



Annual Security and Fire Safety Report

2023

**401 Rosemont Avenue
Frederick, MD 21701**

**Communications Center (24 hours) Non-emergency: 301-696-3548
Emergency: 301-696-3111**

Clery Reporting Information

Hood College's "2023 Annual Security and Fire Safety Report" is now available. This report is required by federal law and contains policy statements, crime and fire statistics. The policy statements address our policies, procedures and programs concerning safety and security, crime awareness and preventive measures one can take to reduce chances of becoming a victim. Three years' worth of statistics are included for certain types of crimes and fire incidents, which were reported to have occurred on campus, in or on off-campus buildings, property owned or controlled by the school, and on public property within or immediately adjacent to the campus.

Our mission is to make your time at Hood pleasant and safe, whether you are a student, faculty member, staff member or visitor. This publication is a way to keep you informed and share statistical data reported to the Department of Campus Safety during the most recent three-year period. It also allows us to present information regarding crime prevention, procedures for reporting crimes on campus, who and where to call in emergencies, missing person's information, drug and alcohol awareness programs, sexual assault response procedures and other personal safety topics.

This report is available online [here](#). Hard copies of this report can be obtained at the Hood College Department of Campus Safety, located in the Whitaker Campus Center, room 108.

If you need assistance with any safety or security concern, or have any difficulty accessing or retrieving this report, please contact me at maynard@hood.edu or call 301-696-3546. The Department of Campus Safety is pleased to serve the needs of the Hood College community.

Sincerely,

Thurmond Maynard
Director and Chief
Department of Campus Safety
Hood College

Mission Statement

Through an integration of the liberal arts and the professions, Hood College provides an education that empowers students to use their hearts, minds and hands to meet personal, professional and global challenges and to lead purposeful lives of responsibility, leadership, service and civic engagement.

Overview

The Department of Campus Safety reports to the vice president for community and inclusivity at Hood College. The staff works closely with all departments of the College to ensure that safety policies and procedures are uniformly executed and conveyed in a clear and consistent manner to students, faculty and staff.

The campus safety office is located in the Whitaker Campus Center at 401 Rosemont Ave., Frederick, MD 21701. It is open 24 hours a day, 365 days a year. Uniformed campus safety officers provide around-the-clock patrol and services to the campus community.

Campus safety officers are responsible for a full range of safety services to the Hood College community, including all crime report investigations, medical emergencies, fire emergencies, traffic accidents and enforcement of all College policies including those relating to alcohol use, drug use, and weapons possession.

Campus safety officers submit incident reports on all crimes on campus reported to the department. All serial numbers of vehicles and office equipment stolen from campus are reported through the local police department to the National Crime Information Center (NCIC).

All criminal activity, suspicious activity, and other emergencies on campus should be reported directly to the Department of Campus Safety by any member or guest of the Hood College community. Please dial 301-696-3111 or ext. 3111 for all emergency or service calls, 24 hours a day. Campus safety officers will meet you anywhere on campus to investigate and inquire about any of these events. You may also call 301-696-3548 from an outside phone line or ext. 3548 from a college phone, 24 hours a day for all non-emergency business calls.

This publication contains information about on- and off-campus resources. The information about “resources” is not provided to infer that those resources are “reporting entities” for Hood. Crimes should be reported to the Department of Campus Safety to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate. For example, a crime that was reported only to a Frederick Crisis Center would not be included in Hood College crime statistics.

Policy Addressing Preparation of Disclosure of Crime Statistics

The Hood College Department of Campus Safety prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our website at www.hood.edu under the Campus Safety section. This report is prepared in cooperation with the local law enforcement agencies surrounding our main

campus, the Division of Student Life, and designated campus safety authorities. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to campus safety, designated campus safety authorities (including but not limited to directors, deans, department heads, advisors to student organizations, athletic coaches), and local law enforcement agencies. These statistics may also include crimes that have occurred in private residences or businesses and is not required by law. Wellness Services staff informs their clients of the procedures to report crime to campus safety on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

Each year, an email notification regarding access to this report is made to all enrolled students, faculty, and staff. Copies of the report may also be obtained from the Department of Campus Safety located in the Whitaker Campus Center, or by calling 301-696-3548 from an outside phone line or ext.3548 from a College phone. All prospective employees may obtain a copy of this report from the Department of Human Resources in Alumnae Hall, room 312 or by calling 301-696- 3592. The website address is also included on Hood employment applications.

Policy Addressing How to Report Criminal Offenses

To report a crime:

Call the campus safety emergency line at 301-696-3111 from an outside phone or ext. 3111 from a College phone. To report a non-emergency security or public safety related matter, call campus safety at 301-696-3548 from an outside phone line or ext. 3548 from a College phone. Dispatchers are available at these respective telephone numbers 24 hours a day to answer your call.

Telephones are located in the Residence Halls; Blue Light Emergency Phones are located throughout the campus.

Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around residence halls should be reported to the Department of Campus Safety. In addition, you may report a crime to the following individuals:

- Vice President for Community & Inclusivity
301-696-3573
203 Alumnae Hall
- Director and Chief of Campus Safety
301-696-3546
219 Whitaker Campus Center
- Co-Interim Dean of Students
301-696-3494
209 Volpe Athletic Center

- 301-696-3699
121H Tatem Arts Center
- Office of Residence Life
301-696-3577
223Whitaker Campus Center

For off-campus options, contact the City of Frederick Police Department by dialing 911. Campus safety works with local law enforcement during mutual investigations, arrests and prosecutions. Campus safety personnel attend meetings with local law enforcement agencies to exchange ideas and problems which may be of concern for the Hood community.

Policy Addressing Voluntary Confidential Reporting

If you are the victim of a crime on campus and do not want to pursue action within the Hood College system or the criminal justice system, you may still want to consider making a confidential report.

With your permission, the chief or a designee of campus safety can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

Policy Addressing Limited Voluntary Confidential Reporting

The Department of Campus Safety encourages anyone who is the victim or witness to any crime to promptly report the incident to their local police. Because police reports are public records under state law, the Department of Campus Safety cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to the chief of campus safety.

Policy Statement Addressing Security and Access

During business hours, academic buildings and business offices of the College will be open to students, faculty/staff, parents, employees, contractors and guests. During non-business hours, access to all College facilities is by key or keycard, if issued, or by admittance via the Departments of Campus Safety or Residence Life staff. In the event of extended closings, the College will admit only those with prior written approval to all facilities. Residence halls are secured 24 hours a day.

Some facilities may have individual hours, which may vary at different times of the year. Examples are the Ronald Volpe Athletic Center, Beneficial-Hodson Library, etc. In these cases, the facilities will be secured according to schedules developed by the responsible department.

Additionally, during the academic year, the Director of Facilities Management, Office of Residence Life and Campus Safety meet to discuss issues of pressing concern.

Policy Addressing Campus Law Enforcement Authority

Hood College campus safety officers have the authority to ask people for identification and to determine whether individuals have lawful business on campus and at College leased/approved off-campus housing. Safety officers have the authority to trespass unwanted visitors, report and investigate violations of the Code of Student Conduct, issue parking tickets, tow vehicles parked in violation, and bill appropriate expenses to the financial accounts of students, faculty and staff. Campus Safety officers do not possess arrest power.

Criminal incidents are referred to the City of Frederick Police Department, who have jurisdiction on the campus. The Department of Campus Safety maintains a highly professional working relationship with the City of Frederick Police Department and Frederick County Sheriff's Office. All crime victims and witnesses are strongly encouraged to immediately report crimes to campus safety and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

Policy Statement on Police Cooperation

The Hood College Department of Campus Safety maintains a close working relationship with the City of Frederick Police Department. Campus safety staff occasionally work with other law enforcement agencies in the greater Frederick area to include the FBI, U.S. Secret Service, sheriff's office and state police, as needed and appropriate. Meetings are held between the leaders of these agencies on both a formal and informal basis. The officers of campus safety and Frederick City communicate regularly on the scene of incidents that occur in and around the campus area. The City of Frederick Police Department investigators work closely with campus safety's investigative staff when incidents arise that require joint investigative efforts, resources, crime-related reports and exchanges of information, as deemed necessary. There is a written Memorandum of Understanding between Hood College and the City of Frederick Police Department, regarding investigations of sexual assault, domestic violence and dating violence. Hood College does not have any recognized student organizations with non-campus locations that are monitored by the City of Frederick Police Department.

Policy Addressing the Encouragement of Accurate and Prompt Crime Reporting

Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to campus safety in a timely manner. This publication focuses on campus safety because it patrols the Hood College campus.

In response to a call, campus safety will take the required action, dispatching an officer or aiding the victim in reporting the incident to the City of Frederick Police Department to file an incident report. All Campus Safety incident reports are forwarded to the Office for Community & Inclusivity for review and potential action. Campus safety officers will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also

be forwarded to the co-interim dean of students. If assistance is required from the City of Frederick Police Department or another agency, campus safety will contact the appropriate unit.

Policy Addressing Counselors and Confidential Crime Reporting

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. “Pastoral Counselors” and “Professional Counselors,” when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. Pastoral Counselor is defined as an employee of the College who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor is defined as an employee of the College whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Policy Addressing Security Awareness Programs for Students and Employees

During new student orientation in August, students are informed of services offered by the Department of Campus Safety. A presentation outlining ways to maintain personal safety and residence hall security is also given. Students are also provided data about crime on-campus and in surrounding neighborhoods. Similar information is presented to new employees. Crime Prevention Programs and Sexual Assault Prevention Programs are offered on a continual basis. Periodically during the academic year, campus safety, in collaboration with other College organizations and departments, present crime prevention awareness sessions on sexual assault (rape and acquaintance rape), theft and vandalism, as well as educational sessions on personal safety and residence hall security, and fire safety. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of the responsibility for their own security and the security of others. Annual programs include:

- Prevention and Bystander Intervention Workshops for Students
- Domestic Violence Awareness Month; Games on the turf (healthy relationship education)
- Walk a Mile in Their Shoes (domestic violence awareness)
- Red Sand Project for Human Trafficking Awareness Month
- Sex, Love, and Trivia Night (consent and healthy relationship education)
- Sex Week educational programming and events on a wide variety of topics

When time is of the essence, information is released to the College community through the Hood Alert System via electronic mail, automated voice phone and phone texting systems.

Policy Addressing Alcoholic Beverages

The possession, sale or the furnishing of alcohol on the Hood College campus is governed by state and federal laws. However, the enforcement of alcohol laws on campus is the primary responsibility of the Office of Residence Life and the Department of Campus Safety.

It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under the age of 21 in a public place or a place open to the public is illegal. For details regarding the Hood College Policy on Alcohol and Other Substances refer to <http://www.hood.edu/studenthandbook/>. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the College.

Policy Statement Addressing Illegal Drug Possession

The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by campus safety. Violators are subject to College disciplinary action, criminal prosecution, fine and imprisonment.

Hood College Drug and Alcohol Prevention Programs

The College has developed programs to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals and college disciplinary actions.

Alcohol and Drug Education:

- Hood College Director of Wellness, Joseph Henry Apple Academic Resource Center, room 4

Counseling Services:

- Hood College Counseling Services, Joseph Henry Apple Academic Resource Center, room 8A

Referral Services:

- For a complete list of Frederick County drug and alcohol referral services, [click here](#).

Hood College will disclose to the alleged victim of a crime of violence, or of a non-forcible sex offense, the results of any disciplinary hearing conducted by the College against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Hood College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Policy Addressing Preventing and Responding to Sex Offenses

I. Notice of Non-Discrimination

Hood College is committed to providing an educational and work environment in which all members of the campus community are able to participate without being subjected to discrimination on the basis of sex, sexual orientation, gender expression or gender identity. Where Hood College learns that any such discrimination occurs, Hood College is committed to remedying the discrimination and its effects.

II. Statement of Policy Against Title IX Sexual Harassment

In compliance with Title IX, a federal law, Hood College does not discriminate on the basis of sex in the education programs or activities that it operates. Title IX of the Education Amendments of 1972 (20 U.S.C. §1681, *et seq.*) and its implementing regulations (34 C.F.R. Part 106) prohibit discrimination on the basis of sex in education programs and activities.

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any Education Program or Activity receiving Federal financial assistance.

Title IX requires that colleges and universities maintain an environment free from sex discrimination for all faculty, staff, and students. Under Title IX, discrimination on the basis of sex includes Title IX Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking. Sexual harassment is also prohibited by Title VII of the Civil Rights Act of 1964 and by the state law.

Inquiries about the application of Title IX and its regulations may be referred to:

Tammi Simpson:

Title: Interim Title IX Coordinator and Vice President for Community & Inclusivity
Alumnae Hall, Room 203
301-696-3573
titleix@hood.edu

Carley Shannon:

Title: Head Coach Field Hockey
Deputy Title IX Resource for Athletics
Volpe Athletic Center (Room 210 C)
(301) 696-3390
shannon@hood.edu

OR

Assistant Secretary for Civil Rights
U.S. Department of Education, Office for Civil Rights

(800) 421-3481

ocr@ed.gov

III. Scope of this Policy

This Policy on Title IX Sexual Harassment Discrimination (Policy) applies to all Employees (faculty, staff, all other non-student employees), and all students. This Policy addresses only Title IX Sexual Harassment, as defined in this Policy. Allegations of discrimination based upon other protected traits and allegations of sex discrimination that do not fit within this Policy's definition of Title IX Sexual Harassment will be addressed under other Hood College policies, including other applicable discrimination policies and procedures, as contained in the Code of Student Conduct and Governing Documents.

Title IX Sexual Harassment is defined as conduct:

1. On the basis of sex,
2. That occurs within Hood College's Education Program or Activity,
3. Within the United States, and
4. Involves
 - (a) a Hood College Employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
 - (b) unwelcome conduct that is determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to Hood College's Education Program or Activity;
 - (c) Sexual Assault;
 - (d) Dating Violence; (e) Domestic Violence; or (f) Stalking.

All allegations of Title IX Sexual Harassment will be addressed according to this Policy.

Hood College may take action against third Parties who engage in conduct prohibited by this Policy in connection with a Hood College Education Program or Activity. In such circumstances, Hood College will determine whether to apply this Policy or another policy or procedure.

This Policy applies when any Employee of the College is alleged to have engaged in Title IX Sexual Harassment as defined by this Policy. To the extent this Policy is inconsistent with any provisions of any faculty or Employee handbook, policy, or procedure, because this Policy on Title IX Sexual Harassment is mandated by federal law, this Policy shall prevail. Federal law requires Hood College to use the same Standard of Evidence in all matters alleging Title IX Sexual Harassment, which, therefore, fall within this Policy. Hood College has no discretion to do otherwise.

All Employees who have experienced Title IX Sexual Harassment, who have provided a Report alleging Title IX Sexual Harassment, or have been alleged to have engaged in Title IX Sexual Harassment can seek confidential assistance through the Employee Assistance Program:

https://www.hood.edu/sites/default/files/Benefits/EAP-Assistance-Summary-of-Services-SOS_Hood.pdf

IV. Defined Terms

This Policy uses many defined terms, indicated by the capitalization of the first letter(s) in the term. All defined terms are included in a Glossary at the end of the Policy. The definitions in the Glossary are important to a complete understanding of this Policy.

V. Responsibilities of the Title IX Coordinator and Deputy Title IX Coordinator

The Title IX Coordinator coordinates Hood College's efforts to comply with Title IX, including overseeing this Policy and the publication and dissemination of information required by Title IX. The Title IX Coordinator's responsibilities include: (1) receiving and responding to Reports of conduct that may constitute a violation of this Policy; (2) coordinating the effective implementation of Supportive Measures; (3) designating Investigators, Facilitators, and Decision-makers to act pursuant to the Grievance Process; (4) ensuring that the technology needed to conduct and record hearings is available; (5) implementing effectively any Remedies or discipline imposed by a Decision-maker upon a finding of a violation of this Policy; and, (6) complying with the record-keeping requirements of this Policy.

The Deputy Title IX Coordinator supports the Title IX Coordinator in fulfilling their role and responsibilities and may serve as the Title IX Coordinator's designee to carry out any response, action, initiative, project, or other responsibility outlined in this Policy. **An individual requiring emergency support should call 911 or** the Department of Campus Safety at Ext 3111. An individual requiring support should reach out to the campus or community resources provided on the first page of this Policy.

VI. Reports of Potential Violations of this Policy

Hood College strongly encourages anyone who has information about a potential violation of this Policy to provide a Report to the Title Coordinator or another Campus Official. Any person may provide a Report of a potential violation to the Title IX Coordinator in person, by mail, by telephone or by electronic mail. Reports by mail, telephone or electronic mail made be made at any time, including outside of regular business hours.

A Report does not constitute a Formal Complaint. The procedure for filing a Formal Complaint is described in this Policy.

Any Campus Official who receives information or who otherwise has information about a potential violation of this Policy is required to provide the information received, in full, to the Title IX Coordinator.

VII. Reporting to Law Enforcement seeking treatment and civil remedies

A Complainant has the right to file criminal charges with an appropriate law enforcement agency. At the request of a Complainant, the College's Department of Campus Safety and/or a Title IX Coordinator will promptly assist the Complainant in contacting the appropriate law enforcement agencies. The following law enforcement agencies may have jurisdiction over incidents that occur on or near campus:

- Frederick City Police 301- 600-2101
- Frederick County Sheriff's Office 301-600-1046
- Maryland State Police 410-379-9700

A Complainant who wishes to seek medical attention may request cooperation and support of the Department of Campus Safety, which will provide prompt cooperation in obtaining medical attention, including transport to either of the hospital listed below.

- Frederick Health Hospital, 400 W. 7th St., Frederick MD 21701

The hospital nearest to campus that is equipped with the Maryland Department of State Police Sexual Assault Evidence Collection Kit is Frederick Health Hospital.

Civil Remedies

Individuals experiencing harassment or discrimination have the right to file a complaint with the United State Department of Education:

U.S. Department of Education
Office for Civil Rights (OCR)
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>

VIII. Response to Potential Violations of this Policy

When the Title IX Coordinator or a Campus Official receives a Report, Hood College will respond by: (A) equitably offering Supportive Measures to the Complainant and Respondent, whether or not a Formal Complaint is filed; and (B) imposing disciplinary sanctions or other actions that are not Supportive Measures upon the Respondent only when the Respondent is found responsible for a violation of this Policy through a completed Grievance Process. Notwithstanding the foregoing, Hood College may impose an emergency removal or administrative leave as provided in this Policy.

IX. Initial Assessment

A. Purpose

When the Title IX Coordinator receives a Report of alleged Title IX Sexual Harassment or a Formal Complaint alleging Title IX Sexual Harassment, the Title IX Coordinator will seek to gather information to undertake an initial assessment of any risk of harm to individuals or to the campus community and the description of the alleged misconduct in order to evaluate the appropriate response.

B. Addressing Risk of Harm

The Title IX Coordinator will take any action necessary to address any risk of harm identified by the Title IX Coordinator, including implementation of Supportive Measures, initiation of actions designed to protect the larger campus community, or Emergency Removal of a Respondent. A decision to remove a Respondent from campus pending the Grievance Process will follow the Emergency Removal of a Respondent process described in this Policy. At the Title IX Coordinator's discretion, one or more other Campus Officials may be included in the initial assessment or in evaluating information gathered in the initial assessment.

C. First Step in the Assessment

The first step of the assessment is a discussion between the Title IX Coordinator and the Complainant. The purposes of the discussion are to:

- assess the nature and circumstances of the allegations;
- address the immediate physical safety and emotional well-being of the Complainant;
- notify the Complainant of the right to contact law enforcement (or not) and seek medical treatment;
- provide the Complainant with information about on- and off-campus resources;
- discuss the range and implementation of Supportive Measures;
- enter the Report into Hood College's daily crime log;
- assess the Reported conduct for the need for a timely warning under the Clery Act;
- and, explain the College's policy prohibiting retaliation.
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D. Determination After Initial Assessment

After the initial assessment of the information gathered, the Title IX Coordinator will take one of the following steps regarding the Grievance Process:

1. Initiate the Grievance Process

If the Title IX Coordinator determines that the alleged misconduct falls within this Policy and a Formal Complaint has already been submitted, the Title IX Coordinator will proceed to initiate the Grievance Process, unless the Formal Complaint proceeds to Informal Resolution.

If a Formal Complaint has not yet been submitted, the Title IX Coordinator will advise the

Complainant that a Formal Complaint is required to initiate an investigation. The Title IX Coordinator will provide the Complainant a Formal Complaint form for the Complainant's completion and signature. Once a signed Formal Complaint is submitted, the Title IX Coordinator will proceed to initiate the Grievance Process, unless the Formal Complaint proceeds to Informal Resolution.

If the Complainant determines not to file a Formal Complaint, and the Title IX Coordinator determines, in their discretion, that the allegations must be investigated, the Title IX Coordinator may initiate the Grievance Process by completing and signing a Formal Complaint.

2. Refer for Action Pursuant to Different Policy

With or without a Formal Complaint, when the initial assessment concludes with a determination that the alleged misconduct does not fall within the scope of this Policy but involves conduct that, if found to have occurred, violates another Hood College policy, the matter will be referred for further action under the applicable policy. The determination regarding next steps will be communicated to the Parties in writing.

If a Formal Complaint has been filed, the Title IX Coordinator shall follow the procedures for Dismissal of a Formal Complaint set forth in Grievance Process.

3. Amnesty For Alcohol or Drug Violations

Sometimes, people are hesitant to report to College officials or participate in resolution processes because they fear that they themselves may be accused of policy violations, such as underage drinking. It is vital that members of the campus community come forward to share information about potential violations of this policy. To encourage reporting, the College provides amnesty for certain drug and alcohol policy violations or other minor policy violations to persons who, in good faith, report conduct prohibited by this policy to the university or a law enforcement officer and to persons who, in good faith, participate in an investigation under this policy. Under this amnesty, the College will not impose disciplinary sanctions for that person's own violations of university drug or alcohol policies or other minor policy violations, for conduct that occurred during or near the time of conduct prohibited under this policy, as long as the person's conduct did not place the health or safety of another person at risk. While policy violations cannot be overlooked, the College will provide educational options, rather than punishment, to those who report conduct prohibited under this policy.

X. Supportive Measures

Promptly after receipt of a Report, the Title IX Coordinator will contact the Complainant and Respondent (if identified or identifiable based upon the Report) to discuss the availability of Supportive Measures. Supportive Measures are available with or without the filing of a Formal Complaint. In determining the Supportive Measures to be provided, the Title IX Coordinator will make an individualized determination, considering Complainant's wishes and other relevant factors, of the non-disciplinary, non-punitive measures that will be provided to the Complainant and Respondent to restore or preserve equal access to Hood College's Education Programs or Activities, to protect the safety of the Parties, and/or to deter Title IX Sexual Harassment.

All Supportive Measures will be provided without fee or charge and without unreasonably burdening the other Party. Supportive Measures will be maintained as confidential by Hood College to the extent that confidentiality will not impair the ability to provide the Supportive Measures.

Examples of Supportive Measures that may be implemented by Hood College include:

- Academic extensions or adjustments
- Campus escort services
- Changes in housing
- Counseling
- Increased security or monitoring of certain areas of the campus
- Changes in work schedules or locations
- Modifications of class or activity schedules
- Mutual restrictions on contact between the Parties

XI. Emergency Removal of a Respondent

Hood College may implement emergency removal of a Respondent, whether or not a Formal Complaint has been submitted if there is an immediate threat to the physical health or safety of any student or other individual that arises from allegations of conduct that could constitute a violation of this Policy.

Prior to implementing an emergency removal, Hood College will first gather information to undertake an individualized safety and risk analysis. The analysis will be conducted by an individual who is free from bias or conflict of interest, who has relevant knowledge and experience, and who will not be involved in any later Grievance Process related to the student who is being evaluated for potential removal.

A. Factors to be Considered

The analysis of whether an immediate threat to the physical health and safety risk exists will focus on the specific Respondent and consider the specific circumstances arising from the allegations of Title IX Sexual Harassment that potentially pose an immediate threat to a person's physical health or safety. If a person expresses a subjective fear, Hood College will consider it and will also apply an objective reasonable person standard. Hood College will consider the Respondent's propensity, opportunity, and ability to carry out a stated or potential threat. The analysis will evaluate whether Supportive Measures or other less restrictive means can negate or sufficiently minimize the threat. As part of its analysis, Hood College may rely on objective evidence and current medical knowledge and may consult with a licensed evaluator to analyze the information gathered. Hood College shall also consider Respondent's rights, if any, under applicable federal and/or state disability laws.

The relationship between a threat and the physical health or physical safety of any student or other individual will also be carefully evaluated. In some but not all cases, threatening speech or virtual interactions without an associated action may rise to the level of a threat to physical health or physical safety. If the threat posed is in the nature of potential emotional impact only, Hood College will instead focus on identifying appropriate Supportive Measures.

Hood College will also closely examine whether the threat arises from allegations of conduct that could constitute Title IX Sexual Harassment under this Policy. As an example, an immediate threat to physical safety is likely present when a Respondent threatens physical violence against the Complainant in response to the Complainant's allegations of verbal harassment by the Respondent. Threats of self-harm will be addressed under other applicable policies. If the individualized safety and risk analysis results in a determination that a Respondent's actions pose an immediate and identified threat, but do not arise from allegations of Title IX Sexual Harassment, Hood College will respond pursuant to other applicable policies and/or procedures. The College's assessment of the appropriateness of emergency removal will account for its multiple potential impacts, including: whether providing Supportive Measures will be sufficient to ensure equal educational access; the adverse impacts of separating a Respondent from educational opportunities and benefits; the protection of the health and safety of Hood College's community; and, the anticipated timeline of an investigation and hearing. Because these evaluations are necessarily fact specific, in some cases Hood College may determine that restricting a Respondent's participation in specific programs or activities will adequately address the situation.

B. Emergency Removal is Not Discipline nor a Determination of Responsibility

At all stages of the process, Hood College will ensure that an emergency removal will not impose a premature sanction on the Respondent or circumvent the Grievance Process. An emergency removal does not equate to a determination that a Respondent has engaged in a violation of this Policy and will not result in a presumption of responsibility in any subsequent Grievance Process.

C. Notice of Emergency Removal and Appeal

In the event Hood College determines that emergency removal of a Respondent is appropriate, the Respondent will be notified immediately in writing. The written notice will include details about the specifically identified emergency threat of physical safety or harm underlying the decision, as well as information about the Respondent's immediate opportunity to challenge the removal decision by filing an Appeal.

XII. Placement of Employee on Administrative Leave

In the event a Formal Complaint alleges conduct that could constitute Title IX Sexual Harassment Discrimination and identifies an Employee as Respondent, Hood College may decide to place the Respondent on administrative leave, in emergency and non-emergency situations. The purpose of such an administrative leave is to allow a temporary separation of the Employee while the Grievance Process is ongoing. Hood College will determine the terms and conditions of the leave on a case-by-case basis. The decision process for placing an Employee Respondent on leave will respect their rights under Title VII, Americans with Disabilities Act, and all other applicable employment laws.

XIII. Grievance Process for Formal Complaints

A. Overview

All entitlements established in this section apply equally to the Parties. The Grievance Process applies when a Formal Complaint is signed and submitted, whether by a Complainant or by the Title IX Coordinator on behalf of Hood College. This process is grounded in a presumption that a Respondent is not responsible unless and until a Determination of Responsibility at the conclusion of this process. The standard of review for determinations regarding responsibility is a PREPONDERANCE OF EVIDENCE standard. The preponderance of evidence standard of proof is met when the evidence shows that it is more likely than not that an allegation is true.

B. Filing of Formal Complaint

The Grievance Process begins with the filing of a Formal Complaint which alleges that a Respondent has engaged in Title IX Sexual Harassment, is signed by the Complainant or the Title IX Coordinator, and requests that Hood College investigate the allegation of Title IX Sexual Harassment. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail.

C. Dismissal or Withdrawal of Formal Complaint

If, at any time during the Grievance Process, the Title IX Coordinator determines that the alleged misconduct does not fall within this Policy because the conduct did not occur within Hood College's Education Program or Activity, or the conduct did not occur within the United States, the Title IX Coordinator will dismiss the Formal Complaint by issuing a Notice of Dismissal.

If, at any time during the Grievance Process, the respondent is no longer enrolled or employed by Hood College or the Title IX Coordinator determines that specific circumstances prevent Hood College from gathering evidence sufficient to reach a determination of the allegations of the Formal Complaint, Hood College may dismiss the Formal Complaint by issuing a Notice of Dismissal.

The Notice of Dismissal, which will be issued to the Complainant within five (5) Business Days of the Title IX Coordinator's determination, will include the reasons for the dismissal. A dismissal of a Formal Complaint from the Grievance Process shall not prevent Hood College from addressing the allegations in the Formal Complaint under another applicable policy of Hood College. Any Party has the right to submit an Appeal from dismissal of a Formal Complaint.

If, at any time during the Grievance Process, the Complainant notifies the Title IX Coordinator in writing that they wish to withdraw the Formal Complaint or any allegations in the Formal Complaint, the Title IX Coordinator may dismiss the Formal Complaint. Alternatively, the Title IX Coordinator may decide that proceeding with the Grievance Process is necessary. In making that determination, the Title IX Coordinator must weigh the Complainant's wishes and the College's obligations to eliminate Title IX Sexual Harassment, prevent its recurrence, and remedy its effects.

D. Length of Process

Hood College seeks to resolve all Reports of Title IX Sexual Harassment promptly, thoroughly, fairly, and equitably. The timeframes which Hood College strives to meet are set forth in the Policy. Hood College will inform the Parties regularly of the status of the Grievance Process, including the status of the investigation and other steps in the process. Circumstances may arise that require the extension of anticipated time frames. Such circumstances may include the complexity of the allegations, the number of Witnesses involved, the availability of the Parties, Witnesses, or others involved, the effect of a concurrent criminal investigation, breaks or other closures of campus, concurrent law enforcement activity, the need for language assistance or accommodation of disabilities, or unforeseen circumstances. In the event timelines are modified, Hood College will provide written notification to the Parties.

E. Privacy of Process

Hood College will keep confidential the identity of any individual who has made a Report or Formal Complaint, and the identity of any Complainant, Respondent, and Witness except as permitted by FERPA, required by law, or as necessary for the Institution to take action under this Policy.

F. Participation in Grievance Process is Voluntary

Parties and Witnesses are not required to participate in the Grievance Process, but without their live testimony at the hearing, the Hearing Board cannot rely upon their Statements. Hood College may not threaten, coerce, or intimidate a Party or Witness into participating, nor may Hood College retaliate against a Party or Witness for declining to participate in any part of the Grievance Process.

G. Right to an Advisor

Each Party has the right to choose an Advisor to assist and advise them (at the Party's own expense, if the Advisor is paid). Each Party has the right to be accompanied by their Advisor throughout the Grievance Process, including during all related meetings and hearings. Parties are encouraged to identify an Advisor as soon as practical, as Advisors play an important role in supporting Parties. Each Party must notify the Title IX Coordinator promptly of the name, title, and contact information for their Advisor and any change in their Advisor. If a Party does not select an Advisor and the matter proceeds to a Live Hearing, an Advisor will be appointed by Hood College, at no fee to the Party, to ask Cross-examination Questions on that Party's behalf.

H. Assistance in Securing an Advisor

In accordance with Maryland law, in cases where a formal Title IX investigation is initiated, students can access an attorney and have reasonable attorney costs and fees reimbursed by the Maryland Higher Education Commission (MHEC) Legal Representation Fund for Title IX proceedings. Student parties can obtain a list of licensed attorneys who will assist parties on a pro bono or reduced fee basis by contacting MHEC at (800) 947-0203 or visiting the website <https://mhec.maryland.gov/Pages/Title-IX-Campus-Sexual-Assault-Proceedings---Attorney-List.aspx>. For representation, Respondents may wish to contact organizations such as:

- FACE (<http://www.facecampusequality.org>)
- SAVE (<http://www.saveservices.org>).

Complainants may wish to contact organizations such as:

- The Victim Rights Law Center (<http://www.victimrights.org>),
- The National Center for Victims of Crime (<http://www.victimsofcrime.org>), which maintains the Crime Victim's Bar Association.
- The Time's Up Legal Defense Fund: <https://nwlc.org/times-up-legal-defense-fund/>

I. Request to Remove an Investigator, Hearing Board Member, or Title IX Coordinator

Parties have the right to request that the Title IX Coordinator remove an Investigator or member of the Hearing Board based on reasonable and articulated grounds of bias, conflict of interest or an inability to be fair and impartial.

1. Challenge to an Investigator

A challenge to an Investigator must be raised in writing within five (5) Business Days of receipt of the Notice of Investigation. The Title IX Coordinator will determine whether to remove the Investigator. If the Investigator is not removed, the Title IX Coordinator will notify the requesting Party of the decision. If an Investigator is removed and replaced, the Title IX Coordinator will send written notification to the Parties of the name of the new Investigator.

2. Request to Remove a Hearing Board Member

Following receipt of the Notice of Live Hearing, Parties have the right to request that the Title IX Coordinator remove a member of the Hearing Board based on reasonable and articulated grounds of bias, conflict of interest, or an inability to be fair and impartial. This request must be raised in writing within two (2) Business Days of receipt of the Notice of Live Hearing. The Title IX Coordinator will determine whether to remove the Hearing Board member. If the Hearing Board member is not removed, the Title IX Coordinator will notify the requesting Party of the decision. If a Hearing Board member is removed and replaced, the Title IX Coordinator will send written notification to the Parties of the name of the new Hearing Board member.

3. Request to Remove the Title IX Coordinator

A Party may request that someone other than the Title IX Coordinator oversee the Grievance Process based on reasonable and articulated grounds of bias, conflict of interest, or an inability to be fair and impartial. Any such request must be submitted in writing to the person to whom the Title IX Coordinator reports, which is the President, as soon as a Party becomes aware of any such grounds for removal. The President will determine whether to designate another person to perform the Title IX Coordinator's duties for the specific matter, and if necessary, will identify the person to undertake those duties.

J. Procedures Following a Formal Complaint

1. Initiate an Investigation

The Title IX Coordinator will initiate an investigation, unless the Formal Complaint is proceeding through the Informal Resolution Process. The Title IX Coordinator will issue a Notice of Investigation to known Parties sufficiently in advance of any request to meet with the Investigator. This Notice of Investigation will include:

- a. Notice of these grievance procedures, including the Informal Resolution process, and a copy of this Policy.
- b. The conduct alleged to violate this Policy, and the date and location of the alleged incident, if known.
- c. Known Parties involved in the alleged incident
- d. A statement that the Respondent is presumed not responsible for the alleged misconduct and that a Determination of Responsibility will be made at the conclusion of the process.
- e. Notice of the Parties' right to an Advisor of choice, who will be permitted to accompany them to investigation meetings, interviews, and any hearing and to review materials provided to their advisee throughout the process.
- f. Notice of and citation to Hood College's prohibition on knowingly making false Statements or submitting false information during a Hood College process.

If, during the course of an investigation, new or additional allegations arise that require investigation, Hood College will send the Parties an updated Notice of Investigation revising the scope of the investigation.

2. Option of Informal Resolution

Informal Resolution will not be used unless the Complainant requests it and the Respondent and the College agree to it. Informal Resolution will not be used if the alleged conduct involves sexual assault or sexual coercion.

If both Parties voluntarily agree to proceed with the Informal Resolution Process, the Title IX Coordinator may refrain from initiating the Grievance Process or may pause an ongoing Grievance Process.

3. Concurrent Law Enforcement Activity

When Hood College receives a Report of Title IX Sexual Harassment to which it has determined it must respond through its Grievance Process, Hood College's process continues regardless of whether a Complainant has made or decides to make a report to law enforcement. The filing of a report with law enforcement, or an ongoing law enforcement investigation or proceeding does not relieve Hood College of its obligation to address the Complaint through its Grievance Process. At the College's discretion, Hood College may temporarily pause its investigation at the request of law enforcement. In that circumstance, the Title IX Coordinator will send written notice to the Parties explaining the reason for pausing the investigation.

K. Consolidation of Certain Formal Complaints

If there are multiple Complainants and one Respondent, Hood College may consolidate Formal Complaints where allegations of Title IX Sexual Harassment arise out of the same facts or circumstances. All Parties will be notified in writing of a decision to consolidate Formal Complaints.

L. Investigation

Hood College's investigation process is designed to allow for the thorough, impartial, and reliable gathering of information and to result in a comprehensive investigation report summarizing relevant, admissible evidence. Hood College strives to complete its investigation within thirty (30) Business Days, understanding that numerous issues arise during investigations that may justify a good cause extension of the timeline.

1. Assignment of Investigator

The Title IX Coordinator will supervise the investigation, starting with determining who will serve as Investigator. The Investigator may be a Hood College Employee or Employees, an external Investigator or Investigators, or a team of Investigators that pairs an external Investigator with a Hood College Employee. All Investigators will conduct the investigation with a presumption that the Respondent is not responsible and will act without bias or conflict of interest.

2. Process Overview

The Investigator will conduct the investigation in a manner appropriate in light of the circumstances of the case, which will typically include interviews with the Complainant, the Respondent, and any Witnesses. The Investigator will provide advance written notice to Parties of the date, time, location, participants, and purpose of any requested meeting(s). Investigation interviews will be conducted in a thorough, impartial, and fair manner; all involved individuals will be treated with appropriate sensitivity and respect.

Interviews will be supplemented by the gathering of any physical, documentary, and other evidence, as appropriate and available. The burden of gathering relevant, admissible information sufficient for Hood College to reach a determination of whether a violation of this Policy has occurred rests on the College. The Parties will have an equal opportunity to submit evidence and suggest Witnesses (including fact and expert Witnesses).

The Investigator will decide which individuals to interview based on the information the Investigator gathers as part of the investigation and, with respect to Witnesses offered by a Party, the Investigator may ask the Witnesses to describe the information the Party expects the Witness to provide. The Title IX Coordinator may direct that additional interviews be conducted.

The Investigator will not ask questions or gather information or documents protected by a legally recognized privilege, including treatment records of a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in a professional capacity, without written consent to use such documents in the Grievance Process from the person protected by the privilege. The Investigator will not seek information about a

Complainant's sexual predisposition and will only allow submission of or pursue information about a Complainant's prior sexual behavior if such questions and evidence: (1) are offered to prove that someone other than the Respondent committed the alleged misconduct; or, (2) concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to establish Consent.

The investigation will be conducted in a manner that is respectful of individual privacy concerns. To be clear, however, confidentiality cannot be promised during an investigation because, for example, the Investigator may need to speak with Witnesses and others to gather evidence. The Parties are not restricted from discussing the allegations under investigation or from gathering and presenting relevant evidence. However, where the investigation reveals intentional efforts by a Party to fabricate or alter information they submit or to influence the information a Witness provides to the Investigator, conduct charges may result.

3. Parties' Review of and Response to Information Gathered as Part of Investigation

At the conclusion of the investigation, the Investigator will assemble all inculpatory and exculpatory information gathered during the investigation that is directly related to the allegations of the Formal Complaint, including information upon which Hood College does not intend to rely in reaching a determination regarding responsibility. The Investigator will redact information that is unrelated to the allegations of the Formal Complaint or otherwise not admissible in the Grievance Process (i.e., because it is subject to an unwaived legally recognized privilege or constitutes prior sexual history not offered to establish Consent or that Respondent did not engage in the alleged misconduct). The Investigator will create a list describing information it has redacted or removed as irrelevant, inadmissible, or not directly related to the allegations of the Formal Complaint, which it may allow the Parties to inspect.

The assembled information will then be shared with the Parties and their Advisors in hard copy or an electronic format. Depending on the nature of the information shared, Hood College may require Parties and their Advisors to agree to restrictions or sign a non-disclosure agreement prohibiting dissemination of any of the information provided for inspection and review or use of such evidence for any purpose unrelated to this Grievance Process. The Parties will have at least ten (10) Business Days to review the assembled information and submit a written response to it.

The Investigator will review the Parties' responses to evaluate whether further investigation may be required to ensure the investigation is thorough and complete. In consultation with the Title IX Coordinator, the Investigator will determine any further action indicated by the Parties' responses and develop a plan to complete the investigation.

4. Investigation Report

After considering the Parties' responses and conducting any additional investigation indicated by those responses, the Investigator will prepare a report summarizing all of the relevant, admissible information obtained during the investigation, including Inculpatory Evidence and Exculpatory Evidence. The Investigator will incorporate the Parties' responses to the report, as well as an explanation of any additional steps taken after receipt of Party responses and include

any related materials. All of these written submissions and all information gathered during the investigation will collectively be considered the investigation report.

To the extent that the investigation report includes an assessment of Party and Witness Credibility, Credibility determinations may not be based upon a person's status as a Complainant, Respondent or Witness.

5. Parties' Review of and Response to Investigation Report

When the investigation report is complete, Hood College will provide a copy of it to the Parties and their Advisors in electronic format or hard copy for their review and written response. The Parties shall have five (5) Business Days to respond to the investigation report.

The investigation report and all evidence will be available at any hearing to give each party equal opportunity to refer to the evidence. Any hearing on the allegations investigated will not be held sooner than ten (10) Business Days after the investigation report is provided to the Parties and their Advisors.

M. Determination After Investigation

At the conclusion of the investigation, the Title IX Coordinator will review the investigation report to determine whether the conduct, if proved, falls within this Policy. When the alleged conduct, if proved, falls within this Policy, the Title IX Coordinator will prepare a Notice of Charge based on information contained in the investigation report.

If the conduct, even if proved, does not fall within this Policy because it would not constitute Title IX Sexual Harassment, because it did not occur within Hood College's Education Program or Activity, or because it did not occur within the United States, Hood College must dismiss the Formal Complaint. Hood College may dismiss a Formal Complaint if the Title IX Coordinator determines: that there is not sufficient cause to believe the alleged conduct may have occurred; the Respondent is no longer enrolled or employed by Hood College; or specific circumstances prevent Hood College from gathering sufficient evidence to reach a Determination of Responsibility or No Responsibility.

In either instance, the Title IX Coordinator will issue a Notice of Dismissal, including the reasons for the dismissal, to the Parties simultaneously within five (5) Business Days of the Title IX Coordinator's determination. If the alleged conduct would potentially violate a different Hood College Policy, the Notice of Dismissal will direct the Parties to that policy. The Parties have a right to submit an Appeal from a dismissal of a Formal Complaint.

N. Notice of Charge

If the Formal Complaint is not dismissed, the Title IX Coordinator will issue a Notice of Charge simultaneously to the Parties. The Notice of Charge shall not issue before the Parties have had five (5) Business Days to review and respond to the investigation report and will be sent to the Parties within ten (10) Business Days of the conclusion of the investigation. The hearing shall not be scheduled sooner than ten (10) Business Days after the Notice of Charge is issued. The Notice of Charge will include the following information:

- a brief factual summary of the conduct alleged to have violated the Policy, including date, time, and location;
- the specific Policy provision(s) at issue; and
- possible sanctions associated with a finding of responsibility for the alleged Policy violation(s).

The Notice of Charge will attach a copy of this Policy or include the website where this Policy is available.

XIV. Live Hearings

Following the issuance of the Notice of Charge, if Informal Resolution is not being conducted, the Grievance Process proceeds to a Live Hearing.

Note: In formal claims of civil rights discrimination, the hearing procedures will not live. All other protocols and processes identified in this policy, however, will apply.

A. Notice of Live Hearing

The Notice of Live Hearing will be sent to the Parties simultaneously within ten (10) Business Days of the delivery of the Notice of Charge and at least five (5) Business Days before the scheduled hearing date. The Notice of Live Hearing may be, but need not be, sent with the Notice of Charge. The Notice of Live Hearing will include the following information:

- the date, time, and location of the Live Hearing;
- whether the Live Hearing will be recorded via an audio recording, an audiovisual recording, or a transcript;
- the composition of the Hearing Board designated by the Title IX Coordinator; and,
- a statement that there is a presumption of No Responsibility on the part of the Respondent until a determination regarding responsibility is made at the conclusion of the Grievance Process.

In addition, the Notice of Charge will attach a copy of this Policy or include a reference to the website where this Policy is published.

B. Title IX Coordinator as Hearing Board Chair

Hearings are convened by the Title IX Coordinator. The Title IX Coordinator oversees all hearings. The Title IX Coordinator will designate the person to convene and oversee the Hearing Board process. The Title IX Coordinator will be the non-voting chair of the Hearing Board during Live Hearings, serving as a process and policy advisor to the Hearing Board.

The Title IX Coordinator is never a Decision-maker, whether in connection with a Live Hearing or an Appeal but may be an Investigator.

C. Hearing Board

Prior to the Live Hearing, the Hearing Board will have read all of the information in the investigation report. The Parties will have the same information as the Hearing Board.

1. Gathering Information

The Hearing Board will focus its questions on those areas where it needs clarification or more information. The Hearing Board will not necessarily need the Parties or Witnesses to repeat everything they shared during the investigation, but as the Decision-maker(s), the Hearing Board is obligated to come to its own Findings of Fact.

The Hearing Board has the right and responsibility to ask questions and elicit information from Parties and Witnesses on the Hearing Board's own initiative to aid the Hearing Board in obtaining relevant information, both inculpatory and exculpatory.

Only members of the Hearing Board may ask questions of any person testifying, except in connection with Cross-examination Questions asked by Advisors. The Hearing Board is responsible for ensuring that it has sought and probed all information necessary to make an informed decision. At times, the Hearing Board will need to ask difficult or sensitive questions in order to understand the allegations and related information and to gain a full understanding of the context. If at any time a Party does not understand a question or why the Hearing Board is asking a question, the Party should let the Hearing Board know. The Hearing Board will explain and modify its question at its discretion.

The Parties have equal rights to present information in front of the Hearing Board, which ensures that the Hearing Board has the benefit of each Party's perspectives about the evidence. This right includes calling Witnesses. Parties have no right to self-representation and may not ask questions directly of the other Party or Witnesses.

2. Evaluating Information

The Hearing Board must objectively evaluate all admissible, relevant evidence for weight or Credibility, including both Inculpatory Evidence and Exculpatory Evidence. The Hearing Board must focus on evidence pertinent to proving whether facts material to the allegations under investigation are more or less likely to be true. Credibility determinations may not be based upon a person's status as a Complainant, Respondent or Witness. Determinations of Credibility must be based on objective evaluation of relevant evidence, not on inferences based on Party or Witness status. Credibility determinations are based on a number of factors, including demeanor (but never only demeanor); opportunity and capacity to observe the event; contradiction or consistency with other evidence; availability of corroboration (where it should logically exist, noting that corroborating evidence is not required); level of detail in Statement or testimony; motive to be untruthful; and inherent plausibility or implausibility.¹ The evaluation of Credibility also takes into account the normal fallibility of human memory.

A Party's answers to Cross-examination Questions will be evaluated by the Hearing Board in context, taking into account that a Party may experience stress while answering Cross-

¹ U.S. Equal Employment Opportunity Commission: Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (June 18, 1999).
<https://www.eeoc.gov/laws/guidance/enforcement-guidance-vicarious-liability-unlawfulharassment-supervisors>

examination Questions. Parties will not be unfairly judged if they are unable to recount every specific detail in sequence, whether such inability is due to trauma, the effects of drugs or alcohol or simple fallibility of human memory.

D. Role and Obligations of Advisors During Hearings

1. The Advisor is present to provide support to the Party and not to serve as a proxy voice for the Party.
2. Advisors may not speak during the hearing process, except where permitted to present Cross-examination Questions. Therefore, in all instances other than Cross-examination Questions, Advisors may not speak to the Hearing Board, make statements or arguments, or answer questions.
3. Advisors conducting Cross-examination must be capable of understanding the purpose or scope of Cross-examination. Equal competency between the Parties' Advisors is not required.
4. When conducting Cross-examination, Advisors need not be advocates for Parties, but simply may be individuals who ask questions.
5. Advisors can confer quietly with their advisee as needed, but if there is a need for an extended discussion, the Party should ask for a break in the Live Hearing.
6. Advisors cannot direct the Party how to answer a question.
7. Advisors should conduct themselves quietly and professionally, must not disrupt the proceedings and must comply with any rules of decorum imposed by the Hood College. An Advisor who does not do so may be removed from the Live Hearing. In that instance, the Party may select another Advisor or Hood College will appoint a substitute Advisor.

E. Location of the Live Hearing

Live Hearings may be conducted with all Parties physically present in the same geographic location or, at Hood College's discretion, any or all Parties, Witnesses, and other participants may appear at the Live Hearing virtually, with the Parties being able to see and hear each other and Witnesses live.

At the request of either Party, Hood College will provide for the entire Live Hearing (including Cross-examination) to occur with the Parties located in separate rooms with technology enabling the Parties to see and hear each other. Unlike Parties, Witnesses do not have the right to demand to testify in a separate room, but Hood College, in its discretion, may permit any participant to appear remotely.

F. Recording of Live Hearing

Hood College will create an audio or audiovisual recording or transcript of the entire Live Hearing. The recording or transcript will be available to the Parties for inspection and review.

G. Scope of the Live Hearing

The Live Hearing will relate solely to charges set forth in the Notice of Charges issued to the Parties. If the Parties or any Witnesses share information that goes beyond these charges, the Hearing Board will redirect the speaker to the charges at hand.

Parties may be accountable for additional violations discovered through the Grievance Process even if they do not appear in the Notice of Charge/Notice of Live Hearing. In this instance, a separate Grievance Process under this Policy, or under other applicable policies, may be commenced.

H. Attendance at the Hearing

The Live Hearing is closed, meaning it is not open to the public. Witnesses may be present only for their individual meeting with the Hearing Board. Advisors and Parties may be present throughout the proceeding. If a Party, after having been given notice, does not appear at the Live Hearing, the Live Hearing will be conducted in their absence, and the Party's Advisor may appear and conduct Cross-examination. In the event neither a Party nor their Advisor appear at the hearing, Hood College will provide an Advisor to appear on behalf of the non-appearing Party.

I. Expectation of Honesty

Parties and other individuals who offer information at a Live Hearing are expected to respond honestly and to the best of their knowledge. The Hearing Board may recall any Party or Witness for further questions and to seek additional information as it deems necessary. A Party or Witness who intentionally provides false or misleading information may be subject to discipline under this Policy or other applicable policies.

J. Cross-examination Questions and Effect of Failure to Submit to Cross examination

1. Advisors Conduct Cross-examination

Advisors are allowed, on behalf of the Party they are advising, to cross-examine the other Party and Witnesses by asking relevant questions and follow-up questions, including questions challenging Credibility.

2. Relevance Determination Before Answering

Before a Party or Witness answers a Cross-examination Question, the Hearing Board will determine if the question is relevant. If a question is deemed irrelevant, the Hearing Board will explain why. The requirement of Relevance applies throughout the hearing, including during Cross-examination, and will be determined by the Hearing Board. Parties should understand that the process of Cross-examination may be difficult and may feel uncomfortable because its purpose is to promote the perspective of the other Party. Cross-examination Questions may not be submitted in writing in advance of the Live Hearing or during the Live Hearing for purposes of seeking an evaluation of Relevance.

3. Effect of Not Submitting to Cross-examination

If a Party or Witness does not submit to Cross-examination by Advisors at the Live Hearing, the Hearing Board must not rely on any Statement of that Party or Witness in reaching a determination regarding responsibility. This rule does not apply if a Party or Witness refuses to answer questions posed by the Hearing Board.

- a. “Submit to Cross-examination” means answering those Cross-examination Questions that are relevant, as determined by the Hearing Board in real time during the Live Hearing. If a Party or Witness disagrees with the Hearing Board’s Relevance determination, they may either (a) abide by the Hearing Board’s determination and answer the question or (b) refuse to answer the question. In the event the Party or Witness refuses to answer the question, unless the Hearing Board reconsiders the Relevance determination, the Hearing Board cannot rely on any Statement of that Party or Witness.
- b. “Statement” has its ordinary meaning but does not include evidence (such as videos) that do not constitute a person's intent to make factual assertions, or to the extent that such evidence does not contain a person's Statements. Thus,
Documents and records that contain Statements may not be relied on in making a final determination after the completion of the hearing if the Party or Witness who made the Statements has not submitted to Cross-examination. Probing the Credibility and reliability of Statements contained in such documents requires the Parties to have the opportunity to cross-examine the individual(s) making the Statements.
- c. Examples
 - This rule applies to law enforcement reports, SANE reports, medical reports, and any other documents and records that contain the Statements of a Party or Witness who has not submitted to Cross-examination.
 - If one Party to a text message or email exchange submits to Cross-examination and the other does not, only the messages of the individual who submits to Cross-examination may be considered.
 - Where a Party refuses to answer Cross-examination Questions, but video evidence exists showing the underlying incident, the Hearing Board may still consider the available evidence and make a determination.
 - If the matter does not depend upon a Party’s or Witness’s Statements, but on other evidence (e.g., video evidence that does not consist of “Statements” or to the extent the video contains non-Statement evidence), the Hearing Board can still consider this other evidence and reach a determination, but without drawing any inference based upon lack of Party or Witness testimony.

K. Breaks

The Hearing Board may need to take breaks during testimony to ensure that it can confer regarding the information that has been offered and can determine whether further questions are necessary. At any time, a Party may request a break to talk with their Advisor or for another reason. In almost all instances, a break will be allowed.

L. Rape Shield Protections

All questions and evidence about Complainant's sexual predisposition or prior sexual behavior are irrelevant unless offered to prove that someone other than the Respondent committed the alleged misconduct or offered to prove Consent.

M. Order of the Live Hearing

1. The Chair will call the Live Hearing to order and will explain the hearing process, which will include a reading of the charge(s) at issue and will provide an opportunity for all Parties to ask procedural questions prior to opening statements.
2. The Parties shall be informed that the hearing is being recorded. The recording is the sole official verbatim record of the Live Hearing and is the property of the College.
3. The Complainant may present an opening statement related to the charges.
4. The Respondent may present an opening statement related to the charges.
5. The Hearing Board will ask the Complainant questions relevant to the charges.
6. The Respondent's Advisor may ask Complainant relevant questions and follow-up questions, including those challenging Credibility (Cross-examination Questions).
7. The Hearing Board will ask the Respondent questions relevant to the charges.
8. The Complainant's Advisor may ask Respondent relevant questions and follow up questions, including those challenging Credibility (Cross-examination Questions).
9. The Hearing Board may call Witnesses to provide relevant information to the Hearing Board.
10. At the conclusion of each Witness, Complainant and Respondent's Advisors may ask each Witness relevant questions and follow up questions, including those challenging Credibility (Cross-examination Questions).
11. At the conclusion of the testimony of the Parties and the Witnesses, the Parties will be able to make a closing statement, with the Complainant going first and the Respondent going next.
12. The Chair will announce that the Live Hearing is concluded.

N. Hearing Board Deliberations and Written Determination

When the Live hearing concludes, the Hearing Board will deliberate and make its decision in accordance with the Preponderance of the Evidence Standard of Evidence. The Hearing Board will issue a Written Determination, which will be sent to the Parties simultaneously within fifteen (15) Business Days of the conclusion of the Live Hearing. The Written Determination will include:

- a. Procedural History
- b. Summary of allegations in Notice of Charge/Notice of Live Hearing
- c. Policy provisions at issue
- d. Findings of Fact related to each allegation potentially constituting Title IX Sexual Harassment, made by the applicable standard of evidence
- e. Rationale (or evidentiary basis) for the Findings of Fact related to each allegation, which should include an evaluation of the weight or Credibility of admissible, relevant evidence
- f. A determination of whether the conduct found to have occurred violates this Policy (Determination of Responsibility) or not (Determination of No Responsibility)
- g. Rationale (or evidentiary basis) for the Determination of Responsibility or No Responsibility
- h. A statement of any disciplinary sanctions imposed on the Respondent and the rationale for the sanctions
- i. A statement of whether Remedies will be provided to the Complainant, using the phrase: "Remedies designed to restore or preserve equal access to Hood College's Education Program or Activity will be provided by Hood College to the Complainant." The nature of such Remedies will not appear in the Written Determination. Remedies that do not directly affect the Respondent will not be disclosed to the Respondent.
- j. Information about how to file an Appeal and how to access the transcript or recording before the time to file an Appeal lapses.

The Title IX Coordinator is responsible for the effective implementation of any Sanctions or Remedies.

O. Sanctions

1. Possible Sanctions

The following sanctions and/or conditions may be imposed following a Determination of Responsibility for a violation of this Policy. The described range of sanctions is required by Federal law under Title IX and that the published range is purely for purposes of notice as to the

possibility of a range of Remedies and disciplinary sanctions and does not reflect the probability that any particular outcome will occur.

a. Students

- Expulsion (permanent separation)
- Suspension
- Deferred suspension
- Disciplinary Probation
- Disciplinary probation with deferred removal from the residence halls
- Loss of housing contract
- Residence hall probation
- Conduct warning
- Title IX Sexual Harassment education or other relevant education
- Parent or guardian notification (subject to privacy restrictions)
- Financial restitution
- Fine
- Community restoration and/or community service
- Loss of campus privileges
- Loss of campus employment and/or opportunities for campus employment
- Withholding records or degree
- Revocation of admission and/or degree
- Bar against registration
- Discretionary action
- Substance abuse education and/or evaluation

b. Employees

- Termination of employment
- Revocation or denial of tenure
- Suspension
- Demotion
- Progressive discipline
- Warning

- Loss of pay or other pay adjustments
- Job transfer
- Change or restrictions in work location and/or job responsibilities
- Title IX Sexual Harassment education
- Restrictions on the Employee's communications
- Limitations on the Employee's movement in or on Hood College's campus, programs, and activities

2. Factors in Determining Sanctions

In considering the appropriate sanction within the recommended outcomes, the Hearing Board may consider the following factors:

- Respondent's prior discipline history;
- how Hood College has sanctioned similar incidents in the past;
- the nature of the conduct at issue, including whether there was violence;
- the impact of the conduct on the Complainant;
- the impact of the conduct on Hood College's community, its members or its property;
- whether the Respondent accepted responsibility;
- whether the Respondent is reasonably likely to engage in the conduct in the future;
- any other mitigating or aggravating circumstances, including Hood College's values and
- the College's obligation to eliminate Title IX Sexual Harassment, prevent its recurrence, remedy its effects, and to maintain an environment free from Title IX Sexual Harassment.

Respondent's lack of comprehension that conduct constituting Title IX Sexual Harassment violates the bodily or emotional autonomy and dignity of a victim does not excuse the misconduct, though genuine lack of understanding may, in Hood College's discretion, factor into the sanction decision.

3. Remedial Action

The Hearing Board may consider other remedial actions that may be taken to address and resolve any incident of Title IX Sexual Harassment and to prevent its recurrence, including: strategies to protect the Complainant and any Witnesses from retaliation; provide counseling for the Complainant; other steps to address any impact on the Complainant, any Witnesses, and the broader campus community, and any other necessary steps reasonably calculated to prevent future occurrences of harassment.

4. Failure to Comply with Sanctions.

Failure to comply with the sanctions or conditions imposed by the Hearing Board will result in action under Hood College's Code of Student Conduct or Governing Documents, as applicable.

The Title IX Coordinator will meet with College officials who will implement sanctions to ensure that sanctions imposed under the Title IX Policy are properly and fully enforced.

P. Effective Date of the Written Determination and Possible Notice to Parents

The Written Determination becomes final only after the time period to file an Appeal has expired or after the Appeal decision has been sent to the Parties. The Written Determination will identify to whom any Appeal must be addressed.

Hood College reserves the right to notify parents of dependent students when student conduct has resulted in serious disciplinary sanctions.

XV. Appeals

A. Filing an Appeal

The Parties have equal rights to file an Appeal. Appeals will be submitted to the Title IX Coordinator. Appeals must be submitted within five (5) Business Days of the issuance of the Notice of Dismissal or Written Determination that the Party seeks to appeal.

B. Grounds for Appeal

An Appeal is not intended to be a rehearing of the information presented at the Live Hearing. An Appeal may only be based upon one or more of the following grounds:

1. Procedural Irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
3. Conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; and/or,
4. The sanction imposed is substantially disproportionate to policy violation.

C. Actions upon Receipt of Appeal

1. The Title Coordinator shall designate a Decision-maker (the "Appeal Decision-maker") to consider and decide any Appeal.
2. Within five (5) Business Days of the receipt of the Appeal by the Title IX Coordinator, the Title IX Coordinator will give notice to the Parties of the appeal and of the identity of the Appeal Decision-maker.
3. The Parties will have two (2) Business Days after notice of receipt of the Appeal to request that the Title IX Coordinator remove the Appeal Decision-maker based on reasonable and articulated grounds of bias, conflict of interest or an inability to be fair and impartial. The Title IX Coordinator will determine whether to remove the Appeal Decision-maker. If the Appeal Decision-maker is not removed, the Title IX Coordinator will notify the requesting Party of the decision. If the Appeal Decision-maker is removed and replaced, the Parties will be sent simultaneous written notification of the name of the new Appeal Decision-maker.

4. When the time to request removal of the Appeal Decision-maker has run, the Appeal Decision-maker will be provided with the entire file provided to the Hearing Board, together with the Written Determination.
5. The Appeal Decision-maker will first determine whether the Appeal will be accepted, based upon whether one or more of the Appeal Grounds set forth above has been properly alleged by the Appellant. Within five (5) Business Days of the receipt of the Appeal, the Appeal Decision-maker will send written notice to the Parties simultaneously that either (a) the Appeal has been rejected due to insufficient grounds, with the Appeal Decision-maker's rationale, or (b) the Appeal has been accepted.
5. The non-appealing Party/ies will be entitled to submit a response to the Appeal, which must be sent to the Title IX Coordinator within five (5) Business Days of receipt that the Appeal was accepted.
6. The Appeal Decision-maker will then analyze all of the materials related to the Appeal and will take one of the following actions:
 - a. Uphold the original decision
 - b. Send the matter back to the Hearing Board for further consideration
 - c. Refer the matter to the Title IX Coordinator for further investigation or a new hearing with a new Hearing Board
7. The Appeal Decision-maker will issue its written decision on Appeal within ten (10) Business Days after the receipt of the non-appealing Party/ies response. If no response is submitted by the non-appealing Party/ies, then the written decision shall be issued within ten (10) Business Days after the date the response was due to be submitted.
8. The written Appeal decision, which will include the Appeal Decision-maker's rationale, will be sent to the Parties simultaneously.

D. Appeal Decisions are Final

A decision denying the entitlement to an Appeal and all decisions made by the Appeal Decision-maker are final.

E. When an Appeal is not Filed

The Parties will be notified if the time to file an Appeal has expired without any Appeal having been submitted.

XVI. Grievance Process Timeframes

Measured from the conclusion of the investigation, Hood College strives to meet the following timeframes for the Grievance Process. All days are measured in Business Days.

- A. A Notice of Charge or Notice of Dismissal: The Notice of Charge or Notice of Dismissal will be sent to the Parties simultaneously within ten (10) Business Days of the conclusion of the investigation.

- B. Notice of Live Hearing: As applicable, a Notice of Live Hearing will be sent the Parties simultaneously within ten (10) Business Days of the delivery of the Notice of Charge.
- C. Challenge to Hearing Board Member: Within two (2) Business Days of receipt of the Notice of Live Hearing, Parties have the right to make a written request that the Title IX Coordinator remove a member of the Hearing Board based on reasonable and articulated grounds of bias, conflict of interest or an inability to be fair and impartial.
- D. Live Hearing: The Live Hearing will begin no sooner than ten (10) Business Days after the Notice of Charge is issued, no sooner than five (5) Business Days after the Notice of Live Hearing, and no later than twenty (20) Business Days after the Notice of Live Hearing is issued.
- E. Written Determination following a Live Hearing: Following a Live Hearing, the Written Determination will be sent to the Parties simultaneously within fifteen (15) Business Days of the conclusion of the Live Hearing.
- F. Appeals:
 1. Parties must file an Appeal within five (5) Business Days of receipt of the Written Determination.
 2. Within five (5) Business Days of the receipt of the Appeal by the Title IX Coordinator, the Appellant and non-appealing Party/ies will receive written notice that an Appeal has been submitted and the identity of the Appeal Decision-maker.
 3. The Parties will have two (2) Business Days after notice of receipt of the Appeal to request that the Title IX Coordinator remove a member of the Appeal Decision-maker based on reasonable and articulated grounds of bias, conflict of interest or an inability to be fair and impartial.
 4. Within five (5) Business Days of the receipt of the Appeal, the Appeal Decision-maker will send written notice to the Parties either accepting or rejecting the Appeal.
 5. The Appeal Decision-maker will issue its written decision on Appeal within ten (10) Business Days after the receipt of the non-appealing Party/ies response to the Appeal.

XVII. Informal Resolution

A. Option for Voluntary Informal Resolution

Hood College offers a voluntary process for Formal Complaints to be addressed through Informal Resolution. During the Informal Resolution process, a Facilitator will attempt to help the Parties come to an agreement about how to resolve a Formal Complaint. The Informal Resolution process is available at the request of the Complainant and only after a Formal Complaint is filed and before a Determination of Responsibility or No Responsibility is issued.

The Informal Resolution process is never available where a Formal Complaint alleges sexual assault or sexual coercion or that a Hood College Employee engaged in Title IX Sexual Harassment toward a student or subordinate.

All Parties' participation in the Informal Resolution process must be voluntary. In order to initiate the Informal Resolution process, each Party must sign the "Consent to Informal Resolution Process" form and submit it to the Title IX Coordinator. When all Parties to a Formal Complaint have submitted the consent forms, Hood College will pause the Grievance Process, including any ongoing investigation or hearing, for a period of fifteen (15) Business Days (unless a shorter or longer time is set by the Title IX Coordinator), to allow the Parties to proceed with the Informal Resolution Process. The time period during which the Grievance Process is paused for the Informal Resolution Process shall not count toward the time periods set forth to conclude the Grievance Process.

B. Notice Prior to Informal Resolution.

Prior to the beginning the Informal Resolution process, Hood College will provide notice of the allegations of the Formal Complaint and will direct the Parties' attention to the Informal Resolution provisions of this Policy.

C. Role of the Facilitator

The Facilitator will decide the process and procedures to be used in the Informal Resolution process but shall not take actions inconsistent with this Policy. The Facilitator will treat the Parties fairly and equitably. Each Party may be accompanied by their Advisor during any portion of the Informal Resolution process. The Facilitator may meet with the Parties separately, may share information obtained during the course of any investigation with the Parties, may make suggestions about the terms of an Informal Resolution, and may take other reasonable steps to assist the Parties in determining if they can reach an Informal Resolution. The Facilitator shall not require the Parties to meet together, in-person, unless the Parties agree to do so.

If the Parties reach an agreement to resolve a Formal Complaint informally, the Facilitator shall create a written agreement that lists the terms of the Informal Resolution for the Parties to sign. A Party may withdraw from the Informal Resolution process at any time before they sign a written document agreeing to an Informal Resolution and within 48 hours after the Party signs the written agreement. If a Party timely withdraws from the information resolution process, then Hood College shall resume the Grievance Process.

Under no circumstances may the Facilitator be called as a Witness in the Grievance Process.

D. Approval of Informal Resolution By Title IX Coordinator

If no Party withdraws from the written agreement within 48 hours, the agreement shall be presented to the Title IX Coordinator for final approval and implementation. The Title IX Coordinator shall give deference to the Parties' agreement but shall not approve an agreement that the Title IX Coordinator determines to be impractical, unduly burdensome, or inconsistent with the College's obligations under this Policy, Title IX, or another applicable law or policy. If the Title IX Coordinator disapproves the Parties' written agreement, the Facilitator and the Parties may agree to modify and resubmit the agreement. If they do not agree to do so and/or do not submit a modified written agreement, then Hood College shall resume the Grievance Process.

XVIII. Prohibition Against Retaliation

Neither Hood College nor any other person may retaliate against an individual who has participated or refused to participate in any matter addressed under this Policy. Retaliation includes any action to intimidate, threaten, coerce, or discriminate against an individual (a) for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations; or (b) because the individual has made a Report or Formal Complaint, testified, assisted, or participated or refused to participate in any manner in any investigation, proceeding, or hearing under this Policy. Retaliation is also prohibited against individuals involved in matters that do not arise under this policy but arise out of the same facts or circumstances as a Report or Formal Complaint of sex discrimination or sexual harassment.

XIX. Recordkeeping

Hood College will maintain the records identified in this section of this Policy for a period of seven (7) years. The records maintained shall be kept confidential and not disclosed, except as permitted or required by law. The records may be maintained in paper or digital files.

In connection with each Report and each Formal Complaint, Hood College will maintain the following records, to the extent they exist:

- documentation of any Report of alleged Title IX Sexual Harassment;
- documentation of any Supportive Measures or if no Supportive Measures are provided, the reasons why and an explanation of how Hood College's response was not clearly unreasonable;
- the Formal Complaint;
- documentary evidence gathered in the course of an investigation and photographs or descriptions of non-documentary evidence gathered in the course of an investigation;
- written responses of the parties provided prior to the finalization of the investigation report;
- the Investigation Report;
- the audio recording, audiovisual recording, or transcript of any Live Hearing;
- the Written Determination;
- any Appeal and Written Appeal Decision;
- records of the sanctions and/or remedies;
- records of any other steps taken to restore or preserve equal access to Hood College's Education Program or Activity,
- any written agreement of an informal resolution; and
- a statement documenting the basis for Hood College's conclusion that its response to a report or formal complaint was not deliberately indifferent.

Hood College shall also maintain all materials used to train its Title IX Coordinators, Investigators, Decision-makers, and Facilitators and a copy of each version of its Title IX Policy on Sex Discrimination.

XI. Modifications to this Policy

This Policy may be modified from time-to-time, during an academic year or otherwise, in the College's discretion and as may be required by law. Hood College Employees and Students will be notified whenever this Policy is modified.

Sexual Assault Awareness Programs and Campaigns

All students are required to complete a primary prevention program, known as Vector Solutions/EverFi sexual assault training. Vector Solutions/EverFi is a nationally recognized leader that provide programs to promote violence-free homes and communities and helps victims of domestic violence and sexual assault. Faculty and staff are required to complete Title IX training. Both of these training programs provide information regarding Hood College revised policies, resources, and other important information for community members to help prevent sexual assault, domestic violence, dating violence, and stalking on campus. Community member are then able to assist victims, should the need arise. These are considered primary prevention programs because they are aimed towards giving community members information before incidents occur.

Hood College participates in the following awareness programs regarding the prevention of sexual assaults, domestic violence, dating violence and stalking:

- Walk-A-Mile event in partnership with Heartly House. Since 1979, Heartly House has been the only organization in Frederick County, MD that provides comprehensive services, free of charge, to survivors of domestic violence, sexual assault, intimate partner violence, human trafficking, and child abuse.
- Participation and support of "Take Back the Night," an event to provide education to end all forms of sexual violence, including sexual assault, sexual abuse, trafficking, stalking, gender harassment, and relationship violence, and to support survivors in their healing journeys.

Hood College also provides bystander training to students and plans to expand programming in this area in the coming years.

Nondiscrimination Notice

Hood College does not discriminate on the basis of sex, race, color, national origin, sexual orientation, marital status, pregnancy, disability, religion or age in recruitment, admission and access to, treatment of, or employment in its programs, services, benefits or activities as required by applicable laws including Title IX of the Educational Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973, and complies with the law regarding reasonable accommodation for disabled applicants and students. Inquiries about discrimination or reasonable accommodation should be referred to the Title IX and Section 504 Coordinator at Alumnae Hall, 401 Rosemont Avenue, Frederick, MD. 21701 (AD 312), 301-696-3592.

Policy Addressing Sex Offender Registration

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed at, institutions of higher education. In accordance with the “Campus Sex Crimes Prevention Act” of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the Hood College Department of Campus Safety is providing a link to the Maryland State Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries a vocation, or is a student.

The Hood College Department of Campus Safety maintains this direct link to the Maryland Sex offender registry for easy access by the Hood Community. This site includes all registered sex offenders reported to be working at Maryland Colleges and Universities:

[MD Department of Public Safety and Correctional Services \(state.md.us\)](http://state.md.us).

The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

This statement is provided in compliance with the Campus Sex Crimes Prevention Act of 2000.

Policy Addressing Missing Students, Notification and Procedure

If a member of the Hood College community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify campus safety at 301-6963548 or ext. 3111.

Campus safety will generate a missing person report and initiate an investigation.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by Hood in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, Hood will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to identify a confidential contact can do so through residence life or campus safety. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of the investigation.

After investigating a missing person report, should campus safety determine that the student has been missing for 24 hours, Hood will notify the City of Frederick Police Department and the student's emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, Hood will

notify the student's parent or legal guardian immediately after Hood has determined that the student has been missing for 24 hours.

Policy Statement Addressing Issuing Timely Warnings

In the event that a situation determined to be a Clery Act crime or constitutes an ongoing or continuing threat arises, either on or off campus, a campus-wide “timely warning” will be issued by the chief and director of campus safety. The warning will be issued through the College email system to students, faculty and staff or via the “Hood Emergency Mass Notification System (Hood Alert).” All members of the College are immediately signed up to receive emails and need to update their Hood Alert accounts with contact information to receive texts and automated phone calls.

Emergency Response and Evacuation Procedures

In the event of an actual emergency, the College community will be notified through Hood Alert. Students and community members should take responsibility for regularly checking their email.

Emergency Response and Evacuation Procedures Statement

The College’s campus safety manual and website include information about shelter-in-place and evacuation guidelines. College departments are responsible for contingency plans and continuity of operations plans for their staff and areas of responsibility. The College conducts numerous emergency response exercises each year, such as tests of the emergency notification systems on campus.

Hood College Campus Safety officers and supervisors have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually members of the Hood College Department of Campus Safety, the City of Frederick Police Department and/or the Frederick Fire and Emergency Medical Services Department, who work together to manage the incident. Depending on the nature of the incident, other departments and other local or federal agencies could also be involved in responding to the incident. General information about the emergency response and evacuation procedures for Hood College are publicized each year as part of the institution’s Clery Act compliance efforts and that information is available on the campus safety website.

All members of the Hood community are notified on an annual basis that they are required to notify campus safety of any situation or incident on Hood property that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. Campus safety has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate and document any situation that may cause a significant emergency or dangerous situation. In addition, campus safety has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If that is the case, federal law requires that the

institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

Notification to the Hood Community about an Immediate Threat

The Department of Campus Safety receives information from various campus constituencies. If it confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the community, Campus Safety authorities will collaborate to determine the content of the message and will use the “Hood Alert” system to communicate the threat to the community. The Campus safety authorities, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to Hood College Department of Campus Safety, City of Frederick Police Department, and/or Frederick Fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The College will post updates during a critical incident on the website at www.hood.edu.

The Campus safety patrol vehicle is equipped with public address systems and can be strategically placed throughout the campus to facilitate communication. Members of the larger community who are interested in receiving information about emergencies on campus should sign up for the “Hood Alert” mass notification system found on the campus safety website.

Testing Emergency Response and Evacuation Procedures

An evacuation/fire drill is coordinated by campus safety each semester for all residential facilities and annually for all academic buildings on College property. Campus safety notifies residents several days in advance about evacuations. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility. Campus safety and the student life staff are on the scene and will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. Evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants practice drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the College an opportunity to test the operation of fire alarm system components.

Evacuation drills are monitored by the campus safety and student life departments to evaluate egress and behavioral patterns. Reports are prepared by the Department of Campus Safety, which identifies deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

Shelter-in-Place Procedures

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic “Shelter-in-Place” Guidance

If an incident occurs and the building you are in is not damaged, stay inside, seeking an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, Hood College ID card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest College building quickly. If security, police or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources, including campus safety, student life members, other College employees, the federal government, City of Frederick Police Department, or other authorities utilizing the College’s emergency communications tools.

How to “Shelter-in-Place”

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. Go to the nearest room or office.
2. Close and lock the door.
3. Turn off the lights.
4. Seek protective cover and barricade the door.
5. Keep quiet and act as if no one is in the room.
6. Do not answer the door.
7. Notify 911 and campus safety at 301-696-3111, if it is safe to do so, providing each switchboard operator with the following information:
 - a. Your name.
 - b. Your location (be as specific as possible).
 - c. Number of shooters (if known).
 - d. Identification or description of shooter.
 - e. Number of persons who may be involved.
 - f. Injuries if known.

Daily Crime Log

Campus Safety maintains a daily crime log that lists all reported crimes. The log outlines the logistics of the crime (date, time and location), the nature of the crime, and how the crime was handled. This log is kept at the campus safety switchboard in the Whitaker Campus Center and is available for review at any time, upon request.

Daily Fire Log

Campus Safety maintains a daily fire log that lists all reported fires. The log outlines the logistics of the fire (date, time and location), the nature of the event, and how it was handled. This log is kept at the campus safety switchboard in the Whitaker Campus Center and is available for review at any time, upon request.

Crime Statistics

The Department of Campus Safety, under the direction of the director (chief) or his or her designee, gathers and compiles Hood College's crime statistics. In addition to the crimes reported to campus safety, the director also solicits information from campus safety authorities and the City of Frederick Police Department. Crime statistics in this report from off-campus venues and adjacent streets were compiled in collaboration with the local police.

These crime statistics are substantiated by the Department of Campus Safety in collaboration with the co-interim dean of students. Double counting of these crimes is avoided by an oversight process conducted by the director of campus safety.

It should be noted that the Campus Security Act was amended in 1998. Any marked increase across years or in the revised statistics from previous years can be accounted for by the fact that the geographic boundaries for reporting were greatly expanded in 1998, and reporting of drug, alcohol and weapons violations was also broadened to include not only arrests but also disciplinary referrals.

Reportable Crimes and Definitions

The Department of Campus Safety adheres to the Federal Bureau of Investigation's Uniform Crime Reporting Index for classifying and reporting crime statistics. The definitions for criminal homicide and non-negligent manslaughter, robbery, aggravated assault, burglary, motor vehicle theft, arson and larceny-theft are excerpted from the Uniform Crime Reporting Handbook. The definitions of sex offenses are excerpted from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Handbook.

Criminal Homicide – Murder and Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Sex Offenses: Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

- A. 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. This offense includes the rape of both males and females.
- B. 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 his/her age or because of his/her temporary or permanent mental or physical incapacity.
- C. Incest - sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- D. Statutory Rape – sexual intercourse with a person who is under the statutory age of consent.

Robbery: The 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: The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.

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.

Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included in this definition.

Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Stalking: The willful, malicious and repeated following or harassment of another person with the intent to annoy, alarm or frighten.

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.

Domestic Violence: Acts, threats or patterns of abusive behavior of a physical or sexual nature by one partner intended to control, intimidate, manipulate, humiliate, frighten, coerce, or injure the other partner.

Dating Violence: Controlling, abusive, and aggressive behavior in a romantic relationship.

Drug Law Violations: 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. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Liquor Law Offenses: 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.

Weapon Offenses: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

Hate Crimes: A criminal act motivated by bias against any person or group of persons, or the property of any person or group of persons because of the ethnicity, race, national origin, religion, gender, sexual orientation, or disability of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics.

HATE CRIMES												
	ON CAMPUS			STUDENT HOUSING			NON-CAMPUS			PUBLIC PROPERTY		
	2022	2021	2020	2022	2021	2020	2022	2021	2020	2022	2021	2020
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	5	0	0	5	0	0	0	0	0	0
Destruction/Damage/ Vandalism of Property	1	1	0	0	1	0	0	0	0	0	0	0

HATE CRIMES BY CATEGORY												
	ON CAMPUS			STUDENT HOUSING			NON-CAMPUS			PUBLIC PROPERTY		
	2022	2021	2020	2022	2021	2020	2022	2021	2020	2022	2021	2020
Race	1	1	5	0	1	3	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0

***How statistics are compiled. The chief and director of the Department of Campus Safety is responsible for collecting crime statistics, in cooperation with the City of Frederick Police Department. The chief also works with the Office of Residence Life in collecting the statistics on referrals for campus disciplinary actions, drug abuse, liquor law or weapons violations; collects statistics from the designated campus safety authorities in regards to the Clery crimes that were not reported. The chief also works with the Title IX Coordinator as it relates to topics of sexual misconduct.

FIRE SAFETY REPORT

Hood College provides a fire safety program for the protection of the campus community. This is a program which promotes fire prevention and the use of fire protection systems to ensure effective emergency notifications and response. All fire protection systems are regularly inspected and tested according to the National Fire Protection Agency (NFPA) standards. Campus safety staff members are trained and receive continuing education in various areas that encompass possible hazards to life, safety and health. Professional staff and resident assistants, who also live in the residence halls, participate in required fire safety training sessions annually, regardless of prior experience.

Fire Protection Systems

Fire alarms are installed in all residence halls as well as academic and administrative buildings. Alarm systems report electronically and directly to the off-campus vendor which monitors activity 24 hours a day, 365 days a year. The vendor contacts the local fire department and campus safety immediately when an alarm is activated.

- All residence halls are equipped with an automatic sprinkler system.
- Life Safety systems, including all fire alarms and fire sprinkler systems are tested on a regular schedule in compliance with the National Fire Protection Agency (NFPA) Fire Code regulations.
- In addition to the independent testing of the life safety systems, daily safety inspections are conducted by professional Campus Safety staff in all structures.

Fire Safety Education and Training

- Announced and unannounced fire drills, with performance standards, are held twice each semester during the academic year in residence halls. Fire drills are also held annually for all academic/administrative buildings.
- Instructions outlining what to do in case of a fire and building specific emergency evacuation plans are posted in prominent locations in all campus buildings including, residence halls.
- These procedures are reviewed during required orientation programs, follow-up safety sessions, and fire drill exercises. The procedures are available on the Campus Safety Website at:
https://www.hood.edu/sites/default/files/17_EmergencyReadinessGuide_Booklet.pdf.

Current policies regarding portable electrical appliances, smoking and open flames (such as candles) can be found at: <http://www.hood.edu/studenthandbook/>.

All fire incidents on Hood College property are reported through the Department of Campus Safety at 301-696-3111. This ensures appropriate emergency response, incident recording for follow up and statistical reporting. All fire incidents are required to be reported to campus safety, even if discovered after a fire has been extinguished (cold fire) or burned out.

Fire Evacuation Procedure

The Department of Campus Safety responds to all fire alarms. However, the most important step you can take for your safety is to learn the quickest way out of the building and always evacuate whenever you hear a fire alarm. Smoke is the most significant danger in a fire and prompt evacuation is your best response.

When the general alarm sounds in your building, use the back of your hand to feel your room door/doorknob:

- If cool, leave immediately, close the door, and proceed quickly and in an orderly fashion to the nearest exit. Stay out of the building until given the “all clear” signal by emergency personnel or authorized staff. Failure to evacuate properly during a fire alarm is a serious breach of Hood policy. Use stairwells in the event of fire. DO NOT use elevators, which might become inoperable and trap occupants. Fire doors must remain closed at all times. Never prop them open, especially when evacuating.
- If the door is hot, remain in the room, put towels or other material under the door, open the window from the top. Signal for help by hanging a flag (i.e., sheet, jacket, etc.) out of the window and call 911 or ext. 3111.

Fire Evacuation Tips

- If you see smoke or flames and the alarm is not sounding, pull the closest fire alarm and leave the building.
- If smoke is present in the hallway or stairwell, remain close to the floor.
- Familiarize yourself with alternate routes to leave the building.
- Do not attempt to jump from multi-story windows.
- Once out, stay out. Go to your designated assembly area. Contact your RA or department administrator for the location of your designated assembly area.
- The pergola area is the designated assembly area for all halls.

Fire Safety Precautions

- Dispose of cigarettes properly: be sure they are completely extinguished and do not discard them near grass, mulch, buildings and other areas where they can smolder and ignite.
- Do not overload electrical circuits or outlets.
- Use a power strip with a surge protector.
- Check your electrical cords for worn places and broken installations.
- Do not use combustible items such as candles and incense.
- Do not staple or connect multiple extension cords together or route cords under doors or carpet.
- Use only the recommended light bulbs with the appropriate wattage for your lamp and other peripheral device.
- Make sure that all appliances are turned off at night and whenever you leave your room.

Conclusion

The Department of Campus Safety is committed to working with the Hood College community to resolve all criminal and fire related matters in a timely fashion. All members of the department know that for this to happen they must cooperate and work hand-in-hand with faculty, staff and students of Hood College. By working together, the Department of Campus Safety and the College community strive to maintain a safe and secure learning environment.

Additional Emergency Phone Numbers

Ambulance, Fire, Police	911
Frederick County Mental Health Resources	211
Heartly House (24-Hour Hotline)	301-662-8800
Frederick City Fire Marshal	301-600-1479
Poison Center	1-800-222-1222
Environmental Protection Agency (Pollution, Toxic Chemicals, Oil Spills)	1-800-424-8802
Water and Sewer 24-hour Emergency Number	301-600-1160

Emergency Management/Disaster Relief

Frederick County Emergency Management	301-600-6790
MD Emergency Management Agency	877-636-2872
Red Cross – Frederick County	301-662-5131

Police Departments

The City of Frederick Police	301-600-2100
Non-emergency direct line	301-600-2102
Frederick County Sheriff's Office	301-600-1046
MD State Police	301-600-4151

Hospital

Hood College Health Services at Tollhouse	301-698-8374
Frederick Health Hospital General Info.	240-566-3300

Thurmond Maynard
Director and Chief
Department of Campus Safety
Hood College