UMD FACULTY, TEACHING ASSISTANTS AND ACADEMIC ADVISORS

REPORTING OBLIGATIONS

All UMD Faculty, Teaching Assistants, Ombuds Officers and Academic Advisors Are Responsible University Employees (RUE). RUEs are REQUIRED TO REPORT ALL DISCLOSURES OF SEXUAL MISCONDUCT TO THE TITLE IX COORDINATOR.

WHAT DOES THIS MEAN?
Faculty, academic advisors, instructors and teaching assistants employed at UMD are required to notify the Title IX Officer when they become aware of any type of sexual misconduct. Sexual misconduct includes sexual harassment, sexual assault, relationship abuse, domestic or dating violence and stalking, including such conduct occurring via email, texting, and other electronic means. The reporting obligation applies no matter where the conduct occurred, and applies to disclosures in written assignments. The Title IX Officer will further explore the issues with the student/colleague.

Federal law and UMD policy require that all Responsible University Employees must promptly notify the Title IX Officer of any sexual misconduct brought to their attention. This applies in the context of academic advising sessions and individual appointments - as they are NOT confidential. This obligation was presented in the online training (http://www.umd.edu/ocrsm/training) you are required to complete.

Notify the Title IX Officer by email at titleixcoordinator@umd.edu, or by phone at 301-405-1142. You are not responsible for investigating or asking questions. Please inform the student/colleague who disclosed to you that you are not a confidential resource and have an obligation to notify the Title IX Officer immediately of the disclosure. The Title IX Officer (or designee) will then reach out to the student/colleague and inform them about their reporting options and all available resources.

HOW TO RESPOND TO STUDENT DISCLOSURES OF SEXUAL MISCONDUCT?
First, kindly interrupt the student and tell them you are not a confidential resource; and are obligated to notify the Title IX Officer about all incidents of sexual misconduct.

Then, make sure to refer the student to Care to Stop Violence (CARE) the confidential resource on campus for students who experience sexual or dating violence, or stalking. CARE is located downstairs in the University Health Center, and operates a 24/7 help line at 301-741-3442 or care@health.umd.edu.

If the student still wants to talk with you, please just listen to them. Don’t judge them. Don’t try to investigate by asking questions. Thank them for trusting you and encourage them to contact CARE and remind them you will be notifying the Title IX Officer.

HOW TO RESPOND TO STAFF/FACULTY DISCLOSURES OF SEXUAL MISCONDUCT?
First, kindly remind them you are not a confidential resource and are obligated to notify the Title IX Officer of all disclosures of sexual misconduct. Then notify the Title IX Officer as outlined above.

WHAT INFORMATION DO I REPORT?
If you don’t know all the information below, that is fine. You do not need to interview or investigate. Report what you know.

• Names of complainant and respondent, if known (you do not need to investigate to get the information)
• The status of the parties – to the extent known (e.g., staff, student, non-student, faculty, etc.)
• Type of sexual misconduct (e.g., sexual assault, harassment, stalking, etc.)
• Date and location of the incident (if known)
OVERVIEW FOR NEW FACULTY & STAFF

What is the Office of Civil Rights & Sexual Misconduct (OCRSM)?
The Office of Civil Rights & Sexual Misconduct (OCRSM) implements and oversees the University’s compliance with, and enforcement of, the civil rights scheme of the United States as it applies to the University through our Non Discrimination Policy & Procedures and our Sexual Misconduct Policy & Procedures. OCRSM is sometimes referred to as the Title IX office. Title IX is a federal civil rights law that prohibits sex discrimination in educational institutions receiving federal dollars.

Complaint Response
OCRSM responds to all discrimination complaints including sexual misconduct. Complaint response includes assessment, advice and referral, interim measures, and when appropriate, investigation. OCRSM is also responsible for tracking incidents and capturing data to help monitor our campus environment.

OCRSM is here to help. If you experience sexual misconduct (a form of sex discrimination) other forms of discrimination, harassment, or hate/bias, please report it to OCRSM. OCRSM handles all complaints discreetly.

To report incidents of hate/bias, and file a complaint of discrimination please go to our website and report online at www.ocrsm.umd.edu. We are here to help.

Prevention & Education
OCRSM develops and implements campus wide civil rights compliance training. We also produce resource materials like FAQs, videos, etc. and conduct in person presentations and trainings on civil rights issues.

Compliance Training
The University requires completion of civil rights compliance training every year. All new faculty and staff within 30 days of their appointment are assigned the online training program Responding Effectively to Discrimination & Sexual Misconduct. If you have not received your assignment email from OCRSM, visit the Training page on the OCRSM web site at www.ocrsm.umd.edu for login instructions. For more information about compliance training, please contact:

Kevin Webb, Training Manager
Office of Civil Rights & Sexual Misconduct
Email: kowebb@umd.edu
Phone: 301 405 9897

OCRSM also implements the Student Experiences & Environment Survey (SEES) and sponsors the University's campus wide sexual misconduct public awareness campaign, Rule of Thumb.

For more information about OCRSM, please go to our website at www.ocrsm.umd.edu
Policy Statement
This Policy prohibits discrimination on the basis of “protected classes.” Retaliation against any individual who files a complaint or participates in an investigation under this Policy is strictly prohibited. University programs, activities and facilities are available to all without regard to specific “protected classes” which include: race, color, sex, gender identity or expression, sexual orientation, marital status, age, national origin, political affiliation, physical or mental disability, religion, protected veteran status, genetic information, or any other legally protected class.

Retaliation
Retaliation is action(s) taken against an individual because they reported discrimination, filed a complaint of discrimination, or participated in an investigation or proceeding concerning a discrimination complaint.

Discrimination
Discrimination is unequal treatment based on a legally protected status that is serious enough to unreasonably interfere with or limit an individual’s ability to participate in or benefit from a University program or activity, or that otherwise negatively affects a term or condition of the individual's employment or education.

Harassment
Harassment is discrimination in the form of unwelcome conduct based on a person’s protected status that negatively affects the particular individual and also would negatively affect a reasonable person under the same circumstances. Harassment in violation of this Policy depends on the totality of the circumstances, including the nature, frequency and duration of the conduct, the location and context in which it occurs, and the status of the individuals involved. Harassment can be verbal, physical, written, graphic, electronic or otherwise displayed or communicated.

Who Does This Policy Apply To?
This policy applies to students, faculty, staff, visitors, trainees, volunteers, applicants, vendors and contractors.

Is There A Time Limit To Make A Complaint?
Yes. Complaints should be made within 90 business days of the incident.

Can I Make The Same Complaint Under another University Policy?
No. Generally, a complaint about a specific incident cannot also be addressed under more than one University Policy. Complainants must choose which policy they want to file a complaint under, i.e. Staff Grievance Policy, Student Arbitrary and Capricious Grading Policy, etc.

Where Do I Report Discrimination or Harassment?
Report complaints of discrimination and harassment here, or by calling 301-405-1142.

Where Do I Report Hate Bias Incidents?
Report hate/bias incident here. For more information about hate/bias incidents click here.
SEXUAL MISCONDUCT POLICY
SUMMARY OF KEY PROVISIONS

Policy Statement
The University of Maryland is committed to a working and learning environment free from sexual misconduct, including sexual harassment, sexual assault, intimate partner violence/abuse, sexual exploitation and sexual intimidation. Sexual misconduct will not be tolerated. The Policy describes prohibited conduct, how to make a complaint of sexual misconduct, procedures for investigating and resolving complaints, and available resources and educational programs. The following is a summary of key provisions.

Who does this Policy apply to?
This Policy applies to members of the University community, including students, faculty and staff. It also applies to contractors and other third parties within the University’s control.

Where does this Policy apply?
This Policy applies on University premises, in any University facilities or University property, or at University sponsored activities.

What is Sexual Misconduct?
Sexual harassment, unwanted sexual contact, unwanted sexual intercourse or oral sex, sexual exploitation, sexual intimidation, stalking and relationship violence.

Retaliation against anyone who files a complaint under the Policy, or who participates in an investigation of a complaint, is prohibited.

Consensual Sexual Relationships between parties where an evaluative or supervisory relationship exists, must be disclosed to the appropriate Unit Head, supervisor, Department Chair or Dean to mitigate potential conflicts of interest

Reporting Procedures: Allegations of sexual misconduct should be reported to titleixcoordinator@umd.edu. The Office of Civil Rights & Sexual Misconduct (OCRSM) uses discretion and seeks to protect the privacy of all persons involved in complaints of sexual misconduct.

Responsible University Employees (RUE): Is any University administrator, supervisor, faculty member, campus police, coach, trainer, resident assistant, or non-confidential first responder who has the authority to take action to redress sexual misconduct; or whom a student could reasonably believe has such authority or duty.
- Complainants may also report sexual misconduct to an RUE.
- RUE’s who receive a complaint of sexual misconduct must promptly report the complaint to the Title IX Coordinator.

Crime Reporting: Because some forms of sexual misconduct may also constitute a crime (and a policy violation), the University encourages persons to report incidents of sexual misconduct that are crimes to University of Maryland Police Department at 301-405-3555.

CONFIDENTIAL ASSISTANCE
Unless explicitly stated most persons or entities are not confidential resources and may have an obligation to report disclosures of sexual misconduct to the OCRSM. To speak with someone confidentially, contact one of the following confidential resources:

- University Counseling Center, 301-314-7651
- University Mental Health Services 301-314-8106
- CARE to Stop Violence, 301-314-2222 (24 hours Crisis Cell: 301-741-3442)
- Faculty Staff Assistance Program, 301-314-8170 or 301-314-8099
- Campus Chaplains, 301-405-8450 or 301-314-9866
- Prince George’s Hospital Domestic Violence and Sexual Assault Center, 301-618-3154
Who does this apply to?
This policy applies to all members of the University community: guests, applicants, students, faculty, staff and vendors.

What is a disability?
A disability is a physical or mental impairment that substantially limits one or more of a person’s major life activities.

What are “reasonable accommodations?”
“Reasonable accommodations” are adjustments to the learning or working environment that provide individuals with disabilities an equal opportunity to participate.

 ADA Coordinator
The ADA Coordinator is responsible for ensuring that all members of the UMD community have equal access to University services, programs and activities (in compliance with the Americans with Disabilities Act and our Policy).

Dr. Jo Ann Hutchinson
ADA Coordinator and Director of Accessibility & Disability Service (ADS)
0106 Shoemaker Building
Phone: 301.314.7682
Fax: 301.405.0813
TTY/TDD: 301.314.7682
Email: Dissup@umd.edu
www.counseling.umd.edu/ads

How to request reasonable accommodations
The University of Maryland provides reasonable accommodations to qualified individuals on an individualized and flexible basis, and strictly prohibits retaliation against individuals for asserting their rights under this Policy. It is the responsibility of the person with a disability to identify they are a person with a disability when requesting an accommodation, and to provide supporting documentation that shows how the disability affects their ability to perform key aspects of their job or participate in education programs. Supporting documentation is kept confidential.

STUDENTS must schedule an in-person meeting with Accessibility and Disability Service (ADS) and provide supporting documentation prior to the meeting (preferably, several weeks before a semester begins or as soon as a disability becomes known). ADS will determine eligibility and meet a qualified student’s reasonable accommodation needs within 10 business days. ADS will provide the student with an Accommodations Letter to be shared with instructors. If an instructor, Department Chair or Dean believes the accommodation fundamentally alters the academic objectives of a course or program, the instructor must immediately notify ADS in writing, explaining their reasoning. If a student believes they are being denied reasonable accommodations, the student must contact ADS immediately.

STAFF members must submit a Staff Accommodation Request Form to University Human Resources, Staff Relations. Staff Relations will determine eligibility and develop an Accommodation Plan, which will be shared with the employee and their supervisor. It is the responsibility of the supervisor/unit head to work with the employee to ensure appropriate implementation of the accommodation. Staff members who believe they are being denied reasonable accommodations must contact Staff Relations immediately.

FACULTY members must submit a Faculty Accommodation Request Form to Faculty Affairs. Faculty Affairs will determine eligibility and develop an Accommodation Plan, which will be shared with the faculty member and Dean/Department Chair. It is the responsibility of the next level administrator (Dean, Department Chair, etc.) to work with the faculty member to ensure appropriate implementation of the accommodation. Faculty members who believe they are being denied reasonable accommodations must contact Faculty Affairs immediately.

Complaint Procedures
Individuals who believe they have been denied reasonable accommodations, discriminated against on the basis of disability, or retaliated against in violation of this Policy, may file a complaint within 90 days here.