



Student Rights and Responsibilities Guide

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SECTION 1: OVERVIEW

The University of Baltimore's mission - one joining access and excellence - can only succeed by creating an environment where community members are treated fairly, show respect and demonstrate appropriate behavior. This environment makes it possible for members of our community to explore, learn, and excel.

It is the purpose of the Student Rights and Responsibilities Guide to foster a climate that protects the rights, health and welfare of all UB community members in a fair and equitable manner and prevents community members from interfering with each other's strides toward success.

1.1 Scope of Authority: Students

The policies and processes outlined in this guide apply to all undergraduate, graduate, professional and visiting students as well as all those individuals who are not officially enrolled for a particular term, but who have been a student with the university. Students will be held accountable for their conduct at all times including actions that may have occurred before/after classes began, between academic terms, during periods of suspension or dismissal, as well as for actions that occurred during their enrollment that are discovered after the student graduates.

Potential violations are adjudicated according to procedures established in the Student Rights and Responsibilities Guide. The University reserves the right to discipline students and/or student organizations for violations of policy regardless of where the misconduct occurs, whether on University premises, or off-University premises.

Any student involved in a pending concern may have a hold placed on their MyUB account that will place restrictions on their activity. These restrictions include, but are not limited to, requesting transcripts, enrolling/withdrawing from classes and receiving their diploma. No individual will be permitted to withdraw from a course and/or the University until the complaint has been resolved.

Any student involved in a pending concern may have Interim Contact and Access Restrictions placed them.

1.2 Scope of Authority: Student Groups

Policies and processes set forth in this Guide apply to all recognized student groups which include Registered Student Organizations (RSO), Sport Clubs (SC), and academic organizations. Student groups and/or its individual members will be held accountable for their actions at all times including behavior that may have occurred before/after classes began, between academic terms, during periods of suspension or dismissal, as well as for actions that occurred during their enrollment that are discovered after the student(s) graduate. These policies and

processes apply to a student group even if the group is not active, is temporarily suspended or disbanded while a disciplinary matter is pending. Complaints may be brought against an individual member(s) or the group as a whole.

Individual members involved in the complaint may have a hold placed on their MyUB account that will place restrictions on their activity. These restrictions include, but are not limited to, requesting transcripts, enrolling/withdrawing from classes and receiving their diploma. No individual member will be permitted to withdraw from a course and/or the university until the complaint has been resolved.

Any student(s) involved in a pending concern may have Interim Contact and Access Restrictions placed on them. The University reserves the right to temporarily suspend any student group involved in a pending complaint. This suspension may restrict the group's ability to hold meetings and events as well as revoke privileges afforded to the group and its members.

[1.3 Community Reporting Expectations](#)

In order to encourage a positive university environment, community members must discourage dishonest and inappropriate behavior. Should any person become aware of specific behavior that is in violation of Academic Integrity, Code of Conduct, Non-Discrimination Policy, and/or the Sexual Misconduct Policy they will appropriately address and report the information using the process outlined in the Student Rights and Responsibilities Guide or by using the appropriate University procedures.

[1.4 Responsibilities of an Observer to a Violation](#)

At the request of a University Official, any student who has been identified as an observer to a conduct concern, a discrimination concern, and/or a sexual misconduct violation is required to actively and honestly participate in the adjudication process. Any student who does not participate in the process may be charged with a violation of the Code of Conduct.

[1.5 Retaliation](#)

Acts of retaliation against any individual for choosing to participate in any university reporting and/or adjudication process will not be tolerated. Acts of retaliatory behavior, include, but are not limited to, intimidation, threats, coercion, and/or denial of access. All incidents of possible retaliation will be fully investigated and are subject to adjudication through the conduct process. A student found responsible for this violation may be subject to more severe sanctions than would be imposed in the absence of this motivation.

[1.6 Definitions](#)

The following are the definition of key terms used throughout the guide:

- Academic Integrity – The act of producing and encouraging work that gives appropriate credit to the author and is completed under the guidelines set forth by the assignment and/or task.
- Adjudication Process – Includes all decision making processes for addressing University policy violations (i.e. Conduct Process, Sexual Misconduct, Non-Discrimination, etc.)
- Adjudicator – An individual who has been given the authority to facilitate the adjudication process and make a decision about a student policy violation. Adjudicators include but are not limited to, investigators, Hearing Officers, Senior Hearing Officers, Appeal Officers, etc.
- Administrative Conference – A meeting with a Hearing Officer to review the information about a charge. During this meeting, the respondent will have the opportunity to present information and documentation about the charge and discuss the documentation that has been presented against them. During this meeting, the Hearing Officer will determine if a violation(s) of the Academic Integrity or Code of Conduct Policy occurred and if applicable, assign sanction(s) or move the case forward to a hearing for adjudication.
- Administrative Hearing – The adjudication process in which, after review of the documentation presented by the charging party, the Hearing Officer, and when available, the respondent, a Senior Hearing Officer determines if a violation(s) of the Academic Integrity or Code of Conduct Policy occurred and if applicable assign sanction(s).
- Appeal Officer – Individual responsible for reviewing appeals and making the final determination.
- Appeal Process – Final level of review of a concern.
- Board Hearing – The adjudication process in which, after review of the information, five Student Rights and Responsibilities Representatives determine if a violation(s) of Academic Integrity or Code of Conduct Policy occurred and if applicable, recommend sanctions to a Senior Hearing Officer.
- Charge – The specific violation of university policy in question.
- Complainant – Individual(s) who bring forth a concern about a violation of the policy.
- Complicity – The condoning, supporting, and/or encouraging of any violation of the Student Rights and Responsibilities Guide or university policy. Students who anticipate or observe any violation are expected to remove themselves from the situation and report the concern appropriately.
- Student Rights and Responsibilities Representative (SRRR) – A group of trained students, faculty, and staff who adjudicate cases as Hearing Board members and help educate the university community about the importance of social responsibility.
- Conduct Proceeding – Any meeting, conference, discussion, communication or hearing associated with the adjudication process used to address policy concerns.
- Conduct Process – Adjudication process for Code of Conduct and Academic Integrity Policy.

- Consent - Means a knowing, voluntary, and affirmatively communicated willingness to mutually participate in a particular activity or behavior. It must be given by a person with the ability and capacity to exercise free will and make a rational and reasonable judgment. Consent may be expressed either by affirmative words or actions, as long as those words or actions create a mutually understandable permission regarding the conditions of the activity. Consent may be withdrawn at any time. Consent cannot be obtained by force, threat, coercion, fraud, manipulation, reasonable fear of injury, intimidation or through the use of the one's mental or physical helplessness or incapacity. Consent cannot be implied based upon the mere fact of a previous consensual exchange. Consent to engage in an activity with one person does not imply consent to engage in an activity with another.
- Documentation – Any information, statements, documents, images, videos, sound clips, etc. that are presented, reviewed and/or considered during the conduct process.
- Hearing Officer – University Official designated by the Dean of Students to investigate potential violations of the Academic Integrity and/or Code of Conduct Policy. These individuals are responsible for conducting Administrative Conferences and serve as the charging party during Administrative or Board Hearings for cases they have investigated.
- Investigation – The review of information pertaining to a concern.
- Misconduct – Any behavior that is inconsistent with university policy as outlined in the Academic Integrity Policy, Code of Conduct Policy, and/or other university publications.
- Observer – Any person who has information pertaining to the concern but is not the complainant or respondent.
- Preponderance of the Evidence – The standard of proof used by a Hearing Officer to determine if a violation occurred. This is a “more likely than not” standard of proof.
- Registered Student Organization (RSO) – Any group of individuals who intend to comply/have complied/were at one time in compliance with the registration requirements outlined in the Registered Student Organization Handbook to become a RSO.
- Respondent – Individual investigated for/charged with a violation of the Academic Integrity Policy and/or Code of Conduct Policy.
- Sanction – Outcome(s) imposed for a violation for which the respondent is required to comply.
- Senior Hearing Officer – The Dean of Students or a trained University Official who has been designated by the Dean of Students to adjudicate violations through the Administrative Hearing process, hear appeals of Administrative Conference decisions, serve as advisors to Hearing Board panels, and issue sanction(s) to respondents found responsible by a Hearing Board. Senior Officers also serve as Hearing Officers when needed.
- Sport Club -A group of individuals who have intention to comply/have complied/were at one time in compliance with the registration requirements outlined in the Sports Club Policy Manual to become a registered club.

- Student – An individual who has been admitted to the University of Baltimore and/or is taking courses. This includes full-, part-time, and non-degree seeking students as well as individuals who are not officially enrolled for a particular term, but who are/ have been a university student.
- University Official— Any individual who is employed, contracted with or appointed and performing administrative or professional responsibilities within the scope of his/her authority by the university. This includes student employees while performing work related responsibilities.
- University Premises—The University of Baltimore premises includes all land, buildings, facilities, and other properties in the possession of, owned, used, managed, contracted or controlled by the University, including adjacent streets and sidewalks to the premises.

1.4 Revisions to the Guide

The policies and procedures outlined in the Student Rights and Responsibilities Guide will take effect on the first day of the fall semester. It is the duty of all persons affiliated with student policies and the university conduct process to advise the Dean of Students of changes and additions that should be considered to improve the effectiveness of the Guide. The Dean will present recommendations in the form of a draft to the Associate Vice President for Student Affairs for consideration. The University of Baltimore reserves the right to make changes to the Student Rights and Responsibilities Guide as necessary and without warning.

This guide was last reviewed: Fall 2014

1.5 Questions about the Information in this Guides

If you have questions about any of the information found in the guide please contact:

Office of Community Life
Academic Center room 112
410.837.4755
communitylife@ubalt.edu

SECTION 2: ACADEMIC INTEGRITY POLICY

2.1 Academic Integrity Statement

The University of Baltimore is a community comprised of students, faculty, administrators, and staff who share a commitment to learning. Exceptional academic honesty is essential to the university's mission of learning, scholarship and integrity. We believe:

- Honesty is the foundation of personal integrity.
- Honesty promotes substantive learning.
- Honesty validates the recognition of scholarly achievement.
- Honesty demonstrates respect for the work of others and enables effective cooperation.

All members of our community share responsibility for actively fostering academic honesty, actively discouraging academic dishonesty, and engaging in ongoing discussion of activities that may violate the spirit of honesty.

University of Baltimore Students will:

- Encourage and support an atmosphere of academic honesty
- Utilize appropriate methods of documenting the sources used in their written work
- Refrain from acts of cheating, plagiarism, or other violations of the academic integrity policy and make all reasonable efforts to prevent the occurrence of academic dishonesty
- Refrain from assisting other students in any attempts to violate the academic integrity policy
- Report acts of academic dishonesty of which they are aware to the responsible faculty member or to the dean of students
- Take the university's on-line course in academic integrity prior to the completion of their first semester at UB in order to ensure that their understanding of academic integrity requirements is complete and consistent with the requirements of the university
- Consult the dean of students or personnel at the Achievement and Learning Center if they have any questions about this policy or about what constitutes academic dishonesty

University of Baltimore faculty members will:

- Encourage and support an atmosphere of academic honesty
- Take appropriate measures to raise the consciousness of individuals throughout the university community to the importance of maintaining the values underlying academic honesty
- Serve as models of academic honesty
- Emphasize the need for appropriate source attribution in written work

- Emphasize the need for academic honesty in their syllabi
- Indicate in their syllabi if they intend to punish incidents of academic dishonesty through the use of sanctions more severe than awarding of no credit (a grade of 0) for the project or work involved (for example, if their policy will be to assign a failing grade in the course for any violation of the academic integrity policy)
- Clearly inform their classes of the extent to which collaboration and use of outside sources (such as use of texts or notes during examinations or take-home work) are permitted in their tests and assignments
- Appropriately safeguard course material and examinations to prevent the occurrence of academic dishonesty through their inappropriate dissemination
- Take appropriate action when instances of academic dishonesty are suspected
- Consult the dean of students for further information about or clarification of the policy or the procedures relating to academic integrity
- Keep academic integrity inquiries and investigations about particular students confidential, aside from discussions with the student, discussions with the dean of students, and discussions with the relevant faculty administrators, during which the faculty member should not reveal the student's name unless a final determination has been made

University of Baltimore administrators and staff will:

- Encourage and support an atmosphere of academic honesty
- Take appropriate measures to raise the consciousness of individuals throughout the university community to the importance of maintaining the values underlying academic honesty
- Encourage discussion of issues involving the principles of integrity and honesty at all levels of the university community
- Take steps to define acts of academic dishonesty, ensure procedures for due process for persons accused or suspected of acts of academic dishonesty, and impose appropriate sanctions on members of the university community found to have been guilty of acts of academic dishonesty

2.2 Academic Integrity Violations

Integrity violations include, but are not specifically limited to, the following:

- Cheating - Cheating includes the giving or receiving of any unauthorized assistance or providing or obtaining unfair advantage in any form of academic work. Examples may include, but are not limited to, the use during exams of crib sheets or any other materials not expressly authorized by the professor, unauthorized possession of a test prior to the test date, copying from other students' exams, or talking to other students during exams.

- Examples for faculty, administrators, and staff include, but are not limited to, providing an individual student with exam answers in advance or otherwise giving a student an unfair advantage over other students during an exam.
- Plagiarism -Plagiarism includes the copying of the language, structure, ideas, or thoughts of another and representing the same as one's own original work. Examples may include, but are not limited to, submission of a purchased research paper as one's own work, paraphrasing and/or quoting material in a paper without properly documenting the source, and copying someone else's language without using quotation marks and/or crediting the original author.
 - Examples for faculty, administrators, and staff include, but are not limited to, failing to acknowledge the work of another in publications or publishing a student's work as one's own.
- Multiple submissions of the same work - It is a violation of the academic integrity policy to submit work that was prepared for one course for credit in another or to submit the same work for credit in two courses, without permission from the responsible professor(s).
- Falsification -Falsification includes the statement of any untruth either verbally or in writing with respect to any circumstances relating to one's academic work. Examples may include, but are not limited to, receiving assistance or working as a group on an independent take-home examination, making false statements to avoid taking an examination, engaging in any other type of activity that gives an unfair advantage to an individual student over other students, or providing inaccurate information concerning one's academic standing or status to anyone, inside or outside the university. Knowingly making a false report that another student has violated the academic integrity policy also constitutes falsification.
 - Examples for faculty, administrators, and staff include, but are not limited to, knowingly falsifying data, misrepresenting information on a resume, or misleading students in terms of compensation or scholarship that they will receive for student assistant work.
- Attempts/Facilitation - Any attempts toward or facilitation of any act of academic dishonesty are also cases of academic dishonesty. Examples may include, but are not limited to, knowingly discussing a test or an examination not yet taken with another student who has taken that test or examination, or knowingly discussing an examination already taken with another student who is scheduled to take that examination, but has not yet done so.

- Examples for faculty, administrators, and staff include, but are not limited to, facilitating a student's efforts to cheat on an examination, facilitating another in an act of plagiarism, or facilitating the falsification of data or other information.

2.3 Adjudication of Academic Integrity Concerns

All potential Academic Integrity violations will be adjudicated using the procedures outlined in the *Conduct Process* section of the Student Rights and Responsibilities Guide.

SECTION 3: STUDENT GROUPS

3.1 University Sponsored Student Groups

All student groups functioning in the name of the University of Baltimore must register with the appropriate university office or department and remain in compliance with the policies and procedures required by the terms of their registration.

3.2 Hazing

Hazing is prohibited at the University of Baltimore. When this policy is violated, the University may take action against all participants through its disciplinary procedures.

Hazing is defined as any action intentionally taken or situation created to produce mental or physical discomfort, embarrassment, ridicule, distress or possibly cause mental or physical harm or injury to any person.

Participants' consent will not be a defense. Apathy or acquiescence in the presence of hazing is not a neutral act and is a violation.

3.3 Destructive Groups

Clubs and organizations are an important social and educational component to the life of a student at the University of Baltimore and all students are encouraged to participate to the extent that their schedule allows. On occasion, however, a group may choose to use less than positive means to recruit, motivate, and retain its members. Should students feel that a University club or organization is not appropriately recruiting or retaining members, they should contact the Office of Community Life.

SECTION 4: DRUGS AND ALCOHOL

4.1 Overview

The use or abuse of controlled or illegal substances, including alcohol, poses a serious threat to the health and welfare of a large segment of the college student population through a lessening of academic performance, estrangement of social relations, creation of mental health and physiological problems, vandalism, and in some cases bodily injury, illness, and death.

The University of Baltimore drug and alcohol policies are designed to help protect the health and welfare of students, observe state, federal and local laws and to maintain an atmosphere and environment appropriate for learning.

Amnesty Policy

The health and welfare of our community is the University's primary concern. Any student who seeks help for themselves or another person during a medical emergency while under the influence of alcohol or drugs will not be charged by the University with a violation of University policy for being under the influence. Additionally, the person for whom help is sought will not be charged with a violation of University policy for being under the influence.

Health Risks

Substance abuse is recognized as the number one public health problem in the United States accounting for about 150,000 deaths annually. This includes deaths from stroke, disease of the heart and liver, and all alcohol and drug related suicides, homicides and accidents. About 30 percent of all those admitted to general hospitals and 50 percent to psychiatric hospitals have detectable substance abuse.

Treatment/Referral

Persons interested in discussing drug or alcohol related problems are encouraged to contact the University of Baltimore Counseling Center for either counseling or referral services. Besides offering crisis intervention and short-term counseling, the University of Baltimore Counseling Center makes an up-to-date resource directory available. Resources in the directory include a broad range of treatment modalities and support groups. As with any type of health care, confidentiality is always maintained. Additional help can also be found from:

Addiction Helpline
1.800.559.9503

Alcohol & Drug Abuse Administration
www.maryland-adaa.org

Baltimore County Substance Abuse Program
410.789.2647

4.2 Alcohol

Consumption of Alcohol

The University of Baltimore permits the use of alcoholic beverages in designated areas on campus if such use is in conformity with all applicable alcoholic beverage laws and the specific University regulations. The use of alcoholic beverages on campus or at off-campus University sponsored events must also be consistent with the maintenance of a high standard of conduct conducive to learning.

Violations

Violation of any regulation regarding alcoholic beverages will be adjudicated through the University's conduct process, and where appropriate, through legal action. Students and organizations found to be in violation shall face a range of University sanctions as provided in the Code of Conduct, including but not be limited to, disciplinary reprimand, loss of privilege, restitution, disciplinary probation, disciplinary suspension, disciplinary dismissal, and disciplinary expulsion.

Legal Sanctions

Students and employees of the University of Baltimore are subject to state laws for possessing, consuming and obtaining alcohol. It is illegal in the state of Maryland for any person under 21 to falsify or misrepresent his or her age to obtain alcohol or to possess alcoholic beverages with the intent to consume them. It is also illegal in most situations to furnish alcohol to a person under 21 or to obtain alcohol on behalf of a person under 21. The penalty is a fine of up to \$500 for a first offense and up to \$1,000 for repeat offenses. Under section *TR16-113* of the Maryland *Annotated Code*, licensees are prohibited from driving or attempting to drive a motor vehicle while having alcohol in the licensee's blood. Violation of this license restriction may result in a license suspension or revocation and/or a fine.

All sales, distribution, and consumption of alcoholic beverages, must conform to regulations of the University as set forth herein, to the regulations of the Board of Liquor License Commissioners for Baltimore City, and the laws of the state of Maryland. Specifically, *Article 2B* of the Annotated Code of Maryland (Alcoholic Beverages Law):

1. Prohibits selling or permitting consumption of alcoholic beverages after the prescribed hours (*Section 86*);
2. Prohibits permitting any person to drink any alcoholic beverage not purchased from the license holder on the premises covered by the license and not permitted by the license to be consumed on the premises (*Section 114*);
3. Prohibits selling or furnishing any alcoholic beverages to a minor or a person visibly under the influence of any alcoholic beverage (*Section 18*). The City of Baltimore

Liquor Board requires that a one-day liquor license be obtained and displayed at any event where beer and wine are sold. Information about the acquisition of permits is available from the Center for Student Involvement.

Regulations for the Marketing, Sale, Distribution, and Consumption of Alcoholic Beverages at University Events

All state, federal and local laws must be observed when marketing, selling and consuming alcoholic beverages.

Designated Areas

Alcoholic beverages may only be served and consumed in areas designated and approved by the Office of Auxiliary Services. When sold by student groups, alcoholic beverages must be approved and ordered through the Center for Student Involvement at least ten days prior to the event.

Precautionary Measures

Individuals or organizations sponsoring events on or off-campus are to implement precautionary measures to ensure that alcoholic beverages are not abused, accessible, or served to persons under the legal drinking age (21) or to persons who appear intoxicated. Such measures shall include but not be limited to: identification and age verification checks, wristbands or hand stamps identifying those eligible to drink alcoholic beverages, having designated servers distribute all alcoholic beverages, prohibiting any form of drinking "contest" or game, restricting distribution of free and inexpensive alcoholic beverages, informing and arranging for UB police to be on call for all events, and having nonalcoholic beverages and food available where alcoholic beverages are served.

Advertising/Promotion

Promotional materials including advertisement of University events may not:

1. Make reference to the amount and price of alcoholic beverages (such as the number of beer kegs available).
2. Encourage any form of alcohol abuse.
3. Place emphasis on quantity and frequency of use.
4. Associate alcohol consumption with the performance of tasks that require skilled reactions such as the operation of motor vehicles or machinery.

5. Portray drinking as a solution to personal or academic problems of students or as necessary to social, sexual, or academic success. All promotional materials shall note the availability of non-alcoholic beverages as prominently as alcohol. Alcoholic beverages may not be used as inducement to participate in a university/student organization sponsored event. Display or availability of promotional material for both on-campus and off-campus events shall be determined in consultation with the Director for the Center for Student Involvements or his/her designee.

Campus Marketing Programs

Campus marketing programs which include controlled sampling are permitted but shall conform to all University alcohol regulations, including the availability of alternative nonalcoholic beverages and food. No uncontrolled sampling as part of a campus event is permitted. The consumption of alcoholic beverages shall not be the sole purpose of any promotional activity. Marketing programs should have educational value and subscribe to the philosophy of responsible and legal use of the products represented. Marketers shall support campus alcohol awareness programs that encourage informed and responsible decisions about the use or non-use of alcoholic beverages.

Free Alcoholic Beverages

Alcoholic beverages may not be provided as promotions, free awards or prizes to individual students or campus organizations. Free alcoholic beverages may not be served at student events without prior approval from the Director for the Center for Student Involvement or his/her designee.

4.3 Drugs

The University of Baltimore is committed to using any and all means to prevent illegal activities on campus. Use, possession, sale, distribution, and being under the influence of controlled substances or illegal substances on University premises or at University-organized activities is strictly prohibited, except as permitted by law.

Violations

Violations of laws and university policies and regulations regarding the use of controlled/illegal substances and alcohol at on-campus or University-organized activities off-campus will be subject to prosecution through both law enforcement authorities and the campus judicial system. Penalties through the latter authority will depend on a careful review of the entire circumstances of each individual case, but will take into consideration such factors as the accused person's previous record, the nature of the substance, and the degree of culpability. The range of university penalties shall include, but not be limited to, disciplinary reprimand, loss of privilege, restitution, disciplinary probation, disciplinary suspension, disciplinary dismissal, and disciplinary expulsion.

Legal Sanctions

Students and employees at the University of Baltimore are subject to federal, state and local laws regarding the possession and distribution of illegal drugs. Federal Law 21 USCA, sections 841 and 844, states that it is unlawful to possess, manufacture, distribute or dispense a controlled substance. In addition, the state of Maryland has its own laws dealing with distribution, manufacturing, and possession of controlled substances. Maryland law (Sections 5-601, 5-602 and 5-607, Criminal Law Article) states that any persons who unlawfully manufacture, distribute, dispense or possess a controlled dangerous substance may be subject to imprisonment up to 5 years and fines up to \$25,000.

Federal law 21 USC, sections 841 and 844–845a (1990), states that it is unlawful to possess any controlled substance for any illegal purpose. If the substance is cocaine, or contains a cocaine base, the penalty for simple possession is a fine and/or imprisonment from 5 to 20 years. For other illegal drugs, the penalty for simple possession is a fine of at least \$1,000 and/or imprisonment for up to 3 years. The penalties increase if the possession includes intent to manufacture, distribute, or dispense a controlled substance, especially if done so near a public or private elementary, vocational, or secondary school, or a public or private college or university. Additionally, any person who violates this law shall also be liable to the United States for an amount up to \$10,000 in civil penalties.

Convictions related to controlled and/or illegal substances will adversely impact a student's ability to receive federal financial aid.

In addition to the Federal laws, the State of Maryland has its own laws pertaining to distribution, manufacturing, and possession of controlled substances. Md. Ann. Code Art. 27, section 286 (1989), states that any person who unlawfully manufactures or distributes any controlled dangerous substances may be fined up to \$25,000 and may be imprisoned for up to 20 years for a first offense.

Also, in Baltimore City, under Article 19, section 58C of the City Code, it is illegal to loiter in a certified drug-free zone, with penalties of imprisonment of up to 30 days and a fine of up to \$400.

SECTION 5: CODE OF CONDUCT POLICY

5.1 University Expectations

Students are expected to maintain a high standard of conduct. Since the University's role is to provide the best possible atmosphere for learning, growth, and development individuals who violate its policies and expectations are subject to review and university sanctions.

5.2 Code of Conduct Violations

Acts of misconduct include the following:

- Violation(s) of local, state, federal and/or international law whether on University premises, or off-University premises when such violation of the law has or may have an adverse impact on the University or its members.
- Violation of written University policy or regulations contained in any official publication or administrative announcement (e.g. University Catalog, Registered Student Organization Handbook, Sport Club Policy Manual, Computer Use Policy, etc.)
- Attempting to commit and/or complicity in any prohibited act(s) of the Student Rights and Responsibilities Guide including the failure to remove one's self from incriminating situations and/or properly reporting the incident.
- Retaliation against another individual(s) for their participation in any portion of the referral or adjudication process.
- Attempting to influence or discourage another individual(s) from participation in any portion of the referral or conduct process.
- Gambling without appropriate permits.
- Possession, use, manufacture, distribution, or sale of alcohol in violation of university policy or federal, state, local, or international law, impairment which can be attributed to the use of alcohol, consumption of alcoholic beverages on university premises without proper permits, or other violations of the University Alcohol Policy.
- Possession, use, being under the influence, distribution, manufacture, or sale of illegal drugs, controlled substances, narcotics, chemicals and/or drug paraphernalia, except as permitted by law.
- Possession and/or use of firearms, fireworks, other weapons, or chemicals of an explosive or corrosive nature on university premises and/or university activities and events, except by authorized law enforcement officers in the performance of their duties or by other persons specifically authorized by the University to use, possess, or carry weapons or fireworks.
- Recklessly interfering with normal university operations, on campus and off-campus university functions, events and/or activities.

- An unregistered student group attempting to function in the name of the University of Baltimore.
- Furnishing false information to the university or a University Official.
- Knowingly implying or making false oral or written statements to any University Official or throughout the course of university regulated affairs.
- Misrepresentation of university achievements and/or affiliations.
- Refusal to present identification to University Officials acting in the performance of their duties.
- Failure to comply with a verbal or written directive given by a University Official or refusal to comply with a request to report to an administrative office.
- Failure to comply with directives associated with student conduct proceedings, the adjudication process and/or sanction(s).
- Obstruction of the free flow of pedestrian or vehicular traffic without appropriate permission.
- Trespassing and/or unauthorized entry into or use of university facilities or equipment.
- Fabrication, forgery, alteration, or misuse of university documents, identification, keys or access cards.
- Vandalism, destruction or misuse of university property or property of a member of the university community, other personal or public property on or off university premises.
- Theft, attempted theft, possession, sale, and/or barter of university property, property of a member of the university community or other personal or public property on or off university premises.
- Tampering, misuse and/or damage of fire extinguishers, alarms or other safety equipment.
- Intentionally or recklessly interfering with fire, police, or emergency services and/or intentionally initiating or causing to be initiated any false report, warning, threat of fire, explosion, or other emergency.
- Participation in and/or leading or inciting others to participate in a riot or breach of the peace on university premises or during University functions, events and/or activities. Actions include but are not limited to disturbance of the peace, theft, vandalism, arson, assault etc. Under the policies of the University System of Maryland, the appropriate minimum sanction is presumed to be dismissal if a student has been convicted in a state or federal court or found responsible in a campus proceeding of rioting, assault, theft, vandalism, or breach of the peace related directly or indirectly to University-sponsored activities. If the appropriate person or board decides to impose a sanction less than suspension or expulsion for these violations, the decision must be supported by written findings, signed by the Dean of Students, and maintained with the student's conduct file.

- Acts that violate the Computer Misuse Policy, including but not limited to, misuse, abuse, and unauthorized use of technology, and/or use of technology for unauthorized purposes.
- Misuse of cellular phones, computers, tablets and other electronic devices in a manner that causes disruption to the university or at university functions, events, and/or activities.
- The recording, filming, transmitting or producing of another person's voice without their knowledge and consent. This does not pertain to the recording of public events or discussions, security footage, or recordings made by law enforcement.
- Unauthorized use of the University's name, information, videos, social media, publications, audio, logos, images and graphics.
- Intentionally and substantially interfering with the freedom of expression of others.
- Lewd, indecent or obscene conduct.
- Actions motivated by a consideration of perceived or actual identities of race, sex (including gender identity, color, religion, ancestry, national origin, age, disability, veteran status, or sexual orientation). Student's found responsible for this violation may be subject to more severe sanctions than would be imposed in the absence of these motivation.
- Intimidating behavior, verbal abuse, coercion, and/or other conduct, implied or expressed, that threatens or endangers the health, safety or welfare of any person.
- All forms of hazing such as any action taken or situation created, intentionally, to produce mental or physical discomfort, embarrassment, ridicule, distress or possibly cause mental or physical harm or injury to any person. Participant's consent will not be a defense. Apathy or acquiescence in the presence of hazing is not a neutral act and is a violation.
- Infliction of or threat of harm to any person(s), or their property.

5.3 Rioting

The University of Baltimore expressly condones the participation in and/or leading or inciting others to participate in a riot or breach of the peace on university premises or during University functions, events and/or activities. The appropriate minimum sanction is presumed to be dismissal if a student has been convicted in a state or federal court or found responsible through the campus adjudication process of rioting, assault, theft, vandalism, or breach of the peace related directly or indirectly to University-sponsored activities. If the appropriate person or board decides to impose a sanction less than suspension or expulsion for these violations, the decision must be supported by written findings, signed by the Dean of Students, and maintained with the student's conduct file.

[5.4 Adjudication of Code of Conduct Concerns](#)

All potential Code of Conduct violations will be adjudicated using the procedures outlined in the *Conduct Process* section of the Student Rights and Responsibilities Guide.

SECTION 6: CONDUCT PROCESS

6.1 Administration

Authority over student Academic Integrity and Code of Conduct adjudication has been delegated to the Dean of Students. The Dean of Students may appoint University Officials to serve as Hearing Officers, Senior Hearing Officers, and to provide supervision and support for the conduct process. The Office of Community Life oversees all student conduct proceedings.

The conduct process is administrative rather than legal and as such, is not subject to formal rules of evidence or legal procedures. Decisions are made using the preponderance of the evidence standard to determine if the respondent is responsible or not for the violation.

The adjudicator is responsible for maintaining order during the investigation and hearing process. All testimony and documentation presented will be considered before making a determination. The adjudicator has the right to remove any participant from a conduct proceeding after giving a warning that the behavior is unacceptable. Continued disruptive behavior may result in additional disciplinary action.

6.2 Addressing Conduct Violations during Pending Legal Proceedings

The University, at its sole discretion, may pursue conduct charges against a respondent while the respondent is also subject to criminal proceedings or wait until the proceedings have concluded. The University reserves this right to charge a respondent with a violation even if charges are pending, reduced, or dismissed.

6.3 Communications

The University of Baltimore email address is the official communication method of the conduct process. It is the responsibility of students to check their accounts a minimum of every other day. When necessary to communicate via postal mail, communications will be sent to the local address listed on the student's MyUB account.

The University will make a reasonable effort to deliver written communication however; participants cannot frustrate this process by not checking their email account, not keeping their local address on file current, moving or failing to accept mail.

6.4 Respondent and Complainant Rights

The following rights are guaranteed to any respondent or complainant in the University conduct process.

1. The right to share their understanding of the situation and present relevant documentation for consideration.
2. The right to decide whether or not to notify local law enforcement authorities

- and/or to file university charges. When the misconduct is significantly severe the University reserves the right to bring charges on behalf of the complainant.
3. The right to be free from retaliation and harassment as a result of reporting a violation, committing a violation, and/or participating in the conduct process.
 4. The right to bring one person for support to a conduct proceeding.
 5. The right to notification of the alleged concern and the date, time, and place of a hearing on the alleged violation.
 6. The right to review all information to be presented as part of a hearing.
 7. The right to have the decision of a charge made using a preponderance of the evidence.
 8. The right to be informed of the decision made by a Hearing Officer, Senior Hearing Officer or a Board. Respondents will also be notified of any sanction(s) assigned.
 9. The right to appeal the decision of a conduct proceeding in accordance with the appeal procedures outlined in the Student Rights and Responsibilities Guide.

6.5 Student Rights and Responsibilities Representatives (SRRR)

Student Rights and Responsibilities Representatives (SRRR) are appointed annually through nominations and/or an application process. Individuals chosen to serve represent a diverse group of individual from across the institution and are trained on university policy and process to adjudicate concerns. Each Hearing Board is chosen from the pool based on their availability for the hearing date and time.

6.6 Legal Representation

Legal representation is not permitted during any conduct proceeding unless there is reason to believe the student may face criminal charges stemming from the same incident. If counsel is permitted, they will be informed that they are present only to safeguard the student's rights in the criminal proceeding; not to affect the outcome of the conduct proceeding. Counsel's principal functions are to advise the respondent whether to answer questions and what to say in order to avoid self-incrimination. Counsel may speak to and advise their client, but may not take part in any of the proceedings and may not address the adjudicator. The adjudicator may ask an attorney to leave a proceeding if these rules are violated in any way.

The Office of Community Life and the Dean of Student must receive written notice of an attorney's attendance at least four (4) business days prior to the proceeding. This notice is to allow the university to make arrangements for their counsel to be present. Counsel may not be permitted to attend a conduct proceeding without prior notice.

SECTION 7: ADDRESSING CONCERNS OF MISCONDUCT

A University Official who receives notice, otherwise becomes aware of, or has good reason to suspect that a student has violated the Academic Integrity and/or Code of Conduct policy, will attempt to contact the student to inform them of their the concern. In the event that the University Official is a student employee, that employee will notify their staff or faculty supervisor who will reach out to the student in question. In the event the complainant is not a University Official the Office of Community Life will contact the respondent on their behalf.

Concerns involving violence, abuse and/or issues that present a significant threat to the safety and/or welfare of students or the university must be reported to the Office of Community Life immediately. A representative from the office will work in conjunction with the complainant to determine how best to proceed. In these situations it may be decided that the complainant should not contact the student directly and the Office of Community Life will initiate the investigation.

After notifying the student of their concern, the University Official can refer the concern directly to the Office of Community Life or attempt to resolve the concern with the student. Discussion about the concern may take place in person, by telephone, or by e-mail.

If the University Official attempts to resolve the concern directly with the student and they (1) fail to respond to the University Official's attempted contact within five (5) business days, (2) decline to participate in discussion with the University Official, or (3) agree to participate in the discussion, but subsequently fails to do so; the concern will be referred to the Office of Community Life.

If, in light of discussion with the student, the University Official determines that there has been no violation, the matter will be closed and no additional action will be taken.

If, in light of discussion with the student, the University Official believes that there was a violation, he or she will either resolve the matter with the student using the Resolution through Agreement process or refer the matter to the Office of Community Life for adjudication.

7.1 Options for Resolving a Violation

The University of Baltimore offers four options for resolving student Academic Integrity and/or Code of Conduct violations:

- *Resolution through Agreement* – Signing an agreement with a University Official accepting responsibility for a violation and the sanction(s) offered. Sanctions that can be offered include: reprimand, temporary loss of privilege, reflection experience, and Academic Integrity sanctions. Neither the University Official nor the student is required to resolve a concern using this option. At any time, a concern can be submitted to the

Office of Community Life for review.

- *Administrative Conference* – The respondent will meet with a Hearing Officer to discuss the charge and review relevant documentation. The Hearing Officer will determine if they will render a decision or refer the concern to a hearing. The Hearing Officer can assign any sanctions listed in the Student Rights and Responsibilities Guide with the exception of deferred suspension, suspension, dismissal, and expulsion.
- *Administrative Hearing* – The respondent will meet with a Senior Hearing Officer to discuss the charge and review relevant documentation. The Senior Hearing Officer will make a decision of responsibility and assign sanctions if appropriate. The Senior Hearing Officer can assign any sanction in the Student Rights and Responsibilities Handbook with the exception of expulsion.
- *Board Hearing* – The respondent will meet with a panel of five (5) Student Rights and Responsibilities Representatives to discuss the charge and review relevant information. The Board will determine responsibility and may choose to recommend sanctions to the Dean of Students for consideration. The Dean of Student's can assign any sanctions listed in the Student Rights and Responsibilities Guide to a student who is found responsible by the panel.

7.2 Resolution through Agreement

A University Official is not required to resolve a concern by Resolution through Agreement. Agreements can only be made if both the University Official and the student are willing to resolve the concern in this manner. At any time, the University Official or student can decide they would prefer to have the concern adjudicated by submitting the concern to the Office of Community Life.

If the student is willing to accept responsibility for the violation, the University Official can propose a sanction(s) they consider appropriate in light of the violation. Sanctions that can be given as part of a resolution include: reprimand, temporary loss of privilege, reflection experience, and Academic Integrity sanctions. Sanctions given as part of this resolution must be overseen by the University Official. Once an agreement has been made, the student will sign a statement reflecting their acceptance of responsibility and the sanctions.

Once signed, this agreement along with any relevant documentation will be sent to the Office of Community Life to be placed on file. If the letter represents an additional violation of policy, the agreement will be void and the concern will be moved forward for adjudication.

Upon graduation, if there have been no additional violations, a student may apply to have the resolution letter and any relevant documentation expunged from their conduct record.

Requests for expungement must be submitted in writing to the Office of Community Life. All decisions regarding expungement are the sole discretion of the Dean of Students.

7.3 Reporting Concerns

Any person may file a concern against a student or organization for any violation of Academic Integrity or Code of Conduct Policy. The complaint must be submitted to the Office of Community Life. All concerns should be submitted as soon as possible after the event takes place however, there is no time limit on filing a complaint.

7.4 Review of a Complaint

Complaints received will be reviewed to determine if sufficient information has been presented to proceed with a formal charge.

If based on the review, there is not sufficient information to substantiate the concern, it will be dismissed. The complainant will be noticed of this decision. The decision to dismiss a concern can be appealed to the Dean of Students. This appeal must be made in writing to the Office of Community Life within five (5) business days from the date of the dismissal notification letter.

If based on the review, there is sufficient information to substantiate the complaint, the student will be charged and notified in writing that they must meet with a Hearing Officer for an Administrative Conference.

7.5 Administrative Conference

When a concern is referred to the Office of Community Life, a Hearing Officer will review the documentation submitted to determine if there is sufficient information to charge the respondent and proceed with an investigation. If there is sufficient information, the respondent will be notified in writing of the charge and provided five (5) business days to schedule a meeting. In cases involving violence, abuse, weapons, and/or issues that present a significant threat to the safety and welfare of members of the UB community or the university, the respondent will be required to contact the Hearing Officer within (24) hours. In these situations the respondent will be contacted by email, and/or phone as listed on their MyUB account.

During the meeting the Hearing Officer will review the conduct process, discuss information presented by the complainant, and allow the respondent the opportunity to respond. When necessary, the Officer may include the complainant and other relevant observers in the discussion. After consideration of all relevant information, the Officer will determine if they will render a decision or refer the case to either an Administrative or Board Hearing. The Hearing Officer cannot make a decision on a concern that involves a second offense of the same charge or is significantly severe. The right to render a decision or refer the concern to hearing is the sole discretion of the Hearing Officer.

Administrative Conferences are closed to the public.

If the Officer decides to render a decision, they will determine if the respondent is responsible or not for the violation and if found responsible, assign sanctions. A respondent cannot be sanctioned with deferred suspension, suspension, disciplinary dismissal, or expulsion as a result of an Administrative Conference.

If after investigating the charge, the Officer does not believe there is sufficient information to find the respondent responsible, the concern will be dismissed. Both the complainant and respondent will be notified of the decision. Appeals of Administrative Conference decisions are made to the Dean of Students.

7.6 Appeal of an Administrative Conference Decision

Both the respondent and complainant may choose to appeal a decision of an Administrative Conference. An appeal request must be made in writing to the Office of Community Life within five (5) business days of the date of the written conference decision. A request submitted after the five (5) day limit will not be processed or considered.

A decision can be appealed for one of the following reasons:

1. The decision was unsupported by substantial evidence in the view of the entire record.
2. There was a substantial departure from, or denial of, rights or provisions as outlined in the Student Rights and Responsibilities Guide.
3. There is new evidence previously unavailable which, if proven accurate, could substantially alter the decision as to the responsibility of the respondent or to the sanction(s) imposed.
4. There is a reasonable claim that the sanction(s) imposed is disproportionate to the gravity of the conduct.

A copy of the appeal and the conduct file will be submitted to the Dean of Students for review. Both the complainant and respondent will be notified of the appeal decision. All appeal decisions are final.

7.7 Administrative Hearings

Administrative Hearings are used to adjudicate concerns that are referred by a Hearing Officer. A Senior Hearing Officer will review these concerns and make a determination. During the hearing, the Senior Officer will meet with the respondent and the Hearing Officer to discuss

information presented by the complainant, allow the respondent the opportunity to respond and review any documentation provided. When necessary, the Senior Officer may also include the complainant and other relevant observers in the discussion.

Administrative Hearings are closed to the public.

The respondent will be notified, in writing, of their administrative hearing date, time, and location no less than two (2) business days prior to the hearing. If the respondent, after receiving appropriate notification of the date, time and location of the Administrative Hearing, fails or refuses to appear, the hearing will proceed and a decision will be made with consideration of the information available.

After consideration of all relevant information, the Senior Hearing Officer will determine if they will render a decision or refer the case to a Board hearing. The right to render a decision or refer the concern to Board Hearing is the sole discretion of the Senior Hearing Officer.

If the Senior Hearing Officer decides to render a decision, they will determine if the respondent is responsible or not for the violation and if found responsible, assign sanctions. Senior Hearing Officers can assign any sanction outlined in the Student Rights and Responsibilities Handbook except expulsion.

Both the complainant and respondent will be notified of the Senior Hearing Officer's decision. All sanctions will be coordinated and overseen by the Office of Community Life. Appeals of Administrative Hearing decisions can be made as outlined in the *Appeals of Hearing Decisions* section in the Student Rights and Responsibilities Guide.

An audio recording will be made of the Administrative Hearing proceedings. In cases where the respondent is found responsible, hearing audio is kept on record for a minimum of seven years after the respondent completes their degree or is no longer actively enrolled. In cases where the student is suspended or dismissed the audio is kept on file permanently. In cases where the student is found not responsible, hearing audio is kept on file until the appeal period has passed.

7.8 Board Hearings

Board Hearings are used to adjudicate concerns that are referred by a Hearing Officer or Senior Hearing Officer and are used to adjudicate significant concerns and repeat offenses.

Each Board will consist of five (5) Student Rights and Responsibility Representatives (SRRR) comprised of students, faculty, and staff. No less than two students will serve on each board. Three of the five members constitute a quorum and a hearing can proceed.

The Board will review the charge information, hear information from the respondent, the

referring Hearing Officer and, when necessary, the complainant and relevant observers. After a thorough review of the information, they will determine if the respondent is responsible or not for the violation. Board decisions are made by a majority vote. If the respondent is found responsible, the Board may choose to recommend sanctions to the presiding Senior Hearing Officer for consideration.

The respondent will receive notice of the hearing date, time and location at least five (5) business days prior to the hearing. This notice will include information about the documentation to be presented and the names of the individuals serving on the board. The respondent may challenge up to two members of the Board for reasons of impartiality. The challenge must be submitted to the Office of Community Life at least three (3) business days before the hearing and must include the name of the individual(s) being challenged and the reason for the challenge. A Senior Hearing Officer is responsible for approving challenges. If approved, every attempt will be made to arrange for alternate Board Members to replace those challenged. If no replacements can be found, the hearing will take place with the remaining three SRRR members. The respondent will be provided the names of the replacement Board Members. Alternate Board Members cannot be challenged.

If the respondent, after receiving appropriate notification of the date, time and location of a Board Hearing, fails or refuses to appear, the hearing will proceed and a decision will be made with consideration of the information available.

During the hearing, the respondent and if present, the complainant, is permitted to bring one person for support. This person may consult only with the individual who brought them and is not permitted to address the board or speak on that individual's behalf. Board hearings are closed to the public.

An audio recording will be made of the Board Hearing proceedings but will not include the deliberations. In cases where the respondent is found responsible, hearing audio is kept on record for a minimum of seven years after the respondent completes their degree or is no longer actively enrolled. In cases where the respondent is suspended, dismissed, or expelled the audio will be kept permanently. In cases where the student is found not responsible, hearing audio is kept on file until the appeal period has passed.

[7.9 Procedures for Board Hearings](#)

One Student Rights and Responsibilities Representative (SRRR) will be selected by the other panel members to chair the hearing. The chair will be responsible for facilitating the hearing, maintaining order over the process to avoid needless consumption of time and writing the formal hearing decision for the record. During the hearing, a Senior Hearing Officer serves as an advisor to the board for questions about policy and to prevent harassment or intimidation of any participant.

The Hearing Officer who brought the charge will present an overview of the charge(s) and the respondent will be permitted to share their perspective on the information. If present, the complainant will also be given the opportunity to share information. At the option of the hearing board, relevant observers may also be asked to share information about the concern but may be excluded from portions of the proceedings.

The Board may address questions to any participant, but the respondent and the complainant will not be compelled to testify or answer any questions, and their silence will not be considered an admission of responsibility. The Board may request the Senior Hearing Officer to obtain and present records or other documentation that are available to the University. The respondent and the charging officer will have the opportunity respond to any information or documentation introduced by request of the Board. If relevant, the complainant will also be given the opportunity to respond to any information or documentation introduced by request of the Board.

The complainant, respondent, charging Hearing Officer, observers, and any support individual(s) will be excluded during board deliberations. The Senior Hearing Officer may observe the deliberation and answer questions about policy and procedures but will not have a vote in the decision.

The hearing board chair will submit a written report for inclusion in the official conduct record. This report will include:

- the charge(s) considered
- the findings of the board
- If applicable, the sanction(s) recommended

This report is then sent to the presiding Senior Hearing Officer for confirmation. If the respondent has been found responsible, the Senior Hearing Officer will assign sanctions appropriate in light of the violation. The respondent, the complainant and the charging Hearing Officer will be notified of the hearing decision. The respondent will also receive notification of any sanctions assigned. This notification makes the decision final and sanction become effective unless the respondent or complaint choose to appeal. The Office of Community Life is responsible for facilitating the completion of assigned sanctions.

Both the respondent and/or the complainant can appeal a board hearing decision within five (5) business days as outlined in the Appeals of Hearing Decisions section of the Student Rights and Responsibilities Guide.

7.10 Appeals of Hearing Decisions

Both the respondent and complainant may choose to appeal a decision of an Administrative or Board Hearing. An appeal request must be made in writing to the Office of Community Life within five (5) business days of the date of the written hearing decision. A request submitted after the five (5) day limit will not be processed or considered. A decision can be appealed for one of the following reasons:

1. The decision was unsupported by substantial evidence in the view of the entire record.
2. There was a substantial departure from, or denial of, rights or provisions as outlined in the Student Rights and Responsibilities Handbook.
3. There is new evidence previously unavailable which, if proven accurate, could substantially alter the decision as to the responsibility of the respondent or to the sanction(s) imposed.
4. There is a reasonable claim that the sanction(s) imposed is disproportionate to the gravity of the conduct.

A copy of the request and the conduct file will be submitted to an Appeal Officer for review. Academic Integrity appeals are reviewed by a representative of the Office of the Provost and Code of Conduct appeals are reviewed by a representative of the Office of the Associate Vice President for Student Affairs.

The Appeal Officer can decide to uphold, modify, or reverse the decision and sanctions in light of the information provided in the appeal. All appeals are reviewed in writing unless the Appeal Officer believes that there are extenuating circumstances that require direct information from one or more of the participants. It is the sole discretion of the Officer to determine if an in-person meeting with any participant is necessary. The Appeal Officer can alter the decision and assign any sanction listed in the Student Rights and Responsibilities Guide.

Both the complainant and respondent will be notified of the appeal decision. All appeal decisions are final.

SECTION 8: SANCTIONS

8.1 Assigning Sanctions

When a respondent is found responsible for violating university policy, one or more sanctions can be imposed for each violation as appropriate. Sanctions will be commensurate with the seriousness of the offense and repeated violations will justify increasingly severe sanctions. Any sanction imposed will be recorded in the conduct record of the respondent.

8.2 Possible Sanctions

The following sanctions may be imposed for a violation of university policy:

- *Reprimand*: notice that further misconduct will result in additional disciplinary action and will be considered more significant.
- *Probation*: assigned for a specific period of time, during which a student must not violate university policy. While on probation, a student may not represent the University in any capacity nor hold office in any student organization.
- *Temporary Loss of Privilege*: withdrawal of specified University privilege(s) and rights, the ability to use specified University service(s), and/ or being barred from the University premises or facilities. This loss of privilege can last for no longer than one calendar year.
- *Permanent Loss of Privilege*: permanent withdrawal of specified University privilege(s) and rights, the ability to use specified University service(s), and/ or being barred from the University specified premises or facilities.
- *Removal from a University Activity*: immediate removal and banning of a student from future participation from a specified University activity or event. When the activity or event is reoccurring, the duration of the ban will be specified.
- *Withdraw from a University Course*: immediate withdraw of a student from a specified course(s). The student is still responsible for any tuition and fees associated with the course.
- *Fines*: A monetary penalty charged for committing a violation. Fines range from \$50 - \$500.

- *Restitution*: requires a student to pay for damages to an individual or for misappropriation of property. Any student who knowingly damages or causes damage to occur to University property or that of its community members may be required to pay full restitution within a specified period of time.
- *Reflection Experience*: Required completion of a task or assignment that encourages reflection and skill development.
- *Completion of a Reflection Paper/Project*: completion of a paper/project reflecting on the student's experience and impact of their actions.
- *Completion of a Service Learning Project*: completion of a specified number of service learning hours. This project may also include a reflective paper or project on the experience.
- *Completion of a Personal Development Experience*: exploration of university/external resources and/or participation in an educational program(s), activities or task(s) designed to assist the student in learning skills that will help to avoid further misconduct.
- *Confirmation of Fitness to Return*: requires the student meet with a designated medical professional who can assess the student's fitness to continue in university classes and/or activities. The student will not be permitted to return to the university until they have been cleared and may be required to provide documentation of ongoing treatment and/or evaluation.
- *Contact Restrictions*: limits a student's ability to be in the vicinity of a particular individual(s). This may require restrictions on a student's ability to take class and participate in activities with the designated individual(s) as well as include restrictions from specific university facilities.
- *Academic Integrity Sanctions*: sanctions that can only be issued for a violation of the Academic Integrity Policy.
 - *Reduction in Grade*: designated reduction in points, percentage or letter grade for a particular piece of work or the final course grade.
 - *Non-credit for the Work*: no credit (0%) will be given for the work in question.
 - *XF for the course*: grade for the course that indicated the failure was due to an integrity violation. This sanction can be assigned with the ability to have the X removed after a period of time or as a permanent grade.
 - *Option to Remove the X*: After a period of one calendar year from the end of the term in which the sanction was assigned, a student can request to

complete an integrity project which would allow them to have the X removed from their transcript. A student wishing to complete this project should submit a written request to the Office of Community Life explaining why they would like to complete the project. The decision to allow a student to complete the X removal project is the sole discretion of the Office of Community Life.

- *Permanent Grade:* The X will remain permanently on the student's transcript and they are not eligible to complete the X removal project.

- *Suspension of Recognition:* Suspension of University recognition of a Registered Student Organization, Sports Club, and or academic organizations for a specific period of time. During that time, the group is not permitted to meet or hold functions and all university privileges are immediately revoked.

- *Termination of Recognition:* termination of University recognition of a Registered Student Organization, Sports Club, and or academic organizations for a specific or indefinite period of time. Once terminated, the group is not permitted to meet or hold functions and all university privileges are immediately revoked.

- *Deferred Sanction:* sanction that is delayed pending specific behavioral performance. A period of observation and review occurs while the sanction is deferred. If a student is found responsible for an additional violation or does not comply with the behavioral expectations, the sanction will become effective immediately without appeal.

- *Deferred Suspension:* suspension that is delayed pending specific behavioral performance. A period of observation and review occurs while the suspension is deferred. If a student is found responsible for an additional violation or does not comply with the behavioral expectations, the suspension will take place immediately without appeal. Any tuition and fees paid to the University for a semester in which the disciplinary suspension was issued will not be refunded to the student.

- *Suspension:* suspension precludes a student from registration, class attendance, and use of University facilities for at least one semester but no more than five years. Disciplinary suspension is recorded for the term of the suspension in the student's academic record and will permanently remain in the student's conduct file. Upon termination of the suspension, the record of the suspension will be removed from the student's academic record and the student will be permitted to reenroll or be considered for readmission in compliance with the academic admission standards then in effect. The suspension will permanently remain on the student student's conduct record. Credits for any course completed during a suspension are not acceptable transfer credits at the University of Baltimore. Any tuition and fees paid to the University for a semester in which the

disciplinary suspension was issued will not be refunded to the student.

- *Dismissal*: cancellation of the student's registration and all permissions and privileges related thereto. Dismissal is permanently recorded in the student's academic record and in the student's conduct record. A student who has been dismissed is not eligible for readmission earlier than one year following dismissal and then only with the approval of the appropriate Dean. Students found responsible for an Academic Integrity violation submit their readmission request in writing to the Dean who oversees the program they were studying at the time of the violation. Students found responsible for a Code of Conduct violation submit their readmission request in writing to the Dean of Students. Credits for any course completed during a period of dismissal are not acceptable as transfer credits at the University of Baltimore. Any tuition and fees paid to the University for a semester in which the disciplinary dismissal was issued will not be refunded to the student.
- *Expulsion*: permanent dismissal of the student from registration, class attendance and use of university facilities. The student's registration is immediately cancelled and all associated privileges and permissions are revoked. Expulsion is permanently recorded on the student's academic record and in the student's conduct record. Any tuition and fees paid to the University for a semester in which the expulsion was issued will not be refunded to the student.
- *Other Sanctions*: as appropriate, other sanctions may be imposed when necessary.

SECTION 9: SPECIAL ADJUDICATION PROCEDURES

9.1 Ongoing Academic Integrity Investigations when Grades are Due

If grades must be submitted before an academic integrity complaint has been resolved, the faculty member must request a temporary grade of "TG" from the Office of Community Life for that student. The "TG" can be requested even if the concern has not been referred to formal adjudication process. This marker will not have any impact, positive or negative, on the perception of a student's responsibility, student's grade point average or their ability to register for courses. Upon resolution of an academic integrity complaint, the "TG" will be removed and the appropriate grade will be issued.

9.2 Behavior Notice

Any student who demonstrates behavior that is non-conducive to the university environment and has a significant negative impact on other university community member's ability to learn and conduct university business may be issued a Behavior Notice. Behavior Notices identify a specified behavior that is not permissible given the time, place, and/or manner in which the behavior occurred. These notices are issued from the Office of Community Life and outline the terms that must be observed in order for the student to remain in good standing the University. A student who does not comply with the terms outlined in a Behavior Notice is subject to temporary contact restrictions, loss of privilege, removal from course(s) and university events and activities until the matter is adjudicated through the student conduct process.

When a community member has a concern about the behavior of a student, they should notify the Office of Community Life, in writing, of their concern. Concerns must include a summary of the behavior, a desired resolution to address the behavior and when possible the date, time, location and name(s) of the involved student(s).

The Office of Community Life will review and investigate the concern to determine if the behavior is sufficient enough to bring a Code of Conduct charge or if it can be resolved by issuing a Behavior Notice.

9.3 Interim Contact Restrictions

The University reserves the right to limit a student's ability to be in the vicinity of a particular university community member when there is reason to believe there has been/could be physical or emotional harm caused by the presence of the student in question. These

restrictions may impact a student's ability to take classes, participate in activities and on-campus employment as well as, restrict their access to university facilities and/or services.

Interim Contact Restrictions are limited to interactions associated with university business, events/activities both on and off campus, and while on university premises. Any person who is concerned about their personal safety should contact the University of Baltimore Police Department or local law enforcement to discuss safety options and other protective orders that extend beyond the university.

Interim contact restrictions are issued from the Office of Community Life and the Dean. When Interim Contact Restrictions are imposed, they become effective immediately and prohibit the listed actions as well as all forms of communication. Communications include: direct or indirect, written, electronic or through a third party. The interim contact restrictions will remain in effect until the concern has been adjudicated through the university's conduct process, the university's anti-discrimination process, or the sexual misconduct process or the Office of Community Life lifts the restrictions. Refusal to adhere to the restrictions may result in interim suspension and further disciplinary action.

9.4 Interim Access Restrictions

The University reserves the right to limit a student's ability to use university facilities and resources when there is reason to believe there has been/could be harm or damage done by allowing the student in question to have access to the facility or resource. These restrictions may impact a student's ability to take classes, participate in activities and events, on-campus employment and/or prohibit them from being in the vicinity of specified university facilities and/or services.

Any person who has reason to believe they should be concerned about the safety of their property or using university facilities should contact the University of Baltimore Police Department or local law enforcement.

Interim Access Restrictions are issued from the Office of Community Life. When Interim Access Restrictions are imposed, they become effective immediately and prohibit the listed actions. The Interim Access Restrictions will remain in effect until the concern has been adjudicated through the university's conduct process, the university's anti-discrimination process, or the sexual misconduct process or the Office of Community Life lifts the restrictions. Refusal to adhere to the restrictions may result in interim suspension and further disciplinary action.

9.5 Interim Suspension

An interim suspension may be issued when there is reason to believe that a student's presence on campus and/or participation in university affiliated activities:

1. puts at risk the health, safety, security and wellbeing of persons or property and/or
2. the student poses a immediate threat of disruption to or interference with the normal operation of the university

Interim suspension is issued from and imposed by the Office of Community Life. When and interim suspension is imposed, the student is required to leave university premises immediately and is not permitted to return at any time throughout the duration of the suspension without prior written permission from the Office of Community Life.

When a student is placed on interim suspension they will be notified in writing by email and/or contacted by phone to discuss the terms of the interim suspension and schedule an appointment to discuss the matter. The interim suspension will remain in effect until the concern has been reviewed and adjudicated through the university's conduct process or the suspension is lifted because it is determined there is not sufficient information to move forward with a conduct charge.

9.6 Presidential Powers

In the event of a mass disruption of the University by a group of students, the president may suspend the conduct process and impose interim suspension immediately. The president may then appoint a magistrate who is not part of the University community and who is qualified in the president's judgment to hear all cases. The magistrate has full power to impose all University sanctions.

SECTION 10: NON-DISCRIMINATION

10.1 Non-Discrimination Statement

The University of Baltimore does not discriminate on the basis of race, religion, age, color, national origin, sex, sexual orientation, gender identification, or disability in its programs, activities, or employment practices. Inquiries regarding discrimination related to educational programs and activities should be directed to the Office of Community Life, Academic Center, room 112; phone: 410.837.4755. Inquiries regarding employment discrimination should be directed to the Office of Human Resources at the University of Baltimore, 410.837.5410.

10.2 Reporting a Discrimination Complaint

If a student believes they have been treated unfairly on the basis of race, religion, age, color, national origin, sexual orientation, gender identification, or disability they may either attempt to resolve the concern with the individual directly or may file a complaint with the University.

To file a complaint against a student contact:

The Office of Community Life
Academic Center, Room 112
1420 N. Charles St.
410.837.4755
communitylife@ubalt.edu

To file a complaint against a faculty or staff member contact:

Office of Human Resources
1319 N. Charles Street, Charles Royal Building, 3rd Floor
410.837.5410

10.3 Discrimination Complaint Adjudication Process for Concerns Against Students

Process Overview

Anyone who would like to file a discrimination complaint against a student must submit their concern in writing to the Office of Community Life. The complaint must contain the following:

1. Name and contact information of the complainant
2. Nature of the discrimination (on the basis of which protected class ex: race, religion, etc.)
3. Detailed description of what happened

4. The name(s) of the respondent(s)
5. The names of any observers to the concern
6. The relief requested

A complaint should be filed within 10 business days from when the most recent concern occurred. Upon receiving the complaint, the Dean of Students or the Program Coordinator for Community Standards will investigate the complaint. Investigations will be completed within 40 business days unless doing so would compromise the integrity of the investigation.

After receiving a complaint the investigator will reach out to the complainant and the respondent to discuss the concern. The investigator may also speak to relevant observers. Both the complainant and respondent will have the opportunity to submit information to the investigator for review.

As part of the investigation, the investigator may negotiate a resolution of the complaint or encourage the parties to participate in a discussion with the purpose of reaching a voluntary resolution. The decision to offer a voluntary resolution is the sole discretion of the investigator.

If the complaint is not resolved voluntarily by the parties, the investigator will make a decision using the preponderance of evidence standard to determine if a violation of the non-discrimination policy occurred. This decision will be provided in writing, by email to both the complainant and the respondent.

If the respondent is found responsible for the violation the investigator will issue sanctions. If the respondent is found not responsible, the complaint will be dismissed.

Sanction that can be imposed for a violation of the Non-discrimination Policy

The following sanctions may be imposed for a violation of university's Non-discrimination policy:

- *Reprimand*: notice that further misconduct will result in additional disciplinary action and will be considered more significant.
- *Probation*: assigned for a specific period of time, during which a student must not violate the university policy. While on probation, a student may not represent the University in any capacity nor hold office in student government or any other student organization.
- *Temporary Loss of Privilege*: withdrawal of specified University privilege(s) and rights, the ability to use specified University service(s), and/ or being barred from the

University premises or facilities. This loss of privilege can last for no longer than one calendar year.

- *Permanent Loss of Privilege:* permanent withdrawal of specified University privilege(s) and rights, the ability to use specified University service(s), and/ or being barred from the University specified premises or facilities.
- *Removal from a University Activity:* immediate removal and banning of a student from future participation from a specified University activity or event. When the activity or event is reoccurring, the duration of the ban will be specified.
- *Withdraw from a University Course:* immediate withdraw of a student from a specified course(s). The student is still responsible for any tuition and fees associated with the course.
- *Restitution:* requires a student to pay for damages to an individual or for misappropriation of property. Any student who knowingly damages or causes damage to occur to University property or that of its community members may be required to pay full restitution within a specified period of time.
- *Reflection Experience:* Required completion of a task or assignment that encourages reflection and skill development.
- *Completion of a Reflection Paper/Project:* completion of a paper/project reflecting on the student's experience and impact of their actions.
- *Completion of a Service Learning Project:* completion of a specified number of service learning hours. This project may also include a reflective paper or project on the experience.
- *Completion of a Personal Development Experience:* exploration of university/external resources and/or participation in an educational program(s), activities or task(s) designed to assist the student in learning skills that will help to avoid further misconduct.
- *Contact Restrictions:* limits a student's ability to be in the vicinity of a particular individual(s). This may require restrictions on a student's ability to take class and participate in activities with the designated individual(s) as well as include restrictions from specific university facilities.

- *Suspension of Recognition:* Suspension of University recognition of a Registered Student Organization, Sports Club, and or academic organizations for a specific period of time. During that time, the group is not permitted to meet or hold functions and all university privileges are immediately revoked.
- *Termination of Recognition:* termination of University recognition of a Registered Student Organization, Sports Club, and or academic organizations for a specific or indefinite period of time. Once terminated, the group is not permitted to meet or hold functions and all university privileges are immediately revoked.
- *Deferred Sanction:* sanction that is delayed pending specific behavioral performance. A period of observation and review occurs while the sanction is deferred. If a student is found responsible for an additional violation or does not comply with the behavioral expectations, the sanction will become effective immediately without appeal.
- *Deferred Suspension:* suspension that is delayed pending specific behavioral performance. A period of observation and review occurs while the suspension is deferred. If a student is found responsible for an additional violation or does not comply with the behavioral expectations, the suspension will take place immediately without appeal. Any tuition and fees paid to the University for a semester in which the disciplinary suspension was issued will not be refunded to the student.
- *Suspension:* suspension precludes a student from registration, class attendance, and use of University facilities for at least one semester but no more than five years. Disciplinary suspension is recorded for the term of the suspension in the student's academic record and will permanently remain in the student's conduct file. Upon termination of the suspension, the record of the suspension will be removed from the student's academic record and the student will be permitted to reenroll or be considered for readmission in compliance with the academic admission standards then in effect. The suspension will permanently remain on the student student's conduct record. Credits for any course completed during a suspension are not acceptable transfer credits at the University of Baltimore. Any tuition and fees paid to the University for a semester in which the disciplinary suspension was issued will not be refunded to the student.
- *Dismissal:* cancellation of the student's registration and all permissions and privileges related thereto. Dismissal is permanently recorded in the student's academic record and in the student's conduct record. A student who has been dismissed is not eligible for readmission earlier than one year following dismissal and then only with the approval of the appropriate Dean. Students found responsible for an Academic Integrity violation submit their readmission request in writing to the Dean who oversees the program they were studying at the time of the violation. Students found responsible for a Code of

Conduct violation submit their readmission request in writing to the Dean of Students. Credits for any course completed during a period of dismissal are not acceptable as transfer credits at the University of Baltimore. Any tuition and fees paid to the University for a semester in which the disciplinary dismissal was issued will not be refunded to the student.

- *Expulsion*: permanent dismissal of the student from registration, class attendance and use of university facilities. The student's registration is immediately cancelled and all associated privileges and permissions are revoked. Expulsion is permanently recorded on the student's academic record and in the student's conduct record. Any tuition and fees paid to the University for a semester in which the expulsion was issued will not be refunded to the student.
- *Other Sanctions*: as appropriate, other sanctions may be imposed when necessary.

Appeal of an Investigator Decision

Both the respondent and complainant may choose to appeal a decision of a non-discrimination finding. An appeal request must be made in writing to the Office of Community Life within five (5) business days of the date of the written decision. A request submitted after the five (5) day limit will not be processed or considered.

A decision can be appealed for one of the following reasons:

1. The decision was unsupported by substantial evidence in the view of the entire record.
2. There was a substantial departure from, or denial of, rights or provisions as outlined in the Student Rights and Responsibilities Guide.
3. There is new evidence previously unavailable which, if proven accurate, could substantially alter the decision as to the responsibility of the respondent or to the sanction(s) imposed.
4. There is a reasonable claim that the sanction(s) imposed is disproportionate to the gravity of the conduct.

A copy of the appeal and the information pertaining to the concern will be submitted to a representative from the Office of Human Resources for review. Both the complainant and respondent will be notified of the appeal decision. All appeal decisions are final.

SECTION 11: SEXUAL MISCONDUCT

In accordance with Title IX, the University of Baltimore is committed to creating a university setting that is safe from sexual misconduct, including sexual and gender-based harassment, sexual violence, dating violence, domestic violence, sexual exploitation and sexual intimidation. The University actively seeks to:

- Prevent issues of sexual misconduct by educating and providing resources to raise awareness of these issues;
- Recognize, respond and provide support to those who have experienced sexual harassment and/or been the victim of a sexual offense.

The Office of Community Life is responsible addressing student concerns of sexual misconduct. For complete information please review the [full policy and complaint process](#) or visit the T9 [website](#). You can also contact:

Kathleen Anderson
dean of students
Deputy Title IX Coordinator for Students
Academic Center, Room 112
1420 N. Charles St.
410.837.4755
kanderson@ubalt.edu

Christy Lee Koontz
coordinator for community standards
Title IX Investigator
Academic Center, Room 112
1420 N. Charles St.
410.837.5414
ckoontz@ubalt.edu

SECTION 12: CASE DOCUMENTATION AND DISCIPLINARY RECORDS

12.1 Requests to Provide Documentation

At the request of an adjudicator, a student must provide all requested documentation in their possession related to a conduct, non-discrimination and/or sexual misconduct concern. They are also required to actively and honestly participate in the student conduct process. Any student who refuses to participate in the process may be charged with a violation of the Code of Conduct.

12.2 Electronic Information and Files

All electronic information and files accessed, created, stored, shared or processed using university resources are considered university property and may be accessed, reviewed and/or shared with appropriate individuals as part of the adjudication process.

12.3 Disciplinary Records

Disciplinary records include all documentation regarding student Academic Integrity and Code of Conduct concerns, discrimination complaints and sexual misconduct complaints. All student conduct records are maintained by the Office of Community Life.

12.4 Information to Remain on File

Academic Integrity and Code of Conduct files are kept on record for a minimum of seven years after the student completes their degree or is no longer an actively enrolled. Records of cases where the student receives a sanction of suspension, dismissal, and/or expulsion will remain on file permanently. Students who have a Resolution through Agreement on file and did not have any additional violations brought against them during the completion of their degree, may request to have their documentation expunged upon their graduation or after the time allowed for the completion of their program.

Records that have met the seven year requirement are destroyed annually. The Office of Community Life retains the right to make all decisions regarding conduct records and record elimination.

12.5 Request to Review Disciplinary Records: Written Documentation

At any time, a student may request to review their disciplinary record. A request for review must be made in writing to the Office of Community Life. Requests will be honored within sixty (60) days. The Dean of Students has sole discretion to make special accommodations and exceptions to this on a case-by-case basis for extenuating circumstances.

Written documentation will be released to individuals in compliance with legal directives

according to state/federal law.

[12.6 Request to Review Hearing Audio](#)

At any time, the respondent and/or complainant may request to review their Administrative or Board Hearing audio. Reviews must take place in the Office of Community Life and the Dean of Student. The audio may not be recorded or copied.

A request for review must be made in writing to the Office of Community Life. Requests will be honored within sixty (60) days. The Dean of Students has sole discretion to make special accommodations and exceptions to this on a case-by-case basis for extenuating circumstances.

Audio files will be released to individuals in compliance with legal directives according to state/federal law.