COMMUNITY STANDARDS 2021-22

LOYOLA UNIVERSITY MARYLAND





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The Division for Student Development

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Finding God in All Things

There is much we can learn from St. Ignatius and his early companions as we journey through college. For Ignatius, even the smallest things could make his spirit soar in unity with God. At the sight of a little plant, a leaf, a flower, a tiny animal, Ignatius could reach through to the God he witnessed in each.

If we seek God in even the smallest things, we will find God in all things - not only our successes, but our disappointments; not only our triumphs, but our tragedies; not only our joy, but our sorrow.

As we journey through your academic experience, remember that getting to where you want to be, where God wants you to be, takes time. Be patient, and trust in the slow work of God. If you notice God in every aspect of your life - especially the smallest ones - you will find comfort that His hand is guiding you now, and with that you will find trust that you are on the right path for the future.

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The Division for Student Development

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I. Community Standards, Policies, and Procedures

These community standards are provided as a guide and are not to be considered a contract, expressed or implied.

The University reserves the right to make changes to the policies, procedures, and other statements made in these community standards. Additionally, changes in federal and state law and the University's needs may require portions of the Community Standards be revised. Those changes are made to the electronic version of the Community Standards as soon as possible and can be found on the Office of Student Conduct's home page at http://www.loyola.edu/department/student-conduct. The electronic version supersedes any previous versions, and the contents may be changed by the University unilaterally at any time. Significant changes will be announced to the community.

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 University 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 University fulfill its goal to ensure the intellectual, ethical, social, and spiritual development, or formation, of its students.

A caring university community can exist only when all its members commit themselves to this purpose. Honesty, integrity, and taking responsibility for the welfare of self and others are characteristics of such a community. Loyola University Maryland, therefore, sets high expectations of its students, as well as its faculty, administrators, and staff, for conduct that supports the maintenance of a caring community. Students are expected to conduct themselves in such a manner as to ensure the health and welfare of all members of the Loyola 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 University Maryland. In addition to setting forth 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 student conduct system is established as a primarily educational process 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 conduct 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 University. Being a member of the Loyola community is a privilege that carries with it responsibility for the well-being of all other members of the community.

B. Rights and Responsibilities of Loyola University 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 University 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 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 "Anonymous Information Form" (https://www.loyola.edu/department/public-safety/anonymous-information-form). Individuals may also contact the Department of Public Safety at (410) 617-5010 and request assistance 24 hours a day.

1. All students of Loyola University Maryland enjoy the same basic rights and are bound by the same standards of conduct. Students' rights include:

a. **The right to be treated as a respected member of the community, with freedom from discrimination based on race, sex, color, national or ethnic origin, age, religion, disability, marital status, gender or gender identity, sexual orientation, genetic information, military status, or any other legally protected classification.** All students should expect freedom from harassment of any type, violence, force, threats, and abuse. Students have the right to have the University comply with all federal, state, and local laws regarding discrimination. All students have the right to file civil/criminal charges or complaints.

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 University 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 University. 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 strict regulation of students' permanent educational records as personal documents.** Academic transcripts only contain information concerning the academic status of the individual; student conduct 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 University 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 University property with other members of the University 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 engagement or the division for student development. They may also post authorized notices on approved bulletin boards on the University campus according to the posting policy. Loyola University is committed to standards promoting speech and expression that foster an open exchange of ideas and opinions. The University encourages a balanced approach in all communications and the inclusion of contrary points of view. In all events, the use of the University forum shall not imply acceptance or endorsement by the University of the views expressed.

e. **The right to equal opportunity to participate in the development of University policy by seeking membership on special and standing committees regarding academic affairs and student development.** The University encourages active participation of students on various committees including the governing bodies of the Academic Senate, the Loyola Conference, and the Academic and Student 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 University officials or personnel.** The University 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 University 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 University policy, or for such other purposes as are reasonably necessary to ensure the comfort, safety, and protection of members of the Loyola community. Students may request the return of seized property through the Director of Public Safety. The decision to return property is at the discretion of the University. Property that is illegal or against University policy will not be returned.

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2. All students of Loyola University Maryland also have certain responsibilities to the institution and to members of the University 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, 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 student conduct 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 student conduct 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 University complies with the rules and regulations of the University.

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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 University. All students are expected to carry their Loyola University Maryland-issued identification card at all times. It is the students' responsibility to cooperate with University officials in the performance of their duties. Students have an obligation to respect the physical environment and facilities of Loyola University Maryland.

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 University.

3. Loyola University Maryland Student Creed

Loyola University Maryland 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 University Maryland Honor Code.
- Carrying on these ideals beyond the duration of our time at Loyola.

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

C. The Honor Code

The students of Loyola University 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 in keeping with the school motto, "Strong Truths Well Lived."

1. Mission and Pledge

The Honor Code states that all students of the Loyola 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, we students will benefit and learn from the caring relationships that our community trustfully embodies.

The students of this University understand that accepting collective and individual responsibility for the ethical welfare of their 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 the Honor Code will be reprimanded appropriately in the belief that they will, with the support of their peers, learn from the mistake.

This Code not only requires students to understand the ideals of truth and personal care as the two strongest educational factors expressed in cura personalis, but also calls them to demonstrate a general concern for the welfare of their colleagues and for the University.

The pledge adopted by the University 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 University 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 the course syllabus.

2. Definitions and Violations of the Honor Code

Out of concern for the University and the academic community, each student at Loyola must maintain the highest standards of academic honesty. In order to uphold this degree of excellence, the Honor Code requires students, faculty members, and administration to report an act of academic dishonesty. Failure to report an Honor Code violation to the instructor undermines a culture of honorable behavior.

All students of the University 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 will constitute violations of the Code and are defined below: cheating, stealing, lying, forgery, plagiarism, duplicate submission, and the failure to report a violation.

a. **Cheating** - The use of unauthorized assistance or a material or the giving of unauthorized assistance or material in the carrying out of an academic assignment. An academic assignment includes all homework and projects assigned by the instructor. Students will also be expected to follow the rules set by a course instructor as presented on a written 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.

Faculty members should be explicit as to what is appropriate and inappropriate assistance on academic assignments. This guidance should make it clear to students what the faculty member allows with regard to proofreading, editing, etc. Ordinarily,

consultation with faculty, library staff, tutors, and the like is appropriate unless the instructor has imposed stricter limits on the assignment or the course. For assignments involving multiple students, such as team projects, faculty should provide explicit guidance regarding their expectation with regard to collaboration and expectation on all aspects of the assignment.

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

c. **Lying** - A false statement or representation (in an academic matter) made with the conscious intent to mislead others. The falsification may be verbal or in another form, as in the case of falsification of data.

d. **Forgery** - The intent to mislead others by falsifying a signature or other writing in an academic matter (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 [their] 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, Fifth 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. **Duplicate Submission** - The submission of work (in whole or in part) that has been submitted in a prior or concurrent class without advance consent of the professor(s) assigning the work.

g. **Failure to Report a Violation** - The knowing failure to report any student who has committed a breach of this Code.

Students unsure whether they have witnessed an Honor Code violation are encouraged to consult with a member of the Honor Council to discuss the possible Honor Code violation and/or Honor Council procedures prior to notifying the course instructor about an honor code violation. Reporting violations remains the responsibility of the student. Honor Council members will not report alleged violations even at the request of students who seek their advice.

3. Adjudication Process for Honor Code Violations

a. **Witnessing and Reporting Academic Dishonesty**

In order to be an effective part of the community, individuals must understand and accept their responsibility for maintaining the well-being of the community and the University. All students, faculty members, administrators, and staff must report a breach of the undergraduate student Honor Code in the following manner:

(1) **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 identify any academic sanctions they deem appropriate for the offense.

Following this, and no later than 30 days after informing the student of the alleged violation, they must report the infraction in writing including the violation form to the Office of the Dean of Undergraduate and Graduate Studies and be willing to serve as a witness throughout the proceedings.

(2) **Students Reporting an Incident**

Students witnessing an infraction must 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 Office of the Dean of Undergraduate and Graduate Studies at their earliest opportunity.

After an alleged breach of the Code has occurred, witnesses ordinarily must report the incident of an Honor Code violation in writing within 30 days. Reports of Honor Code violations must be submitted to the Office of the Dean of Undergraduate Studies. Students reporting incidents must be willing to serve as witnesses throughout the proceedings.

(3) **Administrator or Staff Person Reporting an Incident**

Administrators or staff persons witnessing an infraction must submit a report of the infraction in writing within 30 days to the Office of the Dean of Undergraduate and Graduate Studies and be available to testify throughout the proceedings.

(4) **Violation Report Form**

Alleged violations of the Honor Code are explained in writing on the Violation Report Form. The completed violation form 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 sign the form to indicate they have read it and must state whether they accept responsibility for the alleged offense. The form is then delivered to the Office of the Dean of Undergraduate and Graduate Studies.

(5) **Proceedings Following a Report**

Once a report is made, the Honor Council will be notified and will designate at least one Council representative to contact the witness and/or the reporting faculty member and at least one Council representative to contact the accused. Normally, these notifications should take place within two class days. The two Council representatives are responsible for documenting any relevant information concerning the incident.

A student is not allowed to drop a course in order to avoid an academic penalty if an Honor Code violation has been submitted, or if an Honor Code violation is in the process of being submitted. The prohibition on not dropping the course applies even if the last day to drop a course with a "W" has not passed. Students are expected to attend the class, complete all course assignments, and take all examinations until the case is resolved. The course instructor is reminded that they must, per University policy, permit the student to continue to attend class, complete all course assignments, and take all examinations until the case is resolved, and may not recommend that the student drop the course as an academic sanction. If a student is found not responsible, the student is allowed to drop the course without penalty, even if the withdrawal deadline has passed, if the alleged violation occurred prior to the last day to drop a course with a "W".

b. **Duties of the Witness**

(1) A witness is defined as an individual who can assist the hearing process with information directly concerning the case. Witnesses have the right to be free from any sort of personal violation, harassment, or threats because of their actions. If valid proof is presented to the Honor Council that a person has infringed upon this right, that person is subject to suspension or dismissal from the University.

(2) Witnesses are expected to cooperate fully with Honor Council members and representatives and maintain high standards of confidentiality concerning the accused. Witnesses will have full cooperation from the Honor Council representative(s) appointed to the case. The Council representative(s) will provide information about the hearing process and offer appropriate assistance.

(3) During the investigation and at the hearing, witnesses will explain the action that they perceived to be a breach of the Code. Persons who provide false information during this process are themselves violating the Code and are subject to suspension or dismissal from the University.

c. **Rights of the Accused**

(1) Accused students will have the assistance of an Honor Council representative and will be considered not responsible unless shown otherwise or the student accepts responsibility. Accused students have the right to be free from any sort of personal violation, harassment, or threats because of their actions. If the Honor Council determines that a person has infringed upon this right, that person is subject to suspension or dismissal from the University.

(2) Accused students must conduct themselves in a respectful and honest manner while at the hearing. If the student fails to inform the Honor Council that they are unable or decides not to attend the hearing, the hearing will proceed as scheduled.

(3) If two or more students are jointly accused, each may request an individual hearing.

(4) Accused students have the right to review the record of the hearing (including the audio recording) in the presence of two representatives of the Honor Council. If the accused wishes to have a transcript of the audio recording of the proceeding, the accused may be asked to pay for the cost of the transcription.

d. **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 when an accused student denies responsibility for the alleged violation; it 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.

The Hearing Council will make every effort to conduct the hearing in a fair and honest manner. All hearings will be closed and confidential, with a confidential audio recording made of the hearing. Each case will be heard and considered on its own merit. Hearings are closed to the public. The Honor Council reserves the right to call any witnesses that it feels will assist its members in making their decision. Parents and attorneys are not permitted in the hearing room during Honor Council proceedings. Students are allowed to bring witnesses or representatives with information that is directly relevant to the case. Honor Council members may attend Honor Council proceedings as observers.

(1) **Full Hearing**

(a) At least one day before the Full Hearing commences, the Honor Council will pick five Council members (excluding Council members already assigned to the investigation) for the hearing. These five members will constitute the Hearing Council with one of the members (a co-chair of the Honor Council or their designee) serving as chair of the hearing. The SGA director of academic affairs may sit in on all hearings. This Council must maintain absolute confidentiality concerning each case. Hearing Council members may only discuss cases with other members of the Honor Council.

(b) Members of the Honor Council may withdraw from any hearing process before it begins with the approval of a Council co-chair or administrative moderator. Honor Council members should withdraw in any case where they know the accused student and/or could be perceived to be biased.

(c) An Honor Council co-chair (or designee) will preside over all hearings. The SGA director of academic affairs, the faculty moderators, and the administrators do not vote. Only the five members of the Hearing Council cast a vote. The chair has the power to call recesses or postponements, to dismiss any disorderly students from the room, and to pose questions at any time. The chair may deem any questions by the Council, witness, or accused as irrelevant and order them stricken from the minutes.

(d) 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.

(e) 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. Persons lying while at a hearing are in violation of this Code and are subject to suspension or dismissal from the University.

(f) Once a violation form is filed, the Honor Council chair or administrative moderator will designate at least one Council representative to contact the witness and at least one Council representative to contact the accused. These Council interviewers will document any information relevant to the case and advise the accused and the witnesses of the nature of the proceedings.

(g) 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 suspension or dismissal from the University.

(h) Accused students may have the assistance of an Honor Council representative and will be considered not responsible unless shown otherwise.

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 University 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 their 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 or moderator may be submitted as relevant information in a hearing.

(i) 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 student is responsible for the offense.

(j) Before the hearing, the Honor Council chair will read aloud the first paragraph of the Honor Code and reiterate that persons lying while at a hearing are in violation of this Code and are subject to suspension or dismissal from the University. After this procedure, the hearing has begun.

(k) The hearing opens with a statement from the accuser or 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 student. The accused will be given the chance to explain, clarify, and call into question any of the accusations against them. If content or writing style of a paper is in question, the Honor Council may ask an independent reader to review the paper. The independent reader will be selected from the faculty and asked to testify (present a report) at the hearing. After each party provides testimony, the chair will allow questions from the Hearing Council.

(l) When all persons involved are satisfied that all of the relevant information has been presented, the Hearing Council will excuse the accuser 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 evidence has been shown to demonstrate that a breach of the Honor Code has been committed. After the discussion, a secret ballot will be taken, with each of the five students of the Hearing Council casting one vote. No member of the Council may abstain. The chair will count the votes aloud. A majority decision carries.

(m) If the student is found in violation of the Code, then the appropriate sanction(s) will be determined. If the Dean of Undergraduate and Graduate Studies finds that the accused has violated the Code in the past, the dean will notify the Honor Council moderator who will then only notify the Hearing Council of past violations after the question of responsibility has been determined. Past violations will result in stronger sanctions.

(n) The Honor Council chair will notify in writing the accused student and instructor of the outcome of the deliberation within two business days of its conclusion. If the accused is found not responsible, the student, the accuser, and the Dean of Undergraduate and Graduate Studies will be notified within two business days and the case will be closed.

(2) **Sanctioning Hearing**

(a) 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 normally meet with at least three, but no more than five Honor Council members to determine the appropriate sanction for the violation. The accused may present extenuating testimony and Honor Council members may ask questions at this hearing. Each panel will include a non-voting faculty moderator. Sanctions considered by the Council are in addition to the sanction imposed by the accuser on the Honor Code Violation Report Form.

(b) If the Dean of Undergraduate and Graduate Studies finds that the accused has violated the Code in the past, the dean will notify the Administrative Moderator of the Honor Council. Past violations will result in stronger sanctions.

(c) The Sanctioning Hearing chair will notify the accused student and the accuser of the outcome, in writing, within two business days of the deliberation.

(3) **Decisions of the Hearings**

(a) If a Full Hearing concludes a breach of the Honor Code occurred, or the student admits to breaching the Honor Code, the instructor of the course in which the breach occurred will be responsible for implementing the academic sanction proposed on the Violation Form. Accusers are encouraged to consult with the Office of the Dean of Undergraduate and Graduate Studies, the Honor Council Administrative Moderator, and/or the department chair regarding academic sanctions.

The accused and the Office of the Dean of Undergraduate and Graduate Studies will be notified in writing of the decision of the Hearing Council within two business days of the conclusion of the hearing. If a student contests a finding of the Honor Council, the student can appeal the decision of the Council according to the procedures outlined in the Honor Code.

(b) If a Full Hearing concludes a breach of the Honor Code did not occur, the instructor of the course in which the alleged breach occurred is encouraged to follow the decision of the Honor Council and to impose no sanction on the student.

If an instructor remains convinced that an Honor Code violation occurred, despite the decision of the Honor Council, the instructor may persist in imposing the academic sanction proposed on the Violation Form.

If an instructor imposes an academic sanction on a student who has been found not responsible for a breach of the Honor Code, the student can appeal the instructor's action according to the procedures outlined in the Honor Code.

(c) A file containing all paperwork, including Violation Forms and any existing recordings of the hearings will be maintained by the division for student development for three years after the student graduates, after which the files will be reviewed and destroyed.

e. **Sanctions for Honor Code Violations**

While acknowledging that we must preserve the academic integrity of Loyola University and that academic dishonesty will not be tolerated, we must not forget 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 first-time offenders should provide students with an opportunity to resume their academic careers 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 identified 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. In the case of a Full Hearing, notification about prior violations will occur only 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 University.

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 Undergraduate and Graduate Studies that the student be suspended from the University. 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 University. 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 civility hours, 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 recommend suspension or dismissal from the University. In such cases, the Dean of Undergraduate and Graduate Studies will review the recommendation and notify the student of the Dean's decision regarding the sanction. In most cases, a student will be recommended for suspension from the University if found responsible for a second violation of the Honor Code. The decision of the Dean is final.

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 University.

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

The student may file an Honor Code appeal on one or more of the following grounds:

- Their right to a fair hearing (sometimes referred to as "due process") has been violated

- Absence of sufficient evidence to support the decision

- Discovery of new evidence

- The sanction(s) imposed by the Honor Council is (are) grossly disproportionate to the Honor Code offense.

If the student wishes to appeal the academic sanction(s) imposed by the course instructor, they should follow the process outlined in the next section titled, "Process of Appeal for Academic Sanctions." Appeals of academic sanctions should be submitted only upon resolution of any appeal of Honor Council decisions.

The steps in filing an appeal are as follows:

(1) The appeal must be submitted in writing to the Associate Vice President for Undergraduate Academic Affairs within four University business days from the receipt of the sanction letter. The letter must clearly state the reason(s) for the appeal. An associate vice president in Academic Affairs will review appeals for appropriate submittal. If an appeal is found to be inappropriate, the student may revise and resubmit the appeal. If the student fails to revise and resubmit the appeal, the appeal ends.

(2) The Honor Code Appeal Board is comprised of an associate vice president for academic affairs, an Honor Council chair/co-chair, and the dean of students or their appointee. Members of the Honor Code Appeal Board who were consulted or who heard the case will be excused from the case and replaced with another member of corresponding standing. Similarly, members of the Honor Code Appeal Board would also be excused and replaced by a member of the Honor Council if they have a relationship with the student, such as Core or major advisor, etc.

(3) The Honor Code Appeal Board will review and decide the appeal. All members of the Honor Code Appeal Board are voting members of Honor Code appeals. At least two favorable votes are necessary to find in favor of an Honor Code appeal. An abstention is not a favorable vote. The Honor Code Appeal Board has the right to review all files and recordings related to the case and call any witnesses whose testimony it deems may be relevant to the case. The Honor Code Appeal Board should render a decision within five University business days from the receipt of the appeal letter. If additional time is needed, the Honor Code Appeal Board may extend this deadline.

(4) If a violation of due process is found, or it is found that there is significant new evidence, the Honor Code 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 that does not include any members of the previous Council.

(5) If the Honor Code Appeal Board determines that the Honor Code decision was based on insufficient evidence, the Honor Code Appeal Board may overturn the decision and remove the Honor Code sanction.

(6) In the case of an Honor Code sanction appeal, the Honor Code Appeal Board may let the sanction stand, overturn the sanction, modify the sanction, or return it to the Honor Council for further consideration. The Honor Code Appeal Board must have at least two favorable votes in order to modify or overturn a sanction imposed by the Hearing Council or to return the case to the Honor Council for reconsideration. The new sanction may be either more or less severe and must be determined by at least two favorable votes. If the Honor Code Appeal Board fails to reach two favorable votes, for any of these alternatives, the original sanction stands.

If the Honor Code Appeal Board chooses to overrule the original sanction of the Hearing Council, the chair of the Honor Code Appeal Board will give a detailed written explanation of how the sanction was changed and why that action was taken. This explanation will be kept in the student's Honor Council file and in the Office of the Dean of Undergraduate and Graduate Studies.

All decisions by the Honor Code Appeal Board are final.

Process of Appeal for Academic Sanctions

Note: Appeals of academic sanctions should be submitted only upon resolution of any appeal of Honor Council decisions.

1.1 If a student has been found "responsible" for an Honor Code violation by the Honor Council, the student can appeal the academic sanction imposed by the faculty member on either the following grounds:

a. The academic sanction imposed is not consistent with the sanction listed on the Honor Code Violation Form, or

b. The academic sanction imposed does not conform to any stated Honor Code violation policy on the course syllabus, or the sanction imposed does not conform to any departmental Honor Code violation policy on file with the appropriate academic dean.

1.2 The steps in filing an appeal are as follows:

a. The appeal must be submitted in writing and received by the appropriate dean no later than four business days from the receipt of the notification from the instructor about the academic sanction to be imposed. (The appropriate dean is the dean of the school of the University in which the course of the contested grade is housed.) The written appeal must clearly state the grounds for the appeal. The dean will review appeals for appropriate submittal (i.e., the appeal is timely and specifies the grounds for the appeal). Appeals rejected as untimely may not be resubmitted.

b. If the appeal is appropriately submitted, the dean will consider whether the academic sanction imposed by the instructor conforms to information contained in section 1.1.a and b. If the sanction does conform to those instruments, the dean will uphold the sanction. If the sanction does not conform to those instruments, the dean will make the appropriate adjustments, including changing the final grade if deemed appropriate.

c. **In general, the Dean will make a decision no later than 20 business days from receipt of an appropriately submitted appeal. The Dean will communicate the decision in writing to the faculty member and the student, including the reasons for their decision. The decision of the dean is final. There is no further appeal by either the faculty member or the student.**

2. If the student has been found "not responsible" for an Honor Code violation by the Honor Council, the Honor Council chair will notify, in writing, the student, the faculty member, and Dean of Undergraduate and Graduate Studies, within two business days after finding a student not responsible. The instructor will inform the Honor Council and the student in writing whether an academic sanction will be imposed (and what that sanction will be) no later than two business days of receiving notification from the Honor Council of the outcome of the hearing. If the faculty member in question continues to impose an academic sanction, the student may appeal this action to the appropriate academic dean. The steps in an appeal are as follows:

a. The appeal must be submitted in writing to the appropriate dean no later than four business days from the receipt of the notification from the instructor that the instructor intends to impose an academic sanction. (The appropriate dean is the dean of the school of the University in which the course of the contested grade is housed.) The written appeal must include a copy of the notification from the Honor Council indicating that the student was found "not responsible" and a copy of the notification from the instructor that the instructor intends to impose an academic sanction. Appeals that do not include this documentation will be rejected as incomplete and may not be resubmitted. Appeals rejected as untimely may not be resubmitted.

b. If an appeal is properly submitted, the dean will consider the case on its merits after consulting appropriate materials and persons related to the Honor Code proceedings. The dean should confer with the student and the instructor, individually, and may confer with additional appropriate persons related to the hearing. Other parties, including parents or attorneys, are not permitted to attend these conferences. Ordinarily, the dean will communicate their decision, in writing, to the student, the faculty member and the Honor Council no later than 20 business days after receipt of the student's appeal. This notification must include a brief rationale for the finding. If the dean determines that an Honor Code offense occurred, they will uphold the academic sanction proposed by the instructor on the Violation Form. If the dean determines that an Honor Code offense did not occur, no academic sanction may be imposed and the dean will make the appropriate adjustments, including changing the final grade if appropriate.

c. The decision of the dean is final. There is no further appeal for either the faculty member or the student.

D. Student Conduct Process

The following section describes information regarding misconduct for which undergraduate and graduate students may be held accountable. The University may hold students accountable through the University student conduct 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 University function or living or visiting in the area surrounding the University or on Loyola-owned or leased property (including but not limited to the Evergreen campus, FAC, and Ridley Athletic Complex) 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 student conduct inquiries and proceedings. Truthful testimony will be taken into consideration at the time of sanctioning. At the discretion of the Dean of Students or designee, if a student is involved in an investigation for an alleged violation of the Student Code of Conduct or with pending conduct charges requests a leave (e.g., study abroad, medical withdrawal, leave of absence) or withdrawal, the investigation and/or conduct process may be completed prior to the change in student status being approved or prior to or upon their return to the campus. If a student declines to participate in the conduct process, the University may conclude the process without the student's involvement, including issuing findings of responsibility and imposing

sanctions. If a student takes a leave or withdraws prior to the completion of any sanctions, they must complete all required sanctions, except sanctions that are applicable to the student's time at the University, such as status sanctions or restrictions from activities or specific areas of campus, to be eligible to return from their leave or be granted readmission. The Student Code of Conduct is in effect 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 University-sponsored trip/event, or when the University is closed.

Loyola University Maryland uses a preponderance of the evidence standard to evaluate all alleged violations of the Student Code of Conduct. Any questions of interpretation regarding the student conduct process or Student Code of Conduct shall be referred to the Dean of Students or designee for final determination.

i. Oversight of the Conduct Process

The Office of Student Conduct is responsible for administering the student conduct caseload for the University, in partnership with the Office of Student Life. The following is a list of staff members who serve as hearing officers in student conduct hearings:

1. Dean of Students

Located in Jenkins Hall 110 (ext. 5171); may serve as a hearing or appellate officer.

2. Director of Student Conduct

Located in the Integrity Suite in Seton Court 4508A (ext.2488); this individual coordinates the student conduct system and serves as the primary conduct officer for the University.

3. Assistant Director of Student Conduct

The Assistant Director of Student Conduct adjudicates cases, advises the Peer Conduct Board, and partners with the Director to support the oversight of the student conduct system.

4. Director and Associate Directors of Student Life

The Director of Student Life and the Associate Directors of Student Life serve as hearing officers and appellate officers. Their offices are located in Seton Court 4508B, and they can be reached at ext. 5081.

5. Assistant Directors of Student Life

Within each of the main residential areas of the campus, there is an Assistant Director who adjudicates most cases that occur within their respective areas. Additionally, there is an Assistant Director for Housing Operations, who also adjudicates cases and works in the Office of Student Life. ADs are full-time professional members of the Student Life staff. They can be reached by calling the Office of Student Life at ext. 5081 and at office locations:

Charleston/Gardens Area	Lange 32A
Hillside Area	Bowman 229
Eastside Area	McAuley 300A
Campion Tower	Campion 100
Newman Towers	Newman Towers Center 110
Housing Operations	Seton Court 08B

6. Graduate Residence Coordinators (GRCs)

Included on the staffs of each residence area and within the Office of Student Conduct are GRCs. GRCs are full-time graduate students who assist with all aspects of residence hall management, including adjudication of violations of the Code of Conduct.

7. University Employees

There are faculty, staff, and administrators across the University and within the Division for Student Development who serve as hearing officers and appellate officers. These professionals are trained in student conduct adjudication by the Director of Student Conduct and Assistant Director of Student Conduct or designee.

ii. Outline of the Student Conduct Process

This section is intended to provide an outline of the student conduct 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. This section also includes procedures the University will follow when a party files a complaint of sexual and gender-based misconduct or bias related behaviors.

1. Incidents

Any member of the University community may file a complaint with a student life staff member, a student conduct staff member, or with the Department of Public Safety. As part of their daily responsibilities, campus police officers and student life staff may submit reports of violations. If a student life staff member (usually an RA or GRC) or a campus police officer confronts a student, the student can contact the Assistant Director of Student Life of that area or the Director of Student Conduct the next business day. Reports of student violations may also occur at student engagement events, athletic and club sports events, 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 University, incidents involving Loyola students, or notifications of arrests. The Director of Public Safety forwards these reports to the Office of Student Conduct. Reports of student violations may also be forwarded to the University by other colleges or universities, neighbors from the communities surrounding the University, hotels, or other establishments in the Baltimore area. After receiving reports, the University may investigate the incidents to collect additional information prior to adjudication. The Director of Student Conduct, or designee, reviews the reports and determines whether the report identifies possible violations of the Student Code of Conduct. If so, the students involved are notified of the alleged violations and the subsequent hearing process.

The University reserves the right to hold all students responsible for the Student Code of Conduct whether the incident occurs on or off University premises, including study abroad locations. 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 University until the conclusion of the student conduct process. Students may forfeit ownership of confiscated materials.

2. Student Conduct Responses

After reviewing the incident report, the Director of Student Conduct or designee 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 an Assistant Director or a Graduate Residence Coordinator. If the Assistant Director chooses to refer an incident beyond the educational conference level, they, in consultation with the Director of Student Conduct, will determine whether the case will be handled as an administrative hearing, a Peer Conduct Board hearing, or an administrative panel hearing. Incidents may also be addressed through an alternative resolution. The Assistant Director and the Director also decide who will serve as the hearing officer or who will serve as panel members. Panel members are chosen from a pool of University and Student Development faculty, staff, and administrators trained to hear cases. Both decisions are based on the nature of the incident and the conduct history of the student(s) involved in the incident.

a. **Educational Conference**

A Graduate Residence Coordinator or Assistant Director generally will hear first offenses 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 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 an 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 they are charged or does not agree with the sanction(s) imposed, the case will then be referred to a different hearing officer or Peer Conduct Board for an administrative hearing.

b. **Administrative Hearing**

Administrative hearings are more structured than educational conferences. An administrative hearing generally occurs when one or more of the following situations exists: 1) a resolution does not occur during the educational conference, 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 conduct history warrants an administrative hearing. The student will be notified in writing of the charges of violations of the Student Code of Conduct. In the charge 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 Conduct Board, an administrative panel, or 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 their 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 Conduct Board**

The Peer Conduct Board is a conduct hearing body that hears cases for undergraduate students. It is comprised of three to five undergraduate students and one non-voting advisor, usually a Graduate Residence Coordinator. To have a quorum, three students and the advisor must be present. These students are selected and trained to hear student conduct cases. The Peer Conduct 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 conflicts, disorderly gatherings, alcohol violations, and visitation. The Peer Conduct 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 Conduct Board hearings.

d. **Alternative Resolution**

Certain cases may be referred to alternative resolution pathways if the parties involved are willing to participate, and the Assistant Director, in consultation with the Director of Student Conduct, deems the pathway an appropriate resolution option. Alternative resolution pathways include but are not limited to educational conversation, conflict coaching, mediation, or restorative practices, such as conferences or circles. Restorative practices are processes designed to facilitate an intentional conversation where targeted persons, or harmed parties, can share the harm they experienced and be an active decision-maker for determining resolutions for the harm to be addressed. Additionally, in a restorative process, the alleged offender, the person who caused harm, may answer questions such as why they caused the harm and discuss steps they will take to repair the harm. Normally a restorative process concludes with an agreement between all parties involved that addresses how the respondent and other community members can repair the harm caused, rebuild trust, and restore any broken relationships.

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3. Student Rights and Responsibilities in the Hearing Process

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, except for cases of sexual misconduct if attorneys or parents are serving as the advisor of choice. Students do not have the right to cross-examine witnesses but may request that the panel, board, or hearing officer ask particular questions of witnesses. As defined in 6. Sexual and Gender-Based Misconduct Policy, sexual and gender-based misconduct incidents that fall under Title IX do allow for cross examination of parties only by their advisor. 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 them in sufficient time to afford preparation of a response. Usually, the student is given two University business days to prepare.

b. The student has a right to bring an advisor of their choice to the hearing. Except for cases of sexual misconduct, the advisor must be a full-time member of the University community (faculty, administrator, staff, or student) and may not be an attorney or hold a law degree. For cases of sexual and gender-based misconduct, both the complainant and the respondent may have advisors as defined in 6. Sexual and Gender-Based Misconduct Policy. Students are required to notify the Office of Student Conduct one University business day in advance of the hearing date if a student plans to bring an advisor. Advisors can request an outline of their role and expectations for their participation in the student conduct process. The advisor may 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 may not serve as a witness in the conduct proceeding (except in cases involving the Sexual and Gender-Based Misconduct Policy). Disruptive advisors will be removed from the process and the process will continue.

c. The student will receive documentation pertinent to the case, normally at least two University business days prior to the hearing.

d. The student has the right to bring fact witnesses to the hearing to testify on their behalf. There is no limitation placed on the number of fact witnesses; however, students are limited to two character witness written statements (except in cases involving alleged violations of the Sexual and Gender-Based Misconduct Policy where character statements are not permitted). Students are encouraged to notify the hearing officer of fact witnesses attending the hearing at least one University business day in advance of the hearing. In the event that a fact witness cannot attend a hearing, the witness may email or personally deliver a signed written statement directly to the hearing officer in advance of the scheduled hearing.

e. The hearing officer or conduct body may call witnesses to provide information at a student conduct 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 conduct proceeding are prohibited from disclosing that information to any third party (other than the student's parent/legal guardian or legal counsel), except where the information is disclosed in order to obtain and present evidence in furtherance of the students' interests.

g. A record of the hearing will be kept. Students may request to listen to the recording of their own administrative hearing (to be done in the Office of Student Conduct). A student may request that a written transcript of their 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. If the student is found responsible, the hearing officer or conduct body will then review the student's conduct history in order to determine sanctions.

i. A decision letter will be sent to the student listing the charges, the decision on each charge, and any sanctions imposed. If the student is found responsible, the letter will also indicate the process for appealing the decision. A record of the decision letter will be kept in compliance with the records policy described in F. Student Conduct Records.

j. The student must complete all sanctions by the specified deadlines as directed by the hearing officer or the conduct body. Those students who have not completed or complied with the sanctions may be fined and/or charged and found responsible for the violation "Failure to Comply with Conduct Sanctions" described in the Code.

4. The Appeal Process for Student Code Violations

The following section provides the process for appealing outcomes from student conduct meetings. The process for appealing outcomes from cases adjudicated under 6. Sexual and Gender-based Misconduct Policy is outlined in 6. Sexual and Gender-Based Misconduct Policy. The student is allowed one opportunity of appeal to the appropriate hearing officer or the University Board on Discipline. The decision of the hearing officer or University Board on Discipline is final. Unless indicated otherwise in the original decision letter, the typewritten appeal should be submitted via the appeal form, which is linked in the outcome letter, or via email to the Director of Student Conduct. The appeal must be submitted within 2 business days of receipt of the decision letter and must be based upon one of the following grounds:

a. **Appeal Letter**

Appeal letters should clearly state in the opening paragraph the reasons for a student's appeal, based upon one or more of the grounds outlined below:

a1. The student alleges that there were procedural irregularities that or that their right to a fair hearing was violated which affected the outcome of the matter.

a2. New evidence: The student alleges new evidence that was not reasonably available when the determination of responsibility was made that could affect the outcome of the matter.

The following category may be used only for cases of suspension from the residence halls or suspension or expulsion from the University:

a3. 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.

b. **Appeal Procedure**

The Director of Student Conduct will hear the appeal or determine the appropriate hearing officer, appeal panel, or the University Board on Discipline to hear the student's appeal. The hearing officer, appeal panel, or the University Board on Discipline 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. Parents and attorneys are not permitted in the hearing room during the appeal process.

c. **The University Board on Discipline**

The University Board on Discipline serves as the appeal board for serious cases involving suspension from the residence halls or suspension or expulsion from the University or other cases as designated by the Director of Student Conduct. The Board is comprised of one faculty member, one student, and one administrator. The board make up for appeals regarding sexual and gender-based misconduct cases is defined in section 6. Sexual and Gender-Based Misconduct Policy.

Except in cases involving the discovery of new evidence, the Board may review the appeal based upon the hearing record and the decision and rationale of the

hearing officer or conduct body in the initial hearing. In most circumstances, the Board will meet with the student who is making the appeal and the original hearing officer. At the request of the accused student, up to two character witnesses may submit written statements to the Office of Student Conduct at least one University business day in advance of the appeal hearing (except in cases involving alleged violations of Sexual and Gender-Based Misconduct policy).

In the event that new information becomes known to the University after the original hearing and prior to the appeal, the original hearing officer will notify the student of the new information and give them the opportunity to respond. The original hearing officer/panel will issue (or re-issue) a decision letter taking into account the new information.

In cases where the student's appeal is based on a claim of newly discovered evidence, the Board will first determine if the offered evidence was not known nor reasonably available at the time of the hearing and if it might impact the decision of responsibility or determination of sanction. If the evidence is found to be newly discovered, not to have been reasonably available at the time of the hearing, and it is determined the evidence might impact the decision of responsibility or determination of sanction, then the Board will remand the case to the original hearing officer/panel for review. The original hearing officer/panel will issue a new decision letter taking into account the newly discovered evidence. (The new decision letter may affirm or modify the original findings and sanctions.) The student may then proceed with an appeal to the Board.

In cases where the student's appeal is based on a claim that the sanctions imposed are grossly disproportionate to the findings of responsibility, the board may only affirm, reduce, or increase the sanctions assigned by the original hearing panel, and may not change the finding of responsibility.

The University reserves the right to have a modified board hear the appeal or have the Dean of Students or their designee hear the appeal when circumstances warrant it.

d. **Possible Outcomes of the Appeal**

The hearing officer or conduct body hearing the appeal can take the following actions:

d1. Affirm the original decision of the hearing officer or conduct 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. Reverse the original decision of responsibility for some or all of the charges.

The outcome for the appeal hearing will normally be communicated to the student within 5 business days of the hearing.

5. Impact statements

At the discretion of the Director of Student Conduct or designee, Loyola community members affected by another community member's alleged policy violation may submit a written impact statement. The impact statement is due prior to the start of the hearing to the panel chair. The impact statement may include a description of the impact the behavior had on the individual who was harmed, a description of what has been the hardest part of the incident, and a description of what can be done to address the harm and rebuild trust.

If the respondent admits responsibility for all charges, the impact statement may be discussed with the respondent before a finding and sanctions are determined. If the respondent denies responsibility for any of the charges, the impact statement is reviewed by the hearing panel only if a determination of responsibility is made and before a sanction is determined. If an impact statement was submitted and reviewed by the hearing panel, a copy may be provided to the respondent with the decision letter. In cases adjudicated under the section 6. Sexual and Gender-Based Misconduct Policy and 7. Bias Related Behaviors Policy, parties have the right to submit a written impact or mitigation statement as defined in those policies.

6. Sexual and Gender-Based Misconduct Policy

The following is section 8.8 of the University's Sexual and Gender-Based Misconduct Policy, which includes how Loyola University Maryland prevents sexual misconduct, the process for reporting sexual and gender-based misconduct, and the procedures for adjudicating sexual and gender-based misconduct allegations. This section also includes the Student Respondent Sexual and Gender-Based Misconduct Investigation and Hearing Procedures. The process for addressing harassment and discrimination by an employee can be found in University Policy J. Harassment and Discrimination Policy and Procedures. Loyola will interpret and apply this policy based on any judicial orders or outcomes and in accord with any updated guidance regarding the implementation of the 2020 Title IX regulations from the Office of Civil Rights or any updated guidance or laws from the state of the Maryland regarding sexual and gender-based policies.

Scope of Sexual and Gender-Based Misconduct Policy

The Sexual and Gender-Based Misconduct Policy prohibits discrimination on the basis of sex, in accordance with Title IX, Maryland state law, and in accordance with the University's values and standards of conduct. This policy prohibits sexual harassment, domestic violence, dating violence, stalking and sexual assault of students, employees, or program participants of Loyola University Maryland by anyone on University property or at University-sponsored activities, and as otherwise included within the scope of this policy. This policy applies to situations which the person accused of a violation ("respondent") is a student, employee, or program participant at Loyola University Maryland. This policy also applies to conduct prohibited by Title IX and conduct which, although not falling under Title IX, violates the University's own conduct policies.

Under Title IX regulations, universities are required to distinguish between prohibited conduct that is "under Title IX" and prohibited conduct that is a violation of university policy. Under Title IX, the University must dismiss a Formal Complaint or the part of the allegations in a Formal Complaint, if applicable, where Sexual Harassment is alleged and where:

1. The conduct alleged does not meet the definition of Sexual Harassment;
2. The alleged conduct did not occur in the University's education program or activity; or,
3. The alleged conduct did not occur against a person in the United States.

A dismissal under this provision only applies to allegations of Sexual Harassment (as defined below) under Title IX. In such an instance, the University may still investigate a Formal Complaint for other alleged violations under this Policy as discussed in great detail below, although it will not technically be "under Title IX."

Because of the distinction between conduct "under Title IX" and other prohibited conduct, the University does not have a single complaint and resolution mechanism for all complaints of Sexual and Gender-Based Misconduct. As a result, the procedures applicable to the investigation and resolution of a complaint will depend on whether the complaint is "under Title IX" or not. The Policy below describes how the University will determine whether the Title IX Grievance Procedures will apply or, if instead, the University's General Sexual Misconduct Procedures (defined below) apply.

This policy distinguishes between reporting sexual misconduct incidents and filing Formal Complaints. Reporting Sexual Misconduct incidents informs the University of the incident, which allows the institution to provide Supportive Measures (as outlined in this Policy) to the Complainant and does not necessarily result in the initiation of the investigation and resolution procedures described in this section. All Complainants who report incidents of Sexual Misconduct will be offered individualized Supportive Measures. If Complainants wish to initiate the Title IX Grievance or General Sexual Misconduct Procedures (defined below), they should file a Formal Complaint. As explained in more detail below (including exceptions and details as to applicability), generally speaking, those procedures may involve an investigation into the incident and a hearing to determine the responsibility of the Respondent.

Related policies

Allegations against student employees in their capacity as employees are treated as claims against an employee for the purposes of determining the proper procedure to apply.

Harassment on the basis of a protected classification is also prohibited by University policy and may be the subject of a complaint using the Procedures for Resolution of Complaints Against Employees under the Harassment and Discrimination Policy if the respondent is an employee (see Section 8.7) or using the process outlined within section 7. Bias Process of the community standards if the respondent is a student.

Non-Discrimination Statement

Loyola University Maryland does not discriminate on the basis of race, sex, color, national or ethnic origin, age, religion, disability, marital status, sexual orientation, gender identity, genetic information, military status, or any other legally protected classification covered by federal or state law in the administration of any of its educational programs and activities or with respect to admission or employment. All requirements and protections are equitably provided to individuals regardless of their status as a complainant, respondent, or witness. The designated compliance officer to ensure compliance with Title IX of the Education Amendments of 1972, as amended, is Kathleen Parnell, Associate Vice President for Human Resources, 5000 York Rd., Rm. 204, 410-617-1350, kmparnell@loyola.edu. The designated compliance officer to ensure compliance with Title IX of the Education Amendments of 1972, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended, is David Tiscione, Director of Title IX, Compliance, and Assessment, 105 Jenkins Hall, 410-617-5171, dmtiscione@loyola.edu. Loyola University is authorized under Federal Law to enroll non-immigrant, alien students.

Definitions

Advisor means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the Sexual and Gender-Based

Misconduct Policy and to advise the party on that process. In hearings for behavior that fall under the Title IX Grievance Procedures, the advisor may conduct cross-examination for the party. The advisor may not cross examine parties or witnesses in hearings that fall within the University's General Sexual Misconduct Procedures.

Appellate body refers to the individuals authorized to hear appeals. For student cases, the University Board on Discipline comprises the appeals hearing board. For employee cases, an independent appeals decision-maker(s) will be appointed by the University's Title IX Coordinator.

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual misconduct or retaliation for engaging in a protected activity.

Complaint (formal) means a document filed/signed by a complainant who is enrolled or is participating in an educational program or activity at the University or signed by the Title IX Coordinator or designee alleging sexual misconduct or retaliation for engaging in a protected activity against a respondent and requesting that the University investigate the allegation. Formal complaints may also be received from complainants with respect to claims falling outside Title IX and which would be subject to the University's General Sexual Misconduct procedures.

Confidential Resource means an employee who is not a Mandated Reporter of notice of sexual harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status).

Consent is defined as an affirmative indication by words and/or actions of a voluntary agreement to engage in the particular sexual act or conduct in question. Consent for one sexual act or conduct does not constitute consent to all sexual acts or conduct. Consent can be withdrawn at any time, and once withdrawal of consent has been expressed, sexual activity must cease. Consent cannot be obtained through the use of force, threat, intimidation, or coercion. Silence or absence of resistance on the part of an individual does not constitute their consent. Consent cannot be given by someone who is incapacitated due to consuming drugs or alcohol or for any other reason (including but not limited to being unconscious, asleep, or otherwise unaware that sexual activity is occurring). Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction). While incapacitation may result from the use of alcohol and/or drugs, incapacitation is a state beyond drunkenness or intoxication. Incapacitation may also exist because of a physical, mental, or developmental disability. The question of incapacitation will be examined objectively from the perspective of the respondent i.e., whether a reasonable, sober person in place of the respondent should have known the condition of the complainant based on the apparent indications of incapacitation, which may include, but are not limited to, acting confused or incoherent, difficulty walking or speaking, and vomiting.

Decision-maker(s) refers to those who have decision-making and sanctioning authority within the University's hearing process for employees.

Day means a business day when the University is in normal operation (excludes weekends, holidays, and University breaks) unless otherwise specified.

Education program or activity means locations, events, or circumstances where the University exercises substantial control over both the respondent and the

context in which the sexual harassment occurs and also includes any building owned or controlled by a student organization that is officially recognized by the University.

Hearing Panel refers to those who have decision-making and sanctioning authority within the University's hearing process for students.

Mandated Reporter means an employee of the University who is obligated by policy to share knowledge, notice, and/or reports of sexual harassment and/or retaliation with the appropriate Title IX Coordinator or deputy.[1]

Notice means that an employee, student, or third-party informs the Title IX Coordinator or Title IX Deputy Coordinators or Officials with Authority of the alleged occurrence of sexual harassing, discriminatory, and/or retaliatory conduct.

Parties include the complainant(s) and respondent(s), collectively.

Remedies are post-finding actions directed to the complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to the University's educational program.

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute prohibited conduct under this policy.

Resolution means the result of an informal or formal grievance proceeding.

Sanction means a consequence imposed by the University on a respondent who is found to have violated this policy.

Sexual Harassment is the umbrella category of sexual misconduct including the offenses of sexual harassment, sexual assault, stalking, and dating violence and domestic violence. See Prohibited Conduct section for greater detail.

Title IX Coordinator is at least one official designated by the University to ensure compliance with Title IX and the University's Title IX program. References to the Coordinator throughout this policy may also encompass Title IX Deputy Coordinators for specific roles and tasks.

Disability Accommodations

Parties may request reasonable accommodations for disclosed disabilities to the appropriate Title IX Coordinator at any point before or during the Sexual and Gender-Based Misconduct Policy process that do not fundamentally alter the Process. The appropriate Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the parties, even where the parties may be receiving accommodations in other institutional programs and activities.

Education and Prevention of Sexual Misconduct

Members of the University community are expected to respect the rights, dignity, and personhood of others. The Sexual Violence Prevention, Education, and Response Coordinator is available to meet with student survivors of sexual misconduct. The Sexual Violence Prevention, Education and Response Coordinator and the Title IX Coordinators or designees offers prevention and bystander intervention programs throughout the academic year. The Counseling Center provides qualified professionals who can help students clarify their feelings about

[1] Not to be confused with those mandated by state law to report child abuse, elder abuse, and/or abuse of individuals with disabilities to appropriate officials, though these responsibilities may overlap with those who have mandated reporting responsibility in this Policy.

sexuality and intimacy and help students develop assertiveness skills that may be useful in managing potentially difficult situations. The Counseling Center staff also provides direct service and referrals for survivors of sexual misconduct. The Employee Assistance Program is a confidential resource available for employees 24 hours a day at 1-800-765-0770. Additionally, the University has formalized agreements with local law enforcement and designated rape crisis centers governing interactions between the University and those organizations surrounding incidents of sexual misconduct.

The list of confidential resources on campus are as follows. Students may access professional counselors in the Counseling Center at 410-617-2273; health services providers in the Student Health Center at 410-617-5055; clergy offering pastoral care at 410-617-2444; and Melissa Lees, Sexual Violence Prevention, Education and Response Coordinator, in the Women's Center at 410-617-6769. Employees can call the Employee Assistance Program 24 hours a day at 1-800-765-0770. These resources are not required to report the incident and will keep the information confidential.

Educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking are offered at New Student Orientation, in new employee orientation, in the residence halls, and on campus throughout the academic year. Such prevention and awareness programs include a statement that the University prohibits all forms of sexual misconduct, definitions of various types of sexual misconduct and of consent, safe and positive options for bystander intervention, and information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential sexual violence.

Title IX Independence and Conflict of Interest

The Title IX Coordinator oversees the implementation of the Title IX process and acts with independence and authority free from bias and conflicts of interest. The Title IX Deputy Coordinator for Students oversees all resolutions under this policy and these procedures related to complaints where the student is the respondent. The Title IX Deputy Coordinator for Faculty, Staff, and Administrators oversees all resolutions under this policy and these procedures related to complaints where an employee is the respondent. The Title IX Coordinator and Deputies receive annual training and are trained to ensure they are not biased for or against any party in a specific case, or for or against complainants and/or respondents, generally. To raise any concern involving bias or conflict of interest by the Title IX Coordinator, contact the Vice President for Finance and Administration. Concerns of bias or a potential conflict of interest by any Title IX Deputy Coordinator should be raised with the Title IX Coordinator. Upon receiving a concern of bias or conflict of interest, the Vice President for Finance and Administration or the Title IX Coordinator may designate an appropriate person to review and respond regarding the concerns raised, including recommending action to eliminate any bias or conflict of interest that might be found.

Title IX Coordinators may appoint external, independent parties with appropriate training to fill any of the defined roles within this policy or related procedures. Any external parties retained under this section will agree to abide by all confidentiality provisions set forth within this policy or related procedures and applicable law.

Reporting Sexual Misconduct

Allegations or notice of sexual misconduct on University property, at a University-

sponsored event regardless of location, or in the administration of any of Loyola's educational programs or activities, or inquiries about or concerns regarding this policy and procedures, should be directed to one of the following individuals:

Title IX Coordinator for the University:
David Tiscione, Director of Title IX, Compliance, and Assessment
105 Jenkins Hall
410-617-5171
dmtiscione@loyola.edu

Inquiries may be made externally to:

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012
TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: http://www.ed.gov/ocr

Officials with Authority

The University has determined a list of administrators who are Officials with Authority (OWA) to institute corrective measures. In addition to the Title IX Coordinator and Deputies listed above, the University has designated Title IX Intake Officers as OWAs.

Title IX Intake Officers

Administrators designated as Title IX Intake Officers are available to meet with complainants and other reporting parties to review their rights, resources, and reporting options that are available both on and off-campus, including offering and implementing supportive measures, regardless of whether they desire to file a complaint.

Title IX Intake Officers for Students

- Neil Andrito, Director of Student Life
  Seton Court Suite 08a
  410-617-2488
  nfandrito@loyola.edu
- Stepf Diaz, Assistant Director of Student Life
  Newman Towers, C110B
  410-617-5081
  sdiaz@loyola.edu
- Daniel Fitzpatrick, Assistant Director of Student Athlete Support Services
  Jenkins Hall Room 015
  410-617-5361
  drfitzpatrick@loyola.edu
- Ashley Schantz, Assistant Director of Student Engagement

Student Center Room E413b
410-617-7132
aschantz@loyola.edu

Title IX Intake Officers for Faculty, Staff, & Administrators

- Toya Dailey-Smith
  Sr. HR Partner
  5000 York Rd., 2nd Floor
  410-617-1360
  tdailey-smith@loyola.edu
- Elaine Kudsieh
  Sr. HR Partner
  5000 York Rd., 2nd Floor
  410-617-1343
  ekudsieh@loyola.edu
- Bonnie Wrzosek
  HR Partner
  5000 York Rd., 2nd Floor
  410-617-1367
  bwrzosek@loyola.edu

Mandated Reporters

The University has also classified the following employees as Mandated Reporters of knowledge that a member of the community is experiencing harassment, discrimination, and/or retaliation: any University administrator, staff with supervisory responsibilities, faculty member, campus police, athletic coach, athletic trainer, graduate resident coordinator, or resident assistant. Campus Police and the student life on-call staff can be reached at 410-617-5010. A report of alleged sexual misconduct against any member at the University may be made by any community member, guests, visitors and other third parties by contacting the appropriate Title IX Coordinator or Title IX Intake Officer listed above. The University encourages all members of the community to report sexual misconduct, whether or not they are the person who allegedly experienced a violation of this policy. When a person other than a complainant makes a report, the appropriate Title IX Coordinator (or designee) will contact the complainant to discuss the report and whether they wish to proceed with a formal complaint.

Generally, disclosures in climate surveys, classroom writing assignments, discussions or group presentations, in conversations heard indirectly among students in a hallway, human subjects research, or at events such as "Take Back the Night" marches or speak-outs do not provide notice that must be reported to the Coordinator by employees, unless the complainant clearly indicates that they desire a report to be made or seek a specific response from the University.

Additional Reporting Options

Reports can also be made anonymously or identified using the methods outlined below. It should be noted that the University's ability to investigate or act upon anonymous reports may be limited.

Additional reporting methods:

- Anonymous Information Form, found at https://www.loyola.edu/department/public-safety/anonymous-information-form
- EthicsPoint, found at https://secure.ethicspoint.com/domain/media/en/gui/18799/index.html
- Bias Related Behaviors Report, found at www.loyola.edu/reportbias
- Sexual Violence, Relationship Violence or Stalking Report found at https://cm.maxient.com/reportingform.php?LoyolaUnivMD&layout_id=4

When making a report, the following information is requested as part of the report: Name(s) of student(s) alleged to have violated the Sexual and Gender-Based Misconduct Policy and a clear statement explaining the date, time, and location including the nature and circumstances of the incident. It is important to provide as much information as possible as this report may serve as a basis for investigation. If a formal grievance process is initiated, the report will be shared with the respondent, investigator, hearing panel members, decision-maker(s), and administrators who oversee the student conduct process, and the appropriate Title IX Coordinator (or designee), among others, and a copy will be provided to the complainant.

Upon receiving a report, the complainant and/or reporting party, if different from the complainant, will be provided with a written explanation of their rights and options which, in addition to the information described in this section, will include information about legal service organizations and referral services. The Title IX Coordinator seeks to determine if the person wishes to make a formal complaint, and will assist them to do so, if desired. If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint.

Students who report sexual misconduct, or participate in an investigation as a witness, will not be subject to disciplinary action for their own personal involvement with alcohol and/or other drugs at or near the time of the incident, unless the involvement was reasonably likely to place the health or safety of another individual at risk. The University may initiate an educational discussion or pursue other educational remedies regarding the alcohol and/or other drugs.

The University encourages any student or employee who has experienced domestic violence, dating violence, sexual assault, or stalking to report the incident to the Baltimore City Police or local law enforcement and encourages students who experience these behaviors to additionally consult their parents/guardians. The director of public safety (or their designee) can assist the complainant in contacting the appropriate law enforcement officials and in working with these officials to pursue criminal charges against the respondent. Complainants also have the option to decline to notify law enforcement authorities. Protective orders and peace orders may be sought through the court system. Baltimore City Police can be reached by calling 911.

If a student has experienced sexual misconduct but does not want to report it for investigation, the student may meet with Melissa Lees, Sexual Violence Prevention, Education, and Response Coordinator, in the Women's Center, and/or a counselor or psychologist in the Counseling Center. Melissa Lees can be reached at 410-617-6769. The student may also contact the Counseling Center at 410-617-2273. Reports made to a licensed counselor, clergy acting in their pastoral role, a treating health care provider, or the Sexual Violence Prevention, Education, and Response Coordinator are confidential and will not be reported for investigation without the student's

permission unless an imminent threat exists. The Student Health Center can be reached at 410-617-5055. The Employee Assistance Program is a confidential resource available for employees 24 hours a day at 1-800-765-0770. The following are confidential off-campus resources that are available to both students and employees: TurnAround 24 hours a day at 443-279-0379; House of Ruth 24 hours a day at 410-889-7884; and the Sexual Assault /Domestic Violence 24-hour hotline for Baltimore and Carroll Counties at 410-828-6390.

Complainants are encouraged to seek medical assistance in cases of sexual assault. Upon request, campus police will provide transportation to Mercy Hospital, designated as one of the city's rape treatment centers. This hospital is equipped to perform the Sexual Assault Forensics Exam (SAFE) and provide victim services. It is important to preserve evidence for proof of a criminal offense if charges may be filed.

Supportive Measures

Upon receiving notice or a complaint, the appropriate Title IX Coordinator (or designee) will promptly offer supportive measures to the parties designed to restore or preserve access to the University's education program, activity, or work environment. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge and can include actions deemed necessary to protect the well-being of the individuals involved in cases of sexual misconduct, as well as the educational environment of the University community. These supportive measures may include but are not limited to: counseling, no contact orders, relocating residence hall assignments, restricting access to certain campus buildings, changes to class schedules, assistance with rescheduling an academic assignment (paper, exam, etc.), tutoring support, changes to work schedules/situations, changes to work locations, leaves of absences, transportation assistance and escorts to and from campus locations, increased security and monitoring of certain areas, and other measures for safety as necessary. Additionally, the University may act to remove a respondent entirely or partially from its education program or activities on an emergency basis as outlined in Emergency Removal and Administrative Leave below.

The University will maintain the privacy of the supportive measures, provided that privacy does not impair the University's ability to provide the supportive measures. The University will act to ensure as minimal an academic impact on the parties as possible. The University will implement measures in a way that does not unreasonably burden the other party.

When a Complainant Does Not Wish to Proceed

To initiate a complaint under the Sexual and Gender-Based Misconduct Policy, a complainant would need to file a formal complaint. The University understands that some complainants may seek confidentiality with respect to a report of sexual harassment or other sexual misconduct, including requesting that they not be identified to the respondent. Due to the usually private nature of these actions and the need to ensure a fair process for all involved, the University may not be able to pursue charges of sexual misconduct unless the complainant is willing to be identified. However, in cases where there is a witness to the alleged violation, or in cases where pursuing the case is necessary to protect the University community, the University reserves the right to pursue a case to its conclusion. If the complainant requests confidentiality or that a report not be pursued, the University will evaluate the request for confidentiality considering its obligation to maintain a safe campus

environment for all. While rare, the University may determine that the complainant's request for confidentiality cannot be complied with fully. The goal is to provide the complainant with as much control over the process as possible, while balancing the University's obligation to protect its community.

The appropriate Title IX Coordinator's decision should be based on whether there is a compelling risk to health and/or safety that requires the University to pursue formal action to protect the community, such as where multiple reports have been received about the same respondent, violent acts or weapons are involved, or the incident involved the use of date-rape drugs.

The appropriate Title IX Coordinator must also consider the effect that non-participation by the complainant may have on the availability of evidence and the University's ability to pursue a formal grievance process fairly and effectively. The University will dismiss complaints as outlined in section Dismissal of a formal complaint (Mandatory and Discretionary).

When the appropriate Title IX Coordinator executes the written complaint, they do not become the complainant. The complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

When the University proceeds, the complainant (or their advisor) may have as much or as little involvement in the process as they wish. The complainant retains all rights of a under this policy irrespective of their level of participation.

In cases in which the complainant requests confidentiality or no formal action and the circumstances allow the University to honor that request, the University will offer supportive measures and remedies to the complainant and the community but will not otherwise pursue formal action.

If the complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a complainant has the right, and can expect, to have allegations taken seriously by University, and to have the incidents investigated and properly resolved through these procedures.

Promptness

All allegations are acted upon promptly by the University once it has received notice or a formal complaint. Generally, formal complaints can take at least 60 business days to resolve. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but the University will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in the procedures will be delayed, the University will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

Emergency Removal and Administrative Leave

Emergency Removal for Student Respondents

The University can act to remove a student respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal and provides the respondent with notice and an

opportunity to challenge the decision immediately following the removal. This process will be implemented as outlined in University Regulations and Policies II.B Immediate Removal From Campus of the Community Standards.

Administrative Leave for Employee Respondents

The University retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Procedures, consistent with section 1.29 in the Staff and Administrator Policy Manual or "Article Eleven: Suspension" in the Faculty Handbook".

Determining Applicable Procedures

Formal Complaints falling "under Title IX" as described in the "Scope" section above will be investigated and adjudicated by the procedures outlined in the Student Respondent Title IX Grievance Procedures- Hearing procedures for incidents that fall within Title IX jurisdiction for students and in the Employee Respondent Title IX Hearing Process for employees. Together, these procedures for complaints falling "under Title IX" are referred to as the "Title IX Grievance Procedures."

The University also may address complaints outside the jurisdiction outlined above – i.e., not occurring "under Title IX" – that effectively deprive someone of access to the University's educational program or that are otherwise in violation of this policy but not conduct prohibited by Title IX. The University may also address complaints involving off-campus, study abroad programs, and/or online conduct when the appropriate Title IX Coordinator (or designee) determines that the conduct affects a substantial University interest. Complaints that do not fall "under Title IX" will be acted upon, investigated, and adjudicated by the procedures outlined in Student Respondent General Sexual Misconduct Process for students and in section 8.7 under the Harassment and Discrimination Policy and Procedures for employees. Together, these procedures for complaints that do not fall "under Title IX" are referred to as the "University's General Sexual Misconduct Procedures."

Regardless of where the conduct occurred, the University will review reported incidents to determine whether the conduct occurred in the context of its educational program or activity and/or has continuing effects on campus or in an off-campus sponsored program or activity. A substantial University interest includes:

a. Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law;

b. Any situation in which it is determined that the respondent poses an immediate threat to the physical health or safety of any student or other individual;

c. Any situation that significantly impinges upon the rights, property, or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or

d. Any situation that is detrimental to the educational interests or mission of the University.

If the respondent is unknown or is not a member of the University community, the appropriate Title IX Coordinator (or designee) will assist the complainant in identifying appropriate campus and local resources and support options and/or,

when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report.

Further, even when the respondent is not a member of the University's community, supportive measures, remedies, and resources may be accessible to the complainant by contacting the appropriate Title IX Coordinator (or designee).

In addition, the University may take other actions as appropriate to protect the complainant against third parties, such as barring individuals from University property and/or events.

All vendors serving the University through third-party contracts are subject to the policies and procedures of their employers or to these policies and procedures to which their employer has agreed to be bound by their contracts.

When the respondent is enrolled in or employed by another institution, the appropriate Title IX Coordinator (or designee) can assist the complainant in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies.

Similarly, the appropriate Title IX Coordinator (or designee) may be able to advocate for a complainant who experiences discrimination in an externship, study abroad program, external work commitment, or other environment external to the University where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give recourse to the complainant.

Time Limits on Reporting

There is no time limitation on reporting incidents and/or filing complaints to the University. However, if the respondent is no longer subject to the University's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible. Acting on reports or formal complaints is significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) and is at the discretion of the appropriate Title IX Coordinator (or designee), who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate. When a report or formal complaint is affected by significant time delay, the University will typically apply the policy in place at the time of the alleged misconduct.

Retaliation

Any retaliation, reprisal, or intimidation directed toward a complainant or anyone else as a result of participating in a protected activity is strictly prohibited. Protected activity under this policy includes reporting an incident that may implicate the student/employee code of conduct, participating in the student conduct or grievance process, supporting a complainant or respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of the student/employee code of conduct. Any incidents of retaliation by a student should be reported immediately to Student Life, Student Conduct, or the appropriate Title IX Coordinator (or designee) and for incidents by employees, they should be reported to the appropriate Title IX Coordinator. Incidents of retaliation are considered a serious violation. Allegations of retaliation are handled in accordance with the normal rules and procedures of the student conduct process, and students alleged to have violated this policy may be charged with 17. Retaliation. Any employee who is alleged to have violated this provision may be subject to disciplinary action under section 1.28 Discipline under

Staff and Administrator Policy Manual.

It is prohibited for the University or any member of the University's community to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

Charging an individual under the appropriate disciplinary process under the student code of conduct for students and the Staff and Administrator Policy Manual for employees and the Faculty Handbook for faculty for making a materially false statement in bad faith in the course of a grievance proceeding under this policy and procedure does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

Recordkeeping

The University will maintain for a period of seven years records of its Title IX Grievance Process, including:

1. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
2. Any disciplinary sanctions imposed on the respondent;
3. Any remedies provided to the complainant designed to restore or preserve equal access to the University's education program or activity;
4. Any appeal and the result therefrom;
5. Any Informal Resolution and the result therefrom; and
6. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:
    a. The basis for all conclusions that the response was not deliberately indifferent;
    b. Any measures designed to restore or preserve equal access to the University's education program or activity; and
    c. If no supportive measures were provided to the complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.
7. All materials used to train Title IX Coordinators, investigators, decision-makers, hearing panel members, and any person who facilitates an Informal Resolution process. The University will make these training materials publicly available on the Title IX website.

The University will also maintain any and all records in accordance with state and federal laws.

Complaint Process -- Applicable to Title IX Grievance Procedures and General Sexual Misconduct Procedures

The University's procedures provide for a prompt, fair, equitable, and impartial

investigation and resolution of all formal complaints of sexual misconduct. These procedures will allow for all parties to be heard. Participants will be treated with dignity, respect, and sensitivity. A respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the applicable grievance process. The hearing panel or decision-maker will conduct an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence, and provide that credibility determinations may not be based on a person's status as a complainant, respondent, or witness. Complaints regarding alleged violations of the sexual misconduct policy can be resolved informally or formally.

The policies of the University are written and interpreted broadly to include online and cyber manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on the University's education program and activities or use the University networks, technology, or equipment.

While the University may not control websites, social media, and other venues in which harassing communications are made, when such communications are reported to the University, it will engage in a variety of means to address and mitigate the effects.

Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via Snaps or other social media, unwelcome sexting, revenge porn, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of the University community.

Prohibited Conduct

Definitions of Prohibited Conduct that May be Subject to the University's Title IX Grievance Procedures

Pursuant to Title IX, Sexual Harassment is an umbrella term which includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking. Each offense will be defined below.

Sexual Harassment defined as conduct on the basis of sex which may include such behavior as unwelcome sexual advances, requests, and other verbal, written, or electronic communications or physical conduct of a sexual nature when (1) an employee of the University conditions the provision of an aid, benefit, or service of the University on an individual's participation in the unwelcome sexual conduct; or (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity.

Sexual assault is defined as any sexual act directed against another person, without consent of the complainant, including instances where the complainant is incapable of giving consent. Sexual assault includes penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the complainant. This definition includes any gender of the complainant or respondent.

Fondling is another form of sexual assault which is defined as the touching of the private body parts, including but not limited to breasts, buttocks, or groin of another person, for the purpose of sexual gratification, without the consent of the

complainant, including instances where the complainant is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

Incest is also a form of sexual assault when non-forcible sexual intercourse occurs between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is non-forcible sexual intercourse with a person who is under the statutory age of consent which is 16 years of age in the state of Maryland (which means the victim must be under 16); however, 14- and 15-year-olds may consent if the offender is less than four years older than the victim.

Dating Violence encompasses a wide range of behaviors including sexual assault, physical abuse and other forms of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on the complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence encompasses a wide range of behaviors including sexual assault, physical abuse and other forms of violence committed by a current or former spouse or intimate partner of the complainant; by a person with whom the complainant shares a child in common; by a person who is cohabitating with or has cohabitated with, the complainant as a spouse or intimate partner; by a person similarly situated to a spouse of the complainant, or by any other person against an adult or youth complainant protected from those acts by domestic or family violence laws of Maryland.

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. A course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. A reasonable person means a reasonable person under similar circumstances and with similar identities to the complainant. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Definitions of Prohibited Conduct that may be Subject to the University's General Sexual Misconduct Grievance Procedures

All of the conduct described above in the "Definitions of Prohibited Conduct that May be Subject to the University's Title IX Grievance Procedures" is also subject to the University's General Sexual Misconduct Grievance Procedures where the University determines that such conduct may not be addressed "under Title IX" and when the appropriate Title IX Coordinator (or designee) determines that the conduct affects a substantial University interest.

The following behaviors that fall outside of the Title IX Grievance Procedures will

be adjudicated under the University's General Sexual Misconduct Procedures (i.e., Student Respondent General Sexual Misconduct Process) in the Community Standards for students and the Harassment and Discrimination Policy and Procedures for employees), and may be included in a formal complaint as collateral misconduct allegations under the Title IX Grievance Procedures.

Harassment under this section means unwelcome verbal, written or physical conduct based on sex, sexual orientation and/or gender identity, 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.

Sexual exploitation means taking non-consensual or abusive sexual advantage of another person for one's own advantage or benefit or for the advantage or benefit of anyone other than the person being exploited. Examples include but are not limited to non-consensual photography, video-, or audio- recording of sexual images or activity, distributing images of sexual activity without consent, allowing others to observe a consensual sexual act without the prior knowledge or consent of all involved parties, and voyeurism.

Student Quid Pro Quo Sexual harassment is a form of harassment that consists of unwelcome sexual advances, requests for sexual favors, or other verbal, written, or physical conduct of a sexual nature when a student of the University conditions the provision of an aid, benefit, or service of the University on an individual's participation in the unwelcome sexual conduct.

The procedures below may be used to address collateral misconduct arising from the investigation of or occurring in conjunction with reported misconduct allegations (e.g., vandalism, theft, physical abuse of another).

Training of Grievance Process Officials

Investigations and hearings will be conducted by officials who have received annual training on a number of areas including, but not limited to, the definitions of sexual harassment, domestic violence, dating violence, sexual assault, and stalking; the scope of the University's education program or activity; how to conduct an investigation and grievance process, including hearings, appeals and informal resolution processes; how to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Decision-makers will also receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators will also receive training on issues of relevance to create an investigation report that fairly summarizes relevant evidence. Any materials used to train these individuals will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints for prohibited conduct under this section. All training materials will be posted on the Title IX website.

Resolution Timeline

The University will make a good faith effort to complete the resolution process within a 60-business day period, excluding appeal. Each of these deadlines may be extended for good cause. The University will notify the parties when a delay is anticipated and the rationale for any extensions or delays as appropriate, as well as

an estimate of how much additional time will be needed to complete the process. While the University works with all parties involved in scheduling meetings throughout the process, repeated delays in the process, including requests to reschedule meetings or hearings, and scheduling conflicts with advisors and/or support persons may not be accommodated.

Filing a formal complaint

The grievance process begins with a formal complaint, which is a document filed and/or signed by the complainant or signed by the appropriate Title IX Coordinator alleging a violation of the Prohibited Conduct section in this policy by a respondent and requesting that the University investigate the allegation(s). A complaint may be filed with the appropriate Title IX Coordinator in person, by mail, or by electronic mail, or by using the contact information in the section above. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the University) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the complaint. The formal complaint must include sufficient details known at the time including the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date, time and location of the alleged incident, if known. If notice is submitted in a form that does not meet this standard, the appropriate Title IX Coordinator will contact the complainant to ensure that it is filed correctly.

The University may consolidate formal complaints as to the allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party where the allegations of sexual harassment arise out of the same facts or circumstances.

Initial assessment

Once a formal complaint is filed, the appropriate Title IX Coordinator will initiate a prompt review of the formal complaint to determine the next steps in the grievance process. The assessment typically takes one to five business days.

The steps in an initial assessment can include:

- If a formal complaint is received, the appropriate Title IX Coordinator assesses its sufficiency and works with the complainant to make sure it is correctly completed.
- The appropriate Title IX Coordinator or Title IX Intake Officer reaches out to the complainant to offer supportive measures if this has not already occurred.
- The appropriate Title IX Coordinator works with the complainant to ensure they are aware of the right to have advisors of their choice.
- The appropriate Title IX Coordinator works with the complainant to determine whether the complainant would like to proceed through a formal grievance process or an informal resolution process.
    - o If a formal grievance process is preferred, the appropriate Title IX Coordinator determines if the misconduct alleged falls under Title IX, as outlined below in Dismissal of a formal complaint (Mandatory and Discretionary).
    - o If it does, the appropriate Title IX Coordinator will initiate the formal investigation and grievance process under the Title IX Grievance

Procedures (Student Respondent Title IX Grievance Procedures for students or under the Employee Respondent Title IX Hearing Process for employees).

- If it does not, the University will dismiss the formal complaint, assess which policies may apply and refer the matter for resolution under another disciplinary process. Note that dismissing a complaint under Title IX is a regulatory, procedural requirement and does not limit the University's authority to address a complaint with an appropriate process and remedies. Complaints regarding students alleged to have violated the Sexual and Gender-Based Misconduct policy not within the jurisdiction of Title IX will be investigated and adjudicated under the University's General Sexual Misconduct Procedures (Student Respondent General Sexual Misconduct Process; Employees alleged to have violated the Sexual and Gender-Based Misconduct policy not within the jurisdiction of Title IX will be investigated and addressed under the Harassment and Discrimination Policy and Procedures).
- If an informal resolution option is preferred, the appropriate Title IX Coordinator assesses whether the complaint is suitable for informal resolution, which informal mechanism may serve the situation best or is available, and may seek to determine if the respondent is also willing to engage in informal resolution.

Upon dismissal of a formal complaint under the Title IX grievance process, the University retains discretion to utilize the Student Code of Conduct for students and the Harassment and Discrimination Policy and Procedures for employees to determine if a violation has occurred. If so, a new formal complaint alleging conduct charges from these policies and procedures will be issued following the Notice of Allegations and Investigations below.

Advisors

Except as noted below, the complainant and respondent may each have no more than two people, defined as advisors, present throughout the entire process. The advisor may be a personal supporter of the party's choice, a licensed attorney, an advocate, or an advocate supervised by an attorney. The advisor of choice can also include parents or others who are not full-time members of the University community.

The advisors may attend hearings, meetings, and interviews with the complainant or respondent, consult privately with the complainant or respondent during hearings, meetings, and interviews, except when such consultations during questioning of the student they are advising at a proceeding are deemed disruptive by the hearing chair, decision-maker, or investigator, and assist the party they are advising with the exercise of any right during the proceedings. The advisor is not allowed to address the investigators, hearing panel, or decision-makers except to engage in cross-examination during the live hearing. There is no direct cross-examination by parties or their advisors permitted in Student Respondent General Sexual Misconduct Process or in the Harassment and Discrimination Policy and Procedures Section 8.7 for cases that fall outside the Title IX Grievance Procedures (although, in all cases, parties will be given the opportunity to submit relevant questions to be asked of the other party and any witnesses, as described more

specifically in the applicable procedures). Disruptive advisors will be removed from the process, and the process will continue as outlined. In matters involving employee respondents which fall outside the Title IX Grievance Procedures and are investigated pursuant to Harassment and Discrimination Policy and Procedures Section 8.7, both the complainant and the respondent shall have the same opportunities to be accompanied to any meeting or disciplinary proceeding by advisor(s) of their choice only in cases of alleged sexual assault, dating violence, domestic violence, stalking, and in cases of sexual harassment involving a student.

Advisors can request an outline of their role and expectations for their participation in the grievance process. Students who are complainants or respondents may access attorneys paid for by the Maryland Higher Education Commission (MHEC) or who agree to participate on a pro bono (without charge) basis. Information for students regarding accessing counsel through MHEC can be found on the MHEC website, https://mhec.maryland.gov/Pages/Title-IX-Campus-Sexual-Assault-Proceedings---Attorney-List.aspx. Counsel for students may not be available through MHEC for complaints involving allegations of sexual and/or gender-based harassment only. Students or employees may knowingly and voluntarily choose not to have counsel.

Notice of Allegations and Investigation

Once a formal complaint has been filed, the appropriate Title IX Coordinator (or designee) shall provide the complainant and respondent with timely written notice of the allegations, including identities of the parties involved in the incident, if known, the date, time and location of the alleged violation, if known, the conduct allegedly constituting the violation, the range of potential sanctions associated with the alleged violation, and the rights and responsibilities under this policy and regarding other civil and criminal options. The written notice will also include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The burden of gathering evidence sufficient to reach a determination regarding responsibility rests with the University and not on the parties. The written notice will inform the parties that they may have advisors of their choice, who may be, but are not required to be, an attorney, and may inspect and review evidence during the grievance process (as applicable). The written notice will inform the parties that if they knowingly make false statements or knowingly submit false information during the grievance process, this action constitutes a violation of section 8. False Information/Obstruction under the Student Code of Conduct for students and section 8.6 Knowingly Filing False Complaint of the Harassment and Discrimination Policy and Procedures for employees which will result in a referral for disciplinary action that is separate and independent from the grievance process.

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment but other violations of University policy, the process outlined in this section will be applied in the investigation and adjudication of all of the allegations.

Amendments and updates to the notice may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

Actions by the police or criminal courts do not in any way preclude the University from pursuing charges through the University's grievance process. Similarly, pursuit

of charges through the University's grievance process does not preclude the pursuit of criminal charges. In cases where law enforcement directs the University to suspend its investigative efforts, the University will cooperate with all investigative efforts and will promptly resume its own investigation or adjudication of the case when permitted to do so.

Informal Resolution

Once a formal complaint has been filed, the matter may be resolved through an informal resolution which is a process whereby trained staff provide remedies and interventions, at the request of the complainant, which may serve to address the alleged conduct without proceeding to an investigation and adjudication. However, informal resolution will not be used for student complaints against employees under this policy. Reports of sexual assault may not be resolved through mediation or informal resolution. Neither party is required to accept responsibility for the alleged conduct in order to proceed with an informal resolution (but certain restorative justice resolution options may require an acceptance of responsibility to be available). All parties to the complaint must agree to use of informal resolution, and either party may decide not to proceed with or to end informal resolution in favor of formal resolution at any time. The appropriate Title IX Coordinator (or designee) has the discretion to determine whether a complaint is appropriate for an informal resolution and retains discretion to terminate an ongoing informal resolution process at any time. The purpose of an informal resolution is to take appropriate action to address and remedy the alleged behavior, its effects, and/or the complainant's concerns short of the formal resolution process, such as by imposing individual and community interventions and remedies designed to maximize the complainant's access to educational, extra-curricular, and/or employment activities at the University; and/or to address the effects of the respondent's alleged conduct on the larger University community. Any combination of interventions and remedies may be utilized, including but not limited to:

- Increased monitoring, supervision, and/or security at locations or activities where the alleged conduct occurred or is likely to recur;
- Targeted or broad-based educational programming or training for relevant individuals or groups;
- Academic modifications;
- Employment modifications;
- Completion of projects, programs, trainings, or other requirements designed to help the respondent manage behavior, refrain from engaging in prohibited conduct, and understand why the prohibited conduct is prohibited;
- Compliance with orders of no contact that limit access to specific college buildings or areas or forms of contact with particular persons; and/or
- Restorative practices, including facilitated conversations and acknowledgement of harm.

The imposition of remedies or interventions obtained through an informal resolution may be achieved by an agreement acceptable to the parties and University. The appropriate Title IX Coordinator (or designee) will facilitate the development of this agreement. The timeframe for informal resolutions is generally 30 business days to address and resolve the matter. Any reasonable delays or extensions must be supported by good cause and will be communicated to the

parties. In such cases where an agreement is reached, and the terms of the agreement are implemented, the matter will be considered resolved and closed. Agreements reached through informal resolution are considered final, and cannot be referred for formal resolution, except if the respondent fails to satisfy the terms of the agreement. In such cases, or where an agreement is not reached and the complainant wishes to proceed with formal resolution or the appropriate Title IX Coordinator (or designee) determines that further action is necessary, the matter may be referred for a formal resolution. Where the complainant, respondent, and the University have reached an informal resolution agreement, the parties will be provided with a written copy of the agreement. Accepting an informal resolution does not mean that the respondent admits responsibility for a policy violation; nor does it mean that there has been a finding of a policy violation. The appropriate Title IX Coordinator (or designee) will maintain all records of matters referred for informal resolution.

Dismissal of a formal complaint (Mandatory and Discretionary)

These dismissal requirements are mandated by the 2020 Title IX Regulations, 34 CFR Part 106.45. Such a dismissal does not preclude action under another provision of the University's code of conduct or other policies, including the University's Sexual and Gender-Based Misconduct Policy (provided the complaint will not be considered "under Title IX" and the General Sexual Misconduct Procedures will be applied). The University must dismiss a formal complaint under Title IX or any allegations therein if, at any time during the investigation or hearing, it is determined that:

1) The conduct alleged in the formal complaint would not constitute sexual harassment as defined in the Prohibited Conduct under the Title IX Grievance Process section of this policy; and/or

2) The conduct did not occur in an educational program or activity controlled by the University, and/or the University does not have control of the respondent; and/or

3) The conduct did not occur against a person in the United States; and/or

4) At the time of filing a formal complaint, a complainant is not participating in or attempting to participate in the education program or activity of the University.

The University may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

1) a complainant notifies the appropriate Title IX Coordinator in writing that they would like to withdraw the formal complaint; or

2) when the respondent is no longer enrolled by the University (If a respondent involved in an investigation for an alleged violation of the Student Code of Conduct or with pending conduct charges requests a leave or withdrawal, the investigation and/or conduct process may be completed prior to the change in student status being approved); or

3) Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon any dismissal, the University will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.

The dismissal determination of a formal complaint or any included allegations may be appealed to the Dean of Students or designee, in the case of students; or to the Title IX Coordinator or designee, in the case of employees. An independent

decision maker, who may be a university administrator, a hearing panel member, or and external party, will be appointed to decide the appeal. A complainant who decides to withdraw a complaint may later request to reinstate it or refile it.

Student Respondent Sexual and Gender-Based Misconduct Investigation and Hearing Procedures

The following sections outline the investigation and hearing procedures for complaints involving a student respondent under Title IX or not under Title IX.

Investigation **[Applicable to Both Title IX Grievance Procedure and General Sexual Misconduct Process]**

Following notice to the parties, the appropriate Title IX Coordinator (or designee) will designate an impartial investigator(s) and coordinate the logistics of the investigation process. All investigations will be conducted with fairness, equity, impartiality, and under a reasonably prompt timeframe, generally within 60 business days. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary. No unauthorized audio or video recording of any kind is permitted during investigation meetings. The appropriate Title IX Coordinator (or designee) will provide regular status updates to the parties throughout the investigation. The complainant and respondent will be notified of the date, time and location of each hearing, meeting, or interview that they are permitted to attend and shall have the right to be accompanied by no more than two people, including a personal supporter of the student's choice, an attorney, or an advocate.

The complainant and respondent shall have the right to submit to the investigator evidence, witness lists, and suggested questions for the parties and witnesses. If additional allegations are uncovered during the investigation, they may be added to the formal complaint with notice to the parties whose identities are known. The investigation does not consider evidence about the complainant's sexual predisposition or prior sexual behavior as relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent or to prove the source of an injury, or to prove prior sexual misconduct. Additionally, the investigation does not consider incidents not directly related to the possible violation, unless they evidence a pattern. Evidence regarding a student's medical history, including mental health counseling, treatment or diagnosis, may not be considered without that party's written consent.

All parties must submit any evidence they would like the investigator(s) to consider prior to when the parties' time to inspect and review evidence begins. See, 85 Fed. Reg. 30026, 30307 (May 19, 2020).

Prior to the conclusion of the investigation, the investigator shall prepare a draft written report summarizing and analyzing the evidence, including both evidence indicating the alleged behavior occurred or did not occur. Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator(s) to not be directly related to the allegations in the formal complaint will be included in the appendices to the investigation report.

The parties and their advisors must sign an agreement not to disseminate any of the evidence subject to inspection and review or use such evidence for any purpose

unrelated to the Student Respondent Title IX Grievance Procedures or General Sexual Misconduct Process. See, 85 Fed. Reg. 30026, 30435 (May 19, 2020). The parties and their advisors agree not to photograph or otherwise copy the evidence. See, 85 Fed. Reg. 30026, 30435 (May 19, 2020). The complainant and respondent and their advisors will receive the draft investigation report and may submit a written response to the appropriate Title IX Coordinator (or designee) within 10 University business days. The parties may elect to waive the full 10 business days. If a written response has been submitted, the investigator(s) will evaluate the information from the parties and may need to conduct further interviews to gather relevant evidence in the case. The investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The investigator(s) should document all rationales for any changes made after the review and comment period.

The appropriate Title IX Coordinator (or designee) will provide the final investigation report to the parties and their advisors and the Office of Student Conduct, including all evidence- relevant and/or directly related to the complaint- submitted by the parties and witnesses. After the Title IX coordinator (or designee) provides the report to the parties and their advisors, the parties may submit a written response to the Office of Student Conduct within 10 University business days. A hearing will be scheduled before a hearing panel at least 10 University business days following the investigative report being sent by the appropriate Title IX Coordinator (or designee).

Hearing Procedures **[Applicable to Both Title IX Grievance Procedure and General Sexual Misconduct Process]**

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties and their advisors, the appropriate Title IX Coordinator (or designee) will refer the matter to the Office of Student Conduct for a hearing.

The Office of Student Conduct will select a three-member sexual misconduct hearing panel. The sexual misconduct hearing panel will be comprised of the Director of Student Conduct (or designee) and two additional trained panel members.

Prior to the panel being selected and the hearing being scheduled, both the complainant and respondent will receive the list of potential hearing panel and appeal panel members and will have one University business day to request removal of any member who they believe could not be objective toward them based on previous interactions. A request for removal must state with specificity the grounds for removal. The Dean of Students (or designee) shall review the merits of a request for removal, including discussing with the challenged panel member(s) whether the member(s) could serve objectively. The Dean of Students (or designee) shall make the final decision regarding removal.

The hearing Chair will give the panel a list of the names of all parties, witnesses, and advisors at least five (5) business days in advance of the hearing. Any panel member who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and advisors in advance of the hearing.

All participants are expected to maintain confidentiality regarding the proceedings, except that the complainant and respondent may not be required to

maintain confidentiality as to the outcome of the proceedings, and any directives regarding confidentiality shall not impede the parties' ability to obtain and present evidence or otherwise support or defend their interests, to communicate with law enforcement, to communicate with legal counsel or another advisor under this Policy, or to seek counseling or support. Questions regarding confidentiality in a particular case should be directed to the vice president for student development's office.

Incidents that meet the definitional and jurisdictional thresholds of sexual harassment as prescribed by Title IX will be adjudicated by the procedures outlined in Student Respondent Title IX Grievance Procedures. Incidents that do not meet the definitional and jurisdictional thresholds of sexual harassment as prescribed by Title IX will be adjudicated by the procedures outlined in Student Respondent General Sexual Misconduct Process.

Student Respondent Title IX Grievance Procedures. All hearings, also known as proceedings, described in this section apply to the adjudication of formal complaints alleging prohibited conduct under this Policy that meets the definitional and jurisdictional thresholds of sexual harassment as prescribed by Title IX. The hearing will be conducted in accordance with the procedures outlined in this section with special sensitivity to the nature of the charges and the best interests of all parties involved.

Pre-hearing Conference **[Applicable to Title IX Grievance Procedure Only].** A pre-hearing conference will be scheduled with each party and their advisors. At least two business days prior to the pre-hearing conference, parties should submit the questions or topics they wish to ask or discuss at the hearing, so that the Chair can rule on the relevance of the question or topic to avoid any improper evidentiary introduction in the hearing or provide recommendations for more appropriate phrasing. This advance review opportunity does not preclude additional questions- both new and follow-up questions- to be asked at the hearing and does not limit a party's opportunity for cross examination as described below. The Chair will document and share their rationale for any exclusion or inclusion at this pre-hearing conference.

At each pre-hearing meeting with a party and their advisors, the Chair will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the investigator(s) may be argued to be relevant. The Chair may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing.

Hearing Procedures **[Applicable to Title IX Grievance Procedure Only].** All hearings will be conducted in a live hearing format which means all parties and the hearing panel may be physically present in the same geographic location, or at the request of either party or the University, the parties may be located in separate rooms with technology enabling the hearing panel and parties to simultaneously see and hear the party or the witness answering questions. All hearings are closed to the public. The University shall create an audio recording of the hearing, but all other recordings are prohibited. In recognition of the unique nature of sexual misconduct cases, the procedures specified in this section supersede any conflicting provisions of any other policies and procedures at the University.

At the hearing, the hearing panel has the authority to hear and make

determinations on all allegations of prohibited conduct under the Sexual and Gender-Based Misconduct Policy and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the sexual and gender-based misconduct, even though those collateral allegations may not specifically fall within the policy. The Chair will answer all questions of procedure and will be responsible for maintaining an orderly, fair, impartial, and respectful hearing. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

Both the respondent and complainant have a right to similar and timely access to information that will be used at the hearing. The hearing materials, or instructions for how to view certain materials, will have been included in the final investigation report sent to the parties by the appropriate Title IX Coordinator (or designee).

A. **Evidentiary Considerations at the Hearing [Applicable to Title IX Grievance Procedure Only]** - Any evidence that the Chair determines is relevant may be considered. The parties are encouraged to make known all witnesses and evidence during the investigation stage. Any witness scheduled to participate in the hearing must have been first interviewed by the investigator(s), have proffered a written statement, or answered written questions, unless all parties and the Chair assent to the witness's participation in the hearing. The same holds for any evidence that is first offered at the hearing. If the parties and Chair do not assent to the admission of evidence newly offered at the hearing and the Chair determines the evidence to be potentially relevant to the outcome of the proceeding, the Chair may delay the hearing and instruct that the investigation needs to be re-opened to consider that evidence.

   The complainant and respondent each have the right to bring fact witnesses to the hearing to testify on their behalf. All witnesses interviewed as part of the investigation will be notified of the date, time, and location of their portion of the hearing typically 5 business days prior to the hearing.

   Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent or to prove the source of an injury, or to prove prior sexual misconduct. Additionally, the hearing does not consider incidents not directly related to the possible violation, unless they evidence a pattern. The hearing panel Chair will determine if the evidence presented is germane to the case and will be allowed. The hearing panel will not require, allow, rely upon or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding a privilege has waived the privilege. This includes evidence regarding a student's medical history, including mental health counseling, treatment or diagnosis.

B. **Advisor role at hearing [Applicable to Title IX Grievance Procedure Only]** - The complainant and respondent may each have no more than two people, defined as advisors, present throughout the entire process. The advisor may consult privately with the complainant or respondent during the hearings, except when such consultations during questioning of the student they are advising at a hearing are deemed disruptive by the Chair, and assist the party that they are

advising with the exercise of any right during the proceedings. The advisors are not allowed to address the hearing panel during the hearing except for the purpose of cross-examination. Disruptive advisors will be removed from the process, and the process will continue. The parties should notify the Chair as soon as they have identified their advisors, but in any event, at least one University business day in advance of the hearing date if a party plans to bring advisors. Advisors can request an outline of their role and expectations, including the Decorum Policy for Sexual and Gender-Based Misconduct Hearings Involving a Student Respondent, for their participation in the grievance process.

Only one of the advisors is permitted to ask relevant questions to the other party and any witnesses during the live hearing. The advisor responsible for all cross-examination must be designated by the party to the Chair prior to beginning cross examination.

C. **Order of the hearing [Applicable to Title IX Grievance Procedure Only]** - The order described in this section is the order typically followed at a hearing but may be adjusted for good cause. The hearing will begin with the Chair reviewing the rights and responsibilities for the parties, and then reading the charges against the respondent and asking if they believe they are responsible or not responsible for the charges.

   The investigator(s) will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the panel and the parties (through their advisors). Neither the parties nor the hearing panel should ask the investigator(s) their opinions on credibility, recommended findings, or determinations, and the investigators, advisors, and parties will refrain from discussion of or questions about these assessments. If such information is introduced, the Chair will direct that it be disregarded.

   The respondent will have the opportunity to present a brief statement to the panel and respond to questions from the panel. The complainant will then have an opportunity to present a brief statement to the panel and respond to questions from the panel. Either party may choose to present their testimony outside of the presence of the other party, but the non-testifying party will be able to see and hear the testimony remotely. The parties have the right to see and listen to all testimony given during the hearing, if they so choose. The panel will then call witnesses and may recall the parties and any witness for clarification.

D. **Cross examination [Applicable to Title IX Grievance Procedure Only]** - Cross-examination of the parties and witnesses by an advisor of choice will be permitted during the live hearing and will occur after the panel questions the party or witness. If a party does not have an advisor present at the live hearing, the University will provide without fee or charge to that party, an advisor of the University's choice, who is not required to be an attorney, to conduct cross-examination on behalf of that party. All questions are subject to a relevance determination by the Chair. The advisor will propose the question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the Chair upon request or agreed to by the parties and the Chair), the proceeding will pause to allow the Chair to consider it, and the Chair will determine whether the question will be permitted, disallowed, or rephrased.

The Chair will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Chair may explore arguments regarding relevance with the advisors, if the Chair so chooses. The Chair will then state their decision and the rationale to exclude a question as not relevant, or to reframe it for relevance for the record and advise the party/witness to whom the question was directed, accordingly.

The panel may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

If charges of policy violations other than those subject to the Title IX grievance process are considered at the same hearing, the hearing panel may consider all evidence it deems relevant, may rely on any relevant statement made without respect to a person's attendance at the hearing or participation in cross examination, and may draw reasonable inferences from any decision by any party or witness not to participate or respond to questions.

If a party's advisor of choice refuses to comply with the University's established rules of decorum for the hearing, the University may require the party to use a different advisor. If an advisor refuses to comply with the rules of decorum, the University may provide that party with an advisor of the University's choice, who is not required to be an attorney, to conduct cross-examination on behalf of that party.

Student Respondent General Sexual Misconduct Process. All hearings described in this section, also known as proceedings, will be to adjudicate formal complaints submitted through the Sexual and Gender-Based Misconduct process alleging prohibited conduct under this policy, dismissed under Title IX because it does not meet the definitional and jurisdictional thresholds of sexual harassment as prescribed by Title IX, and referred for investigation and adjudication through the procedures described below. The hearing will be conducted in accordance with the normal rules and procedures of the Student Code of Conduct with special sensitivity to the nature of the charges and the best interests of all parties involved. In recognition of the unique nature of sexual misconduct cases, the procedures specified in Student Respondent General Sexual Misconduct Process supersede any conflicting provisions of the student conduct policy and procedures.

Pre-hearing Conference **[Applicable to General Sexual Misconduct Process Only].** A pre-hearing conference will be scheduled with each party, and their advisors may be present if the party chooses. At least two business days prior to the pre-hearing conference, parties must submit questions or topics they wish to have the panel ask or discuss at the hearing, so that the Chair can determine relevancy of the question or topic to avoid any improper evidentiary introduction in the hearing or to provide recommendations for more appropriate phrasing. The Chair will share their rationale for any exclusion or inclusion at this pre-hearing conference.

Hearing Procedures **[Applicable to General Sexual Misconduct Process Only].** All hearings will be conducted in a live hearing format which means all parties and the hearing panel may be physically present in the same geographic location, or at the request of either party or the University, the parties may be located in separate rooms with technology enabling the hearing panel and parties to hear the party or the witness answering questions. All hearings are closed to the public. The University shall create an audio recording of the hearing, but all other recordings are prohibited. In recognition of the unique nature of sexual misconduct cases, the

procedures specified in this section supersede any conflicting provisions of any other policies and procedures at the University.

At the hearing, the hearing panel has the authority to hear and make determinations on all allegations of prohibited conduct under the Sexual and Gender-Based Misconduct Policy and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the sexual and gender-based misconduct, even though those collateral allegations may not specifically fall within the policy. The Chair will answer all questions of procedure and will be responsible for maintaining an orderly, fair, impartial, and respectful hearing. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

Both the respondent and complainant have a right to similar and timely access to information that will be used at the hearing. The hearing materials, or instructions for how to view certain materials, will have been included in the final investigation report sent to the parties by the appropriate Title IX Coordinator (or designee).

A. Evidentiary Considerations at the Hearing [Applicable to General Sexual Misconduct Process Only]- The parties are encouraged to make known all witnesses and evidence during the investigation stage. Any witness scheduled to participate in the hearing must have been first interviewed by the investigator(s), have proffered a written statement, or answered written questions, unless all parties and the Chair assent to the witness's participation in the hearing. The same holds for any evidence that is first offered at the hearing. If the parties and Chair do not assent to the admission of evidence newly offered at the hearing and the Chair determines the evidence to be potentially relevant to the outcome of the proceeding, the Chair may delay the hearing and instruct that the investigation needs to be re-opened to consider that evidence.

   Statements or questions regarding the complainant's sexual predisposition or prior sexual behavior may not be presented as evidence, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent or to prove the source of an injury, or to prove prior sexual misconduct. Additionally, the hearing does not consider incidents not directly related to the possible violation, unless they evidence a pattern. The hearing panel Chair will determine if the evidence presented is germane to the case and will be allowed. The hearing panel will not require, allow, rely upon or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding a privilege has waived the privilege. This includes evidence regarding a student's medical history, including mental health counseling, treatment or diagnosis.

   The complainant and respondent each have the right to bring fact witnesses to the hearing to testify on their behalf. There is no limitation placed on the number of fact witnesses; however, students are required to notify the hearing officer of the names of witnesses attending the hearing at least one University business day in advance of the hearing. If a fact witness cannot attend a hearing, the fact witness may email or personally deliver a signed written statement directly to the Chair in advance of the scheduled hearing. Character witnesses are not

permitted.

B. Advisor role at hearing [Applicable to General Sexual Misconduct Process Only]- The parties may each have no more than two people, defined as advisors, present throughout the entire process. The advisor(s) may consult privately with the complainant or respondent during the hearings, except when such consultations during questioning of the party that they are advising at a hearing are deemed disruptive by the Chair, and assist the party that they are advising with the exercise of any right during the proceedings. The advisor(s) is not allowed to address the hearing panel or question witnesses. Disruptive advisors will be removed from the process, and the process will continue. Students should notify the Office of Student Conduct as soon as they have identified their advisors, but in any event, at least one University business day in advance of the hearing date if a student plans to bring advisors. Advisors can request an outline of their role and expectations, including the Decorum Policy for Sexual and Gender-Based Misconduct Hearings Involving a Student Respondent, for their participation in the student conduct process.

C. Order of the hearing [Applicable to General Sexual Misconduct Process Only]- The order described in this section is the order typically followed at a hearing but may be adjusted for good cause. Generally, the hearing will begin with the panel Chair reviewing the rights and responsibilities for the parties, and then reading the charges against the respondent and asking if they believe they are responsible or not responsible for the charges.

   The investigator(s) will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the panel. The hearing panel should not ask the investigator(s) their opinions on credibility, recommended findings, or determinations, and the investigators will refrain from discussion of these assessments. If such information is introduced, the Chair will direct that it be disregarded.

   The respondent will have the opportunity to present a brief statement to the panel and respond to questions from the panel. The complainant will then have an opportunity to present a brief statement to the panel and respond to questions from the panel. Either party may choose to present their testimony outside of the presence of the other party, but the non-testifying party will be able to participate and hear the testimony remotely. The parties have the right to listen to all testimony given during the hearing, if they so choose. The panel will then call witnesses and may recall the parties and any witness for clarification.

   After each party answers questions from the panel, the hearing Chair will allow the other party to suggest questions to the panel to ask. After a witness answers questions from the panel, the hearing Chair will allow the complainant and respondent to suggest questions to the panel to ask. The Chair will share their rationale for any exclusion or inclusion after the party suggests the questions.

   After the complainant, respondent, and witnesses (if any) have answered questions by the panel, the complainant and respondent will have the opportunity to share a closing statement.

Additional Statements **[Applicable to Both Title IX Grievance Procedure and General Sexual Misconduct Process]**

The complainant and the respondent have the right to provide a written impact or mitigation statement, due prior to the start of the hearing to the Chair, that describes how the incident has affected them or why there are mitigating factors. The statement(s) is reviewed by the hearing panel only if a determination of responsibility is made and before a sanction is determined. If an impact or mitigation statement was submitted and reviewed by the hearing panel, a copy will be provided to both parties with the decision letter.

Deliberation, Decision-making, and Standard of Proof **[Applicable to Both Title IX Grievance Procedure and General Sexual Misconduct Process]**

The hearing panel will deliberate in closed session to determine whether the respondent is responsible or not responsible for the policy violation(s) in question. A simple majority vote is required to determine the finding. The hearing panel will make findings of fact and determinations using a preponderance of evidence standard. The panel bears the burden for ensuring the preponderance of the evidence and the burden of gathering evidence is sufficient to determine that the respondent is responsible for a violation of this policy. If the respondent is found responsible, the panel will consider the additional statements and the respondent's previous conduct history in determining the appropriate sanction. Drug or alcohol use by the respondent is not a defense to a charge of sexual misconduct and will not be considered a mitigating factor in assessing an appropriate sanction.

Remedies **[Applicable to Both Title IX Grievance Procedure and General Sexual Misconduct Process]**

Remedies, including sanctions, are designed to restore or preserve equal access to the recipient's education program or activity. Such remedies may include Supportive Measures. However, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Title IX Coordinator is responsible for effective implementation of remedies.

Sanctions **[Applicable to Both Title IX Grievance Procedure and General Sexual Misconduct Process]**

Violations of the Sexual and Gender-Based Misconduct policy are serious and the range of sanctions includes the following as defined in Community Standards Section E. Sanctions and Outcomes for Violations of the Student Code of Conduct:

- Status Sanctions
    - o Residence hall probation
    - o Disciplinary probation
    - o Deferred suspension from the residence halls
    - o Deferred suspension from the University
    - o Suspension from the residence halls
    - o Suspension from the University
    - o Expulsion
- Additional sanctions
    - o Alcohol and drug screening/education/treatment
    - o Athletics department notification
    - o Civility hours
    - o Continuation/modification of supportive measures
    - o Core advisor notification
    - o Educational project

- Fine
- Loss of room selection privileges
- Mentoring with an administrator
- Parental/guardian notification
- Periodic drug testing
- Postponement of activity participation and conferring of honors and degrees
- Reflection with Campus Ministry or a Jesuit
- Relocation to another residence
- Restitution
- Restorative practices referral
- Restricted access or privileges
- Restricted contact
- Senior week restrictions
- Social restrictions
- Student development assessment and evaluation
- Written reprimand

Notice of Outcome [Applicable to Both Title IX Grievance Procedure and General Sexual Misconduct Process]

The complainant and respondent will be informed concurrently in writing of the outcome of the hearing normally within ten (10) University business days after the conclusion of the hearing. Both parties will receive written notice of any sanctions imposed on the respondent for violation of this policy (information about unrelated policy violations will not be shared), except that in cases of non-violent sexual harassment the complainant will only receive notice of any sanctions that relate directly to the complainant. The written determination shall include the following:

- identification of the allegations allegedly constituting sexual harassment; a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- findings of fact supporting the determination;
- conclusions regarding the application of the University's conduct code to the facts;
- a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the complainant; and procedures and permissible bases for the complainant and respondent to appeal.

Appeals [Applicable to Both Title IX Grievance Procedure and General Sexual Misconduct Process]

Each party may appeal (1) the dismissal determination of a formal complaint or any included allegations and/or (2) a determination regarding responsibility and/or the sanction under either the Title IX Grievance Procedures or the General Sexual Misconduct Process. Appeals based on the dismissal determination of a formal complaint or any included allegations will follow the process outlined in section

Dismissal of a Formal Complaint (Mandatory and Discretionary).

In cases where appeals are submitted by both parties, both appeals will be considered together by the same appellate body. Unless indicated otherwise in the original decision letter, the typewritten appeal should be submitted via email or in person to the Dean of Students (or designee) in Jenkins Hall 105. The appeal must be submitted within five University business days of receipt of the decision letter, indicating the grounds for appeal. If a party does not appeal the decision within this period, they have waived a right to appeal. An appeal must be based upon one or more of the following grounds:

- The party alleges that there were procedural irregularities that affected the outcome of the matter;
- The party alleges new evidence that was not reasonably available when the determination of responsibility or dismissal of the complaint was made that could affect the outcome of the matter;
- The party alleges the Title IX Coordinator or Deputies, investigators, or hearing panel had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent, that affected the outcome of the matter.
- The party alleges that the sanctions imposed are grossly disproportionate to the findings of responsibility.

The submission of the appeal means that the sanctions are left pending until the appellate body renders a decision. Supportive measures remain available during the appeal process.

The burden is on the party appealing to provide support in the appeal letter for the asserted grounds. The Dean of Students (or their designee) shall determine whether the party has provided sufficient support for each asserted ground. Failure to follow the guidelines or to provide sufficient support for the asserted grounds will result in determining that only certain asserted grounds should be submitted for review by appellate body or that the appeal should be dismissed without further proceedings.

When an appeal letter is accepted, the other party will be given notice of the appeal, a copy of the appeal letter, and the opportunity to submit a written response within five University business days.

Appeals will be decided by a panel selected from the University Board on Discipline who are free from conflict of interest and bias, and did not serve as investigator(s), Title IX Coordinator, or hearing panel members in the original hearing. The University Board on Discipline appeal panel is comprised of three panel members. The University reserves the right to have a modified board hear the appeal when circumstances warrant it.

For appeals based on the party alleging that the sanctions imposed are grossly disproportionate to the findings of responsibility, the appellate body may only affirm, reduce, or increase the sanctions assigned by the original hearing panel. For appeals based on other grounds, the appellate body that hears the appeal can take the following actions: affirm the original decision; affirm the original decision of responsibility for some or all of the charges and change the sanction (sanction may be reduced or increased); reverse the original decision of responsibility for some or all of the charges and affirm or change the sanction (sanction may be reduced or increased); or remand the matter to the original hearing panel for further consideration. Upon remand, if the original hearing panel affirms its prior decisions

regarding responsibility and sanctions, the appellate body shall continue its review and render a decision on the original appeal(s). If the original hearing panel reverses or modifies its original decisions regarding responsibility and/or sanctions, each party shall have a right to appeal to the University Board on Discipline.

Except in cases involving the discovery of new evidence, the appellate body may consider, as appropriate given the grounds for appeal, the hearing record, the appeal letter and response, and the decision and rationale of the hearing panel. In cases where the appeal is based in whole or in part on a claim of newly discovered evidence, the appellate body will first determine if the offered evidence was not known nor reasonably available at the time of the hearing and if it might impact the decision of responsibility or determination of sanction. If the appellate body determines that the evidence was not known nor reasonably available at the time of the hearing and that it might impact the decision of responsibility or determination of sanction, the appellate body will remand the case to the original hearing panel for review. Upon review, the original hearing panel will issue a new decision letter taking into account the newly discovered evidence. All decisions made by the appeal panel will be made based on the considerations as described above without a hearing.

The appellate body's decision will be communicated concurrently in writing to both the respondent and the complainant, normally within five University business days of the appeal panel meeting, and include rationale for the decision. The appellate body's decision is final, and no further appeal is permitted by either party.

Employee Respondent Sexual and Gender-Based Misconduct Procedures

The Employee Respondent Title IX Grievance Procedures can be found in The Staff and Administrator Policy Manual section 8.8.17.9 of the Sexual and Gender-Based Misconduct Policy. Employee harassment (including sexual misconduct) and discrimination that falls outside of the Title IX Grievance Procedures will be investigated and adjudicated under section 8.7 of the Harassment and Discrimination Policy and Procedures for employees (which represent the University's General Sexual Misconduct Procedures for employees).

Aspects of this policy were adapted from ATIXA 2020 One Policy, Two Procedures Model.

7. Bias Related Behaviors Process

a. **Prohibited Behaviors**

Bias and the applicable prohibited behaviors are defined under Code of Conduct 32. Bias Related Behaviors Policy.

b. **Procedures for Reporting Bias Related Behaviors**

Students who feel they have been the target of bias or harmed by bias related behaviors may report the incident online at www.loyola.edu/reportbias or contact the Vice President for Student Development Office at 410-617-5171. When reporting bias related behaviors, it is important to give as much information as possible as your statement will serve as basis for further investigation of any case and any resulting student conduct charges. If you choose to submit an anonymous report, it should be noted that the University's ability to investigate or act upon anonymous reports may be limited. When a bias related behavior form is submitted, it will be received by the Vice President for Student Development Office who will then take action based on the information provided. The targeted person/harmed party will be contacted by a Loyola administrator and offered support through the bias

response process.

A Student Development administrator will conduct a follow-up interview with the targeted person/harmed party to gather additional information regarding the incident and discuss options for addressing the behavior through the Alternative Resolution or Conduct Process. The Student Development administrator may consult with relevant university personnel (Dean of Students Office, Student Conduct, Student Life, Counseling Center, ALANA Services, Disability Support Services, Women's Center, Academic Affairs staff, Department of Public Safety, Assistant Vice President for Human Resources, Chief Equity and Inclusion Officer, etc.) to determine next steps. Where the person who is alleged to have committed a bias act is a faculty member, staff member, or administrator, the bias report will be referred to Human Resources, who will process the bias report according to the University's Harassment and Discrimination Policy and Procedures. The following procedures apply to bias reports against students (except that the Harassment and Discrimination Policy shall apply to a bias report against a student who was acting in the capacity of a University employee at the time of the bias incident). The alleged targeted person and alleged offender each have the option of being assigned an advisor whose role is to support them through the investigation and/or Alternative Resolution or Conduct process. The advisor must be a full-time member of the Loyola University community (student, faculty, administrator, or staff) and cannot be an attorney or hold a law degree. Members of Loyola's peer conduct board have received special training to advise students on the bias process. The Vice President for Student Development Office may provide advisors with pertinent information regarding the bias related incident/case being investigated. The incident will be handled in a confidential manner, except in cases where the University is required by law to notify the community. Periodically, the Vice President for Student Development and the Chief Equity and Inclusion Officer or their designees will notify the Loyola community of any incidents where a member of our community was the object of demeaning behavior that targeted a protected class. With regard to community notification, the Vice President for student development, or designee, in consultation with the Chief Equity and Inclusion Officer will determine when such notification will be sent. For reasons of privacy, notification will occur only when the identities of the involved community members can be protected, and the notification will not interfere with any ongoing investigation. The purpose of notifying the campus community is to provide transparency regarding incidents of this nature and create awareness and opportunities for discussion about ways to reduce incidents of bias and insensitivity. There are several departments on campus able to assist students in coping with and managing these situations. As always, we encourage students to contact the Dean of Students Office, Counseling Center, ALANA Services, Campus Ministry, Center for Community Service and Justice, Disability Support Services, Student Life, or Women's Center for assistance if you or someone you know is a target of any type of harassment. Our community recognizes and values the similarities and differences among students, faculty, staff, and recognized student organizations at Loyola University. Discrimination, bias related harassment, and other violations of rights disrupt the educational process and the personal well-being of others and will not be tolerated. Any retaliation, reprisal, or intimidation directed toward a targeted person or anyone else as a result of reporting or participating in an investigation or adjudication of alleged Bias related behaviors is strictly prohibited. Any incidents of retaliation should be reported immediately to Student Life or Student Conduct and are considered a

serious violation of this Policy.

c. **Procedures for Addressing Bias Related Incidents**

All hearings involving bias related behaviors will be conducted in accordance with the normal rules and procedures of the student conduct process with special sensitivity to the nature of the charges and the best interests of all parties involved. In recognition of the unique nature of bias related behavior cases, the procedures specified in this section supersede any conflicting provisions of the University student conduct process. Alleged violations involving behaviors outlined in the Sexual and Gender-Based Misconduct policy will be adjudicated using the sexual misconduct hearing procedures outlined within that policy. Pursuit of charges through the University's student conduct system does not preclude the pursuit of criminal charges. The University will investigate all reports of bias related behaviors. However, it should be noted that the University's ability to investigate or act upon anonymous reports may be limited. Upon becoming aware of alleged bias related behaviors, the Vice President for Student Development's Office in conjunction with the Office of Student Conduct and Department of Public Safety will initiate an investigation and take actions deemed necessary to protect the well-being of the students involved, as well as the educational environment of the University community. These actions may include, but are not limited to, relocating residence hall assignments, restricting access to certain campus buildings, prohibiting contact between the alleged offender, targeted person, or harmed party or suspending the alleged offender from campus or residence halls pending a hearing. Actions that involve removing the alleged offender from campus or residence halls will follow the process outlined in University Policy II.B. Immediate Removal from Campus. The alleged targeted person or harmed party will have the opportunity to determine the resolution path, Alternative Resolution or Conduct Process.

Alternative Resolution includes but is not limited to educational conversation, conflict coaching, mediation, or restorative practices such as circles. Restorative practices, such as conferences or circles, are processes designed to facilitate an intentional conversation where targeted person, or harmed party, can share the harm they experienced and be an active decision-maker for determining resolutions for the harm to be addressed. Additionally, in a restorative process, the alleged offender, the person who caused harm, may answer questions such as why they caused the harm and discuss steps they will take to repair the harm. Normally a restorative process concludes with an agreement between all parties involved that addresses how the respondent and other community members can repair the harm caused, rebuild trust, and restore any broken relationships.

The Conduct Process involves an administrative hearing. For the administrative hearing process to occur, the alleged targeted person or harmed party must submit a formal complaint, which is a document filed and/or signed by the alleged targeted person or harmed party alleging a violation of code of conduct policy 32 by an alleged offender and requesting that the University address the allegation(s) through the conduct process. A complaint may be filed with the Vice President for Student Development Office, by mail, or by electronic mail. As used in this paragraph, the phrase "document filed and/or signed by the alleged targeted person or harmed party" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the University) that contains the alleged targeted person's or harmed party' physical or digital signature, or otherwise indicates that the alleged targeted person or harmed party is the

person filing the complaint. The formal complaint must include sufficient details known at the time including the identities of the parties involved in the incident, the conduct allegedly constituting bias related behavior(s), and the date, time, and location of the alleged incident. If notice is submitted in a form that does not meet this standard, a Student Development administrator will contact the alleged targeted person or harmed party to ensure that it is filed correctly. A harmed party may decide to withdraw their formal complaint at any time prior to the hearing.

The administrative hearing panel consists of the following: Chief Equity and Inclusion Officer or their designee, Peer Conduct Board member, and the Director of Student Conduct or designee. The University reserves the right to have a modified panel hear the case when circumstances warrant it. During the administrative hearing, the alleged targeted person or harmed party, known as the complainant in the Conduct Process, have the right to present testimony at the hearing in person or by submitting a written statement. The respondent, known as the alleged offender responding to conduct charges of violating the Bias Policy, has the right to listen to or review testimony made by the alleged targeted person or harmed party. The complainant has the right to provide a written impact statement, due prior to the start of the hearing to the panel Chair that describes how the incident has affected them. The impact statement is reviewed by the hearing panel only if a determination of responsibility is made and before a sanction is determined. If an impact statement was submitted and reviewed by the hearing panel, a copy will be provided to the respondent with the decision letter. If the panel determines that the respondent is responsible for a violation of this policy, the panel will decide the appropriate sanctions in accordance with the Student Code of Conduct. The final outcome of the hearing including any sanctions that are imposed will be communicated to the respondent usually within five University business days of the last day of the hearing. A violation of the Bias Policy is considered a serious breach of our community standards, and more severe sanctions may be imposed for incidents in which the violation was motivated by consideration of race, sex, color, national or ethnic origin, age, religion, disability, marital status, sexual orientation, genetic information, military status, gender or gender identity, any other legally protected classification, or other targeted aspects of one's identity. The determination of sanctions will be guided by the interests of the University community, the impact of the violations on the victim(s), previous documented student conduct history, and any mitigating or aggravating circumstances. Although there are no standard sanctions, a hearing panel may consider a range of sanctions that include, but are not limited to, disciplinary probation, deferred suspension, suspension, and/or expulsion.

iii. Student Code of Conduct

1. Alcohol Policy

Loyola University Maryland fully supports and requires compliance with Maryland's alcoholic beverage laws. These laws include prohibitions on the possession or consumption of alcohol by persons under age 21; furnishing alcohol to or obtaining alcohol for a person under age 21; and misrepresenting one's age in order to obtain alcohol. Only those students who are 21 years of age and older are permitted to have alcohol in their residence unit. Guests who are 21 years of age and older may not bring alcohol to a unit 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 unit in single-serving containers only. All students and guests are

expected not to abuse alcohol, but rather to drink responsibly or abstain. This section includes policies applicable to students 21 years of age or older.

Note: Parents or guardians and core advisors will be notified in writing if their first year student under age 21 is found responsible for an alcohol violation involving use or possession.

a. Having open containers of alcoholic beverages or consumption of alcohol in any public area on Loyola owned or leased property, regardless of age (e.g., lounges, corridors, outdoors, etc.) **Standard sanction: $75 fine 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 fine, written reprimand, and substance screening/education.
- 2nd Offense: $125 fine, disciplinary probation, and substance screening/education.
- 3rd Offense: $200 fine, deferred suspension from the University, and a substance screening or referral as specified in sanction letter.
- 4th Offense: University suspension and required completion of outpatient/inpatient treatment prior to the ability to reenroll at the University.

c. Selling, furnishing, or giving any beverage containing alcohol to any person under 21 years of age. **Standard sanction: deferred suspension from the residence halls, $200 fine, and a referral for substance screening/education.**

d. Prohibited items or activities that encourage excessive drinking. This includes but is not limited to: 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., bars, beer bongs, funnels); or organizing or participating in activities that encourage excessive drinking (e.g., beer pong, drinking games, or contests). **Standard sanction: deferred suspension from the residence halls, $200 fine, and referral for substance screening/education.**

e. Charging a fee when hosting parties. **Standard sanction: deferred suspension from the residence halls, $200 fine, and a referral for substance screening/education.**

f. Being intoxicated or exhibiting behaviors associated with intoxication or impairment. **Standard sanction: deferred suspension from the residence halls, $150 fine, and referral for a substance screening.**

In cases that involve the operation of a motor vehicle, the University reserves the right to consider more serious sanctions including suspension or expulsion.

g. Providing false identification:

g1. Possessing, conspiring to obtain, or using false identification. **Standard sanction: deferred suspension from the residence halls and a $250 fine per false ID. False IDs confiscated by the University may forwarded to the appropriate State authorities.**

g2. Manufacturing, selling, or distributing false identification. **Standard sanction: expulsion.**

h. Possession of empty alcohol containers. Students who are under 21 years of age may not possess empty alcohol containers. Students who are 21 years of age or older are expected to dispose of empty alcohol containers. Students are prohibited from displaying empty alcohol containers. Empty alcohol containers should not be used as decoration.

2. Destruction of Property/ Tampering with Property

Intentionally or recklessly damaging, destroying, or tampering with University or public property or the property of another. **Standard sanction: deferred suspension from the residence halls or university and restitution. More serious cases will result in suspension from the residence halls and/or the University.**

3. Drug Policy

Loyola University Maryland fully supports and requires compliance with federal and state laws regarding illegal drugs and paraphernalia. 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, and "look alike" substances.

a. Drug use or possession (e.g., marijuana, heroin, LSD, cocaine, mushrooms, ecstasy, ketamine, unauthorized use or abuse of prescription drugs, etc.) **Standard sanction: suspension from the University, $500 fine, and referral to substance use intervention to be completed prior to return.**

In less severe cases, the University will ordinarily exercise its discretion to apply a less severe sanction including deferred suspension from the university, $500 fine, and referral to substance use intervention. In more severe cases, the University will ordinarily exercise its discretion to apply a more severe sanction including expulsion.

Severity will be determined based on all surrounding circumstances including type of drug, quantity of drug, student conduct history, and impact on community.

b. Drug paraphernalia possession. **Standard sanction: suspension from the University, $500 fine, and referral to substance use intervention to be completed prior to return.**

In less severe cases, the University will ordinarily exercise its discretion to apply a less severe sanction including deferred suspension from the university, $500 fine, and referral to substance use intervention. In more severe cases, the University will ordinarily exercise its discretion to apply a more severe sanction including expulsion.

Severity will be determined based on all surrounding circumstances including type of drug, quantity of drug, student conduct history, and impact on community.

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

Controlled substances, illegal drugs, and drug paraphernalia are subject to

confiscation. The University reserves the right to refer potential criminal violations to local law enforcement authorities.

d. Manufacturing, making, or possessing ingredients in sufficient quantities to manufacture drugs. **Standard sanction: immediate removal from campus and expulsion from the University.**

Note: Parents or guardians will be notified in writing if their student is found to be in violation of the University's drug policy. Core advisors may be notified if their first-year students are found to be violation of the University's drug policy.

4. Disruptive Behavior/Attending a Disruptive Gathering

a. Disruptive behavior. Engaging in behavior that is disruptive to the living, learning, or working environment of individuals inside and outside the classroom or of the University community or that disregards the rights of others.

b. Attending a disruptive gathering. A disruptive gathering is defined as a group of people whose collective actions are disruptive or disrespectful to surrounding community members or to the University. Indications of a disruptive 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 disruptive gathering may be charged with this offense. Students alleged to have hosted a disruptive gathering will be charged with a "social host" violation.

5. Endangerment of Self or Others

Loyola University Maryland will hold accountable community members who exhibit reckless actions that endanger their own health and safety or the health and safety of others or who intentionally interfere with adaptive devices (e.g., wheelchairs or other personal assistance devices, service animals, or adaptive technology) used by a person with a disability. **Standard sanction: suspension from the residence halls and/or suspension or expulsion from the University.**

6. Failure to Comply with Directives

Failure to comply with the directives of and/or disrespectful or defiant behavior towards University personnel or local law enforcement officials acting in the performance of their duties; failure to respond to directives by University personnel in person or in writing; 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 student conduct proceeding or investigation. Not complying with a public health directive, including but not limited to isolation, quarantine, or other directives designed to enhance public health, will be considered a violation. **Standard sanction: suspension from the residence halls and/or disciplinary probation.**

7. Failure to Comply with Conduct Sanctions

Failure to meet deadlines or to comply with the requirements or stipulations of sanctions of previous conduct incidents. Students found responsible for this violation may face sanctions including but not limited to being placed on a probationary status, losing their deferred status, or fines.

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 University personnel or any community member. This includes but is not limited to providing false or misleading information during a University investigation or hearing, altering or falsifying official University records, interfering with a witness or University official with respect to a student conduct proceeding or investigation, or concealing or altering one's identity in an attempt to avoid identification. **Standard sanction: deferred suspension from the University and $200 fine.**

9. Fire Safety

Loyola University 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 University 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 on campus for Loyola community member's 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 Loyola community members. This includes tampering with 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. **Standard sanction: suspension or expulsion from the University, fines or restitution for damage, as well as penalties described by law.**

b. Intentionally or recklessly starting a fire. This includes fires started outdoors not in the University owned and maintained facilities approved for grilling. **Standard sanction: expulsion.**

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 University official. **Standard sanction: $250 fine and deferred suspension from the residence halls.**

d. Unintentional False Alarms: Causing a false alarm due to inappropriate, careless, and/or reckless behavior. **Standard sanction: residence hall probation, mandatory fire safety training, and a fine. Repeated or serious offenses may lead to suspension from the residence halls.**

10. Fireworks

The unauthorized possession, use, manufacture, distribution, or sale of fireworks, incendiary devices, or other dangerous explosives is strictly prohibited. **Standard sanction: suspension from the residence halls or the University.**

11. Harassment

Harassment is defined as abusive, threatening, intimidating, or seriously offensive language or other behavior that adversely affects an individual's living, working, or learning environment. Examples could involve:

a. Technology, email, social networking sites, or Internet including violations of the University's technology policies. Making or attempting to make an audio or video recording of any person(s) without their expressed permission is prohibited and unlawful.

b. Graffiti or written messages.

c. Verbal.

d. Phone calls, voicemails, or text messages.

e. Profanity, pornography, lewd pictures or words.

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

Standard sanction: suspension or expulsion from the University.

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. Planning, organizing, or intending to commit such action;

b. Recklessly or intentionally endangering the mental or physical health of an individual;

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

d. other inappropriate activities as defined by the Loyola University Maryland Community Standards.

Standard sanction: suspension from the University.

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, and disrespectful behavior or statements toward University personnel or students. **Standard sanction: suspension from the residence halls. More serious cases may result in suspension or expulsion from the University.**

14. Off-Campus Conduct

In keeping with the Jesuit tradition, Loyola University Maryland 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 University encourages its students to behave as responsible citizens when present in the surrounding neighborhoods and to demonstrate respect and concern for all members of the local community.

The University may arrange forums 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, Aquinas, and Rahner Village) and for students living in off-campus residential communities.

The University reserves the right to take action to address student misconduct that impacts the University or our surrounding neighborhoods. At the discretion of the Director of Student Conduct or designee, students may be charged with violations 1-32 of the Student Code of Conduct for incidents that occur off-campus, **including misconduct occurring outside of the Baltimore area that comes to the attention of the University and impacts the Loyola community.** In addition, off-campus residents are required to adhere to the guidelines outlined in this policy.

Violations of the Off-Campus Policy include, but are not limited to, the following:

a. **Residency Requirements**

a1. Location of Residence: Students must comply with the following terms of the covenant between Loyola University 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 in a house their family owns." **Failure to comply with these terms may result in the student being required to obtain new housing, either on or off-campus, as determined by the University. Loyola will not be responsible to any students or parents of students for claims by any landlord if such students are required to relocate.**

a2. Address Registration: Students living off-campus are required to notify the Office of Student Life of their local address by the first day of classes in the fall semester. **Failure to notify the Office of Student Conduct/Office of Student Life may result in the student being fined $50 for each day that the student is late in providing that information, being prevented from registering for classes, and/or being prevented from receiving other University privileges such as the use of the library, the Evergreen card, dining services, or computer labs.**

b. **Parties and Gatherings:** Holding large parties, and/or having large quantities of alcohol (i.e., kegs, beer bongs) is prohibited. Students who reside in off-campus residences have a responsibility to be courteous to community residents and not to congregate in large groups in streets, yards, parks, and inside or outside of the residence.

c. **Off-Campus Disturbances:** Students should respect the property and rights of others and refrain from urinating and/or defecating in public, walking through private property, and/or exhibiting behaviors that disrupt the community and/or infringe on the rights of others.

d. **Noise:** 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 and in accordance with local ordinances especially between 9:00 pm and 7:00 am.

e. **Trash/Disposal and Litter:** Students are responsible for disposing of trash on a regular basis in the proper receptacle (i.e., trash can or dumpster) and storing trash outside in proper trash receptacles in accordance with city/county rules and regulations. Students should refrain from littering on streets, yards, and parks.

f. **Social Host:** It is the responsibility of any student who hosts a visitor or guest in their off-campus residence to ensure 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 dwelling 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, is not present, or has left the visitor(s) alone.

g. **Community Behavior:** Students should not use rude or abusive language in dealing with members of the community. Students should also refrain from engaging in any retaliatory actions in regard to interactions with members of the community/fellow residents.

h. **Disorderly Residence:** Students may not maintain a disorderly residence. All neighborhood, city, county, and state laws/codes/ordinances must be followed by all of the inhabitants of a residence. This includes but is not limited to, the number of unrelated inhabitants legally able to reside in the location, alcohol and drug laws, health codes, and ordinances.

i. **Pets:** Students who choose to live off-campus and own pets must follow all city, county, and state regulations regarding pet ownership.

j. **Parking:** 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. Additionally, when parking in approved areas, students must not park in a way as to impede pedestrian traffic that blocks the parking pad/driveway of another residence that impedes the free flow of traffic, and/or prevents the transit of emergency vehicles. If a student receives three or more parking violations, they may face student conduct action.

Standard Sanctions for Violations of the Off-Campus Conduct Policy

Any violations of the off-campus conduct policy may result in the following sanctions in addition to any neighborhood, city, county, or state penalties:

- **1st Offense: $500 fine, Nuisance Residence designation, disciplinary probation, parental/guardian notification.**
- **2nd Offense: $750 fine, deferred suspension from the University,**

parental/guardian notification.

- **3rd Offense: Restricted Residence designation, removal from residence and/or suspension from the University, parental/guardian notification.**

Nuisance Residence: Any off-campus apartment, house, or other dwelling where there have been repeated complaints or complaints of a serious nature about disruptive behavior may be designated as a Nuisance Residence.

Restricted Residence: Student residents/tenants of a designated Nuisance Residence who are found responsible for repeated violations will be required to vacate the property and obtain alternative housing that must be approved in advance by the dean of students or their designee. All expenses related to the required move are solely the responsibility of the students. 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 restricted 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. Students restricted from living in an off-campus residence as part of a sanction will be restricted from relocating to another residence in a neighborhood prohibited by the neighborhood agreement. The University will also notify the landlord of policy violations.

Fines collected for violations of this policy will be used, in part, to sponsor programs with the local community.

15. Physical Conflict

Physical conflict includes acts of violence 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 violence. Students are encouraged to contact campus police to avoid such confrontation. **Standard sanction: suspension or expulsion from the University.**

16. Solicitation, Posting, and Business Operations

All registered student organizations and individual students must obtain prior approval by the office of student engagement in order to post items electronically, on bulletin boards, or elsewhere on University property or off-campus student residences, and materials to be displayed in the residence halls must also be approved by the Office of Student Life (see student engagement guidelines for details). Students may not advertise drugs or alcohol or anything else that would be a violation of University policies either through language or artwork. Pursuit of activities in the residence halls for purposes of commercial operation is a privilege and may be revoked by the Dean of Students or designee. 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 (including but not limited to contracting buses)

e. Inappropriate use of University resources (technology, email, social networking sites, or Internet) as noted by Technology Services.

f. Use of copyright-protected materials (University seal, pictures, images, name)

g. Commercial operations that violate University policy or continued pursuit of a commercial operation after being directed to cease operations by the Dean of Students.

In addition to other sanctions, the University 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.

17. Retaliation

Any retaliation, reprisal, or intimidation directed toward a complainant or anyone else as a result of participating in a protected activity is strictly prohibited. Protected activity under this policy includes reporting an incident that may implicate the student code of conduct, participating in the student conduct or grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of the student code of conduct. **Standard sanction: suspension.**

18. Prohibited Items and Behaviors

Students are prohibited from possessing portable pools, wading pools, and/or hot tubs on University property. Motorized transportation devices (including but not limited to hoverboards, electronic scooters, segways, and mopeds) are not permitted to be possessed or operated on University property unless utilized as an accommodation for a disability. Further, students are prohibited from owning or using gas/propane grills, except those owned and maintained by the University. Students cannot store flammable materials (charcoal or lighter fluid) in or near any residence hall facility. Student-owned grills cannot be stored outside. Students wishing to grill should use the University owned and maintained facilities located 25 feet from any standing structure in compliance with Baltimore City fire code.

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 sanctions including suspension or expulsion from the University.

20. Senior Events/Senior Week

This includes code violations that occur at senior social events as well as in the residence halls during Senior Week. **Standard sanction: loss of privileges including senior social events, Senior Week, and Commencement.**

21. Sexual and Gender Based Misconduct

For purposes of this section, "consent" is defined as an affirmative indication by

~~words and/or actions of a voluntary agree~~ment to engage in the particular sexual act or conduct in question. Consent for one sexual act or conduct does not constitute consent to all sexual acts or conduct. Consent can be withdrawn at any time, and once withdrawal of consent has been expressed, sexual activity must cease. Consent cannot be obtained through the use of force, threat, intimidation, or coercion. Silence or absence of resistance on the part of an individual does not constitute the individual's consent. Consent cannot be given by someone who is incapacitated due to consuming drugs or alcohol or for any other reason (including but not limited to being unconscious, asleep, or otherwise unaware that sexual activity is occurring). Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction). While incapacitation may result from the use of alcohol and/or drugs, incapacitation is a state beyond drunkenness or intoxication. Incapacitation may also exist because of a physical, mental or developmental disability. The question of incapacitation will be examined objectively from the perspective of the respondent i.e., whether a reasonable, sober person in place of the respondent should have known the condition of the complainant based on the apparent indications of incapacitation, which may include, but are not limited to, acting confused or incoherent, difficulty walking or speaking, and vomiting.

21.a. Sexual Harassment

Sexual Harassment defined as conduct on the basis of sex which may include such behavior as unwelcome sexual advances, requests, and other verbal, written, or electronic communications or physical conduct of a sexual nature when (1) an employee of the University conditions the provision of an aid, benefit, or service of the University on an individual's participation in the unwelcome sexual conduct; or (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity.

21.b. Sexual Assault

Sexual assault is defined as any sexual act directed against another person, without consent of the complainant, including instances where the complainant is incapable of giving consent. Sexual assault includes penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the complainant. This definition includes any gender of the complainant or respondent.

21.c. Fondling

Fondling is another form of sexual assault which is defined as the touching of the private body parts, including but not limited to breasts, buttocks, or groin of another person, for the purpose of sexual gratification, without the consent of the complainant, including instances where the complainant is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

21.d. Incest

Incest is also a form of sexual assault when non-forcible sexual intercourse occurs between persons who are related to each other within the degrees wherein marriage

is prohibited by law.

21.e. Statutory Rape

Statutory Rape is non-forcible sexual intercourse with a person who is under the statutory age of consent which is 16 years of age in the state of Maryland (which means the victim must be under 16); however, 14- and 15-year-olds may consent if the offender is less than four years older than the victim.

21.f. Dating Violence

Dating Violence encompasses a wide range of behaviors including sexual assault, physical abuse and other forms of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on the complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

21.g. Domestic Violence

Domestic Violence encompasses a wide range of behaviors including sexual assault, physical abuse and other forms of violence committed by a current or former spouse or intimate partner of the complainant; by a person with whom the complainant shares a child in common; by a person who is cohabitating with or has cohabitated with, the complainant as a spouse or intimate partner; by a person similarly situated to a spouse of the complainant, or by any other person against an adult or youth complainant protected from those acts by domestic or family violence laws of Maryland.

21.h. Stalking

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. A course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. A reasonable person means a reasonable person under similar circumstances and with similar identities to the complainant. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

21.i. Sexual Exploitation

Sexual exploitation means taking non-consensual or abusive sexual advantage of another person for one's own advantage or benefit or for the advantage or benefit of anyone other than the person being exploited. Examples include but are not limited to non-consensual photography, video, or audio recording of sexual images or activity, distributing images of sexual activity without consent, allowing others to observe a consensual sexual act without the prior knowledge or consent of all involved parties, and voyeurism.

21.j. Student Quid Pro Quo Sexual Harassment

Student Quid Pro Quo Sexual Harassment is a form of harassment that consists of unwelcome sexual advances, requests for sexual favors, or other verbal, written, or physical conduct of a sexual nature when a student of the University conditions the provision of an aid, benefit, or service of the University on an individual's participation in the unwelcome sexual conduct.

22. Social Host

It is the responsibility of any student who hosts a visitor or guest on Loyola - owned or leased property to ensure 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 dwelling, 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. If a student receives three or more parking violations, they may face student conduct action. Any fraudulent use or misuse of Evergreen card, misuse of University resources, or violation of University policies (e.g., appropriate use of technology, parking, and smoking) is strictly prohibited. Loyola identification card sharing is strictly prohibited.

The University prohibits the use of its network to engage in copyright infringement. Copyright infringement includes the file sharing of copyrighted material without authorization, including the unauthorized downloading or sharing of copyrighted music. Students engaging in unauthorized file sharing can be referred to the Office of Student Conduct for adjudication and potential discipline. Copyright infringement also carries potential civil and criminal legal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages of not less than $750 and not more than $30,000 per work infringed. For "willful" infringement, a court may award up to $150,000 per work infringed and can assess costs and attorney's fees. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines up to $250,000 per offense. More information regarding unauthorized distribution of copyrighted material can be found at https://www.loyola.edu/department/technology-services/about/policies. **Standard sanction: revocation of access or suspension from the University.**

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 University 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. **Standard sanction: serious cases will result in suspension from the University.**

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

Throwing objects from windows, particularly residence hall windows, is strictly prohibited. Students are not permitted to remove screens from windows. Throwing objects out of windows may cause injury to people standing below and is dangerous. **Standard sanction: suspension from the residence halls.**

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. Students are not permitted to jump out of windows or utilize windows as entrances/exits. Unauthorized entry includes entering a University 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/Guest Policy

Visitation is defined as the presence of any person, not assigned to the room they are visiting, in the living quarters of a resident student. All non-student guests visiting the residence halls must be registered consistent with Student Life policies. Guests visiting overnight may only stay if all roommates are in agreement, and the length of time for overnight visits is limited to three consecutive nights. Violations of this policy can be reported to RAs, GRCs, or assistant directors. The University reserves the right to revoke guest privileges for behavior that is violating university policy. The University reserves the right to suspend or amend this policy at any time to protect the health and safety of the university community. **Standard sanction: residence hall probation. Repeated violations may result in suspension from the residence halls.**

29. Weapons and Ammunition

Unauthorized use, possession, or storage of any weapon or ammunition on University premises or at University sponsored activities is strictly prohibited. This includes, but is not limited to firearms, BB guns, air rifles, slingshots, paintball guns, swords, knives, tasers of any kind, ammunition, etc. **Standard sanction: expulsion.**

30. Complicity

Condoning, supporting, or encouraging a violation of University policy. Students who anticipate or observe a violation of University policy are expected to remove themselves from the situation and contact the appropriate staff members.

31. Smoking

Smoking is prohibited on all Loyola University Maryland owned or leased property including all campuses, buildings and facilities, residence halls; all grounds,

~~including ex~~terior open spaces, parking lots, on-campus sidewalks, streets, driveways, stadiums, recreational spaces and practice facilities; and in all University-owned or leased vehicles. This prohibition on smoking includes but is not limited to the use or disposal of cigarettes, cigars, pipes, hookahs, liquid, and any and all electronic smoking devices (e-cigarettes, vape pens, etc.).

32. Bias Related Behaviors Policy

Loyola University is a community that welcomes people of diverse backgrounds and experiences and values the God-given dignity of every human person. Every member of the Loyola University community enjoys the same basic rights, including the right to be treated as a respected member of the community, with freedom from discrimination and harassment. Bias related behaviors include but are not limited to:

1. Negative actions against an individual or group because of their actual or perceived race, sex, color, national or ethnic origin, age, religion, disability, marital status, sexual orientation, genetic information, military status, gender or gender identity, any other legally protected classification, or other targeted aspects of one's identity.
2. Creating a climate that supports, encourages, or initiates an uncomfortable environment, based on a legally protected classification, for any community member. Absent an academic reason, displaying of hate symbols, including but not limited to the confederate flag, swastikas, and any symbol associated with white supremacy or other hate groups, supports, encourages, or initiates an uncomfortable environment and thus is prohibited.

A violation of the Bias Policy is considered a serious breach of our community standards and although there are no standard sanctions, a hearing panel may consider a range of sanctions that include, but are not limited to, disciplinary probation, deferred suspension, suspension, and/or expulsion.

E. Sanctions and Outcomes for Violations of the Student Code of Conduct

Hearing officers or University Board members who find that a violation of the Code has occurred are authorized to issue student conduct 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 University community, the impact of the violations on the victim(s), previous documented student conduct history, and any mitigating or aggravating circumstances.

More severe sanctions may be imposed for incidents in which the violation was motivated by consideration of race, sex, color, national or ethnic origin, age, religion, disability, marital status, sexual orientation, genetic information, military status, gender or gender identity, any other legally protected classification, or other targeted aspects of one's identity. 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 University community was placed in harm.

Noncompliance with or failure to meet the terms of a sanction imposed at any conduct hearing may result in students being sanctioned to the next step in

probationary status, fined, and/or referred for a violation the code of conduct. Room selection and/or class registration may also be delayed pending completion of sanctions.

NOTE: A record of conduct sanctions may impact a student's ability to be a resident assistant, student government officer, Evergreen, peer conduct board member, etc. Such records must be reported on most law school applications, medical school applications, some graduate school forms, some University transfer forms, and, in some instances, job applications.

Study Abroad

The conduct status of a student is a key factor in determining eligibility for studying abroad. A student who will have a deferred suspension status for the term they wish to study abroad may not be eligible for the abroad experience. In addition, a student who has a history of serious conduct behaviors cannot study abroad. Students who are on 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 study abroad are expected to be ambassadors for the University and present a positive image of Loyola University Maryland. **Incidents involving student behaviors that occur abroad which violate the Community Standards and/or laws in the host country may be subject to Loyola University Maryland student conduct action.** The Office of International Programs reserves the right to bring students home before an administrative hearing occurs. Loyola reserves the right to pursue student conduct action regardless of what action may or may not be taken in the host country/by the host program.

Federal Student Financial Aid Penalties for Drug Law Violations

Under the Federal Higher Education Opportunity Act (HEOA), students who are convicted for any offense related to any federal or state law involving the possession or sale of illegal drugs will lose eligibility for any type of Title IV, HEA grant, loan, or work-study assistance.

When filing the Free Application for Federal Student Aid (FAFSA), students are required to report if they have ever been convicted of any drug-related offense involving the possession or sale of illegal drugs. Failure to answer this question will automatically disqualify the student from eligibility for Federal Student Aid programs. (Knowingly providing false or misleading information on the FAFSA is considered a crime and can carry a fine of up to $10,000 or imprisonment.) If a student is convicted while receiving assistance through any Federal Student Aid program, the student must notify the Office of Financial Aid immediately, will be ineligible for further aid, and will be required to repay all aid received after the conviction.

The Office of Financial Aid, in consultation with the Office of Student Conduct, reserves the right to review the assignment of University scholarships to students who are found responsible for violations of the drug policy at Loyola University 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 violation(s) of the Code of Conduct may result in more severe student conduct 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 University records or transcripts and further student conduct 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 monetary 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 University community. Examples include enrollment in certain classes, participation in workshops or seminars, conducting research, writing papers, planning programs, apology letters, etc. The University Board or hearing officer will designate a person to supervise such projects.

5. Substance Screening, Education, and/or Treatment

This is a referral to the Office of Student Support and Wellness Promotion, campus administrator with appropriate training, or off-campus counselor or treatment center for alcohol and other drug screening, education, prevention, and/or treatment of substance use/abuse problems.

6. Civility Hours

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

7. Restorative practices referral

Referral to administrator who will facilitate restorative practices to repair harm to individuals or community including but not limited to restorative intakes, restorative circles, and other restorative outcomes.

8. Restricted Access or Privileges

Restriction or termination of a student's access to any or all parts of the campus, including but not limited to residence halls, computer labs, dining or other campus facilities, the FAC, the Ridley Athletic Complex, 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.

9. 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 their designee) reserves the right to ban specified individuals from Senior Week Events (including Commencement exercises) and/or terminate residence hall or University status.

10. Loss of Room Selection Privileges

Loss of eligibility to participate in the annual student life room selection process.

11. Relocation to Another Residence

a. **Residence Hall Relocation:** the resident student is required to move to a new residence hall space within one day of written notice, for a specified period of time. This sanction may include restrictions of the student's entry into some residence areas. Parents or guardians 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 a campus residence, if available and appropriate, within one day 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 and the North Baltimore Neighborhood Coalition. Parents or guardians of dependent students may be notified.

12. Restricted Contact

Student is prohibited from having any contact "direct, indirect, or third party on their behalf" with a particular person(s). Restricted contact includes voicemail, email, written, verbal, or non-verbal communication (e.g., gestures and staring). Violations may result in suspension from the University.

13. Social Restrictions or Notification

Participation in University-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, club sports, and varsity athletics for a specified period of time. Alternatively, the hearing officer may elect to notify specific university organizations, groups or administrative offices who oversee specific university organizations or groups about violations of the code of conduct and corresponding sanctions.

14. Residence Hall Probation

A specified period of time during which a student may face severe conduct

sanctions including suspension from the residence halls for any subsequent violation(s) occurring during the period of probation. Students in this status may also lose the privilege to participate in the annual room selection process.

15. Disciplinary Probation

A specified period of time during which a student may face severe conduct sanctions including suspension or expulsion from the University for any subsequent violation(s) occurring during the period of probation. Other restrictions may be applied and would be indicated in the sanction letter.

16. Deferred Suspension from the Residence Halls

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

17. Deferred Suspension from the University

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

18. Suspension from the Residence Halls

Exclusion from living in the residence halls 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 Iggy's Market, 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 may not be eligible to participate in the room selection process, nor to be "pulled in" by current residents. Parents or guardians of dependent students and core advisors will likely be notified.

19. Suspension from the University

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 or guardians 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 may not be eligible to participate in the room selection process, nor to be "pulled in" by current residents. Students returning to Loyola after a suspension will not receive priority in class registration. They will be allowed to register after all the other members of their class year have registered. Students who are suspended from the University 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.

20. Expulsion

Expulsion is a permanent termination of student status from Loyola University

Maryland. This includes loss of all related privileges including email account/use, inside.loyola access, net storage, and OneCard access. This action may be imposed for the most serious violations of the Student Code of Conduct. Parents or guardians of dependent students will be notified. Students are restricted from the campus and residence halls unless otherwise specified in the sanction letter.

21. Student Development Assessment and Evaluation

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

22. Periodic Drug Testing

Drug screening (urinalysis) performed at a certified off-campus facility, as arranged by the Office of Student Conduct within one University business days' notice. Failure or refusal to be tested as scheduled, or a positive test result, will likely result in suspension or expulsion.

23. Postponement of Activity Participation and Conferring of Honors and Degrees

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

24. Mentoring with an Administrator or Faculty Member

One on one meeting(s) assigned for the educational benefit of the student. The purpose, focus, and requirements of the meeting(s) will be facilitated by the administrator or faculty member.

25. Reflection with Campus Ministry or a Jesuit

One on one meeting(s) assigned for the educational benefit of the student. The purpose, focus, and requirements of the meeting(s) will be facilitated by a member of Campus Ministry or a Jesuit.

26. Parental/Guardian Notification

Written or verbal communication with parents or guardians in compliance with applicable laws, informing them of the student's responsibility for a violation of the Student Code of Conduct.

27. Athletics Department Notification

Written or verbal communication with the Athletics Department in compliance with applicable laws, informing them of the student athlete's responsibility for a violation of the Student Code of Conduct.

28. Core Advisor Notification

Written or verbal communication with core advisors in compliance with applicable laws, informing them of a student 's responsibility for a violation of the Student Code of Conduct.

29. Designation as a Nuisance Residence

A period of time where any off-campus apartment, house, or other dwelling

where there have been repeated complaints or complaints of a serious nature about disruptive behavior is designated as a Nuisance Residence. The student may face mandatory relocation and the dwelling may be deemed a restricted residence for subsequent violations occurring during the period of designation as a nuisance residence,

F. Student Conduct Records

The student conduct records of Loyola University Maryland students are cumulative. Student conduct records are maintained through the Office of Student Conduct for a maximum of seven academic years after the date of the completion of the conduct process. Records of students who are expelled from the University and pending incidents 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 University regulations and all correspondence of the hearing officers or conduct 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 their designee.

The University 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 University'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 University 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 University 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 their tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility. Upon request, the University 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 Ave., S.W.
Washington, D.C. 20202-4605

II. University Regulations and Policies

A. Responsible Action Protocol

The Responsible Action Protocol (RAP) serves to promote an atmosphere of safety, community, and healthy education at Loyola University Maryland. This protocol, which has been recommended by the Student Government Association, will consider help-seeking behavior regarding alcohol emergencies as a health and safety matter rather than a conduct matter.

Subject to the noted exceptions below, a student who calls for the assistance of a University staff member such as Campus Police, a Resident Assistant, or any staff member of the Office of Student Life in the event of an alcohol emergency involving that student or someone else will not receive standard sanction(s) related to their own violation of the Community Standards regarding intoxication. In the case where the RAP has been implemented, students may be required to complete certain educational components, such as alcohol and/or drug education and/or an educational conference.

However, if the student who makes the call is found responsible for other violations such as acting as a social host or providing alcohol to an individual under the age of 21, the standard sanctions may apply.

Students who are witnesses or otherwise involved in sexual misconduct cases are able to receive amnesty per the sexual misconduct policy.

Students who are on disciplinary probation or deferred suspension at the time of the incident are not covered by the RAP; however, the conduct process will take into consideration the care for others demonstrated by the responsible action.

B. Immediate Removal From Campus

A student who presents a threat to the well-being or to the rights, safety, and property of any student or other individual as determined by the Vice President for Student Development or their designee may be subject to immediate removal from the campus and interim suspension from the residence halls and/or the University when an individualized safety and risk analysis has determined the behavior and risk justifies removal. An interim suspension from the University means 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 designee. An interim suspension from the residence halls means the student may not re-enter the residence halls without the written permission of the Vice President for Student Development or designee.

In all cases in which an interim removal is imposed, the student will be given notice of the action, including a written summary of the basis for the emergency removal, and of the opportunity to meet with the Vice President for Student Development or designee prior to such suspension being imposed, or as soon

thereafter as reasonably possible, to show cause why the removal should not be implemented. A request to meet and show cause must be made within one university business day of the notice. When this meeting is not requested during this period, objections to the emergency removal will be deemed waived.

A Respondent may be accompanied by an advisor during a meeting to show cause. If the removal relates to a violation related to 6. Sexual and Gender-Based Misconduct Policy, a Complainant and their Advisor, if applicable, may be permitted to participate in this meeting if the Vice President for Student Development or designee determines it is equitable to do so.

The Vice President for Student Development or designee has sole discretion to implement or stay an interim removal and to determine its conditions and duration. There is no appeal process for immediate removal decisions. Violation of an interim removal under this policy is grounds for expulsion.

C. Parental or Guardian Notification

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

- Health and safety matter whether or not student is hospitalized;
- When a student's housing or student status is in jeopardy;
- Violations in the local community;
- Student conduct matters.

D. Parking Policy

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

E. Policy Restricting the Promotion of Alcohol

Loyola University Maryland prohibits alcohol-related advertising in any University-sponsored or University-supported publication. In addition, Loyola reserves the right to refuse advertising from establishments that encourage or facilitate underage drinking.

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

F. Electronic Communications Policy

All Loyola students are deemed to have received notice of information sent by the University to the student's Loyola email address. Students are expected to check their Loyola email frequently.

G. Separation for Medical Reasons

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

A student will be subject to withdrawal from the University if it is determined that the student is suffering from a medical or psychological condition, which can include alcohol or other substance dependence, and as a result of the 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 ability to pursue academic work; or

4. Refuses to cooperate with efforts deemed necessary by the vice president for student development or dean of students or their designee to determine whether the student's behavior falls within one or more of the criteria listed above.

The vice president for student development or the dean of students will appoint a designee who will notify the student that a separation for medical reasons is under consideration and arrange for a conference with the student. In addition, the designee 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 designee. The results of this evaluation, along with any recommendations, will be forwarded to the dean of students' office. Any such recommendations are not binding on the University.

Before a student is separated for medical reasons, the designee 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 designee 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 designee, and/or with the review committee, and may review the information 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, they may appoint a designee; provided, however, that the designee may not be the original designee 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 designee may require an immediate interim withdrawal of the student. Such interim withdrawal will remain in effect until the review committee renders a decision regarding the student's separation for medical reasons or the designee 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 University at the time of separation or at the time of proposed re-enrollment. In this regard, the designee 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.

H. Missing Student Policy

Loyola takes the safety of its students very seriously. Any student who has been reported missing will be reported to public safety. Public safety will immediately notify local law enforcement authorities. There is no mandatory waiting period for reporting to local police. Emergency contacts may be notified. A thorough investigation will be conducted to include a residence hall room search, a review of security camera footage, the student's access control card, class attendance, email and social network sites, and discussions with friends and roommates. Parents or guardians will be notified when reliable information about their student is available.

If there is reason to believe a student may be missing, students, faculty and employees should contact the Office of Public Safety (410-617 5911). Students and employees can also report students who they believe are missing to the Dean of Students Office (410-617-2842) or Office of Student Life (410-617-5081).

All students are required to provide the University with updated permanent and local address and emergency contact information on a yearly basis or when changes occur. Student residents have the option to register a confidential contact person they want notified in case they are determined to be missing. Students are advised about the option to register a contact person during the housing selection process. All students attempting to register for on-campus housing will be notified, on an annual basis of this policy as part of the housing selection processes. They will have the option to provide or change their missing person contact information. All information provided concerning this subject will remain on file and be considered accurate until the student voluntarily provides different information. For students under the age of 18, who are not emancipated, the notification will be made to the student's custodial parent or guardian and any other designated contact person. This information will be maintained confidentially and will be accessible only to authorized campus officials and disclosed to law enforcement personnel in furtherance of a missing person investigation.

In cases where a student has not designated a contact, the student's emergency contacts will be used. The student development division will work in conjunction with the department of public safety and the missing student's family and friends to ensure all efforts are made to locate them and preserve their safety and wellbeing.

The University will cooperate with all law enforcement agencies involved in a search for a missing student as prescribed by law. This policy will be administered in accordance with FERPA and the Higher Education Opportunity Act of 2008.

I. Policy on Student Concerns About Athletic Programs and Activities

This policy explains the process for reporting and addressing student concerns regarding the University's athletic programs and activities. A student who has a concern about any University athletic program or activity may report the incident online at https://www.loyola.edu/department/student-development/policies or contact the Dean of Students Office at 410-617-5171. In reporting such concerns, students may choose to keep their identities confidential, although the University reserves the right to properly address the substance of student concerns in its discretion. Concerns reportable under this policy may relate to a men's or women's varsity athletic program, club sport, or other athletic club or organization.

A student who engages in the process described in this policy to share concerns about any University athletic program or activity may not be subject to, and the University prohibits, any form of discrimination, retaliation, or discipline as a result.

Concerns related to potential violations of the University's Code of Conduct should follow the relevant process as stated in the Loyola Community Standards and direct reports of potential violations to the Office of Student Conduct.

J. Harassment and Discrimination Policy and Procedures

The Harassment and Discrimination policy prohibits discrimination, including harassment, domestic violence, dating violence, stalking, sexual assault, and sexual exploitation of students, employees, or program participants of Loyola University Maryland by anyone on University property or at University-sponsored activities and addresses how complaints against employees of the University are resolved. The policy is outlined in the Staff and Administrator Manual in sections 8.6, 8.7, and 8.8, and can be accessed at https://www.loyola.edu/department/hr/about/policy.

K. Chosen Name Policy

Loyola University Maryland has adopted a policy providing all members of the campus community the opportunity to use their chosen first name in records and communications across the campus that do not require the use of their legal name. As a best practice for supporting transgender and gender non-conforming members of the college communities, this policy is not limited to use by transgender and gender non-confirming students and employees; instead, it is available to anyone who uses a chosen name regularly other than their legal name. The University's full Chosen Name/Legal Name Policy for both students and employees is available at Human Resources' Policies webpage.

- Incoming students may provide a chosen name on their applications.
- Current undergraduate students should follow the instructions sent to them via email from Dr. Rob Kelly and Dr. Rodney Parker.
- Current graduate students may follow the instructions on the Records department's Name/Address Change webpage to request a chosen name be updated by the Records Office.

- Employees may complete the Name Change Form, available at Human Resources' Forms webpage, to have their chosen name updated by Human Resources.
- Alumni will be referred to by their chosen name that was provided during their tenure as a student. They may reach out to the Office of Alumni Engagement for changes.

All chosen name requests are subject to approval per the policy.

The chosen name will be used across University systems where possible. The implementation of this policy will be gradual as the University applies chosen name to the numerous academic and administrative systems. As systems are updated over the next several months, the chosen name will begin to be displayed.

For questions, undergraduate students may contact dhiller@loyola.edu in Records, graduate students may contact erhull@loyola.edu in Records, employees may contact Human Resources, and alumni may contact Alumni Engagement.

III. Residence Hall Policies and Procedures

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 University residence is a privilege offered to students and carries with it the responsibility for fulfilling the terms of the Housing Contract. The University 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 University, 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. Students should also be mindful of their energy use and practice sustainability in residence hall living.

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 violations of the Student Code of Conduct and may be referred for student conduct action. These policies are subject to change based on emergencies that may affect the health and safety of the campus community. The most up-to-date Residence Hall Policies and Procedures can be found at https://www.loyola.edu/department/student-life.

A. Check In and Check Out

Anytime a student moves into a residence unit, whether at the initial check in or sometime during the year, a Room Condition Report must be completed by the student and submitted to the student's RA within 24 hours. The exact condition of every item should be carefully described on the Room Condition Report. When a student moves out of their living area, all keys and any gate clickers 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 Report. 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.

B. Furnishings and Appliances

The University provides each resident with a bed, mattress, desk and chair, drawer space, and in some cases, 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. Since beds and mattresses are provided, students are not permitted to bring beds from home. Full-size refrigerators are not permitted in double style residence hall rooms. In all residence hall rooms, personal refrigerators not provided by the University must be 3.5 cubic feet or smaller.

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 individual bedroom room to another or one residence unit 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 units. Students who move furniture from common areas will face a minimum fine of $100. Room configurations must meet fire codes. Approval for extra furniture, decorations, or other items is at the discretion of the area assistant director and will be based on safety and fire code/policy.

C. Roommate Agreements

During the first six weeks of the fall semester, all first year and second year students will complete roommate agreements with their roommates and/or suitemates. This agreement outlines standards and expectations agreed upon by the roommates to uphold throughout the year and can be used as a resource when conflict occurs, serving as a starting point for mediation and resolution. Roommate agreements must adhere to all Loyola policies.

D. Special Interest Housing/Substance-Free Housing

Substance-free housing 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 or area free from prohibited substances at all times. Prohibited substances include but are not limited to tobacco products, alcohol, illegal drugs, and misuse of legal prescription drugs. Residents who request and/or are assigned to substance-free housing will likely be relocated if they or their guests use prohibited substances in a substance-free area.

E. Keys, Gate Clickers, and ID Cards

Students receive keys at check-in whether at the beginning of the year or when moving during the year. Students living in Rahner Village will receive a gate clicker at check-in at the beginning of the year, or when moving during the year. Keys may not be duplicated or loaned to friends or roommates. Gate clickers and ID cards may not be loaned to friends or roommates. Students must keep their keys, gate clickers, and ID card in their possession. Keys left in/above the doorframe are not considered to be in the student's possession. Students who lose their keys or gate clickers must report the loss to the Office of Student Life within 48 hours. For a lost key, they will be given a spare key for 24 hours. After 24 hours, if they have not found their original key, their residence unit will be rekeyed. All costs involved with rekeying a space will be the responsibility of the student ($100 per re-key). Students will also

be billed for keys not returned at check out. Prices: Residence Unit Key $100, Gate clickers $25, and ID Cards $15 (price quoted at time of printing).

F. Room Changes

Each semester, one week is designated as "Move Week". All students desiring to initiate a move should contact the Office of Student Life for details. Only those students who follow the guidelines of the process will be eligible to move.

Residents who change rooms without obtaining approval from Student Life may be required to move back to their assigned rooms. In addition, students who change rooms without obtaining approval from Student Life may be sanctioned to a $50 fine and deferred suspension from the residence halls.

At any time during the year, if residents change individual bedrooms within a residence unit, the Student Life Office should be notified. This is important as each bedroom has a different Room Condition Report.

G. Room Condition

Roommates are jointly responsible for maintaining the cleanliness of their residence unit throughout the year and to leave it clean upon vacating. If a unit requires more than normal cleaning, at any time, each student will have appropriate charges assessed and face disciplinary action including loss of room selection/housing privileges.

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, disciplinary action may be taken and the housing status of the student in the room will be reviewed.

I. Room Entry

The University will make every reasonable effort to respect students' privacy. However, the University reserves the right to enter without notice in emergency situations, for spot inspections, and for such purposes as are necessary to ensure the comfort, safety, and protection of all members and property of the Loyola community.

J. Damage to University Property

If any furniture, equipment, or building structure is damaged, the person(s) responsible for the damage or loss will be responsible for the expense of repairs. In an individual residence unit, 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. Additionally, intentionally tampering with a thermostat, by causing damage or heating it, without permission from the

Office of Student Life, will be considered a violation of this policy. Costs related to the tampering of the thermostat may be charged back to the person(s) responsible. If a unit sustains intentional or reckless damage of $200 or more, the case may be referred for student conduct action.

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 common rooms. Personal items cannot be stored in stairwells or floor lounges. 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 their 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 residence unit, item of furniture, equipment, or common area property to its original condition.

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 University property. The billing process begins with Facilities Management generating a bill for damage or vandalism. Facilities Management 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 $200 at any time during the year could result in deferred suspension from the residence halls or immediate suspension from the residence halls. Students are personally responsible for reporting damage immediately to the Facilities Management, Campus Police, or the Assistant Director of Student Life.

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 $100 fine. Travel plans should be made according to this schedule. Closing can be a busy time for everyone at the University. In preparation for breaks and closing, students are expected to:

1. Unplug all appliances (except University-owned appliances and personal refrigerators).
2. Remove all perishables from the refrigerator and residence unit.
3. Leave shades and curtains open except on the first floor.
4. Empty all trash and remove newspapers and all recycling materials. Students will be fined $30 per bag of trash and excessive trash may be adjudicated through the conduct process.
5. Close and lock windows.
6. Turn off lights.

7. Lock room door.
8. Take home everything you will need over break (including pet fish) since no one may enter any hall after closing.
9. Consider taking all valuable items home.
10. Set heat at 60 degrees Fahrenheit.

All rooms will be checked for violations during the break. Students can avoid fines by fulfilling the above requirements. Entry into the halls during a break period will be granted to students with prior approval from Student Life or for emergency purposes only, and there will be a minimum charge of $50 for access. An emergency is defined as obtaining official documents or needed medication/medical devices prescribed by a doctor.

Due to the duration of time and space needed for storage, Loyola University Maryland prohibits portable storage units (PSU), such as PODS, U-BOX, or other similar storage units, from being on the Evergreen Campus. Move-in and Move-out days tend to have visitor and additional vehicles on campus. With limited parking spaces available we are unable to allocate multiple spaces for a PSU. If you need moving and storage assistance, please visit the Student Life website for additional options.

N. Contract Extensions

Contract extensions may be granted during break periods for academic reasons only. All requests for contract extensions should be made online through the Student Life website. Those granted extensions are subject to additional billing. Contract extensions are granted for individual students, not for residence units. While under contract extensions, students may not host guests or violate the Student Code of Conduct. If such events occur, loss of future contract extensions and student conduct action will occur.

O. Lockouts

Students locked out of their residence unit Monday-Friday from 8:30 AM-5:00 PM should go to the Office of Student Life in Seton 08 B to check out an extra key. There is no charge to borrow a key if it is returned within 24 hours. At all other times students should locate their resident assistant or call Campus Police at ext. 5010. During times when the residence halls are open, students will be charged $15 for entry assistance. There will be a minimum fee of $50 for access granted during a break period.

P. Maintenance and Service Requests

Maintenance in the residence halls is performed by staff members of the Facilities Management or designated contractors. The University counts on the students to be aware of any damage or situation that warrants the attention of Facilities Management, and to communicate that to them as soon as possible. Some of the typical repair services provided by Facilities Management include heating, air conditioning, plumbing, electrical, broken windows, furnishings, and kitchen appliances. They also monitor trash collection, cleaning of public areas, and grounds work. When you call in a service request, 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 Facilities Management at ext. 2200, Monday through Friday, 7:30 a.m. to 4 p.m. Emergency Repairs: On holidays, weekends, and evenings, call the department of public safety at ext. 5010 to request Facilities Management services for an emergency. Note: A student should notify their Assistant Director if a service requests has not been responded to within one week.

Q. Personal Property

Personal property cannot be stored in stairwells or common areas. The University assumes no liability for bodily injury or personal property damage or loss. The University urges students to develop the habit of always locking their rooms, 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 University is not responsible for theft, loss, or damage to a student's personal property, and encourages all students to carry appropriate personal insurance. Students and parents or guardians are encouraged to check with their home-owners insurance policy, if they have one, to see if lost property is covered. Students and parents or guardians also have the opportunity to purchase insurance from Grad Guard. Grad Guard can be contacted at www.gradguard.com.

R. Fire Safety Regulations

Candles, oil lamps, incense, open flame apparatus, halogen lamps, lava lamps, hanging lamps from the ceiling or wall, or any other inherent fire hazards are prohibited in the residence halls. Combustible materials such as cellular, foamed plastic or other materials deemed to be a fire or safety hazard cannot be placed on the surface of doors or on walls or ceilings. Any appliance which requires the use of exposed coils is prohibited. All appliances must be in good working order and UL approved.

The furnace and boiler rooms in Ahern, McAuley, Seton, Southwell, and Lange as well as downstairs room(s) in Rahner Village may not be used for storage and should be kept locked. Students who attempt to enter or utilize unauthorized closets or areas will be charged a $150 fine and face student conduct action.

No hoverboard, motorcycle, moped, or gasoline engine is permitted within any residential building. 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 student conduct sanctions.

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. Students may be required to remove their Loyola ID from their wallet and/or ID holder if asked by a desk assistant. Failure to present ID as requested by the desk assistant will be considered Failure to Comply with Directives of a University 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. Propping

interior doors is also a safety issue and can cause damage to university property; this practice is discouraged. Students may be assigned restitution to pay for damage caused to campus property due to these practices. Students who lose their Loyola University Maryland ID must call Campus Police immediately at 410-617-5010. Replacement cards are available at Student Administrative Services in Maryland Hall. The cost of a replacement is $15.

T. Athletic Equipment

No athletic equipment may be used in the residence halls (i.e., hockey equipment, skateboards, roller blades, skates, footballs, lacrosse equipment, basketballs, volleyballs, tennis rackets/balls, Frisbees, dart boards, free weights, etc.). Athletic equipment cannot be stored in stairwells or floor lounges.

U. Decorations

Common areas, hallways, or corridors of residential buildings should not be decorated without the approval and participation of the hall staff (Resident Assistants, Graduate Residence Coordinators, and/or Assistant Director of Student Life for the residential area). If wanting to decorate a balcony in McAuley, students are to consult in advance for approval with a Graduate Residence Coordinator or Assistant Director of Student Life for the Eastside area.

All hallways, corridors, doorways, balconies, and exits are to remain free from obstruction (this includes pre-packaged spider-webbing). Additionally, residents are to refrain from placing decorations on the floor that may impede walking or egress from any residential area.

Prohibited items that are inherently considered fire safety hazards include: candles, open flames, live garland, fog/smoke machines, live/cut trees, greenery, leaves, twigs, bamboo, branches, straw, and hay.

Fire safety/emergency/security equipment (i.e., exit signs, pull stations, notification equipment, and extinguishers) must remain uncovered and clear of obstructions. Do not drape or attach decorations to these items.

Using detergent directly on walls or carpet is not permitted. Any associated spills may result in damage and cleaning charges being billed to the resident.

All electric or battery-operated lights must be UL approved and attended to at all times. This also means seasonal/celebratory lights should not be left on while residents are sleeping.

All seasonal decorations must be made of flame-retardant material or treated with flame retardant solution. Seasonal/celebratory decorations should be taken down by the end of each semester. Only artificial trees are permitted in residence halls.

Trash bags, newspapers, and toilet paper are not to be used for decorating purposes.

Sheets/ tapestries, banners, flags, and beads may not be hung on doorframes or from ceilings, cannot be larger than 3’ X 5’, and cannot cover the entire wall.

V. Musical Instruments

Due to the nature of the noise that electrically amplified instruments and drums create, they may not be played in the residence halls. The playing of other

instruments is subject to the agreement of residents in the affected areas and must be in compliance with quiet hours.

W. Pets

No pet of any kind is permitted in any of the residences, with the exception of freshwater fish in tanks that are 10 gallons or smaller. No piranhas are allowed. During the Christmas Break, aquariums must be emptied and the filter unplugged. Puppies in training are not permitted in the residence halls and other Loyola buildings (including academic buildings, dining facilities, the Counseling Center, and Health Center). Residents in violation of this policy will be required to remove pets from the residence, in addition to assuming financial responsibility for any cleaning costs or damage. There is a $150 fine for violating the pet policy.

X. Quiet/Courtesy Hours

Because 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, which are 24 hours per day, 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 their noise is not at a level to disturb anyone else that may be studying or sleeping. Students should also be mindful of noise levels in courtyards and areas adjacent to the residence halls. Students who violate 24-hour quiet hours will be assigned an automatic $50 fine per resident of the room. The campus-wide quiet hours for all residences are as follows:

Sunday through Thursday:	**11p.m. to 10a.m.**
Friday and Saturday:	**1a.m. to 10a.m.**
During Final Exam Week:	**24-hour quiet hours are in effect.**

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. The total number of guests allowed in a residence living area at a given time is equivalent to 2 per resident of the room.

For example, double, one-room suite, and one-bedroom apartments can have 6 people maximum- the 2 residents and 2 guests each. The maximum amounts are as follows:

- 1 bedroom= 6 total people permitted
- 2 bedroom= 12 total people permitted
- 3 bedroom= 18 total people permitted
- 4 bedroom= 24 total people permitted

Z. Roofs

Students are prohibited from accessing roofs, canopies, and ledges of any University owned or leased property.

AA. Balconies

Balconies in McAuley Hall are considered public areas and are therefore subject to the University Alcohol Policy as described in the Student Code of Conduct. No university furniture is to be used or stored on balconies. Students should only access the balconies by using the door located inside the residence unit.

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.

CC. Water Beds, Washers/Dryers, Dishwashers

Because of the possible damage that water may cause to residences, waterbeds, washer/dryers, and dishwashers, unless they are provided by the University, 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 student conduct sanctions.

DD. Window or Door Displays

Signs, containers, trademarks, and other overt displays on doors of University buildings that advertise or represent products (such as alcoholic beverages) or behaviors not compatible with University policies are strictly prohibited. No item of any sort may be temporarily or permanently mounted, hung, rigged, draped, or attached to or from a window, shade, blinds, or balcony regardless of whether the item is interior or exterior to the building.

EE. Residence Unit Modifications

No partitions, dividers, or screens may be assembled or constructed in any residence unit 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 cannot construct dance floors, build or possess alcohol bars of any kind (freestanding, tiki, etc.), remove closet or bathroom doors, or install or possess any type of recreational pole. 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 residence unit to its original condition. Residents are not permitted to make repairs of any damage themselves or contract with anyone for repairs to be made.

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.



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