The Johns Hopkins University
Sexual Violence Policy

The Johns Hopkins University is committed to providing a safe educational and working environment for its faculty, staff, and students. The University is particularly concerned about the increase in reports of sexual offenses occurring on the nation’s campuses. The University has adopted this policy addressing sexual violence1 (includes sexual assault) in order to inform faculty, staff, and students of their rights in the event they are involved in an incident of sexual violence, and of the services available to victims of sexual violence. Members of the University community who are the victims of, or who have knowledge of, an incident of sexual violence occurring on University property, or occurring in the course of a University sponsored activity (including academic, educational, extracurricular, athletic or other programs), or perpetrated by or against a member of the University community, are urged to promptly report the incident to campus authorities identified in this policy.

This policy applies to all members of the University community, including, but not limited to students, faculty and staff, and also applies in certain instances, to certain third parties (e.g., visitors, volunteers, vendors, and contractors while on University property, participating in a University sponsored activity, or providing services to the University, applicants for admission to or employment with the University, and former employees of the University). All academic and administrative units of the University (including all schools, divisions, departments and centers) must comply with, and ensure that their policies and procedures comply with, this policy.

“Sexual violence” encompasses sexual assault (see examples below) and is a form of sexual harassment. Sexual harassment, which is a form of discrimination, violates federal and state law and University policy (see the University’s Policy Against Sexual Harassment).

Sexual violence includes physical sexual acts that are performed against a person’s will or where a person cannot give consent. A person may be unable to give consent to a sexual act for a number of reasons, including, but not limited to: if he or she is physically or psychologically pressured, forced, threatened, intimidated, unconscious, drunk, or drugged; due an intellectual or other disability or health condition; or by operation of laws governing the age of consent. Physical resistance need not occur to fulfill the definition of sexual violence. Examples of sexual violence include, but are not limited to:

- Sexual intercourse or other sexual acts that one party says “no” to;
- Rape (including “date rape”) or attempted rape;
- Someone touching, fondling, kissing, or making any unwanted contact with your body;
- Someone forcing you to perform oral sex or forcing you to receive oral sex; or

1 The term “sexual violence” as used in this policy includes “sex offenses.” A forcible sex offense is any “sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent” and includes forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling. A non-forcible sex offense means “unlawful, nonforcible sexual intercourse” and includes incest and statutory rape. 34 CFR Part 668, Subpart D, Appendix A.
• Sexual assault, sexual battery, or sexual coercion.

Persons who are the victims of sexual violence may pursue internal University disciplinary action against the perpetrator in accordance with the University’s Procedures on Discrimination, Harassment, Sexual Harassment and Sexual Violence Complaints. The University’s disciplinary process may be initiated by bringing a complaint of sexual violence to the attention of a Dean, department chairman or director, supervisor, divisional personnel office, security officer, administrative officer, or the University’s Title IX Coordinator:

Allison J. Boyle, JD, MPH
The Johns Hopkins University
Office of Institutional Equity
Wyman Park Building, Suite 515
3400 North Charles Street
Baltimore, MD 21218
Telephone: 410.516.8075
Electronic Mail: aboyle7@jhu.edu
TTY: 410.516.6225
Facsimile: 410.516.5300

A victim of sexual violence should also immediately notify campus security. Campus security contact information for the following campuses is available at:

Homewood Campus Safety and Security

Shriver Hall
3400 N. Charles Street
Baltimore, MD 21218
Telephone: 410.516.4600 or 410.516.7777

Johns Hopkins Medicine Corporate Security

550 N. Broadway, Suite 503
Baltimore, MD 21205
Telephone: 410.614.3473

Peabody

Schapiro House Basement
Peabody Campus
Baltimore, MD 21202
Telephone: 410.234.4605 or 410.234.4600

For security contacts at other University locations, please call Lt. Mark E. Long, Investigations Section, Homewood Campus Safety and Security, at: 410.516.6629.

Campus security will arrange for transportation to the nearest hospital. Victims in Baltimore City will be taken to Baltimore City’s designated rape treatment center: Mercy Hospital, 301 St. Paul Place (410.332.9000). Mercy Hospital is equipped with the State Police Sexual Assault Evidence
Collection Kit. Victims in other cities will be taken to a local hospital designated as a rape treatment center. Persons who are victims of sexual violence will also be advised by campus security of their option to file criminal charges with local police of the jurisdiction where the offense occurred. Campus security and the University’s Title IX Coordinator will provide assistance to a complainant wishing to reach law enforcement authorities. Information on local and state law enforcement units and databases maintained by them is available on the Homewood Campus Safety and Security website.

The University will provide counseling to any member of the Hopkins community who is a victim of a sexual violence, and also will provide information about other victim services. Students can seek the assistance of counseling through their divisional counseling offices, and members of the faculty and staff can seek assistance through the Faculty and Staff Assistance Program (FASAP).

A student who is a victim of sexual violence may request a transfer to alternative classes or housing if necessary to allay concerns about security. The University will try to accommodate the request if such classes and housing are reasonably available.

The University reserves the right to independently discipline any member of the student body, staff or faculty who has committed an offense of sexual violence or other assault whether or not the victim is a member of the University community and whether or not criminal charges are pending. Disciplinary actions against students accused of sexual violence will be processed by the appropriate student affairs office of the School or campus attended by the accused student in accordance with the University’s Procedures on Discrimination, Harassment, Sexual Harassment and Sexual Violence Complaints and established disciplinary procedures pertaining to the School in which the student is enrolled. Disciplinary actions against staff members will be governed by the University Procedures and procedures set out in the University’s personnel policies. Disciplinary actions against members of the faculty will be processed by the offices of Dean of the appropriate academic division according to the University Procedures and procedures established by that division.

Both a complainant and the person accused of a sexual violence will be afforded the same opportunity to have others present during a University disciplinary proceeding. Attorneys, however, will not be permitted to personally participate in University disciplinary proceedings. In cases alleging a sex offense, both the complainant and the accused will be informed of the disciplinary board or panel’s final determination with respect to the alleged sex offense and any sanctions imposed against the accused. The University will, upon written request, disclose to the alleged victim of any crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a complainant who is the alleged perpetrator of such crime or offense with respect to such crime or offense.

The disciplinary measures which may be imposed for a sexual violence offense will vary according

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2 See footnote 1 for the definition of “sex offenses.”

3 The term “crime of violence” means: “(a) an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or (b) any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.” Section 16 of Title 18, United States Code.

4 See footnote 1 for the definition of a non-forcible sex offense.
to the severity of the conduct, and may include expulsion of a student from the University and termination of the employment of a member of the staff or faculty.

Updated: December 12, 2012