1. Equal Opportunity, Harassment, and Nondiscrimination

Maryland Institute College of Art (MICA) is committed to providing its staff, faculty, students, and guests the opportunity to pursue excellence in their academic and professional endeavors. This opportunity can only exist when each member of our community is assured an atmosphere of mutual respect in which one is judged solely on criteria related to academic or job performance. The College is committed to providing such an environment, free from all forms of harassment and discrimination. Each member of the community is responsible for fostering mutual respect, being familiar with this policy, and refraining from conduct that violates this policy.

MICA affirms its commitment to promote our values of fairness and equity. Complaints of discrimination or harassment are subject to resolution using the College’s Sexual Harassment Hearing Board or Disciplinary Hearing Board, as detailed below. The Hearing Board Process is applicable regardless of whether the parties involved are members or non-members of the campus community, students, student organizations, faculty, administrators, or staff.

The Associate Vice President for Human Resources, Estevanyi Turns, serves as the Title IX/Equity/AA Coordinator and ADA/504 Coordinator and oversees the implementation of MICA’s policy on equal opportunity, harassment, and nondiscrimination. There is no time limitation on the filing of complaints. Reports of discrimination, harassment and/or retaliation may be made promptly using any of the following options:

1. Report directly to the Title IX/Equity/AA Coordinator and Deputy Coordinator (listed below)
2. Report to Campus Safety
3. Report to Student Affairs
4. Report to supervisor or faculty member

Reports of misconduct or discrimination committed by the Title IX/Equity/AA Coordinator should be reported to the MICA President, Samuel Hoi, 1300 West Mount Royal Avenue, Suite M150, Baltimore, MD 21217, shoi@mica.edu, (410) 225-2237.

All reports are acted upon promptly while every effort is made by the College to preserve the confidentiality of reports. Such reports may also be anonymous. Most employees (faculty and staff) of MICA are required to share reports of discrimination, harassment, and other violations covered in this policy promptly with the Title IX/Equity/AA Coordinator or other appropriate campus official. Only on-campus licensed professional counselors (MICA Counseling Center) and campus health service providers (MICA Student Health Services) whose official responsibilities include providing such services to members of the MICA community are able to grant confidentiality. Confidentiality and required reporting are addressed more specifically in Section 8, below.
This policy applies to behaviors that take place on the campus or at College-sponsored events and may also apply to off-campus (including online) activities when the Title IX/Equity/AA Coordinator determines that the off-campus conduct affects a substantial MICA interest.

Inquiries about this policy and procedure may be made internally to:

Estevanny Turns
Title IX/Equity/AA Coordinator
Office of Human Resources
Location/Address:
Bunting Center 3101
300 West Mount Royal Avenue
Baltimore, MD 21217 (410) 383-6616
eturns@mica.edu

Michael Patterson
Deputy Title IX Coordinator
Office of Student Affairs
Location/Address:
Bunting 260
300 West Mount Royal Avenue
Baltimore, MD 21217 (410) 225-2422
mpatters@mica.edu

Inquiries may be made externally to:

Office for Civil Rights, Headquarters (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012
TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: http://www.ed.gov/ocr
http://www2.ed.gov/about/offices/list/ocr/index.html
http://www2.ed.gov/about/offices/list/ocr/index.html
http://www2.ed.gov/about/offices/list/ocr/index.html
Equal Employment Opportunity Commission (EEOC)
Contact: http://www.eeoc.gov/contact
http://www.eeoc.gov/contact/
2. Nondiscrimination

MICA adheres to all federal, state and local civil rights laws banning discrimination in institutions of higher education. The College will not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of race, religion, color, sex, pregnancy, religion, creed, ethnicity, national origin (including ancestry), physical or mental disability, age, marital status, sexual orientation, gender, gender identity, perceived identity (including appearance), veteran or military status (including special disabled veteran, Vietnam-era veteran, or recently separated veteran), predisposing genetic characteristics, or any other protected category under applicable local, state or federal law, including protections for those opposing discrimination or participating in any grievance process on campus or with the Equal Employment Opportunity Commission or other civil rights agencies.

This policy covers nondiscrimination in employment and in access to educational opportunities. Therefore, any member of the campus community, guest, or visitor who acts to deny, deprive or limit the educational, employment, residential and/or social access, benefits and/or opportunities of any member of the campus community on the basis of his or her actual or perceived membership in the protected classes listed above is in violation of MICA’s policy on nondiscrimination. When brought to the attention of the College, any such discrimination will be appropriately remedied according to the procedures outlined below.

3. Accommodation of Disabilities

MICA is committed to full compliance with the Americans with Disabilities Act of 1990 as amended (ADA) and Section 504 of the Rehabilitation Act of 1973. These and other federal, state and local laws prohibit discrimination against qualified persons with disabilities. Under the ADA, “disability” means a physical or mental impairment that substantially limits a major life activity of an individual; a record of such an impairment; or being regarded as having such an impairment. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, or caring for oneself.

The Associate Vice President for Human Resources, Estevanny Turns, has been designated as the ADA/Section 504 Coordinator responsible for coordinating efforts to comply with these disability laws, including investigation of any complaint.

3.1 Students with Disabilities

MICA is committed to providing qualified students with disabilities with reasonable accommodations and support needed to ensure equal access to all programs and activities of the College.
Requests for accommodations are considered on a case-by-case basis. A student requesting any accommodation should first contact the Director of Writing Studio & Learning Resource Center, Dan Gutstein, who coordinates services for students with disabilities. The Director reviews documentation provided by the student and, in consultation with the student, determines which accommodations are appropriate to the student’s particular needs.

3.2 Employees with Disabilities

Pursuant to the ADA, MICA will provide reasonable accommodation(s) for qualified employees with disabilities. An accommodation is not reasonable if it poses an undue hardship to the College.

An employee with a disability is responsible for making a request for accommodation, in writing, to the Benefits Specialist, Barry C. Black, and providing appropriate documentation.

4. Discriminatory Harassment

Students, staff, administrators, and faculty are entitled to a working environment and educational environment free of discriminatory harassment. MICA’s harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane but controversial or sensitive subject matters protected by academic freedom. The sections below describe the specific forms of legally prohibited harassment that are also prohibited under the College’s policy.

4.1 Discriminatory and Bias-Related Harassment

Harassment constitutes a form of discrimination that is prohibited by law. The College harassment policy explicitly prohibits any form of harassment, defined as unwelcome conduct on the basis of an individual’s actual or perceived membership in a protected class.

MICA condemns and will not tolerate discriminatory harassment against any employee, student, visitor or guest on the basis of any status protected by College policy or law. The College will remedy all forms of harassment when reported, and may impose sanctions for violation of this policy, whether or not the harassment constitutes unlawful discrimination.

A hostile environment may be created by oral, written, graphic, or physical conduct that is sufficiently persistent or pervasive and objectively offensive that it interferes with, limits, or denies the ability of an individual to participate in or benefit from educational programs or activities or employment access, benefits or opportunities.

MICA reserves the right to address offensive conduct that does not violate this policy (e.g., is not on the basis of a protected status) through appropriate discipline, facilitated conversation, remedial actions, education, and/or effective conflict resolution mechanisms.
For assistance with conflict resolution techniques, employees should contact the Employee Relations Director, Laura Rossi, and students should contact the Associate Dean for Student Health and Wellness, Dr. James “J.D.” Davis.

4.2 Sexual Harassment

Sexual harassment is a form of sex discrimination and, therefore, is an unlawful discriminatory practice. For purposes of this policy, sexual harassment is unwelcome behavior of a sexual nature. Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual’s instruction, employment, or participation in any College activity
- Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting that individual

Such conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance or creates an intimidating, hostile, or offensive environment.

Some examples of possible Sexual Harassment include:

- A professor insists that a student have sex in exchange for a good grade. This is harassment regardless of whether the student accedes to the request.
- A student repeatedly sends sexually oriented jokes around on an email list s/he created, even when asked to stop, causing one recipient to avoid the sender on campus and in the residence hall in which they both live.
- Two supervisors frequently “rate” several employees’ bodies and sex appeal, commenting suggestively about their clothing and appearance.
- A professor engages students in class in discussions about their past sexual experiences, yet the conversation is not in any way pertinent to the subject matter of the class. The professor probes for explicit details, and demand that students answer, though they are clearly uncomfortable and hesitant.
- An individual widely spreads false stories about their sex life with their former partner. The former partner is clearly uncomfortable and feels that they have been viewed as a social pariah on campus.

Anyone experiencing sexual harassment at MICA or any program/activity associated with MICA is encouraged to report it immediately to MICA’s Title IX Coordinator or to any deputy coordinator.
4.3 Consensual Relationships

In the view of the College, all employees are considered to have professional responsibility for students. Therefore, relationships between students and employees (faculty, administrator, or staff) are prohibited.

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as faculty and student, supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable sections of this policy.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, employees (including student employees and graduate teaching assistants) with direct supervisory or evaluative responsibilities who are involved in such relationships must promptly inform their supervisor and Human Resources of the relationship. This report will likely result in a change in supervisory or evaluative responsibility. Failure to self-report such relationships to a supervisor and/or Human Resources as required can result in disciplinary action for an employee.

4.4 Sexual Misconduct

State law defines various violent and/or non-consensual sexual acts as crimes. These definitions are found in Appendix I of this document. Additionally, MICA has defined categories of sexual misconduct, as stated below, for which action under this policy may be imposed. In general, the College considers Non-Consensual Sexual Intercourse violations to be the most serious and therefore typically imposes the most severe sanctions, including suspension or expulsion for students and termination for employees, for these offenses. However, MICA reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any act of sexual misconduct or other gender-based offenses, including intimate partner or relationship (dating and/or domestic) violence, non-consensual sexual contact, and stalking, based on the facts and circumstances of the complaint.

Acts of sexual misconduct may be committed by any person upon any other person, regardless of the sex, gender, sexual orientation and/or gender identity of those involved. Violations include:
4.4.1 Sexual Harassment (as defined in section 4.2 above)

4.4.2 Non-Consensual Sexual Intercourse

Defined as: Any sexual penetration, however slight, that is without consent and/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.

4.4.3 Non-Consensual Sexual Contact

Defined as: Any intentional sexual touching, however slight, that is without consent and/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 in a sexual manner.

4.4.4 Sexual Exploitation

Sexual Exploitation refers to a situation in which a person takes non-consensual or abusive sexual advantage of another but the conduct does not fall within the definitions of Sexual Harassment, Non-Consensual Sexual Intercourse or Non-Consensual Sexual Contact. Examples of sexual exploitation include, but are not limited to:

- Sexual voyeurism (such as watching a person undressing, using the bathroom or engaged in sexual acts without the consent of the person observed)
- Taking pictures or video or audio recording another in a sexual act, or in any other private activity without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity)
- Disseminating sexual pictures without the photographed person’s consent
- Engaging in sexual activity with another person while knowingly infected with a sexually transmitted disease or infection (STD/STI) and without informing the other person of the disease or infection.
- Administering alcohol or drugs (such as “date rape” drugs) to another person without the individual’s knowledge or consent

4.4.5 Consent

Consent is 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 consented to that specific sexual conduct.
A person cannot consent if they are 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 they 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 in which someone cannot make rational, reasonable decisions because the individual lacks 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 and/or from the taking of incapacitating drugs.

5. Other Civil Rights Offenses, When the Act is Based Upon the Status of a Protected Class

- Threatening or causing physical harm, extreme verbal abuse, or other conduct that threatens or endangers the health or safety of any person on the basis of the individual’s actual or perceived membership in a protected class
- Discrimination or harassment, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of their actual or perceived membership in a protected class
- Intimidation, defined as implied or overt threats or acts that cause an unreasonable fear of harm in another on the basis of actual or perceived membership in a protected class
- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the MICA community that are related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the hazing policy) on the basis of actual or perceived membership in a protected class; hazing is also illegal under Maryland law and prohibited by the College
• Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control, or diminish another person, physically or mentally, on the basis of actual or perceived membership in a protected class
• Violence between those in an intimate relationship to each other (this includes romantic relationships, dating, domestic and/or relationship violence)
• Stalking, defined as any 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, assault, sexual violence, or other traumatic event.
• Any other MICA rules, when a violation is motivated by the actual or perceived membership of the victim in a protected class may be pursued using this policy and process.

Sanctions for the above-listed “Other Civil Rights Behaviors” behaviors range from reprimand up through and including expulsion (students) or termination of employment.

6. Retaliation

Retaliation is defined as any adverse action taken against a person participating in a protected activity because of the person’s participation in that protected activity. Retaliation against an individual for alleging harassment, supporting a party bringing a grievance, or assisting in providing information relevant to an investigation of discrimination or harassment is a serious violation of MICA policy. Acts of alleged retaliation should be reported immediately to the Title IX/Equity/AA Coordinator, Campus Safety, or Student Affairs and will be promptly investigated. The College is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

7. Remedial Action

MICA will implement initial remedial and responsive and/or protective actions upon notice of alleged harassment, retaliation and/or discrimination. Such actions could include but are not limited to: no contact orders, interim suspension, providing counseling and/or medical services, academic support, living arrangement adjustments, transportation accommodations, providing a campus escort, academic or work schedule and assignment accommodations, safety planning, and referral to campus and community support resources.

MICA will take additional prompt remedial and/or disciplinary action in respect to any member of the community, guest or visitor who has been found to engage in harassing or discriminatory behavior or retaliation. Procedures for handling reported incidents are fully described below.
8. Confidentiality and Reporting of Offenses Under This Policy

Most MICA employees are expected to report incidents of discrimination or harassment to appropriate College officials. In order to make informed choices, one should be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality – meaning they are not required to report incidents of discrimination or harassment to appropriate College officials - and therefore may discuss options and offer advice without any obligation to inform a College official unless you request that the information be shared. Other resources will take action when you report discrimination or harassment, including crimes such as sexual violence, to them.

The College encourages reporting and seeks to remove any barriers to reporting by making the procedures for reporting transparent and straightforward. The College recognizes that an individual who has been drinking or using drugs at the time of the incident may be hesitant to make a report because of a potential policy violation and consequences for their own conduct. An individual who reports sexual misconduct, either as a complainant or third party witness, will not be subject to disciplinary action by the College for their own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk. The College may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

The following describes the two reporting options at MICA:

8.1 Confidential Reporting

If a reporting party would like the details of an incident of discrimination or harassment to be kept confidential, the reporting party may speak with on-campus licensed professional counselors (MICA Counseling Center) and campus health service providers (MICA Student Health Services) whose official responsibilities include providing such services to members of the MICA community or, in the case of employees, the College’s Employee Assistance Program. These confidential on-campus resources are available to help free of charge and can be seen on an emergency basis during normal business hours.

Off-campus resources such as professional counselors, health care providers, rape crisis counselors, domestic violence resources, local or state assistance agencies, and members of the clergy are required to maintain confidentiality except in extreme cases of immediacy of threat or danger or abuse of a minor.
8.2 Formal Reporting Options

MICA employees must report incidents of discrimination or harassment to an appropriate College official unless the employee has a confidential relationship as described in section 8.1 above. Individuals may want to consider carefully whether they share personally identifiable details with non-confidential employees, since those details must be shared by the employee with the Title IX Coordinator and/or Deputy Coordinators (in the case of sex discrimination or sexual harassment, including sexual violence) or other appropriate College official. If a complainant does not wish for his or her name and/or the name of the alleged violator to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the complainant may make such a request to the Title IX Coordinator or other appropriate College official, who will evaluate that request in light of the responsibility to provide a safe and non-discriminatory environment for all members of the campus community.

In cases indicating pattern, predation, threat, weapons and/or violence, the College will likely be unable to honor a request for confidentiality. In cases where the victim requests confidentiality and the circumstances allow the College to honor that request, the College will offer interim supports and remedies to the victim and the community, but will not otherwise pursue formal action. A party bringing a complaint has the right, and can expect, to have complaints taken seriously by MICA when formally reported, and to have those incidents investigated and properly resolved through these procedures.

Formal reporting still affords privacy to the reporter, and only a small group of officials who need to know will be told, including but not limited to: Division of Student Affairs, Campus Safety, Human Resources, and the Threat Assessment Team. Information will be shared as necessary with investigators, witnesses and the responding party. The circle of people with this knowledge will be kept as tight as possible in order to preserve the complainant’s rights and privacy.

8.3 Reporting to Law Enforcement

The campus process is not a criminal proceeding and does not take the place of such. Disciplinary proceedings are independent of civil or criminal proceedings and may go forward regardless of action taken (or not taken) by law enforcement agencies. Clearly, violations of sexual assault laws are subject to criminal and civil prosecution and may be referred to law enforcement agencies for disposition.

A victim/survivor of sexual assault has the right to file charges, and, at the victim/survivor's request, MICA will promptly assist in notifying appropriate law enforcement officials. You can also contact the Baltimore Police Department to file criminal charges at 410-369-2411. Always call 911 in the case of an emergency.
If you would like assistance from someone outside MICA, call the Sexual Assault Center Hotline at 410-828-6390.

9. Federal Timely Warning Obligations

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

Deliberately false and/or malicious accusations of harassment, as opposed to grievances which, even if erroneous, are made in good faith, are just as serious an offense as harassment and will be subject to appropriate disciplinary action.

Faculty and Staff Procedures for Investigation and Resolution

11. Investigative Procedures

Any complaint of harassment should be expressed to the Vice President for Student Affairs, the Vice President for Academic Affairs, or the Associate Vice President of Human Resources/Equal Opportunity Officer. If a student has a complaint, it should be discussed with the Vice President for Student Affairs. A staff member’s complaint should be discussed with the Associate Vice President of Human Resources/Equal Opportunity Officer, and a faculty member’s complaint should be discussed with the Vice President for Academic Affairs. If a department chair or other MICA community member receives a complaint, this complaint must be forwarded to the Associate Vice President of Human Resources/Equal Opportunity Officer within two working days of receiving the complaint.

11.1 Informal Investigation and Resolution

Once a complaint has been made, counseling, informal discussion, and mediation are often the first phase of the complaint process. In some cases the complaint may be resolved by simply arranging for a meeting between the involved parties. If the complainant is not satisfied that the issues related to the alleged harassment have been resolved through the informal process, the Associate Vice President of Human Resources/Equal Opportunity Officer will initiate a formal process of investigation.

11.2 Formal Investigation and Resolution

Maryland Institute College of Art has established a standing Harassment Review Board (see Definitions section that follows) for the purpose of conducting formal investigations into allegations of harassment and making recommendations on the basis of its investigation. In the formal investigation process, the Associate Vice President of Human Resources/Equal Opportunity Officer (or designee) will convene the full board or a sub-group to review the complaint and determine whether the allegations constitute harassment. If the board or sub group finds that the elements of the complaint fall under the definition of harassment, the Associate Vice President of Human Resources/Equal Opportunity Officer will consult further with this group to determine the scheduling and organization of a formal investigation. When
adjudicating such matters, the College will rely on a "more likely than not" standard to
determine responsibility. The Associate Vice President of Human Resources/Equal
Opportunity Officer has 60 days to resolve the claim. If the process cannot be resolved within
this time frame, the person making the complaint and the accused will be notified in writing of
the expected time frame for the completion of the investigation and reasons for delay.

A subgroup of the Harassment Review Board will conduct a formal investigation, which
includes interviews with witnesses and a review of all information deemed relevant to the
matter. Both the accuser and the accused will be given an opportunity to meet with the
investigators. The Associate Vice President of Human Resources/Equal Opportunity Officer
will maintain a confidential record of the proceedings and prepare a report of the findings for
review. In the absence of the Associate Vice President of Human Resources/Equal
Opportunity Officer, a selected member of the Harassment Review Board will assume these
responsibilities.

After a full fact-finding investigation is complete, a written report will be presented to the Title
IX Coordinator or Deputy and a summary of findings presented to both parties. If the
investigation finds that harassment has not occurred, the report and evidence will be held for
three years, then destroyed from institutional files. In the event that the investigation
determines that harassment occurred, the College will take prompt corrective and disciplinary
action (up to and including discharge from employment or expulsion from the College, when
appropriate). If the investigation involves a faculty member, the findings will also be presented
to the Vice President for Academic Affairs for disciplinary action if appropriate.

12. Procedures for Responding to Reports of Sexual Assault or Violence

The campus process is not a criminal proceeding and does not take the place of such.
Disciplinary proceedings are independent of civil or criminal proceedings and may go forward
regardless of action taken (or not taken) by law enforcement agencies. Clearly, violations of
sexual assault laws are subject to criminal and civil prosecution and may be referred to law
enforcement agencies for disposition.
Anyone may choose to report an on-campus sexual assault to:

The Vice President for Student Affairs or MICA's Title IX Coordinator and request that a
disciplinary process take place. Sexual assault complaints brought forward will be dealt with
through the disciplinary system. When adjudicating such matters, the College will rely on a
"more likely than not" standard to determine responsibility. Depending on the particular
situation, a dual investigator model through the Harassment Review Board will be used to
determine the relevant facts of the case. The investigation will have a goal of being completed
within twenty (20) working days of the date the complaint was received. If it is determined that
the investigation cannot be completed within this timeframe, the person making the complaint
and the accused will be notified in writing of the expected time frame for completion as well as the reasons for the delay. Possible sanctions for committing sexual assault include, but are not limited to, the following:

- Disciplinary warning
- Mandatory psychological assessment and possible referral for therapy (expense to be borne by the individual)
- Housing probation or dismissal from housing (if individual lives in College-owned housing)
- Disciplinary probation
- Suspension, dismissal, or termination from Maryland Institute College of Art

Victim/survivors of sexual assault are entitled to certain rights in accordance with the Campus Sexual Assault Victim Bill of Rights (PL 102-325. Section 486[c].) On-campus disciplinary hearing procedures guarantee that:

- The accuser and accused are entitled to the same opportunities to have others present during the interview.
- Both the accuser and the accused shall be informed of the outcome of the disciplinary proceeding alleging a sexual assault.
- The accuser and the accused will be treated with dignity, courtesy, and professionalism.
- Although state and federal law requires statistical reporting of campus sexual offenses, the victim/survivor's right to choose whether or not to file criminal charges will be upheld.

Anyone involved in this process may seek out or request the support of an advisor. The investigation team, Office of Student Affairs, or Title IX Coordinator can provide recommendations upon request.

MICA reserves the right to protect individual or community safety and to act as needed on an interim manner pending the resolution of a complaint. This may include but is not limited to: the interim suspension of an accused student, the relocation of a student residing on-campus, the alteration of a student's course schedule, or the establishment of no contact/stay away orders. Stay away and no-contact orders are available to all members of the MICA community, including employees.

12.1 Who to Contact
Emergency: Call 911

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

Talk to Someone:
Emergency: 443-423-3333; ask for “on-call counselor”
On Campus – MICA Counseling Center/Student Health Services: 410-225-2367
TurnAround Inc – counseling, advocacy, and 24 hour hotline
   24 hour helpline: 443-279-0379
   Appointments: 410-337-8111
Sexual Assault Centers – Baltimore City: 410-837-7000, Baltimore County 410-337-8111
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:
Health Advocate – 855-558-2004, members.healthadvocate.com

Report to Someone
Title IX Coordinator – Estevanny Turns 410-225-2363
Title IX Deputy Coordinator – Michael Patterson 410-225-2422
Title IX Specialist – Jeannette Holian 410-225-2363
Campus Safety – 443-423-3333 or 410-225-2245
Baltimore City Police – 911 or 410-369-2411

Options for Changing Academic and Living Situations
Student Development Specialist 410-225-2422

Support for Creating a Safety Plan, Acquiring Peace and Protective Orders, and Reporting to Law Enforcement
Campus Safety – 443-423-3333 or 410-225-2245

Legal Assistance
SALI (Sexual Assault Legal Assistance)
Legal services for victims and survivors, www.mcasa.org/sali, 1-877-496-7254(SALI)

Women’s Law Center of Maryland

House of Ruth

12.2 Where to go for Medical Attention
Each of the following hospitals has a rape crisis protocol and the Maryland State Police Sexual Assault Evidence Kit.
Mercy Hospital (SAFE Exam) 301 Saint Paul Place 410-332-9477 (closest to MICA)
Franklin Square Medical Center 9000 Franklin Square Drive 443-777-7046
Greater Baltimore Medical Center (GBMC) 6701 North Charles Street 443-849-2225
Additionally, transportation to Mercy Hospital can be provided through Campus Safety at no charge via Campus Safety vehicle to and from Mercy Hospital. Please contact Campus Safety at 443-423-3333.

12.3 Sexual Assault Awareness – Educational & Counseling Programs
MICA provides an array of educational programs and resources aimed at reducing or eliminating sexual violence. Examples of such programs are as follows:

- Rape Aggression Defense (RAD) training for women
- Resisting Aggression with Defense training for men
- Bystander training
- 360 Degree Stay Safe video series
- "Safety Walk" program
- Intimate Partner Violence education
- "One is too Many" educational campaign
- Alcohol and other drug abuse education

In addition, written information on the topics listed above will be available to students along with published crime statistics. Students also have the opportunity for on-campus confidential assessment and counseling, and referral for treatment to off-campus, community-based counseling services.

12.4 Statistical Reporting of On-Campus Incidents
Since September 1, 1993, MICA, through its Campus Safety Guide, has published and distributed on-campus crime statistics, which include forcible and non-forcible sexual offenses, to all current students and employees. In addition, this document is provided to any applicant for enrollment or employment upon request. Anyone wishing more information is encouraged to contact the Office of Student Affairs, Admission Office, or the Human Resources

DEFINITIONS

"DISCIPLINE"

The College will take disciplinary action as it deems necessary and appropriate. This may include but is not limited to warning, suspension, and immediate discharge or expulsion from the College. Immediate discharge or expulsion may be taken as a first or last disciplinary step.

"HARASSER"

Hostile environment claims do not require that the harasser be a supervisor or faculty member. The harasser can be a student classmate, a staff member, a vendor, a customer, or other non-employees.

"HARASSMENT REVIEW BOARD"
The Harassment Review Board will be selected by the President or his designees in consultation with the Equal Opportunity Officer. The Harassment Review Board will consist of three staff members, three faculty members, the Associate Vice President of Human Resources/Equal Opportunity Officer, and a designated note taker. The Harassment Review Board shall be composed of persons who reflect the College’s diverse population. The Associate Vice President of Human Resources/Equal Opportunity Officer serves as coordinator in order to centralize the responsibility of the Harassment Review Board and to facilitate administrative matters. Selection is aimed at forming a group that will offer continuity, experience, and sensitivity to concerns of those who believe they have become a victim of harassment on the basis of their sex, age, race, color, national origin, religion, marital status, citizenship, disability, or other legally protected status. The Harassment Review Board members shall be appointed for a three-year term and may be reappointed. Any member who has a connection to a complainant or the alleged harasser should be excused from this process. The Harassment Review Board members’ function is to work as a diverse group to investigate complaints to determine whether alleged conduct constitutes harassment of any type. A Harassment Review Board member may also participate in mediation between parties. After a full fact-finding investigation by the Harassment Review Board, a written report will be presented to the President. If the investigation involves a student, the findings will also be presented to the Vice President for Student Affairs; if the investigation involves a faculty member, the findings will also be presented to the Vice President for Academic Affairs.

"HOSTILE ENVIRONMENT"

Unwelcome verbal, visual, or physical conduct—which occurs because of a person’s legally protected status and unreasonably interferes with a student, staff, or faculty member’s work or creates a hostile or demeaning employment or educational environment—constitutes a hostile environment.