

TITLE OF POLICY: Sexual Misconduct Policy

POLICY (CHECK ONE): NEW _____ REVISED X REFORMATTED _____

APPLIES TO (CHECK ALL THAT APPLY):

FACULTY _____ STAFF _____ STUDENTS _____

DIVISION/DEPARTMENT _____ COLLEGE X

TOPIC/ISSUE:

Baltimore City Community College (BCCC) is committed to creating and maintaining a welcoming and inclusive campus free from sexual misconduct. The associated procedures will identify violations of this standard, identify resources, and describe a detailed process to address complaints of sexual misconduct in a fair and thoughtful manner, consistent with our core values and community standards for behavior.

BACKGROUND TO ISSUE/RATIONALE FOR POLICY:

Federal law requires all educational institutions to adopt policies that provide for educational programs to promote awareness of sexual offenses and include provisions on: informing an alleged victim of the right to press criminal charges; notifying law enforcement officials and disciplinary officials when an incident of sexual misconduct occurred; designating which local hospitals are equipped to handle incidents of sexual assault; assisting an alleged victim in obtaining appropriate medical and counseling services; and ensuring that both the alleged victim and the alleged perpetrator(s) are accorded privacy and due process.

STATE/FEDERAL REGULATORY REQUIREMENTS (CITE IF APPLICABLE):

- Title IX of the Education Amendments of 1972
- Maryland Criminal Law Article (CR 3-305)
- Higher Education Act of 1965
- 2018 Maryland Code: Education, Division III- Higher Education Title II- Maryland Higher Education Commission Subtitle 6 - Sexual Assault Policy § 11-601.

POLICY LANGUAGE:

Sexual misconduct will not be tolerated within the BCCC community. BCCC will provide immediate assistance and protection for: the physical health and safety of the alleged victim; the emotional health of the alleged victim; the safety of the Baltimore City Community College community; and the privacy and due process rights of the alleged victim and alleged perpetrator(s). In addition, the College will ensure that no one who reports sexual misconduct is retaliated against.

All College community members are subject to this policy, regardless of sex, sexual orientation, gender identity, and gender expression. This includes all College students, faculty, and staff, as well as contractors under the College's control. Violations of the policy may occur between individuals or groups of individuals of any sexual orientation or actual or perceived gender identity. This policy applies to sexual misconduct in connection with any College program or activity, including: (1) in any College facility or on College owned or controlled property; (2) in connection with any College sponsored, recognized or approved program, visit or activity, regardless of location; (3) that impedes equal access to any College education program or activity or adversely impacts the employment of a member of the College community; or (4) that otherwise threatens the health or safety of a member of the College community.

Persons who violate this policy will be subject to disciplinary action up to and including termination of employment, suspension, expulsions and/or termination of the contractual relationship.

PROPOSED IMPLEMENTATION DATE: June 17, 2021

PROPOSED BY: Office of the V.P. for Student Affairs and Title IX

APPROVED BY THE BOARD OF TRUSTEES:

ORIGINATOR/DIVISION: Student Affairs; Office of Human Resources

****This policy once approved by the Board of Trustees supersedes all other policies.***