



NOTRE DAME  
OF MARYLAND  
UNIVERSITY

## **UNIVERSITY STUDENT HANDBOOK**

Division of Student Life  
4701 N. Charles Street, Baltimore, MD 21210  
[www.ndm.edu](http://www.ndm.edu)

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## **University Mission Statement**

Notre Dame of Maryland University educates leaders to transform the world.

Embracing the vision of the founders, the School Sisters of Notre Dame, the University provides the advancement of its students and provides a liberal arts education in the Catholic tradition.

Notre Dame challenges women and men to strive for intellectual and professional excellence, to build inclusive communities, to engage in service to others, and to promote social responsibility.

## **Honor Code**

The Honor Code of Notre Dame of Maryland University has been a tradition since 1936 when unproctored tests were initiated. It is founded on a pledge each student takes to act with integrity in academic and personal life. Based on the personal integrity of the individual and an active concern for others, the Honor Code is motivated by personal values, religious conviction, good taste, and the common good. Its purpose is to establish a university community founded on personal honor and mutual trust. This combination of personal commitment and community responsibility helps to strengthen each student as an individual and helps to develop mature powers of judgment and reason, and intellectual and social honesty. The Honor Code signifies the ideal of academic and personal integrity that each student is expected to model. Living the Honor Code strengthens the entire community and cultivates an atmosphere of unity founded on trust.

Belonging to the Notre Dame community is both a privilege and a responsibility. It is a privilege to those who qualify and carry the responsibility to abide by the Honor Code. Adhering to the Honor Code is a responsibility shared by the entire campus community. Its effectiveness depends upon individual acceptance of responsibility and the reciprocal cooperation of students, faculty, staff, and administration. Ultimately, each member of the community is expected to assume responsibility for her/his own conduct and to assume reasonable responsibility for the conduct of others. This results in mutual respect and a commitment of each member of the community toward civility. Within the spirit of the Honor Code, this may mean kind and courteous admonition when one observes another's inappropriate conduct. At other times, it means cooperation when authorities are investigating allegations of violations of academic or behavioral standards or encouraging the violators to report themselves. It is the responsibility of Notre Dame students to understand and adhere to the Honor Code.

## **Honor Commitment**

I agree to adhere to academic and social integrity in furthering my education, as well as the welfare of Notre Dame of Maryland University, my classmates, and myself. In fulfilling my obligations under the Honor Code, I agree to abide by all academic and social policies and standards at Notre Dame of Maryland University.

## **Honor Pledge**

With a keen sense of responsibility, I accept this symbol of my entrance into the world of scholarship. And I give this pledge of my purpose to wear it worthily.

I shall try to follow all truth,  
I shall try to see all beauty,

I shall try to be all goodness,  
and thus to come to that Eternal Wisdom  
Which is the Word of God.

**Alma Mater**

We raise our voices proudly,  
dear Notre Dame to your name.  
How rich is the heritage your students claim!  
The years have made you glorious to those who seek after truth,  
answering the challenge  
you set for our youth.  
Founded in a great tradition,  
strong in wisdom's might,  
You bear the colors of Our Lady-  
her blue and white;  
And we who share these college years,  
spirited or calm  
pledge our love forever to you, Notre Dame.

**University Motto**

Veritatem prosequimur-  
We pursue truth.

**Description of the University Seal**

The shield with the quartered cross, alternated with white and blue, is based on the Maryland coat of arms. The conventional rose in the upper corner is the religious emblem of our Blessed Lady.

The inscription reads: Seal of Our Lady of Maryland University.

*NEITHER THIS HANDBOOK NOR THE POLICIES AND PROCEDURES CONTAINED IN IT ARE NOT AND SHALL NOT BE CONSIDERED AS A CONTRACT. THE UNIVERSITY MAY AMEND IT AND THE POLICIES AND PROCEDURES AT ANY TIME AND FROM TIME TO TIME AT ITS SOLE DISCRETION.*

**Notre Dame of Maryland University  
Notice of Non-Discrimination**

Notre Dame of Maryland University values safety, diversity, equity, inclusion, and social responsibility. Consistent with these principles, the University does not discriminate in offering equal access to its educational programs and activities or with respect to employment terms and conditions on the basis of age, color, creed, disability, genetic information, marital status, national or ethnic origin or ancestry, race, religion, sex (including pregnancy, sexual orientation, or gender identity or expression), or veteran’s status in accordance with applicable federal, state, and local laws and regulations including but not limited to Title IX of the Education Amendments of 1972 as amended (Title IX), Title VI of the Civil Rights Act of 1964 as amended (Title VI), Title VII of the Civil Rights Act of 1964 as amended (Title VII), Section 504 of the Rehabilitation Act of 1973 (Section 504), Americans with Disabilities Act of 1990 as amended (ADA), and Age Discrimination in Employment Act of 1967 as amended, etc.

Inquiries or concerns regarding the application of this statement and related policies may be referred to:

Greg FitzGerald  
Title IX/504/ADA Coordinator  
Notre Dame of Maryland University  
4701 N. Charles Street  
Caroline Hall, Room 106  
Baltimore, MD 21210  
(410) 532-5109  
[titleix@ndm.edu](mailto:titleix@ndm.edu)

Office for Civil Rights – Regional Office U.S. Department of Education The Wanamaker Building 100 Penn Square, East-Suite 515 Philadelphia, PA 19107 Telephone: (215) 656-8541 <a href="mailto:OCR.Philadelphia@ed.gov">OCR.Philadelphia@ed.gov</a> <a href="https://www2.ed.gov/about/offices/list/ocr/index.html">https://www2.ed.gov/about/offices/list/ocr/index.html</a>	Office for Civil Rights – National Office U.S. Department of Education LBJ Dept. of Education Bldg. 400 Maryland Ave, SW Washington, DC 20202 Telephone: (800) 421-3481 <a href="mailto:OCR@ed.gov">OCR@ed.gov</a>
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## **Student Code of Conduct**

### **Community Expectations and Student Responsibility**

All of our communities operate with a shared commitment to core values. Guided by the School Sisters of Notre Dame and committed to our long-standing mission, Notre Dame of Maryland University (“NDMU” or “the University”) strives to build inclusive communities, engage in service to others, and to promote social responsibility. Being part of the NDMU community is a privilege and therefore brings with it the obligation to conduct oneself in ways that promote these goals and build up the community and the obligation to refrain from activity inconsistent with our shared goals and commitments.

Each student at the University is expected to make choices that preserve a safe and secure environment in which all individuals are able to pursue their academic endeavors, practice responsible citizenship, respect the rights of others, and be accountable for their actions and the actions of their guests. Failure to uphold University rules, policies, and expectations as well as state, local, and/or federal laws and regulations may result in student conduct action within the University under the authority of this Student Code of Conduct (the Code) and/or referral to appropriate law enforcement.

### **Purpose**

The purpose of regulating student conduct in the University setting is to protect the character of the University community by prohibiting conduct inconsistent with the values of the University. The purpose of publishing this Student Conduct Code is to give students notice of what constitutes prohibited behavior, as well as their rights and responsibilities during the student conduct review process. The campus student conduct proceedings are designed to provide a forum through which to determine whether a student is responsible for violating University rules, policies and regulations. This Code seeks to preserve the individual rights of students while ensuring that the interests of the entire University community are also maintained.

### **Terminology**

When used in this document:

- **“Intake Meeting”** The purpose of the intake meeting is to: (1) inform the responding party of the allegation(s), (2) inform the student, group, or student organization about their rights under the Student Code of Conduct, (3) provide information about the hearing process and their appeal right, (4) determine the resolution method, and (5) take questions regarding the process.
- **“The Code”** means the Student Code of Conduct those policies incorporated herein.
- **“Group”** means a number of persons who are associated with each other, but who have not complied with University requirements for registration as a student organization.
- **“Honor Board”** means a body of community members (elected faculty and students and appointed staff) who hear cases of alleged violations.
- **“NDMU” or “the University”** means Notre Dame of Maryland University and all of

- its undergraduate, graduate, and professional schools, divisions, and programs.
- “Registered Student Organization” means any number of persons who have complied with University requirements for registration with the Student Government Association or other University sponsoring department(s) as a student organization.
  - “Policy” means the written rules and regulations of the University as found in, but not limited to, the Student Code of Conduct, Residence Life Handbook (whether the student lives in residence or not), Residence Hall Contract, regulations governing student organizations, Parking Policies, Dining Services Policies, the Undergraduate Catalog, Graduate Catalog, Schools of Arts, Sciences, and Business, Pharmacy, Nursing, and Education Student Handbooks and the Policy on Sexual Misconduct, the Non-Discrimination Policy and Procedures, Academic Integrity/Misconduct Policy and other related misconduct, and other lease agreements with the University.
  - “Prohibited Conduct” means a violation of a University Policy.
  - “Reporting Party” means the party who has been subjected to conduct that constitutes an alleged violation of the Student Code of Conduct regardless of whether the Reporting Party makes a report seeks redress. In instances when the University receives notice of a potential Student Code of Conduct violation but no one has filed a complaint, the University may investigate without a Reporting Party.
  - “Responding Party” means the party, organization, team or individuals acting collusively, alleged to have committed an act that constitutes a violation of the Student Code of Conduct.
  - “Student” means any currently enrolled person, full-time or part-time, pursuing undergraduate, graduate, or professional studies, whether or not in pursuit of a degree or of any form of certificate of completion, including students from a cooperating university or college taking a course(s) at Notre Dame of Maryland University or other institutions for credit by the University. Persons who are not officially enrolled for a particular term on an approved leave of absence with the University are considered “Students”.
  - “University Premises” means buildings, portions of buildings or grounds owned, rented, controlled or leased by the University, including, but not limited to, any building or property owned or controlled by a student organization that is officially recognized by the University; or any building or property owned or controlled by an institution other than the University that is used in direct support of, or in relation to, the University’s educational purposes, is frequently used by students, and may or may not be within the same reasonably contiguous geographic area of the University.
  - “University Sponsored Activities” means events and activities initiated by a student, student organization, or University department, faculty member, or employee that: (1) are expressly authorized, aided, conducted or supervised by the University; (2) are funded in whole or in part by the University; or (3) are initiated by an officially registered student organization and conducted or promoted in the name of that student organization and/or the University.



## **Jurisdiction**

The Code applies to the conduct of all students on University Premises. The Code also applies to off-campus conduct of students that, in the University's judgment, involves or affects the University, such as conduct in connection with:

- Curricular or co-curricular educational activities, such as class projects, field trips, study abroad, student teaching, clinical programs or internships;
- Activities sponsored, conducted, or authorized by the University or its student organizations;
- Activities, even if not on University Premises, that cause or threaten harm to the health, safety, well-being, or property of the University or members of the University community, including the student; or
- Activities that unreasonably disturb the peace and privacy of the student's neighbors when living off-campus.

The Code applies to conduct by a student while a student, even if it occurs outside of an academic term or when the student is not otherwise enrolled at the University and even if the University does not learn of such conduct until after the student graduates, withdraws, takes leave, or is otherwise absent from the University.

Students also continue to be subject to federal, state, and local laws while at the University. While those laws are separate and independent from the Code and impose different standards, violations of them may also constitute violations of the Code. In such instances, the University may act under the Code independently of any other legal proceeding involving the same conduct and may impose consequences for violation of the Code even if such other proceeding is not yet resolved or is resolved in the student's favor.

## **Regulation and Monitoring of Student Conduct**

As an ordinary matter, the Associate Vice President for Student Life and Dean of Students ("AVPSL") has authority over student conduct and may exercise it consistent with these procedures. Student disciplinary authority may be delegated to University administrators, faculty, and staff. Students are appointed to assume positions of responsibility in the University judicial system through participation in the Honor Board so that they may contribute their skills and insights to the resolution of disciplinary cases.

- The AVPSL or designee has the authority to take immediate, necessary, and appropriate interim action to protect the health, safety and well-being of an individual and/or the University community.
  - The AVPSL may take an interim action to evict a student from University housing, restrict a student's access to or movement about the campus, and/or suspend a student from the University whenever the continued presence of the student at the University is deemed to pose a serious threat to the student or to others or to the stability and continuance of normal University functions.
  - The interim action shall become effective immediately upon delivery of written notification to the student.
  - Interim suspension shall be considered an excused absence.
  - A hearing or conference will be granted as soon as possible.

- The Office Community Standards, which is overseen by its Associate Dean, with direction and guidance from the AVPSL, is responsible for administering the student conduct system and ensures that all student conduct proceedings are carried out in accordance with University policies and procedures.
- Students may be accountable both to civil authorities and to the University for acts that constitute violations of law and of this Code. Disciplinary action at the University will not be subject to challenge on the grounds that criminal charges involving the same incident have been dismissed or reduced or that no criminal charges have been brought.
- Student conduct action may be pursued to address the behavior of a student organization (as an entity) when members of the student organization have engaged in potential violations of this Code.

### **Section 1: Academic Integrity/ Misconduct Policy**

In order to participate as a student at Notre Dame of Maryland University, a student is required to, and agrees to, maintain academic integrity. The University's Honor Code requires academic honesty, and it is expected that all work submitted by a student is the student's own. Violations of Academic Integrity/Misconduct Policy can lead to severe penalties, up to expulsion from the University. Violations of Academic Integrity/Misconduct Policy include cheating, plagiarism, fabrication, falsification, or other actions that violate commonly accepted intellectual and ethical standards within academic communities. Academic Integrity/Misconduct Policy applies to work in progress as well as completed work.

- **Cheating** is taking credit for work which has been completed by another person, or assisting others in the misrepresentation of their academic work. Examples include, but are not limited to, the following:
  - giving or using prohibited written and/or oral information during tests, quizzes, or examinations;
  - stealing, buying, selling, or in any way distributing an examination;
  - copying ideas or facts from another's paper during an examination or quiz;
  - submitting the same paper in two or more in different classes, even if the paper is the student's original work;
  - obtaining or providing previously undisclosed test questions or information pertinent to an exam that has not yet been administered;
  - substituting for another person during an examination or allowing such substitution for oneself;
- **Plagiarism** is defined as the appropriation of ideas, facts, phrases, or additional materials (such as maps, charts, artwork, or computer programs) from any source without giving proper credit or offering appropriate documentation. Any material in a paper, report, artwork, or computer program which is not acknowledged is understood to be the original work of the author, unless such material is considered general knowledge. *Students who are unsure whether they have used and documented source material correctly should consult with their instructor before submitting the assignment.*
- **Fabrication and falsification** include the following:
  - Fabrication and/or falsifying laboratory and clinical experiences, internship records, attendance records, research data, survey results, research methods, research results, research conclusions, or any other information and/or process

used in the collection and presentation of academic, scientific, or professional materials.

- Misrepresenting, falsifying, or withholding information concerning admission requirements, university enrollment or status, financial aid application, health records, or other materials required by the University.

### **Section 1.1: Procedures for Handling Suspected Violations of Academic Integrity/Misconduct Policy**

According to the University Honor Code, it is the responsibility of each member of the Notre Dame of Maryland University community to respond to suspected acts of academic dishonesty by:

- Consulting with the individual(s) thought to be involved and encouraging them to report it themselves and/or;
- Reporting it to the instructor involved, and/or
- Reporting it to a representative of the Office of Community Standards

\*Reporting oneself after committing academic dishonesty is strongly encouraged and may be considered in determining sanctions\*

A faculty member who, based on personal observations or information provided by others, suspects that a violation has occurred will speak to the suspected student about the situation and, if the violation involves work submitted by the student, shall keep an original copy of the work, if available. In all such cases, the following shall be observed:

- If a faculty member has reasonable proof of a violation, the faculty member shall meet with the student and learn the facts. In consultation with the Department Chair, the faculty member will judge the offense and impose the appropriate sanction(s), at minimum a failure on the assignment or activity and up to and including an “F” in the course as stated in the course syllabus.
- The faculty member shall then complete a written narrative of the violation including the name of the student, the date of the violation, the course, a detailed summary of the violation, the resolution including any imposed sanctions, and any supporting documentation (not to exceed 3 pages of narrative excluding exhibits and other documentation). The instructor will provide the student the written narrative, with a copy to the Dean of the school in which the violation took place and the Associate Dean of Case Management and Community Standards (this record will be purged from the student’s confidential file seven years after the case).
- The student will be held to the sanction imposed by the faculty member unless the student files a timely appeal as described below under Appeal.
- Except with the approval of the Dean in extenuating circumstances, a student accused of academic dishonesty in a course may not withdraw from that course before a final resolution has been reached regarding an allegation. The option of withdrawing from the course with a “W” grade is open only to the student who has been found not in violation.

## **Section 1.2: Academic Standards Appeals**

If the student wishes to appeal the finding of the faculty member, or the final course grade the student may file a written appeal with accompanying documentation to the Dean of the school in which the violation took place no more than five business days after receiving notice of the finding and sanction imposed. To receive consideration, a student's appeal must be full and complete upon its submission, including the basis for appeal and any supporting documentation. Within five business days of a timely receipt of the documentation, the Dean of the school in which the violation took place in conjunction with the Associate Vice President of Academic Affairs will determine if the request meets the standards for an appeal. The original decision will only be reviewed to determine if any of the following conditions were present:

- Significant Procedural Error that affected the findings and/or sanctioning decision;
- New Information/Evidence that was not available at the time of the findings and/or sanctioning decision, or that could not have reasonably been discovered with due diligence, that may/would change the finding and/or sanctioning decisions;
- Substantive Due Process Violation; and/or
- Excessiveness or insufficiency of the sanctioning decision

If none of the above conditions are met, then the original decision will stand. If one or more of the above conditions are met, the Dean of the school in which the violation took place shall:

- review the appeal and make the final determination or refer the case to the Honor Board.
- the Dean and Honor Board do not re-hear cases, but rather weigh the merits of the appeal and decide, in accordance with the evidence presented in the faculty member's written narrative and in the appeal materials.
- all appeal decisions by the Dean or Honor Board are final. The final determination will be communicated to the student and faculty member with copies to the Department Chair, Associate Dean for Case Management and Community Standards, and the Dean, if applicable.

## **Concurrent Violation of Behavioral Standards**

If in the course of a faculty member's investigation of a suspected violation of the University's Academic Standards the faculty member learns of potential violations of the University's Behavioral Standards, the faculty member may refer such alleged Behavioral Standard violation(s) and relevant evidence to the Associate Dean for investigation and, if appropriate, adjudication.

## **Section 2: Behavioral Standards**

The primary goal of the student disciplinary process is to:

- restore and contribute to the health of the community
- foster academic and communal integrity
- establish facts and determine responsibility,
- and collect and examine information.

### **Section 2.1: Behavioral Conduct Standards**

The University's Honor Code is also concerned with social accountability and assumes that all students are responsible for themselves, other students, and their guests. The following are examples of prohibited behaviors and activities, which is prohibited, irrespective of location (i.e. on or off University property) and whether committed against members of the University community or others.

- **Alcohol:** Possession, use, or distribution of alcohol, except where permitted by law and University policy. (See Substance Abuse Policy).
  - Possession of common source containers, such as kegs; devices, such as beer bongs or funnels; or participation in games or activities of which the purpose is the consumption of alcohol.
  - Possession or consumption of alcoholic beverages by persons under 21 years of age.
  - Open containers or consumption of alcoholic beverages by persons 21 years of age or older in any public area (unless it is an official University approved event), including common space within a residence hall. Intoxication is defined as when an individual has consumed enough alcoholic beverages to observably affect their manner, speech, muscular movement, general appearance, or behavior.
  - Sale, distribution or provision or attempts to sell, distribute or provide alcoholic beverages to and/or by anyone under 21 years of age.
  - Transportation of alcohol by individuals 21 years of age or older must occur in its original, unopened container.
  - Collections of containers that contain or previously contained alcohol are not permitted.
- **Complicity:** Allowing a violation to occur by another University community member, by enabling or not reporting it. Students who have knowledge of another committing or attempting to commit a violation of the Code are required to remove themselves from the situation and report the behavior to an appropriate university official.
- **Unauthorized Entry/Damage to or misuse of property:** unauthorized entry into University facilities or property, and unauthorized use or misuse of University property or the property of others.
- **Violent, Abusive, or Threatening Conduct:** Behavior which jeopardizes the safety or health of self or others.
  - Acts or threats of physical assault or abuse.
  - Stalking defined as a course of conduct (repetitive and menacing) that is directed (pursuit, following, harassing, or interfering) at a specific person that is unwelcome and would cause a reasonable person to feel fear.
  - Brandishing a weapon or an object, which appears to be a weapon, in a threatening manner.
  - Intimidating, threatening, or directing abusive language toward another person.
  - Failure to cease repetitive unwanted behavior directed toward a particular individual or individuals.
- **Harassment and Discrimination:** (See Non-Discrimination Policy, Sexual Misconduct Policy, and Student Harassment and Discrimination Policy). Unlawful discrimination which includes verbal, physical, or graphic conduct that denigrates or shows hostility or aversion toward an individual or group on the basis of their Protected Status, when: such conduct is sufficiently severe or pervasive that it alters the conditions of education, employment, or participation in a University sponsored, recognized, or approved program, visit, or activity; and creates an environment that a reasonable person in similar circumstances would find intimidating, hostile, humiliating, demeaning or offensive.
- **Disorderly Conduct** includes the following:
  - Loud, aggressive, or other behavior which disrupts or obstructs, or is intended to disrupt or obstruct, the orderly functioning of the University (including

- classrooms) or disturbs the peace of person(s) on University Premises. For example, making excessive noise or gestures either inside or outside a building.
- Verbally abusing University officials (including students appointed to act as representatives of the University) acting in performance of their duties
  - Behaving in a lewd or indecent manner.
  - Rioting – Taking part in a violent public disturbance.
  - **Dishonesty:** Non-academic dishonesty including but not limited to:
    - Furnishing false or misleading information to the University or University personnel, including Public Safety, or at University disciplinary proceedings.
    - Forgery, unauthorized alteration, or unauthorized use of any University documents, records, or identification cards, including computer records, misuse of computer facilities, and electronic mailing systems.
    - Fraud, through act or omission, committed against another member of the University community or others.
    - Knowingly initiating, or causing to be initiated, any false report, warning, or threat.
  - **Drugs:** Possession, use, and/or distribution of illegal drugs or controlled substances as defined by law, including those without a valid prescription. (“Drugs”)
    - Possession of paraphernalia including any item typically used to inhale/ingest/mask Drugs, regardless of whether the item has been used for illegal purposes
    - Possession of illegal drugs
    - Use of illegal or controlled substances without a valid prescription
    - Distribution (any form of exchange, gift, transfer, or sale) of Drugs
  - **Gambling:** Illegal gambling, defined as playing games of chance for money in violation of any federal, state or local law...
  - **Hazing:** Any action taken or any situation created intentionally or unintentionally that causes humiliation, embarrassment, harassment or ridicule and risks emotional and/or physical harm to a member or members of a group or team, whether new or not, regardless of the person’s willingness to participate.
  - **Interfering with Fire and Safety Regulations:** Knowingly or negligently causing or attempting to cause a fire on University Premises.
    - Unauthorized use of, tampering with, or misuse of fire and safety equipment including, but not limited to, fire extinguishers, smoke alarms, sprinkler systems or exit signs.
    - Unauthorized fire setting of any material on any University Premises, or on areas adjacent to University Premises.
    - Disregarding a fire alarm signal or refusing to evacuate a building or a section of a building when a fire alarm is sounding.
    - Possession, use, or threatened use of fireworks, bombs, or explosive devices of any character.
    - Use of open flame devices or combustible materials, including chemicals, which endanger the safety or wellbeing of the University community.
  - **Failure to Comply:** Failure to comply with reasonable directions of University officials, including students appointed to act as representatives of the University who are acting in performance of their duties. Directives to cooperate in the administration of this handbook including those to appear and give testimony at a University disciplinary

proceeding as well as directives to produce identification are included in the scope of this provision.

- **Solicitation:** Unauthorized solicitation, sale or promotion of any goods or services in University owned or operated property, including residence halls, or at University sponsored events.
- **Theft**
  - Attempted or actual theft of and/or damage to University properties, property of a member of the University community or other personal or public property
  - Unauthorized possession of University property or the property of others: and/or
  - Theft or other abuse of computer equipment, network, or facilities, including illegal or unauthorized downloading of files. (See Acceptable Usage Policy for Technology)
- **Violation of Laws:** Violating local, state, and federal laws, regulations or ordinances.
- **Weapon Violation:** Use, possession, or storage of any firearms, firearm replicas, or other items that can be mistaken for firearms, ammunition, air rifles, slingshots, paintball guns, swords, knives with blades longer than 3' (other than kitchen utensils used and possessed solely for that purpose), tasers, and anything else that can cause intentional bodily harm to others and, other weapons, or objects that could be construed as weapons, on University Premises. Illegal or unauthorized possession of explosives, dangerous chemicals or any other items of any kind that pose a potential hazard to the safety or health of others on University Premises. Brandishing a weapon or an object, which appears to be a weapon, in a threatening manner.

## **Section 2.2: Types of Conduct Proceedings**

Behavioral violations of the Student Code of Conduct or other University Policies shall be resolved by one of the following:

### **Agreed Resolution**

An agreed resolution meeting is an informal resolution option in which the Responding Party meets with a conduct administrator to discuss the incident and collaborates with the conduct administrator to determine whether they violated a policy and, if so, what sanctions may be appropriate. If the Responding Party agrees to the resolution, they waive the right to a formal hearing and appeal, and the resolution is final. If an agreement cannot be reached, the Responding Party has the option to move forward to a formal hearing.

### **Honor Board**

A hearing comprised of the 1 faculty member, 1 staff member, and 1 student representative to make the determination of responsibility of the alleged violations and assign disciplinary outcomes. The Honor Board receives annual and ongoing training in matters relevant to this Student Handbook. The AVPSL or designee serves as a non-voting advisor to the Honor Board.

## **Section 3: Rights of Involved Parties**

### **Section 3.1: Rights of the Responding Party**

The Responding Party has the following rights:

- to be provided a fundamentally fair process;
- to be presumed not responsible for a violation of this Code until determined otherwise;

- to be given written notice of any allegation(s) or formal charge(s) of prohibited conduct;
- to review the information that will be presented in any resolution, provided that the information may be given to the responding party in a redacted format;
- to present relevant information on their behalf;
- to obtain support, advice, or assistance from a support individual or an Advisor
- to request reasonable accommodations under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act through the University's Office of Inclusion and Accessibility;
- to know the identity of individuals speaking or providing written information for consideration at any hearing; to confront, in some manner, the allegations and information presented relevant to the formal charge(s) against them, which in all cases will be brought forward by the University;
- to request that a member of a Board be excluded from the hearing on the basis of a conflict of interest or bias;
- to pose reasonable questions to any Witness appearing at a hearing in a manner determined by the Chair;
- to be informed of the final decision and results of a disciplinary proceeding;
- to appeal any Formal Resolution, pursuant to this Code;
- to have supervised access to a recording of the hearing proceedings; and
- to have any Disciplinary Records kept confidential, unless an exception is allowed or required by law
- to waive any of the rights contained in this subsection

**Section 3.2: The Reporting Party has the following rights:**

- to be notified of available counseling, mental health, or medical services both on campus and in the community.
- to change living arrangements on campus and the right to reasonable academic accommodations.
- to be free of any form of retaliation and to report such retaliation for disciplinary action.
- to a ban from contact against the charged student.
- to notify law enforcement authorities (also includes the right not to report to law enforcement authorities).
- to decide whether or not to file a formal report within the student conduct process.
- to obtain support, advice, or assistance from a support individual or an Advisor.
- to be informed about the status of a case at any point during the conduct process.
- to review all documents to be presented at the hearing that are made available to the charged student
- to have past unrelated behavior excluded from the hearing process.
- to question the selection of the administrative hearing officer on the basis of a conflict of interest or demonstrated bias.
- To the extent permitted by FERPA, to be notified of the outcome and sanction(s) of the proceedings.
- To the extent permitted by FERPA, to participate in the appeal process.



- to waive any of the rights contained in this subsection

## **Section 4: Student Conduct Review Procedures**

### **Section 4.1: Reporting**

- Any person may initiate a complaint against a student, organization or group, with the Office of Community Standards. The exception to this standard is any complaint involving alleged sexual misconduct, which will be report to the Title IX Coordinator and follow the procedures outlined in the University's Sexual Misconduct Policy.
- This complaint may be made in writing or verbally. If a Reporting Party makes the report verbally, the Office of Community Standards will summarize in writing the information received verbally, then share that summary with the Reporting Party to ensure accuracy. This summary will become a part of the Responding Party's disciplinary file and will be shared with the Responding Party.
- Persons making such allegations are required to provide information pertinent to the case and may be expected to appear during Student Conduct Review proceedings as the Reporting Party.

### **Section 4.2: Preliminary Review and Initiation of the Student Conduct Process**

- The conduct administrator reviews incident reports, documents, or other relevant information to evaluate whether there is sufficient information to form a reasonable belief that the conduct violated the Code.
- If the allegations are unsubstantiated, the matter will be closed. Such disposition shall be final and there shall be no subsequent proceedings unless new information, unavailable at the time of the original disposition, arises.

### **Section 4.3: Notice of Charges**

- If the allegations of misconduct are (a) based on reasonably reliable information and (b) may involve a violation of the Student Code of Conduct, the conduct administrator or their designee will send notice to the Responding Party and schedule an Intake Meeting to be held within 5 business days of receiving their letter.
- The notice to the Responding Party shall include the alleged violation(s), relevant information from the incident report, and rights of a charged student

### **Section 4.4: Intake Meeting**

- The Intake Meeting is a meeting conducted by the conduct administrator and the Responding Party following an alleged violation of the Code. The purpose of this meeting is to examine evidence, verify facts, and determine truth and resolution of a disciplinary case
- During the Intake Meeting, the Responding Party will have the opportunity to review and discuss information in their disciplinary file, including other cases, if any. The Responding Party is encouraged to ask questions about the information reported and resolution options available within the student conduct process. The Responding Party will learn of recommended sanctions based on the alleged violation(s). The student is able to provide any additional information they feel is necessary and it can be added to their permanent conduct file.
- The Responding Party will be informed of the following resolution options:
  - Accept Responsibility: When a Responding Party accepts responsibility for violating the Code and the conduct administrator and the Responding Party

agree on appropriate sanctions, an Agreed Resolution will be executed (see Section 2.2). When the Responding Party and conduct administrator do not agree on sanctions, the conduct administrator shall issue the appropriate sanction. When the conduct administrator issues an appropriate sanction, the Responding Party's appeal rights are limited to appealing the sanction(s) (see Section 7).

- Deny Responsibility (formal Honor Board): “A denial of responsibility for violating the Code by a Responding Party acts as/automatically triggers a request for a formal hearing to take place with the Honor Board to resolve the allegations. A Responding Party who denies responsibility has the right to appeal (see Section 7).
- A student who chooses to not attend the Intake Meeting may be found responsible based on the information collected as a part of the investigation. The Responding Party will be notified of the outcome and sanctions. The student will retain the right to appeal the decision.

### **Section 5: Honor Board**

- The purpose of the Honor Board hearing is to use a peer review process to determine whether the student(s) are responsible for violating the Code, and, if responsible, recommend a sanction(s).
- The Honor Board consists of community members (elected faculty and student and appointed staff who hear cases of alleged violations)
  - A selected panel of the Honor Board necessary to conduct a hearing consists of one student representative, one faculty members, and one staff member. The AVPSL or designee shall be a non-voting member advisor of any panel.
- Following an Intake Meeting where the Responding Party denies responsibility and chooses to have their case reviewed by the Honor Board, they will be notified in writing of the specific alleged violation(s), and the time, place, and date of the Honor Board hearing. The notice will accompany the names of the individuals serving on the panel.
- The time for the Honor Board hearing shall be **no less than five nor more than fifteen** calendar days after the student has been notified in writing. Time limits for scheduling hearings may be altered by the conduct administrator or their designee when circumstances deem necessary
- Following procedural guidelines shall be applicable in all student conduct proceedings before the Honor Board:
  - Hearings will be conducted in private and are closed to the public, and the presiding officer for the hearings will be the elected student member
  - Disciplinary and Honor Board Hearings are determined around the academic schedule of the student(s) involved in the hearing.
  - Admission to the hearing by any persons other than the Reporting Party, the Responding Party, their advisors, witnesses during their time of interview, and the conduct administrator shall be at the discretion of the conduct administrator or their designee.
  - If the alleged violation involves more than one student, hearings may be held jointly.
  - The Responding Party shall be afforded reasonable access to review the case file prior to and during the proceeding, and may request a copy of a redacted

incident report from the conduct administrator. “Case file” means the file containing those materials pursuant to the Family Educational Rights and Privacy Act (FERPA) of 1974 including the incident report and any other evidentiary materials relevant to the case. If additional information becomes available and is relevant, it will be made available to the Responding Party in advance of the hearing. The personal notes of University staff members and privileged information of other students are not included in the case file and thus are not accessible.

- All parties may select and be assisted by an advisor. (See Participation of Advisors in the Resolution Process)
- At the hearing, the Responding Party and Reporting Party will have the opportunity to respond to the information relating to the alleged violation of the Code of Student Conduct. The Responding Party and the Reporting Party will have the opportunity to present witnesses.
  - The Responding Party, the Reporting Party, and all witnesses and will be subject to questioning by the Honor Board Panel.
  - The Responding Party and Reporting Party will notify the conduct administrator at least 2 business days prior to the hearing with names of witnesses with relevant information to the hearing. Character witnesses will not be heard.
  - The conduct administrator will notify the Responding Party and Reporting Party at least 1 business days prior to the hearing of the names of any witnesses that will be present.
  - It is the responsibility of the Responding Party and Reporting Party to notify their witnesses of the hearing’s time and location.
  - Pertinent records, written statements, and any other evidence may be accepted for consideration by the Honor Board. The Honor Board shall determine relevancy and admissibility of evidence.
- Once all evidence and testimony has been presented, the Reporting Party will make a closing statement, and the Responding Party will make a closing statement, after which the Hearing will be adjourned.
- After the hearing, the Honor Board shall determine, by a majority vote, whether the student has violated the behavioral or academic standards.
  - The Honor Board’s determination is made using the preponderance of evidence standard, or in other words, whether it is more likely than not that a violation of the Code has occurred. This decision will be made within 5 business days of the Honor Board hearing.
  - A written decision will be given to the Responding Party within 5 business days of the conclusion of the Honor Board hearing, which states the findings made by the Honor Board and the sanction(s) to be imposed if it has been found that a violation has occurred.
  - The written decision will be shared with the Reporting Party if the allegation involves a crime of violence, in accordance with

## FERPA and The Student Right-to-Know and Campus Security Act.

- There will be a complete audio recording of the hearing, which is the property of the University. Deliberations will not be recorded. Recordings will be disposed of after the appeal time has ended.
- A Responding Party who fails to appear at a scheduled hearing, upon proper notice, shall be adjudicated in absentia but retain all rights to an appeal. A student will not automatically be found to have violated the behavioral or academic standards because the student did not attend the hearing. Decisions will be based on witness testimony and other evidence, including reports, presented during the proceeding.

### Section 6: Sanctions

The University administration has the discretion to determine proper sanctions. Factors considered when determining a sanction/responsive action may include:

- The nature, severity of, damage, injury or harm, and circumstances surrounding the violation
- Consistency in sanctions of similar cases
- An individual's disciplinary history
- Status of the organization
- Any other mitigating, aggravating, or compelling circumstances to reach a just and appropriate resolution in each case.

In some cases, a sanction may be held in abeyance for a specific period. This means that, should the student be found in violation of this Code during the stated period, the student may be subject to a deferred sanction.

Students who are found to have violated academic standards will be held to the sanction imposed by the faculty member or chair of the department or conduct administrator. The Honor Board may impose additional sanctions.

More than one sanction may be imposed for a single violation. Examples of sanctions that may be imposed in accordance with this Student Code of Conduct include:

- **Censure:** An official written reprimand for violation of a specified standard.
- **Disciplinary Probation:** A period of time in which a student is expected to demonstrate positive behavioral change and may be excluded from participation in privileged or extracurricular University activities. Additional restrictions or conditions for behavioral changes may be imposed. Violations of the terms of disciplinary probation, or any other violation of this Code during the period of probation, may result in eviction from residence, suspension or expulsion from the University.
- **Fines:** Reasonable, compensatory (not punitive) fines may be imposed.
- **Restitution:** Compensation for loss, damage, or injury to person or property. This may take the form of appropriate service and/or monetary or material replacement.
- **Educational Sanctions:** Sanctions that bear a reasonable relation to the violation and are deemed appropriate and contribute to the success of the student may be imposed instead of or in addition to those listed in this section. Educational sanctions include, but

are not limited to: service hours, educational reflection assignments, mentoring, meetings with staff, and participation in educational programs and training.

- **Revocation of Privileges:** Restrictions placed on activities and/or use of University services and facilities for a specified period of time.
- **Loss of Registration:** Removal of registered student organization status, resulting in revocation of all University privileges for a specified period of time, normally for at least the remainder of the current academic term and no longer than one full calendar year.
- **Residence Hall Suspension:** Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- **Residence Hall Eviction:** Permanent separation of the student from the residence halls.
- **Notice Against Trespass:** Notice that a student will be arrested if found on University Premises or specified University Premises. Suspensions, dismissals, and expulsions carry an automatic “Notice Against Trespass” on all University Premises or as specified.
- **Disciplinary Suspension:** Separation of the student from the University for a definite period of time, after which the student is eligible to return. Exclusion from classes and other privileges or activities, including access to University Premises or University sponsored activities off campus, as set forth in the notice of suspension, normally for at least one semester. A student who is suspended is not entitled to any tuition or fee refund and is barred from being on University Premises for the duration of the suspension.
- **Disciplinary Expulsion:** Permanent separation of the student from the University. Termination of student status, and exclusion from University Premises, privileges and activities. A student who is expelled is not entitled to any tuition or fee refund and is issued a Notice Against Trespass from University Premises permanently.

## Section 7: Appeals

In certain circumstances, the outcome of an Honor Board Hearing sanctions may be appealed. The following guidelines shall be applicable:

- A letter of appeal by the Responding Party or, in cases of crime of violence in accordance with FERPA and The Student Right-to-Know and Campus Security Act, the Reporting Party of a behavioral standards violation must be submitted to the AVPSL within five (5) business days of receipt of the outcome of the Honor Board proceeding. Failure to appeal within the allotted time will render the original decision final and conclusive.
- The letter of appeal must specify grounds that would justify re-consideration. General dissatisfaction with the outcome and/or an appeal for mercy are not an appropriate basis for appeal. The written appeal must specifically address at least one of the following criteria:
  - Significant Procedural Error that affected the findings and/or sanctioning decision;
  - New Information/Evidence that was not available at the time of the findings and/or sanctioning decision, or that could not have reasonably been discovered with due diligence, that may/would change the finding and/or sanctioning decisions;

- Substantive Due Process Violation; and/or
- Excessiveness or insufficiency of the sanctioning decision
- The appeal letter must include one of the reasons listed above. The appeal can be prepared with the assistance of a student's Advisor. The letter must be typed and limited to three double-spaced pages with one-inch margins and 12 point font. Appeals shall not include discussion of the Reporting Party's character or cite authorities outside the University.
- A timely appeal of a behavioral standards violation will be reviewed by the AVPSL or designee to determine the viability of the appeal based on the criteria listed above.
- Within five (5) business days of receipt of the appeal the AVPSL or designee will review and make the final determination to grant or deny the relief sought by the appealing party. The decision will be based on information supplied in the written appeal, the case file, and, when necessary, the recording of the original proceedings.
- The decision on the appeal is final and conclusive and will be conveyed in writing to the Responding Party.
- The written decision will be shared with the Reporting Party if the allegation involves a crime of violence, in accordance with FERPA and The Student Right- to-Know and Campus Security Act.
- The imposition of sanctions may be deferred while the appeal process is pending unless, in the discretion of the conduct administrator, the continued presence of the student on the campus poses a serious threat to the student's own self or to others, or to the stability and continuance of normal University functions.

### **Section 8: Student Conduct Files and Records**

The files of students found in violation of any prohibited conduct will normally be retained as a student conduct record in the Office of Inclusion and Community Standards, under the authority of the AVPSL. University officials may use the record as a reference; the record will be retained for at least seven (7) calendar years from the student's last date of attendance at the University as a student.

Other than disciplinary suspension, expulsion or dismissal, sanctions are not part of the student's permanent educational record, but become part of the student's confidential conduct record. Information from the conduct record will be released upon the student's authorization, or in accordance with FERPA. Suspension, dismissal or expulsion may be indicated on the academic transcript when the student authorizes the transcript release.

Student conduct records may be expunged by the AVPSL upon written request by the student at the time of or after their graduation from the University. In deciding whether to grant the request, the AVPSL will consider such factors as the current demeanor of the student, the student's conduct subsequent to the violation, and the nature of the violation, including the severity of damage, injury or harm resulting from it.

All student organization records will normally be maintained by the Office of Student Engagement and Community Programs, which is supervised by the AVPSL. University officials may use the student organization's record as a historical reference. See the Privacy of

Student Records Policy for more information about student files.

### **Section 9: Advisors in the Resolution Process**

Both Reporting Party and Responding Party may be accompanied by one advisor of their choosing throughout the student conduct process, including an attorney, at their own initiative and expense; provided, that witnesses may not serve as advisors. University personnel employed in the offices responsible for the conduct process, along with those in the chain of command above them, and others whose participation could create a conflict of interest and/or reasonably call into question the impartiality of the process are also not eligible to serve as advisors.

The advisor may accompany the party to any meeting or hearing held pursuant to this Code. During any such meeting or proceeding, an advisor may advise and provide support to the party but may not speak on the party's behalf or otherwise participate, or address or question the investigator, hearing administrator or board, or other parties or witnesses. The advisor may make a written submission on the party's behalf.

Advisors who do not comply with the structure of their role may be asked to leave the meeting or hearing and/or may be restricted from further participation in the process, and the investigation or disciplinary proceeding will continue without the advisor's presence. Should the responding party choose to bring an advisor, the Responding Party should inform the conduct administrator or designee(s) of the name of the advisor in writing at least twenty-four (24) hours in advance of the meeting or hearing.

### **Section 10: Conflict of Interest**

The University is committed to ensuring that its resolution processes (e.g. Pre-Hearing Conference and Honor Board) are free from an actual or perceived conflict of interest. A conflict of interest may arise when any of those persons involved in the resolution process, has been a participant or related to a participant in the matter being investigated or reviewed, is related to or has had past association with the Reporting Party or Responding Party, is biased, and/or lacks impartiality. A Reporting Party or Responding Party who feels that there is actual or perceived conflict of interest that would materially impact the outcome must submit a written request, detailing with specificity the alleged conflict of interest, to the AVPSL (or to the Senior Vice President of Enrollment Management & Student Services (VPEM) in the event that the potential conflict or bias involves the AVPSL) within two business days after being notified of the individual(s) participation in the resolution process. The AVPSL or VPEM will determine whether a conflict exists and what action should be taken to ensure a fair and impartial process including making any substitutions that may be necessary to avoid a conflict of interest.

### **Section 11: University Policies**

Wherever the terms and procedures in a specific policy are either more detailed or inconsistent with the general terms and procedures states in this Handbook, the terms and procedures of the specific policy shall apply.

#### **Section 11.1: Acceptable Use of Electronics and Communication Policy**

Notre Dame of Maryland University (NDMU) is committed to providing access for its community to local, national, and international sources of information and to provide an atmosphere that encourages access to knowledge and sharing of information. The University assumes that information resources will be used by members of its community with respect to and in accordance with guidelines and regulations established by the University. In accordance with the policies stated in this document, the University works to create an intellectual and reasonably secure environment in which students, faculty, and staff are free to create and to collaborate with colleagues both at NDMU and at other institutions. In addition, this policy is intended to support the goal of NDMU to foster academic freedom while respecting the principles of freedom of speech and the privacy rights of students, faculty, staff and guests. Reasonable steps will be taken to ensure that the products of their intellectual, creative, and professional efforts will not be violated by misrepresentation, tampering, destruction, and/or theft; however, cannot be guaranteed.

This policy defines the boundaries of acceptable use of the University's technology resources, including computers and peripherals, data, networks, software, Internet, electronic mail services, telephone services, computer labs and tech classrooms. These Information Technology (IT) resources are to be used for University related purposes. This policy applies to all users of University IT resources, whether affiliated with the University or not, to all users of those resources, whether on campus or from remote locations. All users are responsible for adhering to the University's Acceptable Use Policy.

Users who violate this policy may be subject to penalties and disciplinary action, including expulsion, dismissal, or revocation of user access.

The acceptable use of IT outlined herein fall within the Campus Acceptable Use Policy for Technology that serves as an overarching umbrella regarding acceptable use of technology as it relates to students, faculty, staff and guests. This policy is available by linking to [portal.ndm.edu](http://portal.ndm.edu) and selecting the AUP link on the list of options under IT Virtual Help Desk on the right section of the page. The full policy is available [here](#).

### **Section 11.2: Accessibility and Inclusion**

The Office of Accessibility and Inclusion delivers services designed to assist students in maximizing successful participation in college life and in promoting their well-being--academically, socially, emotionally, spiritually and physically.

Notre Dame of Maryland University is committed to providing reasonable accommodations and equal access to its programs and services for people with disabilities in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA).

Services and resources include:

- **Accessibility and Disability Support Services:** We are committed to supporting equal opportunity access for those with disabilities.
- **Health & Wellness Promotion:** We offer education, activities and Student Health 101 resources that encourage making healthy choices and building positive habits.



- **Health Services:** NDMU offers a University sponsored student injury and illness plan.

### **Procedures to Register for Disability Support Services**

- Make an appointment with the Director of Accessibility and Inclusion to discuss your request to register with the office. It is the responsibility of the student to initiate the appointment. It is recommended that the student schedule an appointment with the Office of Accessibility and Inclusion several weeks before classes begin. Call directly at 410-532-5401. Request an appointment here:  
<http://www.ndm.edu/content/accessibility-and-health-promotion-appointment-request>
- Submit documentation of your disability from a certified professional or medical provider.

#### Disability Documentation

Services can be accessed when a student provides the Director of Accessibility and Inclusion with documentation from a certified professional (e.g. director of special education, audiologist, psychologist, licensed counselor, physician) that describes the specific disability. The student will be asked to provide the most current documentation of the student's disability. Students requesting accommodations must have a disability as defined by Section 504 of the Rehabilitation Act and the Americans with Disability Act. If the student does not have sufficient documentation, the student may be requested to seek further evaluation/documentation from a certified professional. This information must be sent or provided directly to the Director of Accessibility and Inclusion. All shared information is confidential.

For specifics and further details on documentation guidelines please visit: <http://www.ndm.edu/student-life/accessibility/documentation-guidelines>

- Meet to discuss accommodations; after the submission of paperwork, the student will be contacted by the Director of Accessibility and Inclusion to schedule a meeting to discuss accommodations through an interactive process. An appropriate accommodation plan will be developed to share with professors.
  - An accommodation is not considered reasonable. An accommodation is not considered reasonable if, among other things:
    - It is a direct threat to the health or safety of others
    - It is a substantial or fundamental change in an essential element of curriculum or there is a substantial alteration in the manner in which services are provided
    - It is not appropriate for the particular disability
- Examples of services offered may include but are not limited to:
  - Alternative testing arrangements as needed (e.g. extended time, use of a computer, distraction-free environment)
  - Scribe for notes
  - Access to recorded books

- Audio capture of lectures
  - Interpreting services
  - Referral to appropriate services
  - Assistive technology
  - Accessible housing
  - Advocacy
  - Counseling
  - Meal plan accommodations
- The student obtains accommodation letters and submits the letters to professors. It is the student's responsibility to share the accommodation letter with appropriate faculty members. The Director of Accessibility and Inclusion will consult with instructors on an as needed basis to provide clarity regarding auxiliary supports/services and accommodations. The discussion of student auxiliary supports/services and accommodations with faculty focuses on the appropriate implementation of said accommodations in the classroom; the nature of a student's disability is not disclosed and remains confidential.
  - It is the student's responsibility to make an appointment with the Director of Accessibility and Inclusion each semester to request and develop a current accommodation plan. Reasonable accommodations will not be provided without an updated letter each semester and reasonable accommodations are not retroactive.

For specifics and further details on auxiliary supports/services and accommodations please visit: <http://www.ndm.edu/student-life/accessibility-and-health-promotion>

- Following the submission of accommodation letters to faculty:
  - If a student's reasonable accommodation is for a note taker, it is recommended the student let the instructor know as early as possible. The Office of Accessibility and Inclusion will provide a letter to the student which will need to be presented to the instructor. The instructor will make an anonymous announcement regarding the need for the note taker and offer a financial stipend. It is up to the student as to whether the student would like to remain anonymous or identify herself or himself to the note taker.
  - If a student receives alternative test taking procedures, the student should remind the instructor a week in advance so that arrangements can be made prior to the exam. The same rules will apply as in the classroom. Arrive on time for your exam. A student who shows up late for their scheduled exam will be held to the same standards as the rest of the class. Notify your instructor in advance if there is a conflict with the time of your scheduled exam.
  - If a student uses a laptop, software programs, or any other assistive technology to take an exam, notify the instructor a week in advance so that arrangements can be made.
  - In order to receive alternative textbooks in a timely manner it will be necessary to let the Office of Accessibility and Inclusion know several weeks in advance so that

the publisher can be notified. Contact The Office of Accessibility and Inclusion for instructions on how to proceed with obtaining text books in alternate format.

- A student having difficulties with accommodations may contact the Director of Accessibility and Inclusion to learn about steps that can be taken to resolve the issues here.

### **Section 11.3: Amnesty Policy**

Student health and safety are of primary concern at the University. As such, in cases of significant intoxication as a result of alcohol or other substances, the University encourages individuals to seek medical assistance for themselves or others.

If medical assistance is sought, the University will not pursue conduct charges against the following individuals for violations of the University's Alcohol or Drug policy:

- The intoxicated student, and
- Student(s) actively assisting the intoxicated student.

Actively assisting requires that an individual contacts Public Safety or another individual qualified to assess the student's condition, such as a Residence Life professional or emergency medical services (911) to assess the intoxicated student's condition.

The following are not covered by the Medical Amnesty Policy:

- Students waiting until the police or other authority arrive before seeking assistance
- Action by police or other law enforcement personnel
- Violations of the Code of Conduct other than the alcohol & drug policy
- Possession with the intent to distribute drugs

Actions by the Office of Community Standards:

- The intoxicated student (and possibly those attending to/assisting the student) will be required to meet with the Associate Dean for Case Management and Community Standards or designee who may issue educational requirements that may include, but are not limited to, alcohol/drug education, counseling, and/or substance abuse assessment.
- Serious or repeated incidents will prompt a higher degree of concern/response.
- Failure to complete the education assignments or treatment recommendations will result in disciplinary action.
- The student will be responsible for any costs associated with drug or alcohol education interventions

### **Section 11.4: Dining Guidelines**

- Doyle Dining Hall is an all you care to eat facility. No a la carte items are available in Doyle Dining Hall.
- Dining Hall hours are posted at the door as you enter Doyle Dining Hall.
- Dining facilities may close for class break periods. These closures will be posted in advance. If open, meal plans are not in effect.
- The Dining Services week starts with Friday breakfast and ends with Thursday dinner.

- You must have a valid University ID card with declining balance points; a meal plan or purchase meals using cash/credit card (VISA, MasterCard) to access Doyle Dining Hall. University ID's are non-transferable.
- No dishes, flatware or glassware may be removed from Doyle Dining Hall. Approved reusable "To Go" containers are available for purchase with the cashier.
- All resident students are required to have a resident meal plan. At the beginning of each semester all residents will receive the 19-meal per week plan.
- Changes may be requested within the first two weeks of a new semester. There are no refunds for unused meal plan dollars at the end of the semester.
- All first-year residents are required to be on the 19-meal per week plan.
- Unused dining dollars DO NOT carry over from semester to semester. Any unused dining dollars will be forfeited.
- Meal plans are in effect only during the academic year. Mini block plans are available outside of the academic year.
- Block and Commuter meal plans are available for purchase.
- Block Plans carry over from fall to spring semesters within the same academic year. Unused block meals will be forfeited on the last day of spring semester.
- SAGE Dining Services is the exclusive food service provider for the University.
- Outside catering is not permitted, however outside food option may be permitted with submission and approval of a food waiver.
- Meal plan students attending catered functions on campus may have their food credit from Doyle Dining Hall applied toward the cost of the catered function at the request of the host.
- Students requesting dietary accommodations must provide written documentation from a licensed physician and any supporting materials to the Director of Accessibility and Inclusion. The Director of Accessibility and Inclusion in conjunction with the Food Service Director will work directly with the student to provide the dietary accommodations.
- Sick trays are available if you are ill and unable to get to the Dining Hall. You must give a signed, dated note with your ID cards to a University community member (faculty, staff or student).
- If you are part of a meal plan and work off campus, a box meal can be provided for you with at least three (3) days' notice.

### **Section 11.5: Flyer Posting and Distribution**

Flyers may not contain obscene or defamatory content and must not violate University policy or federal, state or local laws. Flyers that violate this policy may be referred for disciplinary action. The Flyer Posting Policy, incorporated herein, may be found in full [here](#).

### **Section 11.6: Freedom of Speech & Expression Policy and Related Policies**

Freedom of Speech & Expression Policy

- **Policy Statement**

Notre Dame of Maryland University ("NDMU" or "the University") is committed to promoting speech and self-expression that fosters an open and productive exchange of ideas and opinions. The University

encourages a balanced approach in all communications and the inclusion of contrary points of view. As is true with the society at large, the right of 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.

- **Policy Justification**

The purpose of this policy is to support NDMU's tenets of promoting free speech and expression that foster an open exchange of ideas and opinions to expand knowledge in the service of humanity. This policy aims to protect opportunities for the free expression and exchange of ideas, while lessening conflict between the exercise of that right and the rights of others in the effective use of University facilities, the reduction of possible interference with the University's responsibilities as religiously affiliated educational institution, and the preservation of the University's status as a non-profit tax exempt organization.

- **General Policy**

Notre Dame of Maryland University is dedicated to the pursuit of truth wherever it can be found. Faculty and students enjoy the academic freedom essential for genuine scholarly study and research. Academic freedom applies to activities of faculty members in their writings, lecturing and teaching. Academic freedom applies to students in their access to all legitimate sources of information and in their participation in academic dialogue. Protection from governmental constraint on freedom of speech is ensured by the United States Constitution for all persons. However, this freedom to express oneself verbally, in writing, or by peaceful demonstration may be constrained in a private university in some **limited** circumstances by other values which are held to be equal or greater. NDMU fully respects and supports the freedom of all members of the University to exercise free speech and self-expression, but, as a private institution, the University is not required to provide a forum for advocates whose values contravene those of the University or the Roman Catholic Church.

### **Section 11.7: Protest & Demonstration Policy**

Protest is an acceptable means of expression within the Notre Dame of Maryland University ("NDMU" or "the University") community. However, protest becomes unacceptable when it obstructs the basic exchange of ideas. Such obstruction is a form of censorship, no matter who initiates it or for what reasons.

While NDMU is a private institution, orderly and peaceful demonstrations on the campus are permitted. Protests or demonstrations that infringe upon the rights of others to peaceful assembly, orderly protest, free exchange of ideas, or that interfere with the rights of others to make use of facilities or attend the functions of the University will not be tolerated. The University has the obligation to ensure the safety of individuals, the protection of property and the continuity of the educational process.

When picketing or other forms of peaceful protest take place outside University buildings, the University insists on the right of free passage for all through the areas where members of the University community have a right to be. When such demonstrations take place inside University buildings, the University insists on orderliness, free passage to all rooms, lack of excessive noise, and no interference with classes, libraries, offices, assemblies or normal administrative functions.

Picket lines which permit free passage of those who wish to pass, and signs, banners and peaceful assemblies are all acceptable. However, the carrying of signs that by virtue of their construction constitute a hazard to other people may not be permitted. Specifically, this means that signs should be constructed entirely of soft material such as cardboard or cloth, and that signs should not be attached to rigid sticks or poles when such signs are used inside University buildings. Actions such as the following, are unacceptable: blocking; obstructing or impeding passage of a person or vehicle; actions that result in bodily harm or property damage; erecting or placing of obstructions that result in depriving others of their rights.

Halting a lecture, debate, or any public forum is an unacceptable form of protest. "Halting" means directly or indirectly preventing a speaker from speaking - even for a brief period of time - or seizing control of a public forum for one's own purposes.

The University must be a place where ideas are exchanged freely. By asserting their rights to protest, an individual or group of individuals cannot decide for the entire community which ideas will or will not receive free expression.

### **Section 11.8: Guidelines for Political Activities**

One of the core elements of a Catholic education is dialogue. Nowhere is this emphasis more important than in the public arenas of government and politics. Dialogue marked by civility and passion, by reason and opinion, is essential to a transformative education and the democratic process.

Notre Dame of Maryland University ("NDMU" or "the University") encourages all students, faculty and staff to be politically active, supporting the candidates and causes of their choice. Political activity is an important expression of citizenship, just as the exploration of opposing points of view on matters of public policy – through an authentic dialogue – is an important and vital learning opportunity.

As a tax-exempt, charitable institution, however, NDMU is also subject to the rules and regulations of the Internal Revenue Service, as well as other federal and state laws that prohibit educational institutions from participating or intervening in any political campaign or partisan political activity.

To balance our legal constraints with our commitment to unbiased dialogue, NDMU adopts these "Guidelines for Political Activities." Attached to these Guidelines are

extracts from a memorandum released by the American Council on Education (ACE) in Spring of 2016, “Political campaign-related activities of and at colleges and universities” which provides examples of permitted activities as well as prohibited activities based on the legal constraints. Any political campaign-related activities which take place at Notre Dame of Maryland University, including any use of NDMU resources, must also be consistent with NDMU’s mission, principles and policies.

**Political Activities must be referred, in advance, to the Chief of Staff for coordination and enforcement.** Coordination includes ensuring that equivalent opportunities to appear on campus are extended to all legally qualifying candidates running for the same public office.

This policy applies to all NDMU students, faculty, and staff, and to anyone who is acting on behalf of the University. All activities and events which meet the above criteria are also subject to all policies and regulations applicable to hosting speakers, scheduling events, posting materials, and all other related event logistics.

### **Section 11.9: Photography Policy**

Registration as a student and attendance at or participation in classes or other campus and University activities constitutes an agreement by the student to the University’s use and distribution (both now or in the future) of the student’s image or voice in photographs, videotapes, electronic reproductions, or audiotapes of such classes or other campus or University activities.

### **Section 11.10: Public Safety Policies**

- **Campus Emergency Notification Procedures:** In the event that it becomes necessary to notify the entire campus of a **significant emergency or dangerous situation** involving an immediate threat to the health or safety of students, faculty and staff, the University has developed a campus alert procedure. This procedure will be utilized, unless issuing a notification will compromise efforts to contain the emergency as determined by law enforcement, emergency management and University officials. To further expand on the procedure, alerts may include but are not limited to notifications for campus closings or delays due to inclement weather, campus wide power or utility failure, fire, or similar emergencies. The University offers a state-of-the-art mass notification system. The system sends messages instantly and simultaneously to registered text-message-capable cell phones, smart phones/devices, tablets, MIFI equipment, and cell-phone-network connected devices. **Students are strongly encouraged to register.** The University can quickly send information critical to the campus directly to you, such as campus emergencies, closings due to weather, etc. Signing up is easy. To sign up, have your cell phone with you and log on to: <http://www.ndm.edu/public-safety/e2campus>. **NOTE:** Registration is FREE. Standard text messaging fees apply to all messages sent to your cell phone.
- **Emergencies:** In the event of a fire or other crisis, call the Communications Center at 410-435-0100 or ext. 6666 from an on-campus phone for assistance and Public Safety will take appropriate action.

- **Emergency Blue Lights:** Emergency blue light stations may be used for any emergency situation. Press the red button and a public safety officer is immediately notified of your location and you are in immediate voice contact with the public safety dispatcher. Push the call button and use the keypad to call for an escort.
- **Public Safety Escorts:** During evening hours, students should call 410-435-0100 if off campus, or ext.5360 if on campus to request an escort to and from anywhere on campus and the library. The call button and keypad on the Emergency Light poles may also be used to call for an escort.
- **Inclement Weather:** If classes are delayed or canceled due to inclement weather, announcements will be made on local television and radio stations, as well as through University's website, e2Campus text message campus alert system, and via the weather phone line at 410-532-5151.
- **Lost and Found:** Any article lost or found should be turned in to the Office of Public Safety. Pertinent information will be recorded, i.e., article lost or found, general location, brief description, and name and phone number of person to contact. All items will be kept for 90 days. Contact the Office of Public Safety to inquire about lost items.
- **Motor Vehicle Regulations for Out-of-State Students:** Students with out-of-state residency who attend school in Maryland and who operate a vehicle which is registered outside of Maryland must obtain a non-resident vehicle permit from the Motor Vehicle Administration if the vehicle will be operated in Maryland for more than 30 days. Failure to do so may result in a fine of up to \$1,000. Forms are available in the public safety office.
- **Thefts:** All thefts occurring on campus should be reported immediately to the Office of Public Safety. Do not create an opportunity for crime to occur! Use the suggestions below to protect yourself and the community:
  - Do not keep large amounts of cash in your room or on your person.
  - Lock your room when leaving it unattended for any amount of time.
  - Report any suspicious behavior to a Resident Assistant or Office of Public Safety
  - Do not flaunt valuable jewelry or expensive items.
  - Keep valuables locked in the trunk of your vehicle.
  - Use an anti-theft device on your vehicle.
- In accordance with federal law, identified as the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998," all currently enrolled students, campus employees and all prospective students and prospective employees are entitled to request and receive a copy of the University Annual Campus Security Report (CLERY REPORT). Copies of this report may be obtained on-line at the Public Safety website located at <http://www.ndm.edu/offices-and-services/public-safety/>

### Section 11.11: Parking and Driving Regulations

- **Driving Regulations:** The Office of Public Safety regulates traffic and driving patterns on campus. Driving and parking on campus is a privilege and students are expected to be aware of and honor these regulations for the safety of University faculty, staff and students as well as those in the University's surrounding neighborhoods. For example, only right turns are permitted onto North Charles Street from the southern entrance/exit when leaving campus. Failure to follow campus



driving policies and restrictions may result in a citation or, for repeat offenders, an Honor Board hearing and sanctions which could include suspension of parking privileges on campus. For a detailed map of driving patterns as well as parking, please visit the University's website at [www.ndm.edu/admissions/visit-campus/maps-directions-and-parking/](http://www.ndm.edu/admissions/visit-campus/maps-directions-and-parking/).

- **Parking Regulations:** The Office of Public Safety regulates parking on campus. Parking regulations are available online at [www.ndm.edu/offices-and-services/public-safety/parking](http://www.ndm.edu/offices-and-services/public-safety/parking) . Students are responsible for knowing and upholding parking regulations.
  - Parking at the University is by permit only.
  - All students must register their vehicles with Public Safety and affix a Notre Dame registration decal to their vehicle by the first day of classes for the semester. Registration is free.
  - Vehicles which are not properly registered and displaying a valid permit may be ticketed or removed from campus at the owner's expense. Public Safety officers may authorize a tow company to remove from the University's property a vehicle that is unregistered, is unoccupied and presents a hazardous condition, is abandoned, or is parked in a reserved handicap area without a handicap permit.
  - Repeat offenders who receive four (4) traffic violations within the academic year (June 1 through May 31) will be subject to disciplinary action sanctions that could include towing and loss of future parking privileges.
  - Vehicle owners will be responsible to pay all towing and storage fees.
  - Signs are posted to assist drivers with traffic flow and to indicate the appropriate parking areas, such as visitors' parking, employee parking and no parking. Curbs and roadways are painted in certain areas to give directions for flow of traffic. There is no parking permitted in areas with white painted curbs.
- **Parking Citations Appeals Procedure**
  - The Appeals Board for parking citations reviews all requests for appeal of a parking citation issued to faculty, staff, student, or guest. Appeal forms are available in the Office of Public Safety and on the University's website. All appeals must be submitted to the Parking Appeals Board on the Traffic Violation Appeal Form and forwarded to the Office of Public Safety in Gibbons Hall, Room 002. Appeals received after fifteen (15) calendar days from the ticket date will not be honored.
  - The membership and composition of the Appeals Board consists of the Director of Risk Management and Public Safety (Chair) or designee, a faculty representative, a staff representative; a Human Resources representative; and a student representative. The Board will vote to determine final disposition of the citation appealed. This is the final appeal.
  - The Parking Appeals Board meets once a month. All results will be sent to the person appealing. If the appeal is granted, the ticket will be voided and the process is concluded. If the appeal is denied, the individual will be required to pay any outstanding fines. Any fines not paid will be added to the student's

account in the Business Office. These outstanding fines will result in a “hold” being placed on grades, transcripts, and/or graduation.

- **University Vehicle Use**
  - The University has adopted policies and procedures for the use and operation of passenger vehicles owned by the University. University employees or students, who are authorized drivers, may use the University vehicles when on official University business or to attend University sanctioned events.

To become an authorized driver of a University vehicle, an individual must be a faculty member, staff, or a currently registered student at the University and, have a valid driver’s license that is at least two years old. Maryland residents must have a Maryland State driver’s license to drive the University van or bus. Drivers who have licenses from other states must provide a copy of their driving record from the state where the license was obtained. The Office of Public Safety will obtain driving records for Maryland residents. To be authorized to drive a University vehicle, the individual may not have a record for DWI or DUI conviction or citations for other violations which would demonstrate unsafe or reckless driving habits. This determination will be at the discretion of the Director of Public Safety. To drive the University bus or van, one must also pass a driving test administered by the Office of Public Safety, and be at least 21 years of age. Any violations of the University vehicle policy may result in disciplinary action.

## **Section 11.12: Harassment and Discrimination Policy and Procedure**

### POLICY STATEMENT

Notre Dame of Maryland University (“University” or “NDMU”) values safety, diversity, equity, inclusion, and social responsibility. Consistent with these principles, the University does not discriminate and prohibits harassment with respect to access to and participation in its educational, and extracurricular programs and activities or with respect to employment terms and conditions on the basis of age, color, creed, disability, genetic information, marital status, national or ethnic origin or ancestry, race, religion, sex (including pregnancy, sexual orientation, or gender identity or expression) or veteran status or any other characteristic protected in accordance with applicable federal, state, and local laws and regulations including but not limited to Title IX of the Education Amendments of 1972 as amended (Title IX), Title VI of the Civil Rights Act of 1964 as amended (Title VI), Title VII of the Civil Rights Act of 1964 as amended (Title VII), Section 504 of the Rehabilitation Act of 1973 (Section 504), Americans with Disabilities Act of 1990 as amended (ADA), Age Discrimination in Employment Act of 1967 as amended, etc.

This policy protects all NDMU students, faculty and staff, and third parties under NDMU’s control if, when and while they are attempting to participate or participating in a NDMU program or activity or employment.

Retaliation against any individual who files a complaint or participates in an investigation under this Policy is strictly prohibited. In furtherance of the University’s commitment to equal opportunity, this Policy and associated procedures are established to address and remedy complaints of discrimination, harassment, and retaliation based on a protected class.

In addition to the University's policy to not discriminate and prohibit harassment of any protected characteristic, reasonable accommodations will be provided by the University to applicants, students and employees for medical and religious reasons unless it would require undue hardship in accordance with the above referenced federal, state and local laws.

The full Policy and Procedures are available at the University's [Non-Discrimination webpage](#). Inquiries concerning the application of the Policy may be referred to:

Greg FitzGerald  
Title IX/504/ADA Coordinator  
Notre Dame of Maryland University  
4701 N. Charles Street  
Gibbons Hall, Room 106  
Baltimore, MD 21210  
(410) 532-5109  
[gfitzgerald@ndm.edu](mailto:gfitzgerald@ndm.edu)

### **Section 11.13: Sexual Misconduct Policy**

The University seeks to foster and maintain an atmosphere of mutual respect and concern for all members of the University community, including students, faculty, staff, interns, volunteers, contractors, guests, and other circumstances within the University's control (the "University Community"). The University is committed to providing an academic and work environment free from all forms of sexual- and gender-based harassment, discrimination, and misconduct, examples of which can include acts of sexual violence, including sexual assault, domestic or partnership violence, exploitation, intimidation, and stalking. In keeping with this commitment, the University maintains a strict policy prohibiting all forms of sexual and gender-based misconduct and unlawful discrimination and discouraging conduct that, while not unlawful, could reasonably be considered sexual misconduct and/or unlawful discrimination. All members of the University Community share responsibility for fostering this environment by adhering to the standards of conduct outlined in the University's Policy on Sexual Misconduct and Other Related Misconduct.

The University is obligated under the law to investigate complaints, to take action to eliminate sexual misconduct, prevent its recurrence, and address its effects. All members of the University community who learn of instances of sexual misconduct are encouraged to report this behavior immediately to the appropriate University officials in order to ensure prompt, proper investigation into these matters.

The University's Policy and Procedures on Sexual Misconduct and Other Related Misconduct are available at the University's Title IX Website linked [here](#). Inquiries concerning the applications of Title IX may be referred to:

Greg FitzGerald  
Title IX/504/ADA Coordinator  
Notre Dame of Maryland University

4701 N. Charles Street  
Gibbons Hall, Room 106  
Baltimore, MD 21210  
(410) 532-5109  
[TitleIX@ndm.edu](mailto:TitleIX@ndm.edu)

### **Section 11.14: Smoking Policy**

The University is committed to providing a healthy, comfortable environment for students, faculty, staff, and guests. Smoking, including cigarettes, cigars, pipes, and electronic smoking devices is prohibited in all buildings on the University campus. Individuals who wish to smoke or use other tobacco products must do so outside of any building, at least **thirty feet away from any building**, or in any designated areas, in a manner that does not in any way block building entrances, and minimizes others' exposure to the second-hand effects of tobacco use. Cigarette ashes and butts should be placed only in designated receptacles. Tobacco chew should not be expectorated onto the ground. Smoking is not permitted in any University vehicles.

### **Section 11.15: Social Media**

Social media are used through web- and mobile-based technologies to turn communication into interactive dialogue and engagement. Websites and user-generated content include, but are not limited to, Facebook, Flickr, Instagram, LinkedIn, SnapChat, Twitter, YouTube, and blogs. Social media communication is public and visible, and posting inappropriate texts or confidential, pictures, videos, or images could provoke institutional or legal ramifications for the student or student group. Examples of items that would be deemed inappropriate include, but are not limited to:

- Personally, identifiable material including, but not limited to, full names, government identifiers, email addresses, physical addresses, or health information of individuals following FERPA guidelines.
  - Threatening, harassing, or discriminatory posts.
  - Posts that incite or promote violence or illegal activities.
  - Material that could be interpreted as containing obscene, offensive, or sexual themes.
  - Information that reasonably could compromise public safety and well-being of the University and/or the University Community.
  - Comments that are off subject or out of context from the original post and to the University.
  - Solicitation or advertisement of businesses, direct sales companies, and events, both on and off campus, that have not been approved by University staff for publication.
  - Any information, documentation, material or images that would be found in violation of any University policies or procedures
- Posting content to third- party applications, such as social media sites, almost always releases ownership rights to and control of that content. Protect privacy online by adjusting privacy settings and publishing updates only to audiences with whom you wish to share your status.
- The University will not ask for, nor should an individual send, credit card or payment information, classified information, privileged information, private

information or information subject to non-disclosure agreements via any social network internet communication service.

- Users of virtual communities should be aware of the potential consequences when posting to these sites. While faculty and staff will not actively monitor the use of Facebook or any other online community, potential policy violations brought to the attention of the University may be subject to investigation and pursued through the student conduct system.

### **Section 11.16: Student Records Policy**

The University adheres to a practice of compliance with the Family Educational Rights and Privacy Act (FERPA). As such, it is the practice of the University (1) to permit students to inspect their education records (2) to limit disclosure to others of personally identifiable information from education records without student's prior written consent, and (3) to provide students the opportunity to seek correction of their education records where appropriate. Additional information on the University's student record policies and FERPA are available via the Registrar's Office and the University catalog.

### **Section 12: Substance Abuse Policy**

- It is the goal of the University to protect the health and environment of students, faculty and staff by observing a drug-free environment in keeping with the Drug-Free Workplace Act of 1988, the Drug-Free Schools and Campus Act of 1989, and the Policies of the Maryland Higher Education Commission Concerning Drug and Alcohol Abuse. This policy applies not only to students, faculty and staff of the University, but also to all employees of contractors and subcontractors, as well as food service employees.
- **Standards of Conduct**
  - All students are prohibited from the abuse of alcohol\* and the unlawful manufacture, distribution, possession or use of illicit drugs or alcoholic beverages on University property or as part of any University activity, both on and off campus.
    - All Notre Dame of Maryland University students and employees are required to comply with the University's Substance Abuse Policy. Sanctions levied against a student, faculty or staff who violates the Standards of Conduct are included under the section entitled Sanctions. For students, violations will be subject to adjudication by the student conduct system and/or appropriate law enforcement officials. For employees, violations are subject to disciplinary action, up to and including immediate dismissal, or a requirement to successfully complete drug or alcohol abuse counseling or rehabilitation as a condition of continued employment. Criminal or civil action does not preclude campus action.
  - This policy covers the following substances:
    - alcoholic beverages of any kind (alcohol means ethyl alcohol or ethanol)
    - controlled or illegal drugs or substances, which include all forms of narcotics, hallucinogens, depressants, stimulants, and designer drugs whose use, possession, transfer, sale, manufacture, distribution, and dispensation are restricted or prohibited by law.

- Alcohol abuse is the singular or repeated use of alcohol that violates local, state, or federal law or University policy

**Section 12.1: University Regulations**

- **Alcohol and Illegal Drugs—Students**

- Students and their guests are expected to follow the laws of Maryland, specifically Criminal Law Article 10 of the Annotated Code of Maryland, which states that no individual under the age of 21 may buy, consume or possess alcoholic beverages of any kind, and individuals over 21 may not sell or provide alcohol to minors on University property or as part of any University activity, either on or off campus.
  - Students over the age of 21 may consume alcohol in their residence hall rooms, but not in public areas of the University, including, but not limited to, hallways, lounges, bathrooms and common areas. In the residence halls, those who are 21 years of age or older may not consume alcohol in the presence of anyone under the age of 21.
  - Those under 21 are not permitted to possess, distribute, or consume alcohol anywhere on campus, including their residence hall rooms.
  - For those of legal drinking age, containers of alcoholic beverages larger than three liters, including kegs, are not permitted in the residence halls.
  - Students may not possess, distribute, sell, manufacture, dispense, or use illegal drugs on or off campus. Those who decide to drink or abuse drugs are accountable for their behavior while under the influence, just as if they had not been abusing drugs or alcohol.
  - The University will not hire anyone who is known to currently use illegal drugs or abuse substances. Compliance with this policy is a condition of employment. Employees must report to work mentally and physically fit to perform their duties.
  - The following activities are prohibited while student employees are on the University’s premises or otherwise engaged in University business: (1) the consumption of alcoholic beverages except at University sponsored events, where authorized, (2) being under the influence of alcohol or illegal drugs during business hours, (3) performance of duties while under the influence of alcohol or illegal drugs whether on or off University Premises, and (4) the manufacture, possession, use, sale, distribution, dispensation, receipt, or transportation of any controlled substance or illegal drug.
  - Alleged violations may be reported to the Associate Dean for Case Management and Community Standards.

- **Alcohol Beverages (For Events Where Alcohol Will Be Served)**

- Alcoholic beverages may be sold, served, or consumed if (1) in compliance with the law, and (2) it is done at gatherings in locations approved by the Associate Vice President for Student Life or (3) they are authorized at third-party events on campus. This applies to events sponsored by University. The Associate Vice President for Student Life

may approve alcoholic beverages for use at campus gatherings if all the following conditions are met:

- The event is held in a special use location, facility, or building, on or off campus;
  - The event is requested by a faculty member, staff, administrator, or student organization, or University department;
  - Those in attendance will be at least 21 years of age;
  - Those over the age of 21 will be identified by the use of a wristband, hand stamp, etc.
  - Food and nonalcoholic beverages will be served;
  - The sale/serving of alcoholic beverages will be discontinued at least one hour before the event ends;
  - Proper campus supervision is provided in areas where alcohol is served/sold.
- Alcohol permit forms are available in the office of the Associate Vice President for Student Life and must be submitted at least 10 working days prior to the event.

### **Section 12.2: Sanctions for Students Violating This Policy**

- Sanctions of the University Substance Abuse Policy will be determined by the severity of the violations and their impact on the community for first, second, and third violations. Students who violate the Notre Dame of Maryland University Substance Abuse Policy may be subject, but are not limited, to the following sanctions:
  - *First Offense Alcohol Misuse:* Possible sanctions include, but are not limited to, an alcohol-related health assessment, participation in an alcohol education program, and other appropriate conduct sanctions, including, but not limited to, probation, visitation restriction, etc.
  - *Second Offense Alcohol Misuse:* Required alcohol-related assessment, mandatory attendance at an alcohol education program, ***notification of parents or legal guardians of students under 21***, and other conduct sanctions as deemed appropriate, including, but not limited to, restitution, fines, probation, residence hall suspension, etc.
  - *Third Offense Alcohol Misuse:* Required attendance at the six-session alcohol education program or other community-based alcohol education program, ***notification of parents or legal guardians of students under 21***, and other conduct sanctions as may be deemed appropriate, including, but not limited to restrictions, probation, suspension or expulsion.

### **Section 12.3: Controlled or Illegal Drugs**

- A student who has violated the Substance Abuse Policy through the illegal possession, use, sale, manufacture, dispensation, or distribution of any drug, narcotic or controlled substance, whether on or off campus, is subject to immediate suspension or expulsion.
- Marijuana within the State of Maryland – (August 23, 2021) Within the State of Maryland, the possession of marijuana in the amounts of 10 grams or less has been decriminalized and the use of medical marijuana has been legalized in certain cases. Notre Dame of Maryland University prohibits

the possession and use of marijuana in accordance with federal law (the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989). Failure to comply with federal law could result in the University being ineligible for federal funding and financial aid for students. Therefore, possession of and use of marijuana, including medical use, remains prohibited at the University including in University housing, on University property, or at off-campus events sponsored by the University.

#### **Section 12.4: Assistance Program Referrals**

- The University recommends that individuals who have a drug or alcohol abuse problem seek professional help. The Counseling Center provides education, assessment, individual counseling and behavioral methods to address problem areas, and can assist individuals in identifying referrals, treatment programs and other community services.
- The following agencies may be contacted to identify assistance programs offered in the community:

Addict Referral & Counseling Center, Inc.  
21 W. 25th Street  
Baltimore, Maryland 21218  
410-366-1717

Narcotics Anonymous  
217 North Warwick Avenue  
Baltimore, Maryland 21223  
410-468-0060  
Email: [baltoareana@ymail.com](mailto:baltoareana@ymail.com)

#### **Section 12.5: Education**

- The University provides educational programs, including an on-line alcohol training, designed to promote lawful and responsible use of alcohol and prevent the use of illicit drugs. These programs include information on alcohol and illegal drugs, the consequences of the use and abuse of these substances, the role of individual responsibility and personal liability, and this policy.
  - These programs are available to any member of the University community and are primarily offered through the Division of Student Life.
  - Drug-Free Awareness Program will inform employees annually of (a) the dangers of drug or alcohol abuse in the workplace, (b) the University's policy of maintaining a drug-free workplace, (c) available drug counseling and rehabilitation, (d) penalties that may be imposed upon employees for violations.

#### **Section 12.6: Applicable State Laws Relating to Unlawful Use, Possession, And Distribution of Illicit Drugs and Alcohol**

- The below is a non-exclusive reference to articles on laws relating to illicit drugs and alcohol can be found in the Criminal Law Article of the Annotated Code of Maryland at the following [link](#).
- Article 5 – Controlled Dangerous Substances, Prescriptions & Other Substances; Subtitle 6 – Crimes Involving Controlled Dangerous Substances & Paraphernalia (Subtitle 6); and Article 10 – Crimes Against



Public Health, Conduct & Sensibilities (Title 10); Subtitle 1 – Crimes  
Against Public Health & Safety

- **Jurisdiction:** Annotated Code of Maryland, Criminal Law Article 5-602
  - *Offense:* Unlawful manufacture, distribution, dispersion, or possession to indicate intent to manufacture, distribute, dispense a controlled dangerous substance (or counterfeit substance)
  - *Penalty:* Guilty of felony and subject to imprisonment up to 20 years and/or a fine up to \$25,000
- **Jurisdiction:** Annotated Code of Maryland, Criminal Law Article 5-617
  - *Offense:* Distribution of non-controlled substance as a controlled dangerous substance
  - *Penalty:* Guilty of felony and subject to imprisonment up to 5 years and/or a fine up to \$15,000
- **Jurisdiction:** Annotated Code of Maryland, Criminal Law Article 5-628
  - *Offense:* Use of minor to manufacture, deliver, or distribute controlled dangerous substance
  - *Penalty:* Guilty of felony and subject to imprisonment up to 20 years and/or a fine up to \$20,000
- **Jurisdiction:** Annotated Code of Maryland, Criminal Law Article 5-601
  - *Offense:* Possession of controlled dangerous substance
  - *Penalty:* Guilty of misdemeanor and subject to imprisonment up to 4 years and/or a fine up to \$25,000; for marijuana, one year and/or a fine up to \$1,000 if over 10 grams.
- **Jurisdiction:** Annotated Code of Maryland, Criminal Law Article 5-619
  - *Offense:* Use, delivery, or possession with intent to use, deliver, or sell drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body, a controlled dangerous substance
  - *Penalty:* Guilty of misdemeanor and subject to a fine up to \$500 for first offense, imprisonment up to 2 years and/or a fine up to \$2,000 for second offense; for situations involving a minor up to 5 years and/or a fine up to \$15,000 (not applicable to use or possession of marijuana)
- **Jurisdiction:** Annotated Code of Maryland, Criminal Law Article 5-619
  - *Offense:* Advertising to promote the sale or delivery of drug paraphernalia
  - *Penalty:* Guilty of misdemeanor and subject to a fine up to \$500 for first offense; imprisonment up to 2 years and/or a fine up to \$2,000 for second offense
- **Jurisdiction:** Annotated Code of Maryland, Criminal Law Article 5-618
  - *Offense:* Possession and/or purchase of non-controlled substance believed to be controlled dangerous substance

- *Penalty:* Guilty of misdemeanor and subject to imprisonment up to one year and/or a fine up to \$500
- ***Jurisdiction:*** Annotated Code of Maryland, Criminal Law Article, 10-113
  - *Offense:* Misrepresentation or false statement of age in order to obtain alcohol or to induce the illegal sale or supplying of alcohol
  - *Penalty:* Guilty of civil offense and subject to a fine up to \$500 or up to \$1,000 if repeat offense, plus court costs
- ***Jurisdiction:*** Annotated Code of Maryland, Criminal Law Article, 10-114
  - *Offense:* Possession of alcohol by person under 21
  - *Penalty:* Guilty of civil offense and subject to a fine up to \$500 or up to \$1,000 if repeat offense, plus court costs
- ***Jurisdiction:*** Annotated Code of Maryland, Criminal Law Article, 10-115
  - *Offense:* Possession of false identification by person under 21
  - *Penalty:* Guilty of civil offense and subject to a fine up to \$500 or up to \$1,000 if repeat offense, plus court costs
- ***Jurisdiction:*** Annotated Code of Maryland, Criminal Law Article, 10-116
  - *Offense:* Purchasing alcohol for person under 21
  - *Penalty:* Guilty of civil offense and subject to a fine up to \$500 or up to \$1,000 if repeat offense, plus court costs
- ***Jurisdiction:*** Annotated Code of Maryland, Maryland Transportation Article 21-902 and 27- 101
  - *Offense:* Driving while intoxicated/under the influence of alcohol and/or drugs
  - *Penalty:* Penalties ranging from a fine up to \$500 and/or imprisonment of one year; if repeat offense, up to a fine of \$3,000 and/or imprisonment up to 3 years
- ***Jurisdiction:*** Maryland Article 2B, 19-101, 19-102
  - *Offense:* Disorderly intoxication
  - *Penalty:* Guilty of misdemeanor and subject to imprisonment up to 90 days and/or a fine up to \$100
- Health Risks Associated with the Abuse of Alcohol or Use of Illegal Drugs
  - **ALCOHOL– (Beer, Wine, Distilled Spirits)**
    - **SHORT-TERM EFFECTS:** relaxation, breakdown of inhibitions, euphoria, depression, decreased alertness, stupor, nausea, unconsciousness, hangover and death.
    - **LONG-TERM EFFECTS FROM CONTINUED EXCESSIVE USE:** obesity, impotence, psychosis, ulcers, malnutrition, liver and brain damage, delirium tremors and death.
  - **AMPHETAMINES– (Benzedrine, Dexedrine, Methedrine, Preludin)**
    - **SHORT-TERM EFFECTS:** increased alertness, excitation, euphoria, decreased appetite, restlessness, rapid speech, irritability, insomnia, stomach disorders, and convulsions.
    - **LONG-TERM EFFECTS:** insomnia, excitability, skin disorders, malnutrition, delusions, hallucinations, psychosis.

- **ANABOLIC STEROIDS– (Prednisone and Synthetic Testosterone-like Drugs which have tissue-building properties)**
  - **SHORT-TERM EFFECTS:** mood elevation or depression, increase or decrease in sex drive, increased aggressive behavior, may stunt growth, change in electrolyte balance causing retention of sodium and retention of fluids.
  - **LONG-TERM EFFECTS:** jaundice (yellowing of skin), liver damage, high blood pressure, endocrine imbalance; in males can cause enlarged breasts, decrease in testicular size and function, decrease of sperm production; in females can cause acne, menstrual irregularities, irreversible masculinizing effects such as hair on the face, deepening of the voice, change in the genitals.
- **ANTIDEPRESSANTS**
  - **Tricyclics (Elavil, Ritalin, Tofranil, Prozac)**
    - **SHORT-TERM EFFECTS:** relief of anxiety and depression, temporary impotence, nausea, hypertension, weight loss, headaches.
    - **LONG-TERM EFFECTS:** irregularities in heartbeat, disturbed vision, decrease or increase in sexual desire, constipation, edema, extremely toxic in excessive doses, and overdose can cause death
  - **MAOIs (Nardil, Parnate, Marplan, Phenazine)**
    - **SHORT-TERM EFFECTS:** combination of certain foods can trigger very high blood pressure, rapid pulse, headaches, problems with vision, sometimes paralyzing or fatal strokes; foods high in the amines, tryamine, or histamine should be avoided, i.e., beer, red wines, chocolate, pickled fish, cheese, yogurt, stimulants, caffeine and allergy pills.
    - **LONG-TERM EFFECTS:** (may take six weeks for drug to work): glaucoma, weight gain, sleep disturbances, fatigue, weakness, tremors, dry mouth, and constipation.
  - **Antimanic (Lithium)**
    - **SHORT-TERM EFFECTS:** difficulty staying on medication since euphoric feelings and sense of well-being experienced during mild manic attacks is missed, narrow range between the therapeutic and toxic levels (periodic blood tests are needed), nausea, lethargy, thirst, hand tremors, greatly increased urination, and possible weight gain.
    - **LONG-TERM EFFECTS:** drug excreted almost entirely by kidneys, any injury or weakness may allow the drug to accumulate to dangerous levels, avoid diuretics and low-sodium diets so as not to further deplete sodium level, carefully monitor drug level.

- **BARBITURATES– (Chloral, Hydrate, Doriden, Nembutal, Phenobarbital, Seconal)**
  - SHORT-TERM EFFECTS: relaxation, euphoria, decreased alertness, drowsiness, impaired coordination, slurred speech, stupor, hangover, and death.
  - LONG-TERM EFFECTS: excessive sleepiness, confusion, irritability, severe withdrawal, sickness, and death.
- **CAFFEINE– (Coffee, Cola, Tea, No-Doz)**
  - SHORT-TERM EFFECTS: increased alertness, restlessness, insomnia, upset stomach.
  - LONG-TERM EFFECTS: restlessness, irritability, insomnia, stomach disorders.
- **CANNABIS– (Hashish, Marijuana, THC)**
  - SHORT-TERM EFFECTS: relaxation, breakdown of inhibitions, alteration of perceptions, euphoria, increased appetite, increased heartbeat, dry mouth.
  - LONG-TERM EFFECTS: fatigue, loss of memory, school grades may decline, hormonal changes, psychosis.
- **COCAINE- (Coke, Crack)**
  - SHORT-TERM EFFECTS: feeling of self-confidence and power, intense exhilaration, extreme euphoria, increased blood pressure and heart rate, dilated pupils.
  - LONG-TERM EFFECTS: Paranoia, violence, feeling of things crawling under the skin (frequent abrasions and dig marks on skin from scratching coke bugs), runny or stuffy nose if snorted, headaches, chronic insomnia, irritability, depression, psychosis, death.
- **HALLUCINOGENS– (LSD, Mescaline, Scopolamine, PCP, STP, Psilocybin, DMT)**
  - SHORT-TERM EFFECTS: perceptual changes especially visual, increased energy, hallucinations, panic, anxiety, exhaustion, tremors, psychosis.
  - LONG-TERM EFFECTS: increased delusions and panic, psychosis.
- **INHALANTS– (Glue, Paint Thinner and Removers, Correction Fluid, Gas, Laughing Gas, Nitrous Oxide)**
  - SHORT-TERM EFFECTS: relaxation, hypersensitivity, possible violence, impaired judgment, reduced muscle reflex control, rapid heartbeat, impaired coordination, headache, nausea, visual disturbance, euphoria.
  - LONG-TERM EFFECTS: brain damage, lung and kidney damage, blood and bone marrow alteration, possible death.
- **NICOTINE– (Cigarettes, Cigars, Pipe Tobacco, Snuff, Chewing Tobacco, Nicotine Gum)**

- SHORT-TERM EFFECTS: relaxation, constriction of blood vessels, dry mouth and throat, adrenaline release, increase in pulse, heart and blood pressure.
- LONG-TERM EFFECTS: hypertension, nervousness, irritability, headaches, fatigue, insomnia, impaired breathing, heart and lung disease, cancer of the lungs, larynx, trachea, esophagus, throat, mouth, cheek, lips and nasal cavity, arteriosclerosis, and death.
- **OPIATES– (Opium, Codeine, Morphine, Heroin, Dilaudid, Percodan)**
  - SHORT-TERM EFFECTS: euphoria, prevention of withdrawal symptoms, pain relief, mental clouding, drowsiness, central respiratory depression which can cause death.
  - LONG-TERM EFFECTS: constipation, loss of appetite, toxic syndrome, lowered blood pressure.
  - See also Section G. Heroin and Opioid Addiction and Prevention in this Policy.
- **TRANQUILIZERS– (Librium, Miltown, Equinol, Thorazine, Valium)**
  - SHORT-TERM EFFECTS: relief of anxiety and tension, suppression of hallucinations and aggression, sleep, drowsiness, blurred vision, dizziness, slurred speech, allergic reactions, stupor.
  - LONG-TERM EFFECTS: blood-cell destruction, jaundice, coma, and death

### **Section 12.7: Heroin and Opioid Addiction and Prevention**

In accordance with Sections §11-1201 through §11-1204 of the Education Article of the Annotated Code of Maryland and in alignment with the University’s Substance Abuse and Drug-Free Workplace Policy, Notre Dame of Maryland University (“NDMU” or “the University”) has adopted a Heroin and Opioid Addiction and Prevention Policy. NDMU strives to provide a healthy, drug-free, and safe learning environment for students, faculty, and staff. The University recognizes the growing epidemic of heroin and opioid related abuse and deaths in Baltimore City, the State of Maryland, and nationwide. As well as the health and safety issues such an epidemic may pose for the University community, on and off campus.

Incoming full-time students in the Women’s College, College of Undergraduate Studies, and College of Graduate & Professional Studies (including the School of Pharmacy (“SOP”)) will be required to participate in a face-to-face (or online in some cases) heroin and opioid addiction and prevention awareness training. The trainings will be facilitated by certified faculty and students of NDMU’s SOP. NDMU will also provide part-time students with easily accessible online resources that will alert and educate them regarding heroin and opioid addiction and prevention.

In an effort to protect the health and safety of the campus community, NDMU will maintain an easily accessible supply of overdose-reversing medication to be used in the case of emergencies. Public Safety Officers and other designated personnel will be trained to: recognize the symptoms of opioid overdose; in the procedures for the

administration of overdose-reversing medication; and in the proper follow up emergency procedures related to opioid overdose.

The University will report to the Maryland Higher Education Commission, on or before October 1<sup>st</sup> of each year, regarding each incident at NDMU that required the use of an opioid overdose-reversing medication. The Chief of Staff will be responsible for submitting the report, in collaboration with the Substance Abuse Policy Review Committee.

This policy will be reviewed biennially by the Substance Abuse Policy Review Committee to determine its effectiveness and make changes if necessary.

### **Section 12.8: Policy Review**

This policy will be reviewed biannually by the Substance Abuse Policy Review Committee comprised of the Associate Vice President of Student Life (chair), Director of Public Safety, Director of Human Resources, Chief of Staff, or their designees, representatives of the Student Government Association, and members of the faculty, to determine its effectiveness, make changes if necessary and to ensure that sanctions are consistently enforced.

### **Section 12.9: Training Requirements**

The University is committed to providing prevention and awareness training to all students. Such trainings may include sexual misconduct, alcohol and drug abuse, heroin and opioid addiction, and other trainings as necessary or in compliance with federal, state, and local law. Failure to complete mandatory trainings may result in registration holds being placed on the student's account.

### **Section 13: University Liability**

- Notre Dame of Maryland University assumes no responsibility for the loss, destruction or theft of students' personal possessions at any time, including those times when students are attending or absent from the university. Students are encouraged to inventory their possessions periodically, engrave their names on all personal possessions, record the serial numbers, and keep them in a safe place. Students are discouraged from bringing valuables to campus. Students are encouraged to obtain personal property insurance for personal possessions. Please understand that the Notre Dame of Maryland University insurance program covers only university property and does not extend to the personal property of students.
- Students choosing to undertake recreational activities that are not specifically sponsored by the university while on campus – such as sledding, biking, and exercising – do so at their own risk.