Victim’s Rights Statement

Students who are Victims, as defined by and in matters involving the Code of Student Conduct (see back of this sheet), shall be accorded the following rights by the Office of Student Judicial Programs.

1. The right to have allegations treated in a principled manner.
2. The right to be treated with dignity.
3. At the victim’s option, the right to have allegations of student misconduct investigated by the appropriate University office and adjudicated by Student Judicial Programs.
4. The right to pursue any and all avenues of redress. Specifically, victims are to be informed of their right to pursue criminal, civil, and/or University disciplinary actions. If the alleged perpetrator is a student, the University offers the student judicial system as an avenue of redress. Student Judicial Programs encourages victims to take all necessary and appropriate action. Be advised that the student judicial system is not a substitute for criminal or civil proceedings, but is instead designed to resolve violations of the Code of Student Conduct. A victim may pursue, or not, any and all avenues of redress.
5. The right to have an advisor present throughout the student judicial process. The advisor’s role is limited to providing advice and moral support to the victim, and the advisor does not actively participate in any official University proceedings. The alleged perpetrator is also permitted to have an advisor present throughout the student judicial process.
6. The right to be notified of the outcome of any proceedings facilitated by Student Judicial Programs. Victims are advised that student records may be confidential, subject to the Family Educational Rights and Privacy Act of 1974 (FERPA).
7. The reasonable right to confidentiality. Although Student Judicial Programs cannot compel involved parties to maintain confidentiality, a victim’s identity in the judicial process will not be publicly confirmed or denied by Student Judicial Programs except in cases of lawfully issued subpoenas or other exceptional circumstances as outlined within FERPA.
8. The right to be informed of University resources, including but not limited to the University Police, Counseling Services, affirmative action, and University Health Services.
9. The right, upon request, to have reasonable steps taken by Student Judicial Programs or other University offices to prevent any unnecessary or unwanted contact with the alleged perpetrator, including a change or housing or classes.
10. The right to write a victim impact statement for use in the student judicial process.

In the student judicial process, an initial meeting will occur between a University staff person and the alleged perpetrator when the student will be notified of their rights. You may be present if you request to do so. The charged student may be warned to have NO CONTACT with the victim.

By signing below, I indicate that a member of the University staff has reviewed these rights with me. I further indicate that I understand these rights. I understand that I have the right to ask further questions related to these rights at any time, and that I have the right to meet with the Director of Student Judicial Programs, or another University staff person if appropriate, if I am in any way dissatisfied with the treatment I receive from University staff members. Lastly, I understand that I have the right to change my mind regarding my intent to pursue any or all of the remedies listed above.

Please comment on your intent by noting your choice of action for the following three (3) remedies.

™ I’ve been informed of the criminal process and I **would / would not like** to pursue criminal remedies.

™ I’ve been informed of the civil process and I **would / would not like** to pursue civil remedies.

™ I’ve been informed of UMBC’s student judicial process and I **would / would not like** to pursue a disciplinary remedy.

By signing below, I indicate that a member of the University staff has reviewed these rights with me. I further indicate that I understand these rights. I understand that I have the right to ask further questions related to these rights at any time, and that I have the right to meet with the Director of Student Judicial Programs, or another University staff person if appropriate, if I am in any way dissatisfied with the treatment I receive from University staff members. Lastly, I understand that I have the right to change my mind regarding my intent to pursue any or all of the remedies listed above.
UNDERSTANDING THE JUDICIAL SYSTEM AT UMBC

The Code of Student Conduct defines the term “victim” to mean a victim of an alleged crime of violence as defined by the U.S. Code, and includes a victim of an alleged non-forcible sex offense. The U.S. Code (Title 18, Section 16) defines “crime of violence” as (a) an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or (b) any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

<table>
<thead>
<tr>
<th>Campus Resources</th>
<th>Community Resources</th>
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<tbody>
<tr>
<td>University Police 410-455-3133</td>
<td>State’s Attorney’s Office 410-887-6600</td>
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<tr>
<td>Student Judicial Programs 410-455-2453</td>
<td>Victim/Witness Program 410-887-6650</td>
</tr>
<tr>
<td>University Health Services 410-455-2542</td>
<td>Baltimore County Police Department 410-887-2120</td>
</tr>
<tr>
<td>Counseling Services 410-455-2472</td>
<td>Legal Aid Bureau 410-296-6705</td>
</tr>
<tr>
<td>Campus Ministries 410-455-3611</td>
<td>Sexual Assault/Domestic Violence Center 410-377-8111</td>
</tr>
<tr>
<td>Human Resources/Relations 410-455-2337</td>
<td>Stephanie Roper Foundation 301-952-0063</td>
</tr>
<tr>
<td>Residential Life 410-455-2591</td>
<td>First Call For Help 800-492-0618</td>
</tr>
<tr>
<td>Student Affairs Office 410-455-2393</td>
<td>STTAR Center 410-290-6432</td>
</tr>
<tr>
<td>Women’s Center 410-455-2714</td>
<td>(Sexual Trauma Treatment, Advocacy and Recovery Center)</td>
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</table>

Steps of the UMBC Judicial System

1. Report the incident to one of the campus resources listed above or have a community resource, also listed above, provide a written report to Student Judicial Programs.
2. The Director of Student Judicial Programs will assign a University staff person (called an “Special Judicial Investigator”) to investigate the incident, if the incident was not reported to the University Police.
3. The Investigator will file a written report detailing the investigation with Student Judicial Programs.
4. The Code of Student Conduct requires a review of the report to determine if the allegations of misconduct are (a) based on reasonably reliable information and (b) may involve a violation of the Code of Student Conduct. If these two criteria are answered in the affirmative, a Judicial Officer will write a letter to the alleged perpetrator (now called the “Charged Student”) scheduling a Judicial Conference and describing the charges.
5. The Investigator (now called the “Charging Party”) will inform you of your right to be present for the Conference and of your right to have an Advisor with you.
6. The Judicial Conference provides the Charged Student with an opportunity to have an open discussion about the incident. Several things can happen at the Judicial Conference: (1) the Charged Student may admit responsibility for violating the Code, (2) the charges may be rescinded based upon the Charged Student’s explanation, (3) if the Charged Student denies responsibility and the charges are not rescinded, a student Judicial Board will convene to hear the facts of the case, or (4) resolution of the case may be postponed pending additional investigation.
7. If a Charged Student accepts responsibility, the Judicial Officer will receive sanction recommendations from the Charged Student, the Charging Party, and yourself, then will mandate a sanction. This sanction may be appealed by the Charged Student.
8. If the Judicial Board convenes to hear the case, you will be called upon to participate in the hearing by providing testimony and answering any questions that may arise. The Judicial Board will determine whether the Charged Student violated the Code and, if so, mandate a sanction. The Charged Student may appeal the decision.

Potential disciplinary sanctions include Reprimand, Probation, Suspension and Expulsion. Sanctions are educational in nature and will often include a project or paper, community restitution, or attendance at a counseling or educational program to aid the student in personal development. Sanctions also include reparations and protections for the community, including an order to have no contact with certain persons, a restriction from certain areas of campus, financial restitution, suspension of University privileges (e.g., computer accounts, campus housing, parking privileges, priority registration, use of campus facilities, athletic eligibility), and monetary fines. It is important to note that serious physical offenses often result in the Charged Student’s removal from the University community.
If you have any questions or comments, you may contact Student Judicial Programs at (410) 455-2453.