Consent: the knowing, voluntary, and clear permission by word or action to engage in mutually agreed upon sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consents to that specific sexual conduct.

A person cannot consent if the individual is unable to understand what is happening or is disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy. Silence or the absence of resistance alone is not consent.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous relationship is not sufficient to constitute consent. A person can withdraw consent at any time during sexual activity by expressing in words or actions that the individual no longer wants the act to continue, and, if that happens, the other person must stop immediately.

It is not an excuse that the individual responding party of sexual misconduct was intoxicated and, therefore, did not realize the incapacity of the other. Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction). This policy also covers a person whose incapacity results from mental disability, involuntary physical restraint, or from the taking of incapacitating drugs.

Non-Consensual Sexual Contact: any intentional sexual touching, however slight, that is without consent or by force. Sexual touching includes contact with the breasts, groin, genitals, mouth, or other bodily orifice of another individual, or any other bodily contact made in a sexual manner.

Sexual Misconduct: acts of sexual misconduct committed by any person upon any other person, regardless of the sex, gender, age, sexual orientation, or gender identity of those involved.

Non-Consensual Sexual Intercourse: any sexual penetration, however slight, that is without consent or by force. Sexual penetration includes vaginal or anal penetration by a penis, tongue, finger, or object and oral sex by mouth-to-genital contact.

Domestic and Dating Violence: violence between those in an intimate relationship to each other (this includes violence in romantic, date, domestic, and platonic relationships).

Stalking: a malicious course of conduct that includes the act of approaching or pursuing someone with the intention of placing (or the reasonable knowing that the conduct will place) that person in reasonable fear of serious bodily injury, assault, sexual violence, or other traumatic event.

To learn more about MICA's policies and procedures, please visit: www.mica.edu

Resources & Reporting Options for Sexual Misconduct & Gender Based Violence

You are not alone.
We are here to help you.
You have options.
Here is how we can help.

For more information, contact the Title IX Coordinator or Title IX Specialist

410.225.2363
www.mica.edu
MICA seeks to provide a safe environment for our community. Our goal is to ensure that all cases of sexual misconduct and gender-based violence are handled appropriately. More importantly, we want community members to feel safe and supported. Please use this guide as a starting point.

**Emergency/Urgent Assistance**
Call 911 for urgent assistance.

**Medical Help**
You should consider seeking medical attention as soon as possible at one of the nearby medical facilities. It is important that evidence is collected even if you are not prepared to make a report. In Maryland, evidence may be collected even if you choose not to make a report to law enforcement. You may be examined under “Jane Doe” and do not have to provide your name. Please ask for the SAFE exam—they are always free.

**Talk to Someone**
Whether or not you have signs of visible trauma, there are resources on and off campus available to you. The MICA Counseling Center is an on-campus confidential resource that can provide you with the support while allowing you the time and space you need to process what has happened. The Center can also give you basic information about your options and available resources. The Counseling Center is a resource for MICA students. MICA employees and their dependents can find a counselor by calling Health Advocate.

**Report a Concern and Get Support**
You have the choice to report or not. If you choose to report, please consult the Title IX Coordinator or Deputy Coordinator. MICA is here to support you.

**Understand the College's Sexual Misconduct Policy**
You are encouraged to contact the Title IX Coordinator or Deputy Coordinator. The Title IX Coordinators are responsible for overseeing and implementing the College’s response to sexual misconduct and gender-based violence. This includes responsibility for all federal and state regulatory and statutory compliance efforts.

**Report a Criminal Concern**
Sexual assault and relationship violence are crimes. The College encourages you to call the Baltimore City Police Department and the Deputy Title IX coordinator. A criminal investigation does not relieve the College of its obligation to respond under Title IX, and both a criminal and College investigation may proceed at the same time.

**I Want to Be Left Alone**
We know this can be a confusing and difficult time and we affirm your right to process at your own pace. Know that these resources are available to you when and if you want to seek support. You can contact us at any time. Please seek out a friend for support.

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**Who Can I Contact? Resources**

**Emergency: Call 911**

**Seek Medical Assistance**
- On Campus - Student Health Services, 410-225-4118
- University of Maryland at Midtown (nearest hospital to MICA), 410-225-8000
- Mercy Hospital offers free Sexual Assault Nurse Examiner (SANEX) program, 410-332-9477

**MICA Counseling Center/Mental Health**
- 410-225-2367

**Talk to Someone**
- Emergency: 443-423-3333, ask for “on-call counselor”
- Sexual Assault Centers
  - Baltimore City: 410-837-7000
  - Baltimore County: 410-337-8111
- TurnAround: Hotline: 410-828-6390
  www.turnaroundinc.org/services.html
- Maryland Network Against Domestic Violence:
  - 1-800-634-3577
  - mnadv.org
- National Domestic Violence: 1-800-799-7233 (SAFE)
  - ndvh.org
- Resources Available to Employees and Dependents - HealthAdvocate:
  - 855-558-2004
  - members.healthadvocate.com

**Report to Someone**
- Title IX
  - Title IX Coordinator: Estevanny Turns, 410-225-2363
  - Title IX Specialist: Jeannette Holian, 410-225-2363
  - Deputy Coordinator: Michael Patterson, 410-225-2422
- Campus Safety: 443-423-3333 or 410-225-2245
- Criminal
  - Baltimore City Police, 911 or 410-396-2411

**Options for Changing Academic and Living Situations**
- Student Development Specialist: Stephanie Baker, 410-225-2422

**Support for Creating a Safety Plan**
- Campus Safety: 443-423-3333 or 410-225-2245

You are not alone. We are here to help you. You have options.