The Student Conduct Review System Strives…

To regard each student as an individual, deserving individual attention, consideration, and respect.

To consider the facts fully and carefully before resolving any case.

To speak candidly and honestly to each student.

To hold each student to a high standard of behavior to protect the campus community and to promote student moral development.

To ensure high standards of courtesy and integrity, to prevent educational disruption, and to promote a productive learning environment.

To recognize the reality of human fallibility, as well as the stresses associated with collegiate life, and to demonstrate compassion and understanding.

To contribute to the educational mission of the University by designing policies, conducting programs, and offering instruction that contribute to the intellectual and moral development of the entire student body.

To provide a fair and efficient process for establishing the factual record of an alleged violation of the behavioral standards of the Code of Student Conduct and adjudicate alleged violations.

If you believe you have not been treated in accordance with these tenets, contact Student Judicial Programs at (410) 455-2453 or via E-mail: conduct@umbc.edu

Charged Student’s Rights

1. The right to a fair and impartial hearing.
2. The right to a presumption of being not responsible for a violation until proven responsible.
3. The right to be notified of the charges against him or her, the specific rule or policy involved and the time, date and place of the scheduled Pre-hearing Conference or Hearing. If the student has not furnished the university with a current address, UMBC has only to make a reasonable attempt to notify him or her at the last address provided.
4. The right to an advisor of his or her choice. The advisor may be a family member, professor, friend, or other person. An advisor may not actively participate in the proceedings but may give advice to the Charged Student regarding how to present his or her information.
5. The right to have questions asked of all witnesses who testify at the hearing.
6. The right to present witnesses to testify on his or her behalf. The Hearing Board shall have the authority to limit the number of witnesses in order to avoid unreasonable delays where the testimony would be repetitious or unnecessary.
7. The right to be present during the entire proceeding (except for closed hearing deliberation).
8. The right to be notified in writing of the decision of the Hearing Board or Conduct Officer.
9. The right to one appeal to the Appellate Board for any of the following causes:
   - Violation of student rights enumerated in Code of Student Conduct
   - New evidence
   - Disproportionate sanction(s)
10. The right to have access to a recording of his or her hearing for the purposes of preparing for an appeal.
11. The rights of privacy and confidentiality as specified by the Family Educational Rights and Privacy Act and UMBC’s Disclosure of Student Records Policy.

Charging Party’s Rights

1. The right to an advisor of his or her choice. The advisor may be a family member, professor, friend, or other person. An advisor may not actively participate in the proceedings but may give advice to the Charging Party regarding how to present his or her case.
2. The right to relate his/her account of the incident.
3. The right to have questions asked of all witnesses who testify at the hearing.
4. The right to present witnesses to testify as to the facts of the case. The Hearing Board shall have the authority to limit the number of witnesses in order to avoid unreasonable delays where the testimony would be repetitious or unnecessary.
5. The right to be present during the entire proceeding (except for closed hearing deliberation).
6. The right to be informed of the results of the conduct review proceeding.
7. The right to have access to a recording of the hearing for the purpose of assisting with a response to an appeal.
8. The right to make a written response to an appeal filed by the Charged Student.

Campus Resources

- Student Judicial Programs (410) 455-2453
- VP for Student Affairs (410) 455-2393
- University Health Services (410) 455-2542
- University Counseling Services (410) 455-2472
- Office of General Counsel (410) 455-2709
- Residential Life (410) 455-2591
- Human Relations (410) 455-1606
- UMBC Police Department (410) 455-5555
- Baltimore County Legal Aid (410) 296-6705
- Lawyer Referral Service (410) 337-9100

*This document is designed to be an informational introduction to the Student Judicial System. It does not modify or abrogate any policies or procedures set forth in the Code of Student Conduct or otherwise by the University or Board of Regents.

For more information concerning services provided by the Office of Student Judicial Programs call (410) 455-2453.

The Office of Student Judicial Programs is a principle unit within the Division of Student Affairs.
One of the primary functions of the Student Conduct Review System is to resolve complaints filed against students at UMBC. The Code of Student Conduct outlines the basic standards by which all students must abide while attending UMBC. The Code of Student Conduct is available on the Student Judicial Programs website or through visiting the Student Judicial Programs Office in the Student Development & Success Center.

Any person may file a complaint of student misconduct with the Office of Student Judicial Programs. Persons alleging misconduct are expected to participate in the judicial process.

There are other web links that are available at www.umbc.edu/sjp that may be helpful in providing assistance and an understanding of the judicial process, including:

- Victim’s rights
- Procedures & Safeguards for Students in the UMBC Student Conduct Review System
- Preparing for a Pre-Hearing Conference
- Preparing for a Hearing
- Disclosure of Student Records Policy
- Student Behavior Standards

The Conduct Review System

The purpose of the student conduct review system is to maintain the behavioral standards set by the campus community and to provide all students with an administrative adjudication process in which responsibility is decided in a fair and impartial manner.

Informal hearings and other conduct review proceedings at educational institutions do not follow the same procedures used in courtrooms. The University does not employ lawyers to “prosecute” students. University conduct review proceedings do not follow rules of evidence like a civil or criminal trial. Instead, charges are investigated and resolved in an atmosphere of candor, truthfulness, and civility.

Students accused of violating University rules and regulations are encouraged to discuss the allegations with family, legal counsel, and appropriate University personnel.

The steps outlined in this brochure highlight important parts of the conduct review process. Students are also encouraged to read the Code of Student Conduct in its entirety.

Conduct Referral

Documented allegations of student misconduct originate when any person (student, staff, faculty, or non-student) writes to the Office of Student Judicial Programs requesting charges.

A Conduct Officer evaluates whether the allegation is appropriate to the University’s conduct review system. The Conduct Officer will then contact the Charged Student, by letter, scheduling the time, date and place of the Pre-Hearing Conference. This Charge Letter provides the student with:

1. Information identifying the party making the allegations,
2. The time, date, and place of the alleged violation,
3. The rule/regulation involved, and
4. Basic information about the judicial process.

The Pre-Hearing Conference

The Pre-Hearing Conference is an informal discussion with the Conduct Officer wherein the student will be asked to respond to the written allegations against him or her. An advisor, as specified in the Code, may accompany the Charged Student.

The Conduct Officer will explain the process and the allegations against the Charged Student and the student will have the opportunity to discuss and respond to the allegations. If the student fails to provide exonerating information at the Pre-Hearing Conference, he or she will be given a choice to either have a formal hearing where a Hearing Board will adjudicate the case, or the student may waive his or her right to a Hearing and plead responsible to the charges.

The Hearing Board

If charges are not resolved at the Pre-Hearing Conference, if the student does not waive his/her right to a hearing, or if the student fails to appear at the Pre-Hearing Conference, the Hearing Board will be convened to adjudicate the case. Parties and witnesses must swear an oath of honesty and truthfulness before the Board when testifying. Demonstrated violations of this oath may result in suspension of the student from the University.

The determination of the Charged Student’s responsibility for the alleged violation is made by the Hearing Board based upon whether the facts demonstrate that it is more likely than not that the student did, or did not, commit the violation.

Hearings are typically conducted with members of the UMBC Hearing Board. The Hearing Board is comprised of four students and one faculty/staff person trained to hear the University’s most serious cases.

The Charged Student, and any victim, is permitted to have an advisor present throughout the judicial process. During a hearing, the advisor may counsel the advisee by written or whispered word, but may not interrupt the proceedings. The advisor’s comments must be directed to the advisee and not the Hearing Board or other parties.

Sanctions

If the Charged Student is responsible for violating the Code, the student and the person making the allegations will be allowed to offer comments about an appropriate sanction.

Possible sanctions include:

- Disciplinary Reprimand
- Disciplinary Probation
- Disciplinary Suspension
- Disciplinary Dismissal

The conditions (or combinations thereof) that may be imposed along with a sanction include, but are not limited to:

- Community Restitution
- Alcohol and Other Drug Education Program
- Counseling sessions
- Educational project
- Suspension of computer account
- Restriction from Campus Buildings or Areas
- Restriction of Contact with Certain Persons
- Termination of Residence Housing Contract
- Random Drug Testing
- Residential Life Probation
- Financial Restitution
- Monetary Fine
- Suspension of University Privileges
- Revocation or denial of degree/diploma
- Academic Registration block

Failure to complete sanctions conditions can result in fines and blocks of future academic registration.

The Appeal Process

If a student is found responsible in a hearing, or if a student accepts responsibility and is sanctioned by a Conduct Officer, the student has the right to appeal that decision by giving a written notice of their intent to appeal within two (2) University business days from the date of the decision. A written appeal explaining the basis and reasoning of the appeal must then be delivered within four (4) University business days following the delivery of the intent to appeal letter. The student should review the Appeals section of the Code of Student Conduct prior to writing his or her appeal.