

DATE: October 20, 2015

TO: Dr. Darrell Mullins, Faculty Senate
Lt. Brian Waller, Staff Senate
Tim Robinson, Adjunct Faculty Caucus
Tyler Gibson, Student Government Association (SGA)
Carrienne Cicero, Graduate Student Council (GSC)

FROM: Humberto Aristizabal
Associate Vice President of Institutional Equity

RE: **Updated SU Policy Prohibiting Sexual Misconduct and Other Sex and Gender-Based Discrimination (and related procedures)**

As we have previously discussed, the Office of Institutional Equity leads our institutional efforts to review and update SU's anti-discrimination policies – in this case, the *Salisbury University Policy Prohibiting Sexual Misconduct and Other Sex and Gender-Based Discrimination* (and related procedures) that will replace the version adopted on December 19, 2014.

The *Salisbury University Policy Prohibiting Sexual Misconduct and Other Sex and Gender-Based Discrimination* (and related procedures) was developed in consultation with shared governance bodies and became effective December 19, 2014. During the 2015 session, however, the Maryland General Assembly passed House Bill 571, "Institutions of Higher Education – Sexual Assault – Policy and Survey," which, among other things, makes additions to required provisions in each institution's sexual assault policy. As a result, we have reviewed our current policy and procedures, and we now present the updated documents to shared governance for their review and input. Please note that all documents have been deemed legally sufficient by the University's legal counsel.

For your convenience, please find enclosed the updated documents, as well as a comparison of major differences between the most current draft of the *Salisbury University Policy Prohibiting Sexual Misconduct and Other Sex and Gender-Based Discrimination* (and related procedures) and its predecessor.

I would appreciate if you could distribute the information contained in this memorandum to your membership for feedback. We ask that any comments, questions or concerns be submitted to hxaristizabal@salisbury.edu by **Friday, October 30th, 2015**.

10/19/15 Draft of the Salisbury University Policy Prohibiting Sexual Misconduct and Other Sex and Gender-Based Discrimination (and related procedures)

- **Title IX Team** (*Policy*, p. 9-10):
 - Addition of Dr. Jason McCartney, Interim Associate Provost, to replace Dr. Melanie Perreault
 - Addition of Mr. Gerry DiBartolo, Interim Athletics Director (new)
- **Complaints or Reports** (*Policy*, p. 6):
 - Updated entry for Dr. Christy Weer
 - Addition of Dr. Kelly Fiala, Interim Dean of the Seidel School, to replace Dr. Cheryl Parks
- **Seek Medical Attention** (*Policy*, p. 22):
 - Updated to reflect the University's responsibility, per HB 571, to assist victims in obtaining appropriate medical attention
- **Amnesty Policy for Students**
 - Section updated to reflect, per HB 571, the broader scope of the University's amnesty policy – previously defined narrowly as *Medical Amnesty*. Also clarifies its application to those serving as witnesses, rather than directly involved in matter covered under this Policy (*Policy*, p. 22):
 - Section updated to reflect, per HB 571, the broader scope of the University's amnesty policy – previously defined narrowly as *Medical Amnesty*. Also clarifies its application to students only (*Student Procedures*, p. 4)
- **MOUs** (*Policy*, p. 24):
 - Section updated to reflect, per HB 571, requirement to pursue MOU with local rape crisis program in addition to MOU with local law enforcement
- **Climate Survey** (*Policy*, p. 25):
 - Section added to reflect, per HB 571, requirement to implement Campus Sexual Assault Climate Survey on or before March 1, 2016 and at least every 2 years thereafter
- **Record Keeping** (*Policy*, p. 24):
 - Section updated to reflect, per HB 571 & USM Policy, expanded record keeping and data reporting obligations
- **Initial Assessment** (*Student Procedures*, p. 6 & *Non-Student Procedures*, p. 5)
 - Language in both procedures reconciled for consistency
- **Timelines** (*Student Procedures*, throughout & *Non-Student Procedures*, throughout)
 - All dates updated to reflect calendar, rather than business, days. A provision for extenuating circumstances, including campus closures, was added.
- **Investigation and Decision** (*Student Procedures*, 15 & *Non-Student Procedures*, 12)
 - Section updated to clarify that one's disciplinary standing, whether related to violations covered under the present policy or unrelated, will be taken into account during sanctioning