition to the required general emergency contact information in the application.

Policy

In accordance with the procedures established under this policy, within 24 hours after a student living in on-campus student housing has been reported missing and the student is not known to have returned to the University or otherwise been located, the Vice President of Student Affairs or their designee will notify the individual the student

has designated as their Missing Person Contact. If the missing student is under 18 years of age and not an emancipated individual, the Vice President of Student Affairs or their designee will also notify the student's custodial parent or guardian.

The UMBC Police Department shall investigate all reports of missing students and will notify and cooperate with other law enforcement agencies, as necessary, to further the investigation.



Procedures

Any individual who believes a student living in on-campus student housing may be missing should immediately contact UMBC Police. **You do not need to wait 24 hours to report a missing person.**

UMBC Police may notify the Vice President of Student Affairs upon receipt of a missing student report. When receiving such report, both the Vice President of Student Affairs and UMBC Police will attempt to determine whether the student is, in fact, missing. Additional steps that may be taken depending on the circumstances include:

- Vice President of Student Affairs or their designee will attempt to contact the student through all reasonable and available means.
- UMBC Police will investigate the validity of the missing person report and manage the

information according to its established investigative standards.

- UMBC Police may notify appropriate University Officials and seek their aid in the investigation (e.g., Student Affairs, Residential Life, Counseling Center, etc.)
- UMBC Police will notify local law enforcement agencies within 24 hours of the determination that the student is missing.

If, within 24 hours of the report, UMBC Police is unable to locate the missing student and the student is not known to have returned to the University or otherwise located, UMBC Police will notify the Vice President of Student Affairs or their designee and take the following action(s):

- The Vice President of Student Affairs or their designee will promptly notify the individual the student has designated as their missing person contact and document the date and time of the notification.
- If the missing student is under 18 years of age and not an emancipated individual, the Vice President of Student Affairs or their designee will also notify the student's custodial parent or guardian and document the date and time of the notification.

Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, UMBC Police will notify local law enforcement agencies within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing. The Missing Person Contact is in addition to the general emergency contact provided in the Housing Application. If a Missing Person Contact is not formally declared, the University will notify the general emergency contact.

Maryland Sex Offender Registry

Individuals may obtain information regarding sexually violent predators on the Maryland Sex Offender Registry maintained by the Department of Public Safety and Correctional Services at www.dpscs.state.md.us/sorSearch/.

University Policies Governing Alcohol and Other Drugs

Federal law requires UMBC to inform all students, faculty, and staff of the regulation and enforcement of the unlawful possession, distribution, and use of illicit drugs and alcohol on its property or part of activities, in addition to providing education and resources.

Alcohol Use

The possession, use, distribution, and sale of alcoholic beverages is prohibited for any individual under the age of 21 in the State of Maryland. Furthermore, the possession of an alcoholic beverage in an open container is prohibited on public property in Baltimore County, unless it is expressly permitted by state or county law or regulation. The purchase, possession, manufacture, transportation, storage, distribution, and consumption of alcoholic beverages in University Facilities is permitted only at scheduled events in accordance with state and local laws, University System of Maryland bylaws, and University policies.

UMBC policy VI-8.00.01 specifies the following parameters for events occurring on University property:

- Alcohol may only be provided at scheduled events.
- Alcohol is not permitted at events that are planned, hosted, or organized by Student Organizations or where students are the primary target audience.
- Students and guests under 21 years of age may be permitted to attend events where alcohol is available if (i) proper safeguards (ID check at point-of-sale, wristbands to designate of-age persons) are instituted, (ii) the event is approved by the Dean or Vice President supervising the Campus-Based User and the Event & Conference Services Office, and (iii) students are not the primary audience.
- Alcohol may only be provided by an approved catering company.
- Persons under 21 years of age may not purchase, consume, possess, or be served alcoholic beverages.

- The distributor must verify the age of guests who appear to be less than 30 years of age with a valid, government issued photo identification card.
- Furnishing alcohol to persons less than 21 years of age is prohibited.
- Drinking contests or games are prohibited.
- Alcohol may not be used as an incentive for participation or given away as a prize.
- Non-alcoholic beverages and food must be available during the event.

Alcohol in Residential Facilities

Resident students 21 years of age or older may possess and consume alcoholic beverages in the privacy of their residence hall room or apartment with their guests of legal drinking age. Resident students who are less than 21 years of age may not host in their room or apartment any individual possessing, consuming, selling, or serving alcohol, regardless of age or relationship.

Recreational and Medical Cannabis

Under Maryland law, adults 21 years of age or older may possess, use, and grow a limited amount of cannabis; however, cannabis remains a prohibited controlled substance under federal law. Therefore, the possession, use, and cultivation of cannabis remains illegal under federal law. State law conflicts with federal laws governing controlled substances, as well as federal laws requiring institutions receiving federal funds to maintain drug-free campuses and workplaces. UMBC receives federal funding that would be in jeopardy if the federal laws did not take precedence over state law. Therefore, the possession, use, cultivation, and distribution of cannabis in any form and for any purpose violates applicable University policies, and any student or employee in violation may be subject to disciplinary sanctions.

Policies Specific to Faculty and Staff

The University System of Maryland is committed to maintaining a drug and alcohol-free workplace that is compliant with federal and state laws. The possession, use, distribution, dispensation, sale, or manufacture of illegal controlled substances or the improper use of prescription drugs is prohibited. Employees shall not report to work or work under the influence of drugs or alcohol. Individuals known to be suffering from substance abuse shall not be

hired unless the individual is actively engaged in a bona fide substance abuse or rehabilitation program. As a condition to employment, all employees shall abide by the terms of this policy. Employees found to be in violation of this policy may be subject to appropriate disciplinary action applicable in their institution, and/or required to participate in appropriate substance abuse rehabilitation programs. Employees working on a federal grant or contract must notify their supervisor or Department head of any criminal drug convictions in the workplace no later than 5 (five) days after such conviction. For more information, review USM Bylaw VII - 1.10 at usmd.edu/regents/bylaws/SectionVII/VII110.pdf.

Policies Specific to Students

Any student who violates this policy is subject to disciplinary action, including sanctions outlined in the Student Code of Conduct in addition to any penalties resulting from violating local, state, or federal law. Sanctions may include a reprimand, probation, suspension, or dismissal from the University, with consideration for complicating and/or mitigating circumstances. Parental notification may occur in appropriate cases where a student engages in a drug or alcohol violation. Appropriate alternative educational conditions may be substituted in lieu of formal disciplinary action. The Director of Student Conduct and Community Standards will make the final determination of the applicability of this protocol.

Drug Use (Non-Cannabis)

The possession, use, distribution, and sale of illegal drugs and controlled substances on campus and in the workplace are violations of state and federal laws.

Smoking Policy

UMBC is a smoke-free campus. Smoking is prohibited on all grounds and property controlled by UMBC, including walkways, parking lots, and recreational and athletic areas. Smoking means the carrying of a lighted tobacco product or the burning of any material to be inhaled, including, but not limited to, cigarettes, cigars, hookahs, and pipes.

The use of Electronic Smoking Devices is prohibited in any institution building including

academic buildings, residence halls, administrative buildings, athletic stadiums, other enclosed facilities, or university vehicles. Electronic smoking devices are any product that can be used to simulate smoking in the delivery of nicotine or other substances to the person inhaling from the device, including, but not limited to, electronic cigarettes, electronic cigar, electronic cigarillo, or electronic pipe, vaporizers and any cartridge or other component of the device or related product.

Smoking and the use of Electronic Smoking Devices in and on institution property is permitted only in specific designated areas, as approved by the President. A map of Designated Smoking Shelters can be viewed at: umbc.edu/about/visit/directions.

Individuals who violate this policy are subject to a fine and disciplinary action. For more information, review UMBC Policy VI-8.10.01 Smoking Policy.



Substance Abuse Education Programs

Alcohol Wise

All first-time, first year, and transfer undergraduate students are required to complete Alcohol Wise, an online prevention course designed to educate students about the dangers of misusing alcohol, UMBC alcohol policies, bystander strategies, and how to call for help.

Cannabis Wise

All first-time, first year, and transfer undergraduate students are required to complete Cannabis Wise, an online prevention course designed to educate students about the risks related to cannabis use, including high-potency cannabis and cannabis use disorder.

Other Drugs

All first-time, first-year, and transfer undergraduate and graduate students are required to complete Other Drugs, an online prevention course designed to use evidence-based strategies to educate students about the dangers of misusing drugs and how it can affect one's health.

Additional Programming Upon Request

Additional education programs provided by Retriever Integrated Health are presented upon request and include Red Band Watch and Intoxicating Knowledge: Drugs Unplugged. Red Watch Band focuses on alcohol use, abuse, and intoxication and bystander intervention. Intoxicating Knowledge: Drugs Unplugged provides an overview of various drugs, including opioids and their effect on the body. Participants also learn signs of an overdose and receive resources for getting help in the event of a drug-related emergency.

Basic Alcohol Screening & Intervention for College Students

Students who receive a sanction for an alcohol or other drug student conduct violation may be required to complete a Basic Alcohol Screening & Intervention for College Students (BASICS) program to provide a better understanding on the risks of alcohol and drug consumption.

Substance Abuse Resources

Students

Retriever Integrated Health (RIH) offers short term counseling services to students who have substance use concerns. The student's needs will be discussed and evaluated to determine if additional care or more intensive services are necessary. RIH will assist the student with referrals. Online support is also available.

Faculty and Staff

The UMBC Employee Assistance Program (EAP) is available for employees suffering from substance abuse. Employees may contact 855-410-7628 for support or visit guidanceresources.com and enter the company ID: USMEAP.

Reach Out Retrievers

Reach Out Retrievers is an initiative by RIH to encourage and facilitate prompt action and a network of care and support. It is intended to encourage connection when students need someone to listen and when students need to support others. Reach Out Retrievers encourages students to utilize the online resources below.

Peer to Peer Support

Sometimes it is helpful to hear from other people who are experiencing similar difficulties and receive community support when facing obstacles. Available to all UMBC undergraduate and graduate students, togetherall is a free online peer-to-peer community for students and offers an anonymous place to support your mental health 24/7.

togetherall is monitored by licensed clinicians and is a safe place online to get things off your chest, have conversations, express yourself creatively and learn how to manage your mental health. Within the togetherall platform, members are anonymous, so no one will know you're using it unless you tell them. Join togetherall at account.v2.togetherall.com/register/student.

Interactive Self-Help Therapy

welltrack boost is designed to help students understand their mental health and to provide them with help. WellTrack offers a suite of online tools and courses such as Depression, Anxiety and Stress, and Find Your Inner Calm Through Mindfulness. Visit umbc.welltrack-boost.com

Crime Prevention and Safety Awareness Programs

Ongoing prevention and safety awareness programs are conducted by various departments and consist of events, campus-wide campaigns, and training.

211 Maryland Campaign

Community members may call or text 211 to receive free, confidential and multi-lingual information and referral services 24/7. Information about available services is available at Retriever Integrated Health in addition to fliers, pamphlets, and posters on campus.



Active Assailant Awareness Training

In person training provided by UMBC Police based on the AVOID - DENY - DEFEND model, which includes emergency procedures and additional resources. Sign up via campus announcements or request training by emailing police@umbc.edu.

Big Dawgs Don't Haze

Training workshop held upon request by the Office of Health Promotion that defines and identifies hazing behaviors and the mental and physical consequences. The workshop includes reporting processes and available resources.

Bike Registration Campaign

Students and employees received a free bike lock provided by UMBC Police after registering their bikes with Parking Services to prevent thefts. As an additional incentive, registration events were held with Chip the Comfort Dog. The campaign included fliers, social media posts, and emails.



Drug Disposal Program

UMBC Police collects unused or expired prescription drugs for safe disposal to prevent accidental poisoning, overdose, and abuse.

Faculty and Staff Guide for Helping a Person in Distress

Informational brochure from Retriever Support Services that provides general guidelines for dealing with a disruption, which includes identifying what disruptive and dangerous or concerning behaviors may look like. The brochure also includes a FAQ, information regarding mental health training, applicable University policies and procedures, and available resources.

Intoxicating Knowledge: Drugs Unplugged

Training workshop held upon request by the Office of Health Promotion provides information about drugs and their effects on the body, signs of an overdose, and resources.

Police Ride Along

Students have the opportunity to ride along with a UMBC Police Officer to learn more about crime prevention measures at the University, safety awareness, and build rapport with the Department. Information about the Ride Along program is on the UMBC Police website and has been posted on social media.

Reach Out Retrievers

Initiative by Retriever Integrated Health (RIH) to help our community to encourage and facilitate prompt action and a network of care and support. Campaign includes partnerships with resources, video content, social media posts, and posters.

Red Watch Band

Bystander intervention program focused on alcohol use, abuse, and intoxication. The program is by request through the Office of Health Promotion.

Retriever CARE

Behavioral Intervention Team established to examine reports of concerning or disturbing behaviors to identify persons whose behaviors may endanger their own or others' health and safety. The team provides information, recommendations, and referrals to those dealing with disruptive behaviors.

Retriever Courage Campaign

Sexual assault prevention and response initiative encouraging the community to speak out, listen, learn, and take action.

SafeTrade

Community members can meet in the lobby of the UMBC Police Department 24/7 to conduct safe transactions (online sales in person) to prevent scams or violent crime. The service is advertised in the lobby and on the UMBC Police website.

Safety Escort Service

Students and employees who feel unsafe may request a safety escort. Information about the service is included on Crime Alerts and campus announcement emails.

Steering Wheel Lock Giveaway Campaign

UMBC Police provided free steering wheel locks to community members who drive Kia, Hyundai, or Honda vehicles to deter theft. The campaign was advertised to the community through campus announcements in direct response to increased vehicle thefts.



UMBC RESPONSE TO SEX DISCRIMINATION

UMBC is dedicated to fostering an inclusive and welcoming environment for all members of the campus community and recognizes its responsibility to maintain a campus environment which is free from discrimination on the basis of sex, sex-based harassment, sexual misconduct, and retaliation, and to preserve or restore equal access to education programs and activities.

UMBC does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of actual or perceived sex. UMBC is committed to increasing awareness of this conduct and promoting prevention and educational programs for community members to eliminate, prevent, and manage sex discrimination through education, supportive measures, investigation, formal and informal resolutions, and sanctions. This commitment is consistent with the values and standards of an intellectual community of distinction, as well as applicable federal and state laws and University System of Maryland (USM) policies.

Prohibition of Sex Discrimination

The UMBC Policy on Sex Discrimination, Sex-Based Harassment, and Sexual Misconduct, effective August 1, 2024, expressly prohibits all forms of discrimination on the basis of actual or perceived sex, sex-based harassment, and retaliation in UMBC education programs and activities, including the terms and conditions of employment. Sex discrimination includes discrimination based on sex stereotypes, sex characteristics, pregnancy or related conditions, parental status, sexual orientation, and gender identity or expression.

Sex discrimination includes sex-based harassment and sexual misconduct. Sex-based harassment, including sexual assault, domestic violence, dating violence, stalking, and other forms of sexual misconduct, are expressly prohibited at UMBC.

Discrimination or harassment for exhibiting what is perceived as a stereotypical characteristic for one's sex or gender or for failing to conform to stereotypical notions of masculinity and femininity,

regardless of the individual's actual or perceived sex, gender, sexual orientation, or gender identity or expression is also prohibited under this Policy.

Violations are subject to disciplinary action or sanctions through the Office of Equity and Civil Rights or those outlined in University policies. Additional information and assistance obtaining resources for anyone who is aware of or who has experienced sexual harassment and assault can be found at the Office of Equity and Civil Rights or ecr.umbc.edu.



Definitions

The definitions in this section are current as of October 1, 2024. Definitions from UMBC Policy VI-1.20.01 (*Version No. IV*) are applicable to conduct prior to August 1, 2024. Definitions from UMBC Policy VI-1.20.01 (*Version No. V*) are applicable to conduct on or after August 1, 2024.

Consent

Md. Criminal Law Code Ann. § 3-301.1 defines consent as the clear and voluntary agreement by an individual to engage in vaginal intercourse, a sexual act, or sexual contact.

- The existence of consent, lack of consent, or withdrawal of consent shall be determined based on a totality of the circumstances, including the words and conduct of the victim and the defendant;
- Consent may be withdrawn before or during vaginal intercourse, a sexual act, or sexual contact;

- The lack of consent may be communicated through words or conduct;
- A current or previous dating, social, or sexual relationship by itself does not constitute consent;
- Submission as a result of fear, threat, or coercion does not constitute consent if the individual alleged to have performed the act in violation of this subtitle knows or reasonably should know that the victim would submit as a result of fear, threat, or coercion; and
- The manner of dress of an individual does not constitute consent.

UMBC policy VI-1.20.01 (*Versions No. IV & V*) defines consent as a knowing, voluntary, and affirmatively communicated willingness to mutually participate in a particular sexual activity or behavior. It must be given by a person with the ability and capacity to exercise free will and make a rational and reasonable judgment without incapacity, coercion, force, or threat of force.

Consent may be expressed either by affirmative words or actions, as long as those words or actions create a mutually understandable permission regarding the conditions of sexual activity or behavior. Under this definition, consent must be given at each stage of the sexual activity or behavior and can never be assumed.

Consent to one form of sexual activity or behavior does not automatically imply consent to engage in other forms of sexual activity or behavior. Consent to one sexual act does not constitute or imply consent to another act.

For purposes of this Policy, consent is not inferred or assumed from silence, passivity, or a lack of objection or resistance. Consent cannot be obtained by force, threat, coercion, fraud, manipulation, reasonable fear of injury, intimidation, or through the use of one's mental or physical helplessness or incapacity. The absence of a negative response, such as silence or a failure to physically resist does not equal consent. Consent cannot be obtained by sexual coercion. Sexual coercion is the use of unreasonable pressure in an effort to compel another individual to initiate or continue sexual activity against the individual's will. A person's words or conduct are sufficient to

constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Coercion includes, but is not limited to, intimidation, manipulation, threats of emotional or physical harm, and blackmail. Examples of coercion include threatening to disclose another individual's private sexual information or threatening to harm oneself if the other party does not engage in the sexual activity.

Some behaviors and comments that do not indicate consent include, but are not limited to, silence; "I don't know;" "Maybe;" a head shake; lack of objection; not fighting back; ambiguous responses such as "uh huh" or "mm hmm" without more; and a verbal "no," even if it may sound indecisive or insincere.

It is the responsibility of the person initiating sexual activity or behavior to make sure that they have received consent at each of those stages from all person(s) engaged in the sexual activity or behavior. If a person is not sure they have received consent or has received an unclear response, they have an obligation to seek additional information to make sure that they have received consent. Failure to do so could violate this Policy and lead to disciplinary action or sanctions. Consent cannot be based on assumptions.

Consent must be present throughout the entire sexual activity or behavior and may be withdrawn at any time. Once consent is withdrawn, the sexual activity or behavior must cease immediately. If there is confusion as to whether there is consent or whether prior consent has been withdrawn, it is essential that the sexual activity or behavior cease until the confusion is resolved.

Consent cannot be implied based upon a previous or existing consensual dating or sexual relationship. In the context of a current relationship, consent for future sexual activity or behavior cannot be implied.

Alcohol and drugs may complicate sexual activity as they impair judgment, affect ability to read and interpret others' communication, and affect a person's ability to communicate consent.

The use of alcohol, drugs, or other intoxicating substances does not excuse the person initiating

sexual activity from making sure that they have obtained consent before initiating and/or engaging in sexual activity or behavior.

A person can give consent even if they have been drinking or using other drugs. Where alcohol and/or drugs were involved, the University will examine whether or not the person initiating sexual activity or behavior knew or a sober and reasonable person in the same situation should have known whether the other person was capable of giving consent or gave consent.

Sexual Assault

The Clery Act defines sexual assault as any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. This includes rape, fondling, incest, and statutory rape as defined by the Clery Act and attempts to commit the previous offenses.

UMBC policy VI-1.20.01 (*Versions No. IV & V*) defines sexual assault as an offense classified as a sex offense by the Federal Bureau of Investigation Uniform Crime Reporting (UCR) Program. Sex offenses are sexual acts directed against another person without consent of the victim, including rape, fondling, incest, statutory rape, indecent exposure, and attempts to commit the previous offenses.

There is no legal definition of sexual assault in the State of Maryland; however, sexual crimes refer to sexual assault. Sexual crimes include vaginal intercourse, sexual acts, or sexual contact without consent.

Rape

The Clery Act defines rape as the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

UMBC policy VI-1.20.01 (*Version No. V*) defines non-consensual sexual penetration [rape] as the penetration, no matter how slight, of the genital or anal opening of the body of another person with any body part or object, or oral penetration by a sex organ 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.

UMBC policy VI-1.20.01 (*Version No. IV*) separates the current definition of rape into three categories: rape, oral or anal intercourse, and sexual assault with an object. Rape is sexual intercourse with or sexual penetration of a person, without their consent, 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. Oral or anal intercourse is defined as sodomy 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 is defined as the use of 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.

Md. Criminal Law Code Ann. § 3-304 defines rape as an individual engaging in vaginal intercourse or a sexual act with another:

- Without the consent of the other;
- If the victim is a substantially cognitively impaired individual, a mentally incapacitated individual, or a physically helpless individual, and the person performing the act knows or reasonably should know that the victim is a substantially cognitively impaired individual, a mentally incapacitated individual, or a physically helpless individual; or
- If the victim is under the age of 14 years, and the person performing the act is at least 4 years older than the victim.

Vaginal intercourse is defined as genital copulation, whether or not semen is emitted and includes penetration, however slight, of the vagina. Sexual act is defined as any of the following acts, regardless of whether semen is emitted:

- Analingus;
- Cunnilingus;

- Fellatio;
- Anal intercourse, including penetration, however slight, of the anus; or
- An act:
 - In which an object or part of an individual's body penetrates, however slightly, into another individual's genital opening or anus; and
 - That can reasonably be construed to be for sexual arousal or gratification, or for the abuse of either party.

Fondling

The Clery Act and UMBC policy VI-1.20.01 (*Version No. V*) define fondling as the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or temporary or permanent mental incapacity. UMBC policy VI-1.20.01 (*Version No. IV*) refers to fondling as sexual touching and utilizes the same definition.

There is no legal definition of fondling in the State of Maryland; however, sexual offense refers to fondling. A sexual offense includes sexual contact with another without the consent of the other. Sexual contact is defined as the intentional touching of the victim's or actor's genital, anal, or other intimate area for sexual arousal or gratification, for the abuse of either party. Sexual contact does not include common expressions of familial or friendly affection or an act for an accepted medical purpose. Sexual contact does not include sexual acts.

Incest

The Clery Act defines incest as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. UMBC policy VI-1.20.01 (*Versions No. IV & V*) define incest as nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Md. Criminal Law Code Ann. § 3-323 defines incest as a person knowingly engaging in vaginal intercourse with anyone whom the person may not marry under § 2-202 of the Family Law.

Statutory Rape

The Clery Act defines statutory rape as sexual intercourse with a person who is under the statutory age of consent. UMBC policy VI-1.20.01 (*Versions No. IV & V*) define statutory rape as nonforcible sexual intercourse with a person who is under the statutory age of consent.

The age of consent in Maryland is 16 years old. Generally, statutory rape is a sexual act or sexual contact between a victim under 16 years old and a person at least four years older. Md. Criminal Law Code Ann. § 3-304 defines rape as a person engaging in vaginal intercourse or a sexual act with another if the victim is under the age of 14, and the person performing the act is at least 4 years older than the victim. Md. Criminal Law Code Ann. § 3-307 defines sexual offense in the third degree as:

- Sexual contact with another if the victim is under the age of 14 years, and the person performing the sexual act is at least 21 years old;
- A sexual act with another if the victim is 14 or 15 years old, and the person performing the sexual act is at least 21 years old; or
- Vaginal intercourse with another if the victim is 14 or 15 years old, and the person performing the act is at least 21 years old.

Violence Against Women Act (VAWA) Offenses

Domestic Violence

The Clery Act and UMBC policy VI-1.20.01 (*Versions No. IV & V*) define domestic violence as 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;
- 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.

Crimes of violence include the use or attempted use of physical force, or the threatened use or actual use of a deadly weapon. You do not need to contact the police or show that criminal charges have been filed, or that an arrest has been made, or that there has been a conviction in order to make a complaint.

Md. Family Law Code Ann. § 4-513 defines victim of domestic violence as an individual who has received deliberate, severe, and demonstrable physical injury, or is in fear of imminent deliberate, severe, and demonstrable physical injury from a current or former spouse, or a current or former cohabitant. This definition includes a person eligible for relief.

Person eligible for relief includes:

- The current or former spouse of the respondent;
- A cohabitant of the respondent;
- A person related to the respondent by blood, marriage, or adoption;
- A parent, stepparent, child, or stepchild of the respondent or the person eligible for relief who resides or resided with the respondent or person eligible for relief for at least 90 days within one (1) year before the filing of the petition;
- A vulnerable adult;
- An individual who has a child in common with the respondent;
- An individual who has had a sexual relationship with the respondent within one (1) year before the filing of the petition; or
- An individual who alleges that the respondent committed, within six (6) months before the filing of the petition, any of the following acts against the individual:
 - Rape or a sexual offense under § 3-303, § 3-304, § 3-307, or § 3-308 of the Criminal Law Article; or
 - attempted rape or sexual offense in any degree.

There is no definition for domestic violence; however, Md. Family Law Code Ann. § 4-501 defines abuse as:

- An act that causes serious bodily harm;

- An act that places a person eligible for relief in fear of imminent serious bodily harm;
- Assault in any degree;
- Rape or sexual offense under § 3-303, § 3-304, § 3-307, or § 3-308 of the Criminal Law Article or attempted rape or sexual offense in any degree;
- False imprisonment;
- Stalking under § 3-802 of the Criminal Law Article; or
- Revenge porn under § 3-809 of the Criminal Law Article.

Dating Violence

The Clery Act and UMBC policy VI-1.20.01 (*Versions No. IV & V*) define dating violence as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

There is no specific law defining dating violence in the State of Maryland as it is not distinguished from general crimes of violence, such as assault.

Stalking

The Clery Act defines stalking as 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.

A course of conduct is considered two or more acts of following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, or any other action, device, or method.

UMBC policy VI-1.20.01 (*Versions No. IV & V*) define stalking as engaging in a course of conduct on the basis of sex, which is directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

Md. Criminal Law Code Ann. § 3-802 defines stalking as a malicious course of conduct that includes approaching or pursuing another where:

- The person intends to place or knows or reasonably should have known the conduct would place another in reasonable fear of:
 - Serious bodily injury;
 - An assault in any degree;
 - Rape or sexual offense (including attempts);
 - False imprisonment; or
 - Death; or
- The person intends to cause or knows or reasonably should have known that the conduct would cause serious emotional distress to another. Stalking includes conduct that occurs:
 - In person;
 - By electronic communication; or
 - Through the use of a device that can pinpoint or track the location of another without the person's knowledge or consent.

Course of conduct is defined as a persistent pattern of conduct, composed of a series of acts over time, that shows a continuity of purpose.

Other Sex-Based Harassment

Indecent Exposure

The Clery Act does not define indecent exposure. UMBC policy VI-1.20.01 (*Versions No. IV & V*) defines indecent exposure as exposing one's intimate parts, such as genitalia, groin, breast and/or buttocks to someone without consent. This behavior is the deliberate showing of intimate parts of the body and may, but does not necessarily have to, include a sexual act. Engaging in sexual activity in public, witnessed by non-consenting person(s), is also a form of indecent exposure.

Indecent exposure is a common law crime in the State of Maryland; therefore, there is no statutory definition of indecent exposure. Generally, indecent exposure is the intentional display of private body parts (genitalia, buttocks, and breasts) in a public place or where others can casually observe. Md. Criminal Law Code Ann. § 11-107 states indecent exposure includes engaging in an act of masturbation in public, whether or not the person's genitalia are exposed.

Sexual Exploitation

The Clery Act does not define sexual exploitation. UMBC policy VI-1.20.01 (*Versions No. IV & V*) states sexual exploitation is when a person takes non-consensual sexual advantage of another, for their own advantage or benefit, or for the benefit or advantage of anyone other than the person being exploited. Non-consensual sexual advantage refers to any action and/or conduct taken without consent in furtherance to benefit from, to take advantage of, or to attain sexual opportunity.

Prohibited Conduct Defined

UMBC Policy VI-1.20.01 (Version No. V)

- Sex discrimination;
- Sex-based harassment ;
 - Including sexual assault, domestic violence, dating violence, and stalking;
- Sexual harassment;
- Sexual misconduct;
- Retaliation;
- Failure to report; and
- Failure to obey a university directive.

UMBC Policy VI-1.20.01 (Version No. IV)

- Discrimination;
- Sexual Harassment;
 - Including sexual assault, domestic violence, dating violence, stalking and retaliation;
- Sexual Exploitation; and
- Retaliation.

Steps to Take Immediately Following Sexual Assault and Sex-Based Harassment

Victims of sexual assault, domestic violence, dating violence, or sex-based harassment should seek medical attention as soon as possible to receive treatment and preventative care. Police involvement is not required to receive treatment and/or preventative care.

Victims of sexual assault should go to a hospital with a Sexual Assault Forensics Exam (SAFE) program as soon as possible, report to the emergency room, and ask for a SAFE. Victims have up to **15 days** to receive a free SAFE; however, victims are strongly encouraged to go as soon as possible.

Treatment and preventative care will be provided even if a victim refuses a SAFE.

Sexual Assault Forensic Exam (SAFE)

SAFEs are **free medical exams** offered in hospitals throughout Maryland. Forensic Nurse Examiners administer SAFEs to provide medical care and collect evidence. It is encouraged to go to the hospital as soon as possible, but victims can receive SAFEs for up to **15 days** after the sexual assault.

Victims may be asked questions about their medical and sexual history. These questions may be uncomfortable to answer, but it is important to answer them honestly in order to receive the best treatment possible.

Victims can receive a SAFE at any hospital with a SAFE program; victims do not have to receive a SAFE in the county where the assault occurred.

Medical Care

During the medical care process, victims receive acute injury care and may be tested for and prescribed medication for the prevention of sexually transmitted infections (STIs), HIV, and pregnancy.

Evidence Collection

The evidence collection process may include taking photos of injuries, collecting clothing, and taking DNA samples. This evidence will be collected and kept in a Sexual Assault Evidence Kit (SAEK), commonly known as a "rape kit." The SAEK will be stored for 75 years.

Police Involvement

Victims can receive a SAFE without any police involvement. If the victim declines police involvement, the SAEK will be stored for 75 years as an anonymous kit. The evidence will be available to use in an investigation if, and when, the victim chooses to involve the police.



Closest Hospitals with a SAFE Program

Mercy Medical Center (9.4 miles)

345 St Paul Place Baltimore, MD 21202
Forensic Nurse Examiner Program: 410-332-9494
bmoresafemercy.org

Johns Hopkins Howard County Medical Center (16 miles)

5755 Cedar Ln Columbia, MD, 21044
Emergency Department: 410-740-7777

Greater Baltimore Medical Center (20 miles)

6701 N Charles St Towson, MD 21204
Emergency Department: 443-849-2225
gbmc.org/safe

Adventist Healthcare Shady Grove Medical Center (1 mile from UMBC-Shady Grove)

9901 Medical Center Dr Rockville, MD 20850
Forensic Medical Unit: 240-826-6000

To find more hospitals with a Safe Program, visit mcasa.org/survivors/getting-medical-attention.

Evidence Preservation

Sexual Assault

Before seeking medical care, it is recommended to avoid the following activities that may damage evidence:

- Bathing;
- Showering;
- Brushing teeth;
- Using the restroom;
- Changing clothes or putting clothes in a plastic bag;
- Combing hair; and
- Cleaning up the area of the assault.

If clothing or linens from the scene have been removed, place them in a **paper bag** to preserve evidence.

It is natural to want to clean up after a traumatic experience. Victims are still encouraged to seek medical attention if any of these actions have been taken; a SAFE can still be completed.

Domestic Violence, Dating Violence, Stalking, and other Sex-Based Harassment

Victims are encouraged to preserve evidence by saving digital and written communications, such as text messages, social media posts, emails, written

notes, or other forms of communication. Pictures, voicemails, call logs, or other evidence of sex-based harassment that can assist student conduct hearings or criminal investigations should be preserved. This may include a record of incident descriptions with the date and time of occurrence, pictures of injuries and property damage, or a written record of disclosures of sex-based harassment and to whom the disclosure was made to. Victims are also encouraged to preserve physical and medical evidence as may be necessary to obtain a protective order.

Confidential Resources

The University understands that some individuals may not be prepared to make a report to law enforcement or to the University. Therefore, the University has Confidential Resources available to provide confidential counseling, crisis support, medical care, and/or advocacy services for UMBC community members. Conversations with the Confidential Resources in this section will remain confidential, except, when there is an imminent or continuing threat to health or safety (as determined in the sole discretion of the University), there is a disclosure of apparent or suspected abuse of a child or dependent adult, or other basis for disclosure, such as a legal obligation to reveal such information under enforceable court order.

Pastoral Counselors

Professional, licensed, or ordained clergy, who provide pastoral counseling to members of the UMBC community at the University.

Professional Mental Health Providers

Professional, licensed mental health providers who provide mental-health counseling to members of the UMBC community, and other unlicensed mental health providers who act in roles under the supervision of a licensed counselor, through the UMBC Retriever Integrated Health (for students) and the Employee Assistance Program (for employees).

Professional Healthcare Providers

Professional, licensed healthcare providers who provide medical care to members of the UMBC community, and other unlicensed health providers who act in roles under the supervision of a licensed

healthcare provider, through the University's Retriever Integrated Health.

Multi-Role Confidential Resources

An employee's confidential status is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies.

A Confidential Resource Employee may also function in a different capacity, such as a Non-Confidential Employee. For instance, a Professional Licensed Mental Health Provider may also administer a course at UMBC, functioning as a faculty member. In such instances, the employee's responsibility is dictated by their functioning job title at the time the report is received.

Responsibilities

If a community member discloses information about conduct that reasonably may constitute Prohibited Conduct under University policy, the Confidential Resource must inform the reporter of their confidential status and circumstances in which they are not required to notify the Title IX Coordinator. Additionally, the Confidential Resource must provide the Title IX Coordinator's contact information and information regarding the complaint process, informal resolution process, and available Supportive Measures.



Mandatory Reporting Obligations

The University recognizes that some UMBC community members may be most comfortable disclosing information about an incident of Prohibited Conduct to someone they know. Thus, it is important to understand that certain UMBC community members have specific reporting obligations.

Mandated Reporters Identified

For purposes of this Policy, all University faculty (including adjunct faculty) and employees (including student-employees), other than those designated as Confidential Resources, are Mandated Reporters and are expected to promptly report all known details of actual or suspected Prohibited Conduct to the Title IX Coordinator. Mandated Reporters are non-confidential, which means they will safeguard the community member's privacy; however, they are required to immediately disclose the information to the Title IX Coordinator and other need-to-know University officials. Mandated Reporters will try to ensure that any community member making a disclosure to a Mandated Reporter, understands the Mandated Reporter's reporting/referral obligations.

Responsibilities

When a Mandated Reporter becomes aware of information about conduct that reasonably may constitute Prohibited Conduct under this Policy, they are required to provide the contact information of the Title IX Coordinator and information about how to make a Complaint and notify the Title IX Coordinator and share the known details of the incident of Prohibited Conduct (date, time, location, names of parties involved, description of the incident, etc.). To notify the Title IX Coordinator, complete and submit the ECR Confidential Online Reporting Referral Form at umbc-advocate.symplicity.com/titleix_report.

Public Disclosures and Research-Based Disclosures

Public Disclosures, including disclosures of incidents of alleged Sexual Misconduct during or in connection with public awareness events such as "Take Back the Night," candlelight vigils, protests, "survivor speak-outs," or other forums do not constitute notice to the University of Sexual Misconduct. Such disclosures may inform the need for education and prevention efforts, and the University will provide information at these events about Title IX rights, available University and community resources, and support services.

Certain Research-Based Disclosures, including disclosures of incidents of alleged Sex Discrimination made by a student during such student's participation as a subject in an

Institutional Review Board-approved human subject's research protocol, do not constitute notice to the University of Sexual Misconduct. Institutional Review Boards may, however, in appropriate cases, require researchers to provide information to all subjects of a study about Title IX rights, available University and community resources, and support services.

Failure to Report

It is imperative that all Mandated Reporters abide by their reporting/referral obligations in order to ensure that those who report are provided with prompt notice of the Complaint Process and the Supportive Measures available to them.

Any Mandated Reporter who is found to have knowingly failed to make a report/referral to the Title IX Coordinator regarding alleged Prohibited Conduct that was reported to them is in violation of this Policy and may be subject to sanctions including disciplinary action.

Privacy and Confidentiality

University Obligations

The University makes every effort to preserve the privacy of the parties and witnesses. Only a limited number of individuals outside of the Office of Equity and Civil Rights who have a need to know will typically be told about a report or Complaint.

The University must keep confidential the identity of anyone who has made a report or filed a Complaint of Prohibited Conduct, anyone who has been reported as a Respondent, and any witness, except as permitted by FERPA or required by law or to carry out the purposes of this Policy and Title IX, to include conducting any investigation, hearing, meeting, or resolution process under this Policy.

The University must maintain as confidential any Supportive Measures provided to the parties, to the extent that maintaining confidentiality would not impair the ability to provide Supportive Measures.

Unauthorized Disclosure of Information

Parties, Advisors and Support Persons, Advocates, or Attorneys are prohibited from disclosing information obtained by the University through the Resolution Process, to the extent that information is the work product of the University (meaning it has been produced, compiled, or written by the

University for purposes of its investigation and resolution of a Complaint), without authorization from the Title IX Coordinator. It is also a violation of this Policy to publicly disclose University work product that contains a party or witness's personally identifiable information without authorization or consent of that party or witness. Violation of this provision is subject to sanctions ranging from a warning, expulsion or termination.

Nothing in this section restricts the ability of the parties to obtain and present evidence, including speaking to witnesses (as long as it does not constitute Retaliation under this Policy), consulting with others (e.g., family members, confidential resources, or Advisors), or otherwise preparing for or participating in the Resolution Process. Nothing in this section limits or precludes Parties, Advisors and Support Persons, Advocates, or Attorneys from disclosing or publishing information in response to an enforceable court order, a subpoena, or other valid lawful purpose. Other valid lawful purposes, include, but are not limited to, the filing of complaints with external enforcement agencies, such as the U.S. Department of Education Office for Civil Rights, the U.S. Department of Justice Civil Rights Division, the Equal Employment Opportunity Commission, and the Maryland Higher Education Commission, and the filing of proceedings in local, state, and/or federal courts.

Clery Act Compliance and Release of Information

In handling reports related to Prohibited Conduct, the University remains responsible for complying with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") and the Violence Against Women Act (VAWA) amendments to the Clery Act. The University will comply with Clery and VAWA requirements, including crime recording and reporting requirements, where compliance is not otherwise reached by actions under this Policy.

Pursuant to the Clery Act, anonymous statistical information regarding reported criminal incidents must be shared with the UMBC Police Department for inclusion in the daily crime log. This information will be included in the University's Annual Security Report and the University may also

share aggregate and non-personally identifiable data about reports, outcomes, and sanctions.

The University does not publish the personally identifiable information of the crime victims in its Annual Security Report or other publicly available disclosures, nor does it house identifiable information regarding victims in the campus police department's daily crime log or online.



Education, Prevention, and Training

Education and Prevention

The Office of Equity and Civil Rights and other campus partners offer ongoing educational programs to explain this Policy and the resolution process, and to promote awareness and prevention of Prohibited Conduct for students, faculty, and staff. The educational program topics include, but are not limited to, overviews of what constitutes Prohibited Conduct; the University's policies and procedures; discussion of the impact of alcohol and drug use; understanding consent; risk reduction; and safe and positive options for bystander intervention.

Employee Training

All employees must have annual training regarding the University's obligation to address Prohibited Conduct. At a minimum, the training will include information regarding what constitutes Prohibited Conduct; receiving, reporting and handling reports of Prohibited Conduct; the University's policies and procedures; and the parameters of confidentiality. All employees shall be trained upon hire, upon change of position, and annually thereafter. Training materials must not rely on sex stereotypes. Training for employees shall also comply with Md. Code Ann., State Pers. & Pens. § 2-203.1.

Training for Persons Involved in Handling Complaints Under this Policy

Training materials must not rely on sex stereotypes and must promote impartial investigations and resolutions of Formal Complaints. The University will make these training materials publicly available on the Office of Equity and Civil Rights website.

Title IX Coordinators, investigators, decision-makers, case managers, any person responsible for providing, modifying or terminating Supportive Measures, and any person who facilitates an informal resolution process, must receive training on the University's obligation to address Prohibited Conduct; what constitutes Prohibited Conduct, the scope of the University's Education Program or Activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes in a manner that protects the safety of the parties and promotes accountability, how to define relevant and determine the relevance of questions and evidence, including the types of evidence that are impermissible as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. In addition to the training listed above, the Title IX Coordinator and any designees must be trained in their specific responsibilities, the specific actions required to prevent discrimination and ensure equal access, the University's recordkeeping system and recordkeeping requirements, and any other training necessary to coordinate compliance with Title IX. Investigators must also receive training on how to create investigative reports that fairly summarize relevant evidence. Decision-makers must also receive training on any technology to be used at a live hearing or review meeting.



Reporting Prohibited Conduct

All members of the community are strongly encouraged to immediately report sex discrimination, sex-based harassment, and sexual misconduct that may constitute a crime directly to UMBC Police or local law enforcement. In addition to providing medical assistance and/or conducting criminal investigations, law enforcement can assist victims obtaining protective orders or filing charges.

The University recognizes that the decision whether to make a report of Prohibited Conduct is personal, and that there are many factors that may impact someone's decision to report. Reporting does not require that a person file a complaint, or request that the University take any action or investigate the conduct.

The Title IX Coordinator will monitor the Education Program or Activity for barriers to reporting information about conduct that reasonably may constitute Sex Discrimination under this Policy and take steps reasonably calculated to address such barriers.

Right to Report to Law Enforcement

Victims of Sexual Assault and any conduct that may constitute a crime have the right to file criminal charges with the appropriate law enforcement officials, which may include UMBC Police or local law enforcement officers in the location where the Prohibited Conduct occurred. The University will assist victims who wish to report Prohibited Conduct to law enforcement authorities.

The University will assist members of the community who wish to report Prohibited Conduct to law enforcement authorities. University employees, including UMBC Police, the Title IX Coordinator, representatives of the Office of Equity and Civil Rights, Women's Center, and Student Conduct are available to assist students, faculty, and staff in reporting to law enforcement.

Complainants also have the right to decide not to notify or contact law enforcement.

If the UMBC Police receive a report that includes information regarding Prohibited Conduct that may constitute a crime, UMBC Police will advise the person reporting that in addition to making a

criminal report, they also have the right to make a report with the University and engage the University's informal and/or formal processes under this Policy and applicable Procedures.

In addition, as Mandated Reporters under this Policy, UMBC Police shall promptly notify the University's Title IX Coordinator if a report of Prohibited Conduct is received.

Police Report

To report a crime or Prohibited Conduct that may constitute a crime that occurred on or around campus or on UMBC-controlled property, call UMBC Police at 410-455-5555 or visit the UMBC Police Department on campus located in Lot 8. With the victim's consent, UMBC Police will notify the Baltimore County Police Department to conduct a thorough investigation for incidents of sexual assault.

Crime victims have the following rights, which will be provided to the victim in writing, regardless of where the crime occurred:

- Treated with dignity, respect, and sensitivity;
- Informed of their rights and how to apply for services;
- Notified of crisis intervention and counseling services;
- Notified of domestic violence programs and support groups;
- Notified of criminal injuries compensation and other social services available;
- Informed of protections available to them and how to request protections for their safety;
- Informed by the police or the State's Attorney; of the arrest of a suspect and closing of the case;
- Notified of court hearings and offender custody status;
- Permitted to be present and heard at criminal justice proceedings, or request hearings when applicable;
- Permitted to seek restitution from their offender(s); and
- Permitted to request notice about any DNA.

Additional information regarding victims' rights can be found at police.umbc.edu/victims.

An explanation of confidentiality during the process, including notification at any time during the process that information *must* be shared with additional people.

- The ability to choose whether or not to file a report with law enforcement unless it is determined there is an imminent risk of harm to an individual or the community; however, the victim still has the right to decline personal participation in a police investigation.
- To be accompanied by another individual for support throughout the duration of the process.
- Access to information and the ability to ask questions about all formal and informal options for resolving the report.
- Written explanation of protective and Supportive Measures and the opportunity to request those measures at any time, regardless of the level of participation in an investigation or resolution.
- A timely resolution (as outlined in UMBC policy) that is fair and impartial that allows all parties to be heard.
- Written notification of the alleged incident and possible sanctions.
- Written notification of each hearing, meeting, and/or interview for participation.

With the victim's consent and participation, University officials will collaborate to ensure that the victim's mental and physical health, safety, and work and/or academic status are protected pending the investigation and resolution. This may include, but is not limited to, changes to academic schedules or student housing facilities. Available accommodations and Supportive Measures will be provided whether or not the victim chooses to report the crime to law enforcement. The accommodations and Supportive Measures provided will be kept confidential to the extent permissible by law.

University Report

Any person may report Prohibited Conduct (whether or not the person reporting is the person alleged to have been subjected to the conduct).

Members of the community are encouraged to report directly to the Title IX Coordinator and/or Office of Equity and Civil Rights. Reports may be

made in person, by mail, by telephone, by electronic mail, or online to the Office of Equity and Civil Rights or the Title IX Coordinator. Reports may also be made verbally to the Title IX Coordinator.

Reports may be made at any time (including during non-business hours) by using the ECR or Title IX Coordinator's telephone number, e-mail address, mail, or online reporting form.

Office of Equity and Civil Rights

Administration Building, 9th Floor
1000 Hilltop Circle, Baltimore, MD 21250
Phone: 410-455-1717
Email: ecr@umbc.edu
Email: titleixcoordinator@umbc.edu

Confidential Online Reporting Form

umbc-advocate.symplcity.com/titleix_report/

Incidents involving sex discrimination, sex-based harassment, sexual misconduct, and/or related University policies may also be reported to the Title IX Coordinator at the Office of Equity and Civil Rights by completing the form at ecr.umbc.edu. Victims may report incidents to ECR in addition to, or alternatively to, law enforcement.

Victims of sex discrimination, sex-based harassment, or other sexual misconduct that may violate University policy have the following rights, which will be provided to the victim in writing, regardless of where the incident occurred:

- The right to report the incident to UMBC Police or local authorities. The University will assist victims in notifying either the University or local police. Filing a police report does not mean the victim must pursue criminal charges. The victim maintains their rights throughout the process.
- The right to receive written information about existing counseling, mental health, victim advocacy, legal assistance, Visa/immigration assistance, and student financial aid.
- The right to receive written notification about options for available assistance in, and how to request changes to academic, living, transportation, and working situations, or Supportive Measures.

With the victim's consent and participation, University officials will collaborate to ensure that the victim's mental and physical health, safety, and work and/or academic status are protected pending the investigation and resolution. This may include, but is not limited to, changes to academic schedules or student housing facilities. Available accommodations and Supportive Measures will be provided whether or not the victim chooses to report the crime to law enforcement. The accommodations and Supportive Measures provided will be kept confidential to the extent permissible by law.

Rights for All Parties

When the University receives a report of sexual misconduct (sexual assault, stalking, cyberstalking, sexual exploitation sexual coercion, and/or sexual harassment), intimate partner violence, or other related misconduct such as retaliation, **everyone involved in the report has the right to:**

- Treatment with dignity, respect, and sensitivity by the all of the people at UMBC who are involved in your case;
- Fair and impartial (not biased) review and response to all concerns and reports;
- An explanation of how confidentiality works throughout the process, including notification at any time during the process that information must be shared with more people than originally agreed to;
- The ability to choose whether or not to file a report with law enforcement except when University officials determine they must notify law enforcement because there is an imminent (immediate) risk of harm to an individual or the community. If a report must be filed, you have the right to decline personal participation in a police investigation;
- Access to law enforcement to file a report with or without support from ECR or other community members;
- Access to information and the ability to ask questions about all formal and informal options for resolving the report. An explanation of protective and supportive measures, and the opportunity to request those measures;
- Accommodations (such as protective or supportive measures) are available at any time

and cannot be limited based on how much someone participates in an investigation, how interested someone is in having an investigation, or their interest in coming to a formal or informal resolution;

- A resolution to the report that sticks to the timelines outlined in University policy, is fair and not biased, and allows everyone involved to be heard;
- Written notification that is prompt and fair and includes:
 - What was reported including the date, time and location (if known) and the possible sanctions associated with what was reported;
 - Information about rights under University policy and information about additional potential ways to address the situation including criminal charges or civil lawsuits;
 - The date, time, and location of each hearing, meeting, and/or interview that takes place during the process that participants can or must attend;
 - Any final decision about whether a policy violation occurred and information about why that decision was made;
 - The details of any sanctions that come with the final decision (if the law allows - this is not always the case); and
 - Information about the right to appeal and a description of the appeal process (only for a formal investigation).
- Ongoing assistance from and access to a support person and/or advisor who can be a licensed attorney, an advocate supervised by an attorney, or a trained advocate for the whole process, including a formal investigation. The support person or advisor can:
 - Come to hearings, meetings, and interviews with you
 - Privately consult with you during meetings and interviews, except during questioning at a hearing
 - Help you use your rights during the process

These rights apply throughout the entire process including throughout a formal investigation process.

Amnesty

An individual who makes a report of Prohibited Conduct to the University or law enforcement, or participates as a witness in good faith, will not be subject to disciplinary action for their own personal consumption of alcohol or drugs taken/used at or near the time of the incident of Prohibited Conduct, provided that any such violation was not an act that was reasonably likely to place the health or safety of any other person at risk.

The University may, however, initiate an educational discussion or pursue other interventions or assessments for substance abuse. Amnesty will not be extended for any violations of University policy other than alcohol/drug use. In addition, Amnesty does not preclude or prevent action by police or other legal authorities.

In addition, the use of alcohol, drugs, and/or legally prescribed medication does not justify or excuse behavior that constitutes Prohibited Conduct under this Policy.

Anonymous Reporting

A person may also report conduct anonymously. Anonymous reports of Prohibited Conduct can be made with the University without disclosing one's name and without identifying the Respondent or requesting any action in writing, or via the online reporting form. Based upon the amount of information provided about the incident and the community members involved, the University's response to an anonymous report may be limited.

Conflict of Interest or Bias

Any individual designated as a Title IX Coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process, may not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

The University requires all individuals involved in responding to, investigating, and/or resolving matters under this Policy to disclose to the Title IX Coordinator any potential conflict of interest. A

conflict of interest may arise when any of those persons has been a participant or is related to a participant in the matter being investigated or reviewed, is related to or has had past substantial association with the Complainant or Respondent or a witness, or is biased, and/or lacks impartiality.

Time Limitations

There is no time limitation on reporting Prohibited Conduct under this Policy. However, the University's ability to respond, investigate, and/or provide remedies may be limited when there is a significant delay in reporting.

Updated University Policy

The UMBC Policy on Sex Discrimination, Sex-Based Harassment, and Sexual Misconduct (VI-1.20.01, Version No. V) went into effect on August 1, 2024. The updated policy applies only to incidents or conduct reported to have occurred **on or after August 1, 2024**.

The UMBC Policy on Sexual Misconduct, Sexual Harassment and Gender Discrimination (VI-1.20.01, Version No. IV), effective August 14, 2020, will be applied to incidents or conduct reported to have occurred prior to August 1, 2024. The policies may be viewed at ecr.umbc.edu/policies-and-procedures.

Unless otherwise noted, the information in *UMBC Response to Sex Discrimination* section of this report is current and applicable to conduct before, on, or after August 1, 2024.



Grievance Procedures for Conduct on or After August 1, 2024

Refer to the UMBC Policy on Sex Discrimination, Sex-Based Harassment, and Sexual Misconduct (VI-1.20.01, Version No. V).

Prohibited Conduct

Under this policy, Prohibited Conduct includes sex discrimination, sex-based harassment (including sexual assault, domestic violence, dating violence, and stalking), sexual harassment, sexual misconduct, retaliation, failure to report, and failure to obey a university directive.

Notice or Complaint of Prohibited Conduct

Upon knowledge of conduct that may reasonably constitute Prohibited Conduct under this Policy, the University will respond promptly and effectively in accordance with these Procedures under this Policy.

The Title IX Coordinator, or designee (typically the ECR Case Manager), will contact the Complainant to provide written notice of their rights and resources, offer Supportive Measures, and offer an opportunity to meet to discuss the University's policy and procedures, and how the Complainant would like to proceed. This initial outreach to the Complainant will typically occur within two (2) business days after receipt of notice or a Complaint.

Initial Assessment

The Title IX Coordinator or designee conducts an initial assessment of notices or Complaints of Prohibited Conduct, which is typically five (5) business days in duration. The initial assessment can include the following steps.

- Determine if the Complainant wishes to make a Complaint to pursue a formal investigation and resolution process or pursue informal resolution.
- If the Complainant chooses not to initiate a Complaint, inform the Complainant of their ability to do so at a later time if desired.
- If a Complaint is received, assess its sufficiency and obtaining additional information from the Complainant if needed, to determine if the allegations would constitute Prohibited Conduct.

- Assess which policies may apply, and refer the Complaint to the appropriate University official for resolution.
- In the absence of a Complaint or the withdrawal of any allegations in a Complaint, the Title IX Coordinator will determine whether to initiate a Complaint.
- If the Complainant decides to pursue informal resolution, assess whether the Complaint is suitable for informal resolution and may seek to determine if the Respondent is also willing to engage in informal resolution.
- Upon receipt of a Complaint, either initiated by the Complainant or the Title IX Coordinator, the Title IX Coordinator will initiate the formal investigation and resolution process.
- Determine the need to initiate an Emergency Removal or Administrative Leave for the Respondent.

Supportive Measures

The ECR Case Manager is responsible for facilitating the implementation of reasonable and appropriate Supportive Measures. The ECR Case Manager shall offer Supportive Measures to a Complainant and Respondent before or after the filing of a Complaint or where no Complaint has been filed. Supportive Measures may be requested by a Complainant or Respondent, or the University can initiate Supportive Measures in the absence of a request, at any time, during the process. Individuals can make a request for Supportive Measures, in-person or in-writing by contacting the ECR Case Manager.

Available Supportive Measures

Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate and reasonably available, and without fee or charge to the parties and without unreasonably burdening a party. Supportive Measures, if appropriate, available, and feasible, may include, but are not limited to, the services below.

Referrals to counseling or health services; extensions of deadlines or other course-related or academic accommodations and adjustments, change in class schedule, including the ability to drop a course without penalty or to transfer sections; modifications of a work schedule, work

location, or job assignment; arranging for an incomplete grade in a class, permitting a leave of absence, or withdrawal, including a retroactive withdrawal; change in campus housing assignment or housing license; assistance from University support staff in completing University housing assignments; to the extent practicable, preserving eligibility for academic, athletic, or other scholarships, institution-based financial aid, or program eligibility; campus escort services; restrictions on contact between the parties; increased security and monitoring of certain areas of the campus; restricting access to the University or to certain University facilities; or other resources or activities pending resolution of the report.

Appeals

A party may request to modify or reverse a decision made by the ECR Case Manager to provide, deny, modify, or terminate Supportive Measures applicable to them by submitting a written request to the Title IX Coordinator. The written request should outline the basis for the request and provide information regarding the desired Supportive Measures. The request should be submitted to the Title IX Coordinator within five (5) business days of receipt of the initial decision by the ECR Case Manager. The Title IX Coordinator may extend this timeline for good cause on a case-by-case basis.

Violations

Violations of no-contact orders or other restrictions provided as a Supportive Measure may constitute a Failure to Obey a University Directive and will be referred for resolution using a Review Meeting under this Policy and Procedures.

Request for No University Action

A Complainant may request that their identity not be disclosed to anyone else and/or that the University not investigate, issue a Notice of Investigation, or take any action.

When a Complainant does not seek any action, the Title IX Coordinator will make every effort to honor the Complainant's wishes. In such situations, the University will be limited in its ability to implement any disciplinary action but will take steps to stop, prevent, and remedy and alleged Prohibited Conduct.

Complaints Initiated by Title IX Coordinator

If the Title IX Coordinator determines, in their sole discretion, that the conduct as alleged presents an imminent and serious threat to the health or safety of the Complainant or other person, or that the conduct, as alleged, prevents the University from ensuring equal access on the basis of sex to its education program or activity, the Title IX Coordinator may initiate a Complaint. The Title IX Coordinator will consider the factors below to determine whether to initiate a Complaint.

- Complainant has requested not to proceed with the Complaint;
- Complainant's reasonable safety concerns regarding initiating a Complaint;
- The risk that additional acts of Prohibited Conduct would occur if a Complaint is not initiated;
- Severity of the alleged Prohibited Conduct, including whether the discrimination, if established, would require the removal of the Respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent recurrence;
- Age and relationship of the parties, including whether the Respondent is an employee;
- Scope of the alleged Prohibited Conduct, including information suggesting a pattern of ongoing Prohibited Conduct alleged to have impacted multiple individuals;
- Availability of evidence to assist a decision-maker in determining whether sex discrimination occurred; and
- Whether the University could end the alleged Prohibited Conduct and prevent its recurrence without initiating grievance procedures.

Notification

If the Title IX Coordinator initiates a Complaint, the Title IX Coordinator will notify the Complainant prior to doing so and appropriately address reasonable concerns about the Complainant's safety or the safety of others, including by providing Supportive Measures.

Emergency Removal (Students)

The University can act to remove a student Respondent entirely or partially from its education program or activities on an emergency basis when

a risk assessment has determined that an immediate threat to the physical health or safety of any student, employee, or other individuals justifies removal.

Risk Assessment

The Title IX Coordinator initiates the risk analysis process through a referral to the behavioral intervention team, Retriever CARE. Where an Emergency Removal is imposed, the Title IX Coordinator will provide written notice of the decision to the Respondent and information about the process for challenging the determination.

Appeal

The Respondent will have two (2) business days to appeal the Emergency Removal decision by submitting a written summary of their objections to the Title IX Coordinator. If an appeal is not submitted within two (2) business, any appeal to the Emergency Removal will be deemed waived.

If the Respondent challenges the Emergency Removal decision, the Respondent will meet with the Vice President for Institutional Equity, or their designee.

This meeting will occur before such Emergency Removal is imposed or as soon thereafter as reasonably possible to showcase why the Emergency Removal should not be implemented or should be modified. This meeting is not a hearing on the merits of the allegation(s) but rather an administrative process intended to determine solely whether the Emergency Removal is appropriate.

Least Restrictive Emergency Action

The University will implement the least restrictive emergency actions possible based on the circumstances and safety concerns. These actions could include but are not limited to: removing a student from a residential facility, temporarily re-assigning a student-employee, restricting a student's access to or use of facilities or equipment, implementing no-contact orders, alternative coursework options, allowing a student to withdraw or take grades of incomplete without financial penalty, and suspending or restricting a student's participation in extracurricular activities, student employment, student organizations, or intercollegiate or recreational athletics.

Administrative Leave (Employees)

Where the Respondent is an employee (including student employees), the University may place the employee on administrative leave during the pendency of a Resolution Process. The Title IX Coordinator will recommend the administrative leave process and work in coordination with Human Resources and any other appropriate University officials for implementation.

Counterclaims and Retaliation

The University is obligated to ensure that the Resolution Process is not abused for retaliatory purposes. When a counterclaim is filed, the University will conduct an initial assessment, as described above, to assess whether the allegations in the counterclaim are made in good faith.

Counterclaims made for retaliatory purposes constitute a violation of this Policy and will not be permitted. Counterclaims determined to have been reported in good faith will be processed using the procedures outlined herein.

Counterclaims will be resolved as part of the same investigation as the underlying allegation when practicable. When this is not practicable, the investigation of such claims may take place after the underlying initial allegation is resolved, in which case a delay may occur.

Informal Resolution

At any time prior to reaching a determination regarding responsibility, the University may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and Hearing or Review Meeting.

Informal Resolutions may be used to resolve alleged violations of this Policy subject to the following conditions. The University may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of Formal Complaints of Sex Discrimination. The University does not use the same facilitator for informal resolution to investigate or decide a matter under the grievance procedures. The University requires that any person designated to facilitate an informal resolution process must not have a conflict of interest or bias

for or against Complainants or Respondents generally or an individual Complainant or Respondent.

The University may not offer or facilitate an informal resolution process to resolve allegations of Sexual Assault or Sexual Coercion.

The University may not require the parties to participate in an informal process and all parties must provide voluntary, written consent to the informal resolution.

The University must provide the parties with written notices disclosing the allegations; requirements of the informal resolution process, including that at any time prior to the parties' agreement to a resolution, any party may withdraw from the informal resolution process and initiate grievance procedures; that the parties' agreement to a resolution at the conclusion of the informal resolution process precludes the parties from initiating or resuming a grievance procedures arising from the same allegations; the potential terms that may be requested or offered in an informal resolution agreement, including a notice that the agreement is binding only on the parties; and what information will be maintained by the University and it could disclose such information for use in grievance procedures, if initiated or resumed.

Formal Resolution Guidance

Equitable Treatment

The Complainant and Respondent will be treated equitably by the University by applying any provisions, rules, or practices used to investigate or adjudicate complaints under Title IX equally to both parties. The Respondent and Complainant will be provided with the equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

Presumption of Non-Responsibility

The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made, or the Respondent admits the conduct.

Standard of Review

The standard of review for all complaints based on alleged violations of this Policy is preponderance of the evidence.

Time Frame for Resolution

The University will generally seek to resolve a report of Prohibited Conduct within sixty to ninety (60-90) business days after receiving a Formal Complaint, excluding any appeal.

There may be circumstances that prevent the University from meeting the sixty to ninety (60-90) business day timeline. The time frame may be extended by the University for good cause, as determined on a case-by-case basis, in order to: ensure the integrity and completeness of an investigation, comply with a request by law enforcement, reasonably accommodate the availability of witnesses, reasonably accommodate delays by the parties, account for University closures, or address other legitimate reasons, including the complexity of the investigation (e.g. the number of witnesses and volume of information provided by the parties) and the severity and extent of the alleged Prohibited Conduct.

When the University is unable to meet the target timeline, the Parties will receive written notice regarding the extended time frame and the reason for the delay.

Advisors and Support Persons

An Advisor is a person who is chosen by a Party to assist them during the resolution process or a person appointed by the University to conduct cross-examination for the party at a Hearing. An Advisor may, but is not required to be, an attorney.

The Advisor or Support Person will not be allowed to provide testimony or statements on behalf of the party they are assisting. Parties are expected to ask and respond to questions on their own behalf throughout the resolution process. The Advisor or Support Person may consult with the party, either privately as needed, or by conferring or passing notes during any meeting or interview. For longer or more involved discussions, the parties and their Advisor or Support Person should ask for breaks to allow for private consultation.

The Advisor or Support Person may not delay, disrupt, or otherwise interfere with the outlined Procedures. Advisors and Support Persons are expected to act ethically, with integrity, and in good faith. All Advisors are subject to the same University policies and procedures, whether they are attorneys or not, and whether they are selected by a party or appointed by the University.

Objective Evaluation of Evidence

The University will objectively evaluate all Relevant evidence—including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness. The Complainant, Respondent, and witnesses have the right to inspect and review evidence prior to the issuance of a report in order to meaningfully respond to the evidence provided.

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the University, not the parties.

Impermissible Evidence

The University may not elicit, consider, require, rely upon, allow, disclose, or otherwise use any of the following as evidence, regardless of whether they are Relevant:

- Privileged information, unless the person holding such privilege waived the privilege.
- Records that are maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional which are made in connection with the treatment of a party or witness, unless UMBC obtains that party's or witness's voluntary, written consent to do so.
- Information about a student's history of mental health counseling, treatment, or diagnosis, unless the student consents.
- Sexual interests or prior sexual conduct will not be used for purposes of illustrating any party's individual character or reputation.
- Information obtained in violation of state or federal law, including but not limited to recordings taken in violation of two-party consent (Maryland Wiretap Act).

Sexual history will never be used for purposes of illustrating either party's individual character or reputation. Evidence related to the prior sexual history between the parties is generally irrelevant to the determination of a violation and will be considered only in the following limited circumstances.

- Such evidence is offered to prove that someone other than the Respondent committed the Prohibited Conduct.
- Such evidence relates to specific incidents of the Complainant's prior sexual conduct with the Respondent and is offered to prove consent.
- To prove prior sexual misconduct.
- To support a claim that a student has an ulterior motive; or
- To impeach a student's credibility after that student has put their own prior sexual conduct at issue.

Co-Occurring Criminal Investigation

Prohibited Conduct may be reported to law enforcement before, during, or after reporting to the University. The University investigative process is not dependent on the status or outcome of the criminal investigation or process; they are separate, independent investigations.

Because the standards for a violation of criminal laws are different from the standards under this Policy, the outcome of a criminal investigation or proceeding does not control whether or not something is found to violate this Policy; a policy violation may be found even if law enforcement agencies or prosecutors decline to prosecute.

Since the University is required to conduct an investigation in a reasonably prompt time frame, in most cases, the University will not wait until a criminal investigation or proceeding begins or ends before conducting its own investigation or implementing Supportive Measures to protect the safety of the person reporting, and/or the entire UMBC campus community, if necessary.

However, at the request of law enforcement, the University's investigation may be delayed temporarily, during the initial evidence gathering stage of the criminal investigation, as long as the delay does not inhibit the University's ability to

respond to the Prohibited Conduct in a prompt manner.

Where appropriate, if there is a pending criminal investigation regarding Prohibited Conduct that is also the subject of a Complaint to ECR, the University may coordinate with law enforcement consistent with student privacy rights and any applicable agreements with local law enforcement.

Formal Resolution Procedures

Notice of Investigation

If a Complainant wants the University to investigate, they must agree to have the University provide the Respondent with a Notice of Investigation. The University will not proceed with a Formal Resolution Process without issuing a Notice of Investigation to the Respondent.

Upon receipt of a Complaint, the University will provide written notice to all known parties. The notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official University records, or emailed to the parties' UMBC email or otherwise approved account. Once mailed, emailed, and/or received in person, notice will be presumptively delivered.

At a minimum, the notice will include the following:

- Information regarding this Policy and the investigation and Resolution Process, including the availability of any informal resolution process;
- Sufficient details of the allegations with sufficient time to prepare a response before any initial interview. "Sufficient details" refers to all known information at the time regarding the identities of the parties involved in the incident, the conduct allegedly constituting Prohibited Conduct, and the date and location of the alleged incident;
- A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is not made until the conclusion of the investigation and Resolution Process;
- The right of the parties to receive Supportive Measures;

- The right of the parties to have an Advisor and support person/advocate/attorney present with them at any meeting, interview, or hearing;
- The right of the parties to present Relevant and not otherwise impermissible evidence to a trained, impartial Investigator for consideration during the investigation and any Hearing or Review Meeting held during the Resolution Process;
- The right of the parties to receive and review the evidence that is not otherwise impermissible before a final investigative report is issued;
- A statement that Retaliation is prohibited; and
- Notice that the UMBC Code of Student Conduct and other University policies prohibit knowingly making false statements, furnishing false information to any University official or office, and submitting false or misleading information during any University investigation or Resolution Process.

If the University decides to investigate additional allegations of Prohibited Conduct not included in the original notice, the parties will be provided an updated written notice of the additional allegations.

To the extent the University has reasonable concerns for the safety of any person as a result of the University providing such notice, the University may reasonably delay providing written notice in order to address safety concerns appropriately. Reasonable concerns must be based on an individualized safety and risk analysis and not mere speculation or stereotypes.

Complaint Dismissals

A Mandatory Dismissal of a Complaint, or any allegations therein, would occur if the allegations, even if proven, would not constitute, Sexual Assault, Domestic Violence, Dating Violence, Stalking, or Sexual Harassment prohibited by the 2020 Title IX Regulations; or the alleged Sexual Assault, Domestic Violence, Dating Violence, Stalking, or Sexual Harassment prohibited by the 2020 Title IX Regulations did not occur against a person in the United States.

A Permissive Dismissal of a Complaint, or any allegations therein may occur, if at any time during the Resolution Process the University is unable to

identify the Respondent after taking reasonable steps to do so; the Respondent is not participating in the University's Education Program or Activity or is not employed by the University; the Complainant voluntarily withdraws any or all of the allegations in the Complaint in writing, the Title IX Coordinator declines to initiate a Complaint on behalf of the University, and the University determines that without the Complainant's withdrawn allegations any conduct that remains would not constitute Prohibited Conduct under this Policy, if proven; the University determines that the conduct alleged, if proven, would not constitute Prohibited Conduct under this Policy, after taking reasonable steps to clarify the allegations with the Complainant; or specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Complaint or allegations therein.

In situations where the Complainant voluntarily withdraws any or all of the allegations in the Complaint, nothing in this Policy would preclude a Complainant from voluntarily deciding to re-file any or all of the allegations at a later time. In such cases, the University reserves the right to reinstate the Resolution Process.

Upon deciding that the University will dismiss a Complaint or any allegations therein, the Title IX Coordinator will promptly send written notice of the dismissal to the Complainant. Notice of the dismissal will also be sent to the Respondent if the dismissal occurs after the Respondent has been notified of the allegations.

The written notice will include, at a minimum, the basis for the dismissal, process to appeal the dismissal, and information regarding whether the Office of Equity and Civil Rights will continue the investigation or resolution under another applicable policy and/or refer the Complaint to the appropriate University official for resolution.

Upon dismissal, the Title IX Coordinator must offer Supportive Measures to Complainant or Respondent, as appropriate, and take appropriate and prompt steps to ensure that Prohibited Conduct does not continue or recur.

Complaint Dismissal Appeals

The appeal process is equally available to the parties. Any party may file a Request for Appeal which must be submitted in writing to the Title IX Coordinator within five (5) days of the delivery of the notice of dismissal. Any party may appeal a complaint dismissal due to a procedural irregularity that affected the outcome, new evidence that was not available at the time of the determination, or there was a conflict of interest or bias.

The Appeal Decision-Maker may not be the same as the Decision-Maker who presided over the investigation or dismissal, the Title IX Coordinator, or the Investigator. The other party must be notified of the request for appeal and given five (5) days to respond. The Appeal Decision-Maker will provide the written decision simultaneously to all parties within 5-7 days after receiving responses.

Consolidation of Complaints

The University may consolidate Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations arise out of the same facts or circumstances. The University shall promptly notify the Parties if, in its sole discretion, it determines that matters should be consolidated.

Investigator

The Title IX Coordinator appoints an Investigator(s) to conduct the investigation. The Investigator(s) may be an internal ECR investigator, or any other properly trained investigator, external to the UMBC community.

The University will ensure that the Investigator(s) has had the requisite training and confirm that there is no actual conflict of interest, bias, or lack of impartiality.

The Investigator(s) gather, assess, and synthesize evidence but make no conclusions, engage in no policy analysis, and render no recommendations as part of their investigative report.

Investigation

When investigating a Complaint and throughout the investigation and resolution process, the University will commence a thorough, reliable, and impartial investigation by identifying issues and

developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties.

The Investigator(s) must ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the University and not on the parties.

When investigating a Complaint and throughout the investigation and resolution process, the University will:

- Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence that is not otherwise impermissible evidence;
- Provide the parties with the same opportunities to have others present during any investigation or resolution proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor and/or support person of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or proceeding; however, the institution may establish restrictions regarding the extent to which the advisor may participate in the meetings or proceedings, as long as the restrictions apply equally to all parties;
- Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- Conduct interviews of the parties and any relevant witnesses. Follow-up interviews will be conducted as needed.
- Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is Relevant to the allegations raised in a Complaint and not otherwise impermissible evidence, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory or

exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

- Write a comprehensive investigative report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence.
- Prior to completion of the investigative report, send to each party and the party's advisor, if any, a draft investigation report and the evidence subject to inspection and review in an electronic format or a hard copy, and provide the parties at least ten (10) days to submit a written response for consideration by the investigator along with any written follow-up questions they would like to have the investigator ask the other party and/or witnesses.
 - The Investigator determines if a proposed question is Relevant and would not elicit Impermissible Evidence.
 - The Investigator must explain the decision to exclude any question and allow the parties an opportunity to clarify questions prior to finalizing the investigation report.
- Conduct any follow-up interviews with the parties and/or witnesses to pose the questions submitted by the parties and include a summary of these follow-up interviews in the final investigative report.
- Create a final investigative report that fairly summarizes the Relevant evidence.
- Provide each party and Advisor, if any, the investigative report in an electronic format or a hard copy, at least ten (10) days prior to any Hearing or Review Meeting to allow each party an opportunity to submit a written response to be given to the Decision-Maker.
- Complete the investigation promptly and without unreasonable deviation from these Procedures and the intended timeline.
- Provide regular status updates to the parties throughout the investigation.

Decision-Maker

The Title IX Coordinator will appoint a Sole Decision-Maker to hold a Hearing or Review Meeting and independently determine whether a

Policy violation occurred based on the preponderance of evidence, and if warranted, determine the appropriate sanctions. The Decision-Maker will not re-investigate the matter; however, the final determination(s) regarding credibility shall be made by the Decision-Maker. No negative inferences related to final credibility determinations, shall be made, because a party does not appear or does not participate at the scheduled Hearing or Review Meeting.

The Decision-Maker may be an internal ECR Decision-Maker or any other properly trained Decision-Maker internal or external to the University. The decision-maker(s) cannot be the Title IX Coordinator or the Investigator.

The University will ensure the Sole Decision-Maker or the Board of Review have had the required prerequisite training and confirm there is no actual conflict of interest, bias, or lack of impartiality. Students may not serve as a member on the Board of Review.

Live Hearing

A live hearing with cross-examination of the parties and witnesses is held to resolve Complaints of Sex-Based Harassment, including Sexual Assault, Domestic Violence, Dating Violence and Stalking, and Sexual Harassment prohibited by the 2020 Title IX Regulations.

At the live Hearing, the Decision-Maker must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Cross-examination at the live Hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally. Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-Maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

If a party does not have an Advisor present at the live Hearing to conduct cross-examination on behalf of that party, the University must provide without fee or charge to that party, an Advisor of the University's choice, who may be, but is not required

to be, an attorney, to conduct cross-examination on behalf of that party.

Live hearings may be conducted with all parties physically present in the same geographic location or, at the University's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

Review Meeting

A Review Meeting is held to resolve Complaints of Sex Discrimination, Sexual Harassment, Sexual Misconduct, and Retaliation.

The Investigator presents the investigative report and a summary of the evidence gathered during the investigation for no longer than fifteen (15) minutes; the Decision-Maker may, but is not required to, ask questions. The parties have an opportunity to give a statement no longer than fifteen (15) minutes each; the Decision-Maker may, but is not required to, ask questions.

The parties cannot directly ask questions of one another. However, the parties may propose questions to the Decision-Maker that they would like to have the Decision-Maker ask the other party during the Review Meeting. These questions must be submitted in writing to the Decision-Maker no later than five (5) business days prior to the date of the Review Meeting. The Decision-Maker will review all proposed questions prior to the Review Meeting to determine whether a proposed question is Relevant and would not elicit Impermissible Evidence. The Decision-Maker must explain the decision to exclude any question that is not Relevant or would elicit Impermissible Evidence and allow the parties an opportunity to clarify any proposed questions prior to the Review Meeting.

Determination Regarding Responsibility

After any Hearing or Review Meeting, the Decision-Maker will issue a written determination regarding responsibility. The University generally seeks to issue the written determination to the parties no later than ten (10) days after conclusion of the Hearing or Review Meeting. Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as

indicated in official University records, or emailed to the parties' University-issued email or otherwise approved account. Once mailed, emailed, and/or received in person, notice will be presumptively delivered,

The determination must include the allegations of Prohibited Conduct and a description of the procedural steps taken upon receipt of the Complaint through the determination, including notifications to parties, interviews conducted, site visits, methods used to gather evidence, and hearings held, and the appeal procedures.

The written statement must also include the findings of fact supporting the determination, an evaluation of the Relevant and not otherwise impermissible evidence, conclusions regarding the application of the policy to the facts, and a statement of and the rationale for the result as to each allegation, including a determination regarding responsibility, sanctions the institution will impose on the Respondent, and any remedies that will be provided to the Complainant.

Appeals

The appeal process is equally available to the parties. Any party may file a Request for Appeal which must be submitted in writing to the Title IX Coordinator within five (5) days of the delivery of the written determination. The Appeal Decision-Maker may not be the same as the Decision-Maker who presided over the Hearing or Review Meeting, the Title IX Coordinator, or the Investigator. The other party must be notified of the request for appeal and given five (5) days to respond.

Any party may appeal a determination regarding responsibility due to a procedural irregularity that affected the outcome, new evidence that was not available at the time of the determination, conflict of interest or bias, or excessiveness or insufficiency of sanctions.

Final Decision

The Decision-Maker will provide the written decision simultaneously to all parties within 5-7 days after receiving responses.

The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination

of the result of the 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.

Disciplinary Action or Sanctions

Disciplinary actions or sanctions may include educational, restorative, rehabilitative, and punitive components. Some conduct, however, is so egregious in nature, so harmful to the individuals involved and the entire UMBC community, or so deleterious to the educational or working environment, that it requires severe disciplinary action, up to and including termination from or dismissal from the University.

Disciplinary actions which may be imposed on faculty, staff, and student employees in the employment context, can include, but are not limited to the following: no contact orders, letter of reprimand, censure, service to the University, counseling, retraining, transfer, demotion, suspension, and/or termination.

Sanctions which may be imposed on students in the academic context, can include, but are not limited to the following: no contact orders, housing restrictions (including removal from on-campus housing), community service, educational requirements, written warning, reprimand, probation, suspension, and/or dismissal.

Individuals who commit certain Prohibited Conduct in violation of federal, state, or local law may also be subject to criminal charges and penalties. The University may not discipline a party, witness, or others participating in the process for making a false statement or for engaging in consensual sexual conduct based solely on the University's determination of whether Prohibited Conduct occurred.

Conditions

In certain circumstances, even when there are no disciplinary actions or sanctions imposed, the University reserves the right to impose certain conditions upon any party who is subject to this Policy. Conditions may be imposed as Supportive Measures, as part of an Informal Resolution, or as part of a Formal Resolution after a Hearing or Review Meeting. Conditions are designed to prevent any Prohibited Conduct under the Policy, cultivate a safe academic and employment

environment, and maintain public order on campus, while supporting the University mission and federal obligations. Conditions are not disciplinary actions or sanctions.



Grievance Procedures for Conduct Before August 1, 2024

Refer to the UMBC Policy on Sex Discrimination, Sex-Based Harassment, and Sexual Misconduct (VI-1.20.01, Version No. V).

Prohibited Conduct

Under this policy, Prohibited Conduct includes discrimination, sexual harassment (including sexual assault, domestic violence, dating violence, stalking and retaliation), sexual exploitation and retaliation.

Initial Report of Prohibited Conduct

University Policy classifies rape and sexual assault, dating violence, domestic violence, and stalking as Prohibited Conduct. Any individual may report Prohibited Conduct, whether or not the reporting party is the alleged victim. After receiving a report of Prohibited Conduct, the Title IX Coordinator or designee in the Office of Equity and Civil Rights will conduct an initial assessment of the reported information and respond to any immediate concerns raised by the report. The Title IX Coordinator will also assess the report for Clery reporting purposes and coordinate with UMBC Police as appropriate.

The Title IX Coordinator will promptly contact the Complainant or Reporting Party to discuss the availability of Supportive Measures and explain the process for filing a Formal Complaint. The Complainant's preferences and stated needs with respect to both Supportive Measures and any

decision regarding a Formal Complaint will be considered. The Complainant's decision to opt out of filing a Formal Complaint does not affect the availability of Supportive Measures. The Title IX Coordinator is responsible for coordinating the effective and efficient implementation of the Supportive Measures, which may include, but are not limited to:

- Counseling or health services referrals
- Extensions of deadlines or other academic accommodations, including schedule changes
- Modifications of work schedules or job assignments
- Student housing reassignment
- Restrictions on contact between the involved parties

Informal Resolution Process

The Informal Resolution Process may be used to address Prohibited Conduct in lieu of a formal investigation. The University may facilitate an Informal Resolution Process at any time prior to reaching a determination of responsibility. In order to participate in an Informal Resolution Process, a Formal Complaint must be filed, all parties must be notified and informed of the allegations and requirements of the process, and all parties must consent to the process; the University may not require the parties to participate in an informal process. The Informal Resolution Process does not include an investigation or formal report, nor does it conduct action against a Respondent; however, appropriate and reasonable remedies, such as mediation, counseling, or education, may be imposed, as agreed to by the parties.

Filing a Formal Complaint

In order to file a Formal Complaint, the Complainant must agree to have the University provide the Respondent with a Notice of Complaint. The University may not proceed with a Formal Complaint without issuing a Notice of Investigation to the Respondent.

After reviewing the report of Prohibited Conduct and/or contacting the Complainant or Reporting Party, the Title IX Coordinator will determine if the University has an obligation to move forward. The Title IX Coordinator may prepare and sign a Formal Complaint when a Reporting Party does not seek

action after considering the totality of circumstances, by considering factors, including but not limited to:

- The Complainant's requests regarding how the University should respond.
- The nature and scope of the alleged Prohibited Conduct, including, but not limited to, whether the alleged Prohibited Conduct involved the use of a weapon or force.
- The risk posed to any individual or members of the UMBC community by not proceeding, including the risk of violence.
- A pattern of alleged Prohibited Conduct by a Respondent or Group, or at a particular location.
- Whether the University possesses other means to obtain relevant evidence.
- Considerations of fundamental fairness, equity, and due process.
- The University's obligation to provide a safe and non-discriminatory environment.

Formal Complaint Dismissals

A Mandatory Dismissal of a case would occur if the alleged Prohibited Conduct, even if proved, in the Formal Complaint would not constitute Sexual Assault, Dating Violence, Domestic Violence, or Stalking; did not occur in the institution's Education Program or Activity; or did not occur against a person in the United States.

A Permissive Dismissal of a Formal Complaint may occur, if at any time during the investigation or hearing, the Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint; the Respondent is no longer enrolled or employed by the institution; or specific circumstances prevent the institution from gathering sufficient evidence to reach a determination. Involved parties will receive written notification of the Title IX Dismissal.

Investigation of a Formal Complaint

An investigation will provide both the Complainant and Respondent with the full and equal opportunity to be heard, to submit information and evidence, and to identify witnesses.



Notice of Investigation

Before interviews are conducted, the Title IX Coordinator or Investigator will inform in writing the Respondent and known parties of the initiation of the investigation. The written notification will include the identities of the parties, if known, a summary of the alleged misconduct, the date and location of the alleged misconduct, if known, and the section(s) of the UMBC Sexual Misconduct Policy violated. The Respondent will be informed in writing if, during the investigation, additional information is disclosed that may constitute additional prohibited conduct under the Policy.

Presumption of Non-Responsibility and Standard of Review

The Respondent is presumed to be not responsible; however, this presumption may be overcome if an investigation determines that there is a sufficient basis, by a preponderance of evidence, to support a finding that the Respondent violated the Policy. The standard of review for alleged violations is preponderance of evidence. A preponderance of evidence means that, based on the totality of the evidence and reasonable inferences from the evidence, it is more likely than not, or more than a "fifty-fifty" likelihood, that the Respondent violated the Policy.

Equitable Treatment

The Complainant and Respondent will be treated equitably by the University by applying any provisions, rules, or practices used to investigate or adjudicate complaints under Title IX equally to both parties. The Respondent and Complainant will be provided with the equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

Support Person

The Complainant, Respondent, and witnesses may have a support person, advisor, or attorney of their choice present at any meeting or interview. The University may not limit the individual's choice of advisor; however, the institution may establish restrictions regarding the extent to which the advisor may participate in meetings or proceedings if the restrictions are applied equally to all parties.

Evidence

The Complainant, Respondent, and witnesses with assistance from the Investigator are responsible for gathering relevant evidence to the extent reasonably possible. The parties will be asked to identify witnesses and provide other relevant information, such as communications, text messages, social media posts and messages, photographs, and other evidence. Both parties are encouraged to provide all relevant information as promptly as possible to facilitate a timely resolution. If appropriate, the parties are encouraged to provide necessary releases to allow the Investigator to gather additional, relevant information.

Medical and counseling records are confidential and not accessible to the Investigator unless the individual voluntarily consents to share the relevant records.

Sexual history will never be used for purposes of illustrating either party's individual character or reputation. Evidence related to the prior sexual history between the parties is generally irrelevant to the determination of a violation and will be considered only in limited circumstances. For example, questions may be offered to prove that someone other than the Respondent committed the Prohibited Conduct or to determine if consent was given through mutually understandable actions (rather than words) in previous sexual contact to facilitate the Investigator's understanding of the sexual communication between the parties. This information may be relevant in determining whether consent was sought and given during the incident in question; however, even in the context of a relationship, consent in one sexual act does not, by itself, constitute consent to another sexual act. Consent

on one occasion does not, by itself, constitute consent on a subsequent occasion.

An adjudicating official or body is prohibited from considering a Respondent's prior sexual history with an individual other than a party to the proceedings, except to prove prior sexual misconduct, support a claim that a student has an ulterior motive, or impeach a student's credibility after that student has put their own prior sexual conduct at issue.

The University requires objective evaluation of the provided evidence, including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness. The Complainant, Respondent, and witnesses have the right to inspect and review evidence prior to the issuance of a report in order to meaningfully respond to the evidence provided.

Criminal Investigations

Prohibited Conduct may be reported to law enforcement before, during, or after reporting to the University. The University investigative process is not dependent on the status or outcome of the criminal investigation or process; they are separate, independent investigations.

At the request of law enforcement, the University may agree to temporarily defer part or all of the investigation until after the initial evidence-gathering phase of the law enforcement investigation is complete.

Standards for criminal investigations are different than the standards for a violation of the Policy; therefore, the University will not base its decisions solely on law enforcement reports and/or actions. If the University determines a Policy violation has occurred, the University will take appropriate actions in accordance with applicable policies, regardless of external criminal proceedings that may be pending.

Time Frame

The University seeks to promptly resolve reports of Prohibited Conduct, with a goal of completion within sixty to ninety (60-90) calendar days after receiving a Formal Complaint, excluding any appeals.

The time frame may be extended by the University for good cause, as determined on a case-by-case basis. If the University is unable to meet the target deadline, the parties will receive written notice regarding the extension.

Investigative Report

The Investigator will prepare a draft investigative report that impartially summarizes the evidence provided by each party. The report will include summaries of all relevant evidence, including the Complainant's interview, Respondent's interview, witness interview, or any other evidence the Investigator determines is relevant to the report. The investigative report will include recommendations for the Board of Review or Sole Decision-Maker. In addition, it will articulate the sections of the Policy allegedly violated, the alleged behaviors, and the information gathered that relates to the same. The Investigator will provide the draft investigative report to each party and their advisor, if any. Each party will have ten (10) days to submit a written response to the report, which the investigator will consider prior to completion of the final investigative report. The final investigative report will be provided to each party and their advisor, if any, at least ten (10) days prior to any Title IX Hearing or Review Meeting, and they will have ten (10) days to submit a written response.

Live Hearing

A live hearing with cross-examination of witnesses is required to adjudicate Formal Complaints of Sexual Assault and Rape, Domestic Violence, Dating Violence, and Stalking. Each party's advisor must be permitted to ask the other party and any witnesses all relevant questions and follow-up questions, including questions that challenge credibility. Cross-examination must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally. The University must provide, without fee or charge, an advisor of the institution's choice to conduct cross-examination on behalf of a party that does not otherwise have an advisor.

A Decision-Maker may consider statements made by parties or witnesses that are otherwise permitted under regulations, even if those parties or witnesses do not participate in cross-examination at the live

hearing, in reaching a determination regarding responsibility.

Live hearings may be conducted with all parties physically present in the same geographic location or, at the institution's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. The University will record or transcribe any live hearing and make it available to the parties for inspection and review.

Decision-Maker

The University has the discretion to use either a Sole Decision-Maker or a Board of Review comprised of trained personnel to hold a Title IX Hearing or Review Meeting to independently determine whether a Policy violation occurred based on the preponderance of evidence, and if warranted, determine the appropriate sanctions. The Sole Decision-Maker or the Board of Review will not re-investigate the matter; however, the final determination(s) regarding credibility shall be made by the Sole Decision-Maker or Board of Review. The decision-maker(s) cannot be the Title IX Coordinator or the Investigator.

The University will ensure the Sole Decision-Maker or the Board of Review have had the required prerequisite training and confirm there is no actual conflict of interest, bias, or lack of impartiality. Students may not serve as a member on the Board of Review.

Review Meeting

The Investigator presents the investigative report, recommendations, and conclusion to the Sole Decision-Maker or members of the Board of Review. The presentation may not exceed fifteen (15) minutes, and the Sole Decision-Maker or members of the Board of Review, may, but are not required to, ask questions. The Reporting and Responding Parties will each have an opportunity to give a closing and/or impact statement that may not exceed fifteen (15) minutes; the Sole Decision-Maker or Board of Review may, but is not required to, ask questions to each party. The parties may not ask questions of one another. At the conclusion of the Review Meeting, the Sole Decision-Maker or Board of Review may: (i) accept the investigator's

recommended finding(s); (ii) reject the investigator's recommended finding(s); or (iii) refer the matter back for further investigation.

Determination Regarding Responsibility

The Sole Decision-Maker or the Board of Review must issue a written determination regarding responsibility after any Title IX Hearing or Review Meeting. The written determination must include the allegations of Prohibited Conduct and a description of the procedural steps taken upon receipt of the Formal Complaint through the determination, including notifications to parties, interviews conducted, site visits, methods used to gather evidence, and hearings held. The written statement must also include the findings of fact supporting the determination, a statement of and the rationale for the result as to each allegation, including a determination regarding responsibility, and a determination of sanctions the institution will impose on the Respondent.

Notification of Determination & Right to Appeal

Both the Respondent and Complainant will be notified simultaneously, in writing, of the determination of responsibility upon conclusion of the Review Meeting. Both the Respondent and Complainant will also be notified, in writing, of the appeal procedure, of any change to the decision that occurs prior to the time that the decision becomes final, and when the decision becomes final.

Possible Disciplinary Actions or Sanctions Following Final Determination

Following a final determination of responsibility for Policy violations regarding domestic violence, dating violence, sexual assault, or stalking, the University may impose the following sanctions or conditions to foster an environment that is safe, respectful, inclusive, and free of Prohibited Conduct. Disciplinary actions or sanctions may include educational, restorative, rehabilitative, and punitive components, including dismissal or termination from the University.

Disciplinary actions which may be imposed on students and employees in the employment context may include, but is not limited to no contact orders, letter of reprimand, counseling, retraining, transfer, demotion, suspension, and/or

termination. Sanctions for students in an academic context may include the following: no contact orders, housing restrictions (including removal from on-campus housing), community service, educational requirements, written warning, reprimand, probation, suspension, and/or dismissal. The institution reserves the right to delay or refuse the conferring of an academic degree during a pending investigation.

Individuals who commit Prohibited Conduct may be in violation of federal, state, or local law and may also be subject to criminal charges and penalties.



Education, Safety, and Prevention

No victim is ever to blame. Sexual and relationship violence can happen to anyone, and it is not the only crime that can occur on campus. Community members can look out for their friends, classmates, or colleagues, speak up about sexual and relationship violence, and take steps to increase personal safety. Learning and recognizing the warning signs of sexual violence can reduce risk and aid in prevention.

Warning Signs of Abusive Behavior

Sexual violence most often is perpetrated by someone a victim knows, and this includes intimate partner relationships. Dating or domestic violence often starts with controlling behaviors that can escalate to emotional, physical, and/or sexual abuse. In addition to physical injuries, warning signs of dating and domestic violence and abuse include a partner who:

- Makes you fear for your safety.
- Isolates or cuts you off from friends and family.
- Prevents you from working, going to school, socializing, or using your phone.
- Coerces you to do things you do not want to do or normally would not do.
- Insults you, threatens you, puts you down, or makes you feel helpless.
- Destroys your property.

Risk Reduction: Alcohol

- Look out for your friends. Plan to arrive and leave together, but let your friends know if you decide to leave early. Regularly check in and step in if something does not seem right.
- Have a backup plan to get home safely, such as a friend or family member you know you can call or a rideshare app. Consider a portable phone charger so you can stay in communication.
- Check in with yourself and be aware of sudden changes in the way your body feels. If you feel uncomfortable, tell a friend, and have them take you to a safe place. If you suspect you or a friend has been drugged, call 911.
- Be mindful of your drinks. Refuse drinks from strangers and throw out drinks left unattended.
- Trust your instincts. If you feel unsafe or uncomfortable, go somewhere safe with someone you trust.

Risk Reduction: Walking on Campus

- Make sure your phone is accessible and adequately charged. Consider using a portable phone charger.
- Be familiar with where the emergency blue light phones are located on campus.
- Refrain from using dimly lit shortcuts with less foot traffic.
- Travel in groups when possible.
- Be alert and aware of your surroundings. Avoid unnecessary distractions, such as using headphones.
- If you feel unsafe walking on campus, request a safety escort by calling UMBC Police at 410-455-5555.



Education and Programming

UMBC is committed to the prevention of dating violence, domestic violence, sexual assault, and stalking. All students and employees receive a two-part annual training from the Office of Equity and Civil Rights, which covers sexual and gender-based violence, sexual harassment, stalking, healthy relationships, bystander intervention, consent, and related topic, and University policies and procedures addressing violence and harassment.

The University and student organizations conduct and coordinate the following training workshops and programming.

Love is Respect

Training program conducted by the Office of Health Promotion with information about the signs of unhealthy relationships, power within relationships, and reporting and resources.

Un-blurring the Lines

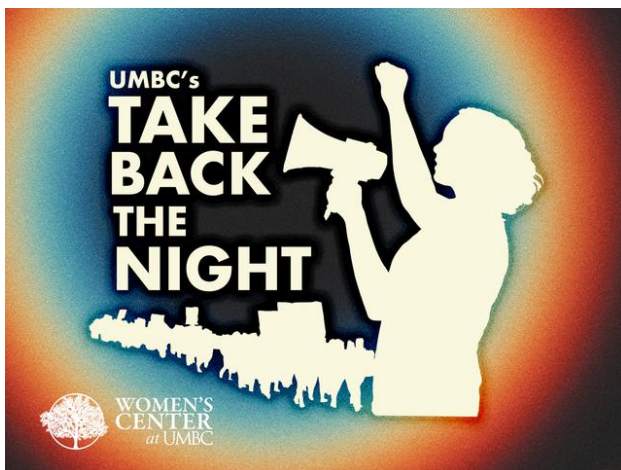
Training program conducted by the Office of Health Promotion with information about sexual assault, bystander intervention tools, and reporting and resources.

One Love: Behind the Post

Training program conducted by the Office of Health Promotion with information about unhealthy relationships and the role social media can play.

One Love: Love Labyrinth

Training program conducted by the Office of Health Promotion with information about intimidation tactics used by partners and relationship violence.



Sexual Assault Awareness Month

The Women's Center coordinates programs every April to create awareness, including the Take Back the Night Rally and the Clothesline Project Display. Programs include Clothesline Project T-Shirt Making, Take Back the Night Rally Sign Making, Green Dot Training, and discussion groups.

Relationship Violence Awareness Month

The Women's Center coordinates programs every October to create awareness, including the Clothesline Project Display. Programs include Clothesline Project T-Shirt Making, yoga with a restorative theme, discussion groups to learn about signs of abuse, and discussion groups for survivors.

Supporting Survivors of Sexual Violence Workshop

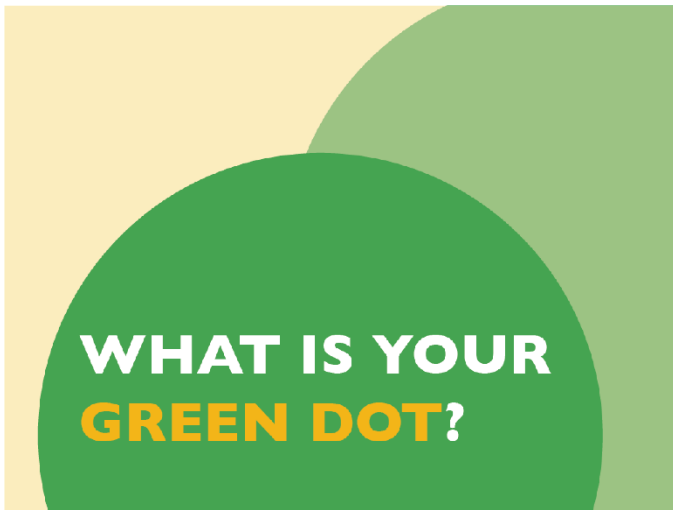
Student and employee sessions to address best practices for support to cultivate a survivor-responsive campus.

We Believe You Discussion Groups

Biweekly discussion groups in collaboration with The Women's Center and the We Believe You student organization that aim to provide a safe space for survivors of gender-based harms to engage in conversations focused on support and healing.

Rebuilding Manhood

Biweekly discussion group that aims to promote healthy and multifaceted identities of masculinity and mobilize men as allies in gender equity and the prevention of violence in order to support a positive campus climate around gender.



Bystander Intervention

The Green Dot program is the bystander intervention initiative at UMBC, and it is built on the premise that a cultural shift is necessary to reduce the perpetration of power-based personal violence, which includes sexual violence, partner violence, and stalking. Reactive and proactive bystanders contribute to the cultural shift. A proactive bystander makes daily choices that show others that violence and harm will not be tolerated.

When enough people make decisions that show no tolerance for violence and harm at UMBC, it will create an environment where fewer people are harmed. Educate yourself about sexual and relationship violence and acts of bias. Use social media to share content and educate others. Talk to your friends about these issues and regularly check in. Create programs to bring awareness to these issues in student organizations.

Annual sexual misconduct and harassment training is conducted; however, additional Green Dot training is offered throughout the year and upon request.

A reactive bystander utilizes the 3 Ds in situations of high risk:

1. **Directly** interact with the people involved and acknowledge concern.
 - Ask someone who seems uncomfortable if they are okay.
 - Pull your friend away from an individual who keeps pushing drinks on them.
 - Tell you friend an individual is too intoxicated to consent and discourage any sexual contact.
 - Instead of laughing, tell someone their joke about sexual assault or their derogatory comment is offensive.
2. **Delegate** someone to intervene and diffuse the situation. Bystanders should delegate if they feel unsafe or think intervening would cause more harm.
 - Tell another friend and ask them to check in.
 - Tell a Resident Advisor.
 - Tell the host of the event and ask them to check in.
 - Call 911 or UMBC Police.
3. **Distract** the people involved to interrupt the situation without overtly expressing concern.
 - Say their friends have been looking for them.
 - Suggest an alternative activity to separate the two.
 - Stay with the people so they cannot be alone.
 - Change the conversation topic and follow up later to address the issue separately.



DIRECT



DELEGATE



DISTRACT

CRIME STATISTICS

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)), otherwise known as the Clery Act, requires colleges and universities across the United States to disclose information about certain crimes reported on and around their campuses. UMBC Police collects the Clery crime statistics disclosed in the following charts through numerous methods.

In addition to collecting Clery crime statistics from Baltimore County Police and other local police departments, all reports of crime incidents made directly to UMBC Police (through police dispatchers and officers) are entered into an integrated computer-aided dispatch (CAD) system and records management system (RMS). The entries are recorded in the systems in accordance with the crime definitions outlined in the FBI Uniform Crime Reporting Handbook. Department administrators, including the Clery Coordinator, review reports to ensure each report is appropriately classified in the correct crime category.

UMBC Police maintains the CSA Incident Report Form at police.umbc.edu/csa to collect reports of Clery crime statistics from CSAs, which are included in the following charts. CSAs are instructed to report all potential Clery crime incidents to UMBC Police using the CSA Incident Report Form.

The statistics reported for the disciplinary referrals are maintained by Student Conduct and Community Standards and submitted to UMBC Police to appropriately classify incidents.



Clery Act Definitions

Incidents are classified and counted using the standard definitions provided by the Federal Bureau of Investigation (FBI) Uniform Crime Reporting (UCR) Program and definitions provided by the Violence Against Women Act (VAWA) of 1994. The UCR Program definitions are from the Summary Reporting System (SRS) User Manual, the National Incident-Based Reporting System (NIBRS) Data Collection Guidelines, and the Hate Crime Data Collection Guidelines and Training Manual. The standard definitions below are used for classifying and counting incidents at UMBC, UMBC at the Universities at Shady Grove, and the Rita Rossi Colwell Center.

Criminal Offenses

Homicide and Non-negligent Manslaughter

The willful killing of one human being by another.

Negligent Manslaughter

The killing of another person through gross negligence.

Rape

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

Incest

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

Statutory Rape

Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Robbery

Taking or attempting to take anything of value from the care, 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

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

Unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft

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.

Violence Against Women Act (VAWA) Offenses

Domestic Violence

Crimes of violence (felony or misdemeanor) 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 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 laws of the State of Maryland, 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.

Dating Violence

Violence committed by a person (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship will be determined by the reporting party's statement and based on a consideration of the following factors:

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

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

For the purpose of this definition, "course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens or communicates to or about a person, or interferes with a person's property.

"Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.

Hate Crimes

Hate crimes include the previously listed criminal offenses, plus the crimes below, that manifest evidence that the victim was intentionally selected because of the perpetrator's bias against the victim based on one of the Categories of Prejudice.

Larceny/Theft

Unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Simple Assault

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 to Property

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 Prejudice

Race

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

Gender

A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

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.

Sexual Orientation

A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.

Ethnicity

A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) 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.

Gender Identity

A preformed negative opinion or attitude toward a

person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

Arrests

Liquor Law Arrests

The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Drug Abuse Arrests

The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use; includes the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. These statistics include arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Weapons Law Arrests

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Disciplinary Referrals

The referral of any person to any campus official who initiates a disciplinary action of which a record is kept, and which may result in the imposition of a sanction for a liquor law, drug law, and/or weapons law violation as previously defined.



Clery Act Geography

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 is frequently used by students, and supports institutional purposes.

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.

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.

Noncampus

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.



UMBC Crime Statistics

The statistics below reflect the number of criminal incidents reported to UMBC Police, Baltimore County Police, or other Campus Security Authorities for each specified offense that occurred on campus or on or near university-controlled property. The statistics reported for the liquor laws, drug laws, and weapons offenses represent the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented.

OFFENSE	Year	On-Campus Property		Noncampus Property	Public Property
		Student Housing Facilities	Total		
Murder & Non-Negligent Manslaughter	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Negligent Manslaughter	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Rape	2023	15	15	0	0
	2022	7	11	0	0
	2021	8	9	0	0
Fondling	2023	5	7	0	0
	2022	5	8	0	0
	2021	2	2	0	0
Incest	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Statutory Rape	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Robbery	2023	0	0	0	0
	2022	0	1	0	0
	2021	0	0	0	0
Aggravated Assault	2023	0	0	0	0
	2022	0	2	0	0
	2021	0	0	0	0
Burglary	2023	1	6	0	0
	2022	0	4	0	0
	2021	1	13	0	0
Motor Vehicle Theft	2023	0	19	0	0
	2022	0	1	0	0
	2021	0	2	0	0
Arson	2023	0	0	0	0
	2022	0	2	0	0
	2021	0	3	0	0

UMBC Crime Statistics, continued

OFFENSE		Year	On-Campus Property		Noncampus Property	Public Property
			Student Housing Facilities	Total		
VAWA OFFENSES	Domestic Violence	2023	0	2	0	0
		2022	0	1	0	0
		2021	1	1	0	0
	Dating Violence	2023	2	7	0	0
		2022	2	6	0	0
		2021	2	2	0	0
	Stalking	2023	11	24	0	0
		2022	11	20	0	0
		2021	5	7	0	0
ARRESTS	Weapons Law Violation	2023	0	0	0	0
		2022	0	1	0	0
		2021	0	0	0	0
	Drug Abuse Violation	2023	0	1	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Liquor Law Violation	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
REFERRALS	Weapons Law Violation	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Drug Abuse Violation	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Liquor Law Violation	2023	59	59	0	0
		2022	43	43	0	0
		2021	24	24	0	0
Hate Crimes		2023	Two (2) on-campus Intimidations characterized by racial bias.			
		2022	One (1) on-campus Vandalism characterized by religious bias.			
		2021	One (1) on-campus Simple Assault characterized by religious bias.			
Unfounded Crimes		2023	Two (2) on-campus Motor Vehicle Thefts. One (1) on-campus student housing facility Fondling.			
		2022	One (1) on-campus student housing facility Burglary.			
		2021	Four (4) on-campus student housing facility Burglaries.			

ANNUAL SECURITY REPORT

2024



UMBC

AT



The Universities

AT SHADY GROVE

UMBC at The Universities at Shady Grove

UMBC at The Universities at Shady Grove (UMBC-Shady Grove) is a regional higher education center located in Rockville, Maryland, that supports programs from nine different institutions within the University System of Maryland. Students attend classes at USG but are still considered students of their “home campus.” In addition, faculty or employees at USG can be affiliated with any of the nine institutions.

Please access shadygrove.umd.edu/about/public-safety/ for the *USG Supplement to Annual Security Reports Published by Partner Institutions* that is compiled and distributed annually.

This publication contains crime statistics and statements of security policy. Annually, prior to October 1st, current students and employees are sent an email message providing them with a link to this brochure and notification that the current edition of the *Safety & Security* publication has been posted on the Universities at Shady Grove website. Printed copies may be obtained from the 24-hour security desk located in the Camille Kendall Academic Center on the Shady Grove campus.

Crime statistics for USG are reported, in their entirety, within the Annual Security Report of each of the nine institutions that conduct classes at USG.



UMBC-Shady Grove¹ Crime Statistics⁴

OFFENSE		Year	On-Campus Property	Noncampus Property	Public Property ²	Total
Murder & Non-Negligent Manslaughter		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Negligent Manslaughter		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Rape		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Fondling		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Incest		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Statutory Rape		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Robbery		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Aggravated Assault		2023	0	0	0	0
		2022	0	0	1	1
		2021	0	0	0	0
Burglary		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Motor Vehicle Theft		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Arson		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
VAWA OFFENSES ⁵	Domestic Violence	2023	0	0	0	0
		2022	0	0	0	0
		2021	1	0	0	1
	Dating Violence	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Stalking	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

UMBC-Shady Grove Crime Statistics, continued

OFFENSE		Year	On-Campus Property	Noncampus Property	Public Property ²	Total
ARRESTS	Liquor Law Violation	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Drug Abuse Violation	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Weapons Law Violation	2023	0	0	0	0
		2022	0	0	0	0
		2021	1	0	0	1
REFERRALS ⁶	Liquor Law Violation	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Drug Abuse Violation	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Weapons Law Violation	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Unfounded Crimes ⁷		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

There were no reported Hate Crimes³ for the years 2021, 2022, or 2023.

Footnotes

1. The Universities at Shady Grove (USG) is a Regional Center for the University System of Maryland (USM). Degree programs provided by 9 of the 12 USM institutions are offered at USG. Students from each of these 9 institutions attend classes at USG and in some cases may attend classes on both campuses.
2. Statistics listed in the "Public Property" category include those that took place off campus, on public property immediately adjacent to and accessible from the campus, but not on USG property.
3. Hate Crimes are crimes that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived Race (RA), Religion (RE), Sexual Orientation (SO), Gender (G), Ethnicity (E), Disability (D), Gender Identity (GI), or National Origin (NO). Any numbers in small-print parentheses would indicate how many of the total number or reported incidents were motivated by each type of bias.
4. Statistics on this chart are a summation of records requested and received from the Montgomery County Police Dept. (which includes all Rockville City Police Dept. records) and the Maryland State Police. This chart additionally include all Clery reportable statistics reported to USG security officers or other Campus Security Authorities.
5. The Montgomery County Police Department does not classify crimes into this category. Statistics in this category will only be those reported or known by Campus Security Authorities or where enough information is known to allow classification.
6. Individuals not arrested but referred for possible campus disciplinary action (e.g., first offenders required to attend educational programs.)
7. Unfounded reports are classified as unfounded based on the results of a full investigation and evidence conducted by sworn law enforcement personnel that determine the crime report is false or baseless. Reported crimes may not be classified as unfounded (or otherwise withheld or subsequently removed) based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official. Cases where 911 is dialed accidentally are not considered to be unfounded reports.

ANNUAL SECURITY REPORT

2024



UNIVERSITY SYSTEM *of* MARYLAND
**THE RITA ROSSI
COLWELL CENTER**

The Rita Rossi Colwell Center

The Rita Rossi Colwell Center (Colwell Center) is a multifunctional facility operated and managed by UMBC in Baltimore's Inner Harbor. The Institute of Marine and Environmental Technology (IMET), a joint University System of Maryland research institute, and the UMBC Department of Marine Biotechnology are based at the Colwell Center.

Police and Security

The Colwell Center does not have a written Memorandum of Understanding (MOU) or any other type of written agreement with law enforcement for the investigation of alleged criminal offenses.

A private security agency provides 24/7 security in the Colwell Center. The security personnel are unarmed and do not have the authority to make arrests. The Front Desk Security Officer may be contacted by calling 410-977-5850.

Individuals are encouraged to report crimes or emergencies to the Baltimore Police Department (BPD) - Central District by calling 911 or 410-396-2411 for non-emergencies. Notify the Front Desk Security Officer after calling the police.

Security of and Access to the Center

The Colwell Center is open and accessible to students, employees, and visitors. Employees include members unaffiliated with UMBC or USM employed at an office or department in the Colwell Center. Building access is monitored and controlled by security personnel and electronic identification badges.

Security Considerations Used in the Maintenance of Facilities

The Colwell Center is committed to safety and security with event, research, and office spaces designed to provide optimal safety. Students, employees, and visitors are encouraged to report any security concerns, including concerns about locking mechanisms or lighting, to the Front Desk Security Officer by calling 410-977-5850 to notify the appropriate personnel.

Crime Prevention and Safety Awareness Programs

The Colwell Center conducts orientations for new students and employees to provide education in safety procedures and security concerns. The objective is to promote security and crime prevention awareness among students and employees. Safety services provided by the Waterfront Partnership, including safety escorts, are advertised throughout the Colwell Center. Safety escorts may be requested by calling 443-743-3308. Refer to *Crime Prevention and Safety Awareness Programs* for additional programs offered at UMBC.

Crime Alerts (Timely Warning)

Crime Alerts are issued to provide timely notice to the Colwell Center when the Director of Facilities or designee identifies a Clery Act crime that poses an ongoing or serious threat to the community. Alerts may be issued for incidents off-campus if the crime occurred in a location used and frequented by the community or incidents other than Clery Crimes that pose an ongoing or serious threat to the community. The Director of Facilities or designee writes and distributes the alert via email.

EAlerts (Emergency Notification)

The Colwell Center is committed to ensuring the community receives timely, accurate, and useful information in the event of an emergency or dangerous situation in the community. The Director of Facilities or designee will immediately notify the campus community upon confirmation of an emergency or dangerous situation. On-site staff have the authority to confirm a threat. The Colwell Center uses the emergency alert system Omnilert to distribute EAlerts, but emergency notifications may also be made with building evacuation/fire alarms, email, and voice broadcast.

Register for EAlerts at umbc.edu/go/alerts and set up e2campus Alerts. If you do not have a UMBC account, submit a ticket to ccsupport@umbc.edu. After registration, you must request to be added to the Colwell Center group by submitting an email with your phone number and carrier name (Verizon, T-Mobile, etc.) to:

Michael Yates
Director of Facilities
yates@umbc.edu

Resources and Support

While the Colwell Center encourages all campus community members to promptly report all crimes and other emergencies directly to the Baltimore Police Department by calling 911 or 410-396-2411 for non-emergencies, we also recognize that some may prefer to report to other individuals or offices. Refer to *UMBC Response to Sex Discrimination* for additional information regarding reporting relationship and sexual violence.

Crimes and policy violations may be reported to:

Office of Equity and Civil Rights Administration Bldg, 9 th Floor UMBC Campus	ecr@umbc.edu 410-455-1717
Title IX Coordinator Administration Bldg, 9 th Floor UMBC Campus	mfoster3@umbc.edu 410-455-1717
UMBC Police Central Plant/Lot 8 UMBC Campus	410-455-5555

For victims of sexual violence:

Mercy Medical Center - Sexual Assault Forensic Exams	345 St. Paul Place Baltimore, MD 410-332-9000
TurnAround Inc. - Rape Crisis Center 24/7 Hotline and Text	1 N Charles St Baltimore, MD 443-279-0379 Text: 410-498-5956
Baltimore City Police - 911 311: BPD HQ Non-Emergency	Central District: 410-396-2411 (Non-Emergency)

Victim Rights

You have rights as a victim or witness under Maryland law. Among other rights you have the right to be notified of offender custody status. For more information, visit goccp.maryland.gov.

When the Office of Equity and Civil Rights receives a report of sexual misconduct, everyone involved has the same rights, which includes fair and impartial review and response to all concerns and reports. For more information about your rights, refer to *Rights for All Parties* in this report.



The Rita Rossi Colwell Center Crime Statistics

The following statistics reflect the number of criminal incidents for selected crimes reported to the Baltimore Police Department or to Campus Security Authorities. The Colwell Center does not have any on-campus residence halls.

OFFENSE		Year	On-Campus Property	Noncampus Property	Public Property	Total
Murder & Non-Negligent Manslaughter		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Negligent Manslaughter		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Rape		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Fondling		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Incest		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Statutory Rape		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Robbery		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Aggravated Assault		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Burglary		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Motor Vehicle Theft		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Arson		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
VAWA OFFENSES	Domestic Violence	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Dating Violence	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Stalking	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

The Rita Rossi Colwell Center Crime Statistics, continued

The following statistics reflect the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. The Colwell Center does not have any on-campus residence halls.

OFFENSE		Year	On-Campus Property	Noncampus Property	Public Property	Total
ARRESTS	Liquor Law Violation	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Drug Abuse Violation	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Weapons Law Violation	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
REFERRALS	Liquor Law Violation	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Drug Abuse Violation	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Weapons Law Violation	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
Unfounded Crimes		2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

There were no reported Hate Crimes for the years 2021, 2022, or 2023.

FIRE SAFETY REPORT

2024



UMBC

ANNUAL FIRE SAFETY REPORT

The Higher Education Opportunity Act requires institutions that maintain on-campus student housing facilities to publish an Annual Fire Safety Report that contains information about campus fire safety practices and standards of the institution. The following report details all information required by this act for the UMBC campus.

Definitions

Fire

Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

On-Campus Student Housing

A 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.

Intentional Fire

A fire that involves an intentional human act to ignite or spread fire in an area where the fire should not be.

Unintentional Fire

A fire that does not involve an intentional human act to ignite or spread fire in an area where the fire should not be.

Student Housing Facility Fire Drills

At least one fire drill is conducted in all on-campus student housing facilities during the school year to allow residents to become familiar with building alarm systems and practice their evacuation skills. Generally, one fire drill is conducted in the fall semester, and one is conducted in the spring. However, concerns from the ongoing COVID-19 pandemic and limited campus access affected the number of fire drills conducted in the Spring and Fall 2021 semesters. The Walker Avenue Apartments generally conducts five fire drills, with two in each semester and the summer.

Fire drills are only conducted Monday through Friday between 10:00 a.m. and 10:00 p.m. The drills are coordinated and conducted by Residential Life, Emergency Management, and Environmental Safety and Health.

Every occupant in a student housing facility is required to evacuate the building during fire drills. Occupants may not re-enter until authorized by fire personnel and subsequently the Community Director. To facilitate a timely exit, obstructing hallways, breezeways, stairwells, or exit doors in any manner is prohibited.

Evacuation drills are monitored and analyzed by Environmental Safety and Health to evaluate potential risks, egress, and behavioral patterns. Work Requests are submitted to Facilities Management through the Help Portal at umbc.assetworks.cloud/ready for any deficiencies or damages identified during the drills to ensure repairs are made as soon as possible. Recommendations for improvements identified during the drill are documented and submitted to the appropriate departments for consideration.

Environmental Safety and Health and Residential Life document each drill conducted in reports, which includes a description of the test, the date the test was held, the time the test started/ended, whether the test was announced or unannounced, and identified deficiencies or damages.



Fire Safety

UMBC takes fire safety seriously and continues to enhance its programs for the University community through education, engineering, and enforcement. Educational programs are presented throughout the year to faculty, staff, and students so they are aware of the rules and safe practices. These programs include identification and prevention of fire hazards and hands-on use of fire extinguishers.

All University student housing facilities have emergency evacuation plans and conduct fire drills

during the school year to allow occupants to become familiar with and practice their evacuation skills.

On-campus housing facilities are equipped with automatic fire alarm systems with smoke and heat detectors located throughout the buildings, in addition to automatic sprinkler systems. The alarms are monitored by the UMBC Police Department 24 hours a day. Each residence has the most direct evacuation routes posted on the back of the door.

Prohibited Items and Activities

The following activities and items are prohibited in on-campus housing facilities to reduce the risk of fire:

- Smoking inside any building or on campus that is not a designated smoking area.
- Explosive materials, such as fireworks, flammable liquids, or ammunition.
- Open flame devices, such as candles, incense burners, or charcoal.
- Appliances with open heating elements, such as hot plates, electric frying pans, floor heaters, or toaster/ovens.
- Space heaters.
- Halogen lamps.
- Electric blankets.
- Items suspended and hanging from ceilings or walls, such as flags, fish nets, or blankets.
- Gas or charcoal barbecue grills and briquette.
- Multi-plug outlets, excluding surge protectors.
- Any item deemed a fire risk by Residential Life.
- No more than fourteen (14) occupants in a residence hall suite or apartment at one time.

Tampering with fire alarms, smoke detectors, pull stations, extinguishers, evacuation ladders, sprinklers, or fire doors may result in disciplinary action. Igniting or attempting to ignite flammable items in on-campus housing facilities may result in disciplinary action.

Fire Prevention and Safety Tips

- Exercise care when smoking in authorized areas.
- Use only UL approved appliances and never leave appliances on or unattended.
- Use only UL approved extension cords. Never run extension cords under rugs or mattresses.

- Match the size of the extension cord to the appliance being used.
- Report vandalized or inoperable fire equipment to Residential Life staff immediately. Damaged fire equipment endangers you and the other residents of your building.
- Keep all marked fire doors and stairwell doors closed. They are designed to block smoke and fire to provide a safe evacuation route during fire.
- Do not cover smoke detectors with flags or other materials. Check detectors periodically to ensure that they are functioning properly.
- To aid in the prevention of fires, the following items may not be stored or used in or around on-campus housing facilities: Hoverboards and other motor-propelled devices, including motorized scooters, motorized bikes, and motorized skateboards.
- Do not overload circuits by creating "octopuses" in your electrical outlets. If you have more appliances than outlets, unplug one appliance to use another or purchase and use a power strip.
- Cooking is prohibited in on-campus housing facility rooms. Cook only in designated cooking areas such as lounges and hall or apartment kitchens.



Fire Statistics for On-Campus Student Housing Facilities

Date	Location	Address	Cause	Injuries	Deaths	Damage Value
9/18/2023	Walker Avenue Apartments	909 Walker Avenue	Unintentional - Grease Fire in Kitchen	0	0	\$0
7/01/2021	Walker Avenue Apartments	990 Walker Avenue	Unintentional - Grease Fire in Kitchen	0	0	\$300

On-Campus Student Housing Fire Safety System

Location	Address	Total Fires			Full Sprinkler Coverage	Monitored Alarm System	Fire Extinguishers	Smoke Detectors	Bedroom Alarm/Strobe	Fire Drills
		2021	2022	2023						
Chesapeake Hall	Hilltop Circle	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Erickson Hall	Hilltop Circle	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Harbor Hall	Hilltop Circle	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Patapsco Hall	Hilltop Circle	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Potomac Hall	Hilltop Circle	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Susquehanna Hall	Hilltop Circle	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Walker Avenue Apartments	909 Walker Avenue	0	0	1	Yes	Yes	Yes	Yes	Yes	5
Walker Avenue Apartments	990 Walker Avenue	1	0	0	Yes	Yes	Yes	Yes	Yes	5
Sideling	Hillside Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Pocomoke	Hillside Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Manokin	Hillside Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Patuxent	Hillside Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Elk	Hillside Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Deep Creek	Hillside Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Casselman	Hillside Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Breton	Hillside Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Chester	West Hill Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Wye	West Hill Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Magothy	West Hill Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Tangier	West Hill Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Choptank	West Hill Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Nanticoke	Terrace Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Gunpowder	Terrace Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Monocacy	Terrace Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Sassafras	Terrace Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Wicomico	Terrace Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Antietam	Terrace Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Chincoteague	Terrace Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2
Tuckahoe	Terrace Apartments	0	0	0	Yes	Yes	Yes	Yes	Yes	2

Evacuation Procedures

Report Fire

- If there is no audible alarm, immediately activate the nearest fire alarm pull station to alert occupants to evacuate the building.
- Call UMBC Police at 410-455-5555 or 911 from a safe location to report the fire and provide as much information as possible regarding the location and occupants.

Building Evacuation

- Upon activation of the fire alarm system, everyone shall immediately leave the building using the nearest fire exit door or stairwell.
- If smoke is present, crouch or crawl to stay below the smoke. If possible, protect your face with a damp towel.
- Do not use elevators.
- If possible, abled people should assist disabled persons in exiting the building. Persons unable to evacuate should remain in the stairwell for assistance from emergency personnel.
- Continue evacuating the building even if the alarm stops.
- Meet at the designated evacuation site.
- Do not return to the building until instructed to do so by authorized personnel.

Building Entrapment

- Call 911 to report your location.
- Stay below the smoke.
- Await rescue.

Fire Incident Reporting

Students, employees, and visitors are instructed to immediately call 410-455-5555 or 911 to report a fire emergency.

Non-Emergency

Immediate notification for a non-emergency fire incident (fire was extinguished, evidence that something burned, or attempted intentional burning) shall be made to UMBC Police by calling 410-455-5555.

Fire Log

UMBC Police maintains the Fire Log at police.umbc.edu/crime, which documents fire incidents occurring in on-campus student housing facilities.

Fire Safety Improvements

The University assesses and upgrades fire safety equipment to ensure that all equipment meets National Fire Safety standards. The University continues to evaluate and improve smoke/heat detection systems to meet life safety requirements and protect University assets. Fire systems are inspected quarterly and regularly maintained by the vendor. Communication panels for the monitored alarm system are currently being updated in the Walker Avenue Apartments. Also, UMBC will periodically assess the need for other improvements in fire safety. Any recommendations for improvements are made as soon as possible.



Community Resources and Support

UMBC Police & Safety Escorts	Central Plant Bldg, Lot 8	410-455-5555 police.umbc.edu
Office of Equity and Civil Rights	Administration Bldg, 9 th Floor	410-455-1717 ecr.umbc.edu
The Women's Center	The Commons, Suite 004	410-455-2714 womenscenter.umbc.edu
Retriever Integrated Health	The Center for Well-Being	410-455-2542 After Hours: 410-455-3230 health.umbc.edu
Office of Student Disability Services	Math and Psychology Bldg, Room 212	410-455-2459 sds.umbc.edu
Maryland 211 - Health and Human Services	24/7 Confidential Support and Services	Call: 211 Text: 21250 to 898-211
Reach Out Retrievers	24/7 Online Care and Support	health.umbc.edu/reachoutretrievers
Turn Around, Inc. Rape Crisis Center	8503 LaSalle Rd, 2 nd Floor Towson, MD 21286 1 N. Charles St, 1 st Floor Baltimore, MD 21201	24/7 Helpline: 443-279-0379 Emergency Text: 410-498-5956 turnaroundinc.org
UMBC Employee Assistance Program	ComPsych GuidanceResources	855-410-7628 guidanceresources.com Company ID: USMEAP