

NOTRE DAME OF MARYLAND UNIVERSITY

STUDENT HANDBOOK

2015-2016

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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 women 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.

SCHOOL SISTERS OF NOTRE DAME MISSION STATEMENT

Notre Dame of Maryland University was founded and is sponsored by the congregation of the School Sisters of Notre Dame whose mission is the following:

We, the School Sisters of Notre Dame, are members of a Roman Catholic international community whose mission is to extend that unity for which Jesus Christ was sent. We express this mission through education, which enables persons to reach the fullness of their potential. Because we believe that the transformation of persons will transform the world, we commit ourselves to promoting human dignity, emphasizing the concerns for the economically poor, women, and youth.

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.

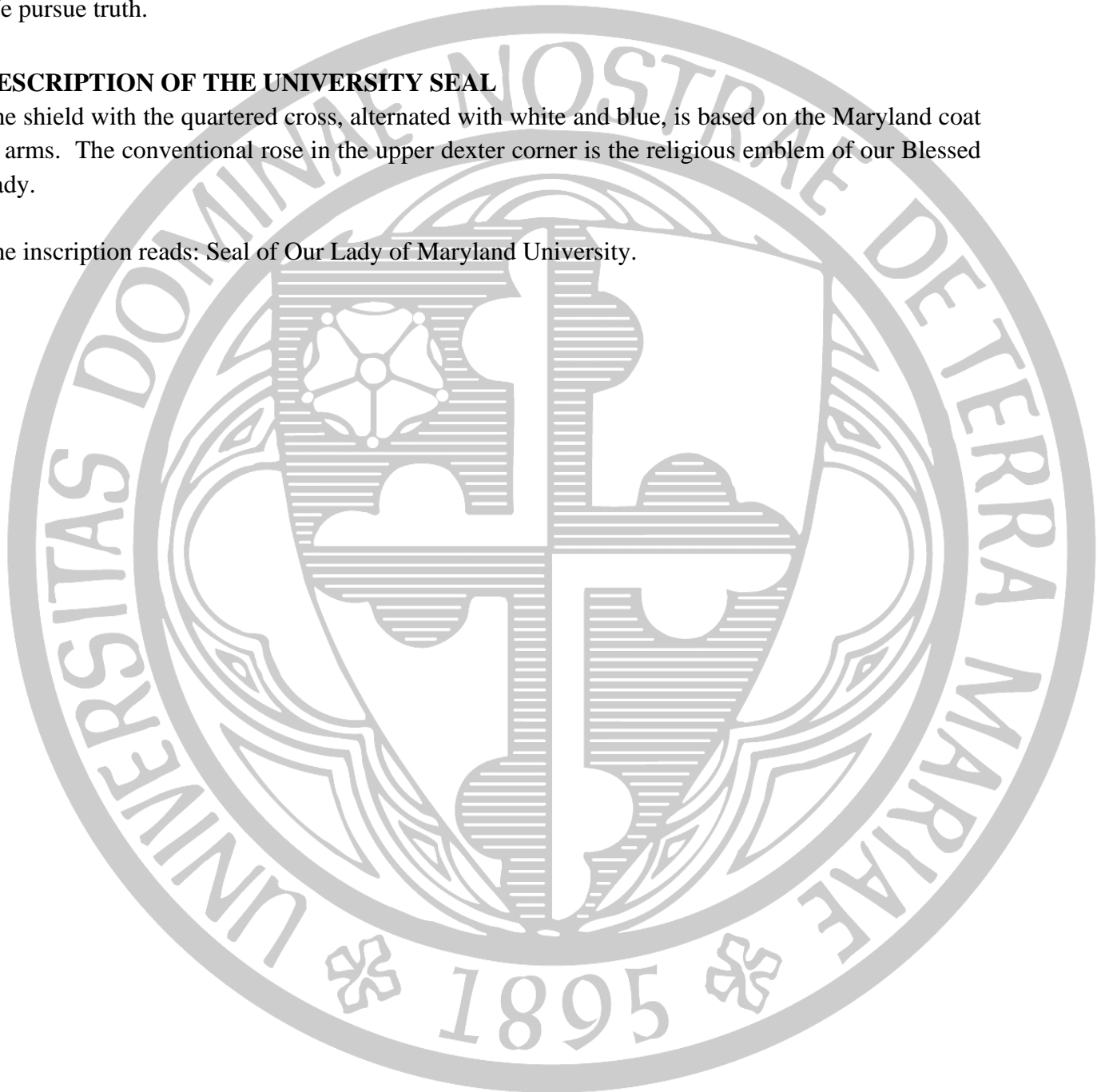
UNIVERSITY MOTTO

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 dexter corner is the religious emblem of our Blessed Lady.

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



Student Code of Conduct

COMMUNITY EXPECTATIONS AND STUDENT RESPONSIBILITY

All 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 (“University” or “NDMU”) 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 NDMU 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 and expectations as well as state and/or federal laws and regulations may result in student conduct action within the University under the authority of this Student Code of Conduct.

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 institution. 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 regulations. This *Code* seeks to preserve the individual rights of students while ensuring that the interests of the entire University community are also maintained.

APPLICABILITY

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

- Academic work or other University-related educational activities and experiences, such as class projects, field trips, study abroad, student teaching, 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 him- or herself; 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 take action 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

Ultimate authority for student discipline is vested in the Board of Trustees by the University Charter. Disciplinary authority may be delegated to University administrators, faculty members, student committees, and organizations, as set forth in the "Code of Student Conduct", and in other appropriate policies, rules, or regulations adopted by the Board. Students are asked to assume positions of responsibility in the University judicial system so that they may contribute their skills and insights to the resolution of disciplinary cases. As an ordinary matter, the President has delegated authority over student conduct to the Vice President for Student Life who may exercise it consistent with these procedures.

- A. The Vice President for Student Life 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.
 - a. The Vice President for Student Life may take an interim action to evict a student from University housing, restrict a student's access to and 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.
 - b. The interim action shall become effective immediately upon delivery of verbal and/or written notification to the student or his/her designee.
 - c. Interim suspension shall be considered an excused absence.
 - d. A hearing or conference will be granted as soon as possible.
- B. The Office of Student Rights and Responsibilities, with direction and guidance from its Director, 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.

- C. Student conduct action may be pursued for any violation of University policy, or district or federal law, on or off University premises by a student that affects the University's interests and/or is inconsistent with the University's expectations for students.
- D. 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.
- E. 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* for which they received the consent or encouragement of the organization or the organization's leaders/officers.

TERMINOLOGY

When used in this document:

- "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.
- "Institution" and "University" mean Notre Dame of Maryland University and all of its undergraduate, graduate, and professional schools, divisions, and programs.
- "Organization" means any number of persons who have complied with University requirements for registration with the Office of Student Leadership and Involvement as a student organization.
- "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.
- "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 institution; 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 is not 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; or (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.

THE HONOR CODE: STANDARDS OF CONDUCT

Academic Conduct Standards

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 her/his own. A student is prohibited from committing any of the following acts which constitute violation(s) of the Honor Code:

- A. **Cheating on tests, examinations, or other class or laboratory work.** This includes using a cellular telephone or other electronic devices, such as personal data assistants (PDAs), in testing locations, as well as engaging in conversation with any other students during the testing period; leaving an exam room while taking the exam without indicating on the examination paper the reason for and the length of the absence; and failing to hand your completed exam paper directly and only to the faculty member in charge of administering the exam.
- B. **Refusing a faculty member's request to sign a pledge on a test paper or assignment stating that "I hereby affirm that I have neither given nor received unauthorized help on this exam, paper or assignment."**
- C. **Plagiarism:** unacknowledged appropriation of another's work, thoughts or ideas, and the unacknowledged incorporation of that work in one's own written work. This includes submitting work that was created, researched or produced by someone else.
- D. **Falsification of Records or Data:** knowingly and improperly changing grades on transcripts, grade sheets, electronic data sheets, class reports, projects and other academically related work.
- E. **Unauthorized Reuse of Work:** turning in of substantially the same work to more than one class without consent of the instructor involved.
- F. **Misrepresentation in bibliography and footnotes.**
- G. **Dishonest use of computer facilities:** unauthorized or unacknowledged use of a computer file, program, account or login name or password.

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 may result in student conduct action under this Code. Commission of or attempts to commit these acts, condoning, supporting or

encouraging others in the commission of these acts, or failure to prevent one's guests from committing these acts may be treated as violations of this Code.

A. **Alcohol:** Possession, use, or distribution of alcohol, except where permitted by law and University policy. (See Substance Abuse Policy, University Policies, Section XVI).

- a. Possession of containers that previously contained alcoholic beverages by persons under 21 years of age.
- b. Possession of common source containers, whether full or empty, of alcohol such as kegs, beer balls, or boxed wine.
- c. Possession of alcoholic beverages by persons under 21 years of age.
- d. Consumption of alcoholic beverages, including:
 - i. Consumption of alcoholic beverages by persons under 21 years of age
 - ii. 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.
 - iii. Open containers of alcoholic beverages are prohibited outside of residential rooms regardless of age including balconies, lounges, parking lots, and hallways unless at a sponsored university event.
- e. Inebriation by any person, regardless of age.
 - i. Inebriation is defined as when an individual has consumed enough alcoholic beverages to observably affect their manner, disposition, speech, muscular movement, general appearance, or behavior.
- f. Sale, distribution or provision or attempts to sell, distribute or provide alcoholic beverages to and/or by anyone under 21 years of age.
- g. Transportation of alcohol by individuals 21 years of age or older must occur in its original, unopened container.
- h. Possession of devices that can be used for the rapid consumption of alcohol including beer funnels and shot glasses as well as the participation in drinking games.
 - i. Drinking games with water in the presence of alcohol is also prohibited.
- i. Reasonable Consumption Policy
 - i. If you are 21 years of age or older, you may only possess and store in your assigned living space no more than ONE of the following:
 1. Twelve (12) 12oz. beers
 2. 1500mL of wine
 3. 750mL of distilled alcohol
 - ii. Collections of containers that contain or previously contained alcohol beyond the quantified amount are not permitted.

- B. **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.
- C. **Dangerous Conduct:** Intentionally or carelessly engaging in conduct that threatens or endangers the health or safety or causes physical harm to any person, including the violator.
- a. Assault: Placing a person in fear of imminent physical danger or injury through the use of electronic, written, verbal, or physical means.
 - b. Physical Abuse: Committing physical abuse and/or battery of any person.
- D. **Discrimination:** (See Student Harassment and Discrimination Policy, ##). Unlawful discrimination of a non-sexual nature which includes verbal, physical, or graphic conduct that denigrates or shows hostility or aversion toward an individual or group on the basis of race, color, religion, ethnic or national origin, gender, age, disability, veteran's status, sexual orientation, or other status protected by applicable law and that:
- a. Has the purpose or effect of creating an intimidating, hostile, or offensive employment, educational, or living environment; or;
 - b. Has the purpose or effect of unreasonably interfering with an individual's work performance or a student's academic performance.
- E. **Disorderly Conduct:** Acting in a manner that annoys, disturbs, interferes with, obstructs or is offensive to another/others, shouting or making excessive noise 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; disrupting obstructing or interfering with the activities of others; or behaving in a lewd or indecent manner.
- F. **Dishonesty:** Non-academic dishonesty including but not limited to:
- a. Furnishing false information to the University or University personnel, including the University Police.
 - b. Furnishing false information at University disciplinary proceedings.
 - c. 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.
 - d. Fraud, through act or omission, committed against another member of the campus community or others.
 - e. Knowingly initiating or causing to be initiated any false report, warning, or threat.
- G. **Disruption of the Educational Process:**
- a. Disruption or obstruction of teaching, studying, research, administration, sponsored social programs, fire policy, emergency services, and other University activities.
 - b. Participation in campus demonstrations which disrupt the normal operations of the University and infringe on the rights of other members of the community.
 - c. Placing a person in fear of imminent physical danger or bodily harm.

- d. Causing bodily harm to a person, or engaging in aggressive physical contact that would likely have caused bodily harm despite the lack of any measurable harm.
- H. **Drugs:** Possession, use, and/or distribution of illegal drugs or controlled substances as defined by law, including those without a valid prescription
 - a. Possession of paraphernalia including any item typically used to inhale/ingest/mask drugs, regardless of whether the item has been used for illegal purposes
 - b. Possession of drugs for recreational or non-medicinal use
 - c. Use of drugs
 - d. Distribution (any form of exchange, gift, transfer, or sale) of drugs
- I. **Gambling:** Illegal gambling, defined as playing games of chance for money.
- J. **Harassment:** (See Student Harassment and Discrimination Policy, University Policies, Section XV). Any actions, threats, gestures, and/or words directed toward another person which have the purpose or which tend to incite a breach of the peace, create a hostile environment, or cause emotional distress to that person because of the humiliating, degrading, intimidating, insulting, coercive, ridiculing, and/or alarming nature of the conduct. It frequently, but not always, involves a pattern of conduct.
- K. **Hazing:** Any act of hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purposes of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization.
- L. **Interfering with Fire Safety:** Knowingly or negligently causing or attempting to cause a fire in a University building or University premises
 - a. Misusing, tampering or damaging fire safety equipment including, but not limited to, fire extinguishers, smoke alarms, sprinkler systems or exit signs.
 - b. Unauthorized burning of any material in any University building, on University property, on University premises, or on areas adjacent to University premises.
 - c. Disregarding a fire alarm signal or refusing to evacuate a building or a section of a building when a fire alarm is sounding.
 - d. Recklessly or intentionally activating an alarm when an emergency situation does not exist.
- M. **Misuse of University Identification:** The NDMU ID Card is the official identification card of the University, and it is required for access to certain campus buildings (such as residence halls, libraries, and other facilities) and to some University events. By accepting the NDMU ID card, an individual agrees to be bound by all of the requirements required of a holder of the card. Violations may result in confiscation of the card and disciplinary action.
- N. **Non-compliance:** 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.

- O. **Regulation Violation:** Any violation of other published University policies, rules or regulations, including, but not limited to: the Student Handbook, regulations governing student organizations, the Residence Life Handbook (whether the student lives in residence or not), the Student Sexual Misconduct Policy, the Undergraduate Catalog, Graduate Catalog, and other lease agreements with the University.
- P. **Sanction Violation:** Violating or failing to comply with the terms of any student conduct sanction imposed in accordance with Honor Board procedures, including the failure to complete sanctions by the stated deadline.
- Q. **Sexual Misconduct:** (See Sexual Misconduct Policy, University Policies, Section X). Sexual Misconduct is a broad term that includes Sexual Violence, Rape, Sexual Assault, Domestic Violence, Dating Violence, Bullying, Stalking, and Sexual Harassment. The Sexual Misconduct Policy prohibits acts of sexual misconduct, prohibits retaliation against anyone who files a complaint or participates in the investigation of a complaint, and prohibits bringing false allegations of sexual misconduct.
- R. **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.
- S. **Theft**
 - a. Attempted or actual theft of, damage to, and/or trespassing on University property, property of a member of the University community or other personal or public property
 - b. Unauthorized possession of University property or the property of others: and/or
 - c. Theft or other abuse of computer time, computer equipment or facilities, including illegal or unauthorized downloading of files.
- T. **Unauthorized Use of the University's Name:** Any unauthorized commercial use of the University's name, logo, or other representation.
- U. **Violation of Laws:** Violating local, state, and federal laws, regulations or ordinances.
- V. **Weapon Violation:** Use, possession, or storage of any firearms, ammunition, knives, 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.

STUDENT CONDUCT SYSTEM & PROCEDURES

Alleged Violations of Academic Standards

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:

- A. Consulting with the individual(s) thought to be involved and encouraging them to report it themselves and/or;
- B. Reporting it to the instructor involved, and/or
- C. Reporting it to Honor Board through the Academic Integrity Incident Referral Form

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

A faculty member who, based on his/her own 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:

- a. If, in the opinion of the faculty member, an infraction has occurred, the instructor may impose an appropriate sanction up to and including an “F” in the course as clearly stated in the course syllabus, and the instructor will give the student written notice of the basis for the finding and sanction imposed..
- b. If found in violation, the student will be held to the sanction imposed by the faculty member unless she/he files a timely appeal as described below under Appeal.
- c. If a student who is accused of academic dishonesty in a course, they may not withdraw from that course while the matter is being investigated. The option of withdrawing from the course with a “W” grade is open only to the student who has been found not in violation.
- d. If the faculty member determines that a violation has occurred, they will report the incident to the Director of Student Rights & Responsibility and Dean of the corresponding school in which the incident took place.
- e. If a violation is reported, the faculty member will file all supporting documentation in the Office of the Student Rights & Responsibilities. This record will be purged from the student’s confidential file seven years after the disposition of the case.

Appeal If the student wishes to appeal the finding of the faculty member, they will report the finding and provide accompanying documentation to the Director of Student Rights & Responsibility no more than seven calendar days after receiving notice of the finding and sanction imposed; within seven calendar days of a timely receipt of the documentation, the Director of Student Rights & Responsibility in conjunction with the Associate Vice President of Academic Affairs will refer the incident for an Honor Board Hearing for determination of the appeal.

The Honor Board Hearing for Academic Integrity cases will include either the chairperson, vice chairperson, or secretary of Honor Board, two faculty members, two student representatives, and an Honor Board advisor, and resolution of the issues shall be as follow:

- f. If the Honor Board panel affirms the finding of a violation of the Code, the sanction imposed by the faculty member will be upheld or additional educational sanctions may be added.
- g. If the Honor Board panel determines that a violation of the academic standards did not occur, then the student will be found not responsible and no sanctions will be upheld.
- h. If the student wish to appeal the findings of the Honor Board, which can only occur if they believe there was a procedural error or bias present, the final determination be made by the Dean of the school in which the incident took place or the Association Vice President for Academic Affairs.

Alleged Violation of Behavioral Conduct Standards

These provisions present an explanation of the procedures which will generally be followed when it is believed or suspected that there has been a behavioral violation of the Code of Conduct. The University's failure to comply with any specific provision of this Code does not create a claim against the University, nor does it automatically negate any finding made by the University hereunder.

This *Code* does not, nor is it intended to, afford the specificity or the due process rights of criminal or civil statutes or procedures. Individuals are encouraged to discuss the offending behavior with the student involved and ask her/him to stop and/or report the violation to University officials who should report it to the Director for Student Rights and Responsibilities. However, alleged offending behavior which possibly constitutes a violation of the University's Sexual Misconduct Policy should be referred to the Director for Student Rights and Responsibilities or to the University's Title IX Coordinator, and the alleged conduct will be investigated and processed under the Investigation and Resolution provisions of the Sexual Misconduct Policy (University Policies, Section X).

Likewise, alleged offending behavior which possibly constitutes a violation of the University's Discrimination and Non-Sexual Harassment Policy should be referred to the Vice-President for Student Life and the alleged conduct will be investigated and processed under the Discrimination and Non-Sexual Harassment Policy (University Policies Section XV).

- A. When a student's or student organization's suspected behavioral violation has been referred to the Director for Student Rights and Responsibilities, the referral will be

reviewed by the Director to determine if there are sufficient allegations and information to support a possible violation of the Code

- B. If there is sufficient information regarding a possible violation of behavioral standards, a letter is sent by the Director to the student informing her/him of the specific allegations. This letter also explains the conduct review process and procedures, appeal options, and possible sanctions and consequences; and it seeks information from the student regarding his/her availability so that a time, place and date can be established for an Honor Board Hearing.

UNIVERSITY HONOR BOARD PROCEEDINGS

The goal of the University's conduct review process is to ensure full, fair and timely response to alleged behavioral or academic standards violations. Where sufficient allegations and information have been presented to support a possible violation of behavioral standards, an Honor Board hearing will be convened by the Director for Student Rights and Responsibilities.

- A. The student is notified in writing of the specific alleged violation, and the time, place, and date of an Honor Board hearing, and the names of those individuals who will be serving on the Honor board panel.
- B. The time for the hearing shall be **no less than five nor more than fifteen** calendar days after the student has been notified. Maximum time limits for scheduling hearings may be extended by the Director for Student Rights and Responsibilities or her designee. Notice will most often take the form of a letter delivered to a student's University email account and/or residence.
- C. 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 behavioral or academic standards, and, if responsible, recommend a sanction(s).
- D. A student accused of violating the behavioral or academic standards may request that an Honor Board member not participate if she/he feels that the vote may be biased or prejudiced. Substantiation of the basis for the request may be required and final decision rests with the Director for Student Rights and Responsibilities and/or the Associate Vice President for Academic Affairs.
- E. The Honor Board consists of community members (appointed faculty, appointed staff and elected students) who hear cases of alleged violations. A panel of the Board necessary to conduct a behavioral standard hearing consists of three student members, one faculty member and one staff member. For academic standard violations, the Honor Board panel consists of two student representatives, two faculty representatives, and is presided over by a member of the elected Honor Board Leadership Team, the Chairperson, Vice Chairperson, or Honor Board Secretary. For behavioral standards violations, the Honor Board panel

consisted of two student representatives, one faculty representative, one staff representative, and is presided over by a member of the elected Honor Board Leadership Team. Neither the Director for Student Rights and Responsibilities nor the Vice President for Student Life will be a member of any Panel,

- a. The following procedural guidelines shall be applicable in all student conduct proceedings before the Honor Board. Formal rules of evidence shall not be applied, nor shall deviations from prescribed procedures necessarily invalidate a decision, unless significant prejudice to an accused student or the University results.
- b. Hearings will be conducted in private and are closed to the public, and the Presiding Officer for the hearings will be the Chairman or Vice-Chairman of the Honor Board.
- c. Admission to the hearing by any persons other than the complaining party, the accused party (“Respondent”), their advisors, witnesses and the Director for Student Rights and Responsibilities shall be at the discretion of the Director for Student Rights and Responsibilities and/or the Associate Vice President for Academic Affairs.
- d. If the alleged violation involves more than one student, the hearing of all students may be heard jointly. However, the Director for Student Rights and Responsibilities and/or Associate Vice President for Academic Affairs may permit individual hearings.
- e. The respondent may request an extension of time to prepare for the proceeding. Requests for an extension will not be granted for a period to exceed two business days except in unusual circumstances where the Respondent can demonstrate the necessity for a longer delay. All requests for extension of time should be made in writing at least 48 hours prior to the scheduled proceeding, except in cases of documented serious illness or emergency.
- f. The Respondent 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 Office of Student Rights and Responsibilities. “Case file” means the file containing those materials pursuant to the Family Educational Rights and Privacy Act (FERPA) of 1974. If additional information becomes available and is relevant, it will be made available to the Respondent prior 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.
- g. The Respondent, as well as the individual who has complained of the violation, may select and be assisted by an advisor, who may be a student, administrator, faculty or staff member from Notre Dame of Maryland University. The student and complaining individual must notify the Director for Student rights and

Responsibilities at least 48 hours prior to the hearing with the name of the advisor and if the advisor will be in attendance at the hearing. It is also the responsibility of these individuals to notify their advisor of the hearing's time and location.

- i. The advisor may not speak on behalf of a respondent at any time during the Honor Board hearing, nor shall the advisor question or address witnesses. Violation of this expectation will result in the advisor being removed from the hearing at the discretion of the Presiding Officer or the Director for Student Rights and Responsibilities. In consideration of the limited role of an advisor, and of the compelling interest of the University to expeditiously conclude the matter, a student conduct proceeding will not, as a general rule, be delayed if an advisor is unavailable. Legal representation by an attorney is not permitted in Honor Board hearings, although, the advisor may be an attorney
- h. At the hearing, the Respondent will have the opportunity to respond to the information relating to the alleged violation of the Code. The Respondent and the Director for Student Rights and Responsibilities will have the opportunity to present witnesses, and witnesses will be heard with no other witnesses present (other than the Respondent). All witnesses and the Respondent will be subject to questioning and/or cross examination by the Panel. The Respondent will notify the Director for Student Rights and Responsibilities at least 48 hours prior to the hearing with names of her/his witnesses, if any, that will be present at the hearing. Likewise, the Director for Student Rights and Responsibilities will notify the Respondent at least 48 hours prior to the hearing of the names of the witnesses that the Director will have present at the hearing. It is the responsibility of the Respondent to notify her/his witnesses of the hearing's time and location. Character witnesses will not be heard.
- i. Pertinent records, written statements, and any other evidence may be accepted for consideration by the Honor Board, and procedural questions are subject to the final decision of the Director for Student rights and Responsibilities and the Associate Vice President for Academic Affairs.
- j. Once all evidence and testimony has been presented, the Director for Student Rights and Responsibilities or the complaining student will make a closing statement, and the Respondent will make a closing statement, after which the Hearing will be adjourned.
- k. 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. The decision will be based on the more convincing evidence and its probable truth

or accuracy, not on the amount of evidence available. A written decision will be given to the accused student which states the findings made by the Panel and the sanction(s) to be imposed if it has been found that a violation has occurred.

- l. There will be a complete audio recording of the hearing, which is the property of the University. Deliberations will not be recorded.
- m. A Respondent who fails to appear at a scheduled hearing, upon proper notice of the hearing, may be adjudicated in absentia and forfeits all rights to an appeal unless it is for lack of proper notice, as required herein. A student(s) will not automatically be found to have violated the behavioral or academic standards because the student(s) did not attend the hearing. In such cases, decisions will be based solely on witness testimony and other written information presented during the proceeding.

SANCTIONS

The imposition of sanctions is based on the nature of the violation and the severity of any damage, injury, or harm resulting from it, present demeanor of the student or status of the student organization, and the past student conduct record of the student or student organization. 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, she/he 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. Additionally, the Honor Board may impose additional sanctions. More than one sanction may be imposed for a single violation.

Sanctions that may be imposed in accordance with this Student Code of Conduct include:

- A. **Censure:** An official written reprimand for violation of a specified standard.
- B. **Loss of Privileges:** Denial of specified privileges for a designated period of time.
- C. **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.
- D. **Fines:** Established and published fines may be imposed.
- E. **Restitution:** Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- F. **Discretionary Sanctions:** Other sanctions that bear a reasonable relation to the violation for which the student or student organization has been sanctioned may be imposed instead

of or in addition to those listed in this section. Discretionary sanctions include, but are not limited to: service hours, fines, educational reflection assignments, and participation in alcohol or drug awareness programs.

- G. **Revocation of Privileges:** Restrictions placed on activities and/or use of University services and facilities for a specified period of time.
- H. **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.
- I. **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.
- J. **Residence Hall Expulsion:** Permanent separation of the student from the residence halls.
- K. **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.
- L. **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.
- M. **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.

APPEALS

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

- A. A letter of appeal of a behavioral standards violation must be submitted by the Respondent student or student organization to the Director for Student Rights and Responsibilities, and a letter of appeal of an academic standards violation must be submitted by the Respondent student to the Vice President for Academic Affairs, 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.

- B. B. A Respondent student or student organization adjudicated in absentia forfeits all rights to an appeal process unless it is proven that it was for lack of proper notice, except in an extraordinary circumstance.
- C. C. The letter of appeal must specify grounds that would justify re-consideration. General dissatisfaction with the outcome and/or an appeal for mercy is not an appropriate basis for appeal. The written appeal must specifically address at least one of the following criteria:
 - a. There is a significant procedural error that changes the findings of fact rendered in the Honor Board proceeding.
 - b. New evidence that significantly alters the findings of fact, and that was previously unknown to the Respondent, has been discovered and is available during the appeal process.
- D. A timely appeal of a behavioral standards violation will be reviewed by the Vice President of Student Life or designee, and a timely appeal of an academic standards violation will be reviewed by the Vice President for Academic Affairs or designee, to determine the viability of the appeal based on the criteria listed above. Upon a determination of viability, the Vice President for Student Life (behavioral standards) or the Vice President for Academic Affairs (academic standards) will select an ad hoc appeals committee consisting of the selecting Vice President, two faculty members, and one student member of the Honor Board (none of whom participated in the original hearing) to hear the appeal.
 - a. The decision to grant or deny the appeal will be based on information supplied in the written appeal, the case file, and, when necessary, on the recording of the original proceedings.
- E. The decision on the appeal is final and conclusive and will be conveyed in writing to the Respondent student or student organization.
- F. F. The imposition of sanctions may be deferred while the appeal process is pending unless, in the discretion of the Director for Student Rights and Responsibilities, the continued presence of the student on the campus poses a serious threat to her/himself or to others, or to the stability and continuance of normal University functions.

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 Student Rights and Responsibilities, under the authority of the Vice President for Student Life. University officials may use the record as a reference; however, the record will be retained for no more than five (5) calendar years from the student's terminating date from the University.

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. 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 Vice President for Student Life upon written request by the student at the time of or after his/her graduation from the University. In deciding whether to grant the request, the Vice President 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 Student Leadership and Involvement. University officials may use the student organization's record as a historical reference. See the Privacy of Student Records Policy (University Policies, Section VII) for more information about student files.

University Policies

ACADEMIC AFFAIRS

Statement of Student Rights & Responsibilities

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general wellbeing of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the Notre Dame of Maryland University academic community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth.

The First Amendment guarantees freedom of speech, freedom of expression and the right to assemble peacefully. Notre Dame of Maryland University believes that the following procedures and assumptions are indispensable in safeguarding the freedom of faculty to teach, students to learn, and for all to search for truth.

Freedom of Expression

Student organizations and individual students shall be free to examine and to discuss all questions of interest to them and to express opinions publicly and privately. They shall be free to support causes by orderly means that do not disrupt the regular and essential operation of the institution. At

the same time, it shall be made clear to the academic and the larger community that in their public expressions or demonstrations the students or student organizations speak only for themselves. Provisions include:

- A. Persons exercising freedom of expression cannot interfere with the operation of the University or the rights of others, and such opportunities must be provided on an equal basis. Students need to respect the rights of fellow students and members of the academic community. The University will provide equal opportunity for all persons but will protect and preserve University property and provide a secure environment for individuals exercising freedom of expression. Certain areas on campus shall be designated for speeches and demonstrations. This applies to stands, tables or booths. Person-to-person non-commercial pamphlets, circulars, newspapers, magazines and other written materials may be distributed on campus.
- B. Discussion and expression of all views relevant to the subject matter are recognized as necessary to the educational process, but students have no right to restrict the freedom of professors to teach or of the right of others students to learn. If a student persists in disruptive behavior in class after the professor has explained the unacceptability of such conduct, the professor may dismiss the student from the class and may refer the matter to appropriate personnel for disciplinary proceedings.

Freedom from Discrimination

Notre Dame of Maryland University does not discriminate in its educational programs, activities or employment on the basis of race, color, national and ethnic origin, religion, sex, sexual orientation, disability or age. The following person has been designated to handle inquiries regarding the non-discrimination policy:

Vice President for Student Life
Notre Dame of Maryland University
4701 North Charles Street
Baltimore, Maryland 21210
410-532-5308

Student Rights in the Governing of the University

Students are invited to participate in membership on appropriate committees to participate in the formulation of policy. See the Student Organizations section of this Student Handbook for more detailed information.

Professional Rights of the Faculty

In order to safeguard the professional rights of the faculty, no provision for the rights of students can be considered valid if it suspends professional rights or in any measure invades them.

Academic Integrity

All students are expected to be knowledgeable of and comply with the Notre Dame of Maryland University Honor Code (See pages 2-3 of this Student Handbook).

A. **Protections:** Students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

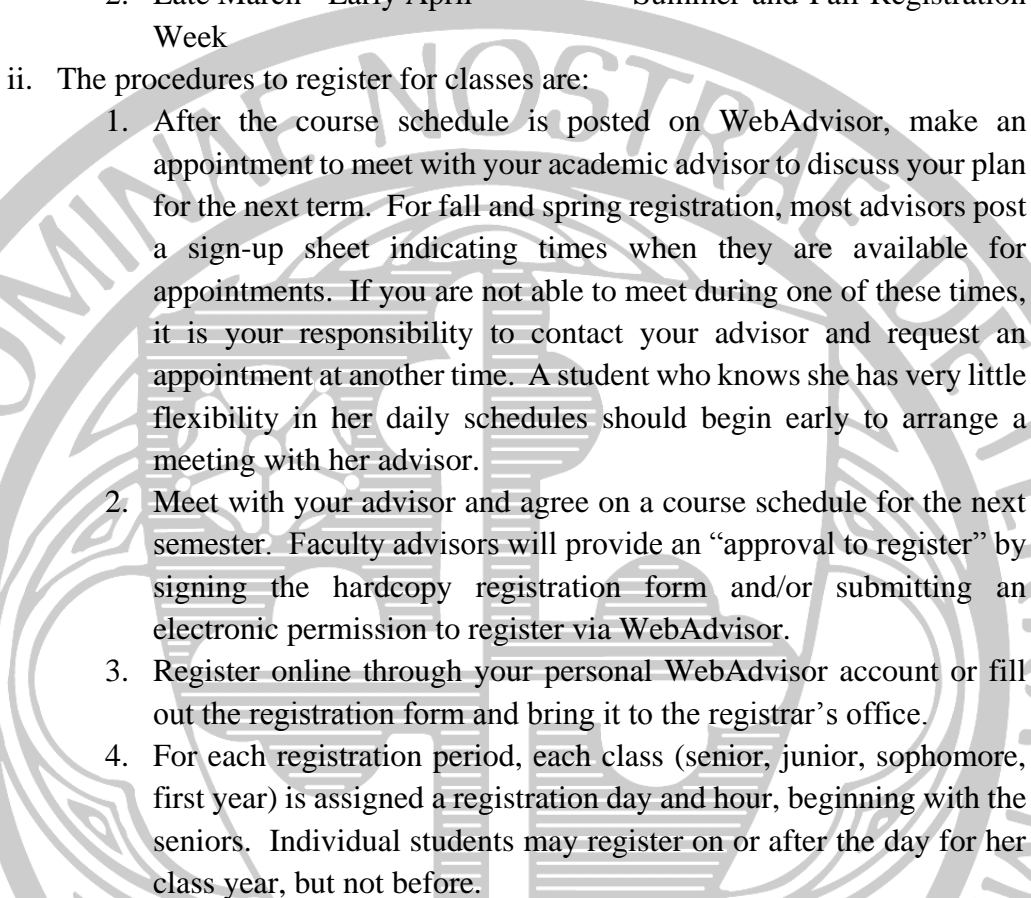
- a. The professor in the classroom and in conference should encourage free discussion, inquiry, and expression. If a student has an academic concern, they should express that concern to the faculty member. If the issue is not resolved, the student should share that concern with the department chair in an effort to reach a resolution. If the issue remains unresolved, the student should present her/his concern to the Vice President of Academic Affairs. If still unresolved, the student may take the concern to the University President.
- b. Students should have protection against prejudiced academic evaluation by faculty. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled.
- c. Information about student views, beliefs, and political associations which professors acquire in the course of their work as instructors advisers, and counselors, should be considered confidential.

B. Academic Policies (See The Catalog for Specific Information)

- a. **Absent Faculty:** Faculty notifies the office of the vice president for academic affairs when they need to be absent for class(es). The vice president for academic affairs will post a notice in the classroom. If such notice has not been posted and the teacher fails to come, the class notifies the vice president for academic affairs by calling x5319. Classes are always held unless officially canceled by the University.
- b. **Academic Grievance Procedure:** In the event of an academic grievance, the student with the grievance should first confer with the instructor. If not satisfied with the decision, the student may approach the department chair. The response of the chair may be appealed to the dean of the relevant school.
- c. **Academic Procedures:** Students should review the University Undergraduate Catalog and consult with the office of the academic advising counselor for a full understanding of the University's academic policies and procedures.
- d. **Advising:** Academic advising is an essential component of a student's experience. The quality of the advising she receives will depend on her willingness to engage in the process by meeting regularly with her advisor and being prepared for the meetings. The advising folder, maintained by the academic advisor, is one of the two major parts of the documentation used in advising. Keeping a personal academic file is the student's responsibility. Ultimately, it is the responsibility of the student to plan, register for and successfully complete the courses required in the decided major and any concentration and/or minor. Each student is expected to:
 - i. Collect all necessary documentation.
 - ii. Discuss her academic progress and academic program plan with her advisor.

- iii. Consult with her advisor prior to each registration period and obtain her advisor's consent for her course selections, either through online approval to register or through signature on the registration form.
- iv. Complete the student-initiated forms for declaring a major, minor or certificate and apply for graduation by the applicable deadline.
- v. Discuss her growth and development as reflected in her advising folder.
- vi. Follow up on suggestions, recommendations and advice provided by her advisor.
- vii. Maintain a copy of the degree requirement check-sheet.
- viii. Be aware of her graduation requirements and her progress toward their completion.
- ix. Advisors are expected to be available to students, to invite them to share their goals and plans and to help students reach these goals by making suggestions and observations
- e. **Course Withdrawal:** Students may withdraw from a course and receive a grade of "W" if they do so by the deadline published in the academic calendar and course schedule information, both of which are located online. Students who withdraw after the deadline and prior to the end of the semester will earn an "F" in the course. Tuition adjustments are applicable according to the schedule published in the online schedule information. The procedure is as follows:
 - i. Obtain and complete a course withdrawal form from the registrar's office.
 - ii. Meet with your financial aid advisor to discuss how withdrawing may affect your financial aid package.
 - iii. Discuss your intention with your advisor, obtain his or her signature on the withdrawal form, and submit the form to the registrar.
- f. **Drop/Add Courses:** Students may adjust their schedules (drop and/or add courses) at any time after they register but before the Drop/Add deadline each semester. The exact Drop/Add deadline is published in the academic calendar and course schedule information, which are available online. No Drop/Add are permitted after the deadline. The procedure is:
 - i. Obtain a drop/add form and meet with your academic advisor to discuss the changes you wish to make.
 - ii. Complete the form and obtain your advisor's signature.
 - iii. Meet with your financial aid advisor to discuss how the change in courses may affect your financial aid package.
 - iv. Take the form to the registrar's office. The student will be given a copy of the form, enabling the student to begin to attend the new class(es). Students can access their schedule via their WebAdvisor account.

g. **Registration**

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- i. Pre-registration for continuing students usually follows this schedule:
 1. Late October - Early November Winterim and Spring Registration
 2. Late March - Early April Summer and Fall Registration Week
 - ii. The procedures to register for classes are:
 1. After the course schedule is posted on WebAdvisor, make an appointment to meet with your academic advisor to discuss your plan for the next term. For fall and spring registration, most advisors post a sign-up sheet indicating times when they are available for appointments. If you are not able to meet during one of these times, it is your responsibility to contact your advisor and request an appointment at another time. A student who knows she has very little flexibility in her daily schedules should begin early to arrange a meeting with her advisor.
 2. Meet with your advisor and agree on a course schedule for the next semester. Faculty advisors will provide an “approval to register” by signing the hardcopy registration form and/or submitting an electronic permission to register via WebAdvisor.
 3. Register online through your personal WebAdvisor account or fill out the registration form and bring it to the registrar’s office.
 4. For each registration period, each class (senior, junior, sophomore, first year) is assigned a registration day and hour, beginning with the seniors. Individual students may register on or after the day for her class year, but not before.

Acceptable Use of Electronics and Communication Policy

- A. **E-mail and Campus Communication:** Notre Dame of Maryland University provides each student with an e-mail account for life. This is the result of a partnership that Notre Dame has with Microsoft Corporation. Each student’s NDMU ‘Gator Mail’ account is built on Microsoft’s new Office365 e-mail/collaboration ‘cloud’ technology. Students may elect either use the native Office 365 Live account or forward their e-mail to another e-mail account. Directions on how to do this are available at on the NDMU ‘virtual help desk’ at <http://portal.ndm.edu>.
- a. Important information is regularly sent to students via e-mail. It is the university’s **official method of communication** to students. All students are expected to become familiar with University policies, deadlines, and information posted in various publications, on our website and through routine messages sent to their live.ndm.edu account. Routine correspondence will be sent to each students e-mail account including information about upcoming events, schedule changes and student billing.

When electronic billing information is sent to students, on-line payments made be made by clicking on the enclosed button that connects students to our automated on-line payment system.

- b. Additionally, students may link to the university's on-line 'virtual help desk' at <http://portal.ndm.edu> to get information regarding lab hours of operation, instructions on purchasing software made available at dramatically reduced rates through the MEEC state software program, and technical information including how to connect to the NDMU wireless network, troubleshooting procedures, and much more.
- c. Students may also log into their personal WebAdvisor account where up-to-date billing information, grades, student schedules, course catalogs and much more additional information may be found. Simply link to www.ndm.edu for important information regarding registration, graduation application dates, policies/procedures, online payment options, extraordinary news and updates from the University community.

B. Internet Access: Students may gain access to the Internet and e-mail from the campus computer labs located in Rice Hall, Doyle and Meletia Lounges and Gator Alley, Internet-accessible classrooms, and the student residence hall rooms. Students may also gain access to the Internet via the University's wireless network available in every building on campus.

- a. Resident students who wish to gain access to the Internet and the University's local network may contact residence life for a "Get Connected" brochure. This brochure provides student-friendly instructions on how to connect a personal computer to the University's network. A student who requires additional assistance or technical support may contact one of the local vendors listed in the "Get Connected" brochure at the student's own expense. Students are responsible for contacting the vendor and obtaining their current rates before contracting for services. Contact residence life for more information.
- b. Unauthorized downloading or illegal distribution of copyrighted material of any kind is strictly against the NDMU Honor Code and federal law. Any breach of this policy is considered illegal, and any member of the NDMU community involved in such a violation will be subject to disciplinary action. NDMU uses network software to actively detect and shut down illegal music downloads and certain classes of peer-to-peer file-sharing activity; however, individuals are responsible for using network software within approved guidelines.
- c. Prohibited activities and use:
 - i. Except as outlined above, the display of any kind of sexually explicit image or document on any University system is a violation of the University's Sexual Harassment Policy. In addition, sexually explicit material may not be archived, stored, distributed, edited, or recorded using NDMU's network or computing resources.
 - ii. Use of NDMU's internet facilities and computing resources to knowingly violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, city, province, or other local

jurisdiction in any material way. Use of NDMU's resources for illegal activity.

- iii. Use of NDMU facilities to knowingly download or distribute pirated software or data. The NDMU Information Technology (IT) Department maintains an inventory of all campus-owned software.
- iv. Use of any NDMU facilities to deliberately propagate any virus, worm, Trojan horse, or trap-door program code.
- v. Use of any NDMU facilities to knowingly disable or overload any computer system or network, or to circumvent any system intended to protect the privacy or security of another user.
- vi. Subscribing another person to a bulletin board or discussion group.
- vii. Using or distributing unauthorized software.

C. **Campus Video Services:** The campus video network is comprised of two separate networks – an “outbound” network used for viewing by students, faculty, and staff, and a “return” network used for campus-produced video production and editing. The outbound network currently includes over 70 channels of the most popular instructional and entertainment stations like TNT, MTV, VH-1, E!, ESPN, C-SPAN, etc. There are also twelve channels used to support academic programs: three education channels and one satellite channel originating from the Loyola/Notre Dame Library, two channels that originate from the Communications Arts TV Studio (WCND Radio and the WCND campus TV Station), and six Notre Dame channels.

- a. Students may view the NDMU CATV network from any location on campus where a video port is present. Ports are located in all classrooms, most general use areas, residence hall rooms, designated lounges, and Gator Alley. The return video network is designed to give the University the ability to produce its own studio-quality video from locations around campus, including 14 technology-enhanced classrooms.

D. **Telephone Services:** Resident students are provided one campus-supplied telephones in each dorm room, and each student will be provided a personal phone mailbox. This allows each student to record her own personalized greeting and capture phone calls while away from the room. Calls can then be retrieved, saved, forwarded, and deleted from anywhere on or off campus. Students may build their own distribution lists and send broadcast messages to individuals or groups of students. For details regarding the use of the system, students should contact Information Technology's Help Desk at 410-532-5200.

E. **Wireless Routers:** The use of personal Wireless (Wi-Fi) Routers and printers in the residence halls are strictly prohibited. NDMU provides a university maintained wireless network that students can use along with Ethernet ports for every bed. Plugging in a personal router will disrupt the wireless service for other students and may result in a referral to Honor Board.

Campus Emergencies

A. **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. Notre Dame of Maryland University offers a state-of-the-art mass notification system. The system sends messages instantly and simultaneously to registered text-message-capable cell phones, PDAs, Blackberrys, pagers, smart or satellite phones, and e-mail addresses. **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/offices-and-services/public-safety/e2campus/>. **NOTE:** Registration is FREE. Standard text messaging fees apply to all messages sent to your cell phone. You may register two email addresses and two devices. Alerts from the campus will appear 'From: **NDMTxt**'. In the event of an emergency or other dangerous situation, the Director of Public Safety shall be responsible for issuing an emergency alert/notification. Such alerts may include, but are not limited to:

- a. A campus wide mass notification via the e2 Campus Alert System to alert students, faculty, and staff an the emergency situation. This is limited to those who have signed up for this free service. *This system sends text messages and e-mails to subscribers.
 - b. Patrol vehicles may be used to drive through the campus, sounding sirens, and making appropriate public address announcements. In some situations, this method may not be desirable.
 - c. The campus communications network may also be used to send out an e-mail and/or voicemail messages to the entire campus community.
 - d. For questions regarding the Campus Alert System, please contact Public Safety at 410-532-5324 or email Security@ndm.edu.
- B. **Emergencies:** In the event of a fire or other crisis, call the Communications Center at 6666 for assistance and Public Safety will call 911.
- C. **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.
- D. **Escorts:** During evening hours, students should call 410-532-5360 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.
- E. **Inclement Weather:** If classes are delayed or canceled due to inclement weather, announcements will be made on WMAR-TV (Channel 2), WBAL-TV (Channel 11), WJZ-TV (Channel 13), WBFF-TV (Channel 45), WJLA-TV (Channel 7), News Channel 8, WBAL-AM (1090), WERQ-FM (92.3), WWIN-FM (95.9 and 1400-AM), WLIF-FM

(101.9), WQSR-FM (102.7), WWMX-FM (106.5), WHFS-FM (105.7), WPOC-FM (93.1), WCBM-AM (680), ESPN-AM (1300), WVIE-AM (1370), WTOP-FM (103.5, 103.9, 107.7) and Heaven 600.

- F. Information is also available through the University's website at <http://www.ndm.edu>, e2Campus text message campus alert system (sign up at www.ndm.edu/offices-and-services/public-safety) and on the weather line at 410-532-5151.
- G. **Lost and Found:** Any article lost or found should be turned in to the public safety office. Pertinent information should be recorded in the public safety office, 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.
- H. **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.
- I. **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:
 - a. Do not keep large amounts of cash in your room or on your person.
 - b. Lock your room when leaving it unattended for any amount of time.
 - c. Report any suspicious behavior to a Resident Assistant or Public Safety
 - d. Don't flaunt valuable jewelry or expensive items.
 - e. Keep valuables locked in the trunk of your vehicle.
 - f. Use an anti-theft device on your vehicle.

Dining Services

- A. **Doyle Dining Hall:** Doyle Dining Hall offers all you care to eat dining and admission in the dining hall with the use of a residential student board plan (swipe at the door required) or payment using dining dollars, flex dollars, cash or credit card.
 - a. No a la carte items are available in Doyle Dining Hall
 - b. No dishes or glassware can be removed from Doyle Dining Hall
 - c. "To Go" meals are permitted only with the use of the approved take away container.
 - d. Student IDs are non-transferrable and cannot be traded or used by others. Your meal plan is for your exclusive use.
 - e. Violations of these policies are taken seriously and will result in disciplinary action.

Disability Support Services

A. Qualifying for Disability Support Services: Students with disabilities who request accommodations will need to register with Disability Support Services (DSS). It is the responsibility of the student to initiate the appointment. It is recommended to schedule with DSS several weeks before classes start. The student can request an appointment on the DSS webpage: <http://www.ndm.edu/offices-and-services/disability-support-services/request-an-appointment/>, by email lmathabel@ndm.edu or by phone at 410-532-5401.

- a. The student will be asked to bring the most current documentation of his/her disability to the meeting. Student's requesting accommodations must have a disability as defined by section 504 of the Rehabilitation Act and the Americans with Disability Act (ADA). If the student does not have sufficient documentation, the student may be requested to seek further evaluation/documentation from a certified professional.
- b. The student applying for DSS will be asked to fill out a Confidential Client Information Sheet and a Student Authorization Form. These forms will remain in the office of Disability Support Services. The documentation received from the student will be reviewed and DSS will work with the student to decide reasonable accommodations. If a student requires a reasonable accommodation for one or more of his/her classes a letter will be completed. A copy of the letter will remain with the DSS office and the other copy will go to the student to give to his/her professor. The student will need to return to DSS prior to the beginning of each semester to get an updated letter to provide to his/her professor. Reasonable accommodations will not be provided without an updated letter each semester and reasonable accommodations are never retroactive.

B. Documentation Guidelines

- a. According to the Americans With Disabilities Act of 1990 (ADA), the term "disability" means, with respect to an individual,
 - i. having a physical or mental impairment that substantially limits one or more of the major life activities of such individual;
 - ii. having a record of such an impairment; or
 - iii. being regarded as having such an impairment.
 1. Examples of major life activities include walking, sitting, standing, seeing, hearing, speaking, breathing, learning, working, caring for oneself, and performing manual tasks.
- b. Eligibility and reasonable accommodations can be accessed when a student provides DSS with documentation from a certified professional (e.g. director of special education, audiologist, psychologist, licensed counselor and physician) that describes the specific disability and the accommodations needed. This information should preferably not be more than three years old and must be sent directly to the Director of Disability Support Services. This documentation is needed to

determine eligibility and to develop a reasonable accommodation plan for the student to share with his/her professor(s).

- c. If a student does not have sufficient documentation at the time of DSS appointment a temporary accommodation can be made on the discretion of DSS. An exception may be granted if the student can provide documentation stating that an appointment was made for psycho-educational testing. Furthermore, the student must attend the appointment for psycho-educational testing at the scheduled time. DSS is able to provide a referral list for testing.
- d. For specifics and further details on documentation guidelines please visit the DSS webpage: <http://www.ndm.edu/offices-and-services/disability-support-services/documentation-guidelines/>

C. **Confidentiality:** Disability-related information provided to the DSS office is considered an educational record and falls under the protection of the Family Educational Rights and Privacy Act (FERPA). Under this federal act, prior written consent by the student is required before DSS may release disability documentation or records. FERPA does permit the DSS office to share information about the impact of a disability and accommodation eligibility with other NDMU school officials who have a legitimate educational interest. Please understand that NDMU takes confidentiality very seriously and will not share any information unless there is a legitimate educational interest.

D. **Accommodations:** A student will not receive accommodations without applying to DSS and supplying his/her professor with letter including accommodations. They will never be backdated. Accommodations are discussed with the student and based off the documentation the student has provided. Since reasonable accommodations are individualized there is not a set list.

- a. If a student's reasonable accommodation is for a Notetaker, it is recommended the student lets DSS and the professor know as early as possible. DSS will provide a letter to the student which will need to be presented to the professor. The professor will make an anonymous announcement regarding the need for the Notetaker and offer a financial stipend. It is up to the student as to whether they would like to remain anonymous or identify who they are to the Notetaker.
- b. If a student receives alternative test taking procedures the student should remind the professor 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 professor in advance if there is a conflict with the time of your scheduled exam.
- c. If a student uses a laptop, software programs, or any other assistive technology to take his/her exam, notify the professor a week in advance so that arrangements can be made.
- d. In order to receive alternative textbooks in a timely manner it will be necessary to let DSS know several weeks in advance so we can contact the publisher. Contact

DSS for instructions on how to proceed with obtaining text books in alternate format.

- e. In accordance with the Americans with Disabilities Act, service animals are permitted in University facilities for persons with documented disabilities. A service animal is any guide dog, signal dog or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including but not limited to guiding individuals with impaired vision, alerting individuals with impaired hearing, providing minimal rescue or protection work, pulling a wheelchair or fetching dropped items.
- f. It is the student's responsibility to notify DSS of student's schedule when requesting interpreting services. Provide schedule immediately after registration. Upon request, DSS will provide interpreting services at functions sponsored by the University.
- g. Reasonable housing accommodations will be considered for students with disabilities. A student must be registered with DSS in order to request a housing accommodation.
- h. An accommodation must be considered reasonable. An accommodation is not considered reasonable if:
 - i. It is a direct threat to the health or safety of others
 - ii. It is a substantial change in an essential element of curriculum or
 - iii. There is a substantial alteration in the manner in which services are provided.

E. Non-discrimination Policy

- a. It is the student's responsibility to notify the University of specific disability needs as quickly and completely as possible. The University is required to provide reasonable modifications or accommodations that may be necessary for a disabled student to have equal access to education and educational services.
- b. Notre Dame of Maryland University does not discriminate in its educational programs, activities or employment on the basis of race, color, national and ethnic origin, religion, sex, sexual orientation, disability or age. The following person has been designated to handle inquiries regarding the non-discrimination policy:
 - i. Vice President for Student Life,
Dr. Rebecca A. Sawyer
Notre Dame of Maryland University
4701 North Charles Street
Baltimore, Maryland 21210
410-532-5308

F. Filing a Grievance

- a. A Student's complaint should first be addressed informally to the person providing the service or the professor of the class. If an attempt to resolve the issue is not successful, the student may make a written/formal complaint to the

individual's supervisor or the Director of Disability Support Services. This must be done within five working days of the original decision from the Service Provider or Professor.

- i. Director of Disability Support
Laura Mathabel
Theresa Hall, Room 009
Phone: 410-532-5401
Email: lmathabel@ndm.edu
- b. If the matter is not resolved with the Supervisor or Director of Disability Support Services, a written appeal should be sent within five working days to the Vice President for Student Life.
 - i. Vice President for Student Life
Rebecca Sawyer
Notre Dame of Maryland University
4701 North Charles Street
Baltimore, Maryland 21210
410-532-5308
- c. If a complaint, whether informal or formal, is directed against Disability Support Services, the functions assigned to DSS will transfer to the Office of the Vice President of Student Life.
- d. The Office for Civil Rights serves student populations, promotes equal educational opportunities, and resolves complaints of discrimination under federal civil rights laws. <http://www.hhs.gov/ocr/office/index.html>.

Parking and Driving Regulations

- A. 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/.
- B. 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 . Students are responsible for knowing and upholding parking regulations.
 - a. **PARKING AT NOTRE DAME OF MARYLAND UNIVERSITY IS BY PERMIT ONLY**

- b. **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.**
- c. Vehicles which are not properly registered and displaying a valid permit may be 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.
- d. Repeat offenders who receive four (4) traffic violations within the academic year (June 1 through May 31) will be subject to an Honor Board hearing and sanctions which could include towing and loss of future parking privileges.
- e. Vehicle owners will be responsible to pay all towing and storage fees.
- f. 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.

C. Parking Citations Appeals Procedure

- a. 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.
- b. The membership and composition of the Board is: director of public safety chair, faculty representative, staff representative, human resources representative, and Student Senate representative. The Board will vote to determine final disposition of the citation appealed. **This is the final appeal.**
- c. The 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 pays 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.

D. University Vehicle Use

- a. Notre Dame of Maryland University has adopted policy 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. The Athletic Department is given priority for scheduling vehicles before the start of the academic year.

- b. To become an authorized driver of a University vehicle, an individual must be a faculty member, staff, or currently a 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.
- c. The National Safety Transportation Board and the University's insurance carrier recommend for safety reasons that 15-passenger vans not be filled to capacity. Federal Regulations by the NHTSA, recommend not transporting high school age and younger students for school related functions in 15-passenger vans. As a result, **University vans must not contain more than 10-passengers; this includes the driver. This also includes our 12 passenger van.** Seat belts must be worn at all times by everyone in the vehicle. It is the driver's responsibility to be sure everyone uses the seatbelts properly.
- d. A handicap accessible bus is available for up to two wheelchair passengers. Anyone wishing to transport a handicap person in this bus must be bus certified and also certified in the use of the handicap accessories. Please contact the Director of Public Safety for more information.
- e. Authorized drivers must reserve vehicles through the Communication Center, located at the switchboard in Gibbons Hall, Monday through Friday, 8:00 a.m. to 4:00 p.m. Students wishing to reserve a vehicle must present a vehicle registration form signed by the appropriate department head. Every time a vehicle is used, the usage must be recorded in the reservation book.
- f. Fueling of vehicles is the responsibility of each driver. Vehicles must be returned with a full tank of gas. To fill the tank, the Exxon gas card should be used. The receipt should be placed in the green vinyl vehicle envelope for processing by the business office. Vehicles must be returned to the front of Gibbons Hall and inspected by someone from campus security before leaving the vehicle.
- g. The maintenance staff is responsible for regular and preventive maintenance. Report any malfunctions immediately to the communication center.
- h. If a breakdown occurs, an attempt should be made to contact the director of campus security via the communications center for assistance. Drivers are authorized to use the Exxon card to pay for repairs. If an Exxon station is not

available, a driver may use a University or personal credit card. The driver will be reimbursed. If no personal credit card is available, the University communications center will contact the director of campus security to authorize use of a University credit card.

- i. It is a driver's responsibility to report any traffic citation received and **ALL** accidents to the Director of Public Safety, through the communications center, regardless of fault or severity of damage. Drivers must get the license number and insurance company information of all drivers involved in an accident.
- j. The following additional safety restrictions apply to the operation of all University vehicles unless otherwise noted:
 - i. University vehicles will not be used to transport hazardous materials.
 1. Exception: small quantities (5 gallons or less) of gasoline in an approved container as necessary.
 - ii. Smoking is not permitted in any University vehicle.
 - iii. The use of cell phones and other portable hand held communication devices are prohibited while driving a University vehicle except as provided by law.

Posting and Distribution

The following policy has been designed to allow the proper posting of flyers on Notre Dame of Maryland University property in a consistent manner:

- A. All flyers must be approved and stamped at the Doyle Hall Student Life Desk prior to posting.
- B. A Desk Assistant will place a "Please Remove By" date stamp on the flyer.
- C. "Event Flyers" MUST have a title, date, time, location, sponsor, and contact information to be approved. With this information, "event flyers" will NOT be approved for posting.
- D. Sponsoring clubs/organizations, departments, offices, and individuals, must remove publicity within 48 hours after the event. All Notre Dame of Maryland University community members has the right to remove flyers on/after the "Please Remove By" date.
- E. Only blue painter's tape is allowed and MUST be placed neatly on the BACK of flyers. Blue painter's tape is provided to students at no cost due to the student activity fee. All other community members are required to provide blue painter's tape at their own cost.
- F. If you are interested in posting in the residential communities, flyers must first be approved and stamped at the Doyle Hall Student Life Desk. Once approved and stamped, flyers will need to be dropped off to Sarah Williamson, Director of Residence & Commuter Life, in MBK 215 for distribution to residential community members.
- G. Do not post over existing flyers.
- H. Flyers must not be obscene or defamatory and must not violate University policy or federal, state, or local laws.
- I. Flyers that violate this posting policy will be removed and discarded.

If you are interested in reserving either of the Doyle windows for painting, please do so at the Doyle Hall Student Life Desk.

Privacy of Student Records Policy

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

- A. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. The student should submit to the registrar, dean, head of the academic department or other appropriate official written requests that identify the record(s) she/he wishes to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
- B. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. A student who wishes to amend such a record should write the University official responsible for the record, clearly identify the part of the record they want changed and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of her or his right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
- C. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a conduct review committee, or assisting another school official in performing her or his tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill her or his professional responsibility. Upon request, the University discloses education records without consent to officials of another school in which a student seeks or intends to enroll. An educational agency or institution may disclose personally identifiable information from an education record to appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals NOTE: FERPA requires an institution to make a reasonable attempt to notify the student of the records request unless the institution states in its annual notification that it intends to forward records on request.

D. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

a. Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202-5920

E. The following is considered to be directory information, and may be made public without prior written consent of the student: Name, date and place of birth, local/permanent address and phone number, classification, degrees and awards received, major/concentration, participation in official activities/sports and dates of attendance.

F. To restrict the release of this information, a student must file a written request with the Registrar each semester.

Types, Locations and Custodians of Educational Records:

| <i>Types</i> | <i>Location</i> | <i>Custodian</i> |
|--|--|--|
| Academic | | |
| Academic Folder (including admissions application) | Registrar's Office | Registrar |
| Permanent Record | Registrar's Office | Registrar |
| Advising | Academic Departments | Faculty Advisor |
| Career Placement | Career and Student Success Center | Director of the Career and Student Success Center |
| Financial | Business Office and/or Financial Aid Office | Director of Financial Services and/or Director of Financial Aid |
| Health | Patient First-Greenspring Station | Vice President for Student Life |
| Student Conduct | Student Life | Director of Residence & Commuter Life; Student Rights and Responsibilities |
| Residence & Commuter Life | Student Life | Director of Residence & Commuter Life; Student Rights and Responsibilities and/or Residence Hall Area Coordinator |
| Other | Vice President for Student Life | Vice President for Student Life |
| Students with Disabilities | Disability Support Services | Director of Disability Support Services |

| | | |
|-----------------------------------|------------------------------------|------------------|
| (including Learning Disabilities) | | |
| Testing and Academic Assessments | | |
| Mathematics | Mathematics Department Office | Department Chair |
| Foreign Language | Foreign Language Department Office | Department Chair |
| Teaching Certification | Education Department Office | Department Chair |

Sexual Misconduct Policy

A. Policy Statement:

- a. Notre Dame of Maryland University (the “University”) seeks to foster and maintain a community of mutual respect and concern for all of its members. The University is committed to providing an academic environment free of discrimination of any kind and prohibits discrimination, sexual misconduct, sexual violence, and sexual harassment. In keeping with this commitment, the University maintains a strict policy prohibiting all forms of sexual 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 standards of conduct.
- b. This policy applies to all students, employees, and third party vendors of the University and prohibits unlawful sexual misconduct and/or harassment in any form. It also prohibits retaliation of any kind against individuals who file complaints or who assist in a University investigation.
- c. This policy applies to behavior on campus, off campus at university-sponsored events and activities (including academic, educational, extracurricular, athletic or other programs), and may apply to behavior that takes place fully off campus at other events and activities. Under federal law, campus officials who receive a report of misconduct, regardless of the source of the information, must share that information with the appropriate University authorities for investigation and follow-up. The University is obligated under the law to investigate the complaint, 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.
- d. The University also recognizes the centrality of its academic mission. In the event that instructional materials for scholarly purposes are involved in a Sexual Misconduct complaint, the University will review the materials recognizing the importance of academic freedom and balancing the need to keep the University environment free of Sexual Misconduct.

B. Prohibited Conduct and Definitions

- a. **Prohibited Conduct:** Sexual Misconduct, as defined below in this policy, is prohibited. Sexual Misconduct is a broad term that includes Sexual Violence, Rape, Sexual Assault, Domestic Violence, Dating Violence, Bullying, Stalking, and Sexual Harassment. This policy applies to instances where the accused party (the “Respondent”) is a current or past student, an employee, and/or a third-party vendor of the University. This policy also prohibits acts of Sexual Misconduct and Retaliation (see definition below) against anyone who files a complaint under this policy or participates in the investigation of a complaint. Further, this policy prohibits bringing False Allegations of Sexual Misconduct.

- i. **Sexual Misconduct**

1. Sexual Misconduct can occur between strangers or acquaintances, including people involved in intimate or sexual relationships. Sexual misconduct can be committed by men or women and can occur between people of the same or different sex.
 2. Sexual Misconduct may be a form of sex discrimination prohibited by federal and state discrimination laws, including Title IX of the Education Amendments of 1972. In addition, some forms of sexual misconduct violate the criminal laws of the State of Maryland.
 3. Sexual misconduct may include the following:

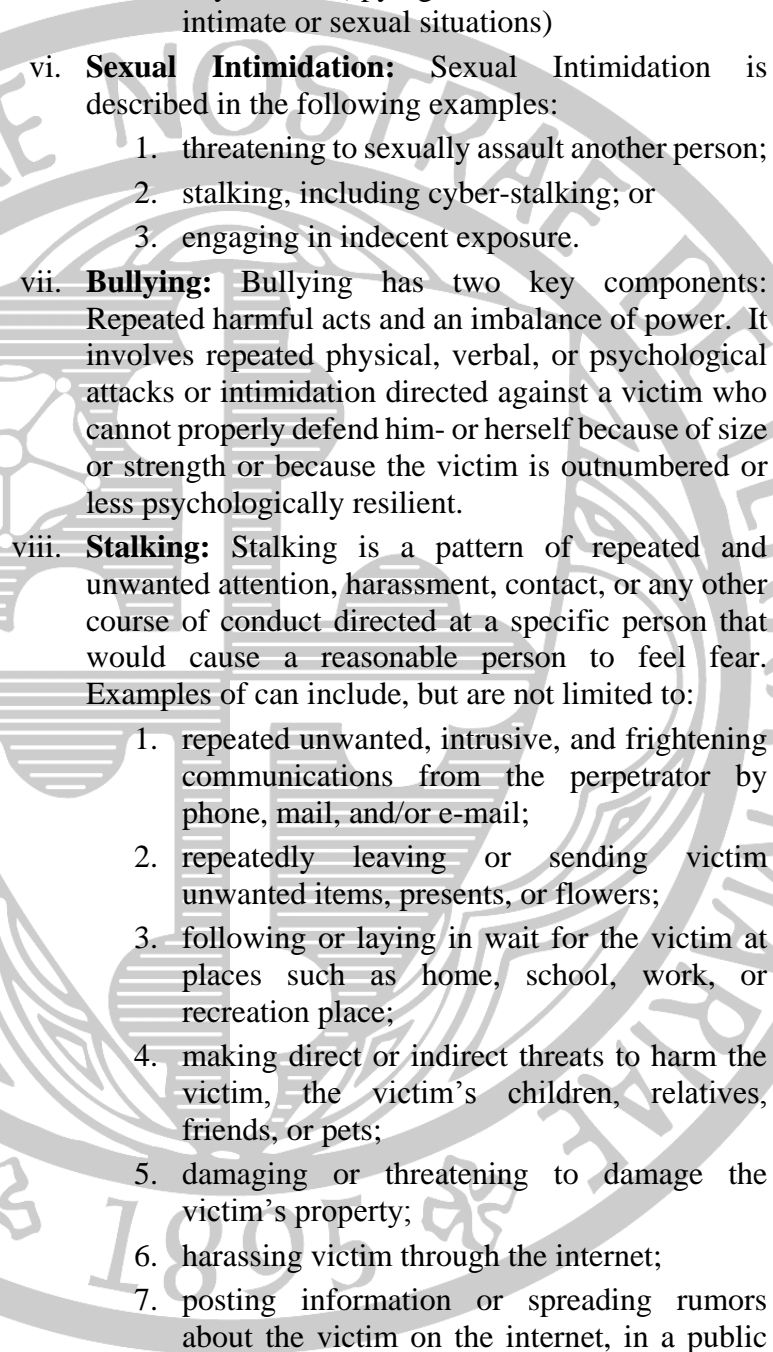
- a. **Sexual Violence:** Sexual Violence includes physical sexual acts that are performed against a person’s will or in instances when a person cannot give consent. A person may be unable to give consent to a sexual act for a number of reasons, including, but not limited to: if she/he is physically or psychologically pressured, forced, threatened, intimidated, unconscious, drunk, or drugged; due to an intellectual or other disability or health condition; or by operation of laws governing the age of consent. Physical resistance need not occur to fulfill the definition of sexual violence. Sexual violence may include the following:

- i. **Rape:** Rape is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

- ii. **Sexual Assault:** Sexual Assault is any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Falling under the definition of sexual assault are:

1. attempted rape;
 2. rape, forcible sodomy, or forcible sexual penetration, however slight, of another person’s anal or genital opening;

3. touching of an unwilling person's intimate parts (defined as genitalia, groin, breast, or buttocks, or clothing covering them); or,
 4. forcing an unwilling person to touch another's intimate parts.
- iii. **Domestic Violence:** Domestic Violence includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound.
- iv. **Dating/Relationship Violence:** Dating/Relationship Violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship; the type of relationship; the frequency of interaction between the persons involved in the relationship.
- v. **Sexual Exploitation:** Sexual Exploitation is taking sexual advantage of another person without consent for one's own advantage or benefit or for the advantage or benefit of anyone other than the person being exploited. Examples of Sexual Exploitation may include the following:
1. causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such other person;
 2. causing the prostitution of another person;
 3. electronically recording, photographing or transmitting identifiable utterances, sounds or images of private sexual activity and/or the intimate body parts (including genitalia, groin, breasts or buttocks) without the knowledge and consent of all parties involved;

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4. allowing third parties to observe private sexual acts of a participant without the participant's consent; and/or
 5. voyeurism (spying on others who are in intimate or sexual situations)
 - vi. **Sexual Intimidation:** Sexual Intimidation is described in the following examples:
 1. threatening to sexually assault another person;
 2. stalking, including cyber-stalking; or
 3. engaging in indecent exposure.
 - vii. **Bullying:** Bullying has two key components: Repeated harmful acts and an imbalance of power. It involves repeated physical, verbal, or psychological attacks or intimidation directed against a victim who cannot properly defend him- or herself because of size or strength or because the victim is outnumbered or less psychologically resilient.
 - viii. **Stalking:** Stalking is a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear. Examples of can include, but are not limited to:
 1. repeated unwanted, intrusive, and frightening communications from the perpetrator by phone, mail, and/or e-mail;
 2. repeatedly leaving or sending victim unwanted items, presents, or flowers;
 3. following or laying in wait for the victim at places such as home, school, work, or recreation place;
 4. making direct or indirect threats to harm the victim, the victim's children, relatives, friends, or pets;
 5. damaging or threatening to damage the victim's property;
 6. harassing victim through the internet;
 7. posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth;
 8. obtaining personal information about the victim by accessing public records, using

internet search services, hiring private investigators, going through the victim's garbage, following the victim, contacting victim's friends, family, work, or neighbors, etc.

ix. Sexual Harassment

1. unwelcome sexual advances;
2. unwelcome requests for sexual favors; or
3. other behavior of a sexual or gender-based nature where:
 - a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or participation in a university-sponsored educational program or activity;
 - b. submission to or rejection of such conduct by an individual is used as the basis for an academic or employment decision affecting that individual; or
 - c. such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance, or of creating an intimidating, hostile, or offensive educational or working environment.
 - d. Sexual harassment may include any or all of the following behavior, if pervasive and continuous:
 - i. Offensive conversation, remarks, slurs, commentaries or epithets of a sexual nature; sexual jokes; sexual comments about appearance, clothing, body; comments concerning sexual relations; sexual flirtations; propositions; vulgar talk
 - ii. Leering, making sexual gestures
 - iii. Displaying offensive sexually oriented objects, pictures,

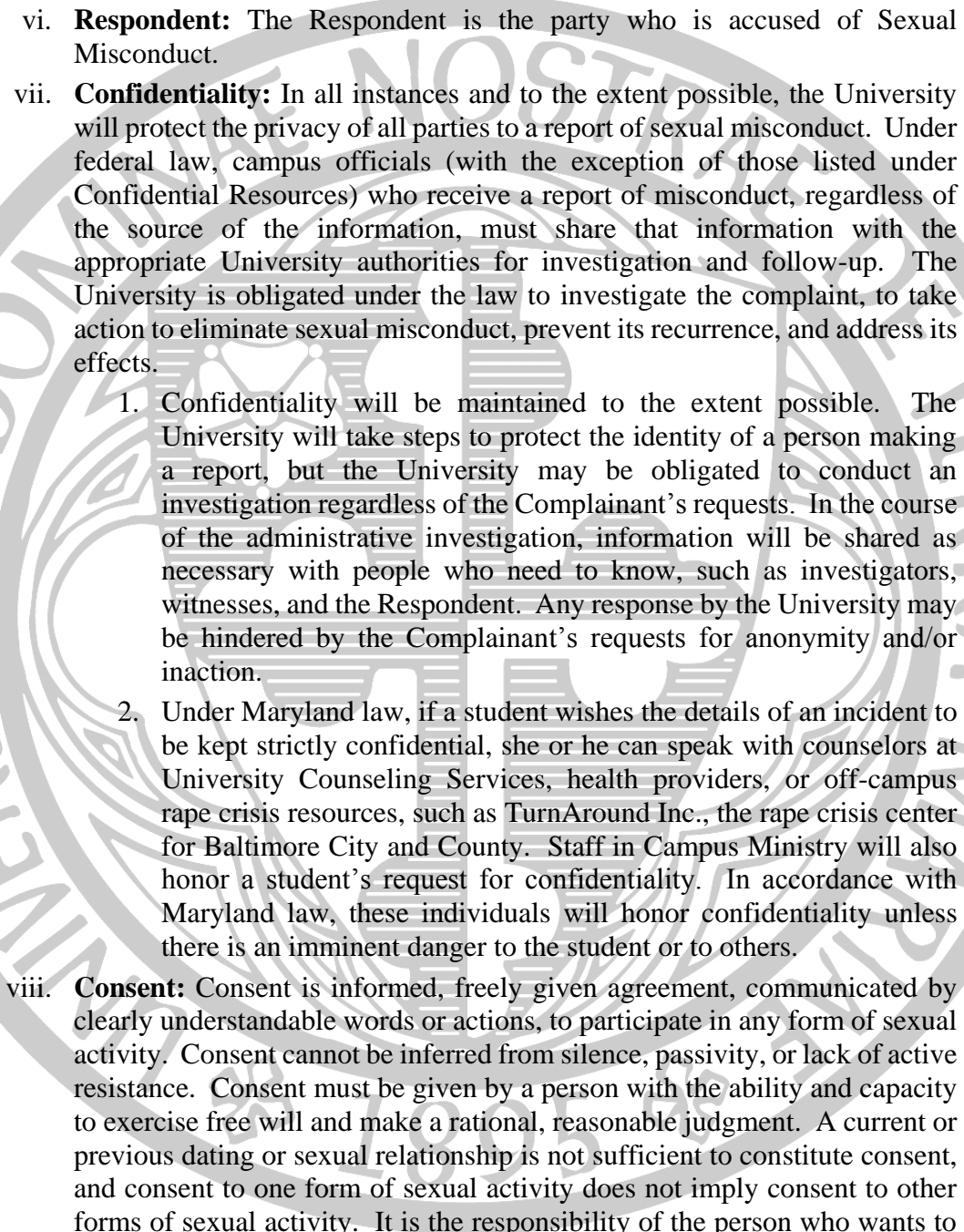
cartoons, posters or electronic programs or email outside a scholarly context and purpose

- iv. **Offensive conversation,** remarks, slurs, commentaries based on a person exhibiting what is perceived as a stereotypical characteristic for their sex, or for failing to conform to stereotypical notions of masculinity or femininity

- b. **Retaliation:** Retaliation against anyone who files a complaint, serves as a witness, or otherwise participates in the enforcement of this policy is strictly prohibited. Any actual or threatened retaliation against anyone who files a report, serves as a witness, or otherwise participates in the enforcement of this policy is strictly prohibited. Initiating a complaint of Sexual Misconduct will not negatively affect a Student or Employee's status. A Complainant, Respondent, or witness who is threatened in any way should immediately report these concerns to the Title IX Coordinator, Deputy Title IX Coordinator for Human Resources, and/or Deputy Title IX Coordinator for Student Life.
- c. **False Allegations:** False accusations of sexual misconduct can seriously injure innocent people. It is a violation of this policy, therefore, for anyone knowingly to make false accusations of harassment or discrimination. A determination that a complaint is not meritorious however is not necessarily equivalent to a false allegation. A finding for the Respondent does not constitute a finding that the complaint was in bad faith

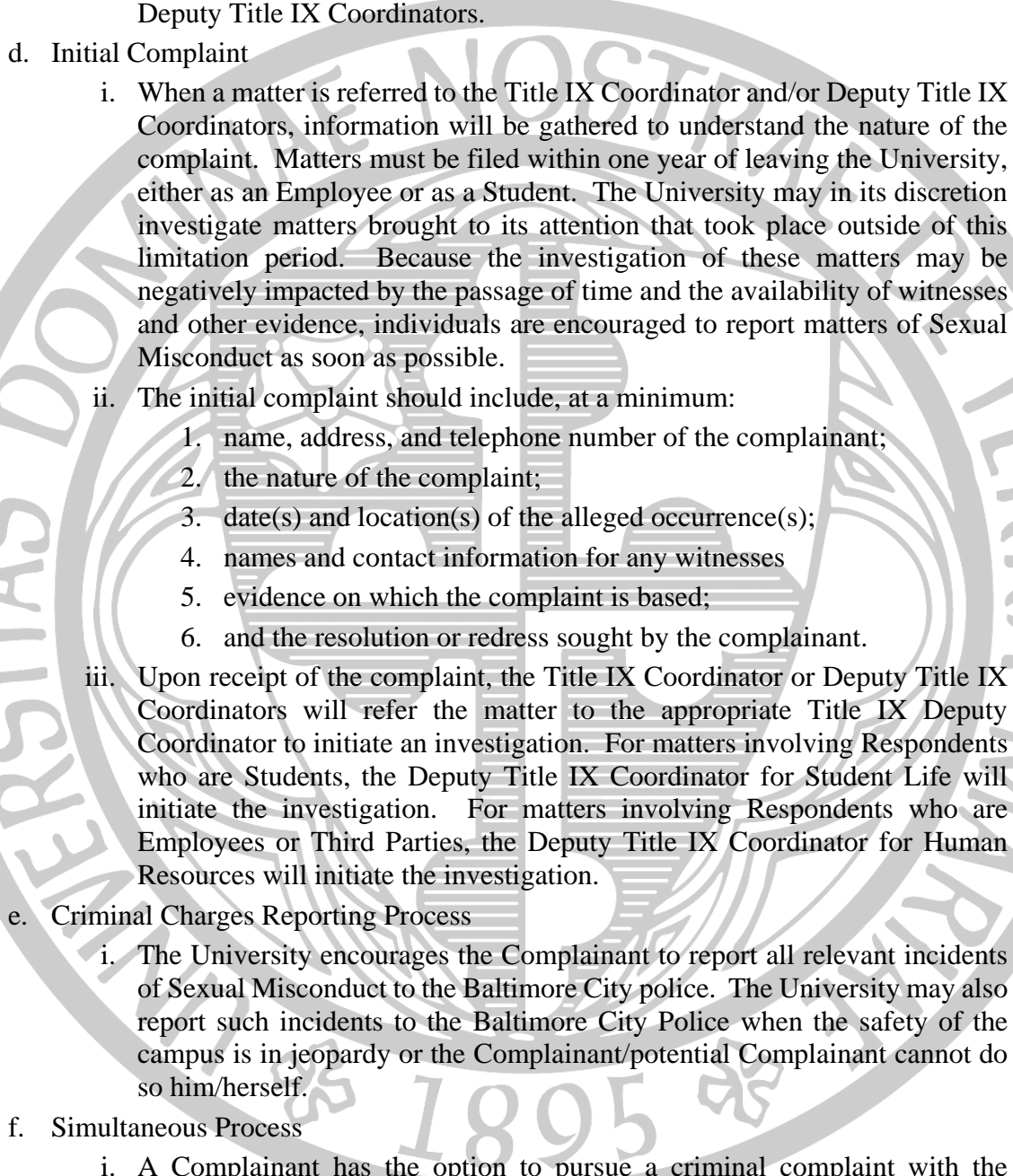
b. **Definitions**

- i. **Students:** Students refer to any current or potentially past students of the University and may include students currently enrolled and/or enrolled within the past year.
- ii. **Employees:** Employees refer to any person currently or potentially previously employed by the University. Employees include faculty and staff regardless of the nature of the employment relationship.
- iii. **Third Parties:** Third Parties refer to individuals whose relationship with the University is based on a contractual relationship with vendors and other University partners.
- iv. **Responsible University Employee:** A Responsible University Employee includes any university administrator, supervisor, faculty member, coach or trainer.

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- v. **Complainant:** The Complainant is the party who brings a complaint of Sexual Misconduct. In instances when the University receives notice of a potential Sexual Misconduct violation but no one has filed a complaint, the University shall become the Complainant.
 - vi. **Respondent:** The Respondent is the party who is accused of Sexual Misconduct.
 - vii. **Confidentiality:** In all instances and to the extent possible, the University will protect the privacy of all parties to a report of sexual misconduct. Under federal law, campus officials (with the exception of those listed under Confidential Resources) who receive a report of misconduct, regardless of the source of the information, must share that information with the appropriate University authorities for investigation and follow-up. The University is obligated under the law to investigate the complaint, to take action to eliminate sexual misconduct, prevent its recurrence, and address its effects.
 - 1. Confidentiality will be maintained to the extent possible. The University will take steps to protect the identity of a person making a report, but the University may be obligated to conduct an investigation regardless of the Complainant's requests. In the course of the administrative investigation, information will be shared as necessary with people who need to know, such as investigators, witnesses, and the Respondent. Any response by the University may be hindered by the Complainant's requests for anonymity and/or inaction.
 - 2. Under Maryland law, if a student wishes the details of an incident to be kept strictly confidential, she or he can speak with counselors at University Counseling Services, health providers, or off-campus rape crisis resources, such as TurnAround Inc., the rape crisis center for Baltimore City and County. Staff in Campus Ministry will also honor a student's request for confidentiality. In accordance with Maryland law, these individuals will honor confidentiality unless there is an imminent danger to the student or to others.
 - viii. **Consent:** Consent is informed, freely given agreement, communicated by clearly understandable words or actions, to participate in any form of sexual activity. Consent cannot be inferred from silence, passivity, or lack of active resistance. Consent must be given by a person with the ability and capacity to exercise free will and make a rational, reasonable judgment. A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity. It is the responsibility of the person who wants to engage in the sexual activity to ensure that he/she has consent of the other to engage in the activity. Consent must be present throughout sexual activity and may be withdrawn at any time. Consent cannot be obtained by the use

of physical force, threats, intimidating behavior or coercion. Having sexual activity with someone you know or should know is incapacitated is a violation of this policy

- ix. **Forgiveness for Participation in an Investigation:** At times, Students and/or Employees may be hesitant to report the occurrence of Sexual Misconduct because they are concerned that they themselves, or witnesses to the misconduct, may be charged with other policy violations, e.g., alcohol violations. These behaviors are not condoned by the University, but the importance of dealing with alleged Sexual Misconduct outweighs the University's interest in addressing lesser violations. Accordingly, in these cases, the University may chose to not pursue disciplinary action against a Student and/or Employee who advises the University of Sexual Misconduct and/or against Students/Employees named as witnesses to the incident.
- c. **Reporting Allegations of Misconduct:** To report an incident of Sexual Misconduct, please contact one or more of the following offices:
 - i. **Title IX Coordinator**
Dr. Candace Caraco
Chief of Staff
Gibbons Hall #106A
410-532-5109
ccaraco@ndm.edu
 - ii. **Deputy Title IX Coordinator for Student Life**
Dr. Rebecca Sawyer*
Vice President for Student Life
Gibbons Hall #112
(410) 532-5309
rsawyer@ndm.edu
*for complaints against Students
 - iii. **Deputy Title IX Coordinator for Human Resources**
Geri Larsen**
Director of Human Resources
Theresa Hall #207
(410) 532-5866
glarsen@ndm.edu
**for complaints against Employees and Third Parties
 - iv. **Title IX Consultant**
Megan C. Farrell, JD, MBA
mfarrell@ndm.edu

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- v. Individuals may also report an incident of Sexual Misconduct to a Responsible University Employee, which includes university administrator, supervisor, faculty member, coach or trainer. The Responsible University Employee will promptly refer the matter to the Title IX Coordinator and/or Deputy Title IX Coordinators.
- d. Initial Complaint
- i. When a matter is referred to the Title IX Coordinator and/or Deputy Title IX Coordinators, information will be gathered to understand the nature of the complaint. Matters must be filed within one year of leaving the University, either as an Employee or as a Student. The University may in its discretion investigate matters brought to its attention that took place outside of this limitation period. Because the investigation of these matters may be negatively impacted by the passage of time and the availability of witnesses and other evidence, individuals are encouraged to report matters of Sexual Misconduct as soon as possible.
 - ii. The initial complaint should include, at a minimum:
 1. name, address, and telephone number of the complainant;
 2. the nature of the complaint;
 3. date(s) and location(s) of the alleged occurrence(s);
 4. names and contact information for any witnesses
 5. evidence on which the complaint is based;
 6. and the resolution or redress sought by the complainant.
 - iii. Upon receipt of the complaint, the Title IX Coordinator or Deputy Title IX Coordinators will refer the matter to the appropriate Title IX Deputy Coordinator to initiate an investigation. For matters involving Respondents who are Students, the Deputy Title IX Coordinator for Student Life will initiate the investigation. For matters involving Respondents who are Employees or Third Parties, the Deputy Title IX Coordinator for Human Resources will initiate the investigation.
- e. Criminal Charges Reporting Process
- i. The University encourages the Complainant to report all relevant incidents of Sexual Misconduct to the Baltimore City police. The University may also report such incidents to the Baltimore City Police when the safety of the campus is in jeopardy or the Complainant/potential Complainant cannot do so him/herself.
- f. Simultaneous Process
- i. A Complainant has the option to pursue a criminal complaint with the appropriate law enforcement agency, to pursue charges in accordance with the University's Sexual Misconduct policy, or to pursue both processes consecutively or concurrently. If a Complainant wishes to pursue a criminal complaint exclusively, the Complainant may request to temporarily defer the administrative investigation and/or disciplinary process by making a formal

written request to the Deputy Title IX Coordinator for Human Resources, which deferral may delay the administrative investigation and the University's ability to respond. At any time, the Complainant may choose to rescind the deferral by making a formal written request to the Deputy Title IX Coordinator for Human Resources, electing to resume the administrative investigation and/or disciplinary process. The University will maintain documentation of the date of the deferral.

- ii. Regardless of the Complainant's requests, the University may continue its administrative investigation into the Sexual Misconduct in accordance with the requirements set forth in Title IX.

C. Investigation Process when Respondent is a Student: Matters involving Respondent who are students will be referred to the Title IX Coordinator for Student Life for investigation.

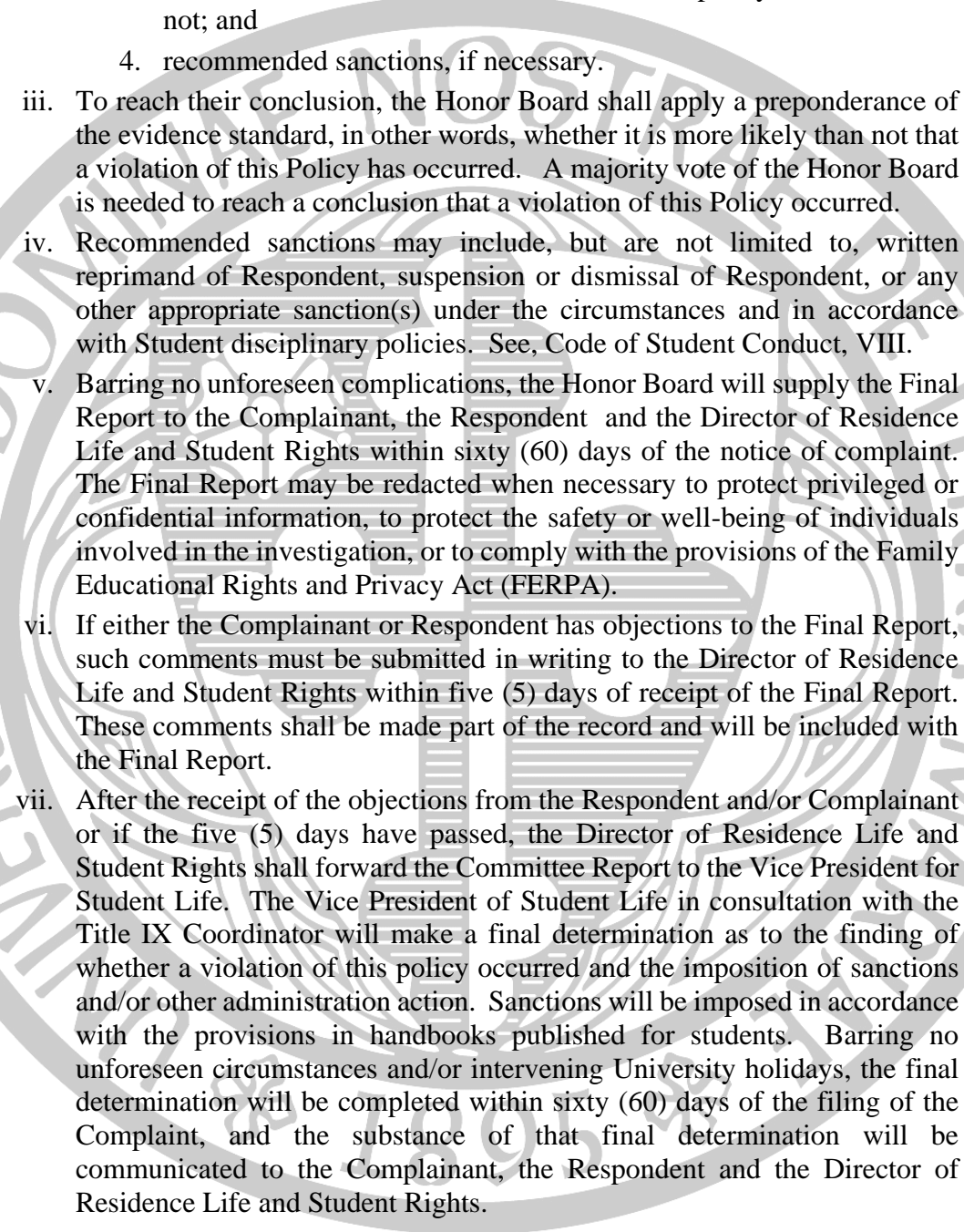
- a. **Information Resolution:** Informal Resolution procedures are not available in matters that allege Sexual Misconduct. Mediation will not be used in matters involving Sexual Violence.

- b. **Formal Investigation and Resolution:** Upon receipt of the complaint, the Deputy Title IX Coordinator for Student Life shall refer the matter to the Director of Residence Life and Student Rights or designee of the Deputy Title IX Coordinator for Student Life for investigation of the allegations.

- i. The investigation will include a review of statements obtained from Complainant and Respondent, interviews with both parties and any witnesses, a review of relevant documentary evidence, and any other information that is relevant to the allegations against Respondent. The Respondent may not be present for the Complainant's interview unless the Complainant consents, and vice versa. Both parties may present documents, names of witnesses, and other relevant information to the investigator. Once the investigation is complete, the Director of Residence Life and Student Life in consultation with the Title IX Coordinator, will refer the matter to the Honor Board in accordance with the Student Code of Conduct, Section VII., III., F. 1-14.

- ii. The Honor Board shall review this matter in compliance with the process set forth in Section VII, III, F. 1-14. The Honor Board shall review the Complainant's and Respondent's statements, the information collected by the Director during the investigation, and as necessary, request additional investigation that will be coordinated by the Director of Residence Life and Student Rights or designee. Upon conclusion of the investigation, the Honor Board shall prepare a Final Report. The Final Report summarizes the investigation, presents a finding of whether this policy has been violated, and makes a recommendation with regard to sanctions against the Respondent, if appropriate. The Final Report must include:

- 1. a summary of the facts of the matter,

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2. all the material considered in making the determination, including but not limited to the complaint, response to the complaint, witness statements, etc.,
 3. a determination of whether a violation of the policy occurred or did not; and
 4. recommended sanctions, if necessary.
- iii. To reach their conclusion, the Honor Board shall apply a preponderance of the evidence standard, in other words, whether it is more likely than not that a violation of this Policy has occurred. A majority vote of the Honor Board is needed to reach a conclusion that a violation of this Policy occurred.
 - iv. Recommended sanctions may include, but are not limited to, written reprimand of Respondent, suspension or dismissal of Respondent, or any other appropriate sanction(s) under the circumstances and in accordance with Student disciplinary policies. See, Code of Student Conduct, VIII.
 - v. Barring no unforeseen complications, the Honor Board will supply the Final Report to the Complainant, the Respondent and the Director of Residence Life and Student Rights within sixty (60) days of the notice of complaint. The Final Report may be redacted when necessary to protect privileged or confidential information, to protect the safety or well-being of individuals involved in the investigation, or to comply with the provisions of the Family Educational Rights and Privacy Act (FERPA).
 - vi. If either the Complainant or Respondent has objections to the Final Report, such comments must be submitted in writing to the Director of Residence Life and Student Rights within five (5) days of receipt of the Final Report. These comments shall be made part of the record and will be included with the Final Report.
 - vii. After the receipt of the objections from the Respondent and/or Complainant or if the five (5) days have passed, the Director of Residence Life and Student Rights shall forward the Committee Report to the Vice President for Student Life. The Vice President of Student Life in consultation with the Title IX Coordinator will make a final determination as to the finding of whether a violation of this policy occurred and the imposition of sanctions and/or other administration action. Sanctions will be imposed in accordance with the provisions in handbooks published for students. Barring no unforeseen circumstances and/or intervening University holidays, the final determination will be completed within sixty (60) days of the filing of the Complaint, and the substance of that final determination will be communicated to the Complainant, the Respondent and the Director of Residence Life and Student Rights.
 - viii. The final determination of the Vice President for Student Life is the final decision of the University. No administrative process otherwise available to students, faculty or staff may be used to further appeal this decision.

D. Investigation Process when Respondent is an Employee of Third Party: Matters involving Respondent who are Employees and/or Third Parties will be referred to the Title IX Coordinator for Human Resources for investigation.

a. Informal Resolution and Resolution

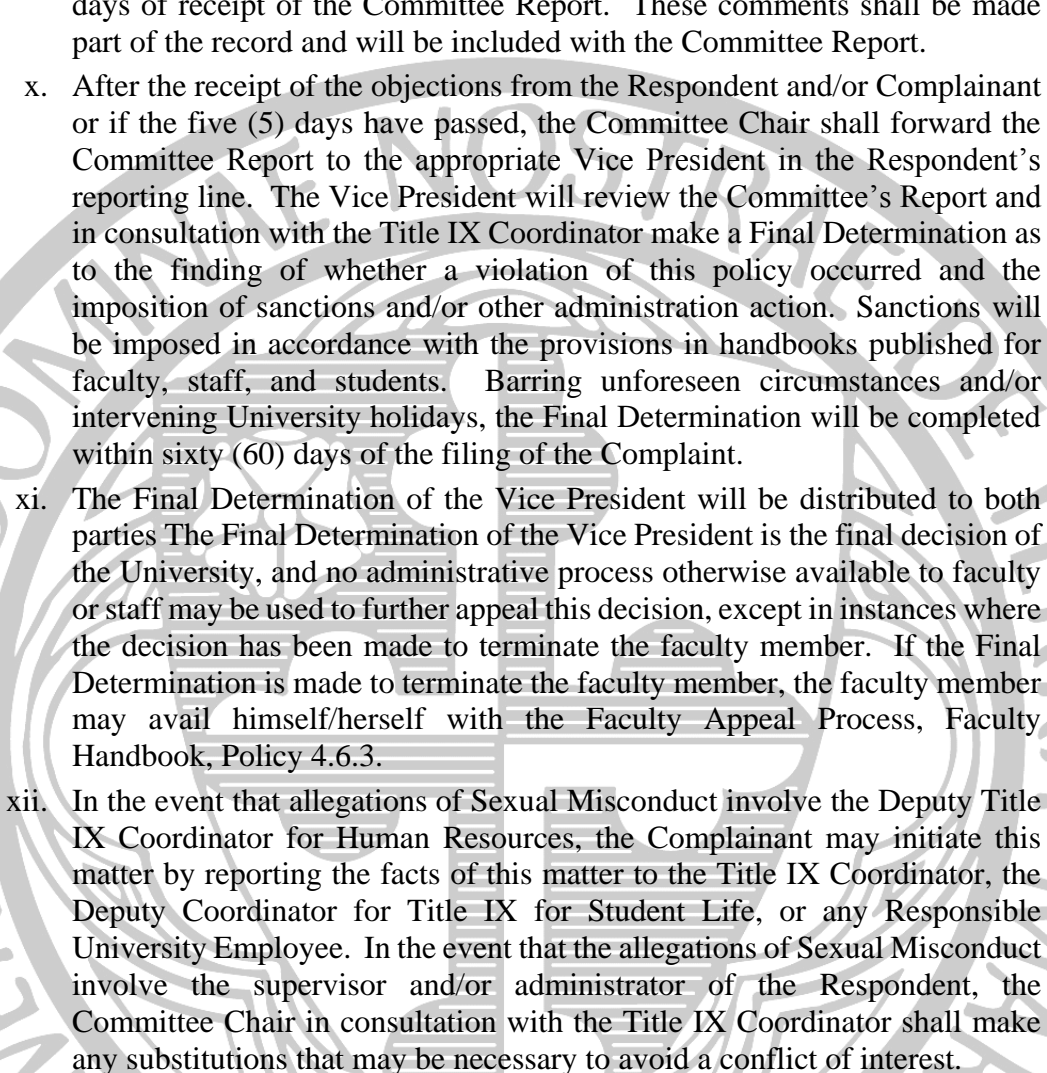
- i. At the option of the Complainant and with the subsequent agreement by the Respondent, it may be possible to resolve a harassment complaint through an Informal Resolution process. This voluntary conversation between Complainant and Respondent will be facilitated by the Deputy Title IX Coordinator for Human Resources or his/her designee. The Complainant and Respondent will not meet alone with each other during this process. If the Complainant and the Respondent feel that a resolution has been achieved through this informal procedure, then the conversation may remain confidential and no further action need be taken. Written results of any informal resolution prepared by the Deputy Title IX Coordinator for Human Resources or his/her designee and shall be signed by the Complainant and the Respondent. This Informal Resolution information will be kept in a file in the Office of Human Resources. Copies of the Informal Resolution will be placed in the personnel files of the Complainant and the Respondent.
- ii. Informal Resolution procedures are not available in matters that allege Sexual Violence, and mediation will not be used in matters involving Sexual Violence.

b. Formal Investigation and Resolution

- i. Upon receipt of the complaint, the Deputy Title IX Coordinator for Human Resource or his/her designee will commence an investigation. The Deputy Title IX Coordinator for Human Resources or his/her designee will supply the Respondent with a copy of the allegations of the Complainant and commence an investigation.
- ii. The investigation will include a review of statements obtained from Complainant and Respondent, interviews with both parties and any witnesses, a review of relevant documentary evidence, and any other information that is relevant to the allegations against Respondent. The Respondent may not be present for the Complainant's interview unless the Complainant consents, and vice versa. Both parties may present documents, names of witnesses, and other relevant information to the investigator. Once the investigation is complete, the Deputy Title IX Coordinator for Human Resources shall referred to matter to an Ad Hoc Committee for review, additional investigation, and recommendations on findings and sanctions, if any.
- iii. The Ad Hoc Committee shall consist of three Employees and the Deputy Title IX Coordinator for Human Resources or designee. The role of Deputy Title IX Coordinator for Human Resources or designee on the Ad Hoc Committee is to act as Ex Officio Chair of Committee with no voting rights

and coordinate any additional investigation requested by the Ad Hoc Committee.

- iv. When the Respondent is a faculty member, the three-member Committee shall include at least two faculty members. When the matter involves a staff member, the Ad Hoc Committee shall include at least two staff members. When the matter involves a Third Party, the Ad Hoc Committee shall include any mix of Employees. The Ad Hoc Committee shall strive at all times to maintain the confidentiality of the allegations and the investigation. Members of the Ad Hoc Committee shall be selected by the chair of the Committee. Either party may object to a member of the Ad Hoc Committee due to a conflict of interest. Such objections must be directed to the Chair of the Committee immediately.
- v. The Ad Hoc Committee shall review the Complainant's statement and the investigation, pose remaining questions to the Ad Hoc Committee Chair, and prepare a Committee Report. The Committee Report summarizes the investigation, presents a finding of whether this policy has been violated, and makes a recommendation with regard to sanctions against the Respondent, if appropriate. The Committee Report must include:
 - 1. a summary of the facts of the matter,
 - 2. all the material considered in making the determination, including but not limited to the complaint, response to the complaint, witness statements, etc.,
 - 3. a determination of whether a violation of the policy occurred or did not; and
 - 4. recommended sanctions, if necessary.
- vi. To reach their conclusion, the Committee shall apply a preponderance of the evidence standard, or in other words, whether it is more likely than not that a violation of this Policy has occurred. A majority vote of the Committee is needed to reach a conclusion that a violation of this policy occurred.
- vii. Recommended sanctions may include, but are not limited to, written reprimand of Respondent, suspension or dismissal of Respondent, a change of reporting line for an employee, or any other appropriate sanction(s) under the circumstances.
 - 1. Barring no unforeseen complications, the Ad Hoc Committee will complete Committee Report within thirty (30) days of the notice of complaint.
- viii. Upon completion of the Committee Report, the Committee Chair will supply the Committee Report to both the Complainant and the Respondent. The Committee Report may be redacted when necessary to protect privileged or confidential information, to protect the safety or well-being of individuals involved in the investigation, or to comply with the provisions of the Family Educational Rights and Privacy Act (FERPA).

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- ix. If either the party has objections to the Committee Report, such comments must be submitted in writing to the Committee Chair within five (5) calendar days of receipt of the Committee Report. These comments shall be made part of the record and will be included with the Committee Report.
 - x. After the receipt of the objections from the Respondent and/or Complainant or if the five (5) days have passed, the Committee Chair shall forward the Committee Report to the appropriate Vice President in the Respondent's reporting line. The Vice President will review the Committee's Report and in consultation with the Title IX Coordinator make a Final Determination as to the finding of whether a violation of this policy occurred and the imposition of sanctions and/or other administration action. Sanctions will be imposed in accordance with the provisions in handbooks published for faculty, staff, and students. Barring unforeseen circumstances and/or intervening University holidays, the Final Determination will be completed within sixty (60) days of the filing of the Complaint.
 - xi. The Final Determination of the Vice President will be distributed to both parties. The Final Determination of the Vice President is the final decision of the University, and no administrative process otherwise available to faculty or staff may be used to further appeal this decision, except in instances where the decision has been made to terminate the faculty member. If the Final Determination is made to terminate the faculty member, the faculty member may avail himself/herself with the Faculty Appeal Process, Faculty Handbook, Policy 4.6.3.
 - xii. In the event that allegations of Sexual Misconduct involve the Deputy Title IX Coordinator for Human Resources, the Complainant may initiate this matter by reporting the facts of this matter to the Title IX Coordinator, the Deputy Coordinator for Title IX for Student Life, or any Responsible University Employee. In the event that the allegations of Sexual Misconduct involve the supervisor and/or administrator of the Respondent, the Committee Chair in consultation with the Title IX Coordinator shall make any substitutions that may be necessary to avoid a conflict of interest.

E. Investigation Process for Certain University Administrators

- a. When allegations of Sexual Misconduct involve the President or the Vice President for Academic Affairs, the investigation process for each of these individuals will follow the Investigation Process When the Respondent is an Employee or Third Party (Section IV above) with the exceptions set forth below:
 - i. Matters involving the Vice President for Academic Affairs will be reported to the President. The investigation will be conducted by an independent, external investigator designated by the President, and the Ad Hoc Committee will include three (3) members of the Board of Trustees designated by the Chair of the Board of Trustees. The recommendation of the Ad Hoc Committee will be presented to the President for Final Determination.

F. Matters involving the President will be reported to the Chair of the Board of Trustees. The investigation will be conducted by an external investigator designated by the Chair, and the Ad

Hoc Committee will include three (3) members of the Board of Trustees designated by the Chair. The recommendation of the Ad Hoc Committee will be presented to the Chair for Final Determination. Interim Measures

a. Request for Interim Measures for Students

- i. Reports of alleged sexual misconduct in violation of this policy may be supported by appropriate immediate interim measures coordinated by the Title IX Coordinator, Deputy Title IX Coordinator for Student Life, and/or designee. When appropriate, the University may provide interim measures prior to completion of its investigation.
- ii. Interim measures may be requested by the Complainant and the Respondent and may include the following:
 1. Change in on-campus housing location to alternate housing
 2. Assistance in exploring alternative housing off-campus
 3. Assistance in transferring to another section of a lecture or laboratory
 4. Assistance in arranging for incompletes, leaves or withdrawal from campus
 5. Assistance in arranging for alternate University employment arrangements
 6. “No Contact” directive pending the outcome of the investigation. Such a directive serves as notice to both parties that they must not have verbal, electronic, written or third party communication with one another.

Request for Interim Measures for Employees

- iii. Reports of alleged Sexual Misconduct in violation of this policy may be supported by appropriate interim measures coordinated by the Title IX Coordinator, Deputy Title IX Coordinator for Human Resources, and/or a designee. When appropriate, the University may provide interim measures prior to completion of its investigation. Interim measures may be requested by the Complainant and the Respondent and may include the following:
 1. change in work location;
 2. “no contact” directive pending the outcome of the investigation. Such a directive serves as notice to both parties that they must not have verbal, electronic, written or third party communication with one another.

b. **Assignment of Sexual Assault Resources Coordinator (SARC) or Campus Advocate**

Whenever the University receives a report of sexual misconduct, the Complainant will be referred to a Sexual Assault Resource Coordinator (SARC), who will serve as a resource person to the Complainant to identify, explain and navigate the Complainant’s reporting options and the available support services. This can include referrals to counseling, educational support, pastoral care, medical treatment, and information about the University and legal processes. Notre Dame of Maryland University’s

SARC is Melissa Lees and she can be reached by calling (410) 532-5574 or via email at mlees@ndm.edu.

G. Additional Resources

a. Resources for Confidential Medical, Counseling, and Pastoral Care

i. It is especially important for students who have been sexually assaulted to seek immediate and appropriate medical treatment. **Mercy Medical Center** (345 St. Paul Place, Baltimore, MD 21202) has a specially trained sexual assault team available 24 hours a day, seven days a week to assist victims on a confidential basis,. Under Maryland law, the tests and procedures at the hospital are free of charge if treatment is sought within 96 hours of the assault. Emergency Room staff may ask if the student wishes to speak to the police; this decision is up to the student.

ii. The confidential resources listed below are available to all Notre Dame of Maryland University students including accused students and witnesses in sexual misconduct and sexual violence cases: University **Counseling Services** is staffed by trained professionals who can provide specialized support and assistance to students who have been assaulted. Current students may seek counseling at any time, whether it is days, months, or years after the incident. The confidential services are available to the student who was assaulted and their friends who may need support in assisting the student. Counseling Services can be reached at (410)532-5384

1. **TurnAround Inc.** is the sexual assault/domestic violence center for Baltimore. TurnAround Inc. is staffed by trained professionals and volunteer advocates who are available 24 hours a day. Free and confidential counseling is also available. They have a 24 hour helpline which can be reached at (443) 279-0379.

2. The staff members(s)in **Campus Ministry** are trained to provide confidential pastoral counseling and support to students who have been sexually assaulted, or to friends who wish to support and assist them. Campus Ministry can be reached at (410) 532-5574 or at Mlees@ndm.edu.

iii. Additional Resources on Campus

1. Office of Public Safety
410-532-5360

iv. Off- Campus Resources

1. TurnAround Inc. (Sexual Assault & Domestic Violence Center)
410-377-8111

2. Baltimore County/Baltimore City Police
911

3. Maryland Coalition Against Sexual Assault
983-RAPE (7273) 800-

4. RAINN-Rape, Abuse & Incest National Network 800-656-HOPE (4673)

5. Sexual Assault Legal Institute
301-565-2277

v. Educational Programs and Risk Reduction Resources

1. **Sexual Assault Education:** The Title IX Coordinator has been designated as the central repository for all campus based education and prevention programming materials, information, policies and procedures.

2. **Distribution of Sexual Assault Policy and Procedures:** This policy will be published each year in the appropriate University publications, the University Catalog, and the University's website.

b. Preservation of Evidence by Sexual Assault Victims

i. If you are a victim of Sexual Assault, the following is a list of recommended actions to take in order to preserve evidence. If you believe that you may at any time choose to pursue legal remedy related to the assault, please request that the hospital perform a free Sexual Assault Forensic Examination (SAFE). Agencies vary as to the exact length of time, but physical evidence is most effectively obtained within 48 to 72 hours of a sexual assault. Maryland law allows a hospital to provide the SAFE exam free of charge, and there is no requirement for you to report an attack to the police; you can remain anonymous and the evidence will be held for a time with no identification. Mercy Hospital (at 301 St. Paul Place in Baltimore; ER 410-332-9477) is the designated hospital in Baltimore City and performs SAFE exams.

ii. If you are planning to have a SAFE examination, please preserve all physical evidence of the assault. The recommended process requests that victims do not bathe, shower, douche, brush your teeth, or eat or drink. Please do not wash or throw away any articles of clothing worn during the assault.

Smoking Policy

A. Notre Dame of Maryland University is committed to providing a healthy, comfortable environment for students, faculty, staff and guests. All University buildings are smoke-free, including public spaces and residence halls. Individuals who wish to smoke or use other tobacco products including e-cigarettes must do so outdoors at least 30 feet away from any building or in any designated areas in a manner that does not block building entrances and minimizes other's 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.

Social Media

A. 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, Foursquare, Instagram, LinkedIn,

MySpace, Twitter, YouTube, and blogs. Social media communication is public and visible, and posting inappropriate texts, 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:

- a. Personally identifiable material including, but not limited to, full names, government identifiers, email addresses, physical addresses, or health information of individuals following FERPA guidelines.
 - i. Threatening, harassing, or discriminatory posts.
 - ii. Posts that incite or promote violence or illegal activities.
 - iii. Material that could be interpreted as containing obscene, offensive, or sexual themes.
 - iv. Information that reasonably could compromise public safety and well-being of our institution and/or its community members.
 - v. Comments that are off subject or out of context from the original post and to the University.
 - vi. 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.
 - vii. Any information, documentation, material or images that would be found in violation of any University policies or procedures
- b. Social media platforms also require an agreement of the terms of use. The student is expected to remain current regarding those policies. The links to policies for some of the more popular social media platforms are listed below:
 - i. Facebook--<https://www.facebook.com/terms.php>
 - ii. Twitter--<https://twitter.com/tos>
 - iii. Google+--<http://www.google.com/intl/en/policies/terms>
 - iv. LinkedIn--<http://www.linkedin.com/legal/user-agreement>
 - v. Flickr--<http://www.flickr.com/guidelines.gne>
 - vi. YouTube--<https://www.youtube.com/static?gl=US&template=terms>
 - vii. Wikipedia--http://wikimediafoundation.org/wiki/Terms_of_Use
 - viii. Wordpress--<http://en.wordpress.com/tos>
 - ix. Blogger--<http://www.google.com/intl/en/policies/terms>
- c. Posting content to third party applications, such as social media sites, almost always releasing 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.
- d. 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.

- e. Photography for Social Media: Information regarding the usage of photographs for the University, both in social media platforms as well as marketing materials, may be found at <http://www.ndm.edu/offices-and-services/marketing-communications/photography>. Individuals who do not consent to the use of his or her photograph by the University must notify—in writing—the Office of Institutional Advancement, Notre Dame of Maryland University, 4701 North Charles Street, Baltimore, MD 21210, within 10 days of an event. A phone number should be included in any such correspondence.
- f. 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.

Social Norms Statement

- A. As an institution of higher education in the Catholic tradition, Notre Dame of Maryland University is committed to the vision of human sexuality consistent with the teachings of the Church. Because a genuine and complete expression of love through sex requires a commitment of a total living and sharing of two persons in marriage, these teachings call students, whatever their sexual orientation, to chastity. This sets the expectation that those who are unmarried refrain from sexual union. In our contemporary society, it is a call that has little societal reinforcement, but it is a clear call of the Gospel in respect to sexual morals.
- B. Students are expected to exhibit appropriate behavior throughout the campus community and, in particular, within the residence halls. While the University recognizes the role of conscience in human decision-making and respects the right to privacy, inappropriate sexual behavior will be addressed.

Student Governance

The University recognizes the right of the students to form and democratically elect their governing bodies as a means to participate in discussion of issues and problems facing the NDMU community. The governing bodies shall function as representatives of the students to the administration and faculty of the University, as well as to the entire community. Any elected members of a governing body representing less than the entire student body shall be elected in such manner as to create or preserve essential representational equality.

A. Board of Trustees Committee Representatives

- a. The Board of Trustees Representatives are elected by the student body and are responsible for representing the student body to the Board of Trustees. Elected positions include:
 - i. Academic Affairs
 - ii. Enrollment Management
 - iii. Institutional Advancement

- iv. Finance
- v. Plant
- vi. Student Life/Student Representative to the Board

B. Campus Activities Board (CAB)

- a. The Campus Activities Board (CAB) is a student-run organization that strives to enhance the NDMU student experience through quality entertainment, creative programming, and community involvement. Our goal is to strengthen the missions of both the Division of Student Life and NDMU by providing a variety of social, recreational, cultural, and educational programs.
- b. CAB executive board members may not be an executive board member of any other organization excluding honor societies and sororities during the same time period as they will act as a Cab board member

C. Honor Board

- a. The Honor Board works to educate the community about the Honor Code and hears allegations of violations of academic and behavioral standards of conduct. Honor Board student members are elected by the student body. The faculty representative to the honor board is elected by the faculty. Elected positions include:
 - i. Chairperson
 - ii. Vice-Chairperson
 - iii. Secretary

D. Residence Hall Association (RHA)

- a. Residence Hall Association (RHA) provides opportunity for residential students to take a leadership role within the on-campus community in an active way. It also enables residents to express their needs and concerns pertaining to the residence halls. RHA leaders regularly communicate with various NDMU offices regarding residents' needs and to work toward enhancing the residential experience for students. Elected positions include:
 - i. President
 - ii. Director of Operations
 - iii. Director of Finance
 - iv. National Communications Coordinator
 - v. Director of Programming

E. Women's College Student Government Association (SGA)

- a. The Student Government Association (SGA) serves as the unified voice of the student body to encourage and facilitate campus wide communication. In recognition of its responsibility to the students at Notre Dame of Maryland University, SGA strives to improve the quality of student life academically and socially by addressing student needs and concerns and providing fiscal support to student organizations. SGA candidates may NOT be an executive board member of any other organizations excluding honor societies and sororities during the same

time period they will act as a SGA board member. The SGA is advised by the Director of Student Involvement & Inclusion. Elected positions include:

- i. President
- ii. Vice President
- iii. Secretary
- iv. Treasurer

F. Student Organizations

- a. The students of Notre Dame of Maryland University are free to organize and join organizations to promote their common and lawful interests, subject to University regulations. All members of a student organization must be currently registered students of the University. The fact of affiliation with any extramural association or national organization or political party, so long as it is an openly declared affiliation, should not of itself bar a student organization from registration or recognition. However, action may be taken to insure that the University does not, through the activities of campus student organizations, stand in violation of laws that place limits on campus political activities. The administration and faculty shall not discriminate against a student because of membership in any student organization meeting the conditions of this section. See the NDMU website for a full list of registered student organizations.

Student Life Policies

A. Student Life Helium Tank Usage

- a. NDMU staff and faculty interested in using the Student Life helium tank will incur a \$10 fee that can be charged to your budget. Your budget code must be provided to the Student Life Desk Attendant prior to using the helium tank.

B. Mascot Policy

- a. University offices wishing to have the university mascot, Gabby the Gator, present at events must contact the Director of Athletics and Campus Recreation to request the use of the mascot. The use of the mascot is dependent on the availability of members of the student mascot team. There is a fee associated with the use of the mascot.

Student Harassment and Discrimination Policy

A. Policy Statement

- a. The University is committed to providing an academic environment free of unlawful discrimination and harassment of any type. In keeping with this commitment, the University maintains a strict policy prohibiting all forms of unlawful discrimination (and discouraging conduct that, while not unlawful, could reasonably be considered discrimination as defined below). Unlawful discrimination and harassment of any kind is not appropriate at the University, whether it addresses harassment or discrimination on the basis of race/color, religion, sex, ethnic or national origin, age, disability, genetic information,

veteran's status, sexual orientation, or any factor that is a prohibited consideration under applicable law. At the same time, the University recognizes the centrality of academic instructional materials for scholarly purposes regarding the above protected classes for scholarly purposes appropriate in the academic context, such as class discussions, reading assignments, academic conferences or meetings.

- i. This policy applies to all students of the University and prohibits unlawful discrimination and/or harassment in any form, including verbal, physical, and visual harassment. It also prohibits retaliation of any kind against individuals who file complaints or who assist in a University investigation.

B. Definitions

a. Unlawful Discrimination and Harassment of a Non-sexual Nature

- i. The University's policy prohibits unlawful discrimination and harassment of a non-sexual nature, which includes verbal, physical, or graphic conduct that denigrates or shows hostility or aversion toward an individual or group on the basis of race, color, religion, ethic or national origin, gender, age, disability, veteran's status, sexual orientation, or other status protected by applicable law and that:
 1. has the purpose or effect of creating an intimidating, hostile, or offensive employment, educational, or living environment; or
 2. has the purpose or effect of unreasonably interfering with an individual's work performance or a student's academic performance.
- ii. Prohibited behavior may, for example, include conduct or material (physical, oral, written, or graphic, including e-mail, text, or social media messages posted or circulated in the community) involving epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts, that serves no scholarly purpose appropriate to the academic context and gratuitously denigrates or shows hostility or aversion toward an individual or group because of race/color, religion, sex, ethnic or national origin, age, disability, genetic information, veteran's status, sexual orientation, or any factor that is a prohibited consideration under applicable law.

C. Complaint Procedure

- a. Any student in the NDMU community, who believes to have been subjected to unlawful discrimination and/or harassment in violation of this policy or suspects the occurrence of discrimination and/or harassment, should report the matter immediately so that the University may promptly address the situation. The University provides a variety of avenues by which an individual who believes to have been discriminated against or harassed may proceed, so that each student may choose an avenue appropriate to the particular situation.

D. Confidentiality

- a. The University recognizes the sensitive nature of information that it receives in the course of discussing complaints of unlawful discrimination and/or harassment. All information disclosed to a member of the University faculty, administration, or staff during reporting, counseling, investigation, hearings or other proceedings will be kept in a secure location with restricted access. Confidentiality will be maintained to the extent possible. The University will take steps to protect the identity of a person making a report, but the University is obligated to conduct this investigation regardless of the complainant's requests. In the course of the administrative investigation, information will be shared as necessary with people who need to know, such as investigators, witnesses, and the accused. Any response by the University may be hindered by the complainant's requests for anonymity and/or inaction.

E. Resolution

- a. Students who believe that they have been unlawfully harassed or discriminated against shall address their concerns to the Vice President for Student Life or any other University administrator. The University will initiate a thorough investigation and take corrective or disciplinary action as appropriate against incidents of harassment or discrimination that come to the University's attention. If the administrator listed above is the subject of the harassment allegations, or the complainant is otherwise uncomfortable approaching the designated administrator, the complainant should direct the complaint to the Office of Public Safety.
 - i. If the alleged perpetrator is a student, the Vice President for Student Life will refer the case and all investigative notes to the University Honor Board for resolution. The Honor Board members are familiar with and trained on the appropriate sanctions that might be imposed against a student with whom the complaint is made in the event that harassment or discrimination is found to have occurred. The Honor Board's adjudication report and recommended sanction(s) will be provided to the Vice President for Student Life, with the requisite authority to impose such sanctions.
 - ii. The purpose of the University Honor Board hearing is to establish
 - 1. whether there is a reasonable basis for believing that the alleged violation of the policy has occurred;
 - 2. the factual circumstances surrounding the claim; and
 - 3. the appropriate sanction to be imposed on a student found to have engaged in prohibited conduct.
 - iii. Different from the University Honor Board procedures found in the Student Code of Conduct (Article VII, Section III), **both the complainant and the person against whom the complaint is made may bring a support person, witnesses, and submit relevant evidence and a personal statement to be considered by the Honor Board.**

- iv. Following the University Honor Board hearing, the Honor Board members shall produce a written adjudication report summarizing the findings of fact and providing recommendations as to the appropriate administrative action to be taken. This report will become a part of the student file of the individual against whom the complaint was made.
- v. Recommended sanctions may include, but are not limited to, written reprimand of the person or student against whom the complaint is made, suspension or dismissal of the person or student against whom the complaint is made, a change of course section or housing assignment, or any other appropriate sanction(s) under the circumstances. Sanctions will be imposed in accordance with the provisions outlines in the Student Handbook.

F. Appeals

- a. In certain circumstances the outcome of the proceeding may be appealed. The same guidelines as the student conduct appeals shall be applicable:
 - i. A letter of appeal should be submitted to the Director for Student Rights and Responsibilities by the student or student organization within five (5) business days of receipt of the outcome of the student conduct proceeding. Failure to appeal within the allotted time will render the original decision final and conclusive.
- b. A student adjudicated in absentia forfeits all rights to an appeal process unless it is proven that it is for lack of proper notice, except in an extraordinary circumstance.
- c. The appeal must specify grounds that would justify consideration. General dissatisfaction with the outcome and/or an appeal for mercy is not an appropriate basis for appeal. The written appeal must specifically address at least one of the following criteria:
 - i. There is a significant procedural error that changes the findings of fact of the student conduct proceeding.
 - ii. New evidence that significantly alters the findings of fact, that was previously unknown to the respondent, has been discovered and is available during the appeal process.
- d. A timely appeal will be reviewed by the Vice President of Student Life or designee to determine the viability of the appeal based on the criteria listed above. Upon a determination of viability, the Director for Student Rights and Responsibilities will convene an ad hoc appeals committee consisting of one faculty, one staff, and one student member chosen at the discretion of the Director.

- i. The decision to grant or deny the appeal will be based on information supplied in the written appeal, the case file, and, when necessary, on the recording of the original proceedings.
- e. The decision on the appeal is final and conclusive and is conveyed in writing to the student or student organization.
- f. The imposition of sanctions may be deferred while the appeal process is pending unless, in the discretion of the Director for Student Rights and Responsibilities, the continued presence of the student on the campus poses a serious threat to her/himself or to others, or to the stability and continuance of normal University functions

G. Anti-Retaliation Statement

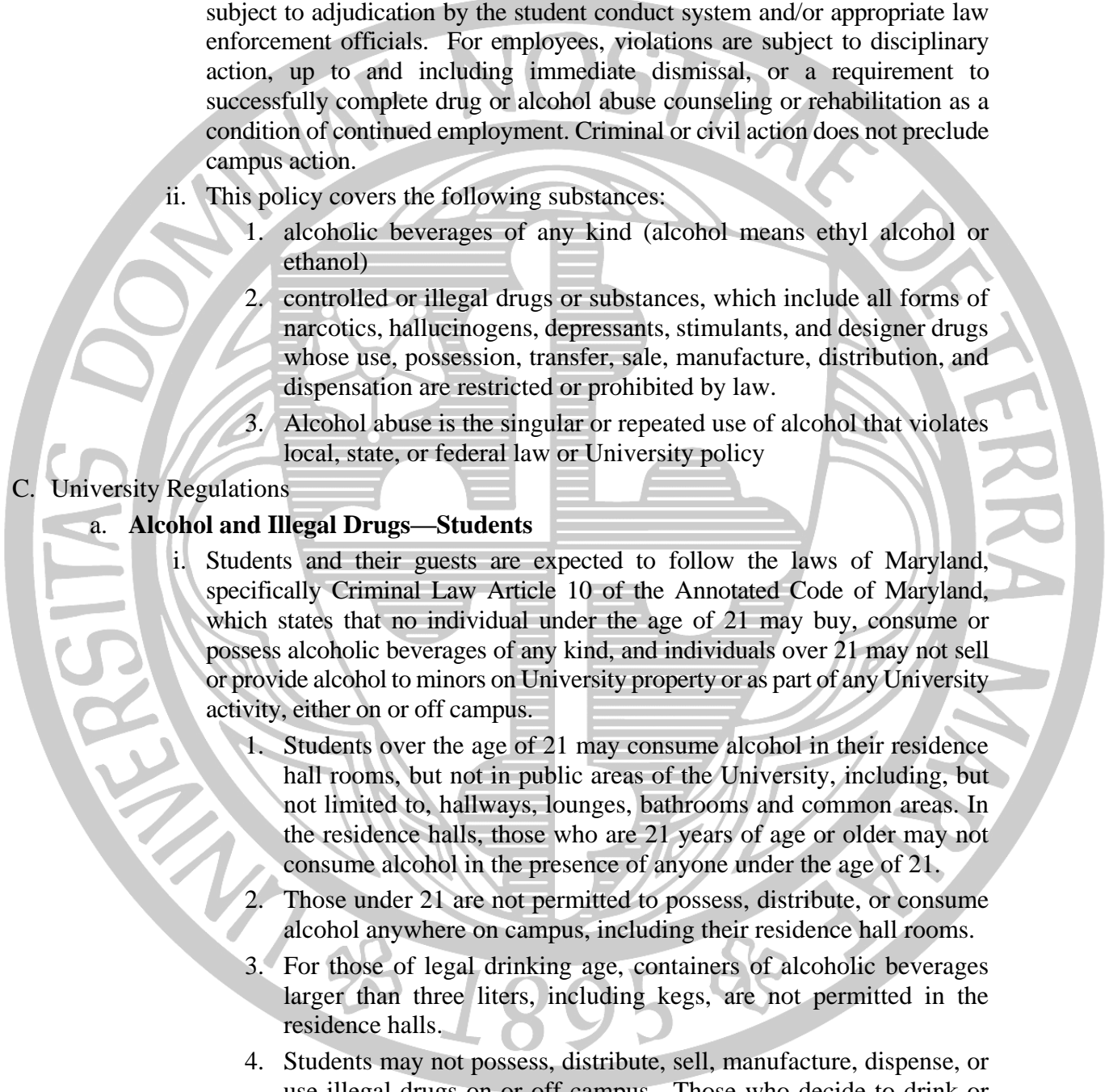
- a. Retaliation against anyone who files a complaint, serves as a witness, or otherwise participates in the enforcement of this policy is strictly prohibited. Initiating a complaint of harassment or discrimination will not affect a student's grades, class selection, or any other matter pertaining to student status. Distinguishing between harassing or discriminatory conduct and conduct that is purely personal or social without a harassing or discriminatory work or educational effect requires a determination based on all of the facts pertaining to the situation.
 - i. False accusations of harassment or discrimination can seriously injure innocent people. It is a violation of this policy, therefore, for anyone knowingly to make false accusations of harassment or discrimination. A determination that a complaint is not meritorious however is not necessarily equivalent to a false allegation. A finding for the accused does not constitute a finding that the complaint was in bad faith.

H. Hostile Environment in Absence of a Complaint

- a. If the University has credible notice – either direct or indirect – of possible discrimination or harassment of a member of its community or notice of a hostile, harassing or discriminatory environment, then it will take immediate and appropriate steps to investigate or otherwise determine what occurred and take steps reasonably calculated to end any harassment and/or discrimination, eliminate a hostile environment if one has been created, and prevent harassment and/or discrimination from occurring again.

Substance Abuse Policy

- A. It is the goal of Notre Dame of Maryland 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.
- B. **Standards of Conduct**
 - a. 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.

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- i. 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.
 - ii. This policy covers the following substances:
 1. alcoholic beverages of any kind (alcohol means ethyl alcohol or ethanol)
 2. 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.
 3. Alcohol abuse is the singular or repeated use of alcohol that violates local, state, or federal law or University policy

C. University Regulations

a. **Alcohol and Illegal Drugs—Students**

- i. 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.
 1. 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.
 2. Those under 21 are not permitted to possess, distribute, or consume alcohol anywhere on campus, including their residence hall rooms.
 3. For those of legal drinking age, containers of alcoholic beverages larger than three liters, including kegs, are not permitted in the residence halls.
 4. 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.

5. 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.
6. 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.
7. Alleged violations may be reported to the Director of Student rights and Responsibilities.

b. Alcohol Beverages (For Events Where Alcohol Will Be Served)

- i. Alcoholic beverages may be sold, served, or consumed if (1) it is in compliance with the law, and (2) it is done at gatherings in locations approved by the Vice President for Student Life. This applies to events sponsored by University offices.
- ii. The Vice President for Student Life may approve alcoholic beverages for use at campus gatherings if all the following conditions are met:
 1. The event is held in a special use location, facility, or building, on or off campus;
 2. The event is requested by a faculty member, staff, administrator, or student organization, or University department;
 3. Those in attendance will be at least 21 years of age;
 4. Those over the age of 21 will be identified by the use of a wristband, hand stamp, etc.
 5. Food and nonalcoholic beverages will be served;
 6. The sale/serving of alcoholic beverages will be discontinued at least one hour before the event ends;
 7. Proper campus supervision is provided in areas where alcohol is served/sold.
- iii. Alcohol permit forms are available in the office of the Vice President for Student Life and must be submitted at least 10 working days prior to the event.

D. Sanctions For Students Violating This Policy

- a. **Sanctions of the Notre Dame of Maryland 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:

- i. *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.
- ii. *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.
- iii. *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.

b. Controlled or Illegal Drugs

- i. 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.

E. Assistance Program Referrals

- a. The University recommends that individuals who have a drug or alcohol abuse problem to 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.
- b. 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

F. Education

- a. The University provides educational programs, including an on-line alcohol assessment through eCheckUpToGo, 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.
 - i. These programs are available to any member of the University community and are primarily offered through the Division of Student Life.
 - ii. 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.

b. Applicable State Laws Relating To Unlawful Use, Possession, And Distribution Of Illicit Drugs And Alcohol

i. The below articles on laws relating to illicit drugs and alcohol can be found on the Maryland Department of Legislative Services website at: [http://michie.lexisnexis.com/maryland/lpext.dll?f=templates&fn=main-h.htm&cp= under Maryland Code Criminal Law, Controlled Dangerous Substances, Prescriptions & Other Substances \(Title 5\), Crimes Involving Controlled Dangerous Substances & Paraphernalia \(Subtitle 6\) and under Criminal Law, Crimes Against Public Health, Conduct & Sensibilities \(Title 10\), Crimes Against Public Health & Safety \(Subtitle 1\).](http://michie.lexisnexis.com/maryland/lpext.dll?f=templates&fn=main-h.htm&cp= under Maryland Code Criminal Law, Controlled Dangerous Substances, Prescriptions & Other Substances (Title 5), Crimes Involving Controlled Dangerous Substances & Paraphernalia (Subtitle 6) and under Criminal Law, Crimes Against Public Health, Conduct & Sensibilities (Title 10), Crimes Against Public Health & Safety (Subtitle 1).)

ii. Jurisdiction: Maryland Code, Criminal Law Article 5-602

1. *Offense:* Unlawful manufacture, distribution, dispersion, or possession to indicate intent to manufacture, distribute, dispense a controlled dangerous substance (or counterfeit substance)
2. *Penalty:* Guilty of felony and subject to imprisonment up to 20 years and/or a fine up to \$25,000
3. *Jurisdiction:* Maryland Code, Criminal Law Article 5-61
4. *Offense:* Distribution of non-controlled substance as a controlled dangerous substance
5. *Penalty:* Guilty of felony and subject to imprisonment up to 5 years and/or a fine up to \$15,000

iii. Jurisdiction: Maryland Code, Criminal Law Article 5-628

1. *Offense:* Use of minor to manufacture, deliver, or distribute controlled dangerous substance
2. *Penalty:* Guilty of felony and subject to imprisonment up to 20 years and/or a fine up to \$20,000
3. *Jurisdiction:* Maryland Code, Criminal Law Article 5-601
4. *Offense:* Possession of controlled dangerous substance
5. *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

iv. Jurisdiction: Maryland Code, Criminal Law Article 5-619

1. *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
2. *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

v. Jurisdiction: Maryland Code, Criminal Law Article 5-619

1. *Offense:* Advertising to promote the sale or delivery of drug paraphernalia
 2. *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
- vi. ***Jurisdiction:*** Maryland Code, Criminal Law Article 5-618
1. *Offense:* Possession and/or purchase of non-controlled substance believed to be controlled dangerous substance
 2. *Penalty:* Guilty of misdemeanor and subject to imprisonment up to one year and/or a fine up to \$500
- vii. ***Jurisdiction:*** Maryland Code, Criminal Law Article, 10-113
1. *Offense:* Misrepresentation or false statement of age in order to obtain alcohol or to induce the illegal sale or supplying of alcohol
 2. *Penalty:* Guilty of civil offense and subject to a fine up to \$500 or up to \$1,000 if repeat offense, plus court costs
- viii. ***Jurisdiction:*** Maryland Code, Criminal Law Article, 10-114
1. *Offense:* Possession of alcohol by person under 21
 2. *Penalty:* Guilty of civil offense and subject to a fine up to \$500 or up to \$1,000 if repeat offense, plus court costs
- ix. ***Jurisdiction:*** Maryland Code, Criminal Law Article, 10-115
1. *Offense:* Possession of false identification by person under 21
 2. *Penalty:* Guilty of civil offense and subject to a fine up to \$500 or up to \$1,000 if repeat offense, plus court costs
- x. ***Jurisdiction:*** Maryland Code, Criminal Law Article, 10-116
1. *Offense:* Purchasing alcohol for person under 21
 2. *Penalty:* Guilty of civil offense and subject to a fine up to \$500 or up to \$1,000 if repeat offense, plus court costs
- xi. ***Jurisdiction:*** Maryland Transportation Article 21-902 and 27- 101
1. *Offense:* Driving while intoxicated/under the influence of alcohol and/or drugs
 2. *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
- xii. ***Jurisdiction:*** Maryland Article 2B, 19-101, 19-102
1. *Offense:* Disorderly intoxication
 2. *Penalty:* Guilty of misdemeanor and subject to imprisonment up to 90 days and/or a fine up to \$100
- c. Health Risks Associated With The Abuse Of Alcohol Or Use Of Illegal Drugs
- i. **ALCOHOL– (Beer, Wine, Distilled Spirits)**
1. **SHORT-TERM EFFECTS:** relaxation, breakdown of inhibitions, euphoria, depression, decreased alertness, stupor, nausea, unconsciousness, hangover and death.

2. LONG-TERM EFFECTS FROM CONTINUED EXCESSIVE USE: obesity, impotence, psychosis, ulcers, malnutrition, liver and brain damage, delirium tremors and death.
- ii. **AMPHETAMINES– (Benzedrine, Dexedrine, Methedrine, Preludin)**
 1. SHORT-TERM EFFECTS: increased alertness, excitation, euphoria, decreased appetite, restlessness, rapid speech, irritability, insomnia, stomach disorders, convulsions.
 2. LONG-TERM EFFECTS: insomnia, excitability, skin disorders, malnutrition, delusions, hallucinations, psychosis.
- iii. **ANABOLIC STEROIDS– (Prednisone and Synthetic Testosterone-like Drugs which have tissue-building properties)**
 1. 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.
 2. 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.
- iv. **ANTIDEPRESSANTS**
 1. **Tricyclics (Elavil, Ritalin, Tofranil, Prozac)**
 - a. SHORT-TERM EFFECTS: relief of anxiety and depression, temporary impotence, nausea, hypertension, weight loss, headaches.
 - b. 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
 2. **MAOIs (Nardil, Parnate, Marplan, Phenazine)**
 - a. 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, tryptamine, or histamine should be avoided, i.e., beer, red wines, chocolate, pickled fish, cheese, yogurt, stimulants, caffeine and allergy pills.
 - b. LONG-TERM EFFECTS: (may take six weeks for drug to work): glaucoma, weight gain, sleep disturbances, fatigue, weakness, tremors, dry mouth, constipation.
 3. **Antimanic (Lithium)**
 - a. 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, possible weight gain.

- b. **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.

v. **BARBITURATES– (Chloral, Hydrate, Doriden, Nembutal, Phenobarbital, Seconal)**

- 1. **SHORT-TERM EFFECTS:** relaxation, euphoria, decreased alertness, drowsiness, impaired coordination, slurred speech, stupor, hangover, and death.
- 2. **LONG-TERM EFFECTS:** excessive sleepiness, confusion, irritability, severe withdrawal, sickness, and death.

vi. **CAFFEINE– (Coffee, Cola, Tea, No-Doz)**

- 1. **SHORT-TERM EFFECTS:** increased alertness, restlessness, insomnia, upset stomach.
- 2. **LONG-TERM EFFECTS:** restlessness, irritability, insomnia, stomach disorders.

vii. **CANNABIS– (Hashish, Marijuana, THC)**

- 1. **SHORT-TERM EFFECTS:** relaxation, breakdown of inhibitions, alteration of perceptions, euphoria, increased appetite, increased heartbeat, dry mouth.
- 2. **LONG-TERM EFFECTS:** fatigue, loss of memory, school grades may decline, hormonal changes, psychosis.

viii. **COCAINE- (Coke, Crack)**

- 1. **SHORT-TERM EFFECTS:** feeling of self-confidence and power, intense exhilaration, extreme euphoria, increased blood pressure and heart rate, dilated pupils.
- 2. **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.

ix. **HALLUCINOGENS– (LSD, Mescaline, Scopolamine, PCP, STP, Psilocybin, DMT)**

- 1. **SHORT-TERM EFFECTS:** perceptual changes especially visual, increased energy, hallucinations, panic, anxiety, exhaustion, tremors, psychosis.
- 2. **LONG-TERM EFFECTS:** increased delusions and panic, psychosis.

x. **INHALANTS– (Glue, Paint Thinner and Removers, Correction Fluid, Gas, Laughing Gas, Nitrous Oxide)**

- 1. **SHORT-TERM EFFECTS:** relaxation, hypersensitivity, possible violence, impaired judgment, reduced muscle reflex control, rapid

heartbeat, impaired coordination, headache, nausea, visual disturbance, euphoria.

2. LONG-TERM EFFECTS: brain damage, lung and kidney damage, blood and bone marrow alteration, possible death.

xi. NICOTINE– (Cigarettes, Cigars, Pipe Tobacco, Snuff, Chewing Tobacco, Nicotine Gum)

1. SHORT-TERM EFFECTS: relaxation, constriction of blood vessels, dry mouth and throat, adrenaline release, increase in pulse, heart and blood pressure.
2. 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.

xii. OPIATES– (Opium, Codeine, Morphine, Heroin, Dilaudid, Percodan)

1. SHORT-TERM EFFECTS: euphoria, prevention of withdrawal symptoms, pain relief, mental clouding, drowsiness, central respiratory depression which can cause death.
2. LONG-TERM EFFECTS: constipation, loss of appetite, toxic syndrome, lowered blood pressure.

xiii. TRANQUILIZERS– (Librium, Miltown, Equinol, Thorazine, Valium)

1. SHORT-TERM EFFECTS: relief of anxiety and tension, suppression of hallucinations and aggression, sleep, drowsiness, blurred vision, dizziness, slurred speech, allergic reactions, stupor.
2. LONG-TERM EFFECTS: blood-cell destruction, jaundice, coma, and death

G. Policy Review

- a. This policy will be reviewed biennially by the Substance Abuse Policy Review Committee comprised of representatives from the office of the Vice President for Student Development, the Chief Financial Officer, representatives of the Student Government Association, faculty, the Office of Human Resources, and the Department of Public Safety to determine its effectiveness, make changes if necessary and to ensure that sanctions are consistently enforced.

UNIVERSITY LIABILITY

- A. 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.
- B. 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.

