



UMBC

OFFICE OF
EQUITY & INCLUSION

Annual Employee Training



Training Goals

Introduce the Office

- We'll tell you a little bit about ourselves, our history, and why you're taking this important training.

Learn about the policies

- Familiarize yourself with UMBC's policies on sexual and gender based violence and hate and bias.

Learn about reporting responsibilities

- Get acquainted with the process for reporting to the Office of Equity and Inclusion, understand when reporting is required, and learn what happens after you submit a report.

Training Outline

- What to expect from this training
- About OEI
- Responsible employees
 - Am I a responsible employee?
 - What must I report or refer?
 - How do I report or refer?
 - What happens after I report or refer?
- Contact Us

What to expect from this training

01

It will take about 25 minutes

You are free to scroll through this training as slowly or as quickly as you'd like, but on average it should take about 25 minutes to complete.

03

It will ask you to demonstrate your knowledge

There will be a brief, 5 question multiple choice quiz at the end to check your understanding the content from this training. You must score an 80% or better to complete the training.

02

It will discuss sexual and gender based violence

This portion of the training does not contain a content warning, but parts of the training may be sensitive for some people. Reach out to OEI if you need support!

04

It is just the beginning

Identifying, responding to, and preventing sexual and gender based violence and harassment as well as hate and bias is an ongoing effort. Keep an eye out for more training and programs from OEI and campus partners.

Why this training?



We're committed to sexual violence prevention and education

At UMBC, we know that prevention and education are key to ending sexual and gender based violence and harassment.



We value inclusive excellence and cultural and ethnic diversity

We know that our vibrant, diverse community is what makes us great and are committed to fostering an inclusive and welcoming environment for all members of our campus community.



We're accountable to our community stakeholders

Annual employee training was recommended by the Retriever Courage initiative and sexual and gender based violence training is required by state and federal law.

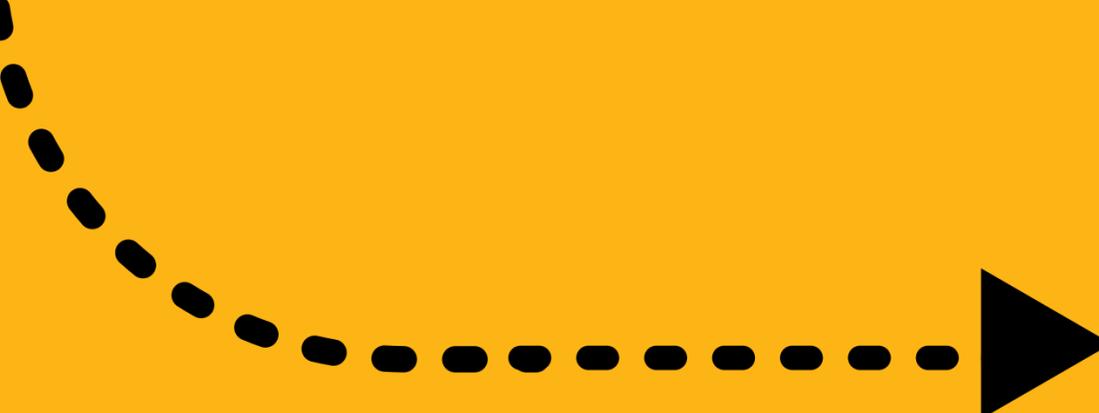
About OEI

UMBC was established upon the land of the Piscataway and Susquehannock peoples.
Over time, citizens of many more Indigenous nations have come to reside in this region.
We humbly offer our respects to all past, present, and future Indigenous people connected to this place.



We believe that public colleges and universities are obligated to help end inequity and to promote social justice.

UMBC is committed to promoting social justice and taking action to address inequities on our own campus in a number of important ways, including the work being done by the Office of Equity and Inclusion.



OEI is a continuation and expansion of the important work that Retriever Courage began in 2018.

Through their tireless efforts, UMBC successfully formed the Office of Equity and Inclusion in January 2020.

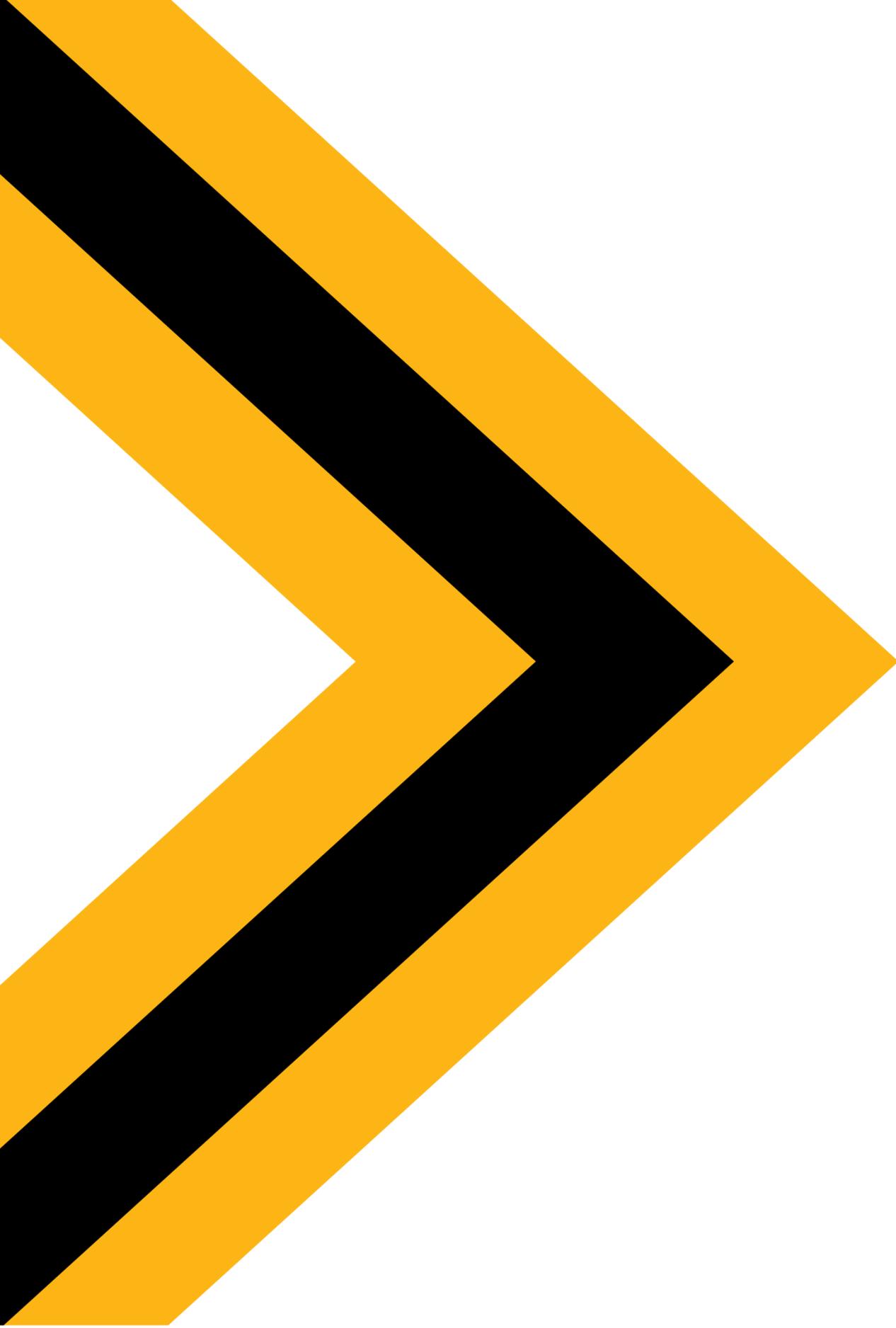
[Click here to learn more about Retriever Courage.](#)





The Office of Equity and Inclusion promotes and coordinates UMBC's core values of inclusive excellence and equity.

OEI responds to Title IX sexual and gender based violence and harassment as well as other civil rights issues including discrimination, harassment, hate and bias.



Our mission extends beyond making sure UMBC follows sexual misconduct and non-discrimination laws, regulations, and policies.

We also conduct investigations, provide education, and work closely with campus partners. We care deeply about fostering an inclusive and welcoming environment for all members of our campus community.

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Responsible Employees



What is a Responsible Employee?



Almost all UMBC employees are considered Responsible Employees. This includes student employees, contractors, and part-time employees.



If a responsible employee hears about, witnesses, or otherwise encounters sexual and gender based violence and harassment, **they must report any and all information they know to OEI.**

Responsible employee reporting helps ensure that our office knows as much about community experiences of sexual and gender based violence and harassment as possible and can reach out to offer support to those involved.

Am I a Responsible Employee?

Most likely, yes.

Employees who are designated as confidential resources or quasi-confidential resources are the **only** exception.

If you have questions about your responsible status after completing this training, **contact oei@umbc.edu**.



Confidential Resources

These resources do not make a report to OEI unless the person or people reporting to them gives the confidential resource permission to do so. Confidential resource employees can assist others in making a report and/or help them decide if they want to file a report.

Confidential resources are confidential no matter who reports to them and can be reported to by faculty, staff, and students.

Licensed Counselors

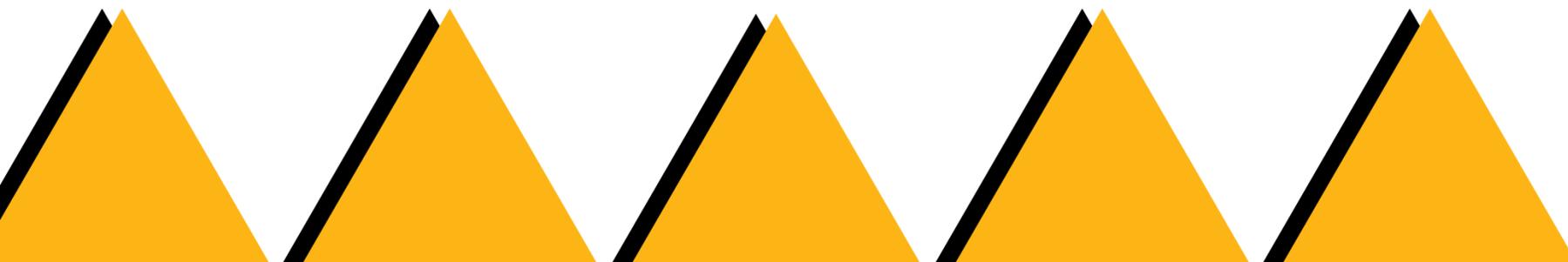
This includes counselors at UMBC's Counseling Center and at The Universities at Shady Grove's Center for Counseling and Consultation. Counselors are only considered confidential when they are in a provider role, such as in a counseling session.

Licensed Medical Professionals

This includes providers at UMBC's Health Services. Medical professionals are only considered confidential when they are in a provider role, such as in a doctor's office visit.

Pastoral Counselors

This includes the Rabbi at UMBC's Hillel. Pastoral counselors are only considered confidential when they are in an active pastoral role, such as a one-on-one pastoral meeting.





Quasi- Confidential Resources

These resources **must** make a report to OEI, but the report does not include personally identifying details. These resources can provide support and advocacy services.

Quasi-confidential resources are quasi-confidential no matter who reports to them and can be reported to by faculty, staff, and students.

Staff of the Women's Center

Including student staff.

Non-Licensed Counselors

Including staff and advocates who work or volunteer at the Counseling Center.

Non-Licensed Healthcare Providers

Including staff and advocates who work or volunteer at University Health Services or Shady Grove's Center for Counseling and Consultation.

Licensed Athletic Trainers

Reporting and Referrals

What must I Report?



Stalking & Cyber Stalking

Actions directed at a specific person that cause fear for their safety or the safety of others or cause them to suffer substantial emotional distress



Dating & Domestic Violence

Violence committed by a person who is or has been in a romantic or intimate relationship the impacted person



Sexual Harassment

Unwelcome conduct that is severe, pervasive and objectively offensive and denies equal access to education

Unwelcome sexual advances, requests for sexual favors, or unwelcome verbal, physical or electronic comments that interfere with work or academic performance



Sexual Assault & Exploitation

Sexual assault: unwanted sexual act involving penetration or fondling

Sexual exploitation: when someone takes non-consensual sexual advantage of another for their own benefit



What must I report?

- Discrimination, harassment, or incidents of hate or bias on the basis of:
 - Age
 - Ancestry
 - Color
 - Creed
 - Gender
 - Gender Identity
 - Gender expression
 - Genetic information
 - Marital status
 - National origin
 - Physical disability
 - Mental disability
 - Pregnancy
 - Race
 - Religion
 - Sex
 - Sexual orientation
 - Veteran status
- Retaliation against someone because the person made a complaint or because they participated in or refused to participate in an investigation or hearing

What must I report?

You must report any experience with discrimination, bias, sexual misconduct or retaliation that keeps a student or employee from:

01

Attending school or work

This includes going to class, participating fully in class, and doing in-class activities as well as participating in work-related requirements such as meetings.

02

Engaging in Activities

This includes clubs, student organizations, athletics, field trips, conferences, meetings, and UMBC events.

03

Feeling safe

This includes on and off campus living situations, on and off campus activities, and feeling safe while at work on or off campus.

This includes experiences that are current, ongoing, or that occurred in the past.



What to know about Responsible Employee Reporting

UMBC's policies apply broadly

As a Responsible Employee, you must report **any** information you receive about **any** possible experience of sexual and gender based violence and harassment and discrimination.

This includes:

- Experiences that happened before the impacted person came to UMBC
- Experiences that occurred off campus or at an activity that was not related to or sponsored by UMBC
- Experiences that were perpetrated (committed or caused) by someone who is not a member of the UMBC community
- Experiences that occurred while some or all people involved were drinking, using drugs, or otherwise violating a UMBC policy
- Experiences that seem "small" or "not significant" as well as experiences where you feel you do not have "the whole story" or "all of the information"

Responsible Employee reporting is important

Reporting is required by state and federal law, but the reasons to report extend beyond compliance.

- Reporting allows our trained professionals to respond in a trauma-informed way to those who have experienced or perpetrated harm.
- OEI's outreach to those involved is confidential and covered by FERPA. This means that the office can gain trust from reporters and impacted people in order to best preserve access to education and address any harm.
- Many times the report of harm that a responsible employee hears is just the tip of the iceberg. By referring the impacted person(s) to OEI, you give our team an opportunity to reach out to the impacted person(s) and do an intake. This process often reveals further details about what happened and how it has affected those involved and allows our team to assess for the ways we can best support them.



Responsible Employee reporting is important

- Reporting to OEI is the only way for an impacted person to receive accommodations. Accommodations are short or long term, non-punitive measures meant to restore access to education or employment.
- Reporting to OEI allows our team to formally or informally investigate, and to offer impacted parties options to address the harm they experienced.
- Reporting allows the Office of Equity and Inclusion to spot trends, identify areas where further training and education are needed, and advise community partners on ways to augment OEI's prevention and response work.



Reporting Myths and Facts

Myth:

Reporting to OEI means that the person/people involved will "get in trouble" or be disciplined

Fact:

Reporting to OEI is not disciplinary in nature. Civil rights reporting, especially Title IX reporting, is meant to be educational.

The aim of the process is to restore access to education, support impacted parties in healing from/addressing harm, and prevent that harm from happening in the future.

Formal investigations may include sanctions, but that is not the primary goal of the process.

Myth:

Reporting to OEI means that there will
be an investigation

Fact:

What happens next once a report is filed is **almost always solely up to the impacted person**. A report may end with providing accommodations, engaging in an informal resolution process, or conducting a formal investigation.

In nearly all cases, the impacted person decides to proceed and no part of the process happens without their consent. In rare exceptions, OEI will be required to move forward with a formal investigation for community safety reasons. **This outcome will never be a surprise to an impacted person** and can occur without their participation.

Myth:

Myth: When someone reports to me,
asking follow up questions to get more
information is necessary

Fact:

When someone reports to you **asking follow up questions is not recommended and can, in fact, be harmful.**

It is best to listen to whatever it is they have to say and then inform them that you will be forwarding their report to OEI, that the information they reported will stay solely OEI, and that they can expect outreach from our office shortly.

Unless someone is in **immediate** danger or needs **immediate** medical assistance, please resist the urge to ask questions to get more information.

It is best to let a trained professional engage in the intake process. If someone is in danger or in need of medical assistance, please ask any and all questions that will assist in keeping them safe.

Myth:

I will be informed about the outcome of a report or referral that I make

Fact:

While the office may contact you for more information once you submit your report, **OEI will never discuss the details or outcome of a case with a reporter unless there is express, written consent given by the impacted person.**

The person who reported to you may choose to share details with you, but **FERPA (the Family Educational Rights and Privacy Act) prohibits our office from sharing information about cases with anyone outside of the case without consent from those involved.**

Remember:

Unless there is an **immediate** concern for community safety, reporting to OEI **does not** trigger a report to the police.

Reporting to OEI **does not** automatically result in an investigation and **does not** automatically trigger a disciplinary procedure.

How do I report?

**You can submit a report or referral any time
using our online form at
umbc-advocate.symplcity.com/titleix_report/**

UMBC Office of Equity and Inclusion (OEI) Confidential Online Reporting/Referral Form

i This form is used to report or initiate referral related to sexual misconduct, discrimination, or bias impacting or involving UMBC students, employees, faculty, staff, interns, affiliates, contractors, volunteers and visitors including:

- Sexual and Gender Based Harassment, Sexual Assault, Sexual Coercion, Sexual Exploitation, Sexual Intimidation, Interpersonal Violence, Relationship Violence, Domestic Violence, Stalking, Cyber Harassment or Cyber Stalking.
- Discrimination or harassment on the basis of race, creed, color, religion, sex, gender, pregnancy, ancestry, age, gender identity or expression, national origin, veterans status, marital status, sexual orientation, physical or mental disability, or genetic information.
- Hate/ Bias incident.
- Retaliation for reporting or participating in the resolution of any of the issues above.

**Or you can navigate to oei.umbc.edu
and click "File a Report/Make a Referral
to OEI"**

File a Report/ Make a Referral to OEI

This form is used to confidentially report incidents under the UMBC Sexual Misconduct (Title IX) Policy, and Anti-Discrimination Policy which apply to all UMBC students, student employees, faculty, staff, interns, contractors, volunteers, guests and visitors.

Do not use this form to report an immediate threat.

If you or someone you know is in danger, immediately call UMBC Police at (410) 455-5555 or call 911.

Remember:



When you fill out the OEI reporting/referral form, be sure to indicate that you are an employee and that you are not making this report anonymously. You may report conduct that you personally experienced anonymously, but must make your identity known when submitting a responsible employee report or referral. Don't forget to fill out the name field and provide your contact information so OEI can follow up with you if need be.



When you make a report to OEI the details of that report stay as confidential as possible. Only members of the OEI staff and the people directly involved in the report will be informed about the details of the report. No other people will be informed without notice to and consent from everyone involved.



If there is an imminent or continuing threat to health or safety or if there is a disclosure of apparent or suspected abuse of a child or dependent adult, this information may be legally required to be disclosed to the proper authorities, regardless of who you report this information to. Disclosures of this kind do not require the consent of those involved.

A Final Note on Reporting

It is imperative that all Responsible Employees abide by their reporting/referral obligations in order to ensure that those who report are provided with prompt notice of the reporting process and the Supportive Measures available to them.

Failure to report can worsen the situation for all involved: issues that are not promptly reported can escalate, resulting in more harm to the impacted person(s).

Any Responsible Employee who is found to have knowingly failed to make a report/referral to the Title IX Coordinator, regarding alleged Prohibited Conduct that was reported to them, is in violation of this Policy and **may be subject to sanctions including disciplinary action.**

**What do I do when I
receive a report?**



Responding to disclosures

As a member of the UMBC community, it is likely that you will eventually witness or hear about conduct that will trigger your reporting obligations. OEI understands that it can be hard to know what to say or do in those moments. We have put together a few tips to help you respond with confidence and care for the reporter and yourself.

— Listen:

The **most** important thing you can do to support someone who is choosing to trust you with this deeply personal information is to listen to them.

Let them talk without interruption and listen without judgement. Be sure to actively listen by giving the reporter your full attention and using body language and gestures to show that you are engaged. Remember it is not your role to investigate, jump in and ask clarifying questions only if need be.

— Assess:

Ask yourself: "Is there an **immediate** threat to the physical safety of the reporter or another UMBC community member?" If so, contact the UMBC police.

If there is no immediate threat - it is always up to the impacted party, the person who experienced harm, to decide whether or not they want to contact police.

Responding to disclosures

— Inform and Validate:

As soon as practicable, let the reporter know that you are a responsible employee and you must make a report to OEI. Then, thank the reporter for trusting you with this information and validate their feelings and reactions. Try not to assign feelings: use the reporter's own words when repeating information back to them.

Follow this up by:

- Letting them know that once the report is filed, they will receive an outreach email from OEI that offers support and informs them about resources and possible next steps
- Reminding them that reporting to OEI is not disciplinary and does not automatically trigger an investigation and that they will be fully informed about and involved in whatever happens next

Note: If you witness conduct that is reportable instead of hearing it directly from someone involved, this step may not be practical or necessary. Use your judgment!

Responding to disclosures

— Report:

Send an OEI report as immediately as possible, and do not share the details of the report with anyone else. Be sure to include your name and contact information on the report form.

— Care for yourself:

Care for yourself: Receiving a disclosure can be tiring -- it's hard work to be a good support person. Take some time to care for yourself after caring so wonderfully for someone else

Note: You may receive a disclosure from someone who has been impacted by harm, from someone who has caused harm, or from someone who has witnessed or otherwise heard about harm. Sometimes the person reporting to you will fill more than one of those roles. At OEI, we believe that all people deserve a compassionate, empathetic response, regardless of their role in the harmful conduct. The response outlined here is appropriate no matter who the report comes from.



**What happens after
OEI receives a report
or referral?**

Initial Outreach

After receiving a report OEI will send outreach, usually by email.

We may reach out to:

— The people involved in the report

This includes the person or people reported to be impacted by harm as well as the person or people reported to have caused harm.

This outreach will let the person or people know OEI received a report, inform them of their rights, send them resources, and offer an intake meeting to explore next steps.

— The person who made the report

Also known as the reporter. This outreach is to clarify parts of the report or referral and to gather more information.





Intake

During the intake process, OEI will talk through the details of your specific concerns, present you with options for next steps, and provide you with referrals and resources.

— OEI will try to meet with the person who experienced the reported harm

If more than one person experienced harm, OEI will typically meet with each person one on one to preserve privacy and to provide accurate possible next steps for each individual.

— The person who experienced the harm may choose to:

- Take no further action*
- Seek only support and resources
- Seek Supportive Measures
- Initiate an informal resolution
- Initiate a formal investigation
- Some combination of the above

***In very limited circumstances**, if the Title IX Coordinator determines that there appears to be a continuing threat to an individual or the UMBC community, **OEI may choose to go forward with an investigation even if the impacted person does not want to move forward. OEI will never move forward in this way without notice to the impacted person**, an explanation as to why OEI must move forward, and the opportunity for the impacted person to reconsider their needs for supportive measures.

Supportive Measures

Supportive Measures are non-punitive. These measures are put in place to support and protect those involved in a report, and to protect the integrity of the investigation. They can be short or long term and can be offered to all people involved in a report or referral.

Supportive Measures could include:

- Changes in class schedule
- Changes in work schedule
- Extensions, flexible deadlines, or other academic support
- Restriction from contacting the other person or people involved in a case and from being contacted by that person or people, also known as a mutual no contact order
- Restriction from certain areas of campus
- Other accommodations dependent on the specific facts/circumstances

The only way to secure supportive measures is to report to OEI. If you or someone you know has experienced harm and could benefit from these measures, please file an OEI report.





Informal Resolution

Informal resolution provides a flexible and collaborative pathway to resolving a complaint by using means other than a formal investigation

* Informal Resolution will not be offered and cannot be used to resolve complaints of Sexual Assault, Sexual Coercion, or allegations that an employee sexually harassed a student.

— An informal resolution is collaborative

In nearly all cases, all parties must agree to an informal resolution.

Note: a no contact instruction may be issued without the agreement of all parties.

— Informal resolutions are unique to each report, but can include:

- Facilitated conversations between people who caused harm and those who experienced harm
- Reflection paper or letter of apology
- Training or education
- Other collaborative solutions reached by all parties

Formal Investigation

A formal investigation **follows a specific procedure** and structure that includes: **a notice of the allegations, an investigation, review of the evidence by the parties, and a Hearing or Review Meeting, a Finding, and if there is a Finding, sanctions.**

If the person who experienced harm **chooses a formal investigation**, the case will be **referred to one of OEI's investigators, or will be sent to an outside investigator.**

At UMBC, there are **two different processes that can address sexual and gender-based violence and harassment.** There are some **key differences** between these processes.

If a formal investigation **is right for your case**, OEI staff will let you know which policy applies and **ensure you understand what your process will look like.**



Formal Investigation

01

Notice Stage

If the person impacted by the harm chooses an investigation, all people involved in the report will receive a formal notice identifying the alleged violations, and potential sanctions.

Both the impacted person (complainant) and the person reported to cause harm (respondent) are allowed to designate an advisor, support person, advocate or attorney to help them throughout the process.

02

Investigation and Report Stage

The investigator interviews the people involved and witnesses to gather evidence. The investigator then conducts follow up interviews, and provides an opportunity for the parties to review the evidence collected.

Next, the investigator prepares a report that summarizes the relevant evidence. The complainant and respondent have an opportunity to review this report.

Formal Investigation

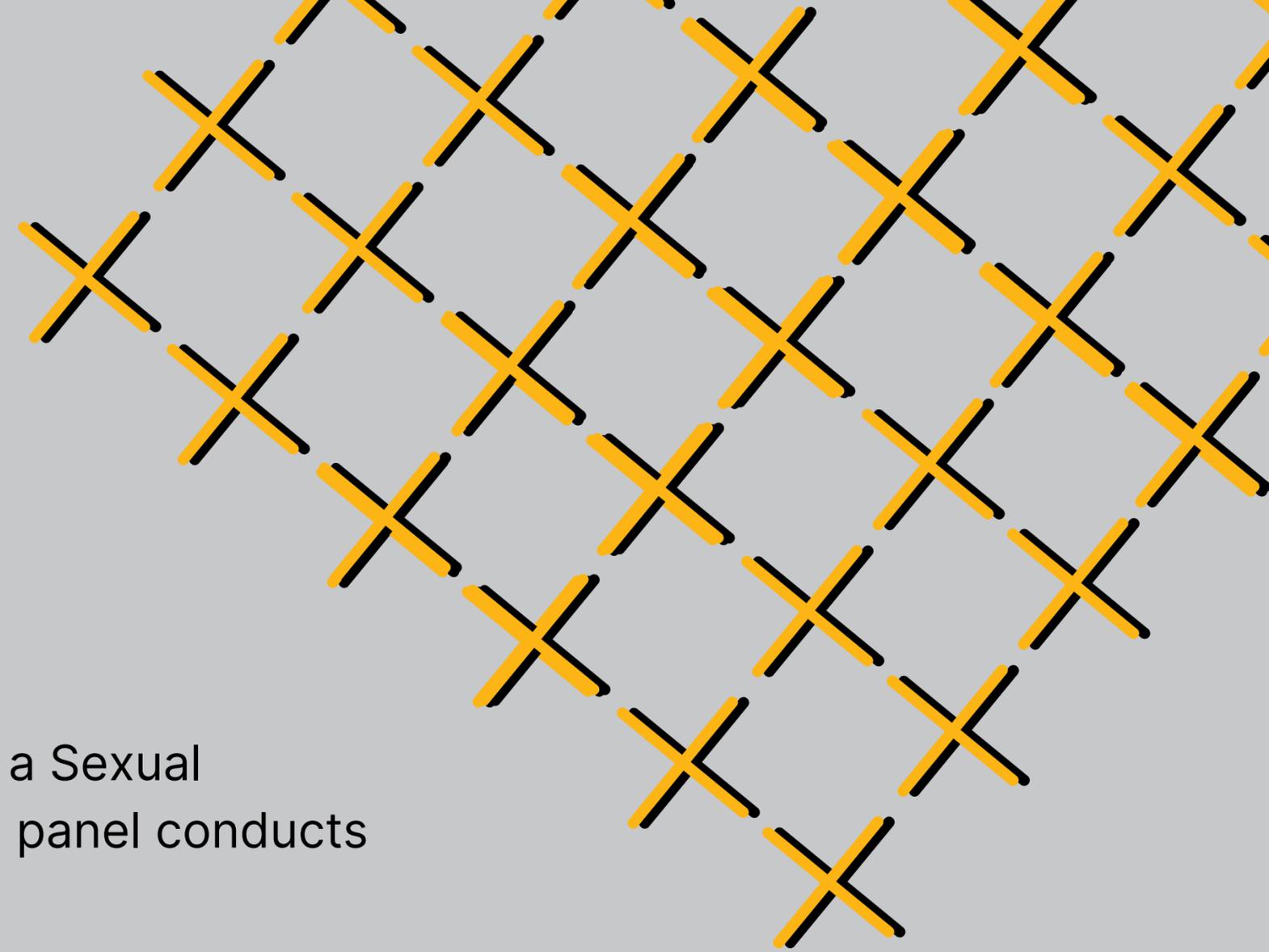
03

Decision Stage

Once the report is complete, there is a Title IX Hearing or a Sexual Misconduct Review Meeting. A decision-maker or trained panel conducts the Hearing or Meeting.

At the Hearing or Meeting, the investigator(s) present their report, each side gets an opportunity to tell their story, and the decision-maker has a chance to ask questions.

*If a Title IX Hearing is required, witnesses must also appear at the hearing and be questioned by both parties, and the parties will each have an advisor who can ask questions of the other party.



Formal Investigation

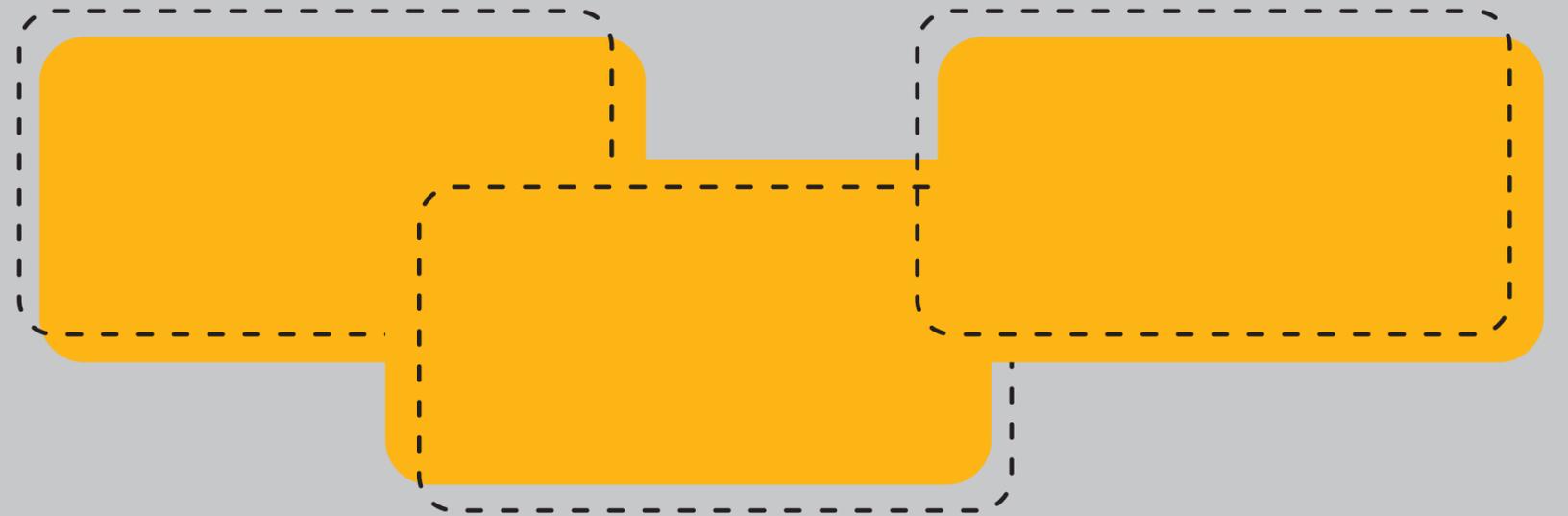
04

Resloution Stage

After the hearing, the decision-maker will review the report and documents and what was said at the Hearing or Meeting.

The decision-maker will then issue a written finding as to whether or not the person reported to have caused harm was **more probably than not** responsible for violating UMBC policy.

The decision will analyze the facts and explain the finding. The decision will also list any sanctions related to the finding.



05

Appeal Stage

Either side can appeal the finding within 10 calendar days.

If there is an appeal, an appeal officer who did not conduct the Hearing or Meeting will decide the appeal. If there is no appeal, the decision issued after the hearing or meeting is final.

You can find more information about the procedures for both Title IX cases and non-Title IX cases by clicking here.



Sanctions

Sanctions and conditions will be tailored to the facts and circumstances of each case, and are designed to: eliminate the policy violation, prevent it from happening again, remedy the harm caused, and support the University's mission and obligations.



Sanctions imposed on employees, including student employees, can include:

- No contact orders
- Letter of reprimand
- Probation
- Service to the University
- Counseling
- Retraining
- Transfer
- Demotion
- Suspension and/or termination



Sanctions on students in the academic context can include:

- No contact orders
- Housing restrictions (including removal from on-campus housing)
- Community service
- Educational requirements
- Written warning
- Reprimand
- Probation
- Suspension
- Dismissal
- Delay or refusal to confer an academic degree

Discrimination and Hate/Bias

If you or someone you know has experienced discrimination or hate/bias harassment, you can report this using the online form.

OEI will contact the people involved and provide support and resources, offer methods to resolve the matter informally or through a formal process.

Informal Resolution

Informal resolution provides a flexible and collaborative pathway to resolving a complaint by using means other than a formal investigation.

Formal Investigation

If a formal investigation is initiated, OEI will send the parties written notice of the allegations and notice of potential sanctions

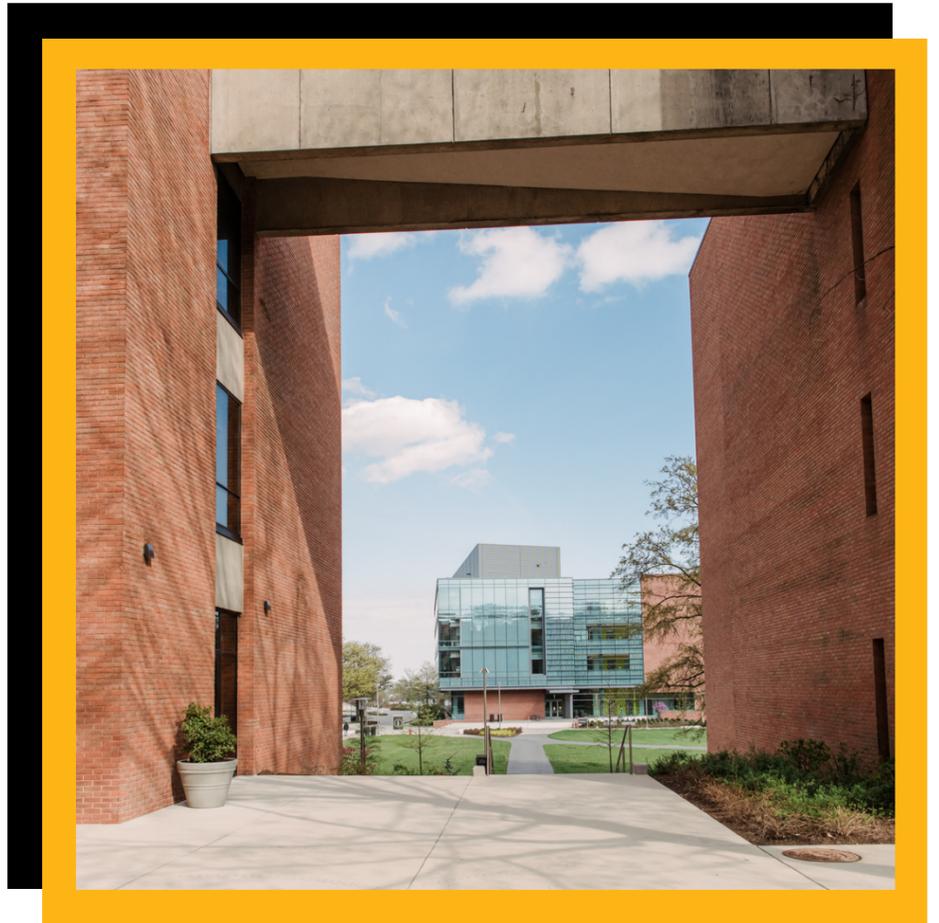
An investigation will be conducted and the report and evidence will be shared with the parties, who will have an opportunity to review and respond.

A decision-maker will determine whether it is more likely than not that a policy violation occurred, and if so, recommend a sanction.

Both parties have an opportunity to appeal.

Remember:

-  OEI is here to support all students, faculty, and staff, and will respond to all reports with outreach to those involved.
-  You must report to OEI even if you do not know all people involved or do not have all of the information about what happened. Provide OEI with whatever information you have, even details that may seem trivial or irrelevant.
-  This is just an overview of the way that OEI responds to reports and referrals. If you have questions about the process or you have questions about a specific report, please **contact the Office of Equity and Inclusion.**



Contact Us

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