



**THE CLERY ANNUAL SECURITY REPORT AND FIRE SAFETY REPORT FOR STUDENTS  
LIVING ON CAMPUS  
2021-2022**



**PREPARED BY THE BOWIE STATE UNIVERSITY  
POLICE AND DEPARTMENT OF PUBLIC SAFETY  
301-860-4040**

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# **JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICIES, CRIME STATISTICS AND FIRE SAFETY REPORT FOR STUDENTS LIVING ON CAMPUS**

## **INTRODUCTION**

The U.S. Department of Education has committed to assisting schools in providing students Nationwide a safe environment in which to learn and to keep students, parents and employees well informed about campus security. These goals were advanced by the Crime Awareness and Campus Security Act of 1990 also known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The Department of Education is committed to ensuring that postsecondary institutions are in full compliance with the Clery Act as required for all colleges and universities that participate in federal financial aid programs. These institutions of higher learning must keep and disclose information about crime on and near their respective campuses.

As such, Bowie State University is also committed to providing an academic and work environment free from all forms of discrimination, including discrimination on the basis of sex. Title IX of the Education Amendments of 1972 (“Title IX”) and Title VII of the Civil Rights Act of 1964 (“Title VII”) prohibit discrimination on the basis of one’s sex in federally-funded educational programs and activities, as well as in the terms and conditions and privileges of employment. The University prohibits discrimination on the basis of sex in its education programs and activities.

Bowie State University was founded in 1865, is the oldest Historically Black College/University in the State of Maryland, and one of the ten oldest in the country. It is a diverse university with 6,000 plus students, along with faculty and staff, representing many diverse ethnic and cultural backgrounds.

Bowie State University provides high-quality and affordable educational opportunities for students with ambitions to achieve and succeed. In addition to its 23 undergraduate majors, Bowie State University offers 20 Masters, Doctoral, and 14 specialty certifications with specific focus on science, technology, business, education and related disciplines. A supportive academic environment empowers students to think critically, make new discoveries, value differences and emerge as leaders in a highly technical, rapidly changing global society.

As a member institution of the University System of Maryland, Bowie State University upholds the System’s mission of providing high-caliber, accessible, and affordable educational opportunities. Bowie State University is in the midst of one of the nation's most exciting metropolitan areas, within easy reach of Washington, DC, Annapolis and Baltimore. At the same time, it boasts a serene campus on a 300-acre suburban wooded tract with a new 95,000 square-foot student center which opened in August 2013. With eight residence halls, one which opened in September 2021, and is a part of the newly erected Entrepreneurship Living Learning Community (ELLC); a multi-use complex with living, learning and retail space, the University is a hub of 24/7 undergraduate life, yet it also offers convenient evening classes and online courses to serve employed professionals seeking to move ahead in their careers.

**The Bowie State University Police and Department of Public Safety (BSUPD)** The Department operates a full-service sworn police department within the State of Maryland, exercising jurisdiction on property owned, operated and/or leased by Bowie State University. The police department is

vested with full police powers under the provisions of the Education Article Title 13-601 which provides the authority for the University System of Maryland (USM) to have a police department. The Board of Regents adopts the standards, qualifications and prerequisites of character, training, education, human and public relations, and experience for University System of Maryland police officers. All police officers are fully-trained and certified by the Maryland Police and Correctional Training Commissions (MPCTC) in all areas of law enforcement, including criminal investigation, patrol procedures, traffic control, and the use of firearms.

The Department provides 24-hour, seven-day-a-week police and security services to the campus community. In addition, the University has mutual aid agreements with the Maryland State Police, the Prince George's County Police and the Maryland Transit Administration Police Departments.

The BSU Police Communication's Operators (PCOs) utilize (CAD) Computer Aided Dispatch systems to prioritize and record incident calls, identify the status and location of responders in the field, and effectively dispatch responder personnel. They also utilize surveillance cameras, telephones and various other communication devices to provide information to respond to emergencies. Police Communications Operators can instantly dispatch the BSU police, the fire department or emergency medical services by radio as well as communicate with state and local police agencies 24 hours a day, when needed.

### **GLOBAL PANDEMIC**

There was a significant decrease in many crime classifications in 2020 and 2021. Due to the COVID-19 Pandemic and state and local government safety mandates respecting it; during the majority of the year(s) campus visitation was restricted, many faculty and staff members worked remotely and students transitioned to an almost totally remote learning environment which drastically reduced the on campus population. During this Global Epidemic the Bowie State University Police and Department of Public Safety's Police Officers, Security Guards and Communication's Operators worked 24 hours a day, 7 days a week to maintain a safe and secure environment for the faculty, staff, students and visitors of the University community.

### **CRIME PREVENTION**

The Department has developed a proactive crime prevention program to educate members of the University community on current topics, trends, and techniques in reducing and preventing crime within our community. Through the use of newsletters, special bulletins and fliers, the University community is kept abreast of special problems impacting the community and precautions that should be taken. Crime prevention seminars are conducted to provide instructional presentations on various topics to include, Acquaintance Rape and Sexual Assaults, Operation Identification and property protection efforts, Residential Hall security, and Drug and Alcohol prevention programs. The Department is also a resource for physical security surveys for the buildings and offices on campus.

In August and January during orientation, students are informed of the services offered by the Bowie State University Police and Department of Public Safety. Crime prevention, safety programs and emergency management training are presented during the course of each semester. The resident students are instructed on how to protect their personal safety, secure their possessions, lock their doors and maintain a secure environment.

A common theme of all awareness and crime prevention programs is to make faculty, staff and students aware that safety is a everyone's responsibility and to encourage them to be aware and alert respecting their own personal safety and security, and the safety and security of others.

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

The University has an Emergency Management Communication Plan in place to respond immediately to a main campus crisis. The Emergency Management Communication Plan is a part of the University Emergency Management Plan and is designed to assist in crisis management situations.

In the case of some unforeseen event, the University's Emergency Management Team (EMT) will be convened to respond to an incident or crisis and to deploy an internal and external communications strategy. The EMT is comprised of the President, Cabinet members, the Chief of Police and the Director of Facilities.

The EMT will conduct a situational assessment to determine the severity of the incident or crisis regarding a crime on campus, campus violence, a Clery Act reportable incident, a threat made against the campus, a serious security issue in the area or near campus, a partial or full campus loss, or an incident involving University employees or operations.

Upon assessment of these or other incidents that threaten the University, the EMT will execute actions pertinent to the incident, execute internal and external communication response protocols, debrief, and document.

## **EMERGENCY RESPONSE AND EVACUATION TESTING PROCEDURES**

- The University conducts building evacuation drills to familiarize students, faculty and staff in the evacuation procedures, location of exits and meeting locations.
- A test of the University's Emergency Blue Light Phones, Panic Buttons and Siren Systems are conducted on a regular basis.
- The President's Cabinet, Chief of Police and other groups conduct table-top exercises dealing with various types of emergency and hazardous incidents.

## **TIMELY WARNINGS:**

In the event a situation arises and depending upon the particular circumstances, if in the judgment of the Director of Public Safety it poses an immediate or continuing threat or is unusual and or exigent in nature, a timely warning will be sent. These methods of communication include network emails through Community Broadcasts, emergency text messages through BEES (Bowie State University Electronic Emergency System) that can be sent to subscribers through any of the following electronic devices; mobile phone, Blackberry, Smart phone, Wireless PDA, Pager, Email account, Web Page, optional landline phone

(voice message), siren system and security alerts posted prominently throughout the campus. Students, faculty and staff must sign-up annually for BEES service via the BSU website. It will be the responsibility of the Chief of Police or his designee to send the Timely Warning in the event of an emergency.

## **EMERGENCY NOTIFICATION (Non-criminal emergency):**

When a significant health or safety emergency, or some other dangerous situation occurs on campus, campus community members are immediately notified once the threat to the University community has been verified and the notification does not interfere with efforts to respond to the emergency.

Bowie State University will, 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 professional judgment of responsible authorities, compromise effort to assist a victim or to contain, respond to, or otherwise mitigate the emergency. It will be the responsibility of the Chief of Police or his designee to send the Emergency Notification.

## **NOTIFICATION SYSTEM**

- University-Wide BLAST - In case of a campus emergency, the Office of University Relations & Marketing's designee will transmit an emergency campus-wide BLAST providing emergency information and direction to all University e-mail addresses.
- Bowie Electronic Emergency System (BEES) - In case of campus emergency, DPS Personnel will transmit an emergency text message to multiple wireless carrier networks.
- In case of campus emergency, the (BSUPD) dispatcher will transmit pre-recorded information and instructions through the siren/public address system.
- In the event of a campus emergency, the Bowie State University Police and Department of Public Safety (BSUPD) personnel will communicate using the two-way police radio. Each member of the BSUPD, including the police dispatcher has been issued a VX-924 VHF/UHF portable two-way radio.

## **EMERGENCY MANAGEMENT**

**An emergency or a disaster may occur at any time, with little or no warning.** Disasters may affect residents in the geographical location of the University, and government emergency services may not be available. Whenever an emergency affecting the University reaches proportions that cannot be handled by routine measures, the President or their designee may declare a state of emergency and implement the Emergency Management Plan. For complete details, please view on website at URL:

<http://www.bowiestate.edu/campus-life/campus-police/emergency-preparedness/>

The President has designated the Vice President for Administration and Finance to oversee campus emergency planning, prevention, preparedness response, safety and security. The establishment of clear lines of authority for overseeing and managing emergency incidents and responding to emergencies, based on principles of Incident Command Systems (ICS) and National Incident Management Systems (NIMS), are the responsibility of the BSU Incident Commanders:

- Chief of Police/Director of Public Safety
- Deputy Chief/Assistant Director of Public Safety
- Lieutenant, Patrol Operations Commander
- Lieutenant, Investigations
- Sergeant, Shift Commander
- Officer in Charge (OIC)
- First responding sworn University Police Officer

## **PROCEDURES TO FOLLOW FOR REPORTING CRIMINAL ACTIVITIES, EMERGENCIES, AND SUSPICIOUS CONDITIONS.**

Students, faculty, staff and guests of Bowie State University are encouraged to report emergencies, criminal activity and any suspicious conditions, subjects, or vehicles to the Bowie State University Department of Public Safety at (301) 860-4040 or (301) 860-4688 (**HOTT**) and the University's anonymous tip line 301-860-3366. The officers will conduct a thorough investigation of all incidents and offenses.

The Bowie State University Police and Department of Public Safety (BSUPD) also encourages anyone who is the victim or witness to any crime to report it to the police. The identity of complainant(s), victim(s), and witness(s) will be kept confidential to the extent possible. Criminal reports are classified and filed to meet the Clery Act crime reporting and the Uniform Crime Reporting (U.C.R.) standards.

In addition, pursuant to Bowie State University's Sexual Misconduct policy, all employees should contact the Bowie State University Police and Department of Public Safety if there is an actual emergency or imminent threat to individual or community health, safety or property. If not already reported to the Title IX Coordinator, Responsible Employees should contact the Bowie State University Police and Department of Public Safety when they become aware of the potential for any of the crimes listed below, which occur on campus or on property immediately adjacent to campus:

1. Murder & Non-Negligent Manslaughter
2. Negligent Manslaughter
3. Robbery
4. Aggravated Assault
5. Burglary
6. Motor Vehicle Theft
7. Arson
8. Arrests for Weapon Violations
9. Arrests for Drug Abuse Violations
10. Arrests for Liquor Law Violations
11. Disciplinary Referrals for Weapon Violations
12. Disciplinary Referrals for Drug Abuse Violations
13. Disciplinary Referrals for Liquor Law Violations
14. Hate Crimes
15. Sex Offenses (Reporting sex offenses to the Title IX Coordinator satisfies Responsible employee's reporting obligation).
  - a) Sexual Assault
  - b) Stalking
  - c) Dating Violence
  - d) Domestic Violence

## **DAILY CRIME LOG**

The Bowie State University Police and Department of Public Safety maintains a daily crime log that records by date, time, and location of all crimes and other serious incidents that occur on campus, in a non-campus building or property, on public property, or within the department's patrol jurisdiction.

The Daily Crime Log is available for public inspection at the department headquarters located on the main campus in McKeldin Gym and on the Campus Safety website.

The Daily Crime Log includes the nature, date, time, and general location of each crime reported to the department, as well as the disposition of the complaint, if the information is known at the time the log is created. The department reserves the right to exclude reports, if under active investigation. The BSUPD also monitors county police activity (Prince George's County Police Department) to keep abreast of any criminal conduct in areas surrounding the campus.

### **DRUG INFORMATION**

The Bowie State University Police and Department of Public Safety (BSUPD) can be reached by phone at (301) 860-4040 twenty-four hours a day. Anyone with concerns of illegal drug activity can contact the police while remaining anonymous. All information received will be acted upon to the fullest extent possible and will be treated with the utmost confidentiality.

### **PROCEDURES FOR ACCESS TO BSU CAMPUS AND THE BUILDINGS DURING SECURITY HOURS**

The University is a public institution, therefore, the majority of the buildings and grounds are generally accessible to the public during normal business hours. It is the policy for anyone accessing the BSU campus buildings during security hours (non-business hours) to have a letter of authorization granting permission to enter a particular building or office from the Director/Head of his/her department. This letter is then presented to BSUPD before access can be granted. Any person visiting a BSU Residence Hall must sign-in on the desk roster located in each hall entrance. The Residence Halls have security guards monitoring each building during security hours. All other buildings are off limits unless special permission has been granted to enter after non-business hours.

### **PROCEDURES FOR REPORTING MISSING STUDENTS RESIDING ON CAMPUS**

If a member of the University community has reason to believe that a student who resides on campus is missing, he or she should **immediately** notify the Bowie State University Police and Department of Public Safety (BSUPD) at 301-860-HOTT (4688) or 301-860-4040. Missing student notification procedures require that any official missing resident report (on-campus resident) must be referred immediately to the BSUPD. The BSUPD will generate a missing person's report and initiate an investigation.

After investigating the report of a missing person, should the BSUPD determine that the resident is missing and has been missing for more than 24 hours, the BSUPD will notify the Prince George's County Police Department and the missing resident's contact number no later than 24 hours after the resident student is determined to be missing. If the missing resident is under the age of 18 and not an emancipated individual, the BSUPD will notify the resident's parent or legal guardian immediately after the BSUPD has determined that the resident has been missing for more than 24 hours.

In addition to registering an emergency contact, residents residing on campus have the option to identify confidentially an individual to be contacted by the University in the event the resident is determined to be missing for more than 24 hours. If a resident has identified such an individual,



BSUPD will notify that individual no later than 24 hours after the resident is determined to be missing. Under section 485(j) of the HEA, only authorized campus officials and law enforcement officers in furtherance of a missing person investigation may have access to this confidential contact information.

## **BOWIE STATE UNIVERSITY CODE OF STUDENT CONDUCT**

Bowie State University is a learning community. In order for the University to meet its educational goals, we must be a disciplined community. Such a community offers an environment that allows individuals to develop to their full potentials. To that end, the University has created a set of standards regarding personal conduct within this community. Personal responsibility and respect for others are the essential values underlying these standards.

Teaching students to accept responsibility for their behavior and to respect the rights of others is a high priority for our university community. The community benefits from this instruction through the improvement of the learning environment. Students become more productive when they have adopted these values. One of our responsibilities is to challenge behavior that violates the rights of others or which violates the laws of the larger society. By holding each student to a high standard of behavior, we protect both the campus community, and promote the moral and ethical development of students. In doing so, we have an obligation to regard each student as an individual, deserving individual attention, consideration and respect. Behavior, which is prohibited by these standards, is outlined within the code. These standards arise from the important values of personal responsibility and respect for others. By presenting these to you, we hope to begin a process that will lead to your support of the guidelines and the values upon which they are based.

We believe that the educational focus of our institution will be served best by a serious commitment to helping students develop responsible personal attitudes and behavior. We feel it is our responsibility to establish behavioral guidelines that are stated clearly and to define the consequences for those acts outside of these guidelines.

We intend to fulfill this goal by making these guidelines and consequences well known to all members of our community. It is our hope that the response to these expectations will be a positive one that enables our community to better achieve its educational mission and to affirm the wholeness of that mission, inside and outside of the classroom.

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## **PURPOSE, GENERAL PROVISIONS & PHILOSOPHY**

The primary purpose of the **Code of Student Conduct** is to serve the interests of both the BSU community and the individual student by:

- 1) Prescribing the standards of behavior and conduct expected of students;
- 2) Outlining actions which can be taken when misconduct occurs;
- 3) Establishing procedures which ensure due process in the adjudication of complaints concerning students; and,
- 4) Imposing sanctions in the University setting to protect, deter, and educate students that violate the Code of Student Conduct.

## **Student Rights and Responsibilities**

Joining the Bowie State University (BSU) family is an honor and requires each individual to uphold the laws of the State of Maryland and the policies, regulations, and guidelines established for students, faculty, administration, professional staff and other employees. All members are required to adhere to and conform to the instructions and guidance of the leadership of their respective areas. Therefore, the following is expected of all BSU students:

- To respect himself or herself
- To respect the dignity, feelings, worth, and values of others
- To respect the rights and property of others and to discourage vandalism and theft
- To embrace diversity, while striving to learn from differences in people, ideas, and opinions
- To practice personal, professional, and academic integrity, and to discourage all forms of dishonesty, plagiarism, and disloyalty to the Student Code of Conduct
- To foster a personal and professional work ethic within the BSU family
- To encourage a fair, productive atmosphere among peers, and be fully responsible for upholding the **BSU Student Code of Conduct**.

**The Students Judicial Programs Office** promotes the concepts of fundamental fairness in judicial settings throughout the University community, while striking a balance between community standards and individual behavior through the educational development of students. All students are subject to the Code of Student Conduct.

- 1) Individuals who are not currently enrolled at the University remain subject to the disciplinary process for conduct that occurred during any period of enrollment;
- 2) for conduct that occurred during a period between any consecutive semesters, terms, or summer sessions for which they are enrolled; or
- 3) for conduct that occurred during the time after admission to the University but prior to first enrollment; and,
- 4) for statements, acts or omissions related to application for enrollment.

BSU is strongly committed to an academic environment which supports the humanity and dignity of all persons. As such, any behavior which threatens that principle shall be subject to severe sanctions. In this regard, any physical or sexual assault or other act which threatens the safety or well-being of other persons shall be viewed as extremely serious and subject to the most serious sanctions, including suspension or expulsions from the University.

BSU is also strongly committed to an academic environment that supports the health, safety, and well-being of all persons. Any behavior that is deemed to have violated this principle shall be subject to sanctions. To that end, the possession, use, or distribution of controlled dangerous substances or alcohol shall be viewed as extremely serious. Violations of this kind shall subject a student to the most serious sanctions, which may include suspension or expulsion from the University.

The University is committed to an academic and employment environment free from unwelcome sexual advances, requests for sexual favors, and other forms of sexual harassment. Sexual Harassment is a form of sex discrimination and is illegal. Harassment and retaliation against persons filing discrimination charges is illegal and against Bowie State University policies. (For a full copy of the Policy: <http://www.bowiestate.edu/gc/university-policies/section-vi-general-administra/vi-1-40-sexual-misconduct/>)

All proceedings of the University's student judicial process are confidential in accordance with the Family Educational Rights and Privacy Act (FERPA), the University's Policy on the Disclosure of Student Records states that students' judicial and disciplinary records are educational documents. The Student Right-to-Know and Campus Security Act allows institutions to inform victims of the outcome of student judicial proceedings as relates to an alleged crime of violence defined by the U.S. Code. The Student Right-to-Know and Campus Security Act was amended by the Higher Education Amendments of 1992 (sometimes known as the Campus Sexual Assault Victims Bill of Rights Act) requiring the University to inform the victim of an alleged sexual assault of the final outcome of the student judicial proceedings against the charged student.

Although all Judicial Proceedings are considered confidential, FERPA permits and, in some cases require the release of these records, with or without notice to the student. Some of the exceptional circumstances recognized in FERPA include, but are not limited to, release in response to a subpoena, release of parents of income tax dependent students, and permissible disclosure to parents or legal guardians of the results of disciplinary hearings if the student is less than 21 years of age and has been found responsible for violating campus policy regarding the use or possession of alcohol or a controlled substance. The University may be compelled, under the Maryland Public Information Act, to release disciplinary records of students found to have committed crimes of violence and non-forcible sex offenses.

**Conduct Board.** Hearings before the Conduct Board will be reviewed in accordance with rights afforded by the Code of Student of Conduct. The hearing shall be prompt, fair, and impartial and conducted by board members who have received annual training on sexual misconduct encompassing University policy, procedure, and appropriate considerations under hearing processes.

Both parties have significant rights, including the right to an advisor or his/her choice during the investigation and hearing process; the right to be treated with respect, the right to a Conduct Board comprised of representatives of both genders; the right to review all documentary evidence available regarding the complaint; the right to question all witnesses who are called to give testimony; the right to introduce new evidence not presented or taken into consideration during the investigative phase and the right to request and appeal of the hearing board's determination. Both parties will receive written notification of determination and sanction, if applicable, imposed by the Conduct Board and the procedure for filing a request for appeal. The University shall not publically disclose the name of either party, unless as required by law.

Determination of sanctions is based on what is appropriate to the violation. Sanctions for violation of this Policy include warning, probation, and removal from housing, suspension or expulsion. In determining the appropriate sanction, the Conduct Board will consider cause of the behavior, severity of the conduct, previous conduct history, University precedent, and the welfare of the Complainant and the University community.

### **Non-Academic Grievance Procedure for Students**

Students who feel that they have a non-academic complaint(s) against a faculty member, administrative staff or other personnel at the University have a right to have their concerns addressed. If a student has an EEO-related complaint alleging acts of discrimination on the basis of race, color, religion, age, ancestry or national origin, sex, sexual orientation, disability, or marital or veteran status against an

employee, the complaint should be filed with the Office of Equity Compliance (EEO/Title IX), located in the Office of Human Resources, Robinson Hall in Room 4.

### **University Standards of Behavior, Including Personal and Group Conduct**

The following forms of conduct are prohibited by Bowie State University and are subject to disciplinary action. It should be clarified that penalties for off-campus misconduct will not be deemed more severe than for penalties for similar on-campus misconduct. University Judicial Action may be taken simultaneous to any additional Civil or Criminal legal court actions. (Excluding the Riot Policy, see Violation #31)

### **Destructive Behaviors Involving Harm to Self-and/or Others Arising from Psychological Issues**

These are the procedures that will be conducted by Bowie State University in the event of an act of destructive behavior involving harm to self and/or others committed on the University campus. The University recognizes that these acts may stem from psychological problems. Bowie State University's policies and procedures on destructive behaviors are applicable to all Bowie State University students.

Bowie State University is dedicated to providing an environment that provides for the physical, emotional, and psychological well-being of its constituents. Therefore, harm to self or others on the University campus will be addressed in a proactive manner. Harm to self may include, but is not limited to, such acts as cutting, suicidal attempts, repeated accidents, or dangerous behaviors. Harm to others may include, but is not limited to, such acts as assault, sexual assault, or domestic violence.

Information regarding harm to self or others will be referred to such appropriate persons as Public Safety, Vice-President for Student Affairs, Director of the Henry Wise Wellness Center, and Counseling Services. Confidentiality of records and/or information will be appropriately maintained. Any Bowie State University student who has engaged in harm to self and/or others will be treated as a medical, psychological, and/or Public Safety emergency. A Public Safety representative will assist in making a general assessment of the potential emergency and contacting other appropriate personnel.

Once the problem has been deemed a medical or psychological emergency, Public Safety or the University Wellness Center staff will summon an ambulance and specify that the student be transported to the hospital. If the student refuses to be transported to the hospital, an emergency petition may be sought by Public Safety. In other cases, parents or guardians may be contacted and required to escort the student.

A written letter stating requirements for re-entry to the University will subsequently be provided to the student by the Office of Student Affairs. The letter will state that the student will not be allowed to return to class and/or the residence halls until cleared by his or her licensed mental health professional such as a psychiatrist and/or psychologist. When a student cannot speak or comprehend coherently, a family representative will be contacted and apprised of the need for medical documentation prior to clearance to return to the University.

If a student fails to provide the required medical documentation after proper notification, the Dean of Student Affairs or designee will intervene to ensure that the student is withdrawn from class and a notification of such will be provided to faculty.

A student involved in a situation involving harm to others will undergo a hearing conducted by the University Judicial Board. A student may request an appeal of a decision rendered by the University Judicial Board by contacting the Dean of Student Affairs. Upon re-entry to Bowie State University, a student may subsequently be required to see a counselor in Counseling Services or continue with a treatment plan with an outside professional. In some cases of harm to self or others, a student may be subject to an involuntary administrative withdrawal from Bowie State University.

### **Illegal Use or Possession of Alcoholic Beverages**

Bowie State University does not encourage or support alcohol use by students on campus. Student groups must obtain prior authorization from the Vice President of Finance and Management to distribute alcohol at student-sponsored events. Unauthorized possession, use, or distribution of alcoholic beverages is prohibited by any student or student group on campus or at University-sponsored events on and off campus and may result in disciplinary sanctions as outlined in Section B of this policy.

Alcohol use is prohibited in all residence halls owned, leased, and/or operated by the University. In accordance with Maryland law, anyone who willfully furnishes an alcoholic beverage to any individual under the age of 21 years can be charged a fine not exceeding \$1000 or 60 days imprisonment or both.

### **Misconduct Involving Illegal Drugs or Controlled Substances**

The University prohibits the possession, use, distribution, or sale of any illegal drugs or controlled substances on the campus, the areas surrounding the campus, or at University-sponsored events on and off campus. Students found responsible of violating the policy (as set forth below), will be subject to disciplinary action which could include suspension from the University. It is the expectation of Bowie State University that students, faculty, and staff who observe or suspect that a violation of the substance abuse policy is being committed in noted jurisdictions will report it to the appropriate authorities. While the major thrust of Bowie State University is drug education and prevention, the University will take appropriate disciplinary action to provide a drug free environment in which our students may grow intellectually and socially.

### **Disruptive Behavior**

The University prohibits disorderly or disruptive conduct which substantially threatens, harms, or interferes with university personnel or orderly university processes and functions. Disruptive behavior includes indecent exposure, lewd behavior, bomb threats, false fire alarms and other actions which disrupt normal university functions, activities and processes. A faculty member may require a student to leave the classroom when his/her behavior disrupts the learning environment of the class. A student found responsible for disruptive behavior in the classroom may be administratively withdrawn from the course.

### **Violence to Persons**

The University prohibits acts of violence to other persons by individuals or groups. Acts of violence for the purposes of this section include assault, hazing, battery, and/or actions in reckless disregard

of human life and safety. Assault includes verbal or written acts which place a person in personal fear or which have the effect of harassing or intimidating a person. Battery includes the unauthorized touching of another person. Students found responsible for violence to persons involving serious physical injury will be subject to a recommendation of suspension or expulsion from the University. You may access the complete Code of Student Conduct on the Student Affairs webpage under Judicial Programs. Hard copies may be obtained from the Division of Student Affairs, Henry Administration Building Room 2500.

### **SEXUAL OFFENSE PROGRAMS**

In accordance to the “Campus Sex Crimes Prevention Act” of 2000, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the Bowie State University Department of Public Safety is providing a link to the Maryland 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.

The website for the Maryland Sex Offender Registry is:

<http://www.dpscs.state.md.us/sorSearch/>

### **SEXUAL MISCONDUCT POLICY (BSU Policy VI-1.40)**

Bowie State University (the “University”) is committed to providing an academic and work environment free from all forms of discrimination, including discrimination on the basis of sex. Title IX of the Education Amendments of 1972 (“Title IX”) and Title VII of the Civil Rights Act of 1964 (“Title VII”) prohibit discrimination on the basis of one’s sex in federally-funded educational programs and activities, as well as in the terms and conditions and privileges of employment. The University expressly prohibits non-compliance with Title VII and Title IX and any acts of discrimination on the basis of sex in its education programs and activities.

Sexual Misconduct is a type of sexual harassment and is non-consensual behavior that is sexual or gender-based in nature. Sexual Misconduct can occur between acquaintances or strangers, including individuals involved in an intimate or sexual relationship. It can be committed between a male and female or members of the same sex.

Sexual Misconduct, as defined by this Sexual Misconduct Policy is a type of sex discrimination. Sexual Misconduct includes sexual harassment, sexual assault, sexual violence, domestic violence, dating violence, sexual exploitation, sexual intimidation, and stalking. Sexual Misconduct is strictly prohibited by state and federal law, as well as this Policy.

(For the complete BSU Sexual Misconduct Policy, see the following link: <http://www.bowiestate.edu/gc/university-policies/section-vi-general-administra/vi-140-policy-on-sexual-misc/> )

### **CONFIDENTIALITY AND STUDENT REPORTING**

Individuals who experience Sexual Misconduct or become aware of an incident of Sexual Misconduct are strongly encouraged to report the incident immediately. Any student who believes that she/he has

been subjected to Sexual Misconduct may request that an investigation be conducted. In addition, the University may initiate an investigation once it becomes aware that an incident has occurred. Although there is not a time limit for invoking this Policy, prompt reporting enhances the University's ability to investigate and gather relevant physical evidence, including obtaining witness testimony and taking necessary action. The University has an obligation to investigate all incidences of Sexual Misconduct regardless of whether the students involved are still enrolled at the University. However, the student disciplinary process is only an option while the respondent student remains a University student. Student discipline is no longer an option after the respondent student graduates or otherwise leaves the university. University employees, depending upon their roles on campus, have varying reporting responsibilities and duties to maintain confidentiality of information regarding Sexual Misconduct shared with them.

**“Responsible employees”** are identified in Section VI. B. of the Sexual Misconduct Policy and are those employees required to share reported details and personally identifiable information with the Title IX Coordinator. The following are Responsible Employee examples:

- Supervisors; Administrators; Athletic Coaches and Trainers; advisors to student organizations; all faculty; University security personnel and police officers; and Residence Directors and Resident Assistants (RA's). Notice to these individuals is considered official notice to the University.

**“Confidential employees”** are those employees holding positions provided in Section VI. C. of this Policy who will not report any details or personally identifiable information shared with him or her without consent, unless the information relates to an imminent threat to the health or safety of an individual or the University community. The following are examples of confidential sources for assistance:

- Medical professionals in the Henry Wise Wellness Center (301-860-4170), <http://www.bowiestate.edu/campus-life/henry-wise-wellness-center/>
- Sexual Assault Response and Prevention Program Coordinator in the Henry Wise Wellness Center (301-860-4174),

The remaining employees, while not required to report knowledge of Sexual Misconduct to the Title IX Coordinator, are encouraged to share reported details with the Title IX Coordinator if a report of Sexual Misconduct is shared with them. If an individual is not certain of an employee's reporting requirement, please inquire with the University's Title IX Coordinator before disclosing information. The Title IX Coordinator is responsible for accepting and processing complaints and reports of Sexual Misconduct by University students and employees. The University encourages prompt reporting to the Title IX Coordinator, by telephone at 301-860-3442, by email at [TitleIXCoordinator@bowiestate.edu](mailto:TitleIXCoordinator@bowiestate.edu) or in person at, Robinson Hall, Department of Human Resources - Room 4. Students may also report concerns to the Coordinator of Student Conduct at 301-860-3394, Campus Safety at 301-860-4040, or the Henry Wise Wellness Center 301-860-4170.

Contact information for the Title IX Coordinator or the Coordinator of Student Conduct is as follows:

**Adonna Bannister-Greene, Esq.**  
**Director of Equity Compliance**

**Larry J. Moore, Jr.**  
**Director of Student Conduct and**

Jasmyn Lucas, Title IX Coordinator  
Office of Equity Compliance  
Thurgood Marshall Library Rm 247B  
Bowie State University  
(301) 860-3442  
TitleIXCoordinator@bowiestate.edu

**Community Standards**  
Henry Administration Building  
Second Floor  
Bowie State University  
(301) 860-3394  
Student conduct@bowiestate.edu

**Sexual Misconduct Definitions pursuant to BSU Policy:**

Sexual Misconduct includes sexual harassment, sexual assault, sexual violence, domestic violence, dating violence, sexual exploitation, sexual intimidation, and stalking.

**Sexual Harassment** - Sexual Harassment is defined as unwelcome sexual advances; unwelcome requests for sexual favors; or other verbal or physical conduct of a sexual or gender-based nature where:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, evaluation of academic work, or participation in an educational program or activity;
2. submission to or rejection of such conduct by an individual is used as the basis for academic, employment, or activity or program participation related decisions affecting that individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, i.e., it is sufficiently severe or pervasive to create an intimidating, hostile, humiliating, demeaning or sexually offensive working, academic, residential or social environment.

The determination of whether conduct is "hostile" is based on the severity, persistence, or pervasiveness of the behavior, and is evaluated based upon both the subjective (the Complainant's) and objective (reasonable person's) perspective.

Sexual harassment can be committed based upon an individual's sex, gender identity, sexual orientation or gender expression.

Sexual harassment is one-sided, is undeterred, and usually involves unequal power status and/or intimidation (e.g., faculty member to student, supervisor to subordinate, coach to athlete). Sexual harassment can also occur between equals (e.g., student to student, staff to staff, faculty member to faculty member) or unequal power status (e.g., student to faculty member).

**Examples of Sexual harassment include, but are not limited to:**

- Sexual pranks or repeated sexual teasing, jokes or innuendos
- Unnecessary touching or grabbing another's body or clothing
- Repeated unwelcome invitations for dates or to socialize during off-duty or non-class hours
- Requests or pressure for sexual favors accompanied by implied or overt promise of rewards or threats



- Gender-based bullying/cyber bullying

**Sexual Assault-** Bowie State University recognizes two levels of sexual assault.

***Sexual Assault I*** - Non-Consensual Sexual Intercourse: Any act of sexual intercourse with another individual without consent. Sexual intercourse includes vaginal or anal penetration, however slight, with any body part or object, or oral penetration involving mouth to genital contact.

***Sexual Assault II*** - Non-Consensual Sexual Contact: Any intentional touching of the intimate parts of another person; causing another to touch one's intimate parts; or disrobing or exposure of another without consent. Intimate parts may include genitalia, groin, breast or buttocks, or clothing covering them, or any other body part that is touched in a sexual manner. Sexual contact also includes attempted sexual intercourse.

**Sexual Violence-** Sexual Violence is a form of Sexual Harassment and refers to physical acts perpetrated without consent. Sexual Violence includes rape, Sexual Assault, sexual battery, and sexual coercion. Sexual Violence, in any form, is a criminal act.

**Sexual Exploitation-** Sexual Exploitation means taking non-consensual or abusive sexual advantage of another person for one's own advantage or benefit or for the advantage or benefit of anyone other than the person being exploited.

**Examples of Sexual Exploitation:**

- Causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such other person.
- Non-consensual electronic recording, photographing and/or transmitting of identifiable images, words or sounds of private sexual activity and/or intimate body parts without the consent of all parties involved.

**Sexual Intimidation** – Sexual Intimidation means threatening to sexually assault another person; gender or sex-based Stalking, including cyber-Stalking; or engaging in indecent exposure.

**Stalking** - Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

**Dating Violence** - Dating Violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Domestic Violence** - Domestic Violence means violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant, or by any other

person against an adult or youth complainant protected from those acts by domestic or family violence laws of Maryland. Examples of Domestic Violence Include, but are not limited to:

- Pushing
- Choking
- Hitting
- Forcing intercourse
- Using restraint on one's body, size or strength against another person
- Stalking

### **Additional Definitions**

**Consent** is given by words or actions that show a knowing, voluntary and positive communicated agreement to engage in a particular sexual activity or behavior. Consent cannot be gained by force or by taking advantage of the incapacitation of another individual, where the accused knows or reasonably should have known of the incapacitation. Lack of protest or silence should not be interpreted as consent. One must be of legal age to give consent. Consent may be withdrawn at any time. Likewise, consent to one activity does not imply consent to another. If there is confusion as to whether there is consent for a particular activity or if consent has been withdrawn, participants in the sexual activity should stop immediately and resolve the confusion before continuing with sexual activity. Consent is absent of threats, physical force, coercion or intimidation. A person is unable to consent when she/he is unconscious or for any other reason is physically unable to communicate unwillingness to engage. Previous sexual activity or intimate relationship does not imply consent for future activity.

**Force** is the use of threats, intimidation, coercion or physical violence.

**Coercion** is unreasonable pressure for sexual activity. When someone makes clear that she/he does not want to engage in certain activity, she/he wants to stop, or she/he does not want to proceed in sexual activity beyond a certain point, continued pressure can be coercive.

**Incapacitation.** Incapacitation is physical and/or mental inability to make decisions or understand the “who, what, when, where, why or how” of their sexual interaction. The standard is whether a sober reasonable person in the situation would know, or should reasonably have known, that the other person was incapacitated and lacked capacity to consent. Incapacitation can result from:

alcohol use, illegal drug use, medication use, unconsciousness or blackout state;  
mental or physical disability;  
sleep;  
involuntary physical restraint; or  
Drugs used to facilitate rape and/or other non-consensual sexual activity, such as Rohypnol,  
Ketamine, GHB, and Burundanga.

### **Title IX Investigations**

Complaints of prohibited conduct under BSU's Sexual Misconduct Policy will be investigated by the Title IX Coordinator. Upon notice of potential Sexual Misconduct, the Title IX Coordinator will

determine whether there is sufficient basis for administrative investigation. Upon a determination that administrative investigation is necessary when an Impacted Person has not made a report for University action, the Title IX Coordinator will contact the Impacted Person to request consent for administrative investigation. If the Impacted Person does not consent to investigation or participation, the investigation may proceed, if appropriate. The Title IX Coordinator will balance the Impacted Person's wishes with considerations for factors, such as:

- 1) the seriousness of the alleged misconduct,
- 2) Impacted Person's age, and,
- 3) Whether there are any prior Sexual Misconduct complaints against the Respondent.

As such, the Title IX Coordinator will serve as a neutral fact-finder responsible for conducting the investigation into Title IX related concerns.

During the investigation process, both the Complainant and the Accused will have the equal right to participate in the administrative investigation. Witnesses will be interviewed, as appropriate, and document and/or material evidence will be collected and analyzed as necessary. At the conclusion of the investigation, the Title IX Coordinator will review all materials collected and prepare a written investigative report. The investigative report will contain evidentiary analysis and a determination of responsibility. The Title IX Coordinator does not issue sanctions.

If the investigative determination finds the Accused responsible, the matter will proceed to the Conduct Board for a hearing to decide appropriate sanction(s) ("Sanction Hearing"). If the Accused requests a hearing regarding the investigative determination of responsibility, the Conduct Board will conduct a Reconsideration of Determination Hearing, to include determination of sanction(s), when appropriate. Accordingly, the University seeks to address complaints of Sexual Misconduct promptly. Investigations and proceedings are normally completed within sixty (60) calendar days after the University has receipt of the complaint or notice. However, the Title IX Coordinator may extend this time frame when necessary and for good cause. Parties will be notified in writing if the investigation and proceedings cannot be completed within the 60-day timeframe.

**Interim Measures in Title IX Investigation.** Prior to the completion of its administrative investigation, or, in lieu of investigation, if deemed appropriate, the Title IX Coordinator will provide written notification and recommend interim measures, accommodations, training or revisions to policies or practices to remedy the effects of Sexual Misconduct, to ensure the safety and education of the community, and/or prevent the reoccurrence of prohibited conduct. Interim measures, or accommodations, are available to stop the alleged sexual misconduct, prevent its recurrence and limit the effects of harm or risk to the complainant or the accused. Requests for interim measures can be made to the Title IX Coordinator. The Title IX Coordinator, Department of Campus Safety or designated official from the Division of Student Affairs may also recommend and/or enforce interim measures during the administrative investigation. Interim measures taken by the aforementioned individuals should be reported to the Title IX Coordinator immediately. Interim measures may include the following:

- Academic accommodation such as class schedule adjustments or incompletes
- No contact directive pending the outcome of the investigation

- Housing reassignment
- Alternative employment arrangements
- Leave or withdraw from campus
- Removal from the University community
- Review or revision of University policies or practices
- Transportation

**RETALIATION:** It is a violation of Bowie State’s Policy to retaliate against any individual making a Sexual Misconduct complaint and/or participating in the investigation of an allegation of Sexual Misconduct. Retaliation means intimidating, threatening, coercing or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or University policy relating to Sexual Misconduct, or because an individual has made a report, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing related to Sexual Misconduct. Retaliation includes retaliatory harassment. The University will take reasonable steps to prevent and address retaliation. Any person committing retaliation is subject to disciplinary action independent of any sanction or interim measure imposed as a result of the underlying sexual misconduct allegation. Retaliation should be promptly reported to the Title IX Coordinator.

**SANCTIONS:** Upon the conclusion of a Title IX related investigation, a Determination Outcome Letter will be provided to both parties. The final Determination may substantiate the allegations and lead to the initiation of disciplinary procedures as against the accused party/respondent. The University sanctions may include mandatory counseling, suspension or expulsion. However, it should be noted that the student disciplinary sanction process is only an option while the respondent student remains a University student. Student discipline is not an option after the respondent student graduates.

**APPEALS:** If a student Complainant or a student Respondent is dissatisfied with the determination as set forth in the Outcome Letter or with sanctions imposed by the Student Conduct Board, she or he may file a request for appeal to the Vice President for Student Affairs. Requests for appeals must be made within three (3) days of the Conduct Board’s written determination on sanctions; and within 10 (ten) days of receipt of the Outcome Letter. An appeal is not automatically granted. An appeal is granted when there is a procedural or substantive error that significantly impacted the outcome of the sanction hearing, or to consider new evidence that could not have been discovered at the time of the original investigation and substantially impacts the determination or sanction, or a reasonable claim that the sanction imposed is disproportionate to the gravity of the sexual misconduct violation. Within ten (10) days of receipt of a written appeal, the Vice President for Student Affairs or his/her designee shall make a final determination in writing. The written determination may uphold the original sanctions, modify the sanctions, or vacate the sanction decision. Both parties will concurrently receive notification of the appeal determination as allowed or required by law.

**AMNESTY FOR ALCOHOL /DRUG USE RELATED TO SEXUAL MISCONDUCT:**

In accordance with this Policy, the Student Conduct Board is authorized to hear allegations of and to impose sanctions for Sexual Misconduct by students as well as related conduct in violation of the Code of Student Conduct. The University’s utmost concern is the health and safety of its community

and it recognizes that complainants or witnesses under the influence of drugs/alcohol may be reluctant to seek assistance at the time of an incident due to threat of disciplinary sanction for violation of the Code of Student Conduct. Complainants may be entitled to amnesty for alcohol or drug use related to Sexual Misconduct. The University will not pursue student conduct action (except for a mandatory intervention for substance abuse) for a violation of Student Substance Abuse Policy by a student who reports Sexual Misconduct to the University or law enforcement or participates as a witness in a Sexual Misconduct matter if the University determines that (1) the violation occurred during or near the time of the alleged Sexual Misconduct; (2) the student made the report of Sexual Misconduct, or is participating in an investigation as a witness in good faith; and (3) the violation was not an act that was reasonably likely to place the health or safety of another individual at risk.

### **CRIMINAL REPORTING OF SEXUAL MISCONDUCT**

Persons are encouraged to report criminal concerns, including incidents of Sexual Misconduct contained in VII. B. of Bowie State University's Sexual Misconduct Policy, to the BSU Police and Department of Public Safety or other applicable law enforcement agencies. Impacted Persons are encouraged to immediately notify the BSU Police and Department of Public Safety or other applicable law enforcement agencies to receive guidance in the preservation of evidence needed for proof of criminal assaults and the apprehension and prosecution of assailants. The Title IX Coordinator, at a minimum, will inform students of the option to notify law enforcement.

A criminal investigation is independent of the University's administrative process and does not prevent an individual from proceeding with an administrative complaint of Sexual Misconduct, as provided in this Policy.

### **CHILD ABUSE & NEGLECT**

Pursuant to Bowie State University's Sexual Misconduct Policy VI-1.40, Maryland law and University System of Maryland Policy VI-1.50 – Policy on the Reporting of Suspected Child Abuse and Neglect require that any person who suspects that a minor child (under the age of 18) is the victim of abuse or neglect must contact a local law enforcement agency or social services agency and the University's General Counsel. Reports must be made within 48 hours of disclosure/discovery. Direct questions to: [GeneralCounsel@bowiestate.edu](mailto:GeneralCounsel@bowiestate.edu).

### **PROTECTIVE MEASURES AND CONFIDENTIALITY**

All persons who investigate sexual assaults or who assist victims of sexual assault shall maintain the strictest confidentiality in all matters pertaining to the victim and the investigation. Failure to exercise good faith in maintaining confidentiality may result in disciplinary actions and other serious sanctions.

### **STUDENT SUBSTANCE ABUSE POLICY AND PREVENTION PROGRAM**

#### **Alcohol Policy**

Bowie State University does not encourage or support alcohol use on campus. Unauthorized possession, use, or distribution of alcoholic beverages is prohibited by any student or student group on campus or at University-sponsored events on and off campus. Authorization must be obtained by

the Vice President of Student Affairs. Under no circumstances is alcohol permitted in any residential facility owned and operated by the University. According to Maryland law (HB 1395), anyone who willfully furnishes an alcoholic beverage to any individual under the age of 21 years can be charged a fine not exceeding \$1000 or 60 days imprisonment or both.

### **Drug Policy**

Further, the University does not condone or permit the possession, use, distribution, or sale of any controlled dangerous substance on the campus, the areas surrounding the campus, or at University-sponsored events on and off the campus. Students found responsible of violating the policy (as set forth below), will be subject to disciplinary action which could include suspension from the University.

It is the expectation of Bowie State University that students, faculty, and staff who observe or suspect that a violation of the substance abuse policy is being committed jurisdictions will report it to the appropriate authorities. While the major thrust of Bowie State University is drug education and prevention, the University will take appropriate disciplinary actions to provide a drug free environment in which our students may grow intellectually and socially.

### **Substance Abuse Sanctions**

Students found responsible of alcohol related offenses are subject to campus disciplinary action.

- First offense: Disciplinary Probation, \$100 fine, and referral to mandatory alcohol education.
- Second offense: One semester suspension.

Students found responsible of drug-related offenses are subject to campus disciplinary action that provides for sanctions of varying severity:

- A minimum fee of \$100;
- Loss of campus housing, suspension and expulsion.
- The campus police will be notified;
- The parent(s)/legal guardian(s) of students under the age of 21 will be notified.
- Severe violations of the substance abuse policy, such as possession with intent to distribute, purchasing for a minor, destruction of property, or assault and battery while under the influence of substance use may subject the student to immediate suspension and/or arrest.

### **PREVENTION AND TREATMENT PROGRAMS**

Alcohol and other drug abuse are major college student health concerns. Bowie State University's substance abuse program attempts to reduce the harm that is frequently associated with alcohol and drug abuse. Our program described below emphasizes preventive education and early intervention.

The program avoids purposeful attempts to instill fear of alcohol and drugs. Instead, the intent is to create a non-threatening environment for students. In such a setting, the encouragement of meaningful discussions and prompt reflection and increased understanding of alcohol and drug related values, beliefs, and behavior takes place.

The following substance abuse programs are provided by Bowie State University's substance abuse education/prevention program. Any student experiencing substance abuse problems is encouraged,

voluntarily, on a confidential basis, to report the problem to the Alcohol, Tobacco and Other Drug Prevention Center (ATOD) as well as the Henry Wise Wellness Center and the Office of Counseling Services where professional assistance will be provided.

## **PREVENTION AND EDUCATIONAL PROGRAMS**

### **Educational and Activity Based Programs**

This service offers to the campus community, a variety of programs designed to promote healthy living, while educating about the risks, consequences, and possible outcomes of substance use and abuse. This includes: alcohol awareness week, safe spring break campaign, and substance abuse educational series for students referred through judicial affairs, presentations during freshmen seminar classes, and programs through the Henry Wise Wellness Center and Counseling Services.

### **Alcohol, Tobacco and Other Drug (ATOD) Prevention Center**

The ATOD Prevention Center is located in Robinson Hall, Room 117. The number is (301) 860-4127. Students have ready access to science-based information on alcohol and other drugs. Also available are pamphlets, professional journals, books, and videotapes which can be checked out, and posters and promotional materials.

### **Substance Abuse Peer Education Program**

In this program, trained student leaders are used as follows:

- To increase awareness of the effects of alcohol and drug use;
- To promote the accurate identification of high risk use;
- To teach students how to help family members or friends with alcohol/drug problems; and
- To provide resources and referrals for students.

### **Assessment and Referral Service**

This service provides students an opportunity to meet individually with a professional counselor and discuss concerns they may have about their use of alcohol or drugs, or the use of a friend or family member. These issues are explored in a non-threatening manner, and student's confidentiality is always assured. In addition, referrals to appropriate campus or community prevention and treatment programs can be arranged. To arrange for this service, contact the Henry Wise Wellness Center at (301) 860-4170 or the Office of Counseling Services at (301) 860-4164.

### **Group and Individual Services**

These free referral services are available to students who are concerned about their use of alcohol or other drugs. Plans can be developed with individuals to help them achieve their goals.

### **REFERRAL: SELF-HELP AND TREATMENT PROGRAMS**

Alcoholic Anonymous	(202) 966-9115
Al-Anon/Alateen	(800) 356-9996
Alcohol Referrals	(800)-ALCOHOL
Drug Emergency	(800)-COCAINE
Prince George's County Health Dept.	(301) 808-1830
Gay/Lesbian Hotline	(202) 833-3234
MD State AIDS Hotline	(800) 638-6252
MD Employee Assistance Program	(410) 767-1013

## **POLICY ON PARENT/LEGAL GUARDIAN NOTIFICATION OF ALCOHOL AND CONTROLLED SUBSTANCE VIOLATIONS**

The Higher Education Act Amendments of 1998 included provisions amending the Family Educational Rights and Privacy Act of 1974 (“FERPA”). Specifically, FERPA now authorizes higher education institutions to disclose to a student’s parent or legal guardian information regarding “any violation of Federal, State, or local law, or any rule or policy of the institution governing the use or possession of alcohol or a controlled substance, regardless of whether the information is contained in the student’s educational records.”

Effective September 1, 2000, Bowie State University, in accordance with Federal law, implemented the following criteria for parent/legal guardian notification:

### **Part I**

Such disclosures are authorized only if:

1. The student is under the age of 21; and
2. The institution has determined that the student has committed a disciplinary violation with respect to the use or possession of alcohol or a controlled substance.

### **Part II**

In addition to Part I, at least one of the criteria below must be met:

1. The student has been found responsible for committing a violation of Bowie State University’s Substance Abuse Policy.
2. The incident involved significant property damage.
3. Medical attention to any person, including the student, was required as a result of the alcohol or drug-related behavior.
4. The student operated a motor vehicle while intoxicated or while under the influence of a controlled substance.
5. The student exhibited reckless disregard for personal safety and/or the safety of others.
6. Evidence indicates that the student’s alcohol or drug-related behavior interfered with the academic process of him/herself or others.

***If a student receives information as an enclosure with a letter informing them of a violation outcome of a judicial hearing, parent(s)/legal guardian(s) will also be sent a letter informing them as well that the student has been found responsible for a violation of the Student Code of Conduct involving alcohol and/or other drugs.***

## **EDUCATION COORDINATOR**

The Program Coordinator in relation to sexual assault located in the Henry Wise Wellness Center, (301) 860-4178, Shanelle O’Connor is the University coordinator for educational programs promoting awareness of sexual assault, including but not limited to rape, acquaintance rape and other sexual offenses defined in this policy. She can be contacted for information about programs that promote



awareness of what constitutes sexual assault, how to prevent it and what the University's procedures are for handling reports of alleged sexual assaults. Upon request and as needed, she can also be contacted to provide specialized training to those who might be involved in providing services to or interacting with alleged victims.

The Program Coordinator in relation to sexual assault also ensures that copies of the BSU Policy, USM policy and the University's procedures concerning sexual assault are distributed to all students, faculty members and employees, are posted in appropriate locations throughout the campus and are published in appropriate University publications. Human Resources ensures that copies of the BSU Policy, USM Policy and the University's procedures on Sexual Harassment are distributed to all new employees.

Counseling Services are available at the Martin Luther King building on the third floor. Counseling is provided for personal, social, career, and academic issues. The telephone number is (301) 860-4164.

To educate Bowie State University campus community, the Henry Wise Wellness Center, Counseling Services and Residence Life will sponsor seminars and workshops emphasizing safety and awareness of sexual assault.

## **EDUCATION AND PREVENTION PROGRAMS**

The University engages in comprehensive, intentional, and integrated programming, initiative, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and, considers environmental risk and protective factors as they occur on the individual, relationship, institution, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and ongoing awareness and prevention campaigns for students that identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct; defines using definition provided both by the Department of Education as well as state laws what behavior constitutes domestic violence, dating violence, sexual assault, and stalking; and defines what behavior and actions constitute consent to sexual activity in the State of Maryland and/or using the definition of consent found in the Student Code of Conduct if state law does not define consent; provides a description of safe and positive options for bystander intervention.

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence or sexual assault or stalking.

Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options and taking action to intervene.

## **Information on risk reduction**

Risk reduction refers to options designed to decrease perpetration and bystander inaction and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. The University has developed an annual education campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation.

Bowie State University (BSU) is committed to its educational programs and sexual assault prevention campaigns which increase awareness, promotes respectful discussion and prevention of sexual misconduct of any kind, including, but not limited to, dating violence, domestic violence, sexual assault, stalking, and sexual harassment. As such, in 2019 both the Henry Wellness Center and the Office of Equity Compliance (EEO/Title IX) conducted Sexual Misconduct Prevention Training for students, faculty and staff alike. In addition, the BSU Wellness Center's Partners in Peace program sponsors workshops in an effort to raise awareness about sexual violence and create a campus environment conducive to learning and working. During these workshops, participants learn more about sexual violence prevention strategies. Most importantly, during the workshops and training initiatives students and the campus community as a whole, learn about what to do if they or someone they know has been a victim of sexual assault, domestic violence, dating violence and/or stalking. Additional Wellness workshops on the following themes are available in partnership with the Equity Compliance Office, Office of Residence Life, Office of Student Life and Academic Advisement: sexual violence, sexual assault, dating violence, stalking and bystander intervention.

In addition, the Wellness Center via --Partners in Peace facilitated peer education to bring forth campus awareness to the societal problem of sexual assault using the STEP Up: Bystander Intervention Program in an effort to help prevent future violent acts. The Partners in Peace program mission aims to raise awareness about and effectively respond to sexual assault, domestic violence, dating violence and stalking. One of the program goals is to provide educational programming and workshops that increase awareness about sexual assault and sexual violence among Bowie State University students, faculty and staff. Partners in Peace and Equity Compliance sponsor ongoing trainings and diverse workshops throughout the year in an effort to raise awareness about sexual assaults, dating violence, stalking, domestic violence and bystander intervention to create a campus environment conducive to learning and working free of harassment and discrimination. During these trainings and workshops, participants learn more about sexual violence prevention strategies. Most importantly, during the workshops and training initiatives students and the campus community as a whole, learn about what to do if they or someone they know has been a victim of sexual assault, domestic violence, dating violence and/or stalking.

Bowie State University also requires mandatory primary sexual misconduct prevention and awareness program for all incoming students and new employees. As an example, in the fall of 2019, the Director of the Wellness Center & Office of Equity Compliance/Title IX Coordinator provided several mandatory program training sessions entitled Freshmen Seminars. Step Up: Bystander Intervention was conducted during Freshman Seminar during the months of September and October 2019. In addition, on campus educational initiatives have included the disbursement of information on definitions, video presentation, overview of the BSU sexual misconduct policy, Title IX investigation requirements, guidelines for reporting a sexual assault, overview of student conduct sanctions, and review of appeal procedures. Equity Compliance and Partners in Peace have conducted in-person

Title IX and Bystander trainings for various departments, including but not limited to the Athletic Department and student athletes, Campus Police, Student Affairs, Student Government and Residential Life. Further training initiatives include, the video presentation of Hunting Ground and NO! The Rape Documentary, Campus Conversations, Take Back the Night and The Clothesline Project. Campus Conversations is a workshop used to engage men and covered topics such as masculinity, gender roles and sexual violence. BSU's Human Resources Department provides training for all new employees on the University policies against sexual harassment and commitment to ensure a campus community free of discrimination and free of sexual misconduct.

### **BYSTANDER Program**

BSU's primary message to bystanders is that if you witness behaviors that concern you, communicate your concerns to someone of authority. In the circumstance in which the conduct is not welcomed, not mutual, not respectful, and not reciprocal, use the direct approach by telling them to STOP the behavior.

### **SEXUAL ASSAULT IS ILLEGAL.**

The Federal Bureau of Investigation (FBI) Uniform Crime Reporting system has defined Sexual Assault as an offense which can be classified as a forcible or a non-forcible sex offense that meets the definition of rape, fondling, incest or statutory rape. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Bowie State University will not tolerate illegal activity of any kind. Persons found in violation of the University's Sexual Misconduct Policy will be subject to disciplinary action and may be subject to arrest.

**Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by sex organ of another person, without the consent of the victim.

**Fondling** is defined as touching of the private parts of another person for the purposes 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 incapacity.

**Incest** is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape** is defined as non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Consent** means a knowing, voluntary and affirmatively communicated willingness to participate in a particular sexual activity or behavior. It must be given by a person with the ability and capacity to exercise free will and make a rational, reasonable judgment. Consent may be expressed either by words or actions, as long as those words or actions create a mutually understandable permission regarding the conditions of sexual activity. It is the responsibility of the person who wants to engage in a sexual activity to ensure that he/she has the consent of the other to engage in the activity.

- Lack of protest or resistance is not consent. Nor may silence, in and of itself, be interpreted as consent. For that reason, relying solely on non-verbal communication can lead to misunderstanding.

- Previous relationships, including past sexual relationships, do not imply consent to future sexual acts.
- Consent to one form of sexual activity cannot automatically imply consent to other forms of sexual activity.
- To give consent, one must be of legal age.
- Consent must be present throughout sexual activity and may be withdrawn at any time. If there is confusion as to whether there is consent or whether prior consent has been withdrawn, it is essential that the participants stop the activity until the confusion is resolved. Consent cannot be obtained by use of physical force, threats, intimidating behavior or coercion
- Coercion is unreasonable pressure for sexual activity.
- Coercive behavior differs from seductive behavior based on the type of pressure used.
- When someone makes clear that he/she does not want sex that he/she wants to stop, that he/she does not want to do certain things or that he/she does not want to go beyond a certain point, continued pressure can be coercive.
- If you have sexual activity with someone you know, or should know, is incapacitated, and is unable to give consent, such misconduct is in violation of this policy. The relevant standard is whether a sober, reasonable person in the same position should have known that the other party was incapacitated and therefore unable to consent. **Incapacitation** is defined as the physical and/or mental inability to make decisions or understand the “who, what, when, where, why or how” of their sexual interaction. The standard is whether a sober reasonable person in the situation would know, or should reasonably have known, that the other person was incapacitated and lacked capacity to consent. Incapacitation can result from: alcohol use, illegal drug use, medication use, unconsciousness or blackout state; mental or physical disability; sleep; involuntary physical restraint the influence of alcohol, drugs or medication, including Rohypnol, Ketamine, GHB, Burundanga, and other substances used to facilitate “date-rape”.

## STATE DEFINITION FOR SEX OFFENSES

First and Second Degree Sexual Offenses involves the commission of a Sexual Act, defined as Cunnilingus, Fellatio, Anilingus, or anal intercourse (not vaginal intercourse; see Rape above). Sexual Contact, as used in Third Degree Sexual Offense, is the intentional touching of the victim’s, of defendant’s anal or genital areas or other intimate parts for the purpose of sexual arousal or gratification. Sexual Contact includes the penetration of vagina or anus with anything other than a penis, mouth, or tongue. For further clarification, refer to CR 3-301, or consult the Maryland State’s Attorney’s Office.

**Domestic Violence:** The term “domestic violence” means 1) Felony or misdemeanor crimes of violence committed –

- By current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or

- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Dating Violence:** The term “dating violence” means violence committed by a person -

- Who is or has been in a social relationship of a romantic or intimate nature with the victim and;
- The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition –

- Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse;
- Dating violence does not include acts covered under the definition of domestic violence.

Maryland law does not distinguish between dating violence and general violent crimes (such as assault). For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Stalking:** The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotion distress: (1) of serious bodily injury; (2) of an assault in any degree (3) of rape or sexual offense as defined by Sections 3-303 through 3-308 of the Criminal law Article of the Maryland Code or attempted rape or sexual offense in any degree; (4) of false imprisonment; (5) of death; or (6) that a third person likely will suffer any of the acts listed.

For the purposes of this definition –

Course of conduct means two or more acts, including, but not limited to, acts which the stalking directly, indirectly, or through third parties, by any action, method, devise, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Reasonable persons mean a reasonable person under similar circumstances and with similar identities to the victim.

For the purposes of complying with the requirement of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **Procedures for Reporting Violence Against Women Act (VAWA) Complaints**

**The health and safety of each of the members of the campus community is the University's principle concern.** Bowie State University (BSU) has procedures in place that serve to be sensitive

to those who report sexual assault, domestic violence, dating violence and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other service on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic transportation and working accommodations, if reasonable available. BSU will make such accommodation, if the victim requests them and if they are reasonable, available, regardless of whether the victim chooses to report the crime to the Campus Police or local law enforcement.

If you or someone you know is sexually assaulted, there are several resources immediately available to assist, 24hours/7days a week. The University strongly urges that you seek immediate assistance from:

- Campus Police (301-860-4040/24 hours)
- Local Law Enforcement (911/24 hours)
- Title IX Coordinator (301-860-3442 8am to 6pm M-F)
- Counseling Services (301-860-4164/8am to 6pm M-F)
- Office of Residence Life (301-860-5000)
- Division of Student Affairs (301-860-3390/8am-5pm M-F)
- The Henry Wise Wellness Center (301-860-4170/8am-5pm M-F)
- Prince George's Hospital Center, Domestic Violence and Sexual Assault Center at Dimensions Healthcare System (301-618-3154/24 hours)

For additional information on what to do immediately and resources available to you at the University and in the local community, please visit the Wellness Center's Partners in Peace website: <http://www.bowiestate.edu/campuslife/henry-wise-wellness-center/partners-in-peace/>.

Additional resources include:

- Sexual Assault Hotline: 1-800-656-HOPE
- Domestic Violence & Sexual Assault Center, Dimensions Healthcare Hotline: (301) 618-3154
- Emergency Contraception Hotline: 1-888-NOT-2-LATE
- National Women's Health Information Center: 1-800-994-9662

### **Victims of Sexual Assault Should Seek Immediate Steps for Self-care and Safety –**

Immediately after an assault you may be in a state of shock. Usually, your first reaction will be to take a bath or shower. Please don't. Instead, wrap yourself in something warm such as a blanket or coat. Call someone to help you immediately. We recommend that you call the Bowie State University Police and Department of Public Safety, (2-HOTT) or (301) 860-4040, the Henry Wise Wellness Center, (301) 860-4170 and/or the Office of Counseling Services located in the Martin Luther King Jr. Building, third floor, (301) 860-4164 for an initial contact. Victims react to this state of shock in different ways: some are upset, angry or calm. Whatever your reaction, you may be able to make better decisions by talking to someone you trust or someone trained, instead of responding to your initial

feelings immediately after the crime. Staying warm, instead of cleaning up right away, will help you accomplish two important things: (1) you will be helping your body to recover from the shock due to the assault; and (2) you will not have disturbed or destroyed any evidence needed if you decide to prosecute.

**Seek medical assistance** - It is very important that you see a doctor as soon as possible after a sexual assault. A medical examination serves two (2) purposes: it ensures that you receive whatever medical aid such as screening for sexually transmitted infections or pregnancy prevention that you may need and any available evidence is collected. The University's initial contact person(s) located in either the Bowie State University Police and Department of Public Safety, (2-HOTT) or (301) 860-4040, the Henry Wise Wellness Center, (301) 860-4170 or the Office of Counseling Services located in the Martin Luther King Jr. Building, third floor, (301) 860-4164 will assist a victim in obtaining medical attention if the victim chooses, including providing transportation to the hospital or other emergency medical facility. A medical examination is always recommended even if you decide not to officially report the crime. It's a good idea to have evidence collected initially in case you decide to take legal action at a later date.

**IT IS EXTREMELY IMPORTANT THAT YOU:**

<b>DO NOT</b>	<b>DO</b>
* shower or bathe	* get to a safe place
* brush or comb your hair	* call the police for help
* douche	* lock doors and windows
* urinate (if possible)	* keep warm
* change clothes	* get medical attention
* eat or drink anything	* write down all that you can remember
* brush or rinse your teeth or smoke	* take a change of clothes to hospital or sexual assault center.
* touch things at the crime the scene	If you must change your clothes, put them in a paper bag to give to the police (plastic destroys evidence).

**Victim Services** – The nearest hospital equipped with the Department of State Police Sexual Assault Evidence Collection Kit is Prince George's Hospital Center, 3001 Hospital Drive, Cheverly, MD 20785. The telephone number is (301) 618-3154.

The University Counseling Services provides individual and group counseling. Under the USM policy, University employees are obligated to report child abuse or neglect that occurs when the individual is under the age of 18. The telephone number is (301) 860-4164.

The Assistant Vice President of Student Affairs will provide assistance to students who report they are victims of sexual assault with a transfer to alternative classes or housing, if such alternatives are requested by the victim and are available, feasible and appropriate to the facts of the sexual assault reported. The telephone number is (301) 860-3390.

**Initial Contacts** - The Bowie State University Police and Department of Public Safety, (**HOTT**) or (301) 860-4040, the Henry Wise Wellness Center, (301) 860-4170 and/or the Office of Counseling Services located in the Martin Luther King Jr. Building, third floor, (301) 860-4164 are Bowie State University's initial contact person (s) to assist you following a sexual assault. When a report of sexual assault is made, (s)he will encourage you to contact law enforcement officials and/or obtain medical assistance as soon as possible following the incident so that you can receive guidance in the preservation of evidence needed for proof of criminal assaults and the apprehension and prosecution of the alleged perpetrator. If you request it, (s) he will also assist you in contacting the proper law enforcement authorities, assist you with obtaining medical attention and provide transportation to the hospital or other emergency medical facility. The Director of Counseling and other campus personnel retain the right to contact law enforcement officials directly where an issue of campus security is involved.

**Initial Contacts Campus Location and Operation Hours** -

**Bowie State University Police and Department of Public Safety, (301)-860-4688, 301-860-4040**  
McKeldin Gymnasium, Room 1005, adjacent to Parking Lot H  
Robinson Hall, Department of Public Safety Communication's Office  
Monday – Sunday **24 hours a day, 7 days a week.**

**Henry Wise Wellness Center, (301) 860-4170**

Christa McAuliffe Resident Hall, LL  
Monday – Friday 8 AM to 5 PM

**Counseling Services, (301) 860-4164**

Martin Luther King, Jr. Building, Third Floor  
Monday – Friday 8 AM to 6 PM

**Victim Complaints** In addition to any criminal or civil procedures available under law, any act of sexual assault is a violation of BSU's Sexual Misconduct Policy. If you wish to file criminal charges against a perpetrator of a sexual offense, contact the Bowie State University Police and Department of Public Safety, (301)-860-4040 or dial 911.



**Disciplinary Proceedings** – The accused (alleged perpetrator) and accuser (alleged victim) are entitled to the same opportunities to have others present during a University disciplinary proceeding. Further, both the alleged perpetrator and the alleged victim shall be informed of the outcome of any investigation by campus police or the Judicial Affairs Office. The offense must be reported according to Federal reporting mandates and Maryland State Law. Possible Sanctions may include the following as examples:

- Student - The range of judicial system penalties for students shall include, but not be limited to the following: alteration of class schedule, disciplinary suspension, interim suspension, and expulsion.
- Faculty and other employees - The range of employment penalties for faculty and employees shall include, but not be limited to, one or more of the following: counseling, reprimand, suspension or termination of employment.

### **JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION (VAWA) ACT OF 2013**

BOWIE STATE UNIVERISTY does not discriminate on the basis of sex in its educational programs; sexual harassment and sexual violence are types of sex discrimination. Other acts can be forms of sex-based discrimination and are prohibited whether sexually based or not and can include dating violence, domestic violence and stalking. As a result, Bowie State University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official. In this context, Bowie State University prohibits the offenses of domestic violence, dating violence, sexual assault, stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

For a complete copy of Bowie State University's policy governing sexual misconduct, visit:

<http://www.bowiestate.edu/gc/university-policies/section-vi-general-administra/vi-1-40-sexual-misconduct/>

### **Policy on Affirmative action and Equal Opportunity**

Bowie State University (BSU) shall not discriminate against any individual on the basis of race, color, religion, age, ancestry or national origin, sex, sexual orientation, disability, marital status, veteran status and any other protected status covered by State and/or Federal law. All policies, programs and activities of BSU are and shall be in conformity with all pertinent Federal and state laws of nondiscrimination including, but not limited to: Title VII of the Civil Rights Act of 1964, as amended, Title IX of the Education Amendments of 1972, the Equal Pay Act of 1963, the Age Discrimination Act, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, Federal Executive Order No. 11375 and Article 49B of the Annotated Code of Maryland. This commitment applies in all areas and embraces faculty, staff and students. Equal opportunity of access to academic and related programs shall be extended to all persons.

<http://www.bowiestate.edu/gc/university-policies/section-vi-general-administra/vi-100-policy-on-affirmative/>

If you wish to file a complaint involving an employee under the University disciplinary system.

- You may file an Employee/Labor Relations complaint with the Director of Human Resources at (301) 860-3451.
- You may also file an EEO-related complaint of alleged discrimination, harassment or retaliation with the Director of Equity Compliance at (301) 860-3442.
- If the accused is a student, the complaint may also be directed to the Judicial Affairs Coordinator who is in charge of student discipline at (301) 860-3394 or the Title IX Coordinator, if the nature of the complaint involves an allegation of sexual misconduct by telephone at 301-860-3442, by email at TitleIXCoordinator@bowiestate.edu or in person at, Robinson Hall, Department of Human Resources - Room 4.

***ALL PROCEEDINGS ARE TO BE KEPT CONFIDENTIAL***

**The following pages reflect the crime statistics reported through the Maryland Uniform Crime Reporting System for 2018, 2019 and 2020. Included on pages 35 and 37 are the Clery crime statistics at Bowie State University and surrounding communities as well as satellite facilities where BSU students may attend classes.**

**The statistics have been categorized separately as on-campus incidents and resident hall incidents. The two columns added together give the total incidents on campus. Data regarding selected arrests for disciplinary referrals and housing violations can be found on Page 36.**

**BOWIE STATE UNIVERSITY CLERY ACT STATISTICS YEARS -2019, 2020, 2021**

	YEAR	CAMPUS	RESIDENCE HALLS	Campus & Residence Halls Total	NON-CAMPUS BUILDINGS OR PROPERTY	PUBLIC PROPERTY	TOTAL
		<b>CRIME REPORTS</b>	<b>CRIME REPORTS</b>		N/A		
<b>Murder</b>	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
<b>Manslaughter</b>	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
<b>Sex Offenses – Forcible</b>	2021	5	0	5	0	0	5
	2020	0	0	0	0	0	0
	2019	0	2	2	0	0	2
<b>Sex Offenses - Non Forcible</b>	2021	8	0	8	0	0	8
	2020	3	4	7	0	0	7
	2019	0	16	16	0	0	16
<b>Robbery</b>	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
<b>Aggravated Assault</b>	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	0	3	3	0	0	3
<b>Burglary B/E</b>	2021	11	0	11			11
	2020	2	0	2	0	0	2
	2019	11	1	12	0	0	12
<b>Motor Vehicle Theft</b>	2021	1	0	1	0	0	1
	2020	0	0	0	0	0	0
	2019	2	0	2	0	0	2
<b>Arson</b>	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
<b>Hate Crimes w/bodily injury</b>	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	

	2019	0	0	0	0	0	0
<b>TOTALS</b>		43	26	69	0	0	69
<b>ARRESTS/ VIOLATIONS REPORTED TO POLICE:</b>	<b>YEARS</b>	<b>CAMPUS</b>	<b>RESIDENCE HALLS</b>	<b>Campus &amp; Residence Halls Total</b>	<b>NON- CAMPUS BUILDINGS OR PROPERTY</b>	<b>PUBLIC PROPERTY</b>	<b>TOTAL</b>
Liquor Law Arrests	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
Drug-Related Arrests	2021	0	1	1	0	0	1
	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
Weapons Possession Arrests	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
<i>Campus Disciplinary Referrals</i>							
Liquor-Law Violations	2021	0	14	14	0	0	14
	2020	0	0	0	1	0	1
	2019	0	0	0	0	0	0
Drug-Related Violations	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
Weapons Possession	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
<i>Residence Hall Housing Violations</i>							
Liquor Law Violations	2021	0	0	0	0	0	0
	2020	0	4	4	0	0	4
	2019	0	0	0	0	0	0
Drug-Related Violations	2021	0	37	37	0	0	37

	2020	0	19	19	0	0	19
	2019	0	21	21	0	0	21
Weapons Possession	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
<b>TOTAL</b>		0	0	0	0	0	0
		0	96	96	1	0	97

Offense (Crimes Not Report by Hierarchy)	Year	On-Campus	Residence Halls (Housing)	Non-Campus	Public Property	Total
Arson	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
Domestic Violence	2021	0	0	0	0	0
	2020	0	0	1	0	1
	2019	1	0	0	0	1
Dating Violence	2021	6	0	1	0	7
	2020	2	0	1	0	3
	2019	8	0	3	0	11
Stalking	2020	0	2	0	0	2
	2019	0	0	0	0	0
	2018	0	1	0	0	1
Hate Crimes	2021	0	0	0	0	0
	2020	0	0	0	0	0
	2019	0	0	0	0	0
<b>TOTAL</b>	2021	6	2	1	0	9
	2020	0	0	0	0	0
	2019	9	0	3	0	12

## **HATE CRIME REPORTING:**

Hate Crimes are crimes that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived Race (RA), Religion (RE), Sexual Orientation (SO), Gender (G), Ethnicity (E), National Origin (NO) or Disability (D).

**THERE WERE NO HATE CRIMES REPORTED IN 2020.**

## **JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT**

As mandated by the Clery Act, the University publishes an annual crime statistics report which is set forth in this publication. In addition to offenses reported to the Bowie State University Department of Public Safety, the crime statistics also include offenses reported to other University offices and officials, including the Judicial Hearing Office, Residence Life, Division of Student Affairs and local police agencies. Notification was given to all jurisdictions; however, replies were not received from some jurisdictions. Upon receipt of further statistics, the necessary changes will be made

### **\* THE UNIVERSITY OF MARYLAND, BOWIE STATE UNIVERSITY CAMPUS AT THE UNIVERSITIES AT SHADY GROVE**

The Universities at Shady Grove (USG) is a regional center located in Rockville, Maryland, that supports programs from nine different institutions within the University System of Maryland. Students attend classes at USG but are still considered students of their "home campus." In addition, employees at USG can be affiliated with any of the nine institutions.

Please access the link for the USG Annual Security Report that is compiled and distributed annually in compliance with the Clery Act.

[http://www.shadygrove.umd.edu/sites/default/files/USG\\_Assets/PDF/AnnualSecurityReport.pdf](http://www.shadygrove.umd.edu/sites/default/files/USG_Assets/PDF/AnnualSecurityReport.pdf)

This publication contains crime statistics and statements of security policy. Annually, prior to October 1st, current students and employees are sent an email message providing them with a link to this brochure and notification that the current edition of the *Safety & Security* publication has been posted on the Universities at Shady Grove website. Printed copies may be obtained from the 24-hour security desk located in the Camille Kendall Academic Center on the Shady Grove campus. Crime statistics for USG are reported, in their entirety, by each of the nine institutions that conduct classes at USG.

<b>The Universities at Shady Grove<sup>(1)</sup></b>					
<b>Crime Report Statistics</b>					
Category	Year	On Campus	Non-Campus Buildings or Property	Public Property <sup>(2)</sup>	Total
Murder & Non-Negligent Manslaughter	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Negligent Manslaughter	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Sex Offenses - Forcible	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Sex Offenses - Non-Forcible	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Robbery	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Aggravated Assault	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Burglary	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Motor Vehicle Theft	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Arson	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Hate Crimes <sup>(3)(4)</sup>	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0

Domestic Violence <sup>(4)</sup>	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Dating Violence <sup>(4)</sup>	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Stalking <sup>(4)</sup>	2021	1	0	0	1
	2020	1	0	0	1
	2019	1	0	0	1

<b>Arrest Statistics</b>					
Category	Year	On Campus	Non-Campus Buildings or Property	Public Property <sup>(2)</sup>	Total
Liquor Law Violation Arrests	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Drug Law Violation Arrests	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Illegal Weapons Possession Arrests	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0

<b>Campus Disciplinary Referrals<sup>(5)</sup></b>					
Category	Year	On Campus	Non-Campus Buildings or Property	Public Property <sup>(2)</sup>	Total
Liquor Law Violation Referrals	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Drug Law Violation Referrals	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0



Illegal Weapons Violation Referrals	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0

Footnotes:	
1	The Universities at Shady Grove (USG) is a Regional Center for the University System of Maryland (USM). Degree programs provided by 9 of the 12 USM institutions are offered at USG. Students from each of these 9 institutions attend classes at USG and in some cases may attend classes on USG and their home campuses.
2	Statistics listed in the "Public Property" category include those that took place off campus, on public property immediately adjacent to and accessible from the campus, but not on USG property
3	Hate Crimes are crimes that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived Race (RA), Religion (RE), Sexual Orientation (SO), Gender (G), Ethnicity (E), Disability (D), Gender Identity (GI), or National Origin (NO). Any numbers in small-print parentheses would indicate how many of the total number or reported incidents were motivated by each type of bias.
4	Statistics on this chart are a summation of records requested and received from the Montgomery County Police Dept. (which includes all Rockville City Police Dept. records) and the Maryland State Police. This chart additionally include all Clery reportable statistics reported to USG security officers or other Campus Security Authorities, including those reported to partner institution CSAs.
5	The Montgomery County Police Department does not classify crimes into this category. Statistics in this category will only be those reported or known by Campus Security Authorities or where enough information is known to allow classification.
6	Individuals not arrested, but referred for possible campus disciplinary action (e.g. first offenders required to attend educational programs.)
7	Unfounded reports are classified as unfounded based on the results of a full investigation and evidence conducted by sworn law enforcement personnel that determine the crime report is false or baseless. Reported crimes may not be classified as unfounded (or otherwise withheld or subsequently removed) based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official. Cases where 911 is dialed accidentally are not considered to be unfounded reports.

## **ANNUAL FIRE SAFETY REPORT FOR STUDENTS LIVING ON CAMPUS**

If a fire occurs in a BSU residence hall, resident students in that facility should immediately notify BSU Dept. of Public Safety (BSUDPS) at 301-860-HOTT (4688) or 301-860-4040. The BSUDPS will initiate a response through its Communications Center and will summon the fire department, if needed. If a member of the BSU housing community finds evidence of a fire that has been extinguished and the person is not sure whether BSUDPS has already responded, the resident student should immediately notify BSUDPS to investigate and document the incident.

The fire alarms alert the housing community members of potential hazards, and resident students are required to heed the warning and evacuate the buildings immediately upon hearing a fire alarm in a facility. Use the nearest stairwell and/or exit to leave the building immediately. Community members should familiarize themselves with the exits in each building. The Fire Marshall can levy fines and penalties to individuals who fail to evacuate a building promptly – but a more important reason for evacuating is for safety reasons!

When a fire alarm is activated, the elevators in most buildings will stop automatically. Occupants should use the stairs to evacuate the building. If you are caught in the elevator, push the emergency phone button. The emergency phones in elevators on campus typically ring to the BSUDPS Dispatcher or to a security desk. After a false alarm in a residential facility, an email message is distributed to building residents, typically the next business day, informing them of the cause of the activation and the reason for the evacuation. The purpose of providing follow-up information is to use those instances as a teaching moment to point out the reason for the alarm activation, the evacuation routes, and instructions and guidelines for evacuations. BSUDPS publishes this Fire Safety Report as part of its annual Clery Act Compliance document, via this brochure, which contains information with respect to the fire safety practices and standards for BSU. This report includes statistics concerning the number of fires, the cause of each fire, the number of injuries and deaths related to a fire, and the value of the property damage caused by a fire (see charts on page 26 for more information). The compliance document is available for review 24 hours a day on the BSUDPS web site at:

<http://www.bowiestate.edu/CampusLife/police/clery>

### **Fire Protection Equipment/Systems**

A majority of University buildings are equipped with automatic fire detection and alarm systems which are constantly monitored by staff at the BSUDPS. Refer to page 27 to review the Fire Safety Amenities in BSU Residential Facilities Chart for information about fire detection, notification, and suppression systems in each residential facility.

### **Health and Safety Inspections**

The Residence Life Office performs Residence Hall Inspections monthly during the fall and spring semesters. Inspections are conducted monthly. Residents are notified of those inspections. All other inspections are unannounced. The inspections are primarily designed

to find and eliminate safety violations. Residents are required to read and comply with the Resident Handbook, which include inspections and all other rules and regulations for residence halls. The inspections include, but are not limited to, a visual examination of electrical cords, sprinkler heads, smoke detectors, fire extinguishers and other life safety systems.

In addition, each room will be examined for the presence of prohibited items (e.g., sources of open flames, such as candles; non-surge protected extension cords; halogen lamps; portable cooking appliances in non-kitchen areas; etc.) or prohibited activity (e.g., smoking in the room; tampering with life safety equipment; possession of pets; etc.). This inspection will also include a general assessment of food and waste storage and cleanliness of the room. Prohibited items will be immediately disabled with a locking device or confiscated and donated/discarded if found, without reimbursement.

### **Fire Safety Tips**

Buildings are equipped with a variety of features that are designed to detect, stop and/or suppress the spread of a fire.

- A door can be the first line of defense against the spread of smoke or fire from one area to another. Some doors, such as fire doors in corridors or stairwells of residence halls, are designed to stand up to fire longer than those of an individual room. It is important that these doors are CLOSED for them to work. Additionally, if a door has a device that automatically closes the door, it should NOT be propped open.
- Sprinklers are 98% effective in preventing the spread of fire when operating properly. DO NOT obstruct the sprinkler heads with materials like clothing hanging from the piping.
- Smoke detectors cannot do their job if they are disabled or covered by the occupant, which is a violation of University Policy.
- Almost three-quarters of all fires that are caused by smoking material are the result of a cigarette being abandoned or disposed of carelessly. Smoking is **NOT PERMITTED** in any BSU building.

A daily fire log is available for review 24 hours a day at the office of the BSUDPS. The information in the fire log typically includes information about fires that occur in the residence halls, including the nature, date, time, and general location.

**FIRE INCIDENTS REPORTED IN  
RESIDENCE HALLS (R.H.)  
CALENDAR YEARS  
2021, 2020, 2019**

Residence Halls	Total Fire in R.H.	Number of Fires	Date	Time	Cause of Fire	Number of Injuries requiring treatment at a medical facility	NO. of Deaths related to fire	Value of Property Damage	Case #
<b>2021</b>									
TUBMAN HALL	0	0				0	0	\$	
KENNARD HALL	0	0				0	0	\$	
HALEY HALL	0	0				0	0	\$	
HOLMES HALL	0	0				0	0	\$	
TOWERS	0	0				0	0	\$	
CMRC	0	0				0	0	\$	
GOODLOE APTS	0	0				0	0	\$0	
<b>TOTAL 2021</b>	<b>0</b>	<b>0</b>				<b>0</b>	<b>0</b>	<b>\$0</b>	
Residence Halls	Total Fire in R.H.	Number of Fires	Date	Time	Cause of Fire	Number of Injuries requiring treatment at a medical facility	Number of Deaths related to fire	Value of Property Damage	Case #
<b>2020</b>									
TUBMAN HALL	0	0				0	0	\$0	
KENNARD HALL	0	0				0	0	\$0	
HALEY HALL	0	0				0	0	\$0	
HOLMES HALL	0	0				0	0	\$0	
TOWERS	0	0				0	0	\$0	
CMRC	0	0				0	0	\$0	
GOODLOE APTS	0	0				0	0	\$0	
<b>TOTAL 2020</b>	<b>0</b>	<b>0</b>				<b>0</b>	<b>0</b>	<b>\$0</b>	
Residence Halls	Total Fire in R.H.	Number of Fires	Date	Time	Cause of Fire	Number of Injuries requiring treatment at a medical facility	Number of Deaths related to fire	Value of Property Damage	Case #
<b>2019</b>									
TUBMAN HALL	1	0				0	0	\$0	
KENNARD HALL	1	0				0	0	\$0	
HALEY HALL	1	0				0	0	\$0	
HOLMES HALL	1	0				0	0	\$0	
TOWERS	1	0				0	0	\$0	
CMRC	1	1	2/27/2019	12:15 PM	Cardboard pizza box in kitchen oven started small fire in kitchen	0	0	\$0	
GOODLOE APTS	0	0				0	0	\$0	
ENCLAVE	1	0				0	0	\$0	
<b>TOTAL 2019</b>	<b>0</b>	<b>0</b>				<b>0</b>	<b>0</b>	<b>\$0</b>	

**FIRE SAFETY LOG**  
**FOR RESIDENCE HALLS 2021,2020,2019,**

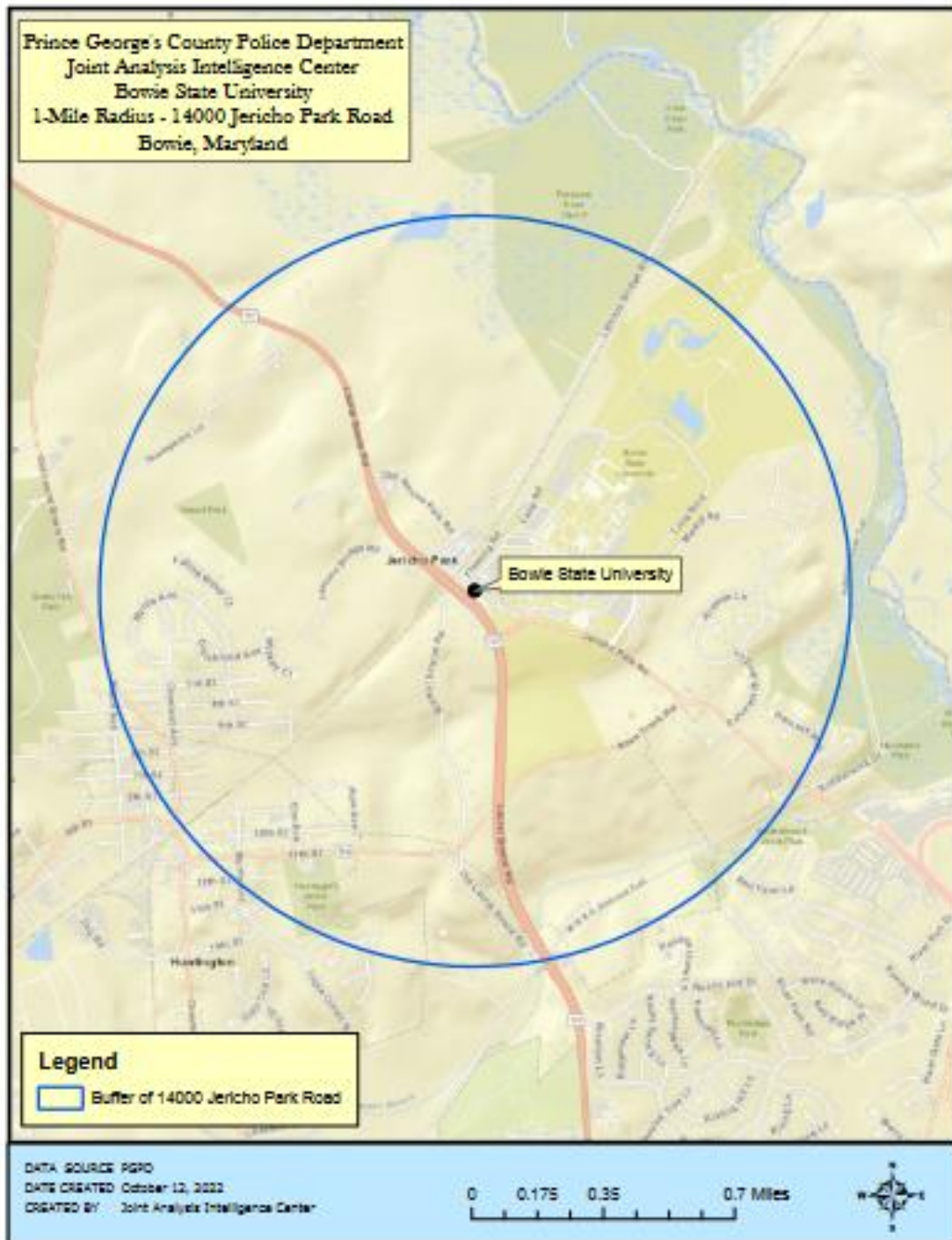
RESIDENCE HALL	Fire Alarm Monitoring Done on Site	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans, Placards	Number of Evacuation (fire) drills each calendar year
<b>2021</b>							<b>0</b>
TUBMAN HALL	Campus Police		X	X	X	X	4
KENNARD HALL	Campus Police		X	X	X	X	4
HALEY HALL	Campus Police		X	X	X	X	4
HOLMES HALL	Campus Police		X	X	X	X	4
TOWERS	Campus Police		X	X	X	X	4
CMRC	Campus Police/HSM Electronic Protection Services		X	X	X		4
Goodloe Apts.	Local			X	X	X	0

RESIDENCE HALL	Fire Alarm Monitoring Done on Site	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans, Placards	Number of Evacuation (fire) drills each calendar year
<b>2020</b>							
TUBMAN HALL	Campus Police		X	X	X		5
KENNARD HALL	Campus Police		X	X	X		5
HALEY HALL	Campus Police		X	X	X		5
HOLMES HALL	Campus Police		X	X	X		5
TOWERS	Campus Police		X	X	X		5
CMRC	Campus Police/HSM Electronic Protection Services		X	X	X		5
Goodloe Apts.	Local			X	X	X	0

RESIDENCE HALL	Fire Alarm Monitoring Done on Site	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans, Placards	Number of Evacuation (fire) drills each calendar year
2019							0
TUBMAN HALL	Campus Police		X	X	X	X	0
KENNARD HALL	Campus Police		X	X	X	X	0
HALEY HALL	Campus Police		X	X	X	X	0
HOLMES HALL	Campus Police		X	X	X	X	0
TOWERS	Campus Police		X	X	X	X	0
CMRC	Campus Police/HSM Electronic Protection Services		X	X	X		0
GOODLOE APARTMENTS	Local			X	X	X	0
ENCLAVE			X	X	X	X	2

## Prince Georges County Joint Analysis Intelligence Center One-Mile Radius Statistics

Case Number	Disposition	Secure	Date	Time	Day	Police Shift	Location	City, State, ZIP	Latitude	Longitude	Beat	Division	Offense	Domestic
21-0030444	Active	Unsecured	5/22/2021	10:00 AM	Saturday	Day work	13205 Falling Water Ct	BOWIE, MD 20720	39.0165	-76.7767	D2	II	Fraud (Identity Theft)	No
21-0040676	Active	Unsecured	9/7/2021	1:30 AM	Tuesday	Midnights	14807 Kimberwick Dr	BOWIE, MD 20715	39.0104	-76.747	D2	II	Destruction/Damage/Vandalism Property	No
21-0040676	Active	Unsecured	9/7/2021	1:30 AM	Tuesday	Midnights	14807 Kimberwick Dr	BOWIE, MD 20715	39.0104	-76.747	D2	II	Destruction/Damage/Vandalism Property	No
21-0040676	Active	Unsecured	9/7/2021	1:30 AM	Tuesday	Midnights	14807 Kimberwick Dr	BOWIE, MD 20715	39.0104	-76.747	D2	II	Destruction/Damage/Vandalism Property	No
21-0055012	Active	Unsecured	11/27/2021	12:00 AM	Saturday	Midnights	14700 Stallion Ct	BOWIE, MD 20720	39.0164	-76.7496	D2	II	Destruction/Damage/Vandalism Property	No
21-0056174	Active	Unsecured	12/1/2021	12:00 PM	Wednesday	Day work	14000 Jericho Park Rd	BOWIE, MD 20715	39.0183	-76.7607	D2	II	Fraud (False Pretenses/Swindle/Confidence Game)	No



Verification of Accuracy

James Booker, Deputy Chief of Police and Lavel Jones, Program Management Specialist, completed this report


The contents of this document were read and verified for accuracy by Chief Mark Cummings, Director of Public Safety and Michael Atkins, Interim V.P. for Administration and Finance.

  
\_\_\_\_\_  
**Deputy Chief, James Booker**  
**Assist. Director of Public Safety**


12 October 2022  
Date

  
\_\_\_\_\_  
**LaVel Jones,**  
**Program Management Specialist**

12 October 2022  
Date

  
\_\_\_\_\_  
**Chief Mark Cummings**  
**Director of Public Safety**

12 October 2022  
Date

  
\_\_\_\_\_  
**Michael Atkins,**  
**V.P for Administration and Finance**

12 October 2022  
Date