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 encourages the health, safety and welfare of all UB community members in a fair and equitable manner.

1.1 Scope of Authority: Students

The policies and processes outlined in this guide apply to all admitted undergraduate, graduate, professional and visiting students as well as 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 or appropriate university policy. 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 in which they are involved has been resolved.

Any student involved in a pending concern may also have Interim Contact, Interim Access Restrictions, and/or Interim Suspension placed on them until the situation has been adjudicated.

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 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) and/or student group involved in a pending concern may have Interim Contact, Interim Access Restrictions, and/or Interim Suspension restrictions placed upon them. The University reserves the right to temporarily restrict or 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 other 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 the Academic Integrity Policy, the Code of Conduct Policy, the Non-Discrimination Policy, the Sexual Misconduct Policy and/or other university policy, they should appropriately report the information using the process outlined in the Student Rights and Responsibilities Guide or within the appropriate University procedures.

Students who are unaware of where to report a concern can contact the Office of Community Life for assistance.

1.4 Responsibilities of an Observer to an Alleged Violation
As a responsible member of the University of Baltimore community, any student who has been identified as an observer to a conduct concern, a discrimination concern, sexual misconduct concern, and/or other university policy concern must actively and honestly participate in the investigative process to the best of their ability. A student who has been identified as an observer is required to cooperate with the University Official gathering information about the incident.

1.5 Retaliation
Acts of retaliation against any individual for participating in any university reporting and/or review/adjudication process and/or attempts to dissuade an individual from engaging in these processes, 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 or in accordance with the appropriate university policy. A student found responsible for retaliation
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.
- **Appeal Officer** – Individual responsible for reviewing appeals and making the final determination.
- **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 other university policy. Students who observe a violation are expected to remove themselves from the situation and report the concern appropriately.
- **Conduct Proceeding** – Any meeting, conference, discussion, communication or hearing associated with the adjudication process used to address possible violations and 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 Office of Community Life to investigate potential violations of the Academic Integrity and/or Code of Conduct Policy.
These individuals are responsible for conducting Administrative Reviews 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 may have information pertaining to the concern but is not the complainant or respondent.
- **Preponderance of Evidence** – The standard of proof used 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 university policy.
- **Sanction** – Outcome(s) imposed for a violation for which the respondent is required to comply.
- **Senior Hearing Officer** – A University Official who has been designated by the Office of Community Life to adjudicate violations through the Administrative Hearing process, hear appeals of Administrative Review decisions, serve as advisors to Hearing Board panels, and issue sanction(s) to respondents found responsible by a Hearing Board. Senior Officers also may also serve in the role of 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.

### 1.7 Revisions to the Guide
The UB community and all persons affiliated with student policies and the university conduct process are permitted to submit feedback and suggestions regarding changes that should be considered to improve the effectiveness of the policies and procedures in this Guide. Feedback
and suggestions should be submitted in writing to the Office of Community Life 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: Summer 2016

1.5 Questions about the Information in this Guide
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 Office Community Life
- 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 Office of Community Life for further information about or clarification of the adjudication procedures relating to academic integrity

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
• 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 Office of Community Life for further information about or clarification of the adjudication procedures relating to academic integrity
• Keep academic integrity inquiries and investigations about particular students confidential, aside from discussions with the student, discussions with the Office of Community Life, and discussions with administrators with an educational need to know

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
• Consult the Office of Community Life for further information about or clarification of the adjudication procedures relating to academic integrity
• Keep academic integrity inquiries and investigations about particular students confidential, aside from discussions with the student, discussions with the Office of Community Life, and discussions with administrators with an educational need to know

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.
  o Examples 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 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 another course(s), 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 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 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 by students 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 and/or 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 of student life 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, safety 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 maintain an atmosphere and environment appropriate for learning.

Amnesty Policy
The safety and security of the University Community is the University’s primary concern. Except for situations of mandatory intervention for substance abuse, a student conduct violations for alcohol and drug use will not apply to a student reporting party(s) or observers who report a misconduct matter to the University or law enforcement, if the University determines that:

- the violation occurred during or near the time of the alleged misconduct;
- the student reporting party or witness made the report of misconduct in good faith; and
- the violation was not an act that was reasonably likely to place the health and safety of another individual at risk.

The University may initiate an educational discussion or pursue other educational assistance remedies regarding alcohol or other drugs, as necessary.

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:
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 when 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, reprimand, loss of privilege, restitution, probation, suspension, dismissal, and 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 may be issued for violations.

5.2 Code of Conduct Violations
Acts of misconduct include the following:

1. Violation(s) of local, state, federal and/or international law whether on University premises, or off-University premises.
2. 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.).
3. Attempting to commit, complicity and/or failure to remove one’s self from any situation where a prohibited act(s) of university policy and/or illegal actions are taking place.
4. Failure to appropriately report violations of university policy and/or illegal activity.
5. Retaliation against another individual(s) for their participation in any portion of the referral, university review process, adjudication process, and/or in seeking appropriate remedies or other forms or support.
6. Gambling without appropriate permits.
7. 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.
8. 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.
9. Possession and/or use of firearms or other weapons 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 law or the university to use, possess, or carry weapons or fireworks and/or use such materials.
10. Possession and/or use of firearms or other weapons on or off university premises in a manner that threatens the health safety and welfare of others.
11. Possession and/or use of fireworks and/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, and/or use such materials.
12. Possession and/or use of chemicals of an explosive or corrosive nature on or off university
premises in a manner that threatens the health safety and welfare of others.
13. Interfering with normal university operations.
14. An unregistered student group attempting to function in the name of the University of
Baltimore.
15. Furnishing/implying false information to the university or a university official or throughout
the course of university regulated affairs.
16. Misrepresentation misuse and/or abuse of university achievements and/or affiliations.
17. Misrepresentation, misuse and/or abuse of university roles and affiliations.
18. Refusal to present identification and/or provide appropriate identification to university
officials or law enforcement acting in the performance of their duties.
19. Failure to comply with a directive given by a university official or refusal to comply with a
request to report to an administrative office.
20. Failure to comply with directives associated with student conduct proceedings, university
review proceedings, the adjudication process and/or sanction(s).
21. Behavior that to a reasonable person is disorderly and disrupts others.
22. Acts that invade the privacy of another when there is a reasonable expectation of privacy.
23. Obstruction of the free flow of pedestrian or vehicular traffic without appropriate
permission.
24. Trespassing and/or unauthorized entry into or use of university facilities or equipment.
25. Fabrication, forgery, alteration, misuse and/or misrepresentation of information, resources
and/or documents (ex: university documents, transcripts, documents presented as part of a
university review, identification information, keys, access cards, documentation logs etc.)
26. 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.
27. Theft, possession, sale, and/or barter of university property, property of a member of the
university community or other personal or public property.
28. Tampering, misuse and/or damage of fire extinguishers, alarms or other safety equipment.
29. Interfering with fire, police, or emergency services and/or intentionally initiating or causing
to be initiated any false report, warning or threat of fire, explosion, or other emergency.
30. 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.
31. 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.
32. Misuse of phones, computers, tablets and other electronic devices in a manner that causes disruption to the university or university functions, events, and/or activities.

33. 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.

34. Unauthorized use of the university’s name, information, videos, social media, publications, audio, logos, images and graphics.

35. Substantially interfering with the freedom of expression of others.

36. Lewd, indecent or obscene conduct.

37. Actions motivated by a consideration of perceived or actual identities of sex, gender, race, religion, age, disability, national origin, ethnicity, sexual orientation, gender identity, or other legally protected characteristics. Student’s found responsible for this violation may be subject to more severe sanctions than would be imposed in the absence of this motivation.

38. Intimating verbal and/or nonverbal behavior, abuse, coercion, and/or other conduct, expressed and/or implied, that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial distress.

39. Intimating physical behavior, abuse, coercion, and/or other conduct, expressed and/or implied, that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial distress.

40. Engaging in a pattern of behavior that is directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial distress.

41. 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.

42. Infliction and/or threat of physical, verbal, non-verbal and/or emotional harm to any person(s) or their property.

5.3 Rioting

The University of Baltimore expressly condemns 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
Potential Code of Conduct violations will be adjudicated using the procedures outlined in the Conduct Process section of the Student Rights and Responsibilities Guide.

In situations where a potential Code of Conduct violation(s) is directly related to an alleged Sexual Misconduct concern(s), the concern will be adjudicated thought the procedures established in the Sexual Misconduct policy and will not be adjudicated through the procedures outlined in this guide. The Sexual Misconduct policy supersedes the adjudication procedures outlined in this 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 adjudicators 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 or is not responsible for the violation.

The adjudicator is responsible for maintaining order during the investigation and conduct proceedings. All relevant, reasonably available information and documentation presented in accordance with established procedures 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 and/or civil proceedings or wait until the proceedings have concluded. The university reserves this right to charge a respondent with a violation even if legal charges are pending, reduced, or dismissed.

6.3 Communications
University of Baltimore email 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. In limited circumstance, 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 Rights within the Conduct Process
The following rights are guaranteed to a respondent in the university conduct process:

1. The right to be notified of the charge(s) brought against them.
2. The right to share their understanding of the situation and present relevant information and documentation for consideration in accordance with established procedures before a final decision is rendered.
3. The right to bring one person for support to a conduct proceeding.
4. The right to review relevant information that has been presented for consideration in the adjudication process in accordance with established procedures.
5. The right to have the decision made using a preponderance of the evidence.
6. The right to be informed of the final outcome and adjudication decision.
7. The right to appeal the adjudication decision in accordance with the established procedures for appeal.

6.5 Community Standards Representatives (CSR’s)
Community Standards Representatives (CSR’s) are appointed through recommendations, nominations and/or an application process to serve as adjudicators for board hearing panels. Individuals chosen to serve in this capacity represent a diverse group of individuals from across the institution. UB community members interested in serving in this capacity should contact the Office of Community Life for more information.

6.6 Support through the Conduct Process
A student going through the university conduct process may have a non-attorney support person with them during any conduct proceeding. Individuals brought for support may not participate in the conduct proceeding. Conduct proceedings will not be changed or delayed as a result of a support person’s availability or failure to attend. Advanced notice is required to allow a support person’s participation in a conduct process. A support person may not be permitted to attend the proceeding if advance notice has not been given.

An adjudicator may dismiss a support person from a proceeding if they cause a disruption in any way. The proceeding will continue in light of a support person dismissal. Individuals whose support person has been dismissed may choose an alternate individual to serve as support for future proceedings.

6.7 Legal Representation
Legal counsel is not permitted to serve as support in any conduct proceeding unless there is reason to believe the student may face criminal charges stemming from the same incident. If counsel is permitted to serve as support, they are required to follow the same expectations as non-attorney support. The role of counsel is 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 dismiss counsel support from a proceeding if these expectations are violated in any way.

The Office of Community Life must receive written notice of the intent to bring counsel support at least four (4) business days prior to the proceeding. This notice must also include a
justification to support the need for counsel to serve in this role. Counsel will not be permitted to attend a conduct proceeding without prior notice. The inclusion of a respondent’s counsel support will likely necessitate the presence of university counsel. Decisions to allow counsel as support is at the sole discretion on the adjudicator.

The university reserves the right to include their counsel during any conduct proceeding.
**SECTION 7: ADDRESSING CONCERNS OF MISCONDUCT**

A university official and/or UB community member 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 must address the concern in accordance with the established process in the *Student Rights and Responsibilities Guide*. In the event that the university official is a student employee, that employee will notify their staff or faculty supervisor who is responsible for determining how best to address the concern. UB students and outside community members with concerns may report the information directly to the Office of Community Life.

Any concern involving violence, abuse and/or issues that present a threat to the safety and/or welfare of an individual, the university, and/or the community 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.

**7.1 Options for Resolving a Violation**

The University of Baltimore resolves student Academic Integrity and Code of Conduct policy violations using one or more of the resolution processes below:

- **Resolution through Agreement** – A voluntary pre-adjudication resolution option that allows a university official to offer an agreement in writing to a respondent for an Academic Integrity and/or a Code of Conduct policy violation. The respondent has the opportunity to accept the agreement or decline the agreement and have the concern adjudicated through the conduct process. Sanctions that can be assigned by a university official as part of a resolution through agreement include: reprimand, temporary loss of privilege, reflection experience, and Academic Integrity level I sanctions.

- **Administrative Review** – Review and adjudication of a possible policy violation by a Hearing Officer. After review of the concern, the Hearing Officer will determine if they will render a decision or refer the concern to a hearing. If a decision of responsibility is rendered, the Hearing Officer can assign any sanctions listed in the *Student Rights and Responsibilities Guide* with the exception of suspension, dismissal, and expulsion.

- **Administrative Hearing** – Adjudication of a possible policy violation by a Senior Hearing Officer. After review of the charges, the Senior Hearing Officer will determine if they will render a decision or refer the concern to a board hearing. If a decision of responsibility is rendered, the Senior Hearing Officer can assign any sanction in the *Student Rights and Responsibilities* Guide with the exception of expulsion.

- **Board Hearing** – Adjudication of a possible policy violation by a panel of five (5) Student Rights and Responsibilities Representatives. The Board will determine responsibility and
may choose to recommend sanctions to the presiding Senior Hearing Officer for consideration. The Senior Hearing Officer 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

Resolution through Agreement is a voluntary, pre-adjudication resolution option that allows a university official to offer an agreement in writing to a student for an Academic Integrity and/or a Code of Conduct policy violation.

When a university official has good reason to believe that an Academic Integrity and/or a Code of Conduct policy violation has occurred, they may choose whether to attempt to resolve the matter directly with the student or refer the concern to the conduct process. If the university official decides to attempt resolution with the student, they should contact the student, inform them of their concerns, and give them the opportunity to respond. If after receiving the response, the university official believes that a violation occurred, they can offer an agreement in writing, allowing the student to accept responsibility and the sanction(s) they believe are appropriate in light of the violation. Sanctions that can be assigned by a university official as part of a Resolution through Agreement include: reprimand, temporary loss of privilege, reflection experience, and Academic Integrity level 1 sanctions. Sanctions given as part of the agreement must be overseen by the university official. If after receiving the response, the university official does not believe that a violation occurred, no further action is to be taken.

Neither the university official nor the student is required to resolve a complaint using the Resolution through Agreement process. At any time, the university official and/or the student can submit the concern to the conduct process for review.

If the university official attempts to resolve the concern directly with the student through an agreement and they (1) fail to respond to the university official's attempted contact within five (5) business days, (2) decline to offer a response to the university official, or (3) agrees to offer a response, but subsequently fails to do so, the concern should be referred to the conduct process.

Concerns not eligible for resolution through agreement include:

- concerns where the student is not willing to accept responsibility for the violation
- concerns where the student is not willing to accept the university officials’ assigned sanction(s)
- the student has prior agreements/ has been found responsible for prior violations
- repeat concerns
- violence, abuse and/or issues that present a threat to the safety and/or welfare of an individual, the university, and/or the community
- concern is severe and/or had a substantial impact on other individuals, the university
Information regarding these types of concerns must be referred directly to the conduct process.

If an agreement is offered by the university official and the student is willing to accept the agreement as offered, the agreement is to be documented in writing and submitted with any relevant documentation to the Office of Community Life to be placed on file.

If, after review of the agreement by the Office of Community Life, it is found the complaint for which the agreement was made was not eligible for resolution through this process as described above, the agreement will be void and the concern will be adjudicated through the conduct process.

Upon graduation, if there have been no additional violations, a student may request to have the agreement and relevant documentation expunged from their conduct record. Requests for expungement may not be submitted earlier than degree completion. All requests must be in writing to the Office of Community Life. All decisions regarding expungement are the sole discretion of the Dean of Students or their designee.

7.3 Reporting Concerns to the Conduct Process
Any person may file a concern against a student or student group for a violation of the Academic Integrity or Code of Conduct Policy. Complaints are submitted to the Office of Community Life for review. All concerns should be submitted as soon as possible after the event takes place however, there is no time limit on filing a complaint.

Individuals with concerns are encouraged to have a conversation with the student prior to submitting the complaint for review. This discussion allows the complainant the opportunity to better understand what occurred and determine if they believe an Academic Integrity and/or Code of Conduct policy violation has occurred.

Any concern involving violence, abuse and/or issues that present a threat to the safety and/or welfare of an individual, the university, and/or the community 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.

7.4 Review of a Complaint
Complaints received will be reviewed by a Hearing Officer to determine if sufficient information has been presented to proceed with the adjudication process.

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 assigned Senior Hearing Officer. 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.

If the Senior Hearing Officer determines there is sufficient information to substantiate the complaint, the student will notified and the adjudication process will begin.

A Senior Hearing Officer’s decision to move forward with the adjudication process after a Hearing Officer dismissed the complaint, does not indicate responsibility for the concern in question.

If the Senior Hearing Officer determines there is insufficient information to substantiate the complaint, the concern will be permanent dismissed and no action will be taken against the student. A decision made by a Senior Hearing Officer regarding the acceptance or dismissal of a complaint is final.

### 7.5 Consideration of Previous Information and Violations

The adjudicator may consider previous information about past concerns and/or previous violations when reviewing a complaint/charge. Information about past concerns-violations will not be used to support the preponderance standard when determining responsibility for a concern but may be considered when assigning sanctions.

### 7.6 Administrative Review

When a concern is referred to the Office of Community Life, a Hearing Officer will review the information/documentation submitted by the complainant to determine if there is sufficient information to proceed with an investigation of the concern. If there is sufficient information presented, the respondent will be notified and be required to schedule an administrative conference with the Hearing Officer. If the respondent does not schedule the conference, the review will move forward with or without the student’s participation and additional charges may be filed.

During the Administrative Hearing, the Hearing Officer will review the conduct process, discuss information relevant to the complaint, and allow the respondent the opportunity to respond to the concern. When necessary, follow-up meetings with the respondent or other involved individuals may be required. At the Hearing Officers discretion, the complainant and/or other relevant individuals may be included in any meeting with the respondent. Administrative Review meetings are closed to the public.

After consideration of all available relevant information, the Officer will determine if they will render a final decision or refer the case to an Administrative or Board Hearing. The Hearing Officer cannot make a decision on a concern that may be a subsequent offense in violation of the policy or is significantly severe. The right to render a decision or refer the concern to
hearing is the sole discretion of the Hearing Officer. The decision to refer a concern to a hearing cannot be appealed.

If the Officer decides to render a decision, they will determine if the respondent is responsible or not for the violation and if responsible, assign sanctions. A respondent cannot be sanctioned with suspension, dismissal, or expulsion as a result of an investigation and a decision made through Administrative Review. Differed sanctions involving separation may be assigned.

Both the complainant and respondent will be notified of the decision. Appeals of Administrative Review decisions are made to a Senior Hearing Officer using the process outlined in the section Appeal of an Administrative Review Decision in the Student Rights and Responsibilities Guide.

Records regarding concerns where the final decision is made through the Administrative Review process are eligible for expungement if there have been no additional violations during the student’s remaining time at the University. Requests for expungement may not be submitted earlier than degree completion. All requests must be in writing to the Office of Community Life. All decisions regarding expungement are the sole discretion of the Dean of Students or their designee.

7.7 Appeal of an Administrative Review Decision
The respondent may choose to appeal a final decision of an Administrative Review. An appeal 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 considered.

A decision may 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 which would substantially alter the decision as to the responsibility of the respondent or to the sanction(s) imposed.
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 student’s conduct record(s) will be submitted to a Senior Hearing Officer who will serve as the Appeal Officer to review the decision.

The Appeal Officer can decide to uphold, modify, or reverse the decision and/or 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 Appeal 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.

All appeal decisions are final.

7.8 Administrative Hearings

Administrative Hearings are used to adjudicate concerns that are referred by a Hearing Officer. During the hearing, the Senior Hearing 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 information/documentation provided. When necessary, the Senior Officer may also include the complainant and other relevant individuals in the hearing. They may also do follow-up with the respondent or others as necessary before rendering a decision.

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 adjudicator or speak on that individual's behalf. Administrative Hearings are closed to the public.

The respondent will be notified 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 Administrative Hearing, fails or refuses to attend, the hearing will proceed in their absence.

An audio recording will be made of the Administrative Hearing proceeding.

During the hearing, the respondent, the complaint and the referring Hearing Officer are able to submit relevant supporting documentation for consideration. Documentation must be submitted in advance of the hearing as outlined in the hearing notice; documents submitted will be shared with all relevant parties as identified by the Senior Hearing Officer. Documentation may also be shared with the complainant even if they are not attending the hearing.

After consideration of all relevant information, the Senior Hearing Officer will determine if they will render a final 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. The decision to refer a concern to a Board Hearing cannot be appealed.

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 listed in the *Student Rights and Responsibilities Guide* except expulsion.

The respondent and the complainant will be notified of the Senior Hearing Officer’s decision. Appeals of Administrative Hearing decisions can be made as outlined in the section *Appeals of Hearing Decisions* in the *Student Rights and Responsibilities Guide*.

In cases where the respondent is found responsible, records regarding the concern are kept on record for a minimum of seven years after the respondent completes their degree or is no longer actively able to enroll. 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, the record is kept on file for a period of one year however, the information is considered not reportable.

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

Each board will consist of four (4) Community Standard Representatives (CSR) and a Senior Hearing Officer. Three of the five members constitute a quorum and a hearing can proceed.

During the hearing, the board and the Senior Hearing Officer will review information relevant to the concern and allow the respondent and the Hearing Officer to share information. Other relevant parties as deemed appropriate by the Senior Hearing Officer or board will also be heard. The board and/or Senior Hearing Officer may also follow-up with the respondent, the complainant and/or others as necessary before rendering a decision.

After a review of the information, the board 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 Senior Hearing Officer will assign sanction(s) with consideration of any past conduct records.

The respondent will receive notice of the hearing date, time and location at least five (5) business days prior to the board hearing. The respondent may challenge up to two CSR members of the board. The Senior Hearing Officer may not be challenged. The challenge must be submitted to the presiding Senior Hearing Officer in writing at least three (3) business days before the hearing. The challenge must include the name of the individual(s) being challenged and the reason for the challenge. The Senior Hearing Officer is responsible for approving challenges. If approved, an 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 original CSR members. Alternate board members cannot be challenged.
An audio recording will be made of the board hearing proceedings but will not include the deliberations.

The respondent, the complaint and the referring Hearing Officer(s) will be provided the opportunity to submit relevant supporting documentation for consideration by the board and Senior Hearing Officer. Documentation must be submitted in advance of the hearing as outlined in the hearing notice; documents submitted may be shared with all hearing participants. Documentation may also be shared with the complainant even if they are not attending the hearing.

If the respondent, after receiving appropriate notification of a board hearing, fails or refuses to attend, 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 are 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.

In cases where the respondent is found responsible, records will be kept on record for a minimum of seven years after the respondent completes their degree or is no longer actively able to enroll. In cases where the respondent is suspended, dismissed, or expelled the record will be kept permanently. In cases where the student is found not responsible, the record is kept on file for a period of one year however, the information is considered not reportable.

### 7.10 Procedures for Board Hearings

The Senior Hearing Officer will be responsible for facilitating the hearing and maintaining order over the process to avoid needless consumption of time.

The (Senior) Hearing Officer(s) who brought the charge(s) will present an overview of the concern and the respondent will be permitted to share their perspective on the information. If more than one Hearing Officer or Senior Hearing Officer has been involved in the current case or as part of a previous concern, they may present the charge(s) jointly. If present, the complainant will also be given the opportunity to share information. At the option of the board and/or Senior Hearing Officer, other relevant individuals may also be asked to share information about the concern, but may be excluded from portions of the proceedings.

The board members may ask questions to any hearing participant, but it is the hearing participant’s choice to answer. A decision not to answer a question by a respondent will not be considered an admission of responsibility. The board may request the Senior Hearing Officer provide information or other documentation that is available to the University which they believe would be relevant to the concern. The respondent, the Hearing Officer(s) would be
given an opportunity respond to any information or documentation. Additionally, as appropriate, other relevant individuals as determined by the board and/or Senior Hearing Officer would be given an opportunity respond to any information or documentation introduced by request of the board.

The complainant, respondent, charging Hearing Officer(s), and other individuals will be excluded during board deliberations.

The Senior Hearing Officer 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)

If the respondent has been found responsible, the Senior Hearing Officer will assign sanctions appropriate in light of the violation. The Senior Hearing Officer will consider past conduct violations, sanctions recommended by the board, the charging Hearing Officer(s), the respondent, and if applicable the complainant. The respondent, the complainant and the charging Hearing Officer will be notified of the final hearing decision. This notification makes the decision final and sanction(s) become effective unless the respondent chooses to appeal.

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

### 7.11 Appeals of Hearing Decisions

The respondent may choose to appeal a final decision of an administrative or board hearing. An appeal request must be made in writing to the Senior Hearing Officer within five (5) business days of the date of the hearing decision. A request submitted after the five (5) day limit will not be 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* which would substantially alter the decision as to the responsibility of the respondent or to the sanction(s) imposed.
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 record(s) will be submitted to an Appeal Officer for review. Academic Integrity appeals are reviewed by a representative of the Office of the Provost or a designee; Code of Conduct appeals are reviewed by a representative of the Office of the Vice President for Student Affairs or a designee.

The Appeal Officer may decide to uphold, modify, or reverse the decision and/or 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 Appeal 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.

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, 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.

- **Account Hold**: will require the conduct hold that was placed on the student’s MyUB account to remain beyond the final adjudication decision. This hold places restrictions on the account activity which include, but are not limited to, requesting transcripts, enrolling/withdrawing from classes and receiving a diploma. No individual will be permitted to withdraw from a course and/or the University while the hold remains.

- **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 three calendar years.

- **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.

- **Temporary 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.

- ** Permanent Removal from a University Activity**: immediate and permanent removal and banning of a student from future participation from a specified University activity or event.
• **Withdrawal from a University Course**: immediate withdrawal 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 done to university property or resources.

• **Reflection Experience**: requires completion of a task or assignment that encourages reflection and skill development. These can be assigned individually or with more than one component.
  - **Reflection Paper/Project**: completion of a paper/project to help the student avoid further misconduct. Student may also be required to read an identified text/article(s) or conduct research on a topic.
  - **Service Learning Project**: completion of a specified number of service learning hours.
  - **Personal Development Experience**: exploration of university/external resources and/or participation in educational program(s), and/or required complication of activity(ies) or task(s). The experience will assist the student in learning skills that will help them avoid future misconduct.

• **Meeting(s) with a University Official**: required attendance of follow-up meetings with a designated university official and required compliance with directives set by the official.

• **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 and/or have contact with 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.

  o **Level I**:

    ▪ **Grade Impact**: Impact to a student’s grade for a particular assignment or overall course grade as a result of an integrity violation. This sanction can be assigned in one of two ways:
      1. **Reduction in Grade**: designated reduction in points, percentage or letter grade for a particular piece of work or the final course grade; this reduction can also include a required resubmission of the same assignment completed without violation or to complete an alternative assignment(s) with a reduction or;
      2. **Non-credit for the Work**: no credit (0%) will be given for the work in question. The student may also be required to resubmit the same assignment completed without violation or to complete an alternate assignment(s) without credit.

    ▪ **XF for the course**: grade for the course that indicates the failure was due to an integrity violation.

  • **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.

  o **Level II**

    ▪ **XF for the course**: grade for the course that indicated the failure was due to an integrity violation.

    • **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 other student 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 other student 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.

• **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. Suspension is recorded for the term of the suspension on 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 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 and no more than five years 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 is 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.

• **Deferred Sanction:** sanction that is delayed pending specific behavioral performance, and or completion of a requirement(s). A period of observation and/or 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 and/or outlined
requirements, the sanction will become effective immediately without appeal.

- Other Sanctions: as appropriate, other sanctions may be imposed when necessary.

**SECTION 9: SPECIAL 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 (TG) from the Office of Community Life for that student. The TG can be requested even if the concern has not been referred for formal adjudication process. This marker will not have any impact, positive or negative, on the perception of a student’s responsibility for the concern and/or the student’s grade point average. Upon resolution of an academic integrity complaint, the TG will be removed and the appropriate grade will be issued in light of the outcome.

9.2 Interim Contact Restrictions

The University reserves the right to limit a student’s ability to be in the vicinity of and/or be in contact with a particular university community member when there is reason to believe there has been/could be a substantially detrimental impact by the presence/communications of the student in question. These restrictions may impact a student’s ability to take classes, participate in activities, continue on-campus employment, as well as may impact their access to university facilities and/or services.

Any person who is concerned about their personal safety or the safety of others should contact the University of Baltimore Police Department or local law enforcement to discuss safety options and other protective orders in addition to requesting contact restrictions.

Interim contact restrictions are issued from the Office of Community Life or a designee. When interim contact restrictions are imposed, they become effective immediately and prohibit the listed actions on the notice 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 appropriate university 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.

9.3 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, continue on-
campus employment and/or prohibit them from being in the vicinity of specified university facilities and/or services.

Any person who is concerned about their personal safety or the safety of others should contact the University of Baltimore Police Department or local law enforcement to discuss safety options and other protective orders in addition to requesting access restrictions.

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 on the notice. The interim access restrictions will remain in effect until the concern has been adjudicated through the appropriate university 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 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 substantial 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 an 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 appropriate university process or the suspension is lifted because it is determined there is not sufficient information to move forward with the adjudication process.

9.5 Behavior Concern Account Holds
When there is reason to believe that a student has demonstrated behavior that calls into question the health, safety, and welfare of an individual and/or campus community members, is non-conducive to the university environment and/or has a negative impact on others’ ability to learn and/or conduct university business, the student will be required to meet with a University Official to discuss the concern. Until the matter is resolved, the student 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.

9.6 Behavior Notice
Any student who demonstrates behavior that calls into question the health, safety, and welfare of the campus community or its members, is non-conducive to the university environment and/or has a negative impact on others’ ability to learn and/or conduct university business may be issued a behavior notice. Behavior notices can be issued for both on and off campus behavior. These notices are issued from the Office of Community Life or a designee and identify specific concern(s) or behavior(s) that are of concern and outline requirements that the student must meet to remain in good standing with the university. When a behavior notice is issued, the student will be required to meet with a Community Life staff member to discuss the concern and requirements moving forward. A behavior notice can be issued with or without the student’s participation. A student who does not comply with the terms outlined in a behavior notice is subject to contact restrictions, loss of privilege, immediate removal from course(s) and/or university events and activities, and/or interim suspension until the matter is adjudicated through the student conduct processes, or other university process as appropriate.

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

9.7 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 ("UB" or "University") does not discriminate on the basis of - and prohibits discrimination against any member of the University community on the basis of - sex, gender, race, religion, age, disability, national origin, ethnicity, sexual orientation, gender identity, or other legally protected characteristics in its policies, programs, activities or employment practices; this includes inquiries regarding Title IX of the Education Amendments of 1972 as amended ("Title IX"), Title VII of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973. Inquiries or complaints regarding sexual misconduct and other gender based discrimination, including pregnancy, sexual orientation and gender identity, should be directed immediately to the Title IX Coordinator, Anita Harewood, Vice President, Office of Government and Community Relations, Academic Center, Room 336, phone: 410.837.4533, T9@ubalt.edu, or to the Dean of Students, Office of Community Life, Academic Center, Room 112, phone: 410.837.4755, communitylife@ubalt.edu, or the Assistant Vice President, Office of Human Resources, Charles Royal Building, Third Floor, 410.837.5410, mmaher@ubalt.edu. Sexual misconduct and other gender based discrimination reports will be handled under the following policy and procedures: http://www.ubalt.edu/policies/administrative/II-7.1.pdf.

Inquiries or complaints regarding other forms of discrimination such as complaints of discrimination on the basis of race, religion, age, disability, national origin, ethnicity, or other legally protected characteristics, should be directed immediately to the following offices: For inquiries or complaints against students, contact the Office of Community Life, Academic Center, Room 112, 1420 N. Charles St., 410.837.4755 communitylife@ubalt.edu; for inquiries or complaints against faculty or staff, contact the Office of Human Resources, 1319 N. Charles Street, Charles Royal Building, 3rd Floor, 410.837.5410.

10.2 Reporting a Discrimination Complaint
If a student believes they have been a victim of sexual discrimination, including sexual harassment, sexual violence, dating violence, domestic violence, sexual exploitation, sexual coercion, sexual intimidation, and/or stalking, we encourage that the concern be reported immediately. Please see Section 11 of this Guide for the complete University of Baltimore Sexual Misconduct Policy and procedures for reporting and adjudication.

If a student believes they have been treated unfairly on the basis of race, religion, age, disability, national origin, ethnicity, sexual orientation, gender identity, or other legally protected characteristics 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
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 should contain the following:

1. Name and contact information of the complainant
2. Nature of the discrimination (on the basis of which protected class)
   Discrimination related to sex falls under the Title IX policy
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 must be filed within 120 business days from when the incident occurred. Upon receiving the complaint, a representative from the Office of Community Life or their designee will investigate the complaint.

After receiving a complaint the investigator will reach out to the complaint and the respondent to discuss the concern. The investigator may also speak to relevant observers. Both the complaint 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 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 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 university policy. While on probation, a student may not represent the University in any capacity nor hold office in any student organization.

- **Account Hold**: will require the conduct hold that was placed on the student’s MyUB account to remain beyond the final adjudication decision. This hold places restrictions on the account activity which 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.

- **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 three calendar years.

- **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.

- **Temporary 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.

- **Permanent Removal from a University Activity**: immediate and permanent removal and banning of a student from future participation from a specified University activity or event.

- **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 done to university property or resources.

- **Reflection Experience**: requires completion of a task or assignment that encourages reflection and skill development. These can be assigned individually or with more than one component.
  - **Reflection Paper/Project**: completion of a paper/project to help the student avoid further misconduct. Student may also be required to read an identified text/article(s) or conduct research on a topic.
  - **Service Learning Project**: completion of a specified number of service learning hours.
  - **Personal Development Experience**: exploration of university/external resources and/or participation in educational program(s), and/or required completion of activity(ies) or task(s). The experience will assist the student in learning skills that will help them avoid future misconduct.

- **Meeting(s) with a University Official**: required attendance of follow-up meetings with a designated university official and requires compliance with directives set by the Official.

- **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 and/or have contact with 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 other student 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 other student 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.

- **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. 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 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 and no more than five years 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 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.

- **Deferred Sanction:** sanction that is delayed pending specific behavioral performance, and or completion of a requirement(s). A period of observation and/or 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 and/or outlined requirements, the sanction will become effective immediately without appeal.

- **Other Sanctions:** as appropriate, other sanctions may be imposed when necessary.
Appeal of an Investigation Decision
Both the respondent and complainant may choose to appeal a decision of a 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. A procedural error or procedural omission occurred that significantly impacted the outcome of the investigation. A written summary inclusive of this error or omission and its potential impact on the decision must be included.

2. Consideration of certain new evidence, unknown or unavailable during the original investigation, which could have substantially impacted the outcome of the investigation. A written summary inclusive of this new evidence and its potential impact on the decision must be included.

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, all types of which are forms of sex and gender-based discrimination. Sexual Misconduct includes, but is not limited to, sexual violence, dating violence, domestic violence, sexual exploitation, sexual coercion, sexual intimidation, and stalking. The University actively seeks to:

- Prevent issues of Sexual Misconduct by educating, training and providing resources to raise awareness of these issues;

- Recognize, respond and provide support to those who have experienced Sexual Misconduct to include the pursuit of formalized agreements with a State designated rape crisis center and local law enforcement. UB also endeavors to identify, respond and provide support in a way that eliminates Sexual Misconduct, prevents its recurrence and addresses its effects.

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 Sexual Misconduct website (www.ubalt.edu/sexualmisconduct). 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  
communitylife@ubalt.edu
SECTION 12: CASE DOCUMENTATION AND DISCIPLINARY RECORDS

12.1 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 an adjudication/review process.

12.2 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 University of Baltimore.

12.3 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 forty (40) days of the written request. The Dean of Students or the assigned (Senior) Hearing Officer 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.

12.4 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. Hearing 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 forty (40) days of the written request. The Dean of Students or assigned (Senior) Hearing Officer 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.

**12.5 Record Retention and Elimination**

Conduct records are considered a part of the student’s educational record. Information about conduct matters must be appropriately reported when required to do so by external processes in accordance with the university’s conduct record retention and elimination policy.

Academic Integrity and Code of Conduct records where the student accepts responsibility through Resolution through Agreement or is found responsible at the Administrative Review level and did not have any additional violations brought against them during the completion of their degree, may request to have the conduct file expunged upon the completion of their degree. This request must be submitted to the Office of Community Life in writing. Records are considered reportable until the student receives written notification that the record has been eliminated.

Resolution through Agreement and Administrative Review records where the student does not request their expungement will be destroyed after seven years. Academic Integrity and Code of Conduct records where the student is found not responsible through Resolution through Agreement or Administrative Review will be kept on file for a period of one year, however the information is not reportable.

Academic Integrity and Code of Conduct records where the student is found responsible through the Administrative Hearing or Board Hearing process is kept on file for a minimum of seven years after the student completes their degree or are no longer able to actively enroll. Records of cases where the student receives a sanction of suspension, dismissal, and/or expulsion will remain on file permanently.

Academic Integrity and Code of Conduct records where the student is found not responsible through the Administrative Hearing or Board Hearing process will be kept on file for a period of one year, however the information is not reportable.

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