

COMMUNITY STANDARDS 2019-20

LOYOLA UNIVERSITY MARYLAND



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2019-20

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

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 of 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. As students, you are expected to conduct yourselves in such a manner as to ensure the health and welfare of all members of the Loyola 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 Report 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 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 activities 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. All members of the Loyola academic community, which comprises students, faculty, staff, and administrators, enjoy the right to freedom of speech and expression. This freedom includes the right to express points of view on the widest range of public and private concerns, and to engage in the robust expression of ideas. The University encourages a balanced approach in all communications and the inclusion of contrary points of view. The right to free speech and expression is

subject to reasonable restrictions of time, place, and manner, and does not include unlawful activity. In all events, the use of the 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.

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.

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 his/her behalf. There is no limitation placed on the number of eyewitnesses or corroborating witnesses. No more than two character witnesses are permitted. In the event that any witness cannot attend the hearing, a written statement signed by the witness and completed in the presence of an Honor Council member 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, students involved in an investigation for an alleged violation of the Student Code of Conduct or with pending conduct charges who request a leave (e.g., study abroad, medical withdrawal, leave of absence) or withdrawal may be required to participate in the student conduct process 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 effective throughout the calendar year even when classes are not in session due to break periods or summer sessions, when students are on a leave of absence, when students are participating in a study abroad program or 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 105b (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 a Coordinator for Housing Operations, who also adjudicates cases and works in the Student Life office. ADs are full-time professional members of the Student Life staff. They can be reached at the following telephone extensions and office locations:

Charleston/Gardens Area	ext. 2637	LAN 32A
Hillside Area	ext. 2884	FLOC 229
Eastside Area	ext. 2916	McA 300A
Campion Tower	ext. 2049	CAM 100
Newman Towers	ext. 5488	NTC 110
Housing Operations	ext. 5062	STC 08B

6. Graduate Residence Coordinators (GRCs)

Included on the staffs of each residence area 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 Staff and Administrators

There are staff and administrators across the University and within the Division for Student Development who serve as hearing 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.

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 workday. Reports of student violations may also occur at student activity events, athletic events and club sports, off campus student residences, and public and private commercial establishments.

The Baltimore City Police Department routinely submits reports to the Director of Public Safety regarding incidents in the area surrounding the University, incidents involving Loyola students, or notifications of arrests. The Director of Public Safety forwards these reports to the Student Conduct office. 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. The Director of Student Conduct, or their designee, reviews the reports and determines whether the report identifies 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 of the 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 Assistant Director of Student Life chooses among several options to address the student(s) involved in the incident. First time violations or minor violations are generally referred to an educational conference facilitated by 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 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 the educational conference form indicating agreement with the charges and the proposed sanctions, thus waiving the right to appeal this decision. If the student does not accept responsibility for the violations with which 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 Code. 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 before an administrative hearing officer. During the hearing, the student will be expected to respond to the charges listed in the charge letter. The student will be asked to explain 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. In order 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 circles.

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 room, 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. Failure to attend a scheduled hearing will result in the hearing being held in the student's absence. Loyola University Maryland uses a preponderance of the evidence standard to evaluate all alleged violations of the Student Code of Conduct.

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 misconduct, both the complainant and the respondent may have advisors as defined in section 21. 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. 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. 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.
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- 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. The decision letter will be placed in the student's conduct file.
- 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 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 email or in person to the Director of Student Conduct in the Integrity Suite in Seton Court 4508A. 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 their rights to a fair hearing were violated.
- a2. New evidence: The student alleges that new evidence that was not available for the original hearing might impact the decision of responsibility or determination of sanction.

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 unless they are serving as the student's chosen advisor in a sexual misconduct case.

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; provided, however, that for appeals in sexual misconduct cases, the Board is comprised of at least one faculty member and up to two administrators.

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.

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 at the time of the original hearing. If the evidence is found to be newly discovered, 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.

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 in a signed, sealed envelope given 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 Section 21. Sexual and Gender Based Misconduct and 32. Bias Related Behaviors Policy, complainants have the right to submit a written impact statement and that statement will be reviewed as defined in those policies.

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 per individual host, and a referral for substance screening/education.**

The student social host policy will apply if alcohol is available in the room. Thus, the host is also responsible for misconduct if they passively allow prohibited alcohol use to occur within their room.

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 be 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 counseling 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 counseling. 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 counseling 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 counseling. 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.

The student social host will be considered serving/providing drugs to anyone if they possess drugs or if drugs are available in the room. Thus, the host is also responsible for misconduct if they passively allow drug use to occur within their room.

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 which is disruptive to the living, learning, or working environment of individuals inside and outside the classroom or of the University community or which 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. **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 of sanctions of

previous conduct incidents. Students found responsible for this violation may be placed on a probationary status, lose their deferred status, or be subject to 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 in the residence halls for students' protection and the protection of property in the event of a fire or emergency. Anyone who causes damage to this equipment or renders it unusable or ineffective is endangering the safety of all residents. This includes tampering 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. **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 use of cooking equipment. **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 1-34 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 (3) a student lives with a friend of the student's family." **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 Police

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.
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- **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 activities 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 activities guidelines for details). No posted materials may 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)
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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 reporting or participating in an investigation or adjudication of alleged policy violations is strictly prohibited. **Standard sanction: suspension.**

18. Prohibited Items and Behaviors

Students are prohibited from having hoverboards, portable pools, wading pools, and/or hot tubs on University property. Motorized transportation devices (including but not limited to electronic scooters, segways, and mopeds) are not permitted in campus buildings 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 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 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.

a. Sexual and/or Gender-Based Harassment

Sexual harassment is defined as unwelcome sexual advances, requests, and other verbal, written, or physical conduct of a sexual nature when submission to or rejection of such conduct is a condition or basis for employment or educational decisions affecting the individual, or which is sufficiently severe, pervasive, and objectively offensive as to have the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive educational or work environment.

b. 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.

c. Sexual Assault

Sexual assault includes any sexual act or sexual contact without consent, including intercourse; oral sex; unwanted touching of an intimate body part of another person, such as sexual organs, buttocks, or breasts; or an attempt of any of the above. Rape is a type of sexual assault. This description of prohibited sexual acts and conduct is not intended to be inclusive of all conduct that could fall within this category. It is the intent of this policy to provide notice that any unconsented sexual contact, whether by a stranger or an acquaintance of the recipient, is prohibited.

d. Domestic Violence

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse of a person by a person with whom they share a child in common, by a person who is cohabitating with or has cohabitated with them as a spouse, by a person similarly situated to a spouse of theirs under the domestic or family violence laws of Maryland, or by any other person against an adult or youth person who is protected from that person's acts under the domestic violence laws of Maryland.

e. Dating Violence

Dating violence encompasses a broad 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 and where the existence of such a relationship is determined based on the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

f. Stalking

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress. A “course of conduct” means two or more acts, including acts in which the stalker directly, indirectly, or through third parties follows, pursues, interferes with the safe environment of, monitors, observes, surveils, threatens, or communicates to or about a person in a way prohibited or that interferes with a person’s property. Stalking may be conducted through any method, action, device or means. Substantial emotional distress means significant mental suffering or anguish.

Preventing Sexual Misconduct

As members of the University community, students are expected to respect the rights, dignity, and personhood of others. The University encourages students to understand the expectations governing sexual contact (including intercourse) between persons. Melissa Lees serves as the Sexual Violence Prevention, Education, and Response Coordinator and is available to meet with survivors of sexual misconduct. She also offers prevention and bystander intervention programs throughout the academic year. The Counseling Center provides qualified professionals who can help students clarify their feelings about sexuality and intimacy and help students develop assertiveness skills that may be useful in managing potentially difficult situations. The Counseling Center staff provides direct service and referrals for survivors of sexual misconduct. 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.

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 attacks.

Reporting Sexual Misconduct

Allegations 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 should be reported to one of the following individuals:

Title IX Coordinator for the University:

Kathleen Parnell, Associate Vice President for Human Resources
5000 York Road
410-617-1350
kparnell@loyola.edu

Title IX Deputy for Students:

Katsura Kurita, Assistant Vice President for Student Development
110 Jenkins Hall
410-617-5646 (direct)
kkurita@loyola.edu

Title IX Deputy for Faculty, Staff, and Administrators:

Karen Feeley, Director of Employee Engagement
5000 York Road
410-617-1345
kafeeley@loyola.edu

Title IX Deputy for Public Safety and Crimes:

Adrian Black, Director of Public Safety
5104 York Road
410-617-2863
abblack@loyola.edu

Reports of sexual misconduct also can be made to any “responsible employee,” defined as any University administrator, staff with supervisory responsibilities, faculty member, campus police, athletic coach, athletic trainer, or resident assistant who has the authority to take action to redress the sexual misconduct. Campus Police and the student life on-call staff can be reached at 410-617-5010. A report of alleged sexual misconduct against a student at the University may be made by any member of the University community, guests, visitors and other third parties by contacting Katsura Kurita, Title IX Deputy for Students, or their designee, in room 110 Jenkins Hall, calling (410) 617-5646 or emailing at kkurita@loyola.edu. 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 complainant makes a report, the Title IX Deputy for Students (or designee) will contact the complainant to discuss the report and whether they wish to proceed with an investigation.

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

Anonymous 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

To initiate the procedures set forth below, the following information is requested as part of the report: Name(s) of student(s) alleged to have violated the sexual misconduct policy (student code of conduct) 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 as information as possible as this report will serve as a

basis for investigation. The report will be shared with the respondent, investigator, hearing panel members, administrators who oversee the student conduct process, and the Title IX Deputy for Students (or designee), among others, and a copy will be provided to the complainant.

The respondent and complainant (and 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 available to the students. Students who report sexual misconduct, or participate in an investigation as witnesses, 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 who has experienced domestic violence, dating violence, sexual assault, or stalking to consult their parents/guardians and to report the incident to the Baltimore City Police. 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 you have experienced sexual misconduct but do not want to report it for investigation, you may meet with Melissa Lees, the Sexual Violence Prevention, Education, and Response Coordinator, and/or a counselor or psychologist in the Counseling Center. Melissa Lees can be reached at 410-617-6769. The Counseling Center can be reached 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 your permission unless an imminent threat exists. The Student Health Center can be reached at 410-617-5055. If you would like to seek counseling assistance off campus, you may contact TurnAround 24 hours a day at 443-279-0379, House of Ruth 24 hours a day at 410-889-7884, or the Sexual Assault /Domestic Violence 24-hour hotline for Baltimore and Carroll Counties at 410-828-6390.

Students 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.

The Title IX Deputy for Students (or designee) will take actions deemed necessary to protect the emotional well-being of the individuals involved in cases of sexual misconduct, as well as the educational environment of the University community. These interim measures may include but are not limited to: counseling, no contact order, 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, transportation assistance and escorts to and from campus locations, interim suspension for the respondent, and other measures for safety as necessary.

The University understands that some complainants may seek confidentiality with respect to a report of 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 in light of 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.

Procedures for Adjudicating Charges of Sexual Misconduct

The University's procedures provide for prompt, fair, equitable, and impartial investigation and resolution of all reports of sexual misconduct. These procedures will allow for all parties to be heard. Complaints regarding alleged violations of the sexual misconduct policy can be resolved informally or formally. All participants will be treated with dignity, respect, and sensitivity.

1. Informal Resolution

Informal resolution 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. 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. 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 Title IX Deputy for Students 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;
 - Completion of projects, programs, or 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;
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- Restorative practices, including facilitated conversations and apologies

The imposition of remedies or interventions obtained through an informal resolution may be achieved by an agreement acceptable to the parties and University. The Title IX Deputy for Students or designee will facilitate the development of this agreement. 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 Title IX Deputy for Students 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; nor does it mean that there has been a finding of a policy violation. The Title IX Deputy for Students or designee will maintain all records of matters referred for informal resolution.

2. Formal resolution

Investigations and hearings will be conducted by officials who have received annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of participants and promotes accountability. Actions by the police or criminal courts do not in any way preclude the University from pursuing charges through the University's student conduct system. Similarly, pursuit of charges through the student conduct system 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.

The complainant and respondent will be notified of the date, time and location of each hearing, meeting, or interview that the student is required or 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 timeframe for conducting the investigation is usually 60 University business days. The timeframes for the hearing panel proceedings and any appeal(s) are set forth below. Each of these deadlines may be extended for good cause. The University will notify the parties when a delay is anticipated. 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.

The Title IX Deputy for Students will provide the complainant and respondent with timely written notice of the reported violation, including the date, time and location of the alleged violation, the type of sexual misconduct alleged, 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 Title IX Deputy for Students (or their designee) will designate an investigator and coordinate the logistics of the investigation process. The complainant and respondent shall have the right to

submit to the investigator evidence, witness lists, and suggested questions for witnesses. At the conclusion of the investigation, the investigator shall prepare a written report summarizing and analyzing the evidence, including both evidence indicating the alleged behavior occurred or did not occur. Either party may access evidence discussed in the investigation report but not included in the investigation report by contacting the Title IX Deputy for Students or designee. The complainant and respondent will receive the investigative report and may submit a written response to the Title IX Deputy for Students (or their designee) within five University business days. The Title IX Deputy for Students (or their designee) will provide the written response to the Office of Student Conduct to be included in the materials reviewed by the hearing panel. Each party's written response, if any, will be shared with the other party. Based on the investigation and the parties' responses, if any, the Office of Student Conduct may schedule a sexual misconduct hearing panel, usually within 15 University business days following receipt of the investigative report and parties' responses from the Title IX Deputy for Students (or their designee).

All hearings, also known as proceedings, involving sexual misconduct 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. All participants are expected to maintain confidentiality regarding the proceedings, except that the complainant and the 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. In recognition of the unique nature of sexual misconduct cases, the procedures specified in this section supersede any conflicting provisions of the University student conduct process.

- i. The sexual misconduct hearing panel will be comprised of one faculty member, one administrator, and the Director of Student Conduct (or their designee). All panel members will receive special training on sexual misconduct cases. Both the complainant and the 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 their 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 their designee) shall make the final decision regarding removal.
 - ii. If, in the judgment of the Director of Student Conduct (or their designee), the timing of the proceedings precludes the participation of a faculty member, the Director of Student Conduct (or their designee) and a University administrator will serve as hearing officers for the case.
 - iii. The respondent and complainant 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 student's choice, a licensed attorney, an advocate, or an advocate supervised by an attorney. The advisor 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 hearing are deemed disruptive by the hearing chair, and assist the student they
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are advising with the exercise of any right during the proceedings. The advisor is not allowed to address the investigators, address the hearing panel, or question witnesses. The advisor cannot serve as a witness. Both the complainant and the respondent can have an advisor of choice, which can include parents, attorneys, or others who are not full-time members of the University community. Disruptive advisors will be removed from the process, and the process will continue.

Students are required to 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 for their participation in the student conduct process. Student complainants and 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 regarding accessing counsel through MHEC can be found on the MHEC website, <https://mhec.state.md.us>. Students may knowingly and voluntarily choose not to have counsel. Counsel may not be available through MHEC for complaints involving allegations of sexual and/or gender-based harassment only.

- iv. Under Title IX, 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, normally will be distributed to the parties and the members of the hearing panel five University business days prior to the hearing.
 - v. The respondent and the complainant 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. In the event that a fact witness cannot attend a hearing, the fact witness may email or personally deliver a signed written statement directly to the hearing officer in advance of the scheduled hearing. Students also may submit up to two character witness statements in writing to the Office of Student Conduct at least one University business days prior to the hearing.
 - vi. The hearing will begin with the panel chair going over again the rights and responsibilities for the parties, and then reading the charges against the respondent. 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 has the ability to recall the parties and any witness for clarification. The complainant has the right to provide a written impact statement, due prior to the start of the hearing in a signed, sealed envelope given 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.
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- vii. Statements or questions regarding the past sexual history of the respondent or complainant generally may not be presented as evidence during the hearing except as they relate to the past sexual history between the respondent and complainant, to prove the source of an injury, to prove prior sexual misconduct, to support a claim that a student has ulterior motive, or to impeach a student's credibility after that student has put their own prior sexual conduct at issue. The hearing panel chair will determine if the evidence presented is germane to the case and will be allowed. Evidence regarding a student's medical history, including mental health counseling, treatment or diagnosis, may not be presented without that student's consent.
 - viii. The panel will make findings of fact and determinations using a preponderance of evidence standard. 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. 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. Violations of the sexual misconduct policy are serious and the range of sanctions includes the following: written reprimand, fine, restitution, educational project, alcohol and drug screening/education/treatment, civility hours, parental/guardian notification, restricted access or privileges, senior week restrictions, loss of room selection privileges, relocation to another residence, restricted contact, social restrictions, residence hall probation, disciplinary probation, deferred suspension from the residence halls, deferred suspension from the University, suspension from the residence halls, suspension from the University, expulsion, student development assessment and evaluation, periodic drug testing, postponement of activity participation and conferring of honors and degrees, mentoring with an administrator, reflection with Campus Ministry or a Jesuit, athletics department notification, core advisor notification, restorative practices referral, and continuation/modification of interim measures.
 - ix. The respondent and the complainant will be informed concurrently in writing of the outcome of the hearing, also known as the result, normally within ten (10) University business days. Both parties will receive written notice of any sanctions imposed on the respondent, 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 result must also include the rationale for the result and the sanctions.
 - x. The complainant and the respondent each have the right to appeal the hearing panel's decision and/or the sanction to the University Board on Discipline. In cases where appeals are submitted by both parties, both appeals will be considered together by the same board. If only one party appeals, the other party has the right to attend the hearing and participate. Unless indicated otherwise in the original decision letter, the typewritten appeal should be submitted via email or in person to the Dean of Students in Jenkins Hall 105. The appeal must be submitted within five University business days of receipt of the decision letter of the hearing panel. If a party does not appeal the hearing panel's decision within this time 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 their rights to a fair hearing were violated.
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- The party alleges that new evidence that was not available for the original hearing might impact the decision of responsibility or determination of sanction.
- The party alleges that the sanctions imposed are grossly disproportionate to the findings of responsibility.

The burden is on the student to provide support in the appeal letter for the asserted grounds. The Dean of Students (or their designee) shall determine whether the student 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 the Dean of Students (or their designee) determining that only certain asserted grounds should be submitted for review by the University Board on Discipline or that the appeal should be dismissed without further proceedings.

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

No panel members who were involved in the original hearing will serve on the University Board on Discipline for the appeal. For appeals in sexual misconduct cases, the Board is comprised of at least one faculty member and up to two University administrators. 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 board may only affirm, reduce, or increase the sanctions assigned by the original hearing panel. For appeals based on other grounds, the University Board on Discipline that hears the appeal can take the following actions: affirm the original decision of the hearing panel, 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, 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 University Board on Discipline 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.

xi. Except in cases involving the discovery of new evidence, the Board 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. The Board may meet with the student who is making the appeal and the original hearing officer. The other party may attend such meeting(s), but is not required to do so. In cases where the appeal is based in whole or in part on a claim of newly discovered evidence, the Board will first determine if the offered evidence was not known at the time of the hearing and if it might impact the decision of responsibility or determination of sanction. If the Board determines that the evidence was not known at the time of the hearing and that it might impact the decision of responsibility or determination of sanction, the Board will remand the case to the original hearing panel for review and the panel will issue a new decision letter taking into account the newly discovered evidence.

xii. The Board's decision will be communicated concurrently in writing to both the respondent and the complainant, normally within five University business days of

the appeal hearing. The decision of the University Board on Discipline is final, and no further appeal is permitted by either party.

Retaliation

Any retaliation, reprisal, or intimidation, including by an individual or by the institution, directed toward anyone as a result of reporting or participating in an investigation or adjudication of alleged sexual misconduct is strictly prohibited. Any incidents of retaliation should be reported immediately to Student Life, Student Conduct, or the Title IX Deputy for Students and 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.

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

23. Student Abuse of Campus Privileges/Violation of Policy

Student dining and parking privileges are non-transferable. 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/departments/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 a member of the opposite gender in the living quarters of a resident student. Visitation is permitted in all residences during the following hours only: Sunday through Thursday 10 a.m. to midnight, Friday and Saturday 10 a.m. to 2 a.m. Opposite-gender guests are not permitted to stay overnight. Same-gender guests visiting overnight are limited to three consecutive nights and may only stay if all roommates are in agreement. Violations of this policy can be reported to RAs, GRCs, or assistant directors. **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 exterior 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 for any community member.

a. Procedures for Reporting Bias Related Behaviors

Students who feel they have been the target of bias or who have witnessed bias related behaviors may report the incident online at www.loyola.edu/reportbias or contact the Dean of Students 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 Dean of Students Office who will then take action based on the information provided. The Dean of Students staff will conduct a follow-up interview with the targeted person to gather additional information regarding the incident, determine the targeted person's interest/role in responding to the incident, and determine possible Student Code of Conduct violations.

The Dean of Students staff 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, and Assistant Vice President for Human Resources) 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 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 student conduct process. The advisor must be a full-time member of the Loyola University

community (faculty, administrator, or staff) and cannot be an attorney or hold a law degree. The Dean of Students 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. In cases of notification, the person reporting the incident/targeted person will be consulted regarding communication to the community. Periodically, the Vice President for Student Development or their designee notifies the Loyola community of any incidents where a member of our community was the object of demeaning behavior that targeted age, gender, religion, racial/ethnic or national origin, sexual orientation, or disability. With regard to community notification, the Vice President for student development or designee will determine when such notification will be sent through a special “Newshound” email. For reasons of privacy, notification will occur only when the identities of the involved community members can be protected, permission from the targeted person(s) is granted, and the notification will not interfere with any ongoing investigation. The purpose of notifying the campus community is to provide more 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 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, sexual and 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.

b. 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 in Section 21. Similarly, 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 Dean of Students Office in conjunction with the Office of Student Life 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, the targeted person, or witnesses, or suspending the alleged offender from campus pending a hearing.

Certain cases may be referred to alternative resolution pathways if the parties involved are willing to participate, and the Dean of Students Office 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 circles.

If the matter is referred for an administrative hearing, the complainant has the right to present testimony at the hearing in person or by submitting a written statement. The respondent has the right to listen to or review testimony made by the complainant. The complainant has the right to provide a written impact statement, due prior to the start of the hearing in a signed, sealed envelope given 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 offender 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 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 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 do 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 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 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-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

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, clubs sports, and varsity athletics for a specified period of time.

14. Residence Hall Probation

Any further violation of the Student Code of Conduct or Residence Hall Policies could result in suspension from campus housing. 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, WebAdvisor, 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 the student's responsibility for a violation of the Student Code of Conduct.

F. Student Conduct Records

The student conduct records of Loyola University Maryland students are cumulative. Student conduct records are maintained in the Office of Student Life for a maximum of three years after a student's anticipated graduation year. Records of students who are expelled from the University 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 their well-being or to the rights, safety, and property of others 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. 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 their designee. In all cases in which an interim suspension is imposed, the student will be given the opportunity to meet with the Vice President for Student Development or their designee prior to such suspension being imposed, or as soon thereafter as reasonably possible, to show cause why the suspension should not be implemented. The Vice President for Student Development or their designee has sole discretion to implement or stay an interim suspension and to determine its conditions and duration. Violation of an interim suspension 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 for 24 hours will be reported to local law enforcement authorities and their designated contact person. A student will be considered missing if not located within 24 hours of the initial report made to the University and after a residence hall room search, a review of closed circuit cameras, the student's access control card, class attendance, email and social network sites, and discussions with friends and roommates. Parents and/or guardians will be notified when reliable information about their student is available and within 24 hours of the initial report. Public Safety and/or Student Life will notify Baltimore Police when the student has been missing for more than 24 hours as required by law.

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 for 24 hours. 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 within 24 hours. 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

Policy

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 in the administration of any of its educational programs and activities or with respect to admission or employment. Prohibited discrimination includes harassment on the basis of a protected classification and harassment based on participation in any "protected activity." Complaints of sexual assault, domestic violence, dating violence, stalking (whether or not based on a protected classification) and sexual exploitation are also addressed under this policy.

Discrimination, harassment, domestic violence, dating violence, stalking, sexual assault, and sexual exploitation are inconsistent with Loyola's commitment to excellence and respect for all individuals. Loyola is also committed to protecting the academic freedom and freedom of expression of all members of the University community. This policy shall be applied in a manner that protects the academic freedom and freedom of expression of all parties to a complaint. Academic freedom and freedom of expression include but are not limited to the expression of ideas, however controversial, in the classroom, residence hall, and, in keeping with different responsibilities, in workplaces elsewhere in the University community.

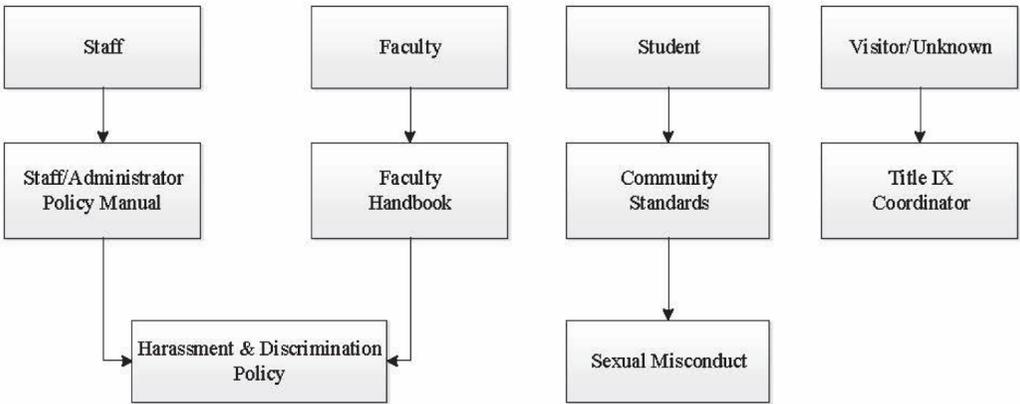
Scope

This 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. This policy applies to situations in which the person alleging a violation (the "complainant") or the person accused of a violation (the "respondent") is an employee, student, or program participant of Loyola University Maryland. Loyola students and employees who are studying or teaching off-campus (e.g., semester abroad) or are on a leave of absence (e.g., medical leave, sabbatical) remain covered by this policy.

Allegations against student employees in their capacity as employees are resolved through this policy. Allegations against students in their capacity as students are resolved through the student conduct process rather than under this policy. The Community Standards can be found at <http://www.loyola.edu/departments/student-conduct>.

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

If the accused is a:



Harassment other than on the basis of a protected classification is also prohibited by University policy and may be the subject of a complaint using the Grievance Policy and Hearing Procedures (Section 8.18 of the Staff and Administrator Policy Manual) if the respondent is an employee or using the student conduct process if the respondent is a student.

Compliance

The designated official to ensure Loyola’s compliance with Title IX of the Education Amendments of 1972, as amended, which prohibits sex discrimination including sexual harassment and sexual violence, is Kathleen M. Parnell, Associate Vice President for Human Resources, 5000 York Road, Suite 200, Baltimore, MD 21212, Phone: 410-617-2354, Email: kmparnell@loyola.edu.

The designated official to ensure Loyola’s compliance with Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination on the basis of handicap/disability, is Katsura Kurita, Assistant Vice President for Student Development, 4501 N. Charles Street, Baltimore, Maryland, 21210, Phone: 410-617-5646, Email: kkurita@loyola.edu.

Complaints may also be filed with the U.S. Department of Education, Office of Civil Rights (www.ed.gov).

This policy, the following Procedures for Resolution of Complaints, and the Community Standards are only part of Loyola’s effort to prevent discrimination and harassment, domestic violence, dating violence, stalking, sexual assault, and sexual exploitation in our community. In addition to spelling out steps for making and resolving complaints, the University is also committed to programs of education and prevention.

Definitions

Dating violence encompasses a broad 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 and where the existence of such a relationship is determined based on the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse of a person by a person with whom they share a child in common, by a person who is cohabitating with or has cohabitated with them as a spouse, by a person similarly situated to a spouse of theirs under the domestic or family violence laws of Maryland, or by any other person against an adult or youth person who is protected from that person's acts under the domestic violence laws of Maryland.

Harassment means unwelcome verbal, written or physical conduct based on a protected classification (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) 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 assault includes any sexual act or sexual contact without consent, including intercourse; oral sex; unwanted touching of an intimate body part of another person such as sexual organs, buttocks, or breasts; or an attempt of any of the above. Rape is a type of sexual assault. This description of prohibited sexual acts and conduct is not intended to be inclusive of all conduct that could fall within this category. It is the intent of this policy to provide notice that any unconsented sexual contact, whether by a stranger or an acquaintance of the recipient, is prohibited. For purposes of this policy, "consent" means 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. For more information on the University's response to sexual assault, refer to the Annual Security Report found at <http://www.loyola.edu/departments/publicsafety/reporting/annual-security-report>.

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.

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

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

Sexual misconduct includes sexual assault, sexual exploitation, dating violence, domestic violence, and stalking. Additional procedures and information specifically related to sexual misconduct are outlined below in Section 8.8.

Stalking includes engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress. A "course of conduct" means two or more acts, including acts in which the stalker directly, indirectly, or through third parties follows, pursues, interferes with the safe environment of, monitors, observes, surveils, threatens, or communicates to or about a person in a way prohibited or that interferes with a person's property. Stalking may be conducted through any method, action, device or means. Substantial emotional distress means significant mental suffering or anguish.

Retaliation

It is a violation of Loyola's harassment and discrimination policy to retaliate against any person for making an allegation or participating in an investigation of an alleged violation of this policy. A complaint of retaliation may be pursued using the steps set forth in this policy. When necessary, the University will monitor student grading or faculty/staff reappointment, tenure, promotion, merit review, or other decisions in order to ensure that prohibited retaliation does not occur. The University reserves the right to take immediate measures to prevent violations pending the outcome of any proceedings under this policy.

Knowingly Filing False Complaints

Knowingly filing a false complaint of harassment, discrimination, retaliation, or sexual misconduct is a violation of this policy. Employees who knowingly file a false complaint are subject to disciplinary action.

Intentional Breaches of Confidentiality

Participants in this process, including the complainant and respondent, witnesses, investigators, supervisors/department chairs or their designees, and University officers may be directed to maintain appropriate confidentiality regarding the proceedings in order to protect the integrity of the investigation, to protect the privacy rights of the individuals involved, or for other valid reasons, provided that a complainant or respondent may not be required to maintain confidentiality as to the outcome of the investigation and any directions regarding confidentiality shall not impede the parties' ability to obtain and present evidence or otherwise support or

defend their interests. Any questions regarding confidentiality in a particular case should be directed to human resources.

A complaint alleging an intentional breach of confidentiality may be pursued using the procedures set forth below. Such a breach may also constitute an act of retaliation. A breach of confidentiality may void the outcome of any previously agreed-upon resolution to a complaint.

Procedures for Resolution of Complaints (Harassment, Discrimination and Sexual Misconduct)

Introduction

The following Procedures provide for prompt, fair and impartial investigation and resolution of all reports of harassment and discrimination, sexual assault, domestic violence, dating violence, stalking or sexual exploitation within the scope of this policy, whether or not a formal or informal complaint has been made. Investigations will be conducted by officials who have received appropriate annual training. Loyola will undertake immediate and appropriate corrective action whenever it determines that a violation of this policy has occurred.

In considering a complaint under this policy, the following understandings shall apply:

- Harassment must be distinguished from behavior that, even though unpleasant or disconcerting, is appropriate to the carrying out of certain instructional, advisory, or supervisory responsibilities.
- The conduct alleged to violate this policy should be evaluated from both the complainant's and respondent's perspectives, but also the perspective of a reasonable person similarly situated to the complainant and respondent considering all the circumstances.
- Filing a complaint under this policy does not preclude an employee from filing a charge of employment discrimination with the EEOC, or Maryland Commission on Human Relations, within the time frames established by those agencies. Filing a complaint under this policy does not preclude a student from filing a written complaint with the Department of Education's Office of Civil Rights within 180 calendar days of the date of the alleged discrimination.
- Both the complainant and respondent will be treated with dignity, respect, and sensitivity by the University during all phases of the proceedings under this policy.

Informal Intervention

Any member of the Loyola community who believes that they have experienced harassment, discrimination, sexual assault, domestic violence, dating violence, stalking, or sexual exploitation in violation of this policy is encouraged to report the incident(s) as soon as possible. A complainant may end the informal stage at any time and may initiate a formal complaint.

Options for Informal Resolutions

Discuss the situation with the associate vice president for human resources or other designated individuals who are available through the following offices:

Undergraduate Students:

Office of Student Development
Dean of Admission

Dean of Undergraduate and Graduate Studies
 Dean of Loyola College
 Dean of the School of Education
 Dean of the Sellinger School of Business and Management
 Associate Vice President for Academic Student Affairs
 Assistant Vice President Student Development and Title IX Deputy Coordinator
 Associate Vice President Human Resources and Title IX Coordinator

Graduate and Professional Students:

Dean of Loyola College
 Dean of the School of Education
 Dean of the Sellinger School of Business and Management
 Dean of Undergraduate and Graduate Studies
 Executive Director of Graduate Admission
 Assistant Vice President and Director Athletics
 Assistant Vice President Student Development and Title IX Deputy Coordinator
 Associate Vice President Human Resources and Title IX Coordinator

Faculty:

Human Resources Office
 Office of the Provost and Vice President for Academic Affairs
 Associate Vice President for Academic Affairs and Diversity
 Deans
 Associate Vice President Human Resources and Title IX Coordinator
 Title IX Deputy Coordinator for Faculty, Staff and Administrators

Staff and Administrators:

Human Resources Office
 Division Vice Presidents
 Associate Vice President Human Resources and Title IX Coordinator
 Title IX Deputy Coordinator for Faculty, Staff and Administrators

Meet with the individual whose behavior is disturbing, discuss the situation, and make it clear that the behavior is unwanted. Such actions may be discussed with human resources in advance of the meeting. (Note: this option is not appropriate in cases of alleged sexual assault.) Contact the supervisor/department chair or dean of the person whose behavior is disturbing and request assistance to stop the behavior.

For an informal interview, request assistance from the human resources office (ext. 2354).

The University also has anonymous reporting methods:

- Anonymous Reporting 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

Assistance with Informal Interventions

Human resources may assist an individual who does not wish to file a formal complaint but who seeks informal intervention to end conduct that the person believes violates this policy.

Human resources, or another person designated by human resources, may discuss the alleged conduct with the respondent, remind them of University policies, and seek a commitment by the respondent to comply with these policies. In addition, appropriate disciplinary action may be taken, up to and including termination, depending on the nature and severity of the conduct and the respondent's overall work history.

After an informal intervention has concluded, human resources will collect and maintain all documentation concerning the complaint. Such a record will be kept in order to document that an informal complaint was made and that actions were taken in response to the complaint.

NOTE: Some forms of behavior that are disturbing to members of the Loyola community may not meet the definitions of behavior prohibited by this policy. Such behavior may, nonetheless, be prohibited by other policies, rules, or procedures. Questions about handling complaints under any other policies and procedures may be directed to deans and to human resources staff.

Initiating a Formal Complaint

Timeframe for Filing

Formal complaints of harassment or discrimination should be filed with human resources as soon after the offending conduct as possible, but no later than 180 calendar days after the most recent conduct alleged to violate this policy. Human resources may grant a reasonable extension of any other time period established in these guidelines; however, the 180 calendar day time limit for filing a formal complaint shall not be extended.

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

Written Complaint and Response

A formal complaint must be submitted in writing to human resources and signed by the complainant. This written complaint shall include the names of the complainant and the respondent and the details of the conduct alleged to violate this policy. Within five calendar days of receiving the written complaint, human resources will provide the respondent with a copy of the complaint. The respondent must submit to human resources a response to the charges within 14 calendar days. Upon receipt of the respondent's answer to the complaint, the human resources office shall forward a copy of the response to the complainant.

Investigation

Within five working days of receiving a copy of the response to the complaint, a designee of the human resources office, who has received appropriate training, will initiate an investigation to determine whether there is a reasonable basis for believing that the alleged violation of the policy occurred. During the investigation, the investigator will interview the complainant, the respondent, and any witnesses who may have direct relevant information to determine whether the conduct occurred and whether such conduct violated this policy. Both parties will have an opportunity to provide evidence and to request that the investigator interview specific witnesses. (In cases of alleged sexual assault, dating violence, domestic violence, and stalking, both the complainant and the respondent shall have the same opportunities to be accompanied to any meeting or disciplinary proceeding by an advisor of their choice.) In appropriate cases, including sexual misconduct investigations, interim measures may be put in place such as no contact orders, changes to work schedules/situations, interim suspension for the respondent, and other measures for safety as necessary.

Settlement Negotiation

Within seven calendar days of receiving a copy of the response to the complaint, human resources shall schedule a meeting with each of the parties, together or separately, to attempt to negotiate a settlement of the complaint; provided, however, that the parties will not be requested or permitted to meet together in sexual misconduct cases.

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

Finding, Determination, and Sanction

If a settlement is not reached within 30 calendar days of this initial meeting, human resources shall make a written determination, using a “preponderance of evidence” standard, which includes a finding of whether the conduct alleged in the complaint occurred, the basis for that determination, and whether such conduct violated this policy. The written determination will be completed within five working days of the end of the settlement period, unless new information is brought forward during the negotiation period that requires further investigation. If human resources determines that the respondent violated this policy, human resources shall consult with the appropriate responsible official to determine the sanction to be imposed by the University. Taking into account the nature and severity of the violation and the respondent’s employment record, sanctions may include: mandatory assessment and compliance with treatment recommendations; prohibition of the respondent from participating in grading, honors, recommendations, reappointment and promotion decisions, or other evaluations of the complainant; written warning, and a copy of the complaint and its disposition placed in the respondent’s personnel file; restrictions on the respondent’s access to University resources, such as merit pay or other salary increases for a specific period; or disciplinary probation, suspension or dismissal from the University.

Human resources shall notify the complainant and the respondent simultaneously, in writing, of the determination. If it is determined that the policy was violated, the notice will include the sanction(s) to be imposed.

Responsible Official

In cases in which the respondent is a member of the faculty, the responsible official shall be the dean of the school or college to which the respondent belongs, or the provosts and vice president for academic affairs.

In cases in which the respondent is a non-faculty administrator or staff member, the responsible official shall be the appropriate vice president, or their designee. If the respondent is a non-faculty administrator or staff member in a division that reports directly to the president, the responsible official shall be designated by the president. If the respondent is the president, the responsible official shall be the Chairperson of the Board of Trustees.

In cases in which the respondent is a student employee (graduate or undergraduate), the responsible official shall be the appropriate vice president of the division or dean of the college in which the student is employed.

Appeals to the President

Note: In accordance with the Scope of this Policy, this appeals procedure does not apply to allegations against students that are resolved through the student conduct process.

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

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

The president shall review the appeal based on the written record, without a hearing. The president may remand the case to human resources for further investigation and findings. Within 30 days of receipt of the last-filed appeal, the president shall render a final decision simultaneously, in writing, to the complainant and the respondent.

Additional Provisions Applicable to Sexual Misconduct Matters

Individuals who believe they have experienced 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, are encouraged to report the incident to one of the following individuals:

Title IX Coordinator for the University:

Kathleen Parnell, Associate Vice President for Human Resources
5000 York Road
410-617-1350
kmparnell@loyola.edu

Title IX Deputy for Students:

Katsura Kurita, Assistant Vice President for Student Development
110 Jenkins Hall
410-617-5646 (direct)
kkurita@loyola.edu

Title IX Deputy for Faculty, Staff and Administrators

Karen Feeley, Director Employee Engagement
5000 York Road
410-617-1345
kafeeley@loyola.edu

Title IX Deputy for Public Safety and Crimes:

Adrian Black
Director Public Safety
5104 York Road
410-617-2863
abblack@loyola.edu

Reports of sexual misconduct also can be made to any “responsible employee” defined as any University administrator, staff with supervisory responsibilities, faculty member, campus police, student development employee, human resources employee, athletic coach, athletic trainer, or resident assistant. Campus Police and the student life on-call staff can be reached at 410-617-5010.

Complainants or reporting parties will be asked to provide a statement to the University investigator(s). It is important to give as much information as possible because this statement will serve as the basis for further investigation of any case and any resulting proceedings. Complainants will be provided with a timely written explanation of rights and options including procedures those who experienced sexual misconduct should follow, criminal reporting options, information as to how Loyola University Maryland will protect confidentiality of those who experienced sexual misconduct and other necessary parties, notification about services available for those who experienced sexual misconduct within the University and in the community, options for available assistance and interim measures, and an explanation of the procedures for University disciplinary action. Student involved as complainants, reporting parties, and witnesses 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. In such cases, the University may initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs. Respondents in sexual misconduct cases will be provided timely written notice of the reported violation, including the date, time, and location of the alleged violation and the range of potential sanctions associated with the alleged violations, and the respondent’s rights and responsibilities under this policy. Both complainants and respondents will be provided with timely written notice of the date, time, and location of any meeting or interview that each is required or permitted to attend.

The University encourages any individual who has experienced domestic violence, dating violence, sexual assault, or stalking to report the incident to the Baltimore City Police. An individual who has experienced a crime has the right to file criminal

charges with the appropriate law enforcement official. The director of public safety or their designee can assist the person who experienced the crime in contacting the appropriate law enforcement officials and in working with these officials to pursue criminal charges against the alleged offender. Individuals who experienced crimes 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.

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 permission unless an imminent threat exists. For students, Melissa Lees, the Sexual Violence Prevention, Education, and Response Coordinator, can be reached at 410-617-6769. Loyola's Counseling Center can be reached at 410-617-2273 and the Student Health Center can be reached at 410-617-5055. If an individual would like to seek counseling assistance off campus, they may contact TurnAround 24 hours a day at 443-279-0379, House of Ruth 24 hours a day at 410-889-7884, or the Sexual Assault /Domestic Violence 24-hour hotline for Baltimore and Carroll Counties at 410-828-6390.

Individuals are encouraged to seek medical assistance in cases of sexual misconduct. 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.

Interim measures may be appropriate in cases of sexual misconduct. These interim measures may include but are not limited to: no contact orders, new housing assignments, changes to class schedules, assistance with rescheduling academic assignments (paper, exam, etc.), tutoring support, changes to work schedules/situations, transportation assistance and escorts to and from campus locations, interim suspension for the respondent, and other measures for safety as necessary.

Monitoring

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

The report shall also specify the number of cases in which human resources made findings of violations of this policy, the types of violations, and the final disposition of the cases, including any disciplinary action taken. The cases shall be reported in a manner that protects the privacy of the parties. The president shall make the annual report available to all members of the University community.

Additional Provisions Applicable to Sexual Misconduct Matters Involving Students

Mediation ordinarily will not be used to resolve allegations of sexual assault involving students. Mediation may be used in other matters under this policy involving students only if the complaining student requests mediation, all parties agree to it, and any party may end mediation at any time in favor of filing a formal complaint.

Students involved in sexual misconduct proceedings under this policy are entitled to the presence and assistance of no more than two people, including a personal supporter of the student's choice, an attorney, an advocate supervised by an attorney, or a trained advocate, at any meeting or interview. Students may access assistance from licensed attorneys paid for by the Maryland Higher Education Commission (MHEC) or who agree to participate on a pro bono (without charge) basis. For information about accessing counsel through MHEC, students may view the list of attorneys at MHECS's website at:

<https://mhec.state.md.us/Pages/default.aspx>. Students will be informed of their right to assistance of a personal supporter and an attorney or an advocate, including the referral sources available to the student, prior to initiation of proceedings under this policy. Attorneys and advisors are permitted to consult with and advise the student privately and may not participate directly in the proceedings under this policy (i.e., they may not directly address the investigator or other University officials involved).

Students participating in a sexual misconduct matter investigated under this policy shall be entitled to the following additional procedural rights: access to the evidence and testimony regarding the incident obtained during the investigation or considered by the University; submitting evidence, witness lists, and suggested specific questions to be posed to the other person involved in the investigation by the investigator; and providing a written response to the investigator's findings.

In reviewing and resolving claims under this policy, the University shall not consider a student's prior sexual history with an individual other than a party to the proceedings under this policy, except to prove the source of injury, prove prior sexual misconduct, support a claim that a party has an ulterior motive, or to impeach a student's credibility after that student has put their own sexual conduct into issue. The University also shall not consider a student's history of mental health counseling, treatment, or diagnosis unless the student consents to consideration of such evidence.

As used in this section, the term student refers to current students and former students with respect to an incident that occurred while the student was enrolled at the University.

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.

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.

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. 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 Physical Plant generating a bill for damage or vandalism. The Physical Plant then directs the bill to the Office of Student Life. An Assistant Director of Student Life determines responsibility for the damage and sends the bill to the student(s). Damage exceeding \$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 Physical Plant, 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.
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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.

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 O8 B to check out an extra key. There is no charge to borrow a key as long as 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 Physical Plant or designated contractors. The University counts on the students to be aware of any damage or situation that warrants the attention of Physical Plant, and to communicate that to them as soon as possible. Some of the typical repair services provided by physical plant include heating, air conditioning, plumbing, electrical, broken windows, furnishings, and kitchen appliances. 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 Physical Plant 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 physical plant 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 locking their rooms at all times, for property as well as personal protection, and advises that valuable property or large sums of money not be kept in a room. The department of Public Safety provides a service to identify property.

The 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 residences 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, skate boards, 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:

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

Two Room Suites: 20 people maximum

Apartments: 32 people maximum

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, washers/dryers (that are not provided by the University), and dishwashers 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 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.
