Student Code Of Conduct, Policies And Procedures

2018-2019

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PUBLICATION INFORMATION

The information contained within this publication applies to the academic year 2018-19 and is accurate and current, to the extent possible, as of November 20, 2018. Salisbury University (the University) reserves the right to update and/or make changes to the Code of Conduct, University policies, programs of study, academic requirements, teaching staff, the calendar and other matters described herein without prior notice, in accordance with established procedures.

For the most updated version of the Code of Conduct, please refer to the University’s website, www.salisbury.edu/administration/student-affairs/office-of-student-conduct/code.aspx

The University will utilize the most updated version of the Code of Conduct in all instances.

PREAMBLE

The mission of the University is to empower students with the knowledge, skills and core values that contribute to active citizenship, gainful employment and life-long learning in a democratic society and interdependent world. A community exists on the basis of shared values and principles. The achievement of the University’s educational goals is a responsibility that must be shared by all. Therefore, the University expects and requires of all its students full cooperation in developing and maintaining a campus community in which a core set of values including integrity, social justice, respect, community, and responsibility, are upheld. A commitment to these values requires each member of the University community to refrain from behavior that compromises or in anyway interferes with the educational mission of the institution, equal access to education or employment of those at the institution, and/or the health, safety, or welfare of any institution community member or a member of the greater Salisbury community and beyond. Moreover, each member of the University community bears responsibility for their conduct and to assume reasonable responsibility for the behavior of guests. Choosing to join the University’s community obligates each member to live by the institution’s Code of Conduct and to uphold community standards at the University and in the greater Salisbury community and beyond.

STUDENT CODE OF CONDUCT

The purpose of the Code of Conduct is to set forth University required standards of behavior that promote the safety and welfare of the Salisbury University community. When violations of behavioral expectations occur, the following policies and procedures have been developed to protect the interests of the members of the University community, both individually and collectively.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same procedures and/or process afforded by the courts.

The University reserves the right to make changes to the Code of Conduct, as necessary at any time. Once those changes are posted online, they are in effect. Students are encouraged to check online at www.salisbury.edu/administration/student-affairs/office-of-student-conduct/code.aspx for the most up-to-date Code of Conduct.
APPLICABILITY OF THE CODE OF CONDUCT

The University’s Code of Conduct applies to all currently enrolled students, as well as all student groups and organizations, including, but not limited to, athletic teams, Greek organizations and clubs. Additionally, the University’s Code of Conduct applies to persons who have been notified of their acceptance for admission, who withdraw after allegedly violating the Code of Conduct or who are not officially enrolled for a particular term, but have a continuing interest or relationship with the University. Students who host guests (student hosts) are also responsible for them and therefore should inform them of University policies. Student hosts may be held responsible for their guests’ actions. All individuals to whom the Code of Conduct applies are responsible for knowing University policies. Ignorance of University policies will not be considered a viable defense or excuse in the student conduct process.

This is not an exhaustive overview of all University policies and procedures applicable to students, nor is it a complete summary of applicable local, state and federal law. Since the Code of Conduct applies to persons who have paid their deposit for admissions, individuals who have submitted their intention to attend the University and then violate the Code of Conduct prior to beginning coursework could have their offer of admission suspended or revoked, depending on the severity of the violation. Students who withdraw or seek to withdraw from the University with a pending complaint, pending report of misconduct, an ongoing investigation or pending charges may still be adjudicated through an appropriate University Code of Conduct process. If a Code violation is found and sanctions (short of permanent dismissal) are issued, a student must complete the appropriate sanctions in order to be eligible to change or petition to change their status.

The Code of Conduct policies and procedures may be amended or modified at any time as required by law and/or where particular circumstances arise that necessitate a change.

GENERAL EXPECTATIONS

Each Student can expect:
1. Students can expect to not be discriminated against on the basis of sex, gender, marital status, pregnancy, race, color, ethnicity, national origin, age, disability, genetic information, religion, sexual orientation, gender identity or expression, veteran status, or any other legally protected characteristics;
2. Written notification of any and all alleged Student Code of Conduct violations within a reasonable time from the filing of the complaint or incident report with Student Affairs that is pertinent to those allegations;
3. To have the ability to request that an administrative hearing (not before a conduct board) be suspended after the presentation of information should the student desire to reevaluate responsibility for the charges;
4. If a student fails to appear at any hearing, it may proceed without the student’s presence, consistent with the Student Code of Conduct, Policies and Procedures; and
5. To receive a decision letter within a reasonable period of time from the conclusion of all hearings pertinent to the case.

Each Student has the responsibility to:
1. Review and abide by the University’s Student Code of Conduct and all other University Policies and Procedures;
2. Maintain their University email address and respond to any University notifications sent directly to the individual student;
3. Carry their University ID with them at all times and present it to officials when requested;
4. Express themselves freely on any subject provided they do so in a manner that does not violate the Code of Conduct;
5. Student organizations and students as members of student organizations have the responsibility not to illegally discriminate against others; and
6. To uphold the Salisbury University Promise (see the back of the Student Code of Conduct).

JURISDICTION

The University’s jurisdiction extends to all behavior by any undergraduate or graduate student and/or student organization or athletic team that occurs on University property, at University
sponsored activities (regardless of location), on University sponsored trips or functions (regardless of location), conduct occurring off campus when the alleged conduct could affect a substantial University interest including, but not limited to, the educational mission of the institution, equal access to education or employment of those at the Institution and/or the health, safety or welfare of any institution community member, or beyond the Salisbury community, as determined by the Vice President of Student Affairs or their designee. A substantial University interest could be affected if, for example, the conduct could endanger the health, safety or welfare of the student, any other individual (and/or the community at large), any student organization or athletic team; could endanger any University or non-University public or private property; or if the conduct could adversely affect the University’s integrity, interests or educational mission. The University may impose sanctions against a student, student organization, athletic team or any other individual or group subject to the Code of Conduct for the violation of any Code of Conduct or other University policy that occurs on or off campus, within the jurisdiction described herein.

The Code of Conduct may be applied to behavior conducted in person or online, via email or other electronic medium. Students should be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations. While the University does not regularly search for this information, it may take action as necessary when such information is brought to the attention of University officials and is a violation of the Code of Conduct.

STANDARDS OF CONDUCT

The University considers the following behaviors to be inappropriate for the community. The Standards of Conduct are listed in alphabetical order. In reviewing of any violation, factors considered include, but are not limited to, the nature of the violation and specific facts of the incident; severity of the damage, harm or injury; aggravating circumstances; and other circumstances that may have impacted the incident. Violation of any University policy will be handled in accordance with the appropriate Code of Conduct and/or other University policies and procedures process.

1. Abuse of Others

Intentional conduct, including verbal, physical, written and/or electronic communication, that creates a hostile educational environment by substantially interfering with a student’s educational benefits, opportunities or performance, or with a student’s physical or psychological well-being or is motivated by an actual or a perceived personal characteristic, or is otherwise seriously threatening to another student.

Please note that complaints regarding unlawful discrimination will be resolved in accordance with the University Policies Prohibiting Sex- or Gender-Based Discrimination and Non-Sex Based Discrimination. Refer to www.salisbury.edu/administration/institutional-equity/document-library.aspx

2. Academic Disciplinary Disruption

Disruption of the academic process is defined as the act, words or general conduct of a student in a classroom or other academic environment, which in the reasonable estimation of the instructor directs attention away from the academic matters at hand, including, but not limited to, noisy distractions, persistent disrespectful or abusive interruption of lecture, exam, academic discussion, or general University operations.

References to classroom or academic area include all academic settings (live or online, and include field experiences) and references to instructor include the course instructor, faculty,
administrators and staff.

Academic discussion that includes disagreement with the course instructor during times when the instructor permits discussion is not in itself disruptive behavior and is not prohibited.

While certain conduct might fall under the purview of Academic Misconduct and those policies and procedures would apply, students may also be held accountable under the University’s Code of Conduct for the same incident.

Students completing a University sponsored internship program or are participating and/or enrolled in graduate and/or professional accredited programs are also subject to department and/or program level action (please refer to department and/or program policies and expectations for details). Appeals of the Academic Disciplinary Action Policy should be submitted to the Assistant Vice President of Academic Affairs, but may be referred to the Academic Policy appeals board.

3. Acceptable Use Policy

The use of IT resources is a privilege, not a right. Access is granted to Authorized Users subject to all University, University System of Maryland (USM) and State of Maryland policies, federal, state, and local laws and ordinances. In addition, other University policies on acceptable use may apply. The following list, while not exhaustive, describes some conduct defined as unacceptable use prohibited by this policy:

a. Knowingly using IT resources for illegal activity including, but not limited to:
   i. Sexual Misconduct;
   ii. Discrimination on the basis of a federally protected characteristic or right including, but not limited to, race, color, religion, religious need, genetics, sex, sexual orientation, age, national origin, disability or veteran status;
   iii. Intellectual property rights, including federal copyright law, trademark, patent, trade secret or software licensing, such as pirating, installing, copying, distributing or using digital content such as software, music, text, images or video without appropriate license that qualifies under a “Fair Use” exception;
   iv. Exporting software, technical information, encryption software or technology in violation of international or regional export control laws;
   v. Obscenity;
   vi. Child pornography;
   vii. Threats or harassment by means of email, instant messaging, telephone or paging, or other social media platform(s) whether through language, frequency or size of messages;
   viii. Defamation; and
   ix. Theft, including identity theft.

b. Unauthorized access, altering or reverse engineering system software or hardware configurations;

c. Disrupting, interfering with or denying service to any Authorized User or IT service administration, including overloading or otherwise adversely impacting system performance and support, regardless of whether the conduct actually impacts other Authorized Users’ use of the IT resources;

d. Access, attempted access or facilitating access to another User’s accounts, private files, email messages, or intercepting network communication without the User’s permission, except in accordance with job responsibilities for legitimate University purposes;

e. Misrepresenting oneself as another individual electronically;

f. Any effort, regardless of whether successful, to circumvent IT system security;

g. Use for commercial gain or private profit, including running a non-affiliated University business or personal consulting outside the scope of your University job responsibilities, except as permitted by University intellectual property policies or University spinoffs endorsed and managed through University research and technology transfer offices;

h. Representing oneself as an agent of the University without authority;
   i. Accessing and/or disclosing sensitive or confidential information without authority;

j. Intentionally or recklessly introducing or transmitting destructive or malicious programs such as viruses into the network or networked devices;

k. Allowing use of Authorized User’s or other accounts by others, including family and other household members, including, but not limited to, for the purpose of committing academic integrity violations;

l. Circumventing user authentication or security of any host, network or account;

m. Forwarding restricted University email to unauthorized recipients;

n. Sending or posting unsolicited and/or inappro-
appropriate mass email messages without proper authorization; examples of unacceptable use include “spam” junk email, chain letters, pyramid schemes or other commercial advertising;

o. Unauthorized use, deliberate disguising of the sender or forging of email header information, including alteration of the content of an email message originating from another sender with intent to deceive; and

p. In anyway violating any federal or state law or regulation and/or University IT policy or any other applicable policy.

4. Aiding and Abetting

Helping, or cooperating in an act or action that violates the Code of Conduct. A student may be held responsible as though he or she was a direct participant in the violation, even if information indicates he or she was not directly involved in the perpetration of the violation.

5. Alcohol

In Maryland, individuals must be 21 years of age to consume or possess alcohol. When a student engages in behavior, whether on or off campus, that violates University regulations concerning alcohol and that violation could result in behavior, which, in the University’s sole judgment, is destructive, abusive or detrimental to the University’s interests, the University’s conduct process shall apply and such matters will be processed accordingly, including review of the application of the University’s Medical Amnesty Policy.

a. No person who is less than 21 years of age may purchase, possess or consume any type of alcoholic beverage;

b. Excessive consumption of alcohol is prohibited regardless of age. Excessive consumption would be any amount that limits an individual’s ability to engage in normal activities, including driving;

c. No person may possess an open container of alcohol in a public area;

d. No person may provide alcohol to any person who is less than 21 years of age;

e. No person may illegally distribute, sell or manufacture alcohol;

f. No person may bring any type of alcoholic beverage into an Alcohol Beverage Controlled-licensed facility or area, and no person may take alcoholic beverages out of a Controlled-licensed facility or area;

g. No person who appears to be intoxicated or is intoxicated may be sold or served alcoholic beverages (as defined below); and

h. No person may operate a vehicle, bicycle, scooter, skateboard, etc., under the influence of alcohol.

Intoxication for any individual may include, but is not limited to, impaired motor-skill coordination, difficulty communicating, vomiting, glazed/red eyes, the smell of alcohol on one’s breath, verbal and/or physical aggressiveness, destructive and/or disruptive behavior, and engaging in any behavior that may endanger oneself or others.

Parents/legal guardians may be notified when a student under the age of 21 is found responsible for an alcohol and/or drug violation under this policy.

6. Dangerous Weapons, Fireworks and Explosives

Possession or use of any item that could threaten the potential safety of the University community on campus or at University-affiliated events and activities occurring off campus, unless approved, in writing, by the University Chief of Police. This includes, but is not limited to:

a. Possession or use of guns, firearms, ammunition and other weapons;

b. Possession or use of toy, counterfeit, replica or blank-firing firearms, knives, pellet, paint, bb guns, or any other resemblance of guns;

c. Possession or use of gasoline (other than that used legally in motor vehicles) and all other combustible liquids; and

d. Possession or use of fireworks and all other explosives.

Any student found in possession of the aforementioned items may be subject to immediate removal from the University.

7. Discrimination

SU prohibits and will not tolerate the following forms of unlawful discrimination. Prohibited Discrimination includes:

a. Sex or Gender-Based Discrimination includes Sexual Misconduct, which includes Dating Violence, Domestic Violence, Sexual Assault, Sexual Coercion, Sexual Exploitation, Sexual Harassment, Sexual Intimidation, Sexual Violence, Stalking, and related Retaliation. These are all forms of sex discrimination prohibited by Title IX and
may also constitute criminal activity. For detailed information on all Prohibited Sex or Gender-Based Discrimination, associated policies and procedures see the University Policy Prohibiting Sexual Misconduct and Other Gender-Based Discrimination at: www.salisbury.edu/SUProhibitedSexDiscrimination/

b. Non-Sex-Based Discrimination includes, but is not limited to, intimidation and/or harassment of any kind. Specifically, University policy prohibits harassment motivated by gender, race, religion, national origin, sexual orientation, age and/or disability. For detailed information on all prohibited non-sex-based discrimination, associated policies and procedures see the SU Policy Prohibiting Non-Sex-Based Discrimination at: www.salisbury.edu/SUNonSexBasedProhibitedDiscriminationPolicy/

Direct all inquiries regarding the University Policies Prohibiting Sex- or Gender-Based Discrimination and Non-Sex-Based Discrimination to the Office of Institutional Equity, Holloway Hall Room 100, 410-543-6426. Please review the full Policies and Procedures at www.salisbury.edu/administration/institutional-equity/document-library.aspx or contact the Office of Institutional Equity at equity@salisbury.edu.

8. Disruptive Behavior

No student shall commit any act that amounts to disruptive behavior, or knowingly participate with others in conduct that amounts to disruptive behavior.

Disruptive behavior includes, but is not limited to, any action that impedes, obstructs or interferes with the educational intent of the University and is detrimental to University interests or compromises the integrity of the University or University community, including, but not limited to:

a. Disrupting the flow or movement of others on campus or at University sponsored events;
b. Trespassing or unauthorized entry;
c. Interfering with the freedom of speech of any member or guest of the University or any other local, state or federally protected right;
d. Engaging in disorderly conduct, including, but not limited to, direct involvement in a verbal and/or physical altercation;
e. Any event occurring on or off campus that is disruptive to normal activities and has not received official support from University and/or local community officials. This may include, but is not limited to, parties, events involving live bands and/or DJs, etc;
f. Conduct that is inappropriate, disorderly or disruptive in nature. Examples include, but are not limited to: public urination, yelling, use of profanity or behavior that a reasonable person would consider disorderly;
g. Behaving obscenely or indecent exposure in public places; and
h. Pranks that cause or have the potential for causing damage to the University or anyone’s personal or public property.

9. Drugs

The University prohibits the possession, use, consumption, manufacture, sale or distribution of drugs and/or drug paraphernalia.

Definitions

The term “drugs” broadly includes, without limitation, any stimulant, intoxicant (other than alcohol), nervous system depressant, or other chemical substance, compound or combination when used to induce an altered state, including any otherwise lawfully available product used for any purpose other than its intended use (for example, prescription or drugs or household product misuses).

The term “drug paraphernalia” includes any definition found in state and/or federal law, but broadly includes any material, product, instrument or item used to create, manufacture, distribute, use or otherwise manipulate any drug and includes, but is not limited to, hypodermic needles, syringes, baggies and/or rolling papers (when used for the purpose of drug use), strainers, grinders, scales, any devices used to ingest drugs including bongs or pipes.

Specific violations of this standard include, but are not limited to:

a. The possession or use of drug;
b. The possession or use of drug paraphernalia or other items used in preparing or consuming illegal drugs;
c. The delivery, transfer or intent to deliver, transfer or manufacture any drug or drug paraphernalia;
d. The sale, delivery or transfer of a prescription or prescription drug to another. This includes the sharing or giving of drugs to even one person, cultivation of drugs and
any other form of distribution or intention of distribution; and

**e. A violation of any applicable local, state or federal law relating to drugs or drug paraphernalia.**

An individual may be determined to be under the influence by the identification of symptoms including, but not limited to, impaired motor-skill coordination, difficulty communicating, vomiting, glazed/red eyes, verbal and/or physical aggressiveness, destructive and/or disruptive behavior, and engaging in any behavior that may endanger oneself or others.

**Parents/legal guardians may be notified when a student under the age of 21 is found responsible for an alcohol and/or drug violation under this policy.**

### 10. Event-Related Misconduct

This policy is in response to Board of Regents Policy V-8.0 on Event-Related Student Misconduct, as amended February 10, 2006.

Any misconduct that results in harm to persons or property or otherwise poses a threat to the stability of the campus or campus community, including, but not limited to, rioting, assault, theft, vandalism, fire setting or breach of the peace, and occurs at institution-sponsored events held on or off campus, including athletic events.

The sanction to be imposed upon any student who is documented for an alleged violation and convicted in any state or federal court, or found responsible in any campus judicial proceeding, ordinarily shall be dismissal. While the student will have access to normal campus conduct proceedings and policies, in order to avoid dismissal for a finding of event-related misconduct, the student will have to demonstrate specific mitigating or extenuating circumstances that warrant a lesser charge or penalty. Campus disciplinary action for event-related misconduct may take place regardless of the existence, status or outcome of any criminal charges in a court of law related to the misconduct.

Students suspended in accordance with this provision shall not be admitted to any other institution in the USM for the duration of the suspension.

Additionally, students dismissed in accordance with this provision shall not be admitted to any other USM institution for a period of at least one year from the effective date of the expulsion. A record of any dismissal or suspension under this policy shall be noted on the student's transcript.

In such instances where a student’s action threatens the educational process or the health or safety of students or other members of the University community, or equal access to education or employment of those at the University, the Vice President of Student Affairs may impose an immediate sanction of temporary suspension from the University. Any decision to impose a sanction less than dismissal, including suspension, under this policy must be supported by a finding of mitigating circumstances signed by the University’s Vice President of Student Affairs and maintained thereafter with the student’s disciplinary file.

### 11. Event Registration

It is the responsibility of each student or student organization to know and abide by the University’s Event Registration Policy. All registered student organizations must submit their event and space requests through the Center for Student Involvement and Leadership as instructed. Please refer to the Center for Student Involvement and Leadership website for the most updated Event Registration Policy and/or documents: [www.salisbury.edu/rso-forms/](http://www.salisbury.edu/rso-forms/).

### 12. Failure to Comply

**a. Failure to comply with or violating the terms of an imposed disciplinary sanction;**

**b. Failure to follow the reasonable directions of University officials (including Salisbury University Police, faculty and/or staff), law enforcement agents, or officials at other colleges and universities that are necessary for the proper conduct of the University and University community.**

### 13. Fire and/or Safety Equipment

It is a violation of this Student Code of Conduct when a breach of campus fire safety or security is found through:

**a. Setting a fire (including charring, burning, lighting of papers, lighting of candles or smoking materials, or any other act that could cause a fire);**

**b. Making a bomb threat, causing or creating a false alarm, or other such intentional or reckless conduct that causes harm or reasonable fear of harm to persons or property;**

**c. Misusing, tampering or damaging safety
equipment (including cameras, exit signs and blue lights) or fire safety equipment (including alarm systems, alarmed fire safety doors, smoke detectors or fire extinguishers);

d. Failing to immediately vacate University buildings during or after an alarm;

e. Possessing prohibited materials in the residence halls or any other campus building (e.g. halogen lamps, candles, etc.);

f. Entering or re-entering a building during a fire alarm; and

g. Attaching, hanging or displaying items on the outside of residence halls, other campus buildings, or the inside or outside of windows, unless an exception has been granted by University Staff, Physical Plant or posting related to a University-sponsored activity and is displayed only one week prior to the activity. In the residence halls, approval must be received from the Director of Housing and Residence Life or their designee. For the GSU, permission must be received by the GSU Coordinator. All other building requests must be approved through Facilities Services. Any approved items must be removed within 24 hours of the event occurring. Please review the posting policy for specific guidelines.

14. Gambling

No student shall gamble for money or other valuables on University property or in any University facility except as part of an authorized fundraising activity.

15. Guests

All guests are expected to abide by University regulations. Students are responsible for the behavior of their guests and may therefore receive sanctions from warning to dismissal for violations committed by their guests. The student's responsibility also includes restitution for damage to University facilities or other restitution that is necessary. The University may also restrict student guests from campus grounds or University activities, particularly when guests' conduct is deemed to be a threat to the health, safety, or welfare of Salisbury University students or others, or would endanger any one's property including, but not limited to, University property. Refer to “The Residence Hall Information Book” for specific regulations regarding guests in residence halls.

16. Hazing

Hazing is defined as any intentional or unintentional action taken or situation created, whether on or off campus, to produce mental or physical discomfort, embarrassment, harassment or ridicule for the purpose of initiation, admission or as a perceived condition of continued membership into any organization, including, but not limited to, sports clubs, athletic teams, fraternities or sororities that operate under the sanction of the University. Hazing is also defined in accordance with any applicable local, state or federal law or USM or University policy.

Such activities and situations may include, but are not limited to:

a. Any activity that causes or requires the student to perform a task that involves violation of the University Code of Conduct, or local, state or federal law;

b. Any activity requiring the consumption of food, alcohol, liquid, drugs or other substances;

c. Any required type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, required calisthenics, exercise or other games requiring physical exertion, or other activity that subjects the student to a risk of harm or that adversely affects the mental or physical health or safety of the student;

d. Any activity that intimidates or threatens a student with ostracism, that subjects a student to mental stress, embarrassment, shame or humiliation, or that adversely affects the mental health or dignity of the students, or discourages the student from remaining in school; and

e. Any type of physical or mental brutality including, but not limited to, whipping, beating, striking, branding, electronic shocking or placing a harmful substance on the body.

The expressed or implied consent of the victim will not be a defense. Even if the victim of hazing consents or willingly participates, the behavior is still considered an act of hazing and is a violation of the Code of Conduct.

Failing to either intervene, prevent, discourage and/or report those acts may also violate this policy.

Hazing is also a violation of Maryland law. See MD Code Ann., Criminal Law Article, Section 3-607.
17. Housing/Residence Life Violations

Students residing in and/or visiting the University residential facilities are held by the policies and procedures of the Student Code of Conduct, including regulations specific to on-campus housing. These include:

a. Use of peripheral exits in the residence halls (other than main entrance doors) is prohibited;

b. Tampering with locks, locking mechanisms, or damages to doors preventing them from being able to close or open properly is strictly forbidden;

c. Alcohol: Please refer to the Student Code of Conduct, “5. Alcohol” for the specific University Policy. However, in addition to the policies concerning alcohol and other drugs outlined in the Student Code of Conduct, Policies and Procedures, the following items and behavior is prohibited in the residence halls:

i. Students of legal drinking age are permitted to consume alcohol only in upperclassman residence halls (Dogwood, Chesapeake, St. Martins and Sea Gull Square). Students are permitted to have a limited quantity of alcohol in their room at one time, which is deemed acceptable for one person i.e. one wine bottle, one six pack, or one fifth. Students are only permitted to have one of these three options in their space at any given time. If students are found to have more than one of these quantities above, they can be held in violation of their Housing Contract;

ii. If a student is of legal drinking age (21), but is housed with students under 21, all students must adhere to the following policies: permitted students cannot provide alcohol to those under 21;

iii. Permitted students cannot store alcohol in common area refrigerators, closets, cabinets etc.;

iv. All alcohol must be confined to the student's bedroom (or personal refrigerator within that bedroom if the bedroom is shared with a student under the age of 21);

v. If students are in their apartment and any student present is not 21, the alcohol consumption by the student 21 or over can only occur in their own bedroom and cannot occur in the common areas of the apartment;

vi. Alcohol paraphernalia is prohibited in any residential space that is occupied by an individual under the legal drinking age. Examples of paraphernalia include, but are not limited to, collections of alcohol labels and beer caps, cardboard cut outs of alcohol boxes and cleaned alcohol containers used in a decorative manner;

vii. When a state of emergency has been declared on campus, alcohol may not be brought in or consumed in any residence hall or space regardless of the age of the occupants, during the time frame of the emergency.

d. Students are responsible for maintaining reasonably sanitary conditions in their rooms and living space: and

e. For the health and safety of all occupants, as well as for the care of the facility, the University has placed limits on items being permitted in the residence halls. For a complete list, including appliances, please review the Residence Life Information Book at:

www.salisbury.edu/housing/default.html

18. Providing False Information

Students may not:

a. Knowingly furnish false or misleading information to University officials or law enforcement officials;

b. Possess or use of a false ID or ID that is not your own;

c. Allow someone else to use your ID;

d. Manufacture, sell or distribute fake or false IDs;

e. Use a false ID to obtain University services;

f. Use a false ID to obtain alcohol.

19. Noise

Any noise disturbances in residence halls, on campus or in neighborhoods that negatively impacts the reasonable ability to enjoy activities is a violation of the Code of Conduct. In addition, any sound or amplified equipment heard beyond 50 feet of a personal residence off campus is a violation of the noise policy. A reasonable request by a resident, whether off campus or in the residence halls, concerning noise is expected to be honored. While it is 24-hour courtesy hours in the residence halls,
the designated quiet hours are 8 p.m. to 8 a.m., except during exam periods when the courtesy hours are also 24 hours.

20. Retaliation

It is a violation of this Student Code of Conduct for any student to commit violence, make threats or take adverse action against any individual who, in good faith, has made any complaints, served as a witness, or otherwise participated in any way in any investigation, review, or hearing conducted under this Student Code of Conduct, University policies, or any local, state or federal law.

21. Smoking and Vaping

Smoking or vaping of any product is prohibited on the University campus (www.salisbury.edu/smokefree). The ban on smoking/vaping includes all University buildings (whether leased or owned), including residence halls, all grounds, exterior open spaces, parking lots and garages, on-campus sidewalks, streets, driveways, stadiums, recreational spaces and practice facilities, and in all University-owned or leased vehicles. "Smoking" is defined as the burning of tobacco or any other substance including, but not limited to, marijuana in any type of smoking equipment, cigarettes, e-cigarettes, cigars or pipes. Vaping is defined as the act of inhaling and exhaling vapor produced by an electronic cigarette or analogous device.

This policy applies to all individuals on the University’s campus, including faculty, staff, students, parents, vendors and visitors. Faculty, staff, students and visitors who violate the smoking/vaping policy may be denied access to the University campus. Concerns regarding student, faculty, staff and visitor violations of this policy should be referred to the Office of Student Affairs, the Office of Human Resources or the University Police Department.

22. Theft

Theft is defined as the unauthorized taking, misappropriation, use or possession of any personal or intellectual property or services provided, owned or maintained by the University or by another person or entity. Students committing acts of theft are subject to disciplinary action from the University and potential loss of campus employment if appropriate.

23. Threats or Acts of Violence

Threats or actions of violence include, but are not limited to:

a. causing physical harm;
b. threat through which the speaker intends to communicate a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals;
c. conduct that threatens or that can be construed as threatening; or
d. conduct endangering the health and safety of any person.

Engaging in a physical altercation is prohibited. Students who engage in any level of physical altercation will be subject to suspension from the University for no less than one calendar year and will be considered for permanent dismissal.

Students who participate as a bystander may in some circumstances also be subject to disciplinary action.

24. Traffic Rules and Regulations

Students, faculty and staff and others are required to abide by all traffic rules and regulations set forth by the University (e.g., motor vehicle registration, parking permits, parking garage use and regulations regarding bicycles, skates, skateboards and scooter use). The Parking Services website contains details regarding Traffic Rules and Regulations: www.salisbury.edu/parking/rules/

25. Unauthorized Access

Unauthorized access or entry to, into, or onto any physical property owned or operated by the University or any private or restricted property including, but not limited to, unauthorized access into University computers, computer systems or other computers, and buildings, construction sites, vehicles and athletic fields.

26. Vandalism of Property and/or Acts of Destruction

Acts of destruction against the property of others will not be tolerated. Similarly, disruptive behavior that might incite violence, cause serious physical or emotional injury, or breach the peace will not be permitted. No student shall engage in behavior that causes damage to anyone’s personal property, community or University property,
damage or litter, attempt to destroy, or assist another student in destroying damaging or littering any property of the University, community or of another individual. These prohibitions apply to conduct that is motivated by any reason whatsoever, including, but not limited to, retaliation, or on the basis of sex, gender, marital status, pregnancy, race, color, ethnicity, national origin, age, disability, genetic information, religion, sexual orientation, gender identity or expression, veteran status, or other legally protected characteristics.

27. Violations of Local, State or Federal Law

Conduct leading to arrest, indictment or conviction for violation of local, state or federal law may also result in disciplinary action by the University if the Dean of Students or designee, determines that such disciplinary action is necessary for the protection of other members of the University community, for the safeguarding of the educational community, to prevent the disruption of any lawful activity carried on by the University, or conducted under the auspices of, or with the permission of, the University on property under the control of the University. Such activities include, but are not limited to, conduct during classes, laboratories, cultural events, and recreational, extracurricular and athletic programs. Conduct may not interfere with or negatively impact the maintenance and protection of University property and of the property of members of the University community and their guests; the maintenance of vehicular and pedestrian traffic on campus; and the performance of assigned duties by members of the faculty and staff.

In the event that the Dean of Students or his/her designee determines that disciplinary action is necessary, the case may be referred for action through the University Code of Conduct process.

The University has the right to initiate its own disciplinary proceedings without waiting for court action or the conclusion of any investigation thereof.

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**ADMINISTRATION OF UNIVERSITY CODE OF CONDUCT**

I. BASIC POLICY

While the University’s conduct system may have similarities to the legal system, it is not governed by the same procedures found in criminal or civil proceedings. The disciplinary process at the University exists to provide a living and learning environment that reflects the values of the institution and is independent of any criminal and/or civil proceedings that may be concurrently in process. The conduct system at the University is intended to enforce the Code of Student Conduct, although the conduct in question may be simultaneously in violation of federal, state or local laws. The University may notify local, state and/or federal authorities when a crime is alleged to have been committed, but such notification will not modify the University’s authority to adjudicate the alleged misconduct through its own student conduct system.

**Student Involvement**

Students are asked to assume positions of responsibility in the University Conduct process in order that they may contribute their skills and insights to the resolution of disciplinary cases. Final authority in disciplinary matters, however, is vested in the University administration.

II. STUDENT CONDUCT AUTHORITIES

A. Authority of the President

The authority for discipline is vested in the President by action of the USM Board of Regents. The President has empowered the Dean of Students and/or designees, the Provost and/or designee, and the Title IX Officer(s) and designees in the Office of Institutional Equity to adjudicate charges of alleged misconduct by students and to levy fair sanctions as provided in these (and all other University) policies and procedures.
B. Legal Counsel for the University

Any legal counsel with the authority to represent the University may attend University disciplinary hearings, including, but not limited to, those that involve serious allegations, complex procedural issues and/or that may result in the suspension or dismissal of a student, or in any matter where a student is represented by legal counsel.

C. Dean of Students

The Dean of Students is responsible for the implementation and coordination of the University student conduct system. Specific duties include, but are not limited to:

1. Interpreting University disciplinary system policies and procedures;
2. Ruling on questions of University disciplinary system policies and procedures and appeals;
3. Maintaining accurate records of all student conduct cases;
4. Recruiting, selecting and training all conduct board members;
5. Attending (or designee) board hearing in an advising and non-voting capacity;
6. Ensuring the University conduct process is followed;
7. Determining the disposition of certain cases for hearing;
8. Conducting administrative hearings in certain cases; and

The Dean of Students reserves, at all times, the right to designate other persons, or to appoint special committees as necessary to aid in the University Code of Conduct process. In fulfilling its obligations, the Dean of Students or designee may confer with Legal Counsel for the University.

D. Case Administrators

Upon receipt of a complaint of misconduct, the Dean of Students or designee will assign to a staff member from the Division of Student Affairs the primary responsibility for the resolution of the complaint. The staff member will hereafter be referred to as the Case Administrator. Case Administrators include, but are not limited to, the Dean of Students, the Assistant Dean of Students, the Student Conduct Administrator, Graduate Assistant for Student Conduct, Student Affairs Administrators, Area Directors and Resident Directors and/or designees.

E. Community Hearing Board

The Community Hearing Board hears cases referred to it by the Dean of Students either on appeal or as an original hearing.

Membership to the Community Hearing Board will usually involve at least one student (to include graduate or professional students) and at least one Administrator at all times. These individuals will be appointed by the Dean of Students or designee. Board decisions will be made by majority vote.

F. Office of Institutional Equity

The Office of Institutional Equity is responsible for investigating and adjudicating cases that involve Sex- and other Gender-Based Discrimination and/or Non-Sex-Based Discrimination. For more information, a list of policies and resources please see: www.salisbury.edu/equity.

III. STRUCTURE AND PROCEEDING OF RESOLUTION OF COMPLAINTS OF MISCONDUCT

A. Registering Complaints of Misconduct

1. Any person (this includes, but is not limited to, other students, faculty, staff, University or local police, community members) wishing to initiate a complaint regarding any University student may do so by submitting the following information if available, in writing, to the Dean of Students Office (or other appropriate campus office—see below):
   a. Name(s) of the student alleged to have violated the Code of Student Conduct;
   b. Description of the incident, including dates, times and location;
   c. Names and contact information of witnesses; and
   d. Names and contact information of those filing the complaint.

The Dean of Students or other appropriate University official may also bring charges against a student or student organization on behalf of the University when such conduct or behavior is in violation of University policy or would otherwise threaten the safety or integrity of the institution. If the charges involve possible sexual misconduct (which includes dating violence, domestic violence,
sexual assault, sexual coercion, sexual exploitation, sexual harassment, sexual intimidation, sexual violence, stalking and related retaliation), discrimination or other issues involving alleged sexual misconduct and/or harassment or discrimination that may violate any University, USM, State of Maryland or any applicable discrimination and/or sexual misconduct, policy or law, hereinafter “Discrimination/Sexual Misconduct,” the matter will be referred to the Office of Institutional Equity for investigation and possible adjudication;

2. Complaints or reports of misconduct can be filed with a member of the University Police, Office of Institutional Equity, Residence Life, the Office of the Dean of Students, or, in the case of a complaint against a student organization, the Center for Student Involvement and Leadership or Dean of Students;

3. Complaints should be submitted as soon as possible after the alleged violation of the Code of Conduct occurred. If an alleged violation is not reported within four months of the time it becomes known by the complainant, it may be considered untimely unless the appropriate Student Affairs administrator concludes that there is good cause to proceed. Complaints of Non-Sex Based Prohibited Discrimination and Prohibited Sex Discrimination, including Sexual Misconduct, will be addressed regardless of the amount of time that has elapsed between the violation and the report date. However, SU’s response may be limited if too much time has passed due to the absence of witnesses and/or witness inability to recall all details;

4. Students may be accountable to both civil and criminal authorities and to the University for acts which constitute violations of law and of the University’s Code of Conduct. Disciplinary action at the University will normally proceed during the pendency of criminal proceedings and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed, reduced or have not yet gone to trial;

5. Any student charged with a complaint arising from an incident while they actively met the definition of being a student at the University generally will be required to complete the adjudication of the violation before any transcripts or records from the University can be released. In addition, if charges could have been filed against a student and, upon investigation, a student could have been charged prior to the student withdrawing, charges can, within a reasonable time period, still be brought against the student for pre-withdrawal conduct;

6. A preponderance of evidence, or “more likely than not” standard, will be used in resolutions of complaints of misconduct. A preponderance of evidence does not require information that is beyond a reasonable doubt. Rather it is defined as that degree of proof that will produce a finding that the alleged misconduct “more likely than not” occurred;

7. If a student fails to appear at a pre-hearing after being properly notified (via either the student’s last known address listed within the registrar’s records or email notification through their University email account), the subsequent hearing may be held in the student’s absence. In this case, the student relinquishes the opportunity to present information related to the incident, and a decision is made based on all other information available;

8. End-of-Semester Incidents and Adjudication. Incidents that could result in suspension or dismissal from the University and occur or are identified during the last two weeks of classes or during finals may be resolved by one of the following options:

1. An Administrative hearing held prior to the end of the semester;

2. An administrative hearing conducted over the phone or via video call if the student is not locally available; or

3. A Community Board or Administrative Hearing for the following semester.

Please note that the severity of the incident will be considered when determining the most appropriate method of resolving end of semester cases. The Office of Student Affairs reserves the right to determine when and in what format any alleged Code violations are heard through Administrative or Community Board Hearings.

B. Reviewing a Complaint

Upon receiving a complaint or report of misconduct, the Dean of Students or designee reviews the complaint to determine if there is a possibility that a violation of the Code of Student Conduct or other University policies may have occurred. If it involves Discrimination, Discriminatory Harassment or Sexual
Misconduct issues protected by state or federal law, the matter will be referred to the Office of Institutional Equity. If it appears there may be Discrimination/Sexual Misconduct, the Office of Institutional Equity will start an investigation.

Some incidents may result in a concurrent investigation between the Office of Institutional Equity and Student Affairs. In those cases, a University staff member will provide notification to the student via email or other appropriate mechanism the process for resolution of any charges. The notification will also include identification of the incident, charge(s), complainant and meeting time to discuss the resolution of the case. The University email is the primary communication for the University and students are expected to monitor their University email. Additionally, students are expected to update their address with the Registrar’s Office.

C. Adjudication Options

Upon receiving a complaint or report of misconduct, not involving allegations of sexual misconduct, discrimination or discriminatory harassment the Dean of Students or designee (i.e., a case administrator) will review the report or complaint, and determine all appropriate alleged Code of Conduct violations. The Dean of Students or designee will then inform the student or student organization in writing (normally via email) of the following information:

a. Date, time, and location of alleged incident;
b. Summary of reported incident;
c. Summary of the charges as a result of the alleged conduct; and
d. Scheduled date, time and location for a pre-hearing conference.

At a pre-hearing conference, the student will be advised of the conduct process, and options for resolution. Depending on the charges, the case will also be assigned for resolution through either an administrative or a community board hearing.

As part of the pre-hearing conference, if the report of misconduct is not disputed by the student or student organization, and the student has been assigned to an administrative hearing, then the student may choose to have the matter resolved through an informal proceeding that may occur at the time of the pre-hearing conference upon the student signing a hearing waiver.

If the student has been assigned to a community board hearing and does not dispute the charges or the information in the incident report, they may sign a waiver to move immediately to a sanctioning meeting.

i. Administrative Hearing

A student will meet individually with a Case Administrator designated by the Dean of Students and/or designee. Students are typically assigned to an administrative hearing in cases where it is less likely that a finding of responsibility could result in a sanction of suspension or dismissal. In addition, students may be assigned to an administrative hearing at times in the academic year (beginning or end of a semester, or summer) when it is very difficult to schedule a community board hearing in a timely manner or when a delay could negatively impact the students involved.

Procedures for an Administrative Hearing:

a. The student and/or student organization representative will meet with a Case Administrator, which will typically start as an informal conversation between the Charged Party and Case Administrator, with the goal of identifying all information readily available in regard to the incident in question;
b. A Charged Party may have a hearing advisor at his/her Administrative Hearing. If this is the case, the Administrative Hearing will be rescheduled for a second meeting. The Charged Party or Complainant may act without an advisor if he or she wishes. All students must notify the Dean of Students or designee at least one full working day in advance of the hearing regarding their intent to have an advisor present and the advisor’s name;
c. The Charged Party reviews documentation related to the complaint or report of misconduct. The Charged Party is then given an opportunity to respond by verbally sharing or providing documentation regarding their own accounts related to the matter. The University reserves the right to take any action necessary to corroborate the student’s statements;
d. The Charged Party may request that the Administrative Hearing be suspended for a brief, and agreed upon, amount of time (usually no more than two full working days), after the presentation of the information should he or she desire to reevaluate his or her responsibility for the charges;
e. Based on all information provided the Administrator will make a decision, using a
ii. Community Board Hearing

A community board hearing is a formal hearing proceeding usually before a panel consisting of three or five members. Voting members of the board will include students, and faculty or staff. A non-voting procedural advisor who is a University Administrator, is also present during the hearing. Their role is to ensure that proper procedures are followed, and to assist with any points of clarification that may arise during the course of the hearing. During a Community Board Hearing, the charged student or student organization is presented with the documentation related to the complaint or report of misconduct. The student or student organization is then given an opportunity to respond verbally to the charges as accepting responsibility or contesting responsibility for the charges.

Accept Responsibility. If the student or student organization accepts responsibility, the Board will then move to a phase of determining sanction. The Charged Party may submit for the Board’s review, in writing, or verbally, their recommendations for sanctioning. The Board may ask questions for clarification and discuss alternatives. The Board will then end the hearing and go into closed session to determine a final sanction recommendation.

Contest Responsibility. If the Charged Party contests responsibility, the Board will then continue with the formal hearing. Presentation of information during the hearing will typically occur but is not required.

Procedures for Community Board Hearings:

a. Complainant, Charged Party, witnesses and advisors will be asked to sign honesty statements, and they will be given an overview of how the hearing will progress. All witnesses will then be asked to leave the room and wait in a designated area, and the hearing will begin;

b. Complainant gives an opening statement and perspective;

c. Complainant is then questioned by Charged Party and Community Board members. In certain situations the Complainant and/or Charged Party will not be permitted to directly question one another. In those cases, all questioning will go through the Community Board;

d. Charged Party gives an opening statement and perspective;

e. Charged Party is then questioned by Complainant and Community Board members. In certain situations the Complainant and/or Charged Party will not be permitted to directly question one another. In those cases, all questioning will go through the Community Board. The Procedural Advisor will determine when questioning will go through the Community Board;

f. Statements are then brought forward from Complainant witnesses (these may be in writing or live. If live, they must wait outside of the hearing room until called in). The Community Board and Charged Party will then be permitted to question witnesses;

g. Statements are then brought forward by the Charged Party’s witnesses (these may be in writing or live. If live, they must wait outside of the hearing room until called in). The Community Board and Complainant will then be permitted to question witnesses;

h. Final questions from the Community Board;

i. Complainant may choose to make closing remarks;

j. Charged Party may choose to make closing remarks, including any statement as to mitigating circumstances the Charged Party wishes the Community Board to consider;

k. The Community Board may ask questions at any time during the hearing.

In incidents where multiple students are charged, there will typically be one hearing for all students charged. Students may be physically separated from one another during the hearing, but they will hear all statements related to the incident. Students, in this situation, will not be permitted to ask questions directly to one other. All questioning will go through the Community Board.

Once all information is shared, and parties have completed their closing remarks, the Community Board will go into a closed session. At this time, they will make a determination of responsibility and, if needed, discuss sanctions. In all cases, decisions are based on a finding of “more likely than not” or a preponderance of information.

Confidentiality. To the extent permitted by law, all records of a case will be confidential.

Failure to Appear. If a student fails to appear at an Administrative or Community Board hearing after being properly notified (via either student’s last known address listed within the reg-
strar's records or email notification through their University email account), the hearing will go forward.

**Timeline for Hearing Cases.** Hearings for student or student organization matters will normally be scheduled within seven working days from the notice of misconduct and/or informal conference unless the Case Administrator grants an extension for good cause or the nature of the incident requires immediate action.

If a student is found responsible for any of the charges outlined, the Case Administrator or Community Board may then consider any relevant information from the Dean of Students or designee on any previous violations of University policies by the student, any precedent for similar situations and any administration recommendations concerning sanction.

**Notification of Outcome.** After the Case Administrator or the Community Board have completed their review, a written decision will be rendered, usually within three to five business days. Notification of the decision will be done via email to the student's University email address or the student's last known address listed within the registrar's records. Decisions by a Case Administrator or Community Board for all hearings shall stand, pending the appeal process.

While student disciplinary records are protected as education records under FERPA, there are certain circumstances in which disciplinary records may be disclosed without the student's consent:

- to a "school official" who has a "legitimate educational interest" in the information;
- to parents or guardians of students under the age of 21 when the student has violated any law or policy concerning the use or possession of alcohol or a controlled substance;
- to comply with a judicial order or a lawfully issued subpoena;
- to an alleged victim of any crime of violence or non-forcible sex offense the final results of a disciplinary proceeding conducted by the institution against the alleged perpetrator of that crime, regardless of whether the institution concluded a violation was committed; and
- to any third party the final results of a disciplinary proceeding related to a crime of violence or non-forcible sex offense if the student who is the alleged perpetrator is found to have violated the school's rules or policies. The disclosure of the final results only includes: the name of the alleged perpetrator, the violation committed and any sanction imposed against the alleged perpetrator. The disclosure must not include the name of any other student, including a victim or witness, without the written consent of that other student.

**Parental Notification Policy.** The University reserves the right to notify parents/guardians of the outcome of case when a student is found in violation of alcohol or drug policies and is under the age of 21.

**Hearing Records.** Community Board Hearings are recorded for the purposes of appeal only. No party may record the hearing. Students who appeal may request to listen to the recording of the hearing in the Dean of Student's office. Recordings cannot be copied or removed from the Dean of Student's Office.

**Appeal.** The right of appeal for the Charged Party is assured regardless of the method of adjudication. Upon appeal, the file and material related to the student's previous violations of University policies, if any, are forwarded to the appropriate appellate authority depending upon the method of adjudication. Students exercising their right of appeal must address one or more of the grounds for appeal outlined in Section XI of the Administration of University Code of Conduct. Recordings are destroyed after the appeal process has been exhausted.

**D. Hearing Advisors**

Each Party (the Charged Party and the Complainant) may have an individual serve as a student hearing advisor. This person should have strong knowledge of the University's conduct policies and procedures. The Charged Party or Complainant may act without an advisor if he or she wishes. All students must notify the Dean of Students or designee at least 24 hours in advance of the hearing regarding their intent to have an advisor and the advisor's name. The role of the advisor is to:

- Provide advisee with assistance in understanding how the hearing will proceed;
- Provide assistance with understanding the University resolution process;
- Provide emotional support before, during and after a hearing;
- At no time is the advisor permitted to address the board, or other parties in the hearing, directly. If this occurs, the advisor may be required to leave the hearing;
e. If an attorney is an advisor, the role of the attorney is the same as the role of the advisor. If a student is assisted by an attorney as an advisor, the University reserves the right to have Legal Counsel present.

All Advisors will be required to review and agree to the Understanding the Role for Hearing Advisors Form prior to representing a student in the University resolution process.

E. Witnesses

A witness is a person who has personal knowledge of the incident at issue. Character witnesses are considered immaterial to a finding and will not be permitted to speak before the Community Board. Written statements may be submitted to the Community Board and will only be considered at the time of sanctioning (if the student is found responsible on any charges). The Community Board is not required to consider character statements at any time, but may do so at its choosing. A person who serves as a witness may not serve in any other capacity during the hearing unless the presentation of information warrant charges against the witness or witnesses. The Complainant and Charged Party must submit in writing at least 48 hours in advance of the hearing to the Dean of Students a list of witnesses intended to be called at the hearing. The Charged Party and Complainant are responsible for bringing their witnesses to the hearing at the specified place, date and time for the hearing. If a witness is submitting a written statement for consideration in a hearing, they must sign an acknowledgement form in person to the Dean of Students at least 48 hours prior to the hearing or unless otherwise directed by the Dean of Students. Any individuals that provide false information in writing or as part of their participation during a conduct hearing or investigation may be charged with violation of University policy. Whenever possible, any written statements will be provided to all parties to review prior to a hearing.

IV. INTERIM SUSPENSION

The President has empowered the Vice President of Student Affairs, Dean of Students or designees, and in the case of Title IX, the Title IX Coordinator or designee to suspend a student for an interim period pending disciplinary proceedings. The interim suspension would become effective immediately without prior notice, whenever there is evidence that the continued presence of the student on the University campus poses a substantial threat to anyone or to the stability and continuance of normal University functions. In such instances, the student will be afforded an opportunity to meet with either the Vice President of Student Affairs or Dean of Students or designees, or in discrimination and/or Sexual Misconduct cases, the Title IX Coordinator or designees and be given an opportunity to discuss the following issues only:

a. The reliability of the information concerning the student’s conduct, including the matter of his or her identity;
b. Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the University campus poses a substantial threat to anyone or the stability and continuance of normal University functions.

When interim suspension in non-discriminatory and/or Sexual Misconduct cases is imposed:

a. A full hearing will generally be scheduled for the student within 10 working days or as soon as the student’s condition permits;
b. The student must leave the campus immediately and may not participate in academic, extracurricular or other activities of the University except as may be authorized by the Dean of Students or designee. Possible opportunities for continued academic participation will be coordinated by the Dean of Students or designee;
c. During the period of interim suspension, a student is not permitted on the campus without prior written consent from the Dean of Students or designee;
d. An interim suspension hold will be placed on the student record prohibiting any enrollment or student record activity.

In cases involving charges of Discrimination/Sexual Misconduct, please contact the Office of Institutional Equity for applicable procedures. The University reserves the right to expedite or amend hearing proceedings for students placed on interim suspension regardless of pending criminal charges and/or court schedule action.

When a status of interim suspension is imposed, notification of this status is communicated to Academic Deans and relevant faculty by the Dean of Students Office.
V. WITHDRAWAL WITH OPEN CHARGES

If a student chooses to withdraw from the University after an incident has occurred in which they are charged or can be charged, with violations of the Student Code of Conduct, then the University will have the option to either:

a. Place a negative service indicator (hold) on the student’s account, which will prevent them from registering for classes or obtaining their transcript without resolving the incident; and/or

b. Continue with the adjudication of the incident and all charges. In this case, the withdrawing student will be notified on all steps of the process and invited to participate in the processing of the incident. The University will continue in the processing of the incident regardless of whether the Charged Party wishes to participate.

VI. SANCTIONS

The University reserves the right to sanction any student found responsible or who pleads no contest in a court of law for a violation of law. In these instances, the disciplinary process will be administered by the Dean of Students. In situations where cases are settled or nolle prossed in the courts, the University reserves the option to continue with consideration of the violation through the University conduct process.

The sanctions listed below are alphabetized and the order listed does not reflect seriousness of the sanction. Sanctions not completed by their deadline will result in a hold or negative service indicator on a student’s account, which could limit their ability to register for classes and/or obtain transcripts until the sanction is completed. All sanctions are effective immediately upon completion of the appeal or appeal period, unless Dean of Students or designee authorizes an exception. Students appealing a sanction of separation must comply with the restrictions noted in the Appeals section.

Repeated or aggravated violations of any section of the Code may result in dismissal or suspension or other such lesser penalties as may be appropriate.

A. Alcohol and/or Drug Assessment

The student will be required to complete an assessment regarding decision making around the topic of alcohol and/or drugs. The result will be a recommendation concerning the level of risk and possible follow-up, including further education, group meetings, outpatient treatment, inpatient treatment, etc. The student is responsible for all associated costs. The student may be permitted to complete the requirement with off-campus counselors depending on the specific instructions for the sanction. Please contact the Dean of Students Office for additional information.

B. Cancellation of On-Campus Housing Agreement

Cancellation of the on-campus housing agreement results in the separation of the student from University residence facilities either permanently or for a period of time. Upon the cancellation of the agreement, the student is banned from entering all University residence facilities during the specified period of separation.

C. Dismissal

Permanent dismissal is the separation of the student from the University without future readmission. The student is banned from University property and is not eligible to participate in classes or any University-sponsored or related activities.

D. Educational Requirements

Requiring a student to complete a specific educational requirement directly related to the violation committed. This may include but is not limited to, attending a program(s), counseling, developing a program, writing a paper, attending a class, or other educational sanction. Students may be charged a fee to attend an educational program and classes may have a required fee attached.

E. Fines

A fine is a monetary assessment not connected with financial damage or loss. Fines that can be assessed include, but are not limited to:

1. Failure to complete sanctions by the imposed date will normally result in at least a $50 fine. The student will still need to complete original sanctions as assigned;
2. Off-campus misconduct (individual or student organization) detrimental to University interests or resulting in violations of one of the following policies:
   a. Disruptive Behavior;
   b. Destruction of Property;
   c. Conduct Infringing on Others; or
d. Noise.
Fines will be at least $75. Hosting parties typically results in a fine of at least $150 to each resident;
3. Students found responsible for an alcohol-related violation that does not put themselves or someone else’s health or safety at risk may be assessed a fine of at least $75;
4. Students found responsible for an alcohol-related violation in which the student put themselves or someone else’s health or safety at risk may be assessed a fine of at least $100 for the first violation. Such offenses include, but are not limited to, DUls, providing alcohol to minors, medical response, vomiting, blacking out/passing out, causing an injury to themselves or others, engaging in risky behavior, or hosting a party on or off campus resulting in disruptive behavior;
5. Violations relating to drugs or drug paraphernalia (see “Drug Policy” section for definitions) may result in a fine of at least $150.

F. Letter of Apology
Submittal of a letter of apology to complainant/victim or other appropriate individuals and/or groups.

G. Loss or Restriction of Privileges
Limitation or removal of social or personal privileges including, but not limited to, loss or restriction of computer privileges, entertainment of guests in the private areas of a residence hall, membership and/or participation in athletic teams, student organizations or other social activities sponsored by residence halls, student organizations or the University.
Repeated or aggravated violations of any section of the Code may result in dismissal or suspension or other such lesser penalties as may be appropriate.
The University reserves the right to sanction any student found responsible, who pleads no contest, or is found responsible in a court of law for a violation of law. In these instances, the disciplinary process will be administered by the Dean of Students. In situations where cases are setted or nol prosed in the courts, the University reserves the option to continue with consideration of the violation through the University conduct process.

H. Parent/Guardian Notification
Under FERPA (Family Education Rights Privacy Act), the University reserves the right to notify parents/guardians of students under the age of 21 for disciplinary sanctions particularly regarding alcohol and drug offenses. The University encourages its students to talk with their parents about any disciplinary sanctions from the University.

I. Probation
A specified period during which a student or student organization will face disciplinary sanctions, that could limit their participation in University programs, leadership roles, and/or other student extracurricular or social activity for a specified period of time. Fines and additional restrictions may also be imposed.
Notification of probation may be sent to appropriate University offices, including Athletics and the Center for Student Involvement and Leadership. Further violations could result in separation from the University.

J. Restitution
The student may be required to reimburse the University, appropriate individuals or organizations for damage, personal injury or misappropriation. A monetary assessment in the amount of financial damage or loss occurring as a result of misconduct will be assessed against the student’s university account and legal action may be taken to recover the amount if not paid.

K. Sanctioned Service
Requiring a student to participate in assigned tasks that are appropriate to the regulation violated or behavior displayed.

L. Suspension
Separation from the University for a period of time during which the student must leave the campus, usually within 24 hours (except in the case of an interim suspension, which is immediate), and the student is not permitted on campus property or eligible to participate in classes or any University-sponsored or related
activity. The Dean of Students or designee will notify the Dean of the school the student belongs to that he or she will no longer be attending classes during the period of suspension. The student is not permitted to return to the campus without prior written consent from the Dean of Students or designee. The student is expected to adhere to all University policies while on suspension and will be held accountable for any violations during the period of suspension. The student may be eligible for readmission provided all sanctions are complete and their readmission has been approved. The Dean of Students or designee may approve the readmission after meeting with the student. Students who have been placed on suspension will not be eligible to register during open enrollment periods without completion of all sanctions and prior approval of the Dean of Students or designee. The sanction of suspension is noted as a hold on the student’s account but is removed once all sanctions have been satisfied and readmission has been approved through the Dean of Students office. The student conduct hold will restrict privileges for course registration and release of transcripts.

When the sanction of suspension is assigned, the Charged Party must meet (Reinstatement Meeting) with the Dean of Students or designee at the appropriate time to determine whether the Charged Party has met the conditions necessary for reinstatement. The Dean of Students or designee will be given access to all file materials from the original hearing, may require the charged party to make a personal appearance before the Dean of Students or designee and may solicit other information to reach a decision. Students must have all assigned sanctions completed and turned in prior to receiving a Reinstatement Hearing. If the student is reinstated, then the hold will be removed from the student’s account and they will be permitted to register for classes. The negative service indicator is NOT removed until a final decision regarding reinstatement has been made.

M. Warning
An official notification confirming that a violation of University Student Code of Conduct and/or policies has occurred and that future violations may result in a more severe sanction.

N. Withholding a Degree
When charges of misconduct cannot be adjudicated by the date of graduation or based on a hearing outcome, the University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code of Conduct and/or the completion of all sanctions imposed, if any.

Repeated or aggravated violations of any section of the Code may result in dismissal or suspension or other such lesser penalties as may be appropriate.

VII. REFUNDS
Students who are dismissed or suspended from the University for Disciplinary Reasons shall not be entitled to any refund of tuition or fees. Similarly, students whose housing or boarding contracts are terminated for disciplinary reasons are not eligible for refunds. For students who are recipients of Federal Student Aid, specific policies may apply causing a reduction or cancellation of aid. Please review financial aid policies regarding aid: [www.salisbury.edu/admissions/financial-aid/index.aspx](http://www.salisbury.edu/admissions/financial-aid/index.aspx)

VIII. STUDENT CONDUCT HOLDS (NEGATIVE SERVICE INDICATORS)
The Dean of Students or designee reserves the right to initiate a student conduct hold (or sometimes referred to as a negative service indicator) on a student account/record based on the following reasons, which include, but are not limited to:

- Failure to respond to student conduct charges;
- Pending investigations;
- Failure to comply with assigned sanctions; and/or
- Student status that includes suspension or dismissal.

A student’s conduct negative service indicator may affect a student’s ability to enroll in classes, request or receive official transcripts, and/or obtain his or her degree.
IX. PROCEDURES FOR INVESTIGATING AND ADJUDICATING COMPLAINTS OF SEXUAL MISCONDUCT AND OTHER SEX- AND GENDER-BASED DISCRIMINATION AGAINST A STUDENT

The procedures for investigating and adjudicating complaints of sexual misconduct and other sex and gender-based discrimination can be found at www.salisbury.edu/DiscriminationProceduresForStudents.pdf. A complete copy of the policy and procedures can be obtained by contacting the Office of Institutional Equity at equity@salisbury.edu.

X. PROCEDURES FOR INVESTIGATING AND ADJUDICATING COMPLAINTS OF NON-SEX-BASED DISCRIMINATION AGAINST A STUDENT

The procedures for investigating and adjudicating complaints of non-sex-based discrimination can be found at www.salisbury.edu/NonSexBasedDiscriminationProceduresForStudents.pdf. A complete copy of the policy and procedures can be obtained by contacting the Office of Institutional Equity at equity@salisbury.edu.

XI. APPEALS OF UNIVERSITY DISCIPLINARY ACTION THAT DO NOT INVOLVE SEXUAL AND OTHER GENDER-BASED DISCRIMINATION OR NON-SEX-BASED DISCRIMINATION

Students may appeal University disciplinary decisions in accordance with the following provisions:

1. Students are entitled to no more than one appeal review. Students electing to appeal a student conduct decision must file a written appeal, including the reasons for the appeal, with the Dean of Students Office, within five working days of being given notice of the results of the original hearing;

2. Appeals must be in writing and must state specific grounds for the appeal. The student must identify the specific grounds for appeal (as identified below) and submit a rationale for the appeal that specifically addresses the reason for the appeal. Any documentation the student wishes to be considered in their appeal must be provided in writing at the time the appeal is turned in for review.

   Grounds for appeal are limited to the following:

   a) Specified procedural errors or errors in interpreting the Student Code of Conduct or University policies were so substantial as to effectively deny the student a fair hearing (immaterial errors are not grounds for appeal);

   b) New and significant information became available and could not have been discovered and/or provided by a properly diligent student before or during the original hearing;

   c) Student requests an evaluation of assigned sanction(s) because of extraordinary circumstances; and/or

   d) A violation of substantive due process occurred (i.e. the decision was based on an illegal or constitutionally impermissible consideration such as race, gender, exercise of First Amendment freedoms, etc.).
4. Students may not appeal a decision when they have admitted responsibility. They may only appeal assigned sanction(s);
5. The appeal review may be assigned by the Dean of Students to an administrator or if appropriate, a board (hereinafter Appeal Officer). The Dean of Students, if they have had no significant prior involvement in the matter, may also be the Appeal Officer. The Appeal Officer will not have any previous involvement in the decision making of the original hearing. The appeals will involve a review of all documents and transcripts and does not typically involve a meeting with the Charged Party unless requested by the Appeal Officer;
6. The Appeal Officer will review all documentation associated with the case and determine whether sufficient grounds exist to reconsider the case. The Appeal Officer will take one of the following actions:
   a. Concur with the original action in which the original decision is affirmed;
   b. Grant the appeal and modify the sanction to be fair to the facts or findings of the case (modification can increase or decrease sanctions);
   c. Refer the matter to the appropriate hearing body if based on procedural error;
   d. Refer the matter back to the original hearing body if based on the grounds of new relevant information. The original hearing body, Complainant, Charged Party and, if required, witnesses will reconvene to review only the new information. The board will then render a decision based on the new information;
   e. Grant the appeal and reverse a finding of responsibility; or
   f. Deny the appeal on the grounds that the underlying basis for the appeal was not grievable, in which instance the case is dismissed.
7. The University reserves the right to take any action necessary to corroborate the student’s statements.
8. Appeals of suspension or expulsion will be directed to the Dean of Students or designee.

**Student Status Pending Final Action**

Except for Interim Suspension, disciplinary actions which are appealed are held in abeyance pending action by the Appeal Officer. The University reserves the right to temporarily remove a student from the residence halls and/or the University pending disciplinary action in cases where the continued presence of the Charged Party may constitute a real and/or potential danger to people and/or property or is disruptive to the conduct of University business.

**Continued Enrollment During Appeal**

a. Except for interim suspension, generally students appealing University disciplinary action involving suspension or dismissal from the University may continue to take part in any University function, including scheduled classes, while the appeal is pending. Where appropriate, the Dean of Students may restrict a student from parts of the University or specific functions or activities during the appeal period;

b. In those cases where the committee or administrator (with the concurrence of the Dean of Students) determines that the continued presence of the student constitutes a risk to the educational process, the University or to anyone, class attendance may be prohibited;

c. A student who has been placed on interim suspension will continue to be under the same restrictions during the appeal period unless prior authorization from the Dean of Students or designee is received (see "Interim Suspension").

**XII. DISCIPLINARY RECORDS**

Disciplinary records are retained in the Office of Student Affairs until they graduate, after which they are destroyed. Exceptions to this policy are cases that result in the suspension or dismissal of a student, the files of which are retained permanently.

**XIII. MEDICAL AMNESTY POLICY**

The health and safety of students is of paramount concern to the University. All members of the University community are encouraged to act in a responsible manner when an individual may require medical assistance by dialing 911 or the University Police emergency line at 410-543-6222. After calling for an emergency situation and the situation allows, seek a University or Office of Housing and Residence Life official. It is recognized that in situations in which either a student summoning or requiring help is under
the influence of alcohol and/or drugs, the threat of disciplinary sanctions for violating the University’s alcohol and/or drug policy may be under certain circumstances, a barrier to seeking help. As such, the University will do all that it can to promote student, health, safety and well-being. The Medical Amnesty Policy is a policy administered by the Office of Student Affairs that will reduce barriers to seeking help in cases of alcohol and/or drug-related emergencies by providing relief from administrative or disciplinary action on the part of the University under certain circumstances if either a University official or other authority is contacted in a timely fashion.

Policy
1. A student in possession or under the influence of alcohol and/or drugs who summons medical emergency assistance for him/herself or on behalf of a fellow student experiencing a medical emergency will not face disciplinary charges under the Student Code of Conduct or Residence Hall Policies for the possession or use of alcohol and/or drugs, with the exception of the exclusion noted below. In lieu of disciplinary charges and as a condition of such relief, students handled under this Policy will usually be required to complete an approved alcohol and/or drug intervention program and other appropriate mandates issued by the Dean of Students or designee;
2. This Policy also extends to the student for whom medical emergency assistance has been summoned;
3. A "summons" for medical emergency assistance is deemed to be contacting police, University staff or other officials designated emergency medical providers, and staying with the individual until that help arrives;
4. In cases involving sexual misconduct, a student who reports sexual misconduct to the institution or law enforcement or who participates in a sexual misconduct matter as a witness will not be subject to student conduct action for a violation of the University's drug and alcohol policies if the University determines that: (a) the violation occurred during or near the time of the alleged sexual misconduct; (2) the student made the report of sexual misconduct, or is participating in an investigation as a witness in good faith; and (3) the violation was not an act that was reasonably likely to place the health or safety of another individual at risk.

Process
Students referred to the Dean of Students Office for alcohol and/or drug use or possession will have their case reviewed by a representative of the office. If the student is eligible for the conditional relief under this Policy, the initiation of disciplinary charges may be “deferred” pending successful completion of an approved alcohol and/or drug intervention program, if the University determines that it is in the best interests of the student to complete such program. In those cases, if the student successfully completes the program to the satisfaction of the Office of the Dean of Students the pending charges will be withdrawn, leaving the student with no disciplinary record. If the student fails to successfully complete the program within the required time frame, the University may move forward with disciplinary charges.

Exclusions
1. Medical Amnesty for disciplinary charges described in this Policy do not extend to charges other than possession or use of alcohol and/or drugs. In addition it shall not provide relief from disciplinary charges pertaining to the alleged possession or use of alcohol and/or drugs, which, if proven, would involve distribution of drugs or the provision of alcohol to a person under the legal drinking age;
2. Students with a prior disciplinary record of alcohol and/or drug-related violations and students previously granted relief under this policy as the person for whom the emergency services were being summoned, shall only be eligible for relief on a case-by-case basis following an assessment by the Dean of Students Office;
3. This Policy does not and cannot offer persons conditional relief, immunity, or protection from criminal complaint, arrest, or prosecution by University police or other law enforcement agency for illegal activity, including the illegal use or possession of alcohol and/or drugs in violation of Local, County, State, or Federal law. However, State law provides that “the act of seeking, providing or assisting with the provision of medical assistance for another person who is experiencing a medical emergency after ingesting alcohol or drugs may be used as a mitigating factor in a criminal prosecution of (1) the person who experienced the medical emergency; or (2) any person who sought, provided, or assisted in the provision of medical assistance.” Ann. Code of Maryland, Criminal Procedure Article, Section 1-210(a).
This Policy also does not provide relief from any civil suit, fine, or financial obligation to any party (including the University) for loss, damage, or injury associated with alcohol and/or drug use or possession;

4. This Policy does not offer conditional relief to student organizations, which remain subject to University instituted organizational charges for alcohol and/or drug-related violations, including possession and use. The nature of such charges and any resulting disciplinary sanctions, however, will take into account and may be mitigated by the action taken by organizational representatives. A representative of a student organization who summons medical emergency assistance may also be eligible for Medical Amnesty and thus conditional exemption from charges for his or her personal use or possession of alcohol and/or drugs under this Policy.

STUDENT ORGANIZATIONS

EXPECTATIONS FOR GREEK AND REGISTERED STUDENT ORGANIZATIONS AND ATHLETIC TEAMS

Student Organizations Procedures

All registered student organizations, fraternities and sororities, and athletic teams are responsible for adhering to all University policies and procedures. The University disciplinary process for student organizations will generally follow the procedures outlined for individual students. The process may be modified in certain cases involving student organizations.

University recognized organizations which include, but are not limited to, Greek organizations, athletic or club sports, and/or other student interest organizations may have its members sanctioned according to the aforementioned sanctions, and as an organization may have one of the following sanctions imposed:

Suspension. The withdrawal, for a specified period of time, of the charter or privileges of a group found in violation of University or Student Government or Center for Student Involvement and Leadership policies or the Student Code of Conduct, including the inability to use University facilities, publicize events or participate in University-sponsored activities. Such suspensions may include conditions for the reinstatement of individual and organizational privileges. Suspension of a charter or organization may result (when specified) in the complete suspension of the activities of the group.

Violation of the conditions of the group’s suspension may result in revocation of the charter or dissolution of the group or organization.

Revocation of Charter. The permanent cancellation of the charter or privileges of a group that violated the Student Code of Conduct, University, Student Government or Center for Student Involvement and Leadership policies and/or terms of previous disciplinary action.

Alcohol Policy for Greek and Registered Student Organization Events

a. Hard alcohol/liquor, an open bar or free alcohol is not permitted to be served at events sponsored by student organizations;

b. The advertisement of alcohol for any student-sponsored event is prohibited;

c. University catering is the only permitted third party alcohol vendor for on-campus events that serve alcohol, and alcohol can only be consumed by those of legal age;

d. All servers must be TIPS trained with overall supervision from a TIPS certified on-site staff member. No individual from any student organization will be permitted to serve alcohol at any University related or student organization event;

e. For Registered Student Organization (RSOs)- or Greek-sponsored events, appropriate safeguards should be preapproved by the Center for Student Involvement and Leadership (CSIL) to monitor and limit the amount of alcohol served per person (identifying and showing proof of age, tickets, bracelets, etc.);

f. The Dean of Students and University Police must approve all events that involve alcohol preferably two weeks prior to the date of the scheduled event. At the discretion of the Office of Student Affairs and University Police, police may be required to monitor the event. The program organizer may be charged the cost of additional security;
g. All sponsoring groups/event planners are responsible for creating, monitoring, maintaining and supervising a safe and educationally appropriate environment when alcohol is being served;

h. All event planners must receive information on server liability issues and sign off to indicate that they have read and understand their responsibilities. For RSOs, CSIL will have the appropriate documents to read and sign;

i. Nonalcoholic drinks and food must be included at all campus events where alcohol is being consumed;

j. No more than the equivalent of one drink per student, who is at least 21 years of age or older, per hour may be served, i.e. an event lasting three hours or longer would be limited to a maximum of three drinks per student;

k. The Office of Student Affairs and/or CSIL reserves the right to limit the time, manner and place of the event;

l. Event planners may be held accountable by the University including for conduct violations for the behavior of visibly intoxicated participants;

m. Program sponsors are prohibited from selling or furnishing alcoholic beverages to a minor (those under the age of 21) or a person visibly under the influence of alcoholic beverages;

n. Any form of drinking contest is prohibited at any University-sponsored event;

o. Student organizations will not sponsor any activity that includes alcohol that is hosted or marketed by a member of the alcoholic beverage industry. This includes providing free alcoholic beverages for the event, provider, promotional items including names, logos and mascots or the like;

p. Alcoholic beverages may not be provided as free awards or prizes to individual students or campus organizations;

q. Open containers are only permitted in designated areas;

r. RSOs and Greek organizations will appoint an executive officer who will be responsible, in collaboration with the other executives, for overseeing the group's compliance with University policy and state, federal or local law;

s. RSOs and Greek organizations must demonstrate compliance with any additional policies and/or procedures from any national governing bodies with which they are affiliated;

t. The University reserves the right to prohibit alcohol being served at any function;

u. A University official (advisor, full-time faculty or staff member) must be present at all times and throughout the duration of any event where alcohol is being served on campus;

v. Student organizations hosting events at off-campus locations are required to follow all local, state and federal laws and University policies;

w. Student organizations or individual group members may be subject to University disciplinary action if found in violation of these policies;

x. For purposes of enforcing the Student Code of Conduct, an event off campus will be considered to be hosted by an RSO, club, Greek letter organization or athletic team when the event can be readily tied to an identified organization as the organizer;

y. SALISBURY UNIVERSITY ASSUMES NO RESPONSIBILITY FOR ORGANIZATION-SPONSORED EVENTS, INCLUDING, BUT NOT LIMITED TO, EVENTS WHERE ALCOHOL IS SERVED, WHETHER ON OR OFF CAMPUS.

### ACADEMIC MISCONDUCT POLICY

Integrity is a principle that permeates all the activities of the University and guides the behavior of faculty, students and staff. The spirit of academic integrity denotes adherence to the precept that “one’s work is one’s own.” The process by which integrity is upheld assumes clear communication of University expectations, standards and policies and clear communication of students’ and faculty’s rights and responsibilities. This Policy applies to both undergraduate and graduate students.

### DEFINITIONS

This Policy is intended to foster student academic integrity and to address cases of student academic misconduct which may include, but are not limited to, the following:

**Lying**

Communicating untruths or withholding informa-
tion as part of an investigation, or in order to gain an academic advantage.

Cheating

The act of wrongfully using or attempting to use unauthorized materials, information, study aids or the ideas or work of another in order to gain an advantage. Acts of cheating include, but are not limited to:

- giving unauthorized aid to another student or receiving unauthorized aid from another person on tests, quizzes, assignments or projects;
- using or consulting unauthorized materials or using unauthorized equipment or devices on tests, quizzes, assignments or projects;
- submitting as one’s own work material written by someone else, whether purchased or not;
- altering or falsifying any information on tests, quizzes, assignments or projects;
- working on any project, test, quiz or assignment outside of the time constraints imposed;
- submitting an assignment in a somewhat altered form or using any material portion of a paper or project to fulfill the requirements of more than one course unless the student has received prior faculty permission to do so;
- failing to adhere to an instructor’s specific directions with respect to the terms of academic integrity or academic honesty;
- using fraudulent methods in laboratory, studio, field, computer work or professional placement;
- other acts generally recognized as dishonorable or dishonest which bear upon academic endeavors.

Plagiarism

Students are responsible for learning proper scholarly procedures which require, among other things, that all quoted material be identified by quotation marks or indentation on the page, and the source of information and ideas, if from another, must be identified and be attributed to that source. Acts of plagiarism include, but are not limited to:

- intentionally or unintentionally deceiving or disregarding proper scholarly procedures;
- participating in illicit collaboration with other individuals in the completion of course assignments;
- presenting information, thoughts or ideas from another source as if they are your own, or without giving appropriate attribution; or
- other acts generally recognized as plagiarism.

PROCEDURES

The following procedures are intended to provide direction to all parties (e.g., faculty, staff and students) regarding the appropriate steps necessary to initiate and administratively adjudicate a reported act of academic misconduct. While the steps are designed with most case and/or situation types in mind, the Office of Academic Affairs and the Academic Policies Committee reserve the right to modify the process to best accommodate special situations or circumstances as necessary.

Course-Based Faculty Action

Individual faculty members will, in most cases, have the right and responsibility to deal directly with any cases of academic misconduct that arise in their courses. If a faculty member believes a student has committed an act of academic misconduct, the following procedures should be followed:

1. Advise Student - The faculty member will advise the student in a timely fashion of the accusation and will allow the student an opportunity to question or respond to the charge before implementing a sanction;
2. Determine Sanction - The sanction issued should reflect the seriousness of the act. The
faculty member may impose the following sanctions:

- warning;
- reduction in grade recorded for a test, assignment, etc.;
- issuance of an “F” on a test, assignment, etc.; and/or
- issuance of an “F” and removal from a course.

If the faculty member or professional program determines that the academic misconduct warrants a sanction greater than issuance of an “F” and removal from the course or if the professional program determines that the academic misconduct warrants action more severe than dismissal from a program (see Dismissal from Professional Accredited Programs), the faculty member or professional program may recommend a greater sanction (e.g. suspension or expulsion from the University) for consideration by the Academic Policies Committee (APC). To recommend suspension or expulsion as a sanction, the faculty member or professional program must submit to the Office of Academic Affairs a letter of recommended sanction and letters of endorsement from the Chair of the department or program involved and the Dean of the School, for review and consideration by the APC. A copy of all such referrals must be sent to the student;

3. Complete Report - The faculty member must complete an Academic Misconduct Incident Report form (available in the Faculty Handbook and online at www.salisbury.edu/provost/handbook. See Chapter 13 Appendices) for any incident in which a sanction has been issued or recommended, including a warning sanction. This form and all materials or documents that may be pertinent to the Academic Misconduct Incident (e.g. correspondence, copy of assignment/test, etc.) must be sent in a timely manner to the Office of Academic Affairs;

4. Maintain Records - All materials or documents that may be pertinent to an act of Academic Misconduct (e.g. Academic Misconduct Incident Report, correspondence, etc.) must be retained in the Office of Academic Affairs for a period of five years. This provides a long-term central location of Academic Misconduct sanctions which is important for reviewing repeat offenders;

5. Repeat Offenders - Repeat Offenders - The Office of Academic Affairs will forward the names of students who have been reported for more than one act of academic misconduct to the APC. Based on the severity of the offender history, the APC may elect to impose additional sanctions which may include, but are not limited to, suspension or expulsion from the University;

6. Communication - The Office of Academic Affairs will send a copy of the Academic Misconduct Incident Report and an official letter outlining the sanction to the student, faculty member, faculty’s Department Chair, student’s major Department Chair, Registrar’s Office and Dean of Students;

7. Dismissal from Professionally Accredited Programs - The sanction of dismissal from a professional accredited program (i.e., M.B.A., Nursing, Social Work, Education, etc.) based on an academic misconduct incident may be issued at the departmental level but must follow a clearly stated program policy and procedure that has been made available to students. The program must submit an Academic Misconduct Incident Report and a copy of the program dismissal letter to the student and the Office of Academic Affairs within ten working days from any dismissal action taken. A copy of all materials or documents associated with the professional program dismissal including, but not limited to, the Academic Misconduct Incident report form, correspondence, etc. should be forwarded to the Office of Academic Affairs, the Dean of the school within which the program resides, and must also be retained in the department central office for a period of five years.

Student Appeals of Faculty or Professional Program Sanctions

A student has the right to appeal an Academic Misconduct sanction issued by a faculty member or professional program, but must follow the following procedures:

Appeals

1. Submit an Appeal - A student appeal, including a detailed statement of the grounds for the appeal and any supporting documentation, must be submitted in writing to the
Office of Academic Affairs within five working days of receiving the Academic Misconduct Incident Report from the Office of Academic Affairs and/or faculty member.

a. The student’s written appeal ordinarily will be forwarded to the APC by the Office of Academic Affairs within a reasonable time of its filing, usually within ten working days. In the event the APC is not available, the Office of Academic Affairs will forward the appeal to the Provost, who will attempt to create an ad hoc committee to handle the review as soon as practicable. (All further references in this Policy to the APC include the ad hoc committee where appropriate.);

b. The Office of Academic Affairs will send a copy of the student appeal to the faculty member or program director and the faculty member’s department chair. The Office of Academic Affairs will request from the faculty and/or professional program a copy of all documents used to determine the sanction and any additional correspondence or documents pertinent to the case.

2. Continue Coursework - In most cases, the student shall remain in the course pending the results of the appeal; charges related to incidents occurring in the field may result in immediate removal or reassignment in the field. The department chair, the program director and/or the Academic Dean have the discretion to remove the student from the course, from concurrent courses, and/or prevent enrollment in future courses pending the appeal decision where appropriate and where course continuation compromises the integrity of the classroom or instructional environment and will inform the Office of Academic Affairs at the time of this decision.

Academic Policies Committee Actions

Under this Policy, the APC serves to consider student appeals of faculty-imposed and professional program-imposed sanctions, adjudicates cases referred by faculty members where the recommended sanction may include suspension or expulsion from the University, and considers additional sanctions above and beyond faculty imposed sanctions in cases of repeat offenders. For appeals of faculty-imposed and professional program-imposed sanctions, the APC’s scope of review will be limited and the student shall have the burden to prove that the faculty member or professional program exceeded their given authority and/or discretion and/or materially failed to follow proper procedures.

In all matters referred to the APC, the committee will review all documentation and will have the following options:

a. render a written decision based on the evidence submitted, or
b. render a written decision based on further investigation, or

c. initiate a formal hearing and render a written decision.

1. Review of Evidence – A written decision may be determined based on the documents and materials submitted with the appeal.

2. Investigation – A written decision may be determined based on a series of interviews, a review of documents and any other action deemed appropriate for the purpose of collecting additional information and evidence necessary for an informed and reasoned judgment to be rendered.

3. Hearing – A hearing shall be held when a student appeals the dismissal from a program, a faculty member or professional program recommends suspension or expulsion from the University, or if the APC chooses to hold a hearing in any other case. If a hearing is to be held, written notice of the time, date and location shall be sent to all parties. The hearing shall be conducted as follows:

a. The hearing shall be held at a reasonable time when all parties (to the extent possible) are available or have an opportunity to be present;

b. The parties shall be entitled to make opening and closing statements;

c. The parties shall be entitled to present evidence through witnesses and documents, and shall be entitled to question witnesses. At the discretion of the Chair, direct questioning by a party of a witness, including an opposing party, may not be permitted; rather, the parties may be required to convey their questions to the Chair, who will then convey them to the witness;

d. The scope of any hearing conducted by the APC on any given matter shall be consistent with the role of the APC in reviewing such matter;

e. Students are permitted to seek the support of a non-legal advocate for assistance in the preparation and presentation of a case before the
APC. The advocate shall otherwise not participate formally in the proceedings. In all cases, the advocate must be a member of the University faculty, staff, or student body;

f. Neither party may be represented by an attorney at the hearing, unless they are facing or are likely to face criminal charges relating to the alleged academic misconduct. Under these circumstances, both parties may elect to have counsel assist them. Under such circumstances the University legal counsel must also be present. Legal counsel may not give opening or closing statements, present documents, or question witnesses;

g. The hearing shall be closed with attendance limited to individuals directly connected with the case as determined by the Chair of the APC;

h. Formal rules of evidence are not strictly followed at the hearing. The hearing body may receive such evidence as a reasonable person would consider reliable in making important decisions. If a question arises about the authenticity of a document or the reasonableness, relevance or redundancy of evidence, the Chair of the APC shall be the final decision maker on the admissibility of the evidence;

i. The parties may request, in writing, that the committee contact specified persons to appear at the hearing to testify on behalf of the parties. The request should normally be made at least five working days before the scheduled hearing in order to allow ample time for the hearing body to review the requests;

j. The Chair of the APC shall be responsible for conducting the hearing in an efficient and decorous manner and shall rule on all disputes related to the procedures used throughout the proceedings. The Chair may set reasonable limits on the length and nature of the opening and closing statements, the evidence presented and on the duration of the hearing. At any time, the Chair may seek the advice of legal counsel. Since the University lacks full judicial authority, such as the power to subpoena or place witnesses under oath, a student’s due process rights cannot be coextensive with or identical to the rights afforded a party in a civil or criminal legal proceeding. The procedures outlined are designed, however, to assure fundamental fairness and to protect students from arbitrary or capricious disciplinary action. Deviations from these procedures shall not necessarily invalidate a hearing or the results of a hearing unless significant prejudice results.

4. Findings - After the APC has completed its review, it shall issue a written decision based on findings of fact and conclusions, usually within three to five business days, and shall provide a copy of the findings to the student, faculty member, program director, department chair, dean of the school, Registrar and Office of Academic Affairs. All parties must abide by these findings unless they are modified by the Provost as part of a limited appeal process in the circumstances outlined in the appeals section of this Policy.

Appeals of Academic Policies Committee Findings

For student appeals of faculty imposed sanctions the decision of the APC is final. For sanctions imposed by the APC (e.g. suspension or expulsion from the University or additional sanctions imposed by the APC for repeat offenders) and committee findings of sanctions imposed by a professional program (e.g. dismissal from the program), the student or the professional program may appeal the Committee’s findings to the Provost. Appeals must be filed within five working days of receiving notice of the committee’s decision. The written appeal must be filed with the Provost and should set forth all of the reasons that support reversal of the committee’s findings. The Provost will review the written appeal and the documentation associated with the case. The Provost has the discretion to take any action necessary to thoroughly complete a review, and then will issue a decision, which will be binding and final. The decision will be conveyed in writing to the student, the faculty member, department chair, dean of the school, Registrar, the Office of Academic Affairs and the Academic Policies Committee.

Impact of an Academic Misconduct F Grade

If the sanction imposed is an F in the course, the student shall not be permitted to withdraw from the course even if the sanction was
imposed prior to the last day of the University schedule adjustment period. The imposition of an F grade shall stand for the course, unless the student successfully appeals the sanction. Although students can repeat courses, a course repeated based on an imposed F grade for an act of academic misconduct will have both grades calculated in the student’s GPA and not replaced as it is under normal circumstances. The sanction of an F in a course will not be designated on the transcript as an academic integrity F unless it is an action determined by the APC for an academic integrity violation repeat offender. A student who has received a course grade of F for an academic integrity violation will not be allowed to graduate from the University with honors.

UNIVERSITY SYSTEM OF MARYLAND POLICY

In accordance with Board of Regents policy, students expelled or suspended for reasons of academic dishonesty by any institution in the University System of Maryland shall not be admissible to any other System institution if expelled, or during any period of suspension.

Original Version Approved by the Faculty Senate, March 13, 2001
Revisions Approved by the Academic Policies Committee, May 11, 2004
Revisions Approved by the Faculty Senate, May 11, 2004
Revisions Approved by the Office of the Maryland Attorney General, June 17, 2004
Revisions Approved by the Provost, June 18, 2004
Revisions Approved by Faculty Senate April 21, 2009, and the Provost May 15, 2009

STUDENT ACADEMIC GRIEVANCE POLICY


The University has established the Student Academic Grievance Policy to give students of the University community a forum in which to address concerns related to academic matters (e.g. grade disputes and professional program dismissals when they do not involve an academic integrity violation). The Policy provides a method for aggrieved students to express substantive complaints about academic matters and have them resolved in a timely fashion. The following matters are not covered by these grievance procedures:

a. Claims involving alleged discrimination or harassment;
b. Claims relating only to alleged violations of policies which were promulgated exclusively by the University System of Maryland, actions of the Board of Regents or actions of the Chancellor of the System over which SU has no jurisdiction;
c. Student conduct matters;
d. Grievances against University police officers that could result in the imposition of any discipline against the officer(s);
e. Student Academic Integrity violations; and
f. Student Academic Misconduct violations.

INFORMAL GRIEVANCE

Students are encouraged to attempt to resolve differences between themselves and others in an informal manner prior to initiating a formal grievance under this Policy. This may entail only a conversation in which the views of both parties are aired in a mutually satisfactory manner or a conversation using a neutral third party for mediation. In the cases in which the differences involve a faculty member, and the differences are not resolved informally between the faculty member and the student, the student is encouraged to consult with the department Chair prior to filing a formal grievance. If an informal resolution cannot be achieved, the grievant may elect to begin the formal grievance procedure that follows.

FORMAL GRIEVANCE

NOTE: Extenuating circumstances may cause the Office of Academic Affairs to extend the suggested time outlined below.

Step One
The grievant must submit a formal grievance in writing to the person alleged to be responsible for the actions leading to the grievance before the mid-semester point of the following major semester (fall and spring semester) as noted on the University’s master calendar. Nothing in this
Policy is to be construed to inhibit or prevent the grievant from withdrawing a formal grievance once the formal grievance procedures have begun.

A formal grievance must set forth in writing a statement which clearly defines the basis of the grievance, a chronology of events leading up to the grievance, the names of people with knowledge of the event, pertinent dates, a description of the actions taken against the grievant which led to the dissatisfaction and a proposed resolution to the situation. Any documentation relevant to the grievance should be attached to the letter. If known, information about relevant University academic policies should be provided. The grievant has the burden to prove by a preponderance of the evidence that the action or inaction complained about did occur and that it was inconsistent with University policies or procedures.

The person alleged to be responsible for actions leading to the grievance will provide a written response to the grievant within 10 working days of receiving the formal grievance. The written decision should address the specific issues raised in the grievance and include all pertinent information.

**Step Two**
If the response is not satisfactory to the grievant, he or she has 10 working days to file the formal grievance with the supervisor of the person (department Chair of faculty member) alleged to be responsible for the actions leading to the grievance. The grievant must include all prior written responses. The supervisor of the person alleged to be responsible for the actions leading to the grievance will provide a written response to the grievant and the person alleged to be responsible within 10 working days of receiving the formal grievance.

**Step Three**
If the supervisor’s response is not satisfactory, the grievant has 10 working days to file a formal grievance with the Dean of the school in which the dispute has occurred. The grievant must include all prior written responses. The Dean of the school will provide a written response to the grievant within 10 working days of receiving the grievance.

**Step Four**
If the response from the Dean of the school is not satisfactory, the grievant has 10 working days to forward the formal grievance to the Associate Vice President of Academic Affairs who will refer the grievance to the APC for review. In the event the APC is not available, the Assistant Vice President of Academic Affairs will forward the appeal to the Provost, who will attempt to create an ad hoc committee to handle the review as soon as practicable. (All further references in this policy to the APC include the ad hoc committee where appropriate.) At this point in the process, the grievant may also include additional documentation shedding new light upon the appeal; any additional materials received also will be available to the person alleged to be responsible for the actions leading to the grievance. The APC may choose to share any additional materials received with any parties involved with the case to this point.

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**COMMITTEE REVIEW OF EVIDENCE**

The committee normally has 15 working days from receiving the formal grievance to decide among the following options:

1. **Review Submitted Evidence** - Render a written decision based on the documents and materials submitted with the appeal;

2. **Investigation** - Render a written decision based on a series of interviews, a review of documents, and/or any other action deemed appropriate for the purpose of collecting additional information and evidence necessary for an informed and reasoned judgment to be rendered. The investigation, including interviews, will usually be completed within 20 working days of the decision to conduct an investigation;

3. **Hearing** - Render a written decision based on a hearing. If the Committee determines that a hearing is to be held, the Committee shall send written notice of the time, date and location to all parties. The hearing shall be conducted as follows:
   a. The hearing shall be held at a reasonable time when all parties (to the extent possible) are available or have an opportunity to be present;
   b. The parties shall be entitled to make opening and closing statements;
   c. The parties shall be entitled to present evidence through witnesses and documents, and shall be entitled to question witnesses. At the discretion of the Chair of the Committee, direct questioning by a party of a witness, including an opposing party, may
not be permitted; rather, the parties may be required to convey their questions to the Committee Chair, who will convey them to the witness;

d. Students are permitted to seek the support of a non-legal advocate for assistance in the preparation of a case before the APC. The advocate may counsel the grievant during the hearing but shall not officially speak or participate formally in the proceedings. In all cases, the advocate must be a member of the University faculty, staff or student body;

e. Neither party may be represented by an attorney at the hearing, unless they are facing or are likely to face criminal charges relating to the subject of the grievance. Under such circumstances the University legal counsel must also be present. At no time may legal counsel give statements or participate in questioning witnesses or Committee members;

f. The hearing shall be closed with attendance limited to individuals directly connected with the case as determined by the Chair of the Committee. The University may record the hearing at the discretion of the Chair. Any University recording will be University property for University reference only and will not be made part of the student's University record;

g. Formal rules of evidence need not be followed at the hearing. The Committee may receive such evidence as a reasonable person would consider reliable in making important decisions. If a question arises about the authenticity of a document or the reasonableness, relevance or redundancy of evidence, the Chair of the Committee shall be the final decision maker on the evidence’s admissibility;

h. The parties may request, in writing, that the Committee contact specified persons to appear at the hearing to testify on behalf of the parties. The request must be made at least five working days before the scheduled hearing in order to allow ample time for the Committee to make the requests;

i. The Chair of the Committee shall be responsible for conducting the hearing in an efficient and decorous manner and shall rule on all disputes related to the procedures used throughout the proceedings. Reasonable limits may be set by the Chair on the length and nature of the opening statements, the evidence presented and on the duration of the hearing. At any time, the Chair may seek the advice of legal counsel;

j. Since the University lacks full judicial authority, such as the power to subpoena or place witnesses under oath, a party’s procedural rights cannot be coextensive with or identical to the rights afforded a party in a civil or criminal legal proceeding. The procedures outlined are designed, however, to assure fundamental fairness and to protect parties from arbitrary or capricious disciplinary action. Deviations from these procedures shall not necessarily invalidate a hearing or the results of a hearing unless significant prejudice results;

k. When possible the hearing should be completed within 20 working days of the decision to conduct a hearing.

Committee Findings

After the Committee has completed its review, the Committee shall issue a written decision based on findings of fact and conclusions, including procedures followed and any applicable University policies and procedures, usually within 10 working days, and shall provide a copy of the findings to all directly involved parties, including, but not limited to, the parties involved, the department chair, the dean of the school, the Office of Academic Affairs and the Assistant Vice President of Academic Affairs.

Appeal of Committee’s Findings

If either party elects to appeal the decision of the committee, he or she must provide written notice of the appeal to the Provost, within 10 working days from the date of the Committee’s written decision. The written appeal should set forth all of the reasons that support reversal of the Committee’s decision and include any supporting documentation.

The Provost has the discretion to take any action necessary to thoroughly complete a review, and then will issue a decision, which will be binding and final. The decision will be conveyed in writing to the student, the faculty member, department Chair, Dean of the school, the Office of Academic Affairs, the Assistant Vice President of Academic Affairs and the Academic Policies Committee usually within 10 working days.
JURISDICTIONAL DISPUTES
If a dispute arises over the jurisdiction of the committee assigned to decide the matter, the jurisdictional dispute shall be resolved by the Assistant Vice President of Academic Affairs.

CONFIDENTIALITY
Matters pertaining to any grievance must be kept in confidence by the parties directly involved. Committee findings will only be provided to the parties, and other University personnel on a need-to-know basis (e.g. Committee members, department chair, dean of the school, the Office of the Provost and the Office of the Vice President of Student Affairs).

TIMELINE
All time limitations contained within this Policy may be extended for good cause as determined by the relevant committee, Provost or the Office of Academic Affairs. Failure to adhere strictly to the timelines shall not be grounds for appeal unless significant prejudice has occurred.

GENERAL POLICIES AND PROCEDURES

ABSENCE NOTIFICATION
Absence notifications are a courtesy offered to students who are unable to communicate with their instructor(s). It is not an official excuse from classes and work missed. Instructor(s) establish their own attendance policies and expectations, and are under no obligation to accept a notice from the Office of Student Affairs as an official excuse. Moreover, notifications cannot be backdated.

Students are encouraged to communicate with their instructor(s) directly concerning all absences from class. However, in the case of an uncommon circumstance that will keep a student from attending class (generally a sudden or prolonged illness, or the death of an immediate family member) and unable to make contact with their instructor, they may request an Absence Notification from the Office of Student Affairs.

Students will be required to provide their name, student identification number, the first date of absence, the circumstances surrounding the absence and the expected date of return. The Office of Student Affairs will contact the student’s instructor(s) and pass along limited information.

ADDRESS OF RECORD
1. Students are responsible for maintaining and updating current local, campus and permanent addresses with the University Registrar;
2. If a student lives on campus, he or she is responsible for regularly checking his or her University mailbox for mail;
3. Mail sent to a student’s address in the Registrar’s records, to include campus, local or permanent home address and/or their IT-issued email, shall constitute proper notification;
4. IT-issued email accounts are the primary form of communication; therefore, students are expected to maintain and regularly check their IT-issued email accounts;
5. Failure to check and/or read email will not serve as an excuse for failing to participate in or meet any deadline in the Student Code of Conduct or any other proceeding outlined/referenced in the Student Code of Conduct matter.

SALISBURY UNIVERSITY CHALKING POLICY
I. Purpose
Salisbury University (“SU” or the “University”) recognizes that sidewalk chalk is an acceptable method for registered student organizations and SU students, faculty and staff to promote SU programs and events, make announcements and share messages. This Chalking Policy (the “Policy”) aims to balance individual rights to free expression with the University’s property interests.

II. Guidelines
The following guidelines govern the use of sidewalk chalk (“chalking”):
1. Only registered student organizations, SU students, SU faculty and SU staff may write
chalking messages on campus.

2. No paint, permanent chalk, markers or spray chemicals may be used; only water-soluble chalk (sidewalk chalk) is permitted.

3. Chalking may only occur on uncovered, horizontal, pedestrian walkways where rain and natural elements can reasonably be expected to wash the messages away.

4. Chalking is not permitted on any part of any buildings or structures, including, but not limited to, the pergola, buildings, walls, benches, signs, sculptures, monuments, poles, columns, trees, newspaper boxes, mailboxes, etc.

5. Individuals shall not remove, deface or alter messages that were written by others.

6. The following statements are not protected by the First Amendment and are prohibited:
   a. Obscenity (i.e. appeals to a prurient interest in sex, is patently offensive and is utterly without redeeming social value);
   b. Statements likely to incite violence or that an objectively reasonable person would interpret as a serious expression of an intent to cause a present or future harm;
   c. Defamatory statements (false information that hurts a person's reputation); and
   d. Statements that constitute violations of other SU policies, including, but not limited to, the Policy Prohibiting Sexual Misconduct and Other Gender-Based Discrimination.

III. Violations

a. The University may remove chalking that violates this Policy;

b. Individuals or organizations that violate this Policy may be:
   i. held financially responsible for the cost of clean-up and removal;
   ii. subject to disciplinary action; and/or
   iii. subject to civil or criminal charges (e.g., vandalism);

c. Violations of this Policy should be reported to:
   i. StudentConduct@salisbury.edu or call the office at 410-677-0022.

CONFIDENTIALITY AND DISCLOSURE OF STUDENT RECORDS

The Family Education Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student education records. FERPA affords eligible students certain rights with respect to their educational records. An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution. These rights include:

1. The right to inspect and review the student’s education records within 45 days of the day the University receives a written request for access. This written request should be submitted to the University Registrar or other appropriate official and should identify the specific record(s) the student wishes to inspect;

2. The right to request the amendment of the student’s education records that the student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. The written request should be submitted to the University Registrar or other appropriate official and should identify the specific record(s) that the student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA, and why they believe there is a violation;

3. The right to provide written consent before the University discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent;

4. The school discloses education records without a student’s prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic, research or support staff position (including law enforcement unit personnel and health staff) or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of the University who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University;

5. 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 is:
Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901;

6. You may select to disclose information to third parties by completing the online disclosure form found in your student GullNet account - View FERPA Release Video. You will be directed to provide a five-digit (no letters) pass code, which you will then need to share with the individuals identified on this form and to whom you are consenting to allow officials to disclose the education records specified in your release.

Definitions

Student is an individual who is attending or who has been notified of his or her acceptance for admission or readmission to the University.

Education Records are those records that directly relate to a student and are maintained by the University. Files of instructors, advisors or administrators maintained for their own use and not shared, viewed or accessed by others are not included. Other files not included are:

1. Student medical or counseling records created, maintained and used only in treatment at Student Health Services or Counseling Center;
2. University Police records maintained solely for law enforcement purposes;
3. Alumni records; and
4. Employment records related exclusively to the student’s capacity as an employee.

Directory Information is that information that the University is permitted to disclose without prior consent of the student unless otherwise requested to be suppressed in writing. This information is limited to:

1. Name;
2. Permanent address;
3. Date and place of birth;
4. Major, field(s) of study;
5. Participation in officially recognized activities and sports;
6. Weight and height of athletic team members;
7. Dates (terms) of attendance;
8. Degrees and awards received;
9. Most recent previous educational agency or institution attended; and
10. Listing of participation in official student organizations.

Students who want more or less than the directory information listed above to be released without prior notification or consent should notify the Registrar's Office. The University does not sell or otherwise provide mailing lists of student information to anyone outside of the University.

The University Registrar is responsible for compiling and maintaining directory information. The full text of the University’s Policy on Confidentiality and Disclosure of Student Records (BOR III – 6.3) is available at www.salisbury.edu/registrar/Resources/FERPA/.

For more information please visit the U.S. Department of Education’s website.

**FAIR PRACTICES POLICIES**

**Title IX Statement**

It is the policy of Salisbury University to comply with Title IX of the Education Amendments of 1972 (Title IX), which protects individuals from discrimination based on sex in any educational program or activity operated by recipients of federal financial assistance. Any form of sex discrimination (which includes acts of sexual harassment, sexual assault and sexual violence) is prohibited by Title IX. Retaliation for asserting claims of sex discrimination is also prohibited under Title IX.

Pursuant to Title IX, “no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance...” Some of these programs and activities include: admissions, recruitment, financial aid, academic programs, athletics, housing and employment.

As a recipient of federal funds, SU has an obligation to operate in a nondiscriminatory manner. More important is SU’s own mandate of equal opportunity, inclusiveness and nondiscrimination in employment and educational opportunities. The Office of Institutional Equity supports Salisbury University in its compliance and enforcement efforts by serving as an integral resource for Title IX issues. The Office of Institutional Equity partners with other SU
departments and offices to assist in their Title IX compliance efforts.

The Office of Institutional Equity also provides assistance by serving as an entry point for Title IX complaints of discrimination, which includes acts of sexual harassment, and sexual violence. The objective of the complaint handling process is to resolve the complaint of discrimination in a fair and appropriate manner, as promptly as possible. Important components of the process include ascertaining the basis for the complaint and identifying strategies or tools for its resolution. All documents pertaining the University Policy and Procedure for Sexual and Other Gender-Based Discrimination, Non-Sex-Based Discrimination and USM Policies can be found at www.salisbury.edu/administration/institutional-equity/document-library.aspx.

The Fair Practices Officer/Title IX Coordinator has been designated as the individual responsible for the campus-wide administration and implementation of SU’s Title IX compliance efforts. Complaints or concerns related to Title IX can be directed to:

Humberto Aristizabal
Associate Vice President of Institutional Equity
Fair Practices Officer/Title IX Coordinator
Salisbury University
Holloway Hall 100
1101 Camden Avenue
Salisbury, MD 21801
410-543-6426
equity@salisbury.edu
www.salisbury.edu/equity

Equal Opportunity and Affirmative Action Statement

Salisbury University has a strong institutional commitment to diversity and equal employment and educational opportunities for its faculty, staff, and students. To that end, the University does not discriminate on the basis of sex, gender, marital status, pregnancy, race, color, ethnicity, national origin, age, disability, genetic information, religion, sexual orientation, gender identity or expression, veteran status or other legally protected characteristic. The University adheres to the EEO/AA policies set forth by federal and Maryland laws.

SU values diversity among its students, faculty and staff and believes that interactions with those holding various perspectives, backgrounds and beliefs contribute to a well-round-
I. Policy Statement

The purpose of this Policy is to provide guidance to staff, faculty and students of the Salisbury University ("University") community regarding the mandatory requirements in Maryland law and Maryland Attorney General opinion that govern the reporting of suspected cases of Child Abuse and Child Neglect, and to affirm the commitment of the University to the protection of the safety and welfare of children who come into contact with the University Community.

This Policy is implemented as directed by the University System of Maryland (USM) Policy on Suspected Child Abuse and Neglect. The reporting requirements addressed in this Policy implement the mandatory Child Abuse and Neglect reporting provisions of the Family Law Article of the Maryland Annotated Code, Sections 5-701 through 5-708, as they apply to the University. A Maryland Attorney General opinion expands beyond requirements in the Maryland Code to require Maryland state agencies, including the University, to report suspected Child Abuse or Neglect disclosed by the victim who is now an adult with the purpose of protecting other minors who may be at risk for Child Abuse or Neglect by the perpetrator.

For more information please visit the Child Abuse or Neglect University website at www.salisbury.edu/can/policy/.

Contact & Policy

For questions regarding this policy, contact the Guerrieri Student Union, 222 GSU, 410-543-6100.

The University reserves the right to limit the time, manner and place of student and non-student posting on University property. Students or student organizations should contact the Center for Student Involvement and Leadership and the Undergraduate Student Government Association, 125 GSU, 410 543-6125 or on campus at (ext. 36125) for permission to post materials on University property. For posting in the University residence halls, the Residence Life Office must approve the posting. For general University property advertising and posting, the following policy applies:

- Flyers and posters advertising events on University property are to be posted on the main campus only, and only in approved and designated locations. Off-campus advertising that is in violation of the Student Code of Conduct is not permitted;
- Materials must be posted on approved locations only, including kiosks, public bulletin boards and display cases. Posting any material on buildings, walls, trees, sidewalks, utility poles, etc. is prohibited. Posters and flyers must not exceed 11” x 17” and are limited to two per kiosk/posting area;
- Advertising materials should include the name(s) of the sponsoring/advertising group, date, time and location of the event. Materials must be removed by the individuals or group posting within one week of the conclusion of the event;
- Posting in academic buildings should only occur on approved posting boards. Some academic buildings may not have any free posting boards, which limits the ability to post in those buildings. Taping or stapling on walls or windows is not permitted;
- Events may not be advertised by posting until official approval is received by the Center for Student Involvement and Leadership and the
undergraduate Student Government Association;
• A limited number of venues are available for non-University affiliated groups or individuals to post information or materials. Each of the outdoor kiosks has a location for non-University affiliated postings. The University has the right to review and remove postings that are in violation of the law or University Policy.

DISABILITY RESOURCE CENTER POLICY

Salisbury University is committed to fostering curricular and co-curricular environments that provide accessible learning opportunities for students with disabilities.

The Disability Resource Center (DRC) provides guidance, access to resources and accommodations for students with disabilities. Such disabilities could include: medical, psychiatric, and/or learning disabilities, and/or mobility, visual, and/or hearing impairments.

Student Rights

Students with disabilities have the right to self-identify to Disability Resources and seek classification as a student with a disability by following the Disability Resources’ procedures for Registering for Services. Further, students with disabilities have the right to request reasonable accommodations, auxiliary aids and services, and/or modifications to University policies, by initiating such requests with the Disability Resources by following the DRC’s procedures for requesting accommodations, modifications, aids and services.

Students with disabilities have the right to be approved for and receive reasonable accommodations, auxiliary aids and services, and/or modifications to University policies, as related to the impact(s) of their disability(ies) and which do not impose a fundamental alteration to the nature of a service, program, or activity, and/or an undue financial and administrative burden to the University. Commonly requested reasonable accommodations, aids and services, and modifications may include, but are not limited to, extended time for completing timed course assessments (tests, quizzes, etc.); alternatively formatted course materials (enlarged handouts, texts in audio format, texts in Braille, etc.); access to sign language interpreting services; and approval for priority registration.

Students with disabilities have the right to initiate, terminate and request changes to their accommodations, auxiliary aids and services, and/or modifications plans, as approved by the Disability Resource Center, at any time during their enrollment at the University by contacting the Disability Resource Center.

Students with disabilities have the right to appeal any and all decisions made by Disability Resources by initiating the Student Grievance Procedures for Decisions Made by the Disability Resource Center (www.salisbury.edu/drc/policies/).

Students with disabilities have the right to confidentiality regarding their disability(ies) and disclosure of information, except when required or permitted by law.

Student Responsibilities

Those students with disabilities who wish to request accommodations, modifications, aids, and/or services, as related to their disability(ies), are responsible for following the Disability Resource Center’s procedures for requesting accommodations, modifications, aids and services, in a timely fashion.

Students with disabilities are responsible for meeting with their professors and relevant University staff, in a timely fashion, in order to communicate the accommodations, modifications, aids and/or services for which they are eligible, as approved by the DRC, and to discuss plans for implementing them in the classroom or other environment. During these meetings, students with disabilities are responsible for providing their current Memorandum of Accommodations, as issued by the DRC, to the professor or University staff member. Additionally, students with disabilities are responsible for engaging with their professors and University staff in an ongoing basis, as needed, in order to maintain the implementation of their accommodations. Testing accommodations are one type of accommodation that often requires eligible students to engage with their professors on an ongoing basis (as tests dates approach during the semester) so that appropriate logistics related to the administration of each test can be carried out by both the student
and the professor in timely manner.

Students with disabilities are responsible for meeting and maintaining the University's fundamental academic and technical standards, either with or without use of accommodations, modifications, aids and/or services as related to their disability(ies).

Students with disabilities are responsible for notifying the DRC staff of any questions, issues or concerns that they may have regarding their accommodations, modifications, aids and/or services in a timely fashion.

For more detail information about policies and procedures regarding the OSDSS, visit their website at www.salisbury.edu/students/drc/.

RESPONSIBLE OFFICES

- Vice President of Student Affairs
- Office of the Vice President of Administration & Finance
- Office of the Vice President of Institutional Advancement & External Affairs
- University Police
- Department of Athletics
Salisbury University Promise

The “Salisbury University Promise” is a statement of integrity and respect for others and reflects the core values of the institution. All current and new students are expected to abide by this pledge as a way of accepting the University’s core values and expectations for all students.

I will connect what I learn with how I live.

I will demonstrate personal and academic integrity.

I will respect diverse groups and individuals.

I will strive to bring honor to the University as well as myself.

Acceptance of admission by any student to the University also carries with it the assumption of a sense of responsibility for the welfare of the community. In addition to the college’s code of conduct, students are expected to obey local, state and federal laws. However, the University reserves the right to take necessary and appropriate judicial action against any individual or group whose conduct on or off campus threatens the safety and well being of the campus community and/or is viewed to be detrimental to the University’s interest. Being associated with Salisbury University does not establish immunity or leniency from civil authorities.