

PROCEDURES & SAFEGUARDS FOR STUDENTS IN THE UMBC STUDENT CONDUCT REVIEW SYSTEM

As a UMBC student charged with a violation of the Code of Student Conduct, you are provided certain rights and processes in the University's Student Conduct Review System. The process began when a member of the University community alleged that you violated the rules and regulations of the Code of Student Conduct. Although additional investigation may be done, charges have been initiated and you will receive, or have received, a letter outlining the process and the specifics of the charges.

A Pre-Hearing Conference will be scheduled between you and a Conduct Officer. At the Conference, the Conduct Officer will explain the process and the allegations against you. You will have the opportunity to discuss and respond to the allegations.

If you desire to express your innocence, you should contact the Charging Party as directed in the letter outlining your charges. If this discussion reveals that you were not responsible for the alleged violation, then the charges will be rescinded.

If you fail to share exonerating information with the Charging Party, you will be given the choice, at the Pre-Hearing Conference, to: (1) have a Hearing Board adjudicate your case; or (2) waive your right to a hearing and plead responsible to the charges.

If you choose to have a Hearing, you will:

- 1) be informed of the hearing date;
- 2) have your case adjudicated by a Hearing Board, the members of which have been trained to hear alleged violations of the Code of Student Conduct;
- 3) have an opportunity to hear the information being presented against you, and you will be permitted to have questions asked of any witness presenting testimony at the Hearing;
- 4) not have to prove that you are innocent; the burden of proof will rest with those bringing the charge(s);
- 5) be given the opportunity to speak for yourself and/or to present witnesses;
- 6) hear all information and witnesses presented to the Board;
- 7) be judged solely on evidence available to and presented before the Board; and
- 8) be able to appeal the Hearing Board's decision to the Appellate Board.

The Hearing Board will determine whether it is more likely than not that you are responsible for the alleged Code of Student Conduct violations. If you are found responsible, the Board will receive additional information in order to determine an appropriate sanction.

If you choose to waive your right to a Hearing and plead responsible to the charges at the Pre-Hearing Conference, you will be given an opportunity to discuss an appropriate sanction. The Conduct Officer will impose an appropriate sanction. You may appeal the sanction given by the Conduct Officer.

If you plan to appeal, you must deliver a Notice of Intent to Appeal to Student Judicial Programs (Student Development and Success Center) within two (2) days of your receipt of the decision. Thereafter, you must deliver a written appeal to Student Judicial Programs within four (4) days of your receipt of the decision. An Appellate Board made up of two students and one faculty or staff person will review your file and your appeal. The Appellate Board decision is final.

Throughout the Student Conduct Review process, you may have an advisor present. Your advisor may be a family member, a UMBC faculty/staffperson, an attorney, or any person who is not a party to the case or confronted with charges arising from the incident. Your advisor's role is to counsel you in a manner that does not disrupt the proceedings. Written or whispered words are appropriate. Your advisor may not represent you, or address other parties, witnesses or the Hearing Board.

A Victim, as defined in the Code of Student Conduct, is provided certain rights and opportunities. A Victim may be informed of the outcome of the case. A Victim may have an advisor and may be present throughout the Student Conduct Review Process. Prior to your Pre-Hearing Conference and Hearing, you should review the Code of Student Conduct you have been provided.

My signature, below, indicates that I understand my rights and responsibilities as a member of the UMBC community charged with a violation of the rules and regulations of the Code of Student Conduct, and that I am making an informed decision in reference to the charge(s) in question. I understand:

- 1) my choice of pleading responsible and having the Conduct Officer decide upon a sanction,
- 2) my choice of pleading not responsible and having a Hearing Board adjudicate my case,
- 3) my right to review relevant information and documents included in my disciplinary file prior to my Hearing,
- 4) the sanctions possible for my alleged behavior,
- 5) the format of a Hearing, and my right to call witnesses and have questions asked of witnesses providing testimony at the hearing, (the Hearing Board determines which witnesses may be heard)
- 6) my right to have an advisor present throughout the process,
- 7) my choice whether to appear at the hearing or answer questions and the fact that the hearing may proceed in my absence or despite my silence and a decision be made based upon the available information, and
- 8) the appeal process.

I consent to the audio and video recording of my Pre-Hearing Conference and all subsequent meetings regarding the matters addressed herein.

Signature: _____ Date: _____

Printed Name: _____ Username: _____

Incident Date: _____ Log # or CIR #: _____

Student is charged with violating the following Code of Student Conduct Rules:

I plead not responsible and request that the Hearing Board adjudicate the following allegations:

____ “Preparing
for a Hearing”
form given to
student at PHC

I waive my right to a Hearing and plead responsible to the following charge(s):

Signature: _____ Date: _____

I rescind the following charge(s):

Staff Signature: _____ Date: _____

Title/position: _____