



**LOYOLA**  
COLLEGE IN MARYLAND

COMMUNITY STANDARDS  
2006–2007

*DIVISION OF STUDENT DEVELOPMENT*

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Division of Student Development

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# I. Community Standards, Policies and Procedures

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## A. Statement of Philosophy

Guided by the Jesuit ideal of *cura personalis*, which underscores the value placed on the God-given dignity of every human person, Loyola College in Maryland places in highest regard the establishment and maintenance of a campus environment of interpersonal care and personal responsibility. Only when such a community exists can the College fulfill its goal to ensure the intellectual, ethical, social, and spiritual development, or formation, of its students.

A caring college community can exist only when all of its members commit themselves to this purpose. Honesty, integrity, and taking responsibility for the welfare of self and others are characteristic of such a community. Loyola College, therefore, sets high expectations of its students, as well as its faculty, administration, and staff, for conduct that supports the maintenance of a caring community. As students, you are expected to conduct yourselves in such a manner as to ensure the health and welfare of all members of the Loyola College community. To this end, all students are expected to know and respect the Student Code of Conduct and the Honor Code.

The Student Code of Conduct, the Honor Code, and other policies have been constructed to help ensure the well being and development of all students, faculty, administration, and staff of Loyola College. In addition to setting forth a set of expectations for student conduct in academic and

social domains, these codes and policies identify for students the processes for the adjudication of violations to the codes and policies.

The disciplinary process is established as a primarily educative mechanism by which students are provided with feedback about insensitive and harmful behaviors in which they may engage, and with opportunities and, in most cases, assistance to modify behaviors. Through the judicial process, students who violate the codes come to learn the importance of accepting personal responsibility for behavior that violates community standards. In some instances of misconduct, a student may be removed from the residential community or from the College. Being a member of the Loyola College community is a privilege that carries with it responsibility for the well being of all other members of the community.

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## B. Rights and Responsibilities of Loyola College Students

Students are expected to adhere to Loyola's Community Standards as rules for responsible living. Community standards are designed to protect the civility and decorum of the College environment and to advise students of their rights and responsibilities. Loyola's Community Standards extend to student behaviors on and off campus. Procedures used to enforce standards should contribute to teaching appropriate individual and group behaviors as well as protecting the rights of individuals

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and the campus community from disruption and harm. Individuals who have been a victim of, and/or witness to, a crime on campus may report it anonymously to the Department of Public Safety using the “silent witness” form ([www.loyola.edu/publicsafety/silent.html](http://www.loyola.edu/publicsafety/silent.html)).

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**1. All students of Loyola College enjoy the same basic rights and are bound by the same standards of conduct. Student’s rights include:**

a. **The right to be treated as a respected member of the community, with freedom from discrimination based on age, gender, religion, racial/ethnic or national origin, sexual orientation, or disability.** All students have freedom from harassment of any type, violence, force, threats and abuse. Students have the right to have the College comply with all federal, state, and local laws regarding discrimination. All students have the right to file civil/criminal charges.

b. **The right to learn with freedom from any action that unduly interferes with a student’s rights and/or learning environment.** Students are free to pursue their educational goals within the prescribed curricula of the College and its constituent schools. Students shall receive the ground rules for all work in a course, for the conduct of examinations, and for the security of tests, papers, and laboratories in connection with courses and programs of the College. Information about student views, beliefs, and political associations which professors acquire in the course of their work as instructors, advisors, and counselors, is confidential.

c. **The right to rigid regulation of student’s permanent educational records as personal documents.** Academic transcripts contain only information concerning the academic status of the individual; judicial records are maintained separately from academic records in order to prevent simultaneous disclosure. No records are available to unauthorized persons within the academic community without the express consent of the student involved. The College shall not disclose or release information contained in student records other than as permitted or required by applicable federal and state laws, rules and regulations.

d. **The right to express one’s views in a reasonable and civil manner; to meet peaceably on college property with other members of the College community; and freedom of religion and political beliefs.** All students and student groups have the right to hold public meetings and demonstrations approved by the Office of Student Activities or the Division of Student Development. They may also post authorized notices on approved bulletin boards on the college campus according to campus guidelines. Loyola College is committed to standards promoting speech and expression that foster an open exchange of ideas and opinions. All members of the Loyola College academic community, which comprises students, faculty, staff, and administrators, enjoy the right to freedom of speech and expression. This freedom includes the right to express points of view on the widest range of public and private concerns, and to engage in the robust expression of ideas. The College encourages a balanced approach in all communications and the inclusion of contrary points of view. The right to

free speech and expression is subject to reasonable restrictions of time, place, and manner, and does not include unlawful activity. In all events, the use of the college forum shall not imply acceptance or endorsement by the College of the views expressed.

**e. The right to equal opportunity to participate in the development of college policy by seeking membership on special and standing committees regarding academic affairs and student development.** The College encourages active participation of students on various committees including the governing bodies of the Academic Senate, the Loyola Council, and the Academic and Student Conference Development committees of the Board of Trustees.

**f. The right to a reasonably secure campus environment. A right to freedom from unreasonable search and seizure of one's person, possessions, or residence by College officials or personnel.** The College will make every reasonable effort to respect the privacy of the student, and give prior notice, if possible, of entry into the student's residence for purposes of inspection or verification of occupancy. However, the College reserves the right to conduct a reasonable search of a student or areas under the student's control, without notice, in emergency situations, for spot inspections, in cases of suspected or alleged violation of College policy, or for such other purposes as are reasonably necessary to ensure the comfort, safety, and protection of members of the Loyola College community. Students may request the return of seized property through the Director of the Public Safety at Loyola College. The decision to return property is at the discretion of the College. Property that is illegal or against College Policy will not be returned.

**2. All students of Loyola College also have certain responsibilities to the institution and to members of the College community. Student responsibilities and obligations include:**

**a. The obligation to refrain from interfering with any of the above mentioned rights of other members of the Loyola community.** At Loyola College, all members of the community share responsibility for the health and safety of fellow students and for the regulation of student conduct. Students are encouraged to hold each other accountable for their behavior and to seek appropriate help for peers needing medical, psychological, or physical safety assistance. Students are expected to become involved in judicial proceedings if they witness any infractions of the Student Code of Conduct or Honor Code. Furthermore, students are expected to be honest and forthcoming during all judicial inquiries and proceedings.

**b. The obligation to refrain from conduct that violates or adversely affects the rights of other members of the Loyola community and the institution or its neighbors.** Students have a responsibility to ensure that the conduct of persons who come to visit students at the College complies with the rules and regulations of the College.

**c. The obligation to comply with state, federal and municipal laws and regulations, including laws regulating the use of drugs, alcohol and motor vehicles, on the campus and in the surrounding communities.** Students are responsible for providing proper identification upon request from representatives of the College. All students are expected to carry their Loyola College issued identification

card at all times. The responsibility to cooperate with College officials in the performance of their duties. The obligation to respect the physical environment and facilities of Loyola College.

**d. All students are expected to comply with the provisions detailed in the statement of Rights and Responsibilities as listed above.**

Behavior that violates these guidelines, in any way, may result in disciplinary action by the College.

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### 3. Loyola College Student Creed

Loyola College students expect and are committed to:

- Continually growing personally, spiritually, mentally and socially.
- Being part of a safe and respectful living and learning environment.
- Respecting peers, administration, faculty and staff as well as receiving respect in return.
- Showing pride in our community through active participation and support of the pursuits of others.
- Accepting and treating fairly all members of our diverse community.
- Fostering a cooperative and involved community through open communication.
- Taking advantage of and creating leadership opportunities within the Loyola community and community at large.
- Being role models and mentors to others by exhibiting personal integrity and high moral standards that reflect the Jesuit and Mercy traditions.
- Striving for intellectual maturity and upholding academic excellence in accordance with the standards set by the Loyola College Honor Code.
- Carrying on these ideals beyond the duration of our time at Loyola.

The Student Creed was created and adopted by the Loyola College Student Government Association and other student leaders in the year 2000.

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## C. The Honor Code

*The Students of Loyola College in Maryland Are Citizens of an Academic Community That Will Conduct Itself According To An Academic Code of Honor, Following the Jesuit Ideal of Cura Personalis and Keeping within the School Motto, "Strong Truths Well Lived"*

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### 1. Mission and Pledge

All students of the Loyola College community have been equally entrusted by their peers to conduct themselves honestly on all academic assignments. Our goal is to foster a trusting atmosphere that is ideal for learning. In order to achieve this goal, every student must be actively committed to this pursuit and its responsibilities, and is therefore called to be active in the governing of the community's standards. Thus, all students have the right, as well as the duty, to expect honest work from their colleagues. From this, students will benefit and learn from the caring relationships that our community trustfully embodies.

The students of this College understand that having collective and individual responsibility for the ethical welfare of our peers exemplifies a commitment to the community. Students who submit materials that are the products of their own mind demonstrate respect for themselves and the community in which they study. These students possess a strong sense of honor, reverence for truth, and a commitment to Jesuit education. Accordingly, students found violating

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the Honor Code will be reprimanded appropriately in the belief that they will, with the support of their peers, learn from the mistake.

The Pledge adopted by the College reads as follows:

*“I understand and will uphold the ideals for academic honesty as stated in the Honor Code.”*

All registered undergraduate students of Loyola College in Maryland are automatically bound by the Honor Code. As a basic reminder and reinforcement of this Code’s ideals, faculty members are asked to make use of the pledge on all scheduled tests, papers and other assignments and to include the pledge (as well as other pertinent information related to academic honor in the course) on the course syllabus.

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## 2. Violations of the Honor Code

All students of the College are expected to understand the meaning of this Code. Ignorance of the Code is not a valid reason for committing an act of academic dishonesty. The following types of offenses constitute violations of the Code and are defined below: cheating, stealing, lying, forgery, plagiarism, and the failure to report a violation.

a. **Cheating** - The use of unauthorized assistance or material, or the giving or sharing of unauthorized assistance or material, in the carrying out of an academic assignment or examination. An academic assignment includes all homework and projects assigned by the instructor. Students will also be expected to follow the rules and regulations identified by a course instructor as presented on the course syllabus. The use of papers produced by another individual or furnished by a service (whether a fee is paid or not

and whether the student utilizes some or all of the paper) is a violation of the Honor Code.

b. **Stealing** - To take or appropriate another’s property, ideas, etc. (related to an academic matter) without permission.

c. **Lying** - A false statement (in an academic matter) made with the conscious intent to mislead others.

d. **Forgery** - the intent to mislead others by falsifying a signature or other writing in an academic matter (e.g., Course Registration form, Change of Major form, medical excuse, etc.).

e. **Plagiarism** – “The act of appropriating the literary composition of another, or parts, or passages of his [or her] writing of ideas, or the language of the same, and passing them off as the product of one’s own mind” (Black’s Law Dictionary, 5th Edition). Students are expected to cite properly any material from a published or unpublished source, including material available on the Internet. Although academic disciplines may differ in the manner in which sources are cited, some principles apply across disciplines. In general, any ideas, words, or phrases that appear in another source must be acknowledged at the point at which they are utilized in a student’s work.

f. **Failure to Report a Violation** - The knowing or intentional failure to report any student who was observed committing or otherwise is known to have committed a breach of this Code.

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## 3. Adjudication Process for Honor Code Violations

a. Witnessing and Reporting

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## Violations

In order to be an effective part of the community, an individual must understand and respect his or her responsibility for maintaining the well being of the College community. All students, faculty members, administrators, and staff are expected to report a breach of the Honor Code. In all cases, the instructor in whose course the alleged violation occurred and the person who reported the incident (if different) are required to serve as witnesses throughout the proceedings if requested.

### i. Faculty Reporting an Incident

Faculty members witnessing a breach of the Code must inform the student of the alleged infraction in a timely manner and assign any academic sanctions they deem appropriate for the offense. Following this, and no later than thirty days after informing the student of the alleged violation, they must report the infraction in writing to the Dean of First-Year Students and Academic Services.

### ii. Students Reporting an Incident

Students witnessing an infraction should discreetly inform any faculty member present while the infraction is being committed, or at the earliest possible opportunity. If this is not possible, students must report the breach on their own to the Dean of First Year Students and Academic Services.

### iii. Administrator or Staff Person Reporting an Incident

Administrators or staff persons witnessing an infraction must submit a report of the infraction in writing to the Dean of First Year Students and Academic Services.

### iv. Violation Report Form

Specific violations and alleged

violations of the Honor Code are explained in writing on the Violation Report Form, which is presented to the accused student by a faculty member or administrator who observed the violation or to whom the alleged violation was reported. The student, upon reading the form, must indicate on the form whether he or she accepts responsibility for the alleged offense and sign. The form is then delivered to the office of the Dean of First Year Students and Academic Services.

### b. The Hearing

The student accused of an Honor Code violation will attend one of two types of hearings, either a full hearing or a sanctioning hearing. The full hearing is held in the case where an accused student denies being responsible for the alleged violation and includes a sanctioning phase if the student is found responsible for a violation. A sanctioning hearing takes place when a student has acknowledged responsibility for the offense. All hearings will be closed and confidential, with a confidential audiotape made of the hearing. Parents/Attorneys are not permitted in the hearing room during Honor Council proceedings.

### i. Full Hearing

At a full hearing, five members of the Honor Council constitute a Hearing Council, with one of the members (chair or vice chair of the Honor Council or his or her designee) serving as Chair of the hearing. Also present at the full hearing are the accused student and any witnesses to the alleged violation, along with designated members of the Honor Council (who are not members of the Hearing Council) who serve as interviewers for the accused student and witnesses, and one or more faculty or administrative moderators of the Council.

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Prior to the hearing, interviewers will be designated to contact the accused and the witnesses to document any information relevant to the case and to advise the accused and the witnesses of the nature of the proceedings. During the hearing, the interviewers may advise the accused or the witnesses to include certain information in their testimony.

All participants, including the accused student and witnesses, are expected to cooperate fully with the Honor Council, provide testimony that is truthful, and maintain high standards of confidentiality concerning the proceedings. Participants, including Council members, have the right to be free from any sort of personal violation, harassment or threats because of their actions. If convincing evidence is presented to the Honor Council that a person has infringed upon this right, that person is subject to dismissal from the College.

Accused students have the right to be informed in writing of the charges against them and of the time and place of the hearing, normally at least two days prior to the scheduled hearing, unless the College is unable to reach the student despite reasonable efforts. If two or more students are accused, each may request an individual hearing.

The accused student has the right to bring witnesses to the hearing to testify on his/her behalf. There is no limitation placed on the number of eyewitnesses or corroborating witnesses. No more than two character witnesses are permitted. In the event that any witness cannot attend the hearing, a written statement signed by the witness and completed in the presence of an Honor Council member may be submitted as relevant information in a hearing.

The hearing opens with a statement from the faculty member in whose class the violation took place regarding the nature of the offense, the course of action taken, and a justification for actions taken. Any other witnesses who were involved in the case will then present their testimony, followed by the testimony of the accused. After these statements are provided, the Chair will declare the hearing open to questions from the Hearing Council.

When all persons involved are satisfied that all of the relevant information has been presented, the Hearing Council will excuse the faculty member bringing the charges and any witnesses and the accused student will be allowed to make a closing statement. After the accused student has made a closing statement, the student will be excused and the Hearing Council will deliberate. The Hearing Council must decide whether sufficient evidence has been shown to demonstrate that a breach of the Honor Code has been committed. Members of the Hearing Council are to use the “preponderance of evidence” standard to determine whether the accused is responsible for the offense. After the discussion, a secret ballot will be taken, and each of the five students of the Hearing Council will cast one vote. No member of the Council may abstain. A majority decision carries. If the student is found in violation of the Code, then the appropriate sanction(s) will be determined. The Hearing Council Chair will notify the accused student and the instructor in whose course the alleged violation occurred of the outcome, in writing, within 48 hours of the deliberation.

ii. Sanctioning Hearing

A Sanctioning Hearing will occur in those situations where a student

accepts responsibility for the violation prior to a hearing. In this case, the student will meet with at least three, but no more than five, Honor Council members to determine the appropriate sanction for the violation. Sanctions considered by the Council are in addition to the sanction imposed by the faculty member for the course. The accused may testify as to any extenuating circumstances and Honor Council members may ask questions at this hearing.

#### c. Sanctions for Honor Code Violations

While acknowledging that we must preserve the academic integrity of Loyola College and that academic dishonesty will not be tolerated, the Honor Council stresses that the fundamental mission of our institution is to foster “Strong Truths Well Lived” through education, not punishment. Thus, in most cases, the sanctions the Council recommends for the first time offenders will provide students with an opportunity to resume their academic career with a better understanding of scholastic integrity, character, and truth. If a student is found to be responsible for a violation of the Honor Code, the Council is to decide what, if any, sanctions to impose over and above any sanction already imposed by the course instructor. If the student has violated the Code in the past, the Honor Council Moderator will notify the Hearing Council of past violations (only, in the case of a full hearing, after a determination has been made as to whether the student is responsible or not responsible for the violation). Previous violations will result in stronger sanctions up to and including suspension or dismissal from the College.

Among the sanctions that the Honor Council may decide to impose are Deferred Academic Suspension

and Honor Probation. Deferred Academic Suspension means that for the specified time a further violation of the Honor Code will result in the recommendation to the Dean of First Year Students and Academic Services that the student be suspended from the College. Honor Probation may include the prevention of participation in one or more of the following activities: sports teams, clubs, leadership positions, or any other activity that may impact a student’s studies. Students placed on Honor Probation will be allowed to maintain any job and to attend social events held by the College. The duration of the Probation will be designated by the Hearing Council and can last up to one year from the time of imposition. The Honor Council may decide, on a sanction other than Honor Probation, such as community service, a warning or a rewrite of a particular assignment. In the case of seniors, Honor Probation can include the prohibition of participation in senior week activities and commencement. If the offense is deemed exceptionally serious or the student has been found responsible for a prior offense, the Hearing Council may suggest suspension or dismissal from the College. In such cases the Dean of First Year Students and Academic Services will notify the student of the sanction. In most cases, a student will be suspended from the College if found responsible for a second violation of the Honor Code.

#### **Parental Notification**

Parents of dependent students who violate the Honor Code will be notified if, as a result of being found responsible, the student fails the course, is placed on deferred academic suspension, or is suspended from the College.

A file containing all paperwork, including violation forms, will be

maintained by the Assistant Vice President for Student Development for three years after the student graduates, after which the files will be reviewed and destroyed.

Any student who fails to fulfill the sanctions imposed by the Hearing Council completely and on time is subject to more severe sanctions, up to and including suspension or dismissal from the College.

d. **Process of Appeal for Honor Council Decisions**

Students may file an appeal only if they believe that their right to a fair hearing (sometimes referred to as “due process”) has been violated. The steps in filing an appeal are as follows:

i. The appeal must be submitted in writing to the Assistant Academic Vice President within three working days from the receipt of the sanction letter. The letter must clearly state the reason for the appeal. Severity of sanction is not a matter of appeal.

ii. The Appeal Board, which is comprised of the Assistant Academic Vice President, the President of the Student Government Association, and the Dean of Students, will determine if a student’s right to a fair hearing has been violated. The Appeal Board has the right to review all files related to the case and call any witnesses whose testimony it deems may be relevant to the case. The Appeal Board should render a decision within five working days from the receipt of the appeal letter. If additional time is needed, the Appeal Board may extend this deadline.

iii. If a violation of due process is found, the Appeal Board will return the case to the Honor Council for a new hearing. The Chair of the Honor Council will appoint a new Hearing Council with no members from the previous council on it.

iv. If the Appeal Board finds that the student received a fair hearing, the case is closed.

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## **D. Student Code of Conduct**

The following action provisions describe types of misconduct for which students may be held accountable. The College may hold students accountable through the College judicial process for any actions listed or for comparable actions not specifically listed. The influence of drugs or alcohol will not in any way mitigate the consequences of inappropriate behavior or limit the responsibility of individuals involved. A student attending a college function or living or visiting in the area surrounding the College is subject to the same standards of conduct expected on campus. Likewise, students are responsible for the behavior of their guests at all times.

Students are expected to be honest and forthcoming during all judicial inquiries and proceedings. Truthful testimony will be taken into consideration at the time of sanctioning. Students with pending judicial charges who leave the campus temporarily (e.g., study abroad, medical withdrawal, leave of absence) will be required to participate in the judicial process prior to leaving or upon their return to the campus. The student code of conduct is effective throughout the calendar year even when classes are not in session due to break periods or summer sessions, when students are on a leave of absence, when students are participating in a study abroad program or College sponsored trip/event, or when the College is closed.

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### **1. Alcohol Policy**

Loyola College fully supports and requires compliance with Maryland laws prohibiting underage drinking.

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Maryland criminal laws provide in part as follows:

“It is unlawful for any person under the age of 21 years to have in his possession, or under his charge or control, any alcoholic beverage unless the person is a bona fide employee of [a holder of a license to sell alcoholic beverages]. (MD. Ann. Code, article 27, Sec. 400A).

“It is unlawful for any person to obtain any alcoholic beverages from any person licensed to sell alcoholic beverages for consumption by any person under 21 years of age, knowing that the person is under 21 years of age.” (Md. Ann. Code, article 27, Sec. 401).

“A person may not furnish any alcoholic beverage to another person if 1) The person furnishing the beverage knows that the person is under 21 years of age; and 2) The alcoholic beverage is furnished for the purpose of consumption by the person under 21 years of age.” (Md. Ann. Code, article 27, Sec. 401A).

“It is unlawful for any person to knowingly and willfully make a misrepresentation or false statement as to the age of that person or another to any person licensed to sell alcoholic beverages or engaged in the sale of alcoholic beverages, for the purpose of unlawfully obtaining, procuring, having unlawfully furnished to a person, to inducing to unlawfully furnish to a person an alcoholic beverage.” (Md. Ann. Code, article 27, Sec. 400)

Only those students who are 21 years of age and older are permitted to have alcohol in their apartments. Guests who are 21 years of age and older may not bring alcohol to room/apartment/suite where at least one person is under the age of 21. Students 21 years of age or older may possess and consume alcohol in the privacy of their rooms, suites or apartments in single-

serving containers only. Students are expected not to abuse alcohol, but rather to drink responsibly or abstain.

**Note: Parents and/or Guardians will be notified in writing if their first year son or daughter under age 21 is found responsible for an alcohol violation involving use or possession. Core advisors will be notified.**

Violations of the alcohol policy include, but are not limited to, the following:

a. Having open containers of alcoholic beverages or consumption of alcohol in any public area on campus, regardless of age (i.e., lounges, corridors, outdoors, etc.)  
**First offense: fine of \$75.00 and a written reprimand in addition to sanctions for underage possession if applicable.**

b. Unauthorized possession or consumption of alcoholic beverages. “Possession” means having an alcoholic beverage under one’s charge or control. Students under age 21 may not possess or consume alcoholic beverages at any time. Students age 21 or older generally may not possess or consume alcoholic beverages in the presence of persons under age 21; however, they may consume or possess alcoholic beverages in the presence of their roommates in their own residence unit.

#### **Minimum Standard Sanctions for Alcohol Violations**

1st Offense: \$75.00 fine, written reprimand, and one-session alcohol education.

2nd Offense: \$125.00 fine, disciplinary probation, and two-session alcohol education.

3rd Offense: \$200.00 fine, deferred suspension from the college and six-session alcohol education or referral as specified in sanction letter.

4th Offense: College suspension, and required completion of outpa-

tient/inpatient treatment prior to the ability to reenroll at the College.

c. Selling, furnishing, or giving any beverage containing alcohol to any person under 21 years of age.

**Standard sanction: deferred residence hall suspension, \$200.00 fine per individual host, and a referral to alcohol education.**

The student social host policy will apply if alcohol is available in the room. Thus, the host is also responsible for misconduct if he/she passively allows prohibited alcohol use to occur within his/her room.

d. Using or possessing excessive amounts or prohibited sources of alcohol e.g., kegs, beerballs; using or possessing items or devices that encourage excessive drinking (e.g., beer bongs, funnels); or organizing or participating in activities that encourage excessive drinking (e.g., beer pong, drinking games or contests). **Standard sanction: deferred residence hall suspension, \$200.00 fine, and referral for alcohol education.**

e. Charging a fee when hosting parties. **Standard sanction: deferred residence hall suspension, \$200.00 fine, and a referral for alcohol education.**

f. Being intoxicated or exhibiting behaviors associated with intoxication or impairment. **Standard sanction: housing probation, \$125.00 fine, and referral for an alcohol evaluation; must follow evaluator's recommendations.**

g. Providing false identification:

g1. Possessing, conspiring to obtain, or using false identification.

**Standard sanction: deferred residence hall suspension and a \$200 fine.** False ID's confiscated by the College will be forwarded to the appropriate State authorities.

g2. Manufacturing, selling or distributing false identification.

**Standard sanction: College expulsion.**

h. Multiple or repeated violations of the Alcohol Policy.

i. Possession of empty alcohol containers.

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## 2. Destruction of Property

Intentionally or recklessly damaging or destroying exit signs, graffiti writing, defacing or tampering with College or public property or the property of another. **Standard sanction: Suspension from the residence halls.** This includes the tampering with or destruction of security equipment maintained by the College.

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## 3. Drug Policy

Loyola College fully supports and requires compliance with Federal and State laws regarding illegal drugs.

"It is unlawful for any person...to possess or administer to another any controlled dangerous substance, unless such substance was obtained directly, or pursuant to a valid prescription...or to possess or distribute controlled paraphernalia." (Md. Ann. Code, art. 27, Sec. 287).

"It is unlawful for any person ... (to) manufacture, distribute, or dispense, or to possess a controlled dangerous substance in sufficient quantity to reasonably indicate under all circumstances an intent to manufacture, distribute, or dispense, a controlled dangerous substance...or to create, distribute, or possess with intent to distribute, a counterfeit controlled dangerous substance...or to manufacture, distribute, or possess any machine, equipment, instrument, implement, device, or combination thereof which is adopted for the production of controlled dangerous substances under circumstances which reasonably indicate an intention to

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use such item or combination thereof to produce, sell or dispense any controlled dangerous substance.” (Md. Code ann., art. 27, Sec. 286).

For purposes of this policy, “drug” also includes any other substance that is used to change mood or alter reality and is not used in accordance with a medical prescription (e.g., household chemicals/agents, steroids).

**Violations of the Drug Policy include, but are not limited to, the following:**

a. Drug use or possession (e.g. marijuana, heroin, LSD, cocaine, mushrooms, ecstasy, ketamine, abuse of prescription drugs, etc.)

Small quantities. **Standard sanction: College suspension, \$500 fine, substance abuse evaluation and education. In some cases, a College suspension may be deferred if it is the student’s first offense, the student has no prior judicial history, and student meets certain criteria which includes agreeing to periodic drug testing and other developmental interventions.**

Large quantities. **Standard sanction: Expulsion.** The determination of “large quantity” is based on all the surrounding circumstances. no specific weight or value shall constitute the difference between small and large quantity.

b. Drug paraphernalia possession. **Standard sanction: College suspension, \$500 fine, substance abuse evaluation and education. In some cases, a College suspension may be deferred if the student meets certain criteria, agrees to periodic drug testing and other developmental interventions.**

The student social host will be considered serving/providing drugs to anyone if he/she possesses drugs or if

drugs are available in the room. Thus, the host is also responsible for misconduct if he/she passively allows drug use to occur within his/her room.

c. Sale, potential for sale, facilitation in the sale, distribution, or providing drugs to others. **Standard sanction: Expulsion.**

Controlled substances, illegal drugs and drug paraphernalia are subject to confiscation. The College reserves the right to refer potential criminal violations to local law enforcement authorities.

**Note: Parents and/or Guardians may be notified in writing if their son or daughter is believed to be in violation of the College’s drug policy. Core advisors may be notified.**

#### **4. Disorderly Behavior/Gathering**

Engaging in behavior which is disruptive to the lives of individuals or of the College community or which disregard the rights of others or Attending a Disorderly Gathering: A disorderly gathering is defined as a group of people whose collective actions are disruptive or disrespectful to surrounding community members or to the College. Indications of a disorderly gathering may include but are not limited to excessive noise, destruction of or damage to property, overcrowding in violation of fire safety rules, the presence of individuals who are intoxicated or under the influence, and the presence of alcohol or drugs. Any student present at a Disorderly Gathering may be charged with this offense. Students found responsible for hosting a disorderly gathering will be charged with a “social host” violation.

#### **5. Endangerment of Self or Others**

Loyola College will hold account-

able community members who exhibit reckless actions that endanger the health and safety of any person. **The Standard Sanction is suspension from the residence halls and/or suspension or expulsion from the College.**

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#### **6. Failure to Comply with Directives**

Failure to comply with the directives of and/or disrespectful or recalcitrant behavior towards College personnel or local law enforcement officials acting in the performance of their duties, failure to produce identification upon request, fleeing the scene of an incident while an investigation is in progress and/or failing or refusing to participate in a judicial proceeding or investigation. **The standard sanction is suspension from the residence halls.**

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#### **7. Failure to Comply with Judicial Sanctions**

Failure to meet deadlines or to comply with the requirements of sanctions of previous judicial incidents. Students found responsible for this violation may be placed on a probationary status, lose their deferred status, or be subject to a more serious sanction.

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#### **8. False Information/Obstruction**

Falsification of information which includes any form of providing false or misleading information, written or oral, in a manner which has the intent or effect of deceiving authorized College personnel or any community member during a college investigation or hearing, or altering or falsifying official college records, or interfering with a witness or college official with respect to a judicial proceeding or investigation. This includes concealing or altering one's identity in an attempt to avoid identification. **The standard sanction is**

**deferred College suspension and \$200.00 fine.**

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#### **9. Fire Safety**

Loyola College and the State of Maryland strictly prohibit the improper use of fire alarm systems or fire safety equipment, whether intentional or reckless. Prohibited actions include tampering with, removal of, setting off alarms, reckless use of fire extinguishers, or damaging of fire safety equipment or alarm systems in any college building where no fire or immediate danger of fire exists. Fire drills are conducted at various times during the year to ensure that all residents are familiar with evacuation procedures and to ensure that all safety equipment is functional.

a. Fire Safety Equipment: Fire equipment is placed in the residence halls for students' protection and the protection of property in the event of a fire or emergency. Anyone who causes damage to this equipment or renders it unusable or ineffective is endangering the safety of all residents. This includes tampering or misuse of any fire safety equipment, including setting off false fire alarms, or the unintentional causing of an alarm, sprinkler, or fire extinguisher discharge due to careless or reckless behavior, the student will be subject to judicial action. **Standard disciplinary sanctions include suspension or expulsion from Loyola College, fines or restitution for damage, as well as penalties described by law.**

b. Intentionally or recklessly starting a fire is a serious violation subject to disciplinary sanctions including suspension or expulsion from Loyola College as well as penalties described by law. **The standard sanction is suspension or expulsion from the College.**

c. Fire Evacuation: During a fire drill or alarm, every student is expected to evacuate the building and follow emergency procedures as well as comply with instructions and/or directives from Campus Police and Student Life staff. Students cannot return to a building until an “all clear” signal is given by an appropriate College official. **The standard sanction for a violation is \$250.00 fine and deferred housing suspension.**

d. Unintentional False Alarms-Causing a false alarm due to inappropriate, careless, and or reckless use of cooking equipment. **Standard Sanction is housing probation, mandatory fire safety training, and a fine. Repeated or serious offenses may lead to loss of housing.**

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### 10. Fireworks

The unauthorized possession, use, manufacture, distribution, or sale of fireworks, incendiary devices, or other dangerous explosives is strictly prohibited. **The standard sanction for this violation is suspension from the residence halls or the College.**

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### 11. Harassment

Harassment is defined as abusive or threatening language or behavior that intentionally or recklessly abuses, ridicules or puts down a person that may adversely affect his or her living, working, or learning environment. Examples include but are not limited to profanity, lewd pictures or words and could involve:

- a. Technology, email, or internet including violations of the College Appropriate Use of Technology Policy.
- b. Graffiti or written messages.

c. Verbal, yelling out of windows.

d. Phone calls or voicemail.

e. Singling out a group or any act of intolerance (including racial slurs, expressions related to a person’s gender, religion, sexual orientation, or race)

f. Language or actions, written or spoken, expressed with the intent or effect of inciting hatred or violence and to place the targets of the words in danger of harm.

**The standard sanction is suspension from the College.**

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### 12. Hazing

Hazing is defined as any action that may endanger, abuse, degrade, or intimidate a person physically, mentally, emotionally, or psychologically in connection with initiation into, or affiliation with, any group or organization, regardless of the person’s consent or lack of consent. This includes, but is not limited to:

a. recklessly or intentionally endangering the mental or physical health of an individual; or

b. forced or coerced consumption of alcohol or drugs; or

c. other inappropriate activities as defined by the Loyola College Community Standards.

**The standard sanction is suspension from the College.**

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### 13. Indecent Conduct

Indecent behaviors which include, but are not limited to the following: inappropriate use of the phone, public urination, mooning, streaking, profanity, lewd or obscene expressions, disrespectful behavior or statements toward College personnel or students.

**Standard sanction is residence hall suspension. More serious cases may result in College suspension/expulsion.**

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#### **14. Off-Campus Conduct**

Rationale: In keeping with the Jesuit tradition, Loyola College is located within a city environment. This means that the campus is surrounded by several residential neighborhoods. In addition to observing all other provisions of the Student Code of Conduct, guidelines for off campus conduct have been established in order to uphold standards of behavior that should be demonstrated by Loyola students when they are present in the surrounding neighborhoods and the city of Baltimore. The College encourages its students to behave as exemplary citizens when present in the surrounding neighborhoods and to demonstrate respect and concern for all members of the local community. The College shall arrange a forum at the beginning of each academic year for students' living in residence halls in close proximity to the community residents (including but not limited to Ahern, McAuley, and Aquinas Hall). The College reserves the right to take judicial action to address cases of student misconduct. Students may be charged with violations 1-32 of the Student Code of Conduct for incidents that occur off-campus at the discretion of the Dean of Students/Designee. In addition, off-campus residents may be required to move either to another off campus location that is in compliance with the covenant between Loyola College and the North Baltimore Neighborhood Coalition, or to an on-campus location. **Off Campus Violation Standard Sanctions:**

**1st Offense: \$500 fine, disciplinary probation.**

**2nd Offense: \$750 fine, deferred suspension.**

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**3rd Offense: College suspension.**

**Fines collected go, in part, to sponsor programs with the local community.**

**Effective fall of 2007, students are not permitted to reside in the townhomes of Gallagher Park. Students living in Gallagher Park will not be permitted to be enrolled in classes at Loyola College in Maryland.**

a. Students must comply with the following terms of the covenant between Loyola College and the North Baltimore Neighborhood Coalition regarding off campus dwellings. "Loyola agrees to prohibit nonresidential commuter students from residing in dwellings located in the following neighborhoods: Blythewood, Guilford, Evergreen, Homeland, Kernewood, Keswick, Radnor-Winston, Roland Park, Roland Springs, Tuscany-Canterbury, and Wyndhurst unless (1) the dwelling was originally designed as an apartment-style residence or (2) a student lives with a relative or (3) a student lives with a friend of the student's family."

Loyola will consider students living in the prohibited areas to be in violation of these guidelines. The College may treat these violations as cases of misconduct and may require such students to obtain new housing, either on or off campus, as determined by the College. Loyola will not be responsible to any students or parents of students for claims by any landlord if such students are required to relocate.

b. The following are prohibited: Large quantities of alcohol (i.e. kegs, beer bongs)and/or noise disturbances. Students are prohibited from holding large parties or block parties.

c. Off-Campus Disturbances: Students who reside in off-campus residences have a responsibility to be

courteous to community residents, and not to congregate or litter streets or parks.

d. Students should operate stereos and other electronic equipment at reasonable sound levels, and keep noise levels within residences and on the streets at reasonable levels, especially during late evening and early morning periods.

e. Students should respect the property and rights of others and refrain from public urination, walking through private property, parking in spaces reserved for community residents, or in any way causing a disturbance or nuisance to a community. Students are responsible for disposing of trash on a regular basis and of storing trash outside in proper trash receptacles.

f. Social Host: It is the responsibility of any student who hosts a visitor or guest in their off-campus residence to insure that the person knows and adheres to the Student Code of Conduct. In instances where guests violate rules or codes, the student host will be held responsible. Residents of an apartment or townhouse off-campus are responsible for all that occurs inside or outside their residence including any guest misconduct. Whether a visitor is a student, non-student, or a non-identified guest, the student host will be held responsible for violations of the Student Code of Conduct. Responsibility under these rules may occur even if the host is not a participant in the activity or has left the visitor(s) alone.

g. Students should not use rude or abusive language in dealing with members of the community.

h. Students may not maintain a disorderly residence. The following

examples of a disorderly residence are representative and should not be considered all-inclusive: violating alcohol laws at the residence; hosting parties where there is public drunkenness, excessive noise and/or other behavior which is in disregard of the rights of surrounding community.

i. Students are prohibited from parking in the following neighborhoods: Blythewood, Guilford, Evergreen, Homeland, Kernewood, Keswick, Radnor-Winston, Roland Park, Roland Springs, Tuscany-Canterbury, and Wyndhurst. This policy will be strictly enforced by campus police. If a student receives five (5) or more parking violations, that student will be subject to a judiciary hearing that may result in the **standard sanction of a \$500 fine, disciplinary probation, and the revocation of College administrative privileges (i.e. registration; use of Evergreen Card, etc.)**.

j. Students living off campus are required to notify the Records Office of their local address. **Failure to notify the Records Office may result in the student's inability to register for classes, or to receive other College privileges such as use of the library, the Evergreen Card, or the dining services or computer labs.**

**Nuisance House-** Any off campus apartment, house or other dwelling where there have been two or more documented and confirmed complaints about disruptive behavior (see Community Standards - Section 14) against any off-campus residence, the student residents/tenants will be required to vacate the property and obtain alternative housing that must be approved in advance by the Dean

of Students. All expenses related to the required move are solely the responsibility of the student. In some cases, resident groups may not be allowed to move to the same location. Once an off campus apartment, house or other dwelling has been designated a "nuisance house" and the residents have been required to move, Loyola students will be prohibited from living at that residence for a designated length of time usually for the remainder of the academic year. The College will also notify the Landlord of policy violations.

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### 15. Physical Harassment

Physical harassment includes any action or situation that produces physical discomfort of an individual or group, or that places the individual or group in danger of physical injury, including, but not limited to, punching, kicking, scratching, spitting, biting, pushing, slapping, etc. Students are expected to handle conflict appropriately. In the event of physical threat, students should pursue every means possible to avoid physical retaliation. Students are encouraged to contact Campus Police to avoid such confrontation. **Standard sanction: College suspension or expulsion.**

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### 16. Propping of Residence Hall Doors

The propping open of, or intentional jamming or tampering with the locking mechanisms of external or internal residence hall doors is considered a serious breach of safety and security. This includes tampering with the locking mechanism of residence hall room doors. **The possible sanctions for violation of this policy include fines, suspension and/or restriction from the residence halls.**

### 17. Quiet Hours

Since the College expects the residences to be conducive to academic pursuits, **noise must always be kept at a reasonable, courteous level so as not to disturb neighbors or roommates (Courtesy Hours 24 hours a day).** In addition to normal courtesy hours, quiet hours have been established to ensure that students are able to sleep and study according to their own needs and preferences. During quiet hours, each student is responsible for making sure that his or her noise is not at a level that disturbs anyone else who may be studying or sleeping. The minimum campus-wide quiet hours for all residences are as follows: Sunday through Thursday 11 p.m. to 10 a.m. Friday and Saturday 1 a.m. to 10 a.m. Quiet hours are in effect 24 hours a day during the final exam period. **Noise complaints that originate from local neighborhood residents may be handled under the College's off-campus conduct policy (14. Off Campus Behavior; h. Students shall not maintain a disorderly residence) at the discretion of the Associate Director of Student Life for Judicial Affairs.**

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### 18. Residence Hall Damage

Vandalism or destruction of College property including lounge or residence hall room furniture will not be tolerated. Damage caused to the walls, carpets, furniture, appliances, etc. will result in a **standard sanction of deferred residence hall suspension. More serious cases will result in residence hall suspension and/or loss of privilege to participate in the next room selection process.**

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### 19. Residence Hall Policies and Procedures

Violations of any published residence hall policies and procedures

or guidelines, rules and regulations as stated in the Residence Hall Policies and Procedures in Section III are strictly prohibited and may result in disciplinary sanctions up to and including suspension or expulsion from Loyola College.

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## 20. Senior Week

Code violations that occur at Senior Week events as well as in residence halls on campus during Senior Week.

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## 21. Sexual Aggression Policy

Loyola College strives to create a safe educational and working environment for all the members of the community including students, faculty, administrators and staff. Violence or threats of violence of any kind, including sexual assault, will not be tolerated. Loyola College fully supports and complies with all local, state, and federal laws governing rape and sexual assault.

### a. Sexual Harassment

Loyola College does not tolerate sexual harassment of or by its students or employees. Sexual harassment is defined as unwelcome sexual advances, requests, and other verbal or physical conduct of a sexual nature when submission or rejection of such conduct is a condition or basis for employment or educational decisions affecting the individual, or which have the purpose of unreasonably interfering with an individual's performance or creating an intimidating, hostile or offensive educational or work environment.

### b. Sexual Verbal Abuse

Sexual verbal abuse is using language that is sexual in nature and unwanted on the part of another person. Examples include but are not limited to phone calls or use of written

and/or verbal communication that are intimidating, threatening or obscene in nature.

### c. Sexual Misconduct

Sexual Misconduct includes any sexual act or sexual contact without consent, including intercourse; oral sex; unwanted touching of an intimate body part of another person, such as sexual organs, buttocks or breasts; or an attempt of any of the above. This description of prohibited sexual acts and conduct is not intended to be inclusive of all conduct that could fall within this category.

It is the intent of this policy to provide notice that any unconsented sexual conduct, whether by a stranger or an acquaintance of the victim, is prohibited. For purposes of this policy, consent is defined as an affirmative indication of a voluntary agreement to

engage in the particular sexual act or conduct in question. Consent cannot be obtained through the use of force, threat or intimidation. Consent cannot be given by someone who is not able to effectively communicate or to understand the nature of the conduct being engaged in as a result of having consumed drugs or alcohol or for any other reason. Silence on the part of an individual does not constitute his or her consent.

Drug or alcohol use by the offender is not a defense to a charge of sexual misconduct and will not be considered a mitigating factor in assessing an appropriate sanction.

### d. Procedures for Adjudicating Charges of Sexual Misconduct

The Loyola College community fully supports all local, state and federal laws governing rape and sexual assault. It is the responsibility of all students to be aware of and adhere to these laws. As members of the College

community, it is our expectation that students will respect the rights, dignity and personhood of others.

All hearings involving sexual misconduct will be conducted in accordance with the normal rules and procedures of the judicial process with special sensitivity to the nature of the charges and the best interests of all students involved. In recognition of the unique nature of sexual misconduct cases, the procedures specified in this section supersede any conflicting provisions of the College judicial process. The College encourages students to use the criminal justice system in cases involving sexual misconduct. Actions by the police or criminal courts do not in any way preclude a student from pursuing charges through the College's judicial system, similarly, pursuit of charges through the College's judicial system does not preclude the pursuit of criminal charges.

The College will investigate all reports of a sexual misconduct. Due to the usually private nature of these actions, the College may not be able to pursue charges of sexual misconduct/harassment unless the complainant acts as the accuser and primary witness. However, in cases where there may be a witness to the alleged violation, or in cases where the complainant requests that the College pursue the case even though she/he is unwilling to act as the accuser, or in cases in which pursuing the case is in the best interest of the College, the College reserves the right to pursue a case to its conclusion.

d1. Upon becoming aware of alleged sexual misconduct, the Office of Student Life in conjunction with the Department of Public Safety will initiate an investigation and take actions deemed necessary to protect the emotional well being of the

students involved, as well as the educational environment of the College community. These actions may include, but are not limited to, relocation of residence hall assignment, restricting access to certain campus buildings, prohibiting contact between the alleged offender, the complainant, or witnesses or suspending the alleged offender from campus pending the hearing.

d2. The sexual misconduct hearing panel will be comprised of one faculty member, one student and the Director of Student Life or his/her designee. The faculty member and the student will be selected from the College Board on Discipline.

d3. If, in the judgment of the Director of Student Life or his/her designee, the timing of the charges precludes the use of a judicial panel, the Director of Student Life and a Student Development administrator or faculty member will serve as hearing officers for the case.

d4. The alleged offender and complainant may each have an advisor present during the hearing, but the advisor is not allowed to address the panel or question witnesses. Advisors must be members of the Loyola College community. The alleged offender and the complainant each may bring witnesses to the hearing, as in the regular judicial process.

d5. The complainant may choose to present her/his testimony without the alleged offender being present. Several options exist where the complainant does not want to be present in the room with the alleged offender. The testimony presented to the panel can be recorded and replayed for the alleged offender to hear before he/she gives any testimony or presents any evidence. The alleged offender can also listen

to the testimony by intercom. The complainant has the right to be present for or listen to all testimony given during the hearing, if they so choose. If complainant is to give testimony, the panel will call the complainant as the first witness. The panel has the ability to recall any witness, including the complainant, for clarification. The complainant has the right to enter an impact statement in writing, which describes how the incident has affected them. The impact statement is introduced after all of the witnesses have been heard from and after the determination of responsibility is made.

d6. Statements or questions regarding the past sexual history of the alleged offender or complainant will generally not be permissible as evidence during the hearing except as they relate to the past sexual history of the alleged offender with the complainant.

d7. The degree of impairment of the complainant's ability to give or withhold consent may be introduced into evidence.

d8. If the judicial panel determines that the offender is responsible for a violation of this policy, the panel will decide the appropriate sanctions in accordance with the Student Code of Conduct.

d9. The final outcome of the hearing including any sanctions that are imposed will be communicated to both the offender and complainant normally within five working days of the last day of the hearing.

d10. If the alleged offender is found responsible for a sexual misconduct violation, he/she may appeal the decision to the College Board on Discipline. The panel members who were involved in the original hearing

will not serve on the College Board on Discipline. The College Board may question the panel about the original hearing.

d11. At any time during the judicial process if the complainant or alleged offender desires to seek the services of the Counseling Center or Campus Ministry staff, he/she may contact these offices directly or through the Director of Student Life.

e. Response to Sexual Assaults on Campus

The College encourages students to understand the limitations governing sexual contact (including intercourse) between persons. The Counseling Center provides qualified professionals who can help you clarify your feelings about your sexuality and intimacy and help you to develop assertiveness skills that might assist you in managing potentially difficult situations. The Counseling Center staff provides direct service and referrals for survivors of sexual misconduct. Educational programs about sexual assault are offered at New Student Orientation, in residence halls and on campus throughout the academic year.

If you believe that you have been sexually assaulted on College property, at a College sponsored event or by a member of the College community, you are encouraged to report the incident to Campus Police or a member of the Student Life staff. You will be asked to give a statement to the investigating campus police officer and an Assistant Director of Student Life. It is important to give as much information as possible as your statement will serve as the basis for further investigation of any case and any resulting judicial charges.

The College encourages any person who has been sexually assaulted to report the incident to the Balti-

more City Police if she or he wants to do so. The Director of Public Safety or his/her designee will assist the victim in contacting the appropriate law enforcement officials and in working with these officials to pursue criminal charges against the alleged offender.

Upon request, campus police will provide transportation to Mercy Hospital, designated as one of the city's rape treatment centers. This hospital is equipped with the State Police Sexual Assault Evidence Collection Kit. It is important to preserve evidence for proof of a criminal offense if such charges may be filed.

If you have been sexually assaulted but do not want to report it through the formal process, you may seek out a counselor or psychologist in the Counseling Center. Your discussion remains confidential if it is reported to a counselor or psychologist. If, after discussing your situation you choose to report the incident, you should contact an Assistant Director of Student Life or Campus Police. If you would like to seek counseling assistance off campus, you may contact the Sexual Assault Center at 410-837-7000 or the Sexual Assault and Domestic Violence Center at 410-337-8111.

A student who has been sexually assaulted may request to transfer to alternative classes or housing. The College will accommodate this request if such classes and/or housing are reasonably available.

## **22. Social Host**

It is the responsibility of any student who hosts a visitor or guest on campus to insure that the person knows and adheres to the Student Code of Conduct. In instances where guests violate rules or codes, the student host will be held responsible. Residents of a room, apartment or townhouse, on or off campus, are

responsible for all that occurs within that dwelling including any guest misconduct. Whether a visitor is a student or non-student, the student host will be held responsible for violations of the Student Code of Conduct. Responsibility under these rules may occur even if the host is not a participant in the activity or has left the visitor(s) alone.

## **23. Student Abuse of Campus Privileges/Violation of Policy**

Student dining and parking privileges are non-transferable. Any fraudulent use or misuse of Evergreen card, misuse of College resources, or violation of College policies (e.g., appropriate use of technology, parking, smoking) is strictly prohibited. *"The Guide to the Loyola Galaxy"* at Loyola College specifies that anything that disrupts network services is not an allowable use of the College network including P2P file sharing. If your use of the network is determined to be disruptive your network access will be revoked and you may face a \$500.00 fine, even if you are not cited for a legal violation. If the offense is serious or is repeated, the case will be referred to the discipline system, which may revoke access for an extended period; in severe cases, students can be suspended from the College.

## **24. Theft**

Theft, attempted theft, possession of stolen property and conspiracy to steal or misappropriate another's property are prohibited. Theft includes, but is not limited to, any taking of College or personal property whereby a person removes, possesses, conceals, alters, tampers, or otherwise appropriates goods or merchandise without authorization including State, local and federal signage and road signs. This includes the misappropriation of property and services. **Serious**

**cases will result in suspension from the College.**

**25. Throwing Objects From Windows/Removal of Window Screens or Locks**

Throwing of objects from windows, particularly residence halls, is strictly prohibited. Students are not permitted to remove screens from windows. Throwing objects out of the window may cause injury to people standing below and this violation is considered to be a danger to others. **The standard sanction for throwing objects out of the window is residence hall suspension.**

**26. Unauthorized Entry or Exit**

Unauthorized entry, using keys to enter a room or facility without proper authority and forcible entry or trespass into any building structure, facility, student room, roof, balcony, or other areas are prohibited. Trespassing within the private room of another or use of keys without the proper authority will be considered serious violations. Unauthorized entry includes entering a College swimming pool during unsupervised and unauthorized times. Students are not allowed access to the roofs of buildings at any time. Students are not permitted to use exit doors marked “emergency” for any use other than in an emergency evacuation or allow others to use these doors for entry/exit.

**27. Violation of federal, state or local laws regardless of whether or not a conviction is obtained.**

**28. Visitation Policy**

Visitation is defined as the presence of a member of the opposite gender in the living quarters of a resident student. Visitation is permitted in all residences during the following hours only: Sunday through Thursday 10

a.m. to midnight, Friday and Saturday 10 a.m. to 2 a.m. Same gender guests visiting overnight are limited to three consecutive nights and may only stay if all roommates are in agreement. Violations of the visitation policy can be reported to your RA or Assistant Director.

**29. Weapons and Ammunition**

Unauthorized use, possession or storage of any weapon or ammunition on College premises or at College sponsored activities is strictly prohibited. This includes, but is not limited to firearms, air rifles, slingshots, paintball guns, swords, knives, ammunition, etc. **The standard sanction is suspension from the residence halls and/or the College.**

**30. Complicity**

Condoning, supporting, or encouraging a violation of college policy. Students who anticipate or observe a violation of college policy are expected to remove themselves from the situation.

**31. Smoking**

Smoking is prohibited indoors in all College-owned or leased buildings and facilities, including residences, and within 30 feet from any building or facility.

**32. Solicitation, Posting, and Off Campus Event Policies.**

All registered student organizations and individual students must obtain prior approval by the Office of Student Activities in order to post items electronically, on bulleting boards, or elsewhere on College property or off-campus student residences (see Student Activities guidelines for details). No posted materials may advertise drugs or alcohol or anything else that would be a violation of College policies either through language or artwork. The following are expressly prohibited:

- a. Door to door solicitation or the sale of tickets or services
- b. Scalping tickets or services (selling for profit)
- c. Promotion of gambling
- d. Hosting or promoting an event, on or off campus, for students where excessive alcohol consumption may reasonably be anticipated
- e. Inappropriate use of College resources (e-mail, Blackboard, WebPages hosted by the College) as stated in the Guide to the Galaxy.
- f. Use of Copyright protected materials (College seal, pictures, images, name)

In addition to other sanctions, the College reserves the right to require the cancellation, at the student's expense, of any planned event that jeopardizes the safety of students who may attend.

### **33. Prohibited Items and Behaviors**

Students are prohibited from having portable pools/wading pools and or hot tubs on College property. Further, students are prohibited from owning or using gas/propane grills, except those owned and maintained by the College. Students are reminded that they cannot store flammable materials (charcoal or lighter fluid) in or near any residence hall facility. Students wishing to grill should use the College owned and maintained facilities located 25 feet from any standing structure in compliance with Baltimore City fire code.

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## **E. Sanctions for Violations of the Student Code of Conduct**

Hearing officers or College Board members who find that a violation of the Code has occurred are authorized to issue judicial sanctions,

including but not limited to those cited below. Sanctions may be issued individually or a combination of sanctions may be imposed. Multiple violations of the Code will result in more serious sanctions. The determination of sanctions will be guided by the interests of the College community, the impact of the violations on the victim(s), previous documented judicial history and any mitigating or aggravating circumstances.

More severe sanctions may be imposed for incidents in which the violation was motivated by consideration of age, race, religion, color, national origin, ancestry, sexual orientation, or disability. Increased sanctions may also be applied in cases where there was use of a weapon, where there was pre-meditation, where severe injuries were sustained as a result of the violation, or where the safety of the College community was placed in harm.

Noncompliance with or failure to meet the terms of a sanction imposed at any judicial hearing may be sanctioned to the next step in probationary status. Room selection and/or class registration may also be delayed pending completion of sanctions.

**NOTE: A record of disciplinary sanctions may impact a student's ability to be a resident assistant, student government officer, orientation leader, judicial board member, etc. Such a record must be reported on most law school applications, medical school applications, some graduate school forms, some college transfer forms, and, in some instances, job applications.**

### Study Abroad

The disciplinary status of a student is a key factor in determining eligibility for studying abroad. A student who will have a probationary or deferred

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suspension status for the term he/she wishes to study abroad is not eligible for the abroad experience. In addition, a student who has a history of serious disciplinary problems cannot study abroad. Students who are on disciplinary probation or deferred suspension at the time of application may not be allowed to study abroad. These cases will be reviewed on an individual basis by the Office of International Programs.

All students who do study abroad are expected to be ambassadors for the College and present a positive image of Loyola College in Maryland.

The following non-exclusive list describes sanctions that may be assigned as a result of the finding of responsibility for violations of the Student Code of Conduct:

#### **1. Written Reprimand**

A letter to the student citing the nature of the violation and informing the student that subsequent violations may result in more severe judicial action.

#### **2. Fine**

A monetary assessment payable by a specified date. From the date the bill is posted to the student account, students have 10 days to pay the fine. After 10 days, a late fee will be assessed and a bill will be sent for the fine. Failure to pay a fine by the specified date will result in withholding of College records or transcripts and further judicial action. "Fines, in part, are applied to programs and services that address the overall alcohol culture on campus and to promote healthy low risk alternatives to binge drinking".

#### **3. Restitution**

Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of mon-

etary charges or appropriate service or repair to otherwise compensate for damages. If a student injures another person, the reimbursement for hospital or medical bills may be required as restitution to the injured party.

#### **4. Educational Projects**

Projects assigned for the educational benefit of the student, the organization and/or the College community. Examples include enrollment in certain classes, participation in workshops or seminars, conducting research, writing papers, planning programs, etc. The College Board or hearing officer will designate a person to supervise such projects.

#### **5. Alcohol Assessment, Education and/or Treatment**

This is a referral to the Alcohol and Drug Education and Support Services for assessment, education and/or treatment of possible psychological, emotional or substance abuse problems.

#### **6. Civility Hours**

Service to the College community or surrounding community of a specified number of hours and date of completion. Failure to complete all or part of a civility assignment may result in a fine being imposed as well as further disciplinary action. It is the student's responsibility to complete these hours as specified in the sanction letter.

#### **7. Parental Notification**

Written or verbal communication with parents and/or guardians in compliance with applicable laws, informing them of the student's responsibility for a violation of the Student Code of Conduct. **Note:** Parents and/or guardians or core advisors of students under age 21 who are found responsible for violations of the

College's policy prohibiting use or possession of alcohol or drugs will be notified by letter. This notification usually occurs at the completion of the judicial process or prior to an appeal hearing.

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### **8. Restricted Access or Privileges**

Restriction or termination of a student's access to any or all parts of the campus, including residence halls, computer, dining or other campus facilities, or loss of parking privileges for a specified period of time. Students residing off campus may be restricted from visitation to the campus residence halls. On campus residents may relinquish guest privileges.

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### **9. Loss of Room Selection Privileges**

Loss of eligibility to participate in Student Life Annual room selection process.

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### **10. Social Probation**

Participation in College-sponsored activities is prohibited for a specified period of time. Restrictions may be applied to only certain activities or to all extracurricular activities. This may include the loss of Leadership position(s) and ability to participate in clubs, organizations, clubs sports, and varsity athletics for a specified period of time.

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### **11. Residence Hall Probation**

Any further violation of the Student Code of Conduct or Residence Hall Policies could result in suspension from campus housing. Parents of dependent students will likely be notified. **Students in this status may also lose the privilege to participate in the annual room selection process.**

### **12. Relocation to Another Residence**

a. **Residence Hall Relocation:** the resident student is required to move to a new residence hall space within 24 hours of written notice, for a specified period of time. This sanction may include restrictions of the student's entry into some residence areas. Parents of dependent students may be notified.

b. **Off Campus Relocations:** the off-campus student is required to move to a new off-campus residence or to an on-campus residence, if available and appropriate, within 24 hours of written notice, for a specified period of time. If a student is required to move to another off-campus residence, the new residence must comply with the Covenant between Loyola College and the North Baltimore Neighborhood Coalition. Parents of dependent students may be notified.

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### **13. Disciplinary Probation**

A specified period of time during which a student may face severe judicial sanctions including suspension or expulsion from the College for any subsequent violation(s) occurring during the period of probation. Other restrictions may be applied and would be indicated in the sanction letter. Parents of dependent students and core advisors will likely be notified.

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### **14. Restricted Contact**

Student is prohibited from having any contact - direct, indirect, or third party on his/her behalf - with a particular person(s). Restricted contact includes voice mail, e-mail, written, verbal, or non-verbal communication (eg. gestures and staring). Violations may result in College suspension.

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### 15. Deferred Suspension

A specified period of time during which a student will likely face suspension from either the College or the residence halls for subsequent violations occurring during the period of deferred suspension or for failure to comply with previously imposed disciplinary sanctions. Parents of dependent students and core advisors will likely be notified.

### 16. Residence Hall Suspension

Exclusion from living in a residence hall for a specified period of time as set forth in the sanction letter. Unless otherwise noted in the sanction letter, the student will be denied access to the residence halls, including Primo's, during the period of suspension. The conditions for returning to the residence halls will be stated in the sanction letter. **During the period of residence hall suspension, students will not be eligible to participate in the room selection process, nor will they be eligible to be "pulled in" by current residents.** Parents of dependent students and core advisors will likely be notified.

### 17. Senior Week

Attendance at Senior Week events as well as residence on campus during Senior Week is a privilege and not a right. Consequently, the Dean of Students (or his/her designee) reserves the right to ban specified individuals from Senior Week events (including commencement exercises) and/or terminate residence hall or College status.

### 18. Disciplinary Suspension from the College

Exclusion from classes and other privileges or activities for a stated period of time set forth in the sanction letter. The conditions for readmission

will be stated in the sanction letter. Parents of dependent students and core advisors will likely be notified. Students are restricted from the campus and residence halls unless otherwise specified in the sanction letter.

**During the period of suspension, any credits earned at other institutions will not be accepted at Loyola. Students will not be eligible to participate in the room selection process, nor will they be eligible to be "pulled in" by current residents.** Students who are suspended from the College will forfeit eligibility for institutionally-funded need-based grant assistance and academic scholarship assistance for any additional semester(s) needed to complete an undergraduate degree.

### 19. Expulsion

Expulsion is a permanent termination of student status from Loyola College. This includes loss of all related privileges including; e-mail account/use; web advisor; net storage; and one card access. This action may be imposed for the most serious violations of the Student Code of Conduct. Parents of dependent students will likely be notified. Students are restricted from the campus and residence halls unless otherwise specified in the sanction letter.

### 20. Student Development Assessment and Evaluation

This is a referral to the Office of Student Life for a comprehensive developmental assessment in serious discipline cases. Students are required to complete all required interventions by the assigned deadlines.

### 21. Periodic Drug Testing

The College may, but is not required to, defer a suspension status for a student if all of the following conditions are met:

- a.) the student agrees to periodic drug testing;
- b.) the student is charged with a minor possession/use of marijuana and accepts responsibility for the offense;
- c.) the student has no previous judicial record; and
- d.) the student agrees to submit to substance treatment.

Drug screening (urinalysis) performed at a certified off-campus facility, as arranged by the Office of Student Life upon 48 hours notice. Failure or refusal to be tested as scheduled, or a positive test result, will likely result in suspension or expulsion.

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**22. Postponement of Activity Participation and Conferring of Honors and Degrees**

The College reserves the right to delay or postpone the involvement of a student in any College related activity, or delay or postpone the conferring of any honor or degree, as a disciplinary outcome to a student conduct proceeding.

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**23. Anger Management**

Multiple education sessions designed to teach how to manage conflict and anger effectively in a healthy and appropriate manner. Students sanctioned to anger management are required to pay a \$75.00 fee for service and are required to actively participate in all sessions/assignments.

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**F. The Student Code of Conduct Adjudication Process**

The Office of Student Life is responsible for administering the

judicial caseload for the College. The following is a list of staff members who serve as hearing officers in judicial hearings:

**Director of Student Life**

Located in the Office of Student Life in Seton Court 4508B (x2488), this individual serves as the primary Judicial Officer for the College.

**Associate Directors of Student Life**

There are three Associate Directors of Student Life; one who administers housing operations, one who administers staff development initiatives and Peer Educators, and a third who is responsible for Judicial Affairs. The Associate Director for Judicial Affairs coordinates the judicial system and serves as a hearing officer for most major cases and can be reached at x2488. The other two Associate Directors can be reached at x5081. Their offices are located in the Office of Student Life in Seton Court 4508B.

**Assistant Directors of Student Life:**

Within each of the five main residential areas of the campus, there is an Assistant Director (of Student Life) who adjudicates most cases within their respective areas. ADs are full-time professional members of the Student Life team. They can be reached at the following telephone extensions and office locations:

Seton Court	x2637	LAN 32A
Eastside	x2884	BU 103
Dorothy Day	x2517	DD 103-2
	(Gardens Area)	
Campion	x2049	CAM 100
Newman	x2916	NT E109

**Graduate Residence Coordinators’**

Included on the staffs of each residence area are Graduate Residence Coordinators. GRCs are full-time graduate students who assist with all

aspects of residence hall management including adjudication of violations of the Code of Conduct.

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### **Outline of the Judicial Process**

This section is intended to provide an outline of the judicial process. It is not all-inclusive nor does it indicate that the steps listed must be followed in all situations. It is published so students may be familiar with the process in general.

#### **1. Incidents**

Any member of the College community may file a complaint with a Resident Assistant or with the Department of Public Safety. As part of their daily responsibilities, Campus Police Officers and Resident Assistants submit reports of violations of conduct to the Office of Student Life. If a Student Life staff member (RA or Graduate Resident Coordinator) or a Campus Police Officer confronts a student, the student should contact the Assistant Director of Student Life of that area the next workday. Reports of student violations may also occur at student activity events, athletic events and club sports, off-campus student residences, and public and private commercial establishments.

The Baltimore City Police Department routinely submits reports to the Director of Public Safety regarding incidents in the area surrounding the College, incidents involving Loyola students, or notifications of arrests. The Director of Public Safety forwards these reports to the Student Life Office and a determination is made as to whether the report identifies violations of the Student Code of Conduct. If so, the Associate Dean of Students, or his/her designee, will determine who will notify the students involved of the violations and the subsequent hearing process.

Reports of student violations may also be forwarded to the College by other colleges or universities, neighbors from the communities surrounding the College, hotels or other establishments in the Baltimore area.

The College reserves the right to hold all students responsible for the Student Code of Conduct whether the incident occurs on or off of the College premises. Normally, the same process will be followed for on-campus or off-campus violations. Evidence confiscated during a campus investigation will be retained by the College until the conclusion of the judicial process. Students may forfeit ownership of confiscated materials.

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#### **2. Judicial Responses**

After reviewing the incident report, the Assistant Director of Student Life chooses among several options to address the student(s) involved in the incident. First time violations or minor violations are generally referred to an Educational Conference facilitated by the Assistant Director, a Graduate Resident Coordinator, or a Peer Judicial Board. If the Assistant Director chooses to refer an incident beyond the educational conference level, he/she, in consultation with the Associate Director of Student Life for Judicial Affairs, will determine whether the case will be handled as an Administrative hearing, a Peer Judicial Board hearing, or a Panel hearing. The Assistant Director and the Associate Director also decide who will serve as the judicial officer or who will serve as panel members. Panel members are chosen from a pool of faculty and students trained to hear cases. Both decisions are based on the nature of the incident and the judicial history of the student(s) involved in the incident.

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a. Educational Conference

A Peer Judicial Board or a Graduate Resident Coordinator generally will hear first offense or minor violations of the Student Code of Conduct. During the conference, a discussion will occur as to the student's involvement in the incident and the circumstances surrounding the incident. Together, the student and the hearing officer or Peer Judicial Board will determine what violations of the Code occurred. If a student accepts responsibility for the violations, the remainder of the conference will be spent discussing what sanctions are appropriate. The student then signs the educational conference form indicating agreement with the charges and the proposed sanctions, thus waiving the right to appeal this decision. If the student does not accept responsibility for the violations with which he/she is charged or does not agree with the disciplinary sanction imposed, the case will then be referred to a different hearing officer or Peer Judicial Board for an administrative hearing.

b. Administrative Hearing

An administrative hearing generally occurs when one or more of the following situations exists: 1) a resolution does not occur during the educational conferences, 2) the student fails to attend an educational conference or to respond to a request for an educational conference, or 3) the severity of the alleged violation or the student's prior judicial history warrants an administrative hearing. The student will be notified in writing of the charges of violations of the Code. In the letter, the student will be given the date, time and location of the hearing or will be asked to schedule an appointment. Administrative hearings are held before either the Peer Judicial Board, an administrative

panel, or before an administrative hearing officer. During the hearing, the student will be expected to respond to the charges listed in the charge letter. The student will be asked to explain his or her involvement in the incident and, if found responsible, what sanctions would be appropriate. The "Rights and Responsibilities of Students in the Hearing Process" apply to administrative hearings.

c. Peer Judicial Board

The Peer Judicial Board is a judicial hearing body comprised of five undergraduate students and one non-voting advisor, usually a Graduate Resident Coordinator. In order to have a quorum three students and the advisor must be present. These students are selected and trained to hear judicial cases. The Peer Judicial Board will usually hear cases that involve violations that have an impact on the larger community in which students live. These violations include but are not limited to quiet hours, roommate issues, disorderly gatherings, alcohol violations and visitation. The Peer Judicial Board hears the case, decides on responsibility for the charges and determines sanctions. The "Rights and Responsibilities of Students in the Hearing Process" apply to the Peer Judicial Board Hearings.

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### **3. Student Rights and Responsibilities in the Hearing Process**

Hearings are more structured than educational conferences. However, the intent of the hearing process is not to replicate a court proceeding, but rather to be educational. A hearing is not a formal process such as a civil or criminal trial. Students are not permitted to bring attorneys or parents into the hearing room. Stu-

dents do not have the right to cross-examine witnesses. Failure to attend a scheduled hearing will result in the hearing being held in the student's absence. The following is a list of principles to ensure fairness during the hearing process.

- a. The student shall be informed in writing of the charges against him/her in sufficient time to afford preparation of a defense. Usually, the student is given 48 hours to prepare.
- b. The student has a right to bring an advisor of his/her choice to the hearing to assist with his/her case. The advisor must be a full-time member of the College community (Faculty, Administrator, Staff, or Student) and cannot be an attorney or hold a law degree. The advisor can meet with the student to discuss the student's case prior to the hearing. If the student or the advisor has any questions, they should contact the hearing officer. The advisor's role is to provide personal counsel and support to the accused, but not to present the case or address the panel, board, or hearing officer. The advisor cannot serve as a witness in the judicial proceeding. Students are required to notify the Office of Student Life, 24 hours in advance of the hearing date, if a student plans to bring an advisor. The advisor can request an outline of their role and expectations for their participation in the judicial process.
- c. The student may request to review information pertinent to the case prior to the hearing. The request must be made 48 hours prior to the hearing. Information will be made available within one business day of the request. Videotape or audiotape recordings that may be used as evidence in a judicial proceeding may

be reviewed in advance at the request of the student but will not be duplicated.

- d. The student has the right to bring witnesses to the hearing to testify on his/her behalf. There is no limitation placed on the number of eyewitnesses or corroborating witnesses. Students are limited to two character witnesses to testify on his/her behalf. In the event that a witness cannot attend a hearing, a written statement signed by the witness and completed in the presence of a police officer or Student Life staff member may be submitted as relevant information in a hearing.
  - e. The hearing officer or judicial body may call witnesses to provide information at a judicial hearing. Witnesses are expected to appear for a hearing when requested.
  - f. The hearing will be private. All participants are expected to maintain confidentiality regarding the proceedings. Students who receive any information (reports, transcripts, pictures, etc.) that is used in an investigation or a judicial proceeding are prohibited from disclosing that information to any third party (other than the student's parent/legal guardian or legal counsel).
  - g. A record of the hearing will be kept. Students may request to listen to the tape recording of their own administrative hearing (to be done in the Office of Student Life). A student may request that a written transcript of his or her own hearing be prepared, at the student's expense.
  - h. At the completion of the hearing, the hearing officer will indicate a time and place at which the student will receive the decision of the hearing. The decision will include whether the
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student was found responsible for any or all of the charges and the sanctions, if any, that have been imposed.

- i. If the student is found responsible, the hearing officer or judicial body will then review the student's current judicial history in order to determine sanctions. A sanction letter will be sent to the student, listing the charges, the decision on each charge and the sanctions imposed. The sanction letter will also indicate the process for appealing the decision. The decision letter will be placed in the student's disciplinary file.
- j. The student must complete all sanctions by the specified deadlines as directed by the hearing officer or the judicial body. Those students who have not completed or complied with the sanctions may be charged and found responsible for the violation "Failure to Comply with Judicial Sanctions" described earlier in this Code.

#### **4. The Appeal Process for Student Code Violations**

The student is allowed one opportunity of appeal to the appropriate hearing officer or the College Board on Discipline. The decision of the hearing officer or College Board on Discipline is final. Unless indicated otherwise in the original decision letter, the typewritten appeal should be submitted in person to the Director of Student Life in the Student Life Office; in Seton Court, 4508B. The appeal must be submitted within 48 hours of receipt of the decision letter and must be based upon one of the following grounds:

##### **a. Appeal letter**

a1. Procedural Due Process: the student alleges that that her/his

rights to a fair hearing were violated.

a2. Absence of sufficient evidence to support a decision: the student alleges that the decision was erroneous based on either insufficient evidence or false or misleading evidence presented at the original hearing.

a3. Discovery of new evidence: the student alleges that new evidence discovered since the original hearing might impact the decision of responsibility or determination of sanction.

**The following category may be used only for cases of suspension or expulsion from the College:**

a4. Sanction is grossly disproportionate to the offense: the student alleges that the sanctions imposed are grossly disproportionate to the findings of responsibility for the violations of the Code.

The burden is on the student to provide support for the asserted grounds for appeal in the appeal letter. Failure to follow the guidelines or to provide sufficient support for the allegations will result in the dismissal of the appeal without further proceedings.

Parents/Attorneys are not permitted in the hearing room during the appeal process.

##### **b. Appeal Procedure**

The Associate Director of Student Life for Judicial Affairs will hear the appeal or determine the appropriate hearing officer or the College Board on Discipline to hear the student's appeal. The hearing officer or appeal board will review all information gathered at the hearing, any further evidence, and the reasons for appeal. The hearing officer or appeal board will then decide the appeal and meet with the student to share the results.

## c. The College Board on Discipline

The College Board on Discipline serves as the appeal board for serious cases involving suspension from the residence halls or suspension or expulsion from the College. The Board is comprised of three faculty members, two students and a non-voting administrator. Except in cases involving the discovery of new evidence, the Board will review the appeal based upon the hearing record and the decision and rationale of the hearing officer or judicial body in the initial hearing. In most circumstances, the Board will meet with the student who is making the appeal, the original hearing officer, and may request to meet with other persons involved in the case. Corroborating witnesses and up to two character witnesses are allowed to attend or submit written statements at the request of the accused student with advance notification to the Office of Student Life (24 hours in advance of the hearing). In the event that new information becomes known to the College following the original hearing and prior to the appeal, the original hearing officer will notify the student of the new information and give him/her the opportunity to respond. The original hearing officer/panel may leave the decision in place or lower the sanctions (if appropriate) but may not increase the sanctions. All new information will be forwarded to the College Board on Discipline for consideration if an appeal is granted.

In cases where the appeal is based on a claim of newly discovered evidence, the Board will first determine if the proffered evidence was not known at the time of the original hearing. If the evidence is found to be newly discovered, then the Board will consider the existing record, the original decision and rationale, and the

newly discovered evidence.

The College reserves the right to have a modified board hear the appeal or have the Vice President for Student Development - Dean of Students or her designee hear the appeal when circumstances warrant it.

## d. Possible Outcomes of the Appeal

The hearing officer or judicial body hearing the appeal can respond accordingly:

- d1. Affirm the original decision of the hearing officer or judicial body;
- d2. Affirm the original decision of responsibility for some or all of the charges and change the sanction (sanction may be reduced or may be increased);
- d3. Change the original decision of responsibility based on new evidence presented.

## 5. Judicial Records

The judicial records of Loyola College students are maintained in the Office of Student Life for a maximum of three years after a student's anticipated graduation year. Records of students who are expelled from the College will be maintained permanently. The records normally include: the original report(s) of the incident(s) or situation(s) alleged to be in violation of College regulations and all correspondence of the hearing officers or judicial bodies. In cases of suspension for a specified period of time, class registration and readmission are blocked until all sanctions are completed and acknowledged by the Dean of Students or his/her designee.

The College abides by the Family Education Rights to Privacy Act of 1974 which contains guidelines for the handling and confidentiality of

student records. FERPA gives students certain basic rights:

To review the College's policy concerning FERPA, consult the Undergraduate Catalog. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the College discloses educational records without consent to officials of another school in which a student seeks or intends to enroll.

**Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-4605**

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## II. Related Policies

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### A. Alcohol and Drug Education and Support Services (ADESS)

This Department is staffed by two full time counselor-educators and an administrative assistant. Department offices are located in Seton Court 02B next to the Health Center on the west side of campus. *Call 410-617-2928 for information or a confidential individual session with a counselor to discuss any of the information in this document, or visit the Web Site:*

<http://www.loyola.edu/adess/>, which describes further the services available and gives information about alcoholism and related problems. ADESS services are free to Loyola undergraduate and graduate students.

#### 1. Loyola College, through its Department of Alcohol and Drug Education and Support Services,

conducts alcohol and drug abuse prevention education programs, developed and presented with involvement of peer educators. ADESS provides confidential intervention, support, and referral services for students with, or at risk to develop, alcohol or other drug problems, including individual and group counseling and an on-campus state-certified Outpatient Treatment Program. The Department offers support services to students choosing a lifestyle free of alcohol or other drugs. Substance Free Housing is available through the Office of Student Life. Help is also available to students

experiencing difficulty due to the alcohol or other drug use of someone close to him or her, including a roommate, girl or boyfriend, or parent, in the latter case often called “Adult Children of Alcoholics” (ACOAs). There are numerous twelve step meetings close by campus, (e.g., Alcoholics Anonymous, Narcotics Anonymous, Adult Children of Alcoholics, Al-Anon), with a solid core of Loyola students in recovery to aid the newcomer.

#### 2. Health Information

The following points deserve special emphasis:

- a. Severe consequences can result from the use and abuse of alcohol and other psychoactive substances, without the development of alcoholism or other drug dependence.
  - b. Alcohol or other drug dependence can and does develop rapidly in teenagers and young adults.
  - c. Although addictive disease can develop in almost any chronic user of psychoactive substances, persons from families with a history of alcoholism, especially in parents and grandparents, are at risk to develop alcohol or drug dependence themselves. These persons tend also to be at risk to develop other problems, including eating disorders and difficulties in intimate relationships.
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d. Use of any non-physician prescribed medications, including “street drugs”, regardless of the representations which may be made by the person promoting their use, is inherently risky since no one can be sure of their contents, purity, toxicity, or dosage.

e. **It is estimated that as many as 50 college students die each year from excessive alcohol use. Drinking too much alcohol too fast can kill you. Mixing alcohol and other drugs, whether prescribed, over the counter medications, or street drugs, can also be deadly.** If you encounter a person who is passed out, or unconscious and cannot be easily aroused, or appears to have trouble breathing, it can be a fatal decision to put the person to bed, unattended, “to sleep it off.” The safest action is to call for help. *Call Campus Police Extension 5010 and 911.*

### 3. Health Risks

#### a. Alcohol

Alcohol, a drug, is a central nervous system depressant. With moderate drinking a person may experience flushing, dizziness, dulling of senses, and impairment of coordination, reflexes, memory and judgment. Taken in larger quantities death may occur due to depression of the parts of the brain that control breathing and heart rate. Drinkers who also smoke are more at risk for developing certain cancers. Pregnant women who drink risk fetal alcohol syndrome in the newborn. It is important to read labels of over-the-counter medications for cautions about the use of alcohol while on a particular medication.

*College students who “binge drink” (drink to get drunk) are at significant risk while drinking for personal injury, acquaintance rape, and unplanned, unprotected sexual activity which could result in pregnancy and exposure to sexu-*

*ally transmitted diseases, including the AIDS virus.*

The dangers of drinking and driving cannot be overemphasized. Data suggest that despite widespread knowledge of these dangers, a significant number of college students continue to drive under the influence of alcohol.

#### b. Controlled Psychoactive Substances

For a listing of possible effects, effects of overdose, withdrawal signs and symptoms, and potential for dependence of substances regulated under the Federal Controlled Substances Act (21 U.S.C. 811), refer to Table 1, attached to this document.

*Oxycodone or OxyContin* (“poor man’s heroin”, “Oxicotten”, “Oxycet”)

Oxycodone is a semi-synthetic opiate similar in its drug effects to heroin. It is legally marketed in combination with aspirin (Percodan) or acetaminophen (Percocet) as a medium strength pain-killer, and in a controlled release form (OxyContin). OxyContin has been abused as a street drug in recent years with 59 deaths attributed to overdoses from use of this drug. OxyContin’s overdose danger is due to the fact that it has been marketed in doses of oxycodone of up to 160 mg. As with most central nervous system depressants, this drug’s lethal effects are compounded when it is taken with alcohol. Effects of a normal dose of oxycodone can include euphoria, drowsiness, respiratory depression, and nausea. Overdoses can cause slow and shallow breathing, clammy skin, convulsions, coma, and death. Continued use of oxycodone in any of its forms can result in dependence.

#### *Club Drugs*

Rohypnol, GHB, and Ecstasy, described below, are “club drugs”

found at dance parties, “raves”, dance clubs, and bars. Rohypnol and GHB are also reported to have been used in sexual assaults on college campuses in the United States, primarily in combination with alcohol. News stories have been published of unsuspecting use by women followed by rape and inability by the victim to clearly identify the perpetrator. While use of these drugs has not been documented at Loyola, students should exercise caution in drinking situations. Here are some ways to try to protect oneself:

- Do not go to parties alone; there is safety in numbers.
- Do not accept a mixed drink, or opened container; watch your drink being mixed.
- Don’t share or exchange drinks with others.
- Don’t leave your drink unattended.
- If you feel disoriented, out-of-control, or not able to care for yourself, or make decisions, ask for help.

*Rohypnol* (“Roofies”, “roche”, and “R-2”)

Rohypnol, the trade name for a sedative hypnotic drug called flunitrazepam, is a benzodiazepine drug similar to Valium<sup>(TM)</sup> or Xanax<sup>(TM)</sup>. The drug is approximately 10 times more potent than the benzodiazepines mentioned, producing a marked sedative effect which begins within 30 minutes of oral ingestion, peaks within 2 hours, and may persist up to 8 hours. In addition to causing muscle relaxation, slowing of psychomotor responses and mental impairment, the drug is noted for its ability to produce amnesia resulting in an inability to clearly recall events which occurred while impaired. Continued use can produce dependence, with dangerous withdrawal symptoms including seizures and cardiovascular collapse.

*GHB* (“Liquid G”, “liquid ecstasy”, “somatomax”, “scoop”)

GHB (gamma-hydroxybutyrate) is a depressant drug, not approved for use in the United States, which has also been implicated as a date rape drug. It is cheap, easily manufactured, and has allure due to its past use in the 1980s in health food stores as an alleged alternative to steroids for bodybuilders (an unproved claim). In high doses this drug can be dangerous and lethal, causing nausea, confusion, somnolence, unconsciousness, coma, and respiratory arrest. Reports of sexual assaults linked to GHB have resulted in legislatures in 11 states enacting laws with severe penalties for possession or distribution of the drug. GHB is particularly dangerous when combined with other sedatives (including alcohol) or other drugs.

*Ecstasy or MDMA* (“XTC”, “e”, “X”, “Adam”, “Clarity”, “Lover’s Speed”)

MDMA (methylenedioxyamphetamine), commonly referred to as “Ecstasy”, is chemically similar to the stimulant amphetamine and the hallucinogen mescaline. MDMA is taken orally, usually as a tablet or a capsule. Its effects last approximately 3 to 6 hours. Though by reputation considered a benign drug which produces peace, empathy, and energy, MDMA can be dangerous. It can produce a significant increase in heart rate and blood pressure. MDMA’s amphetamine-like effects enable users to dance for extended periods, but interferes with the body’s ability to regulate temperature, which may lead to *dehydration, hypertension, and heart or kidney failure*. Some users have died as a result of these effects. There is also some research suggesting that MDMA use may have a toxic effect on neurochemicals in the brain involving memory, mood, and sleep.

## **B. Immediate Removal From Campus**

A student who presents a threat to his or her well being or to the rights, safety and property of others as determined by the Vice President for Student Development or his/her designee may be subject to immediate removal from the campus. The student may not re-enter any campus buildings, including the residence halls, or be present on campus without the written permission of the Vice President for Student Development or his/her designee.

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## **C. Parental Notification**

The Office of Student Life, the Vice President for Student Development, or his/her designee at their discretion, may notify parents of dependent students under the following circumstances:

1. Health and safety matter whether or not student is hospitalized;
2. When a student's housing or student status is in jeopardy;
3. Violations in the local community;
4. Disciplinary or judicial matters.

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## **D. Parking Policy**

First year students are prohibited from having cars. Upperclass students must register their cars and comply with all published parking policies. Failure to comply with parking guidelines may result in disciplinary action.

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## **E. Policy Restricting the Promotion of Alcohol**

Loyola College prohibits alcohol-related advertising in any College-sponsored or College-supported publication. In addition, Loyola

reserves the right to refuse advertising from establishments that encourage or facilitate underage drinking.

Loyola College prohibits promotional sponsorship of events by alcohol-related companies and businesses. For purposes of this policy, alcohol-related companies and businesses are defined as companies whose primary purpose is sales or distribution of alcohol.

The College, in accordance with state and federal laws, bans underage drinking. The College opposes, and therefore restricts, events or activities that encourage alcohol use by underage students or alcohol abuse by anyone.

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## **F. Separation for Medical Reasons**

The intent of this policy is to assist students who are not able to function effectively in the College community for medical reasons, including a mental, emotional, or psychological disorder / conditions. It is also the intent of this policy to enable the student to continue toward the successful completion of his/her academic goals, if not immediately, then in the future.

A student will be subject to withdrawal from the College if it is determined that the student is suffering from a medical or psychological disorder/condition, which can include alcohol or other substance dependence, and as a result of the disorder/condition:

1. Engages or threatens to engage in, or is likely to engage in, behavior that poses a significant danger to self or others;
2. Engages or threatens to engage in, or is likely to engage in, behavior that directly and substantially interferes with the lawful activities of others;

3. Engages or threatens to engage in, or is likely to engage in, behavior that substantially impairs the results in the student's inability ability to pursue academic work; or

4. Refuses to cooperate with efforts deemed necessary by the Associate Dean of Students or his or her designee (the "Associate Dean") Development to determine whether the student's behavior falls within one or more of the criteria listed above.

The Associate Dean will notify the student that a separation for medical reasons is under consideration and arrange for a conference with the student. In addition, the Associate Dean may require that the student undergo an evaluation by an appropriate licensed health care practitioner of the student's choosing within a time period specified by the Associate Dean. The results of this evaluation, along with any recommendations, will be forwarded to the Associate Dean. Any such recommendations are not binding on the College.

Before separating a student for medical reasons a student is separated for medical reasons, the Associate Dean shall convene (and may participate in) a review committee comprised of professional staff members from the Counseling Center, the Health Center, and Student Life. The committee will review all information related to the case, including any evaluation or treatment plan for the student, and make a decision regarding the student's status. The Associate Dean committee shall notify the student in writing of any decision by the review committee to withdraw the student.

Within five days of receiving the notice of withdrawal, the student may appeal the decision by sending a written request to the Vice President for Student Development explaining why

the student believes the withdrawal is unwarranted. At the discretion of the Vice President for Student Development, the withdrawal may remain in effect during the period of the appeal. The Vice President for Student Development will review the student's request, may consult with the student, the Associate Dean, and/or or with the review committee, and may review the information reviewed considered by the committee. The Vice President for Student Development will make a decision within 5 days of receiving the appeal and will notify the student of the decision. This decision is final. If the Vice President for Student Development is not available to act in connection with the appeal, he or she may appoint a designee; provided, however, that the designee may not be the Associate Dean or an individual who served on the review committee in the student's case.

If a student's behavior poses a significant danger of causing imminent harm to the student or to others, or of directly and substantially interfering with the lawful activities of others, the Associate Dean may require an immediate interim withdrawal of the student. Such interim withdrawal will remain in effect until review committee renders a decision regarding the student's separation for medical reasons or the Associate Dean otherwise rescinds the interim withdrawal, whichever is sooner. During the period of the interim withdrawal, reasonable efforts will be made to expedite the evaluation and review process described above.

A student who is withdrawn under this policy is required to comply with any conditions established by the College at the time of separation or at the time of proposed re-enrollment. In this regard, the Associate Dean may require a recommendation from

the Director of the Health Center or the Director of the Counseling Center or any additional documentation or evaluation deemed necessary.

Information regarding financial aid, federal student loans, and tuition refund policy in the case of a leave of absence is set forth in the Undergraduate Catalogue.

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## **G. Loyola College in Maryland Harassment and Discrimination Policy and Procedures**

Approved by the Loyola Conference on 12/9/03

### **Purpose**

Loyola College does not discriminate on the basis of race, sex, color, national or ethnic origin, age, religion, disability, marital status, or sexual orientation in the administration of any of its educational programs and activities or with respect to admission or employment. Prohibited discrimination includes harassment on the basis of a protected classification and harassment based on participation in “protected activity” (i.e., opposition to prohibited discrimination or participation in the statutory complaint procedure). Discrimination, including harassment, is inconsistent with Loyola’s commitments to excellence and to respect for all individuals. Loyola is also committed to the free and vigorous discussion of ideas and issues, which the College believes will be protected by this policy.

### **Scope**

This Policy prohibits discrimination, including harassment,

against students or employees of Loyola College by anyone on College property or at College-sponsored activities. This Policy will apply to situations in which both the person alleging discrimination or harassment (the “complainant”) and the person accused of discrimination or harassment (the “respondent”) are employees or students of Loyola College.<sup>1</sup>

Allegations of discrimination or harassment made against a student in his/her capacity as a student will be resolved through the student judicial process, rather than under this Policy. Allegations against student employees in their capacity as employees will be resolved through this Policy and will be reported to the Assistant Director of Student Life.

Allegations involving individuals who are not current employees or students of Loyola (e.g., applicants for admission or employment, alumni, independent contractors, vendors, recruiters) will be addressed on a case-by-case basis using an appropriate procedure as determined by the Human Resources Department.

Harassment other than on the basis of a protected classification also is prohibited by College policy and may be the subject of a complaint using either the Grievance Procedure for Complaints Made Against Faculty or the Grievance Procedure for Complaints Made Against Staff, Administrators, and Student Employees, as applicable.

### **Policy**

I. Loyola is committed to protecting the academic freedom and freedom of expression of all members of the College community. This policy against discrimination and harassment

shall be applied in a manner that protects the academic freedom and freedom of expression of all parties to a complaint. Academic freedom and freedom of expression include but are not limited to the expression of ideas, however controversial, in the classroom, residence hall, and, in keeping with different responsibilities, in workplaces elsewhere in the College community.

## II. Definition of Harassment

a. Harassment means unwelcome verbal, written or physical conduct based on a protected classification (sex, race, age, etc.) that has the purpose or effect of unreasonably interfering with an individual's work or education (including living conditions) or that creates an intimidating, hostile or offensive environment.

b. Sexual harassment is a form of harassment with specific distinguishing characteristics. It consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made, explicitly or implicitly, a term or condition of an individual's employment or education; or
- submission to or rejection of such conduct is used as a basis for employment or educational decisions affecting an individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work or education (including living conditions), or creating an intimidating, hostile or offensive environment.

c. The conduct alleged to constitute harassment under this policy should be evaluated from the perspective of a reasonable person similarly situated to the complainant and considering all the circumstances.

III. In considering a complaint under Loyola's Harassment and Discrimination Policy, the following understandings shall apply:

a. Harassment must be distinguished from behavior that, even though unpleasant or disconcerting, is appropriate to the carrying out of certain instructional, advisory, or supervisory responsibilities.

b. Filing a complaint under this policy does not preclude an employee from filing a charge of employment discrimination with the EEOC, or Maryland Commission on Human Relations, within the time frames established by those agencies. Filing a complaint under this policy does not preclude a student from filing a written complaint with the Department of Education's Office of Civil Rights within 180 calendar days of the date of the alleged discrimination.

IV. The following behaviors are also prohibited by the Harassment and Discrimination Policy:

### a. Retaliation

a1. It is a violation of Loyola's Harassment and Discrimination Policy to retaliate against any person in connection with making or participating in an investigation of an allegation of harassment or discrimination. A complaint of retaliation may be pursued using the steps set forth in this Policy. When necessary, the College will monitor student grading or faculty/staff

reappointment, tenure, promotion, merit review, or other decisions in order to ensure that prohibited retaliation does not occur.

a2. The College reserves the right to take immediate measures to prevent incidents of discrimination or harassment pending the outcome of any proceedings under this Policy.

**b. Knowingly Filing False Complaints**

Knowingly filing a false complaint of harassment or discrimination or retaliation is a violation of this Policy. A complaint under this provision shall not constitute prohibited retaliation.

**c. Intentional Breaches of Confidentiality**

All participants in this process, including the complainant and respondent, witnesses, investigators, supervisors or their designees, and College officers, shall respect the confidentiality of the proceedings to protect the privacy and reputations of the individuals involved in the process. Participants are authorized to discuss the case only with those persons who have a legitimate “need to know.” Any questions regarding confidentiality, including who has a “need to know” in a particular case, should be directed to Human Resources.

A complaint alleging an intentional breach of confidentiality may be pursued using the steps followed for a complaint of harassment or discrimination. Such a breach may also constitute an act of retaliation. A breach of confidentiality may void the outcome of any previously agreed-upon resolution to a complaint.

**V. This Policy and the attached Procedures for Resolution of Claims of Harassment and Discrimination are only part of**

Loyola’s effort to prevent discrimination and harassment in our community. In addition to spelling out steps for making and resolving complaints, the College is also committed to programs of education to raise the level of understanding concerning the nature of discrimination and harassment and ways to prevent their occurrence.

**NOTE: This Harassment and Discrimination Policy replaces previous statements on sexual harassment and discrimination in Staff and Administrator Personnel Policy Manuals, and the Faculty Handbook.**

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**Procedures for Resolution of Claims of Harassment and Discrimination**

**VI. Introduction**

Loyola’s Harassment and Discrimination Policy reflects the commitment to maintain a community that is free from discrimination and harassment of any kind. Loyola has designed procedures for prompt internal resolution of harassment and discrimination complaints that arise within the College community. Loyola will undertake immediate and appropriate corrective action whenever it determines that harassment or discrimination has occurred in violation of the policy.

Responsibility for overseeing the resolution of claims of harassment or discrimination rests with the Human Resources Department. A senior staff member within the Department, in most cases the Director of Employee Relations and Professional Development, will be designated to respond to complaints of harassment.

Other College personnel are also available to provide consultation and assistance regarding harassment and discrimination complaints. Human Resources staff and the Director of Employee Relations and Professional Development are trained to assist either with informal resolutions or with filing of grievances or complaints. Supervisors of employees and deans who work with faculty and students across the campus can provide guidance about responding to situations that individuals believe to be harassing or discriminatory.

### **VII. Counseling and Informal Intervention**

A member of the Loyola community who believes that he or she has been harassed or discriminated against in violation of this policy is encouraged to take action in any of the following ways. Individuals are encouraged to report harassment or discrimination as soon as possible. Although none of the actions described below is required before an individual may file a formal complaint, Loyola's Harassment and Discrimination Policy favors informal resolution of claims whenever such resolutions can be effected fairly. A complainant may end the informal stage at any time and may initiate a formal complaint.

#### **a. Options for Informal Resolutions**

a1. Discuss the situation with senior staff in the Human Resources Department or the Director of Employee Relations and Professional Development or other designated individuals, who are available through the following offices:

#### **Undergraduate Students:**

Office of Student Development  
Director of Athletics

Dean of First-Year Students and Academic Services

Dean of Admissions

Dean of the College of Arts and Sciences

Dean of the Sellinger School of Business and Management

#### **Graduate and Professional Students:**

Dean of the College of Arts and Sciences

Director of Graduate Admissions

Associate Dean of Executive and Business Programs

Dean of the Sellinger School of Business and Management

#### **Faculty:**

Human Resources Department

Office of the Vice President for Academic Affairs

Assistant Vice President for Academic Affairs and Diversity Deans

#### **Staff and Administrators:**

Human Resources Department

a2. Meet with the individual whose behavior is disturbing, discuss the situation, and make it clear that the behavior is unwanted. Such actions may be discussed with Human Resources in advance of the meeting.

a3. Contact the supervisor or dean of the person whose behavior is disturbing and request assistance to stop the behavior.

a4. Request assistance from Human Resources for an informal intervention.

#### **b. Informal Interventions**

Human Resources may assist an individual who does not wish to file a formal complaint, but who seeks

informal intervention to end conduct that the person believes violates the Harassment and Discrimination Policy.

Human Resources, or another person designated by Human Resources, may discuss the alleged conduct with the respondent, remind him or her of College policies against harassment and discrimination, and seek a commitment by the respondent to comply with these policies.

After an informal intervention has concluded, Human Resources will collect and maintain all documentation concerning the complaint. Such a record will be kept in order to document that the claim of harassment or discrimination was made informally and that a resolution was reached without a finding in the situation.

**NOTE: Some forms of behavior that are disturbing to members of the Loyola community may not meet the definition of harassment or discrimination found in Loyola's Harassment and Discrimination Policy. Such behavior may, nonetheless, be prohibited by other policies, rules, or procedures. Questions about handling complaints under any of other policies and procedures may be directed to Deans and to Human Resources staff.**

## VIII. Initiating a Formal Complaint

### a. Timeframe for Filing

All complaints of harassment or discrimination should be filed with Human Resources as soon after the offending conduct as possible, but in no event more than 180 calendar days after the most recent conduct alleged to constitute harassment or discrimination. Human Resources may grant a reasonable extension of

any other time period established in these guidelines; however, the 180 calendar days time limit for filing a formal complaint shall not be extended.

The 180 calendar days statute of limitation on the filing of claims is intended to encourage complainants to come forward as soon as possible after the offending conduct and to protect respondents against complaints that are too old to be effectively investigated. There may, however, be sound reasons why a complainant does not come forward within 180 calendar days. Although such a complaint cannot be pursued under the formal complaint procedures, there may still be options for responding to such complaints through counseling or informal intervention. If sufficient evidence is available, an investigation can be undertaken by appropriate authorities to determine if the behavior constitutes misconduct sanctionable under other judicial processes.

### b. Written Complaint and Response

A formal complaint must be submitted in writing to Human Resources and signed by the complainant. This written complaint shall include the names of the complainant and the respondent and the details of the conduct alleged to be harassment or discrimination. Within five calendar days of receiving the written complaint, Human Resources will provide the respondent with a copy of the complaint. The respondent must submit to Human Resources a response to the charges within fourteen calendar days. Upon receipt of the respondent's answer to the complaint, the Human Resources shall forward a copy of the response to the complainant.

**c. Settlement Negotiation**

Within seven calendar days of receiving a copy of the response to the complaint, Human Resources shall schedule a meeting with each of the parties, together or separately, to attempt to negotiate a settlement of the complaint.

A settlement shall occur when the parties agree in writing to a resolution of the complaint. A resolution may include, but is not limited to, withdrawal of the complaint without the right to re-file it; an agreement by the respondent to terminate or not repeat specific conduct; an apology; or participation in counseling. Human Resources shall review all settlements to ensure that the parties fully understand the terms. If there is any sanction agreed to as part of the resolution, the official responsible for implementing any such sanction must also agree to the settlement.

**d. Finding, Determination, and Sanction**

If a settlement is not reached within thirty calendar days of this initial meeting, Human Resources shall make a written determination that includes a finding of whether the conduct alleged in the complaint occurred, and whether such conduct violated Loyola's policy against harassment and discrimination.

If Human Resources determines that the respondent violated Loyola's policy against harassment and discrimination, Human Resources shall consult with the appropriate responsible official (as defined below) to determine the sanction to be imposed by the College. Taking into account the nature and severity of the violation and the respondent's employment record, sanctions may include: participation of the respondent in counseling; prohibition of the respondent from

participating in grading, honors, recommendations, reappointment and promotion decisions, or other evaluations of the complainant; letter of reprimand and a copy of the complaint and its disposition placed in the respondent's personnel file; restrictions on the respondent's access to College resources, such as merit pay or other salary increases for a specific period; or suspension or dismissal from the College, all in accordance with established College policies and procedures.

Human Resources shall notify the complainant and the respondent by campus mail of the determination and, in the case of a determination that the policy was violated, of the sanction to be imposed.

**e. Responsible Official**

e1. In cases in which the respondent is a member of the faculty, the responsible official shall be the Dean of the school or college to which the respondent belongs, or the Vice President for Academic Affairs.

e2. In cases in which the respondent is a non-faculty administrator or staff member, the responsible official shall be the appropriate Vice President, or his or her designee. However, if the respondent is a non-faculty administrator or staff member in a division that reports directly to the President, the responsible official shall be designated by the President. If the Respondent is the President, the responsible official shall be the Chair of the Board of Trustees.

e3. In cases in which the respondent is a student employee (graduate or undergraduate), the responsible official shall be the appropriate Vice President of the division or Dean of the college in which the student is employed.

**IX. Appeals to the President**

Within fourteen (14) days of receiving notice of the determination and the sanction, if any, the complainant or the respondent, or both, may file an appeal, in writing, with the President based on one or more of the following grounds:

1. The determination is not supported by the evidence.
2. Relevant evidence that was not available for consideration prior to the determination being made has been discovered.
3. The sanction is disproportionate to the offense.
4. Procedural error(s) occurred that materially affected the outcome of the investigation.

The President shall review the appeal based on the written record, without a hearing. The President may remand the case to Human Resources for further investigation and findings. Within thirty (30) days of receipt of the last-filed appeal, the President shall render a final decision, in writing, to the complainant and the respondent.

**X. Monitoring**

**a. Annual Record**

At the beginning of each academic year, Human Resources shall submit a written report to the President setting forth the number of informal and formal cases filed in the prior year; which of these cases, if any, reached mediated solutions.

b. The report shall specify the number of cases in which Human Resources made findings of harassment or discrimination, the types of harassment or discrimination

found, and the final disposition of the cases, including any disciplinary action taken. The cases shall be reported in a manner that protects the privacy of the parties. The President shall make the annual report available to all members of the College community.

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<sup>1</sup> Loyola students and employees who are studying or teaching off-campus (e.g., semester abroad) or are on a leave of absence (e.g., medical leave, sabbatical) remain covered by this policy.

## III. Residence Hall Policies and Procedures

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The cornerstone of the Student Life program is developing a sense of community, which necessitates consideration for others and responsibility for one's actions. The residence halls are communities that are bound by shared beliefs and ethics that offer as a core value an appreciation of the diversity of many individuals living there. A residence hall experience will further one's education and personal development and will offer challenge and support. Living in a college residence is a privilege offered to students, and carries with it the responsibility for fulfilling the terms of the Residence Contract. The College expects students to become familiar with the policies, to take responsibility for their actions and to be sensitive to and considerate of the community in which they live.

These policies are based on respect for others, the environment, the mission of the College, and the rights and responsibilities of community living. All residents are accountable for any behavior in the residence halls that infringes on individual or group rights or jeopardizes the health and safety of individuals and property.

The policies are set forth in writing in order to give students a general notice of expectations and prohibited conduct. The policies should be read broadly and are not intended to define misconduct in exhaustive terms. Violations of these policies also constitute violation of the Student Code of Conduct and may be referred for disciplinary action.

### A. Check In and Check Out

Anytime a student moves into a room, suite or apartment, whether at the initial check in or sometime during the year, a Room Condition Form must be completed with the student's RA, signed and submitted to the Assistant Director within 24 hours. The exact condition of every item should be carefully described on the Room Condition Form. When a student moves out of his or her living area, all keys are to be returned. At this time, the condition of all items in the room will be compared to the condition originally described on the Room Condition Form. Any damage beyond normal wear and tear will be billed to the individual. Students who do not check in or check out properly may be fined \$50.00

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### B. Furnishings

The College provides each resident with a bed, mattress, desk and chair, desk lamp, drawer space, and in some cases, bookshelves, dining room table and chairs, end tables, couch and chairs. Students are responsible for maintaining the condition of the furnishings in their room as well as in any common areas, such as lounges and lobbies. Lofts are not permitted in the residence halls.

Students may arrange furniture within a room in any reasonable manner, providing that all furniture is placed in its original location at check out. Furniture may not be moved from one room to another or one

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apartment to another. Extra furniture resulting from a vacancy in a room may not be moved into hallways, storage, or common areas.

Furnishings provided for common area lounges and community rooms may not be moved to individual rooms, suites or apartments. Students who move furniture from common areas will face a minimum fine of \$25.00. Room configurations must meet fire codes. For example, suite assignments must consist of furnishings for three residents in one room and furnishings for two residents in another. Approval for extra furniture (oversized beds, couches, etc) is at the discretion of the area Assistant Director and will be based on safety and fire code/policy.

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### **C. House Agreements, Room Agreements and Roommate Agreements**

Following check in, each house will develop a House Agreement defining the standards for behavior within their particular community. House Agreements are developed within the parameters of the Student Code of Conduct. Once developed, all residents of that house will be held accountable for upholding the agreement. If changes are needed during the year, house members should organize a house meeting and revise their original agreement. If a student fails to uphold an agreement, they may be relocated to another room/building.

Substance-free living is a more restrictive environment where all residents and their guests agree to keep their rooms, the building, and the 30-foot perimeter around the building free from prohibited substances at all times. Prohibited substances include but are not limited to tobacco products, alcohol, illegal drugs, and mis-

use of legal prescription drugs. Residents who request and/or are assigned to Substance-free Housing (SFH) will likely be relocated/moved if they or their guests use prohibited substances in a substance-free area.

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### **D. Special Interest Housing**

Students living in Special Interest Housing areas will be held to House Agreements developed for their community. Students who violate the provisions of any Special Interest House Agreement may be required to relocate to the first available space in College housing.” (Refer to individual House Agreements).

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### **E. Keys and ID Cards**

Students receive keys at check in whether at the beginning of the year or when moving during the year. Keys may not be duplicated or loaned to friends or roommates. Students who lose their keys must report the loss to their Assistant Director. They will be given a spare key for 24 hours. After 24 hours, if they have not found their original key, their room/apartment will be rekeyed. All costs involved will be the responsibility of the student (\$65.00 per re-key). Students will also be billed for keys not returned at check out. Key Prices: Room/Apartment Key \$40.00, ID Cards \$15.00, (price quoted at time of printing).

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### **F. Room Changes**

Each semester, a week is designated as “Move Week”. All students desiring to initiate a move should do so by informing their Assistant Director during this week. See your Assistant Director for details. Only those students who follow the guidelines of the process will be eligible to move. Resi-

dents who change rooms without obtaining approval from Student Life may be required to move back to their assigned room. In addition, a \$50.00 fine and deferred residence hall suspension may be sanctioned.

At any time during the year, if residents change bedrooms within an apartment or suite, your Assistant Director should be notified. This is important as each bedroom is assigned a different telephone number, and your initial Room Condition Form indicates the bedroom you originally chose or were assigned.

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### **G. Room Condition**

Roommates are jointly responsible for maintaining the cleanliness of their room or apartment throughout the year and to leave it clean upon vacating. If a room or apartment requires more than normal cleaning, at any time, each student will have appropriate charges assessed. Periodic room inspections occur throughout a semester.

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### **H. Room Inspection**

Inspections of the student's living areas will be performed from time to time throughout the year. An inspection may be called for purposes of furniture inventory, or sanitary and cleaning inspections. If a room fails a room inspection, judicial action will be taken and the housing status of the student in the room will be reviewed.

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### **I. Room Entry**

The College will make every reasonable effort to respect your privacy. However, the College reserves the right to entry without notice in emergency situations, for spot inspections, and for such purposes as are neces-

sary to ensure the comfort, safety, and protection of all members and property of the Loyola community.

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### **J. Damage to College Property**

If any furniture, equipment, or building structure is damaged, the expense of repairs will be borne by the person(s) responsible for the damage or loss. In an individual room, suite or apartment, the occupants will share the expense of repairs unless the Office of Student Life has determined the identity of those responsible. Residents will be subject to room repainting charges if the use of tape or other adhesives results in damaged surfaces. Charges for damage caused by nails and thumbtacks may also be assessed to residents. If a room, suite or apartment sustains intentional or reckless damage of \$50.00 or more, the housing status of the residents will be reviewed.

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### **K. Common Area Damage**

Each student has a responsibility for public areas that are common to all residents, such as lounges, hallways, stairwells, elevators and community rooms. In the event of any damage to a common area, all residents living in that area may be charged unless the person(s) responsible can be determined. The fairest way to make restitution for damages that disrupt the community is to bill only those responsible, so each resident is encouraged to accept responsibility for his or her own behavior. It is everyone's responsibility to help minimize damages. Residents who witness damage occurring are encouraged to bring this information to the attention of the Office of Student

Life. Every effort will be made to determine who is responsible. Charges for damages are based on repair or replacement costs to restore the room, suite or apartment, item of furniture, equipment, or common area property to its original condition.

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## L. Damage Billing

At any time during the year, but particularly at the end of each semester, students may be billed for the cost of cleaning, repairs, and/or replacement of college property. The billing process begins with Physical Plant generating a bill for damage or vandalism. Physical Plant then directs the bill to the Office of Student Life. An Assistant Director of Student Life determines responsibility for the damage and sends the bill to the student(s). **Damage exceeding \$50.00 at any time during the year could result in deferred residence hall suspension or immediate suspension from the residence halls. Students are personally responsible for reporting damage immediately to the Physical Plant, Campus Police or the Assistant Director of Student Life.**

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## M. Residence Hall Closing / Opening

When residence halls are closed, all residents must vacate the buildings by the time indicated. Failure to do so may result in a \$50.00 fine. Travel plans should be made according to this schedule. Closings can be a busy time for everyone at the College. In preparation for breaks and closing, students are expected to:

1. Unplug all appliances (except the refrigerator).
2. Remove all perishables from the refrigerator and apartment.

3. Leave shades and curtains open except on the first floor.
4. Empty all trash and remove newspapers and all recycling material.
5. Close and lock windows.
6. Turn off lights.
7. Lock room door.
8. Take home everything you will need over break since no one may enter any hall after closing.
9. Consider taking all valuable items home.
10. Remove all recycling materials (paper, bottles, cans, etc.).
11. Set heat at 70 degrees Fahrenheit.

All rooms will be checked for violations during the break. Avoid fines by fulfilling the above requirements. Note: \$5.00 per person, per item for items not unplugged. Entry into the halls during a break period will be granted to students for emergency purposes only, and there will be a minimum charge of \$10.00 for access. An emergency is defined as obtaining official documents or needed medication/medical devices prescribed by a doctor.

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## N. Contract Extensions

Contract extensions may be granted during break periods for academic reasons only. All requests for contract extensions should be made through the Associate Director of Student Life (x5081), and those granted extensions are subject to billing. While under contract extensions, students may not host guests or violate the Student Code of Conduct. If such events occur, suspension of future extensions may result.

## O. Lockouts

Students locked out of their room/apartment should call Campus Police at extension 5010. During times when the residence halls are open, students will be charged **\$10.00** for entry assistance. There will be a minimum fee of **\$25.00** for access granted during a break period.

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## P. Maintenance and Work Orders

Maintenance in the residence halls is performed by staff members of the Physical Plant Department. The College counts on the students to be aware of any damage or situation that warrants the attention of Physical Plant, and to communicate that to them as soon as possible. Some of the typical repair services provided by Physical Plant include heating, air conditioning, plumbing, electrical, broken windows, furnishings and kitchen appliances (stove, oven). They also monitor trash collection, cleaning of public areas and grounds work. When you call in a work order, include your name, residence hall, room number, phone number, and a brief description of the problem. Be sure to ask for your work order number. **Normal repairs:** Call Physical Plant at extension 2200, Monday through Friday, 7:30 a.m. to 4:00 p.m. **Emergency Repairs:** On holidays, weekends and evenings, call the Department of Public Safety at extension 5010 to request Physical Plant services for an emergency. **Note:** A student should notify his or her Assistant Director if a work order has not been responded to within one week.

## Q. Personal Property

The College assumes no liability for bodily injury or personal property damage or loss. The College urges that students develop the habit of locking their rooms at all times, for property as well as personal protection, and advises that valuable property or large sums of money not be kept in a room. The Department of Public Safety provides a service to identify property.

The College is not responsible for theft, loss, or damage to a student's personal property, and encourages all students to carry appropriate personal insurance. The College assumes no liability for bodily injury. Students and parents are encouraged to check with their home-owners insurance policy, if they have one, to see if lost property is covered. Students and parents also have the opportunity to purchase insurance from National Student Services, Incorporated. National Student Services can be contacted at 1-800-256-6774 or [www.nssinc.com](http://www.nssinc.com).

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## R. Fire Safety Regulations

**Fire Hazards:** Candles, oil lamps, incense, open flame apparatus, halogen lamps or any other inherent fire hazards are prohibited in the residences halls. Any appliance which requires use of exposed coils is prohibited. All appliances must be in good working order and UL approved. All candles are prohibited.

Furnace and boiler rooms in Ahern and Charleston may not be used for storage and should be kept locked (\$50.00 fine). No motorcycle, moped or gasoline engine is permitted within any residential building.

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Other prohibited materials include fireworks, explosives, firearms and other weapons, or chemicals. Possession of any prohibited materials may result in permanent suspension from the residence halls as well as other disciplinary sanctions.

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## **S. Safety and Security**

Students are required to show and/or present their Loyola ID when entering any residence hall where there is a desk. Failure to present ID as requested by the Desk Assistant will be considered Failure to Comply with the directives of a College Official.

Exterior residence hall doors are locked 24 hours a day to promote the safety of residents. Propping or disabling exterior doors in any way is prohibited.

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## **T. Athletic Equipment**

No athletic equipment may be used in the residence halls (i.e., hockey equipment, skate boards, roller blades, skates, footballs, lacrosse equipment, basketballs, volleyballs, tennis rackets/balls, Frisbees, dart boards, free weights, etc.)

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## **U. Decorations**

Decorations used for seasonal and/or special events must be of a fire retardant material. Live Christmas trees are not permitted in residence halls, and all decorative lights must be UL approved. Sheets/tapestries may not be hung on walls or from ceilings.

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## **V. Musical Instruments**

Due to the nature of the noise that electrically amplified instruments and drums create, they may

not be played in the residences. The playing of other instruments is subject to the agreement of residents in the affected areas, and must be in compliance with quiet hours.

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## **W. Pets**

No pet of any kind is permitted in any of the residences, with the exception of fish in small tanks. During the Christmas Break, aquariums must be emptied and the filter unplugged. Residents in violation of this policy will be required to remove pets from the residence, in addition to assuming financial responsibility for any fumigation costs or damage.

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## **X. Quiet Hours**

Since we expect residences to be conducive to academic pursuits, noise must always be kept at a reasonable, courteous level. In addition to normal courtesy hours, quiet hours have been established to ensure that students are able to sleep and study according to their own needs and preferences. During quiet hours, each resident is responsible for making sure that his or her noise is not at a level to disturb anyone else who may be studying or sleeping. The minimum campus-wide quiet hours for all residences are as follows:

Sunday thru Thursday:

11:00 p.m. to 10:00 a.m.

Friday and Saturday:

1:00 a.m. to 10:00 a.m.

During Final Exam Week:

24-hour quiet hours are in effect.

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## **Y. Room Capacity**

Out of consideration for neighbors and for safety reasons, there is a limit

to the number of guests allowed in a residence living area:

Double and One- Room Suite and One-Bedroom Apartments: 10 people maximum

Two Room Suites: 20 people maximum

Apartments: 32 People maximum

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## **Z. Roofs**

Students are not permitted to use the roofs of any of the residences or any canopy or ledge area at any time.

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## **AA. Balconies**

Balconies in McAuley Hall are considered a public area and are therefore subject to the College Alcohol Policy as described in the Student Code of Conduct. No college furniture is to be used on balconies.

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## **BB. Screens**

Screens are not to be removed from windows or sliding glass doors. Any costs for repair/replacement will be charged to the student responsible. Security screens may not be unlocked or removed at any time.

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## **CC. Water Beds, Washers/Dryers, Dishwashers**

Because of the possible damage that water may cause to residences, these items are prohibited. Individuals in violation of this policy will be required to remove the item(s) and most likely will be fined and subject to disciplinary sanctions.

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## **DD. Window or Door Displays**

Signs, containers, trademarks, and other overt displays on doors in windows of College buildings that adver-

tise or represent products (such as alcoholic beverages) or behaviors not compatible with College policies are strictly prohibited.

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## **EE. Room/Apartment Modifications**

No partitions, dividers, or screens may be assembled or constructed in any room or apartment that would violate fire safety requirements. Residents may not paint walls, assemble or attach shelves, bike racks, or fixtures of any kind without approval from their Assistant Director. Students are not allowed to attach anything to the outside of their rooms (e.g. satellite dishes or external antennas). Roommate groups in violation of this policy will be required to remove particular items and will be charged for repairs needed to restore the apartment to its original condition. Residents are not permitted to make repairs of any damage themselves or contract with anyone for repairs to be made.

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## **FF. Lounge/Common Areas**

These areas are reserved for residents to socialize, meet and study. Students and/or guests may not sleep in these areas due to safety and security reasons.