I. Purpose

The University of Maryland promotes civility and respectful treatment among all members of its diverse campus community, and fosters the discovery and dissemination of knowledge through the free and open exchange of ideas. The University values and protects the intellectual and academic freedom, freedom of speech, and freedom of expression of all students, faculty, and staff. The University provides a welcoming and inclusive environment to enable all members of the University community to pursue their academic, personal, and professional goals.

Threatening or intimidating conduct directed toward members of the University community that is motivated by their actual or perceived protected status interferes with these values and commitments, and is therefore prohibited.

II. Prohibited Conduct

The University prohibits threatening or intimidating acts motivated in whole or in part because of an individual or group’s actual or perceived protected status, including the following:

- **Threats:** An expression of intent to commit an act or acts of physical violence to a particular individual or group of individuals or to cause damage to their property; or to engage in an act or acts which endangers the health and safety of another person.
- **Intimidation:** An act or acts that is intended to or that recklessly frightens or coerces and that places another person or persons in reasonable fear of imminent harm.

Protected status is defined in state and federal law as well as in the University of Maryland Non-Discrimination Policy and Procedures VI-1.00(B).

The *Code of Student Conduct* V-1.00(B) addresses prohibited conduct by students, including the conduct outlined above. The University of Maryland Faculty and Staff Workplace Violence Reporting and Risk Assessment Procedures VII-11.00(A) addresses conduct prohibited by this policy by faculty and staff.

III. Reporting

Any member of the University who witnesses or has information related to threatening or intimidating conduct should immediately report it to the University of Maryland Police Department (UMPD). This is especially important because the University’s response is limited when it cannot identify those responsible. Reports should be made in good faith.

The Office of Diversity and Inclusion (ODI) or other University-designated units and cultural centers can assist faculty, staff, and students with reporting to UMPD.
● Emergencies and ongoing incidents that require an immediate response should be reported to UMPD at 301-405-3333.
● Non-emergencies can be reported to UMPD at 301-405-3555.
● Reports made online at go.umd.edu/report hatebias will be responded to within 48 hours.
● Anonymous tips about reports and ongoing investigations can be submitted online at http://www.umpd.umd.edu/contact/anonymous_tip.cfm.

IV. Response to Reports

Reports made directly to UMPD will be taken as soon as they are received, and an investigation will begin immediately. UMPD will immediately notify relevant campus administrators including ODI to provide necessary information.

A. Response from ODI. ODI will coordinate relevant units to respond to the community(s) affected by the incident, develop an action plan, and provide support. ODI will serve as an immediate resource for students, faculty, and staff, regardless of whether UMPD’s investigation indicates that an incident was motivated by protected status.

B. Investigation by UMPD. UMPD will conduct an investigation on all reports it receives. In determining whether a specific act or incident constitutes prohibited conduct, the totality of the circumstances will be considered, including whether the motivation for the conduct was based on actual or perceived protected status and the impact of the conduct on the perceived target.

Depending on the outcome of UMPD’s investigation, reports will be classified according to Maryland State Police procedures. UMPD will also assess whether a hate crime has occurred, as defined under Maryland state law, and will take steps to initiate criminal charges if appropriate. UMPD will share its findings with ODI and all relevant University offices for consideration of appropriate administrative action.

V. University Administrative Review Procedures

After its investigation is completed, UMPD will make any necessary referrals to relevant University offices for administrative review and will share the facts of the case found through the investigation. University review of referrals from UMPD will be assessed through appropriate processes depending on whether the individual or group identified in the referral is a student, faculty, or staff member. The University’s review should determine whether or not the individual or group is responsible for engaging in prohibited conduct.

A. Students. A student, a group of students, or a student organization identified by UMPD as potentially engaging in prohibited conduct will be referred to the Office of Student Conduct (OSC) for investigation and adjudication. University student disciplinary procedures and procedural rights established in the Code of Student Conduct will be followed.
B. **Faculty.** A faculty member or a group of faculty members identified by UMPD as potentially engaging in prohibited conduct will be referred to the Office of Faculty Affairs (OFA), in accordance with VII-11.00(A) University of Maryland Faculty and Staff Workplace Violence Reporting and Risk Assessment Procedures. If an incident is classified by UMPD as verified, OFA will relay the matter to the relevant administrator(s), who will initiate a review of the information from UMPD.

C. **Staff.** A staff member or a group of staff members identified by UMPD as potentially engaging in prohibited conduct will be referred to the Office of Staff Relations within University Human Resources (UHR) in accordance with VII-11.00(A) University of Maryland Faculty and Staff Workplace Violence Reporting and Risk Assessment Procedures. If an incident is classified by UMPD as verified, UHR will relay the matter to the relevant administrator(s), who will initiate a review of the information from UMPD.

VI. **Sanctions**

If there is a finding of responsibility, sanctions, including discipline, may be imposed. Based on the severity of the prohibited conduct, various actions should be considered, ranging from educational and remedial actions to discipline up to and including dismissal from the University. The University shall endeavor to educate and support students, faculty, and staff in reaching their academic, personal, and professional goals while fostering a climate of accountability and responsibility for individual actions. The University’s goals are to protect the campus community, deter future offenses, and promote individual accountability.

A. **Students.** Students, student groups, and student organizations found responsible for prohibited conduct will face disciplinary and/or educational sanctions as specified in the *Code of Student Conduct.*

B. **Faculty.** After a finding of responsibility, the relevant administrator(s) will initiate appropriate action. Depending on the circumstances of the case, educational opportunities may be considered. If warranted, disciplinary action may range from termination or suspension to reassignment of duties, in accordance with University policies and employment contracts. The relevant administrator(s) should consult with OFA as it determines any appropriate sanctions.

C. **Staff.** After a finding of responsibility, the relevant administrator(s) will initiate appropriate action. Depending on the circumstances of the case, educational opportunities may be considered. If warranted, disciplinary action or corrective measures may range from termination or suspension to workplace modifications, in accordance with University policies and employment contracts. The relevant administrator(s) should consult with UHR as it determines any appropriate sanctions.
VII. Retaliation

Retaliation against any individual who makes a report in good faith or participates in an investigation in relation to threatening or intimidating conduct is strictly prohibited. Retaliation means an adverse action taken against an individual, where there is a clear causal link between the adverse action and their participation in this process. A report is not made in good faith if it is false or misleading; was made with the intention to harass; appears to be frivolous; or is otherwise an abuse of the reporting process. Individuals who are alleged to have engaged in retaliation may be subject to disciplinary action.

VIII. Resources

All members of the University community have access to campus resources to address the effects of threatening or intimidating conduct, including:

University of Maryland Police Department. UMPD receives and assesses all reports of prohibited conduct motivated in whole or in part by actual or perceived protected status. UMPD investigates reports of such prohibited conduct by gathering details, collecting evidence, sharing information with law enforcement partners, and consulting with legal experts. UMPD will communicate with relevant administrative offices to facilitate the University’s response and to make appropriate referrals to begin University disciplinary processes.
Emergency: 911 or (301) 405-3333 (mobile phone: #3333)
Non-emergency: (301) 405-3555
Website: www.umpd.umd.edu

Office of Diversity and Inclusion. ODI tracks hate-bias incident reports and coordinates the deployment of campus support services to individuals affected by hate-bias incidents. ODI also provides campus programming in collaboration with other campus units to foster prevention efforts and facilitate responses to hate-bias incidents.
Phone: (301) 405-6810
Website: www.diversity.umd.edu

University Counseling Center. The Counseling Center provides comprehensive psychological and counseling services to students and others in the University community. The Center is staffed by counseling and clinical psychologists.
Phone: (301) 314-7651
Website: www.counseling.umd.edu

University Health Center, Mental Health Service. The Mental Health Service in the Health Center offers short-term psychotherapy, medication evaluations, crisis intervention, group psychotherapy, and more. The service is staffed by psychiatrists and licensed clinical social workers.
Phone: (301) 314-8106
Website: www.health.umd.edu/mentalhealth/services
**Campus Chaplains.** Campus chaplains represent 14 faith communities, working to serve the spiritual needs of the community. Campus Chaplains will meet with any member of the campus community, regardless of faith background. Website: [http://thestamp.umd.edu/memorial_chapel/chaplains](http://thestamp.umd.edu/memorial_chapel/chaplains)

**Faculty Staff Assistance Program (FSAP).** FSAP provides free and confidential support to all faculty and staff (and their family members) on a range of issues. Services include short-term counseling services provided through FSAP (generally used for 3 sessions, but can support up to 10 sessions of counseling). FSAP also provides referrals for long-term counseling needs. Phone: (301) 314-8170 or (301) 314-8099 Website: [http://www.health.umd.edu/fsap](http://www.health.umd.edu/fsap)