



# Student Code of Conduct

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## SECTION 1: OVERVIEW/PURPOSE

The University of Baltimore's mission is to offer career-focused education for aspiring and current professionals. In order to accomplish that mission, members of the University Community are provided certain rights and responsibilities and are held to the standards set forth in this Student Code of Conduct.

It is the purpose of the Student Code of Conduct to foster a climate that encourages the health, safety and welfare of all University Community members in a fair and equitable manner.

### 1.1 Jurisdiction

The Student Code of Conduct covers conduct by a Student or University Sponsored Student Group that occurs:

- a) on University Premises;
- b) during online or remote educational offerings
- c) at University-sponsored activities; or
- d) not on University Premises, if:
  - a. the conduct would constitute a violation of the Student Code of Conduct had it occurred on University Premises; and
  - b. the conduct affects the safety of the University Community or the orderly operation of the University.

### 1.2 Expectations of Classroom Behavior/Classroom Management

Faculty maintain primary responsibility for the establishment and management of the classroom environment. Students who engage in any prohibited behavior that causes classroom disruption may be directed by the faculty member to leave the class for the remainder of the class period. Longer separations or dismissals from class based upon student conduct must be preceded by a Student Conduct Proceeding or Student conduct hearing, as outlined in the student conduct process. Prior to the student conduct process, faculty may work with the assistant dean in their respective schools to address classroom matters.

### 1.3 Definitions

The following are the definition of key terms used throughout the Student Code of Conduct:

- Adjudication Process – Includes all decision-making processes, which address University policy violations.
- 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, and Board Hearing Panelists.
- Administrative Hearing – Adjudication of a possible policy violation by a Senior Hearing Officer with evidence presented by the Hearing Officer who conducted the Initial Review. After review of the evidence, the Senior Hearing Officer will render a decision. If a decision

of responsibility is rendered, the Senior Hearing Officer can assign any Sanction in the Code of Conduct with the exception of dismissal and expulsion.

- Appeal Officer – Individual responsible for reviewing appeals and making the final determination.
- Board Chair- Trained staff or faculty member that helps facilitate and preside over Board Hearings.
- Board Hearing – Adjudication of a possible policy violation by a panel of five (5) Board Hearing Panelists (collectively the “Board”). 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 Code of Conduct to a Student who is found responsible by the Board.
- Board Hearing Panelists- Trained Student, staff and faculty members that make determinations of responsibility in Board Hearings and may offer Sanction recommendations to the Senior Hearing Officer overseeing the case.
- Complainant – Individual(s) who brings forth a concern about a violation of the policy.
- Conduct Proceeding – Any meeting, conference, discussion, communication or hearing associated with the Adjudication Process used to address possible violations of the Student Code of Conduct.
- Conduct Process – Adjudication Process for potential violations of the Code of Conduct and Academic Integrity Policy.
- Hearing Officer – University employee designated by the Office of Student Support to investigate potential violations of the Academic Integrity and/or Code of Conduct Policy. These individuals are responsible for conducting Initial Reviews and serve as the charging party during Administrative or Board Hearings for cases they have investigated.
- Initial 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 the preponderance of evidence is met and a decision of responsibility can be rendered, the Hearing Officer can assign any Sanctions listed in the Code of Conduct with the exception of suspension, dismissal, and expulsion.
- Investigation – The review of information pertaining to an alleged violation of the Student Code of Conduct.
- Observer – Any person in attendance of an Adjudication Process without an established role in the process.
- Respondent – Individual charged with a violation of university policy as set forth in the Student Code of Conduct or Academic Integrity Policy.
- Sanction – Outcome(s) imposed for a violation of the Student Code of Conduct with which the Respondent is required to comply.
- Senior Hearing Officer – A University employee who has been designated by the Office of Student Support to adjudicate violations through the Administrative Hearing process, hear appeals of Initial Review decisions, serve as advisors to Board Hearing panels, and issue Sanction(s) to Respondents found responsible in a Board Hearing. Senior Hearing Officers also may also serve in the role of Hearing Officers when needed.
- Student – includes all persons at University of Baltimore, both full-time and part-time,

pursuing undergraduate, graduate, law, non-degree, visiting or inter-institutional studies who are:

- a. currently enrolled;
  - b. enrolled in a prior semester or summer/winter session and who are eligible to continue enrollment in the semester or summer/winter session that immediately follows; or
  - c. suspended or restricted from enrollment for prohibited conduct that occurred while the individual was a student at the University.
- University Community- is broadly defined to include all University administrators, faculty, staff, Students, applicants for admission and/or employment, alumni, volunteers, and third parties under University control.
  - 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 University Premises.
  - University Sponsored Student Group - 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. Student Groups include Registered Student Organizations and Sports Clubs.
    - a. 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.
    - b. 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.
  - Witness- Any person who may have information pertaining to the concern but is not the Complainant or Respondent.

## 1.4 Standard of Proof

The University of Baltimore Student Code of Conduct procedures utilize preponderance of evidence as the evidentiary standard. Preponderance of evidence means information that would lead a reasonable person to conclude that it is more likely than not that a Student violated the Student Code of Conduct.

## 1.5 Community Reporting Expectations

The University strongly encourages any person who becomes aware of specific behavior that is in violation of the Academic Integrity Policy, the Student Code of Conduct, the Non-Discrimination Policy, the Sexual Misconduct Policy or other University policy, to report the information using the process outlined in the Student Code of Conduct or within the appropriate University procedures. This may be done online through the [Community Standards Reporting Form](#).

Students unaware of the reporting process can contact the Office of Student Support for assistance.

### 1.6 Responsibilities of a Witness to an Alleged Violation

As a member of the University Community, the University strongly encourages any Student who has observed a conduct concern, a discrimination concern, sexual misconduct concern, and/or other University policy concern to actively and honestly participate in the investigative process to the best of their ability.

### 1.7 Retaliation

Acts of retaliation against any individual for participating in any University reporting or review/Adjudication Process or any attempts to dissuade an individual from engaging in these processes, will not be tolerated. Acts of retaliatory behavior include, but are not limited to, harassment, intimidation, threats, or coercion.. 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.

Commentary: Potential retaliation against Students by staff or faculty should be reported to Human Resources.

### 1.8 Revisions to the Student Code of Conduct

The University 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 the Student Code of Conduct. Feedback and suggestions should be submitted in writing to the Office of Student Support at StudentSupport@ubalt.edu for consideration.

The University of Baltimore reserves the right to make changes to the Student Code of Conduct as necessary and without warning.

### 1.9 Inquiries about the Information in the Student Code of Conduct

If you have questions about any of the information found in the Student Code of Conduct please contact:

Office of Student Support  
Academic Center room 111 & 112  
410.837.4755  
StudentSupport@ubalt.edu

## SECTION 2: DRUGS AND ALCOHOL

### 2.1 Overview

The use or abuse of controlled or illegal substances and the abuse of 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's 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.

### *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 Student Assistance Program. Additional help can also be found from:

Addiction Helpline  
1.800.559.9503

Alcohol & Drug Abuse Administration  
[www.maryland-adaa.org](http://www.maryland-adaa.org)

Baltimore County Substance Abuse Program  
410.789.2647

### 2.2 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 University Premises or at off-campus University-sponsored events must also be consistent with the maintenance of a high standard of conduct conducive to a professional environment.

#### *Violations*

Violation of any Student Code of Conduct standard regarding alcoholic beverages will be adjudicated through the University's Conduct Process.



### *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, including all liquor license laws. Any person or group wishing to market, sell or consume alcoholic beverage on University Premises or at University events is solely responsible for knowing and following all laws and University policies and assumes all liability for any causes of action or damages arising from the marketing, sale or consumption of alcoholic beverages on University Premises or at University events

### *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-University Premises are required 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, limiting distribution of free and inexpensive alcoholic beverages, informing and arranging for University police to be on call for all events, and having nonalcoholic beverages and food available where alcoholic beverages are served.

### *Campus Programs*

Campus 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. Programs should have educational value and subscribe to the philosophy of responsible and legal use of the products represented. Program planners 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 their designee.

## 2.3 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 is not permitted as set forth in 3.2. Code of Conduct Violations number 7.

## SECTION 3: STUDENT CODE OF CONDUCT POLICY

### 3.1 Student Responsibilities

Students are expected to maintain a high standard of conduct. Students are responsible for knowing the information, policies and procedures outlined in the Student Code of Conduct.

Students who violate its policies and expectations are subject to review and University Sanctions may be issued for violations. The Student Code of Conduct is available online.

### 3.2 Code of Conduct Violations

Acts of misconduct include the following:

1. **Violation of Local, State, Federal Law.** Violation(s) of local, state, federal and/or international law whether on University Premises, or off-University Premises.
2. **Violation of University Policy.** Violation of written University or University System of Maryland (“USM”) 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.). Commentary: Some University policies are specifically referenced in these Code of Conduct Violations. Simply because a policy is not specifically referenced in this list of violations, does not mean that a violation of such policy would not also be a violation of this Code of Conduct provision. .
3. **Attempts or Association with Prohibited Acts.** Attempting to commit or failure to remove one’s self from any acts prohibited by this Code of Conduct or University policy.
4. **Retaliation.** Retaliation against another individual(s) for their participation in any portion of the referral, University review process, Adjudication Process, or seeking appropriate remedies or other forms of support in connection with alleged violations of this Code of Conduct, other University policies, or any local, state, federal, or international laws.
5. **Gambling.** Gambling on University Premises, or during a University sponsored activity without appropriate permits.
6. **Alcohol Related Offenses.** 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 Policy on Drug and Alcohol Use. Commentary: Students hosting events at which alcohol is provided must follow all policies and procedures set forth in the Policy on Drug and Alcohol Use, which can be found at: <https://www.ubalt.edu/policies/administrative/IV-1.1.pdf>
7. **Drug Related Offenses.** Illegal possession, use, distribution, manufacture, sale or administering of illegal drugs, controlled substances, narcotics, and/or drug paraphernalia, or abuse or misuse of prescription or over the counter medications. Commentary: While some forms of marijuana may be legal under State law, use of any drug or narcotic, including marijuana is prohibited on University Premises. Students who have medical marijuana licenses are also prohibited from using marijuana on University Premises and should direct any questions or concerns to the University Office of Disability and Access Services.
8. **Unauthorized Weapons Possession.** Possession or use of weapons or explosives 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 explosives. Weapons include any object or substance designed to or used to inflict a wound, cause injury, or incapacitate, including, but not limited to, all firearms, pellet guns, switchblade knives, and knives with blades five (5) or more inches in length.

9. **Fireworks and Chemical Explosives.** Possession or use of fireworks or chemicals of an explosive or corrosive nature except by authorized law enforcement officers in the performance of their duties.
10. **Abuse or Interference with College Processes.** Engaging in conduct that substantially disrupts or interferes with the work of the University or the rights of other Students.  
Commentary: This may include, but is not limited to, interference with Student Conduct Proceedings, teaching or instructional process, research, University administration, or physical ingress and egress.
11. **Unregistered Student Group.** An unregistered Student group attempting to function in the name of the University of Baltimore.
12. **Furnishing False Information.** Intentionally furnishing false documentation or information to the University or a University Employee.
13. **Forgery or Alteration of College Records.** Forgery or alteration of University, educational, or academic records, including University identification cards and keys.
14. **Misrepresentation.** Misrepresentation of University achievements, University roles, or affiliations.
15. **Refusal to Identify.** Refusal to present or provide appropriate identification to University Employees or law enforcement acting in the capacity of their duties.
16. **Failure to Comply.** Failure to comply with a reasonable directive given by a University employee.
17. **Acts that Invade the Privacy of Another.** Acts that invade privacy of another when there is a reasonable expectation of privacy.
18. **Trespassing.** Trespassing and/or unauthorized entry into or use of University facilities, property or resources.
19. **Destruction of University Property.** Vandalism, destruction and/or misuse of University property or property of a member of the University Community.
20. **Theft of Property.** Theft, possession, sale, or barter of University property or property of a member of the University Community, without permission by the University or University Community member.
21. **Tampering with Safety Equipment.** Tampering, misuse or damage to fire extinguishers, alarms or other safety equipment.
22. **Interfering with Emergency Services.** Interfering with fire, police, or emergency services or intentionally initiating or causing to be initiated any false report, warning or threat of fire, explosion, or other emergency.
23. **Event-related Misconduct.** Participation in, leading or inciting others to participate in Event-related Misconduct. Event-related misconduct is defined as rioting, assault, theft, vandalism, fire-setting, or other misconduct related to an institution-sponsored event that results in harm to persons or property or otherwise poses a threat to the stability of the campus or University Community. Commentary: Under the policies of the University System of Maryland, the appropriate minimum Sanction is presumed to be dismissal if a Student has been found responsible in a campus proceeding for Event-related Misconduct. 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.

24. **Acceptable Use of Information Technology Resources.** Acts that violate the Acceptable Use of Information Technology Resources Policy, including, but not limited to, misuse, abuse, and unauthorized use of University technology, and/or use of University technology for unauthorized purposes.
25. **Unauthorized Recording.** The recording, filming, transmitting or producing of another person's voice without their knowledge and consent. Commentary: This does not pertain to the recording of public in person events or discussions, oral communications where there is not a reasonable expectation of privacy, security footage, Conduct Proceedings, approved recordings of lectures, or recordings made by law enforcement. Any Student requiring an academic accommodation to record a class lecture or related activity should contact the University Office of Disability and Access Services.
26. **Unauthorized Use.** Unauthorized use of the University's social media, logos, trademarks, or use of the University's name in a manner that indicates University endorsement without permission by the University.
27. **Interfering with Free Speech.** Interfering with the lawful freedom of expression of others.
28. **Verbal Threats.** Threats to others that would cause a reasonable person to interpret the threat as a serious expression of an intent to harm or assault.
29. **Physical Harm or Threats.** Physical behavior that causes physical harm to another or would cause a reasonable person to fear for their safety.
30. **Stalking or Harassment.** Engaging in a pattern of behavior that is directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial distress.
31. **Hazing.** Hazing is defined as recklessly or intentionally doing an act or creating a situation that subjects a Student to the risk of serious bodily injury for the purpose of an initiation into a Student organization. Participants' consent will not be a defense. Apathy or acquiescence in the presence of hazing is not a neutral act and is a violation.
32. **Failure to Comply with Interim Measures.** Failure to follow any interim measure implemented pursuant to Section 4 below.
33. **Failure to Comply with Sanctions.** Failure to comply with Sanctions issued in connection with any Adjudication Process, including, but not limited to, Conduct Proceedings for Academic Integrity, Code of Conduct charges, violations of the University's Non-Discrimination Policy, or violations of the University's Sexual Misconduct Policy.
34. **Violation of the Non-Discrimination Policy and Procedures - Complaints of Discrimination Against Students.** Actions that violate the Student Non-Discrimination Policy and Procedures. This includes discrimination against any member of the University Community on the basis of race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, genetic information, disability or other legally protected characteristics.
35. **Violation of the Sexual Misconduct Policy.** Actions that violate the Sexual Misconduct Policy. Sexual misconduct includes, but is not limited to, sexual violence, dating violence, domestic violence, sexual exploitation, sexual coercion, and sex-based stalking.

### 3.3 Amnesty Policy

The safety and security of the University Community is the University's primary concern. A Student conduct violation for alcohol and drug use will not apply to a Student reporting party(s) or Witnesses 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.

### 3.4 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 Code of Conduct.

In situations where a potential Code of Conduct violation(s) is an allegation of a violation of the Sexual Misconduct Policy, the concern will be adjudicated through the procedures established in the Sexual Misconduct Policy and will not be adjudicated through the procedures outlined in the Student Code of Conduct. The Sexual Misconduct Policy supersedes the adjudication procedures outlined in this Student Code of Conduct and can be found on the University website at: [www.ubalt.edu/titleix](http://www.ubalt.edu/titleix).

In situations where a potential Code of Conduct violation(s) is an allegation of a violation of the Non-discrimination Policy, the concern will be adjudicated through the procedures established in the Non-discrimination Policy and will not be adjudicated through the procedures outlined in the Student Code of Conduct. The Non-discrimination Policy, supersedes the adjudication procedures outlined in this Student Code of Conduct: refer to policy as posted on the University of Baltimore website at <https://www.ubalt.edu/policies/>.

If during the Initial Review of the reported concern, or any other point during the process, additional information is obtained that demonstrates a potential violation of another University Policy (*e.g.*, the Sexual Misconduct Policy) the Senior Hearing Officer may refer those aspects of the matter to the appropriate process.

## SECTION 4: INTERIM MEASURES AND SPECIAL PROCEDURES

### 4.1 Interim Administrative Holds

Any Student or individual members involved in a pending concern relating to the Code of Conduct or Academic Integrity Policy may have a hold placed on their MyUB account that will restrict their activity. These restrictions include, but are not limited to, transcript requests, enrollment, withdrawal and receipt of diploma.

### 4.2 Interim Contact Restrictions

The University reserves the right to limit any Student(s) and/or Student group(s)' ability to be in the vicinity of or be in contact with a particular University Community member when there is reason to believe the continued contact could create a health or safety risk to one or both parties. 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 or services.

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

Interim contact restrictions are issued from the Office of Student Support, 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. The interim contact restrictions will remain in effect until the concern has been adjudicated through the appropriate University process or the Office of Student Support lifts the restrictions. Refusal to adhere to the restrictions may result in interim suspension and further disciplinary action.

If an interim contact restriction has the effect of preventing a student from accessing educational programs or activities the student will be provided a meeting as set forth below in Section 4.4.

### 4.3 Interim Access Restrictions

The University reserves the right to limit any Student(s) and/or Student group(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 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 immediately contact the University of Baltimore Police Department or local law enforcement to discuss safety options and other protective orders in addition to the access restrictions set forth here.

Interim access restrictions are issued from the Office of Student Support. 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 Student Support lifts the restrictions. Refusal to adhere to the restrictions may result in interim suspension and further disciplinary action.

If an interim access restriction has the effect of preventing a student from accessing educational programs or activities the student will be provided a meeting as set forth below in Section 4.4.

#### 4.4 Interim Suspension

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

1. puts at risk the health, safety, security and wellbeing of persons in the University Community

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 Student Support. 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 Student Support.

When a Student is placed on interim suspension they will be notified in writing by email or contacted by phone to discuss the terms of the interim suspension. The Student will be provided the opportunity to request a meeting with a representative of the Office of Student Support within 7-10 business days to contest the issuance of the interim suspension. At that meeting, the Student and the representative of the Office of Student Support will discuss the following issues:

- a. The reliability of the information concerning the Student's conduct, including the matter of their identity.
- b. Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the Student on the University Premises and/or facilities poses a substantial threat to anyone or the stability and continuance of normal University functions.

Following that meeting, the representative from the Office of Student Support will decide whether the interim suspension will remain in place while the concern is being reviewed and adjudicated. The decision of the representative of the Office of Student Support is final and, if the interim suspension is upheld, it will remain in effect until the concern has been reviewed and adjudicated through the appropriate University process or the interim suspension is lifted because it is determined there is not sufficient information to move forward with the Adjudication Process.

## SECTION 5: CONDUCT PROCESS

### 5.1 Administration

Authority over Student Academic Integrity, Code of Conduct and Non-discrimination adjudication has been delegated to the Dean of Students. The Dean of Students may appoint University employees to serve as Adjudicators and to provide supervision and support for the Conduct Process. The Office of Student Support oversees all Student Conduct Proceedings.

The Conduct Process is educational and 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 (more likely than not) 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 their behavior is unacceptable. Continued disruptive behavior may result in additional disciplinary action.

### 5.2 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.

### 5.3 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 circumstances, when necessary to communicate via postal mail, communications will be sent to the local address listed on the Student's MyUB account.

A participant's failure to check their email, update their local address on file, or accept mail cannot hinder this process.

### 5.4 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 standard.
6. The right to be informed in writing of the outcome of an adjudication decision,
7. The right to appeal the outcome in accordance with the established procedures for appeal.
8. The right to be informed in writing of the outcome following an appeal.

### 5.5 Board Hearing Panelists

Board Hearing Panelists are appointed through recommendations and nominations. These individuals are trained 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. University Community members interested in serving in this capacity should contact the Office of Student Support for more information.

### 5.6 Support through the Conduct Process

Student Complainants and Student Respondents going through the University Conduct Process may have a support person with them during any Conduct Proceeding. Individuals brought for support may not participate in the Conduct Proceeding (This applies to all individuals, including attorneys). Conduct Proceedings will not be changed or delayed as a result of a support person's availability or failure to attend. Advance 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 despite the dismissal of a support person. Individuals whose support person has been dismissed may choose an alternate individual to serve as support for future proceedings.

### 5.7 Legal Representation

Legal representation is permitted when a Student faces concurrent 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 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 manner.

The assigned Hearing Officer 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 from the Student and the approval of the Office of Student Support. The inclusion of a Student's counsel may 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 6: ADDRESSING CONCERNS OF MISCONDUCT

A University 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 should report the concern in accordance with the established process in the Code of Conduct.

Any concern involving violence, abuse or issues that present a threat to the safety or welfare of an individual, the University, or the University Community should be reported to the University of Baltimore Policy Department (“UBPD”) and Office of Student Support immediately. Representatives from the UBPD and Office of Student Support will work in conjunction with the Complainant to determine how best to proceed.

### 6.1 Methods for Resolving a Reported Violation

The University of Baltimore has sole discretion to resolve Student Academic Integrity and Code of Conduct policy violations using one or more of the following Adjudication Processes:

- *Initial Review*
- *Administrative Hearing*
- *Board Hearing*

### 6.2 Reporting Concerns and Review Process

Complaints are submitted to the Office of Student Support for review. All concerns should be submitted as soon as possible after the event takes place. A delay in reporting a concern could hinder the university’s ability to investigate and adjudicate the matter. Complaints received will be evaluated by a Hearing Officer to determine if sufficient information has been presented to proceed with the Adjudication Process.

If based on the evaluation, the Hearing Officer determines that the complaint is not within the scope or jurisdiction of the Code of Conduct, it will be dismissed. The Complainant will receive notice of this decision.

### 6.3 Extensions of Timelines in the Adjudication Process

If an extension of any deadline is requested as a part of the Student Conduct Process, it may be considered provided there are extenuating circumstances and good cause for an extension.

Requests for extensions must be made in writing to the appropriate officers as designated below, and must be presented prior to the passing of a deadline. In extreme circumstances and where the requesting party has demonstrated good cause for the delay in the request, the University may grant an extension after a deadline has passed. Determinations related to extensions of deadlines are at the sole discretion of a Hearing Officer.

- **Appeal Deadline Extensions** All determinations will be made by an assigned Appeal Officer.
- **Hearing Deadline Extensions:** All determinations will be made by the Hearing Officer who make the final determination of responsibility. This may include a Hearing Officer, or Senior

Hearing officer. In the case of Board Hearing's this will be the Senior Hearing Officer.

- Sanction Deadline Extensions: All determinations will be made by the Hearing Officer who make the final determination of responsibility. This may include a Hearing Officer, or Senior Hearing officer. In the case of Board Hearing's this will be the Senior Hearing Officer.

#### 6.4 Initial Review

If the Hearing Officer or Senior Hearing Officer has determined that there is sufficient information to proceed with an Investigation, the Respondent will be notified and be required to schedule an Initial Review with the Hearing Officer.

1. If the Respondent does not schedule the review, the review may move forward with or without the Respondent's participation. The Hearing Officer may also choose to place an administrative hold on the Respondent's account and pause the review until the Respondent complies and the process is complete
2. During the Initial Review, 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 Officer's discretion, an Observer may be included in any meeting with the Respondent. Initial Review meetings are closed to the public.
3. The Initial Review will not be audio recorded, however the Hearing Officer will take notes from the proceedings.
4. During the Initial Review, the Respondent, and if present, the Complainant and any Witnesses, 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 Senior Hearing Officer or any other parties or Witnesses.
5. During the review, the Hearing Officer will meet with the Respondent to discuss information presented by the Complainant, allow the Respondent the opportunity to respond and review any information/documentation provided, and allow the Respondent the opportunity to provide any new information/documentation. If present, the Complainant and any Witnesses may also present relevant information/documentation and respond to any information/documentation previously provided.
6. All persons providing documentation at the Initial Review must submit the documents to the Hearing Officer 24 hours in advance of the review. Documents submitted will be shared with relevant parties and in accordance with any applicable laws. After consideration of all available relevant information, the Hearing 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 policy or is significantly severe. The right to render a decision or refer the concern to hearing is at

the sole discretion of the Hearing Officer. The decision to refer a concern to a hearing cannot be appealed.

7. If the Hearing Officer decides to render a decision, they will determine if the Respondent is responsible or not for the violation. If responsible, Sanctions will be assigned. A Respondent cannot be sanctioned with suspension, dismissal, or expulsion as a result of an Investigation and a decision made through Initial Review.
8. Victims and Complainants directly involved or impacted by a case may obtain outcome information from a Hearing Officer on a need-to-know basis and only when such disclosure would comply with FERPA and other laws and regulations. Hearing Officers retains the right to keep outcome information confidential if there is insufficient reason to disclose this information or disclosure is not permissible under applicable policies, laws and regulations.
9. Records relating to decisions made through the Initial 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 Student Support. All decisions regarding expungement are at the sole discretion of the Dean of Students, or their designee.

### 6.5 Appeal of an Initial Review Decision

The Respondent may choose to appeal a final decision of an Initial Review. An appeal must be made in writing to the Office of Student Support within five (5) business days of the date of the written decision.

The grounds for appeal are limited to one or more of the following bases:

1. Specified procedural error or omissions in the Investigation or adjudication of the Code of Conduct violation or errors in the interpretation of University policies that were so substantial as to effectively deny a Respondent notice or a fair opportunity to be heard and the error or omission significantly impacted the outcome of the adjudication. The written request for appeal must specify the error or omission and its potential impact on the outcome;
2. Consideration of certain new evidence, unknown or unavailable during the original Investigation, which if considered would have substantially impacted the outcome of the Investigation. The written request for appeal must include a copy of the new evidence and provide an explanation of the evidence's potential impact on the outcome;
3. Specified violations of substantive due process (i.e., the decision was based on an illegal or constitutionally impermissible consideration such as race, gender, exercise of First Amendment freedoms, etc.). The written request for appeal must specify the violation and its potential impact on the outcome; or

4. The Sanction imposed was not appropriate to the violation for which the Respondent was found responsible. The written request for appeal must provide an explanation of why the Sanction imposed was not appropriate.

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, send the matter back to the Hearing Officer for further consideration, 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 lesser Sanction listed in the Code of Conduct.

All appeal decisions are final.

### 6.6 Administrative Hearings

Administrative Hearings are used to adjudicate concerns that are referred by a Hearing Officer following an Initial Review.

#### **Administrative Hearings Process**

1. The Hearing Officer will provide the Respondent with a notification of the Administrative Hearing date, time, and location no less than two (2) business days prior to the Administrative Hearing. The notice shall also provide the Respondent with information regarding the charges pending, a list of persons who will be present at the hearing, and an identification of all information provided to the Respondent during the Initial Review.
2. If the Respondent, after receiving appropriate notification of the Administrative Hearing, fails or refuses to attend, the Administrative Hearing will proceed in their absence.
3. A Senior Hearing Officer will conduct the Administrative Hearing and it is expected that the Hearing Officer will be in attendance to present information gathered at the Initial Review and that the Respondent will be present, unless the Respondent fails to appear as set forth in number 2 above. The Complainant and any Witnesses may also be present at the Administrative Hearing provided they wish to be and their attendance is relevant to the specific circumstances of the case and their presence is approved by the Senior Hearing Officer.
4. The Administrative Hearing will be audio recorded.
5. During the Administrative 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 Senior Hearing Officer or any other persons present.

6. 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, and allow the Respondent the opportunity to provide any new information/documentation. If present, the Complainant and any Witnesses may also present relevant information/documentation and respond to any information/documentation previously provided. Information/documentation provided by those participating will be shared with the Respondent and Complainant as determined by the Senior Hearing Officer.

7. All persons providing documentation at the Administrative Hearing must submit the documents to the Senior Hearing Officer at least 24 hours in advance of the hearing.

8. The Senior Hearing Officer may also conduct follow-up interviews with the Complainant, Respondent and any Witnesses as necessary before rendering a decision.

9. After a review of all evidence submitted during the Administrative Hearing process, the Senior Hearing Officer will make a determination by a preponderance of the evidence regarding the Respondent's responsibility for a violation(s) of the Code of Conduct. If the Senior Hearing Officer determines that the Respondent is responsible for a violation(s) of the Code of Conduct, the Senior Hearing Officer will determine the appropriate Sanction, which may include any Sanction listed in the Code of Conduct with the exception of dismissal or expulsion.

The Senior Hearing Officer will notify the Respondent of the determination. Victims and Complainants directly involved or impacted by a case may obtain outcome information from the Hearing Officer on a need-to-know basis and only when such disclosure would comply with FERPA and other laws and regulations. Hearing Officers retains the right to keep outcome information confidential if there is insufficient reason to disclose this information or disclosure is not permissible under applicable policies, laws and regulations.

10. The Respondent may appeal an Administrative Hearing, by filing an appeal within five (5) business days of the date of the Administrative Hearing decision and by following the procedures set forth in the Appeals of Hearing Decisions section in this Code of Conduct.

11. If during the Administrative Hearing, additional information is obtained that demonstrates a potential violation of another University Policy, *e.g.* the Sexual Misconduct Policy, the Senior Hearing Officer may refer those aspects of the matter to the appropriate process.

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 Respondent is suspended or dismissed, the audio recording is kept on file permanently. In cases where the Respondent is found not responsible, the record is kept on file for a period of one year however, the information is considered not reportable.

## 6.7 Board Hearings

Board Hearings are used to adjudicate concerns that are referred by a Hearing Officer or Senior Hearing Officer and based on their determination that the matter is a significant concern or repeat offense. The decision to initiate a Board Hearing is in the sole discretion of the University.

Each board will consist of five (5) Board Hearing Panelists and a Senior Hearing Officer. Three of the five Board Hearing Panelists constitute a quorum and a hearing can proceed.

### **Board Hearing Procedures**

1. The Hearing Officer or Senior Hearing Officer will provide the Respondent with a notification of the Board Hearing date, time, and location no less than five (5) business days prior to the Board Hearing. The notice shall also provide the Respondent with information regarding the charges pending, a list of persons who will be present at the hearing, and an identification of all information provided to the Respondent during the Initial Review. The notice shall also identify the Board Hearing Panelists.
2. The Respondent may challenge up to two (2) Board Hearing Panelists. The Senior Hearing Officer and 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 Panelists to replace those challenged. If no replacements can be found, the hearing will take place with the remaining original Board Hearing Panelists. Alternate board members cannot be challenged.
3. 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.
4. An audio recording will be made of the Board Hearing, but will not include any deliberations by the board.
5. During the Board Hearing, the Respondent, and if present, the Complainant are permitted to bring one person for support. Support persons may consult only with the individual who brought them and are not permitted to address the Board Hearing Panelists, Senior Hearing Officer or any other parties or Witnesses.
6. The Board Hearing Chair will be responsible for facilitating the hearing and maintaining order over the process to avoid needless consumption of time. The Senior Hearing Officer will be responsible for determining whether any evidence shall be excluded as irrelevant.

7. The presentation of evidence will proceed in the following manner: a) Hearing Officer will present evidence gathered during the Initial Review and any related meetings; b) Complainant will present relevant information and documentation; c) Respondent will present relevant information and documentation; d) the Board Hearing Chair will call any Witnesses deemed relevant to provide information and documentation on the matter. The Hearing Officer, Complainant and Respondent may identify potential Witnesses and the information they believe those Witnesses have that might be relevant. The ultimate decision to hear from any Witnesses will be made by the Senior Hearing Officer.
  
8. After each presentation of evidence by each person identified above follow-up questions may be asked as follows: a) the board may direct questions to each party/Witness through the Board Hearing Chair; and b) the Respondent, Complainant and Hearing Officer may ask questions by submitting such questions to the Board Hearing Chair. The Chair will direct the questions to the relevant party/Witness and may exclude questions they deem irrelevant.
  
9. The board may ask to hear from the Hearing Officer, Respondent, Complainant, or any relevant Witnesses again prior to deliberation.
  
10. At the conclusion of all presentations of evidence, the board will close the proceedings to the Respondent, Complainant, Hearing Officer, and any Witnesses for the board's deliberations.
  
11. Following the deliberations, the Senior Hearing Officer will call the Respondent and Complainant back into the room and will notify them of the determination made by the board.
  
12. The Senior Hearing Officer will provide a written decision letter to the Respondent and also for inclusion in the conduct record. This report will include: a) the charge(s) considered; b) the findings of the board; c) the basis for the findings; and d) if applicable, the Sanction(s). If the Respondent has been found responsible, the Senior Hearing Officer will assign Sanctions appropriate to the violation. The Senior Hearing Officer may consider past conduct violations, Sanctions recommended by the board, the Hearing Officer(s), the Respondent, and if applicable the Complainant Victims and Complainants directly involved or impacted by a case may obtain outcome information from the Hearing Officer on a need-to-know basis and only when such disclosure would comply with FERPA and other laws and regulations. Hearing Officers retains the right to keep outcome information confidential if there is insufficient reason to disclose this information or disclosure is not permissible under applicable policies, laws and regulations.
  
13. This notification makes the decision final and Sanction(s) become effective unless the Respondent chooses to appeal.
  
14. The Respondent can appeal a Board Hearing decision within five (5) business days as outlined in the section Appeals of Hearing Decisions set forth below.



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 Respondent is found not responsible, the record is kept on file for a period of one year however, the information is considered not reportable.

### 6.8 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. The grounds for appeal are limited to one or more of the following bases:

1. Specified procedural error or omissions in the Investigation or adjudication of the Code of Conduct violation or errors in the interpretation of University policies that were so substantial as to effectively deny a Respondent notice or a fair opportunity to be heard and the error or omission significantly impacted the outcome of the adjudication. The written request for appeal must specify the error or omission and its potential impact on the outcome;
1. Consideration of certain new evidence, unknown or unavailable during the original Investigation, which if considered would have substantially impacted the outcome of the Investigation. The written request for appeal must include a copy of the new evidence and provide an explanation of the evidence's potential impact on the outcome;
2. Specified violations of substantive due process (i.e., the decision was based on an illegal or constitutionally impermissible consideration such as race, gender, exercise of First Amendment freedoms, etc.). The written request for appeal must specify the violation and its potential impact on the outcome; or
3. The Sanction imposed was not appropriate to the violation for which the Respondent was found responsible. The written request for appeal must provide an explanation of why the Sanction imposed was not appropriate.

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 Associate Vice President of Student Success and Support Services or a designee.

The Appeal Officer may decide to uphold, modify, send the matter back to the Administrative or Board Hearing step for further consideration, 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 Code of Conduct. All appeal decisions are final.

## SECTION 7: SANCTIONS

### 7.1 Assigning Sanctions

When a Respondent is found responsible for violating Code of Conduct, 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.

### 7.2 Possible Sanctions

The following Sanctions may be imposed for a violation of Code of Conduct (It is possible that multiple Sanctions may be imposed for a violation):

- *Reprimand*: written notice documenting the misconduct and informing the Respondent that further misconduct will result in additional disciplinary action and will be considered more significant.
- *Probation*: assigned for a specific period of time, during which a Student must not violate the Code of Conduct or other University policies. 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 for a period of time 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.
- *Temporary Loss of Privilege*: withdrawal of specified University privilege(s) and rights, loss of ability to use specified University service(s), 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, permanent loss of ability to use specified University service(s), or being barred from specified University Premises or facilities.
- *Temporary Removal from a University Activity*: immediate removal and banning of a Student from future participation in 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 in 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.
- *Restitution*: requires payment to the University or to other persons, groups, or organizations as restitution for damages incurred as a result of violation(s) of the Code of Conduct.
- *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), or required completion of activities or tasks. The experience will assist the Student in learning skills that will help them avoid future misconduct.
- *Meeting(s) with a University Employee* required attendance of follow-up meetings with a designated University employee and required compliance with directives set by the employee.
- *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 classes and participate in activities with the designated individual(s) as well as include restrictions from specific University Premises and facilities.
- *Suspension of Recognition*: suspension of University recognition of a University Sponsored Student Group 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 University Sponsored Student Group, 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 transcript 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 re-enroll or be considered for readmission in compliance with the academic admission standards then in effect. Credits for any course completed at another institution

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 transcript 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 a Code of Conduct violation must submit their readmission request in writing to the Dean of Students. Credits for any course completed at another institution 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. Expelled students are never eligible for readmission to the University.

## SECTION 8: CASE DOCUMENTATION AND STUDENT CONDUCT RECORDS

### 8.1 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 only with appropriate individuals as part of an adjudication/review process and in compliance with all applicable laws.

### 8.2 Student Conduct Records

Student Conduct Records include all documentation regarding Student Academic Integrity and Code of Conduct concerns, discrimination complaints against Students and sexual misconduct complaints against Students. All Student Conduct Records are maintained by the University of Baltimore and are considered University property, which may be accessed, reviewed and/or shared only with appropriate individuals as part of an adjudication/review process and in compliance with all applicable laws.

If students from the UB School of Law are referred to the Conduct Process, the Office of Student Support will notify the Office of the Dean within the UB School of Law and share any pertinent documentation. The School of Law will be responsible for sharing any relevant information and records as part of subsequent character and fitness reviews for Bar examinations or reviews. For more information about this process please contact the Office of the Dean in the School of Law.

### 8.3 Request to Review Student Conduct Records: Written Documentation

At any time, a Student may request to review their Student Conduct Record. A request for review must be made in writing to the Office of Student Support. Requests will be honored within forty-five (45) 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.

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

### 8.4 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 Student Support. Hearing audio may not be recorded or copied during that review.

A request for review must be made in writing to the Office of Student Support. Requests will be honored within forty-five (45) 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.

### 8.5 Record Retention and Elimination

Student 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 applicable laws, rules, regulations and policies.

Initial Review records where the Student does not request expungement will be destroyed after seven years after the Student completes their degree or is no longer able to actively enroll. Academic Integrity and Code of Conduct records where the Student is found not responsible through Initial Review will be kept on file for a period of one year.

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 is 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.

Records that have met the elimination requirement are destroyed annually. The Office of Student Support retains the right to make all decisions regarding Student Conduct Records and record elimination.