Code of Student Conduct

Division of Enrollment Management and Student Affairs

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1. INTRODUCTION

Bowie State University (BSU) is a learning community that is committed to its core values. In order for us to meet our educational goals, we must promote and uphold a high level of behavioral and academic standards. To that end, the university has created a set of standards regarding personal conduct within this community. By holding each student to a high standard of conduct, we protect the campus community and support the holistic development of students.

This Code outlines BSU's student conduct procedures, policies, and individual rights and responsibilities while enrolled at BSU. Please note that our student conduct procedures are not set up to enforce criminal or civil laws or to operate in place of civil authority (i.e., law enforcement agencies, court system, etc.). However, when a student's behavioral choice or outcome warrants the involvement of civil authorities, we will notify the proper authorities.

Additional expectations for student organizations are outlined in the Student Organization Code of Conduct and other University rules, regulations, and/or policies.

2. BSU CORE VALUES

Excellence: Bowie State University expects students, faculty, staff, and administrators to demonstrate outstanding levels of performance by fostering a stimulating learning and work environment.

Inclusivity: Bowie State University is intentional about creating a community that encourages involvement, respect, and connection among students, faculty, staff, and administrators regardless of differences of race, gender, ethnicity, national origin, culture, sexual orientation, religion, age, and disability.

Integrity: Bowie State University students, faculty, staff and administrators demonstrate high ethical standards in their interactions with one another and the larger community.

Accountability: Bowie State University expects each member of the University community to be responsible and accountable for the outcomes of their efforts and actions.

Innovation: Bowie State University aspires to infuse innovative practices into academic and administrative functions by encouraging students, faculty, staff, and administrators to utilize best practices and pursue new opportunities.

3. DEFINITIONS

When used in the context of this Code, the terms below mean the following:

1. "BSU" or "University" means Bowie State University.
2. The term "student" means anyone admitted to the University and (a) enrolled in or attending classes, whether full-time or part-time, at or through the University, both on and off-campus; (b) not currently enrolled for a particular term at the time the alleged violation occurred but has a continuing relationship with the University; or (c) participating in any University-sponsored program (e.g., pre-matriculation orientation programs).

3. The term “university premises” includes all land, buildings, or grounds owned, leased or rented, operated, controlled, or supervised by the University and adjacent sidewalks and streets.
4. The term “university-sponsored activity” means any activity, including classes, programs, and events, that is directly initiated, aided, authorized, or supervised by the University, on or off university premises.
5. The term “university official” means any person employed by the University and performing assigned administrative, educational, professional, or paraprofessional responsibilities (including student resident assistants and building managers).
6. The term “student organization” means any group of students meeting the University’s criteria for organizational recognition or registration established by the University or its units, colleges, or departments. The term “student organization” also refers to a student group which is defined as any number of persons who are associated with the University and each other but do not have status as an officially recognized student organization. This includes, but is not limited to, student organizations that are no longer recognized by the University and/or (inter)national organization.
7. The Vice President of Enrollment Management and Student Affairs is the person designated by the University President to be responsible for the administration of the Code.
8. The term “EMSA” refers to the Division of Enrollment Management and Student Affairs.
9. The term “Student Conduct Administrator” (SCA) means a university official authorized by the Vice President of EMSA to hear cases, conduct investigations, and recommend outcomes upon students who admit to a violation of, or are found to have violated, the Code.
10. The term “shall” is used in the imperative sense.
11. The term “may” is used in the permissive sense.
12. The term “allegation” means an assertion that someone has engaged in behavior that may be a violation of this Code.
13. The term “complainant” means an individual who has referred a student, student group, student organization, or incident to the Office of Student Conduct and Community Standards based on an alleged violation of this Code.
14. The term “respondent” means a student, student group, or student organization alleged to have committed a violation of this Code.
15. The term “outcome” means an action imposed upon any student, student group, or student organization found responsible for a violation of this Code.
16. The term “Student Conduct Conference” means an administrative conduct proceeding when the outcome(s) administered may not result in university suspension or expulsion, except in instances where a Respondent waives their right to a University Student Conduct Panel.
17. The term “University Student Conduct Panel” means a combination of trained faculty, staff, and/or students who serve as conduct administrators during official student conduct proceedings when the outcome may result in a Respondent’s suspension or expulsion from the University.
18. The term “advisor” means a person who accompanies a Respondent or Complainant for the purpose of providing support, advice, or guidance during student conduct proceedings. An advisor serves at the own expense of each Respondent or Complaint.
19. The term “preponderance of the evidence” refers to the standard of proof used to determine if a Respondent is “responsible” or “not responsible” for a violation of student policy. The preponderance of evidence standard requires that it is more likely than not that the Respondent violated the *Code of Student Conduct*. This decision is based upon the information available at the time the decision is made.

4. UNIVERSITY CONDUCT AUTHORITY

The Vice President for EMSA (or designee) is responsible to the President of Bowie State University for the supervision, administration, and enforcement of all university policies related to student conduct. The Vice President for EMSA grants authority to the Office of Student Conduct and Community Standards (OSCCS) to receive complaints on student conduct, direct such investigations as deemed appropriate, and determine the disposition of cases within the university's jurisdiction.

Any student found to have violated any policies herein is subject to the student conduct outcomes articulated within this document. Additional outcomes may be issued based at the discretion of the OSCCS, which administers the student conduct process at Bowie State University. Staff in the OSCCS investigate and adjudicate alleged incidents of student misconduct, academic integrity, and threat assessment. The office also educates the campus about community standards and other ethical issues.

The office is led by the Director of Student Conduct and Community Standards. The Director, at their discretion, grants authority to other staff to serve in the capacity of Student Conduct Administrators (SCA) and to make decisions on matters involving student misconduct. Student Conduct Administrators (SCA) are authorized to hear cases, conduct investigations, and recommend outcomes upon students who admit to violations of, or are found to have violated, this *Code*.

For the purposes of investigation, the SCA has entry to all university offices and access to pertinent records as permissible by law (including records maintained in the university conduct database). The SCA also has the authority to request witnesses, including any member of the university community (i.e., other students, faculty and staff). Likewise, the SCA may issue any outcome(s) to a student found responsible for a *Code* violation in a given case, subject to the policies of the University.

5. JURISDICTION

The jurisdiction of this Code applies to behavior(s):

1. occurring on any university premises or off-campus;
2. occurring in connection with any University-sponsored, -recognized, or -approved program, visit, or activity;
3. that adversely affects the University's pursuit of its mission, goals, or policies; or
4. that otherwise threatens the health or safety of any member of the University community.

Additionally, the University retains jurisdiction over students who choose to take a leave of absence, withdraw, or have graduated when there has been misconduct that occurred prior to the leave, withdrawal, or graduation. Individuals who are not currently enrolled at the University remain subject to the student conduct process for:

1. behaviors that occurred during any period of enrollment,
2. behaviors that occurred during a period between any consecutive semesters, terms, or summer sessions for which they are enrolled,
3. behaviors that occurred during the time after admission to the University but prior to first enrollment, and/or
4. statements, acts or omissions related to application for enrollment.

If found responsible, a hold may be placed on the student's ability to re-enroll and/or graduate. All outcomes must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct

committed while still enrolled but reported after the accused student has graduated, the University may invoke these procedures. Should the former student be found responsible, the University may revoke that student's degree.

Sexual misconduct is governed by Bowie State University's *Policy on Equal Opportunity, Harassment and Nondiscrimination* found online at VI - 1.40 - Equal Opportunity, Harassment and Nondiscrimination. Allegations of discrimination or sexual harassment are investigated by the Office of Equity Compliance, which includes the University's Title IX Coordinator.

6. PROHIBITED CONDUCT (NON-ACADEMIC)

6.1 ALCOHOL

1. Using, possessing, or distributing alcohol while under the age of twenty-one (21);
2. Operating a motor vehicle while under the influence of alcohol;
3. Being intoxicated or under the influence of alcohol while in public;
4. Providing alcoholic beverages to a person who is intoxicated;
5. Providing alcoholic beverages to any person under the age of 21;
6. Possessing and/or using alcohol in any Residence Life facility; and/or
7. Any activity or conduct involving the use of alcohol that is in violation of law.

It should be noted that at university-approved events on campus (e.g., Alumni events), alcoholic beverages may be sold or served in accordance with applicable laws and University policies. Students who are of age will be asked for standard identification (i.e., a driver's license) before the beverage can be sold or served. Purchases made in violation of this policy, including supplying alcoholic beverages to underage students, or the selling to or furnishing to minors, will be appropriately adjudicated by the Office of Student Conduct and Community Standards.

6.2 DRUGS and DRUG PARAPHERNALIA

1. The possession, use, manufacture, cultivation, distribution, sale, and/or misuse of any controlled or illegal substance, over-the-container drug, designer drug or synthetic cannabinoid;
2. The possession and/or use of any drug paraphernalia (i.e., bowls, hookah pipes, bongs, hollowed-out cigars, vaporizers, "homemade" smoking devices, any other smoking device or smoking paraphernalia);
3. Operating a motor vehicle while impaired by a drug; and/or
4. Any activity or conduct involving drugs or drug paraphernalia (i.e., use of University property like a residence hall room, cashier's office or campus mailbox; monies (real and counterfeit) from a drug sale; exchange of materials to grow and manufacture drugs) that are in direct violation of local, state and/or federal laws.

Regardless of the legal status of marijuana in the State of Maryland, marijuana remains prohibited on all university premises and at all university-sponsored events. It should also be noted that this policy applies to students who possess a medical marijuana prescription. As a university community, we take seriously our obligation to ensure the safety and well-being of our students. Any student found responsible for a violation of this policy will be issued appropriate outcomes. Further, violation of this policy may lead to legal action, arrest, and/or imprisonment.

6.3 SMOKING

1. The lighting, burning, or vaporizing of tobacco, nicotine, marijuana or any other material in any type of smoking equipment including, but not limited to, cigarettes, electronic cigarettes (e-cigarettes), vape pens, cigars, hookahs, or pipes.

   Smoking is prohibited on all property owned, leased, or operated by BSU. This includes all buildings, including residence halls; all grounds, including exterior open spaces, parking lots, sidewalks, streets, driveways, stadiums, athletic and recreational facilities; and all BSU-owned or leased vehicles and golf carts.

   Refer to VI - 8.50 - Policy on Smoke-Free Campus for additional information.

   MEDICAL AMNESTY (RELATED TO ALCOHOL and OTHER DRUGS)

   The University's highest priority is the safety and wellbeing of students and members of the University community. Therefore, students seeking assistance for themselves or others as a result of a hazing incident, intoxication, and/or medical emergency from alcohol or other drugs may be granted medical amnesty and not charged with a violation of alcohol, drugs, or hazing provisions of this *Code* if:

   1. The student calls local or University law enforcement or medical assistance;
   2. The student cooperates fully with the University, law enforcement, and medical personnel, as applicable; and
   3. The student remains at the scene with the person in need until assistance has arrived

   If medical amnesty is determined to be appropriate for the circumstances, a student may receive some variation of educational, rehabilitative and/or restorative outcomes in lieu of going through the formal conduct process.

   Students who may be struggling with use/abuse of alcohol or other drugs are encouraged to seek out campus resources by contacting the Alcohol, Tobacco & Other Drug Prevention Center (ATOD) at 301-860-4127; Counseling Services at 301-860-4161; or the Henry Wise Wellness Center at 301-860-4170.

6.4 UNAUTHORIZED POSSESSION and USE OF WEAPONS or WEAPONRY

1. Possessing, using, or displaying any firearm, ghost gun (e.g., 3D-printed guns), or other lethal/dangerous device capable of launching a projectile by air, gas, explosion or mechanical means (e.g., water guns/projectiles, BB guns, airsoft guns, stun guns and paintball guns) on any property owned, controlled or leased by the university (unless authorized by the university or as a part of a university-sponsored event). This policy also includes any toy weapon that resembles a real weapon (e.g., water guns/projectiles);
2. Using any object to injure, attempt to injure or harass another person (e.g., scissors; baseball bat; Taser); and/or
3. Violating local, state or federal law as it relates to brass knuckles, nun chucks, pocketknife, knife, razor, switchblade, dagger, sword, or bow and arrow/crossbow.

   It is the entire campus' responsibility to ensure that our community remains weapon-free. The Division of Enrollment Management and Student Affairs works closely with BSU's Department of Public Safety to promptly identify and confiscate weapons and weaponry, when we have been

made aware of their presence; or when they are provided as evidence or being affiliated with a student conduct case. A violation of this policy will lead to student conduct action up to and including **interim suspension**, **suspension** or **expulsion** from the university.

6.5 PHYSICAL ABUSE

1. Any attempt to cause injury or inflict pain; or causing injury or inflicting pain. Also causing physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative. It is not a defense that the person, group, or organization against whom the physical abuse was directed consented to, or acquiesced to, the physical abuse.

   The physical abuse policy is not intended to prohibit the following conduct:
   - Customary public athletic events, contests, or competitions that are sponsored by the University or the organized and supervised practices associated with such events; or
   - Any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program or a legitimate military training program as defined and approved by the University.

6.6 BULLYING, CYBERBULLYING, DEFAMATION or INTIMIDATION

1. The act of creating an environment where persons are subject to or feel threatening behaviors from another person;
2. The act of communicating, electronically or digitally (e.g., email, texting, group messaging, websites/videos, social media), to someone in any way that is likely to cause alarm;
3. The act of holding, sharing or threatening to share any personal information and media, electronically or digitally (e.g., email, texting, group messaging, websites/videos, social media), about anyone through any and alternative means of communication;
4. The act of intentional behavior that is repetitive in nature and that causes alarm or discomfort to another person;
5. The act of developing fictitious information about another individual and disseminating that to a third party, which then makes the person susceptible to acts of hate, contempt, ridicule, loss of goodwill or loss of standing in our community; and/or
6. The act of holding, sharing or threatening to share any sexual content, electronically or digitally (e.g., email, texting, group messaging, websites/videos, social media), about anyone through any, and alternative means of, communication.

   With the increased use of social media in our society, including virtual personas, pages and websites/videos, texting and group messaging, we have seen an uptick in students who choose to use their virtual presence as a way to negatively engage with their peers. **Please note that your digital footprint can be tracked and used as information in student conduct proceedings**.

6.7 DAMAGE or DESTRUCTION OF PROPERTY

1. Any behavior that destroys, damages, or litters any property of the University, of a University community member, of another institution, or of another person, on or off campus (as permitted by the University's jurisdiction) is prohibited.

6.8 DECEPTION

1. Any misuse of any university records, forms or documents through forgery, fabrication, unauthorized alteration, reproduction or other means;
2. Any giving of false information or misrepresenting the truth to the University or to any university official, administrator or administrative unit;
3. Possession of any fake, altered or any other identification that belongs to another person;
4. Any attempt to perpetrate fraud against the University or a member of the university community; and/or

Any submission of false information at the time of admission or readmission is grounds for rejection of the application, withdrawal of any offer of acceptance, cancellation of enrollment, dismissal or other appropriate outcome.

6.9 DISORDERLY CONDUCT

1. All lewd, obscene, indecent behavior or other forms of disorderly conduct;
2. Any abuse or unauthorized use of sound amplification equipment; and/or
3. Any conduct which materially interferes with the normal operation of the University, or with the requirements of appropriate discipline.

6.10 DISORDERLY or IMPROPER ASSEMBLY

1. Any assembly for the purpose of inciting violence, destruction of property or disorderly diversion, which interferes with the operations of the University, administrative, and/or academic functions; and/or
2. Any obstruction to the free movement of other persons about campus or the interference with the use of university facilities.

6.11 DISRUPTIVE BEHAVIOR

1. Disruption or obstruction of teaching, research, administration, or other University activities (including public-service functions on or off campus) or of other authorized non-University activities when conduct occurs on University premises. Such activities may include, but are not limited to:
    a. Leading or inciting others to disrupt normal activities on University premises;
    b. Classroom behavior that seriously interferes with either (a) the faculty member's ability to conduct the class or (b) the ability of other students to profit from the instructional program; and/or
    c. Any behavior in class or out of class, which for any reason interferes with the class work of others, involves disorder, or otherwise disrupts the regular and essential operation of the University.

6.12 FAILURE TO COMPLY

1. Failure to respond to a lawful request by properly identified university or law enforcement officials in the performance of their duties;
2. Failure to provide identification upon request of a University official; and/or
3. Failure to comply with any university directive or outcome imposed on a person by any student adjudication body or administrator.

6.13 FIRE SAFETY

1. Any failure to evacuate or immediately respond to a fire alarm;
2. Participation in creating or causing a false fire alarm;
3. Participation in tampering, disconnecting or altering any fire alarm system, equipment or component;
4. Failure to follow the instructions of staff and emergency personnel during fire alarms;
5. The possession, use, manufacture, and/or sale of any incendiary device;
6. Participation in setting or causing to set any unauthorized fire; and/or
7. The possession and/or use of any type of fireworks/explosive devices.

6.14 GAMBLING

1. Engaging in any form of gambling or wagering (e.g., dice, card games) within or on University premises.

6.15 HARASSMENT

1. Any act that creates an unpleasant or hostile situation for another person especially by uninvited and unwelcome verbal or physical conduct; and/or
2. Intentionally and/or repeatedly following, stalking or contacting another person in a manner that intimidates, harasses or places another in fear of their personal safety or that of their property.

6.16 HAZING

1. Any act when engaged in for the purposes of admission, initiation, or continued association with an organization or group (e.g., social, honor, service, Greek-letter, athletic, band) which subjects another person to physical harm or pain, emotional distress, humiliation, personal degradation, or harm from unreasonable requirements. It is not a defense that the person (or group) against whom the hazing was directed consented to, or acquiesced to, the behavior in question.

   (See BSU's Policy on Hazing for additional reference.)

6.17 INAPPROPRIATE DRESS

1. Dress and/or appearance that is derogatory, offensive and/or displaying lewd messages, either in words or pictures; sagging pants; midriffs or halter tops; mesh or netted shirts; tube tops or cut off t-shirts—in academic buildings, administrative offices, the cafeteria, Student Center, or common areas of residence halls; and/or
2. The showing of any private body part or undergarments outside of private living quarters in the residence halls.

6.18 JOINT RESPONSIBILITY

1. Students who knowingly act or plan to act in concert to violate university regulations have individual and joint responsibility for their behavior; and/or
2. Any student who knowingly allows another individual (including a non-BSU community member) to violate university regulations without reporting to a university official.

6.19 MISUSE OF UNIVERSITY CONDUCT PROCESSES

1. Failure to obey the notice from any student adjudication body or administrator to appear for a meeting or conduct proceeding as part of an official University student conduct process;

2. Providing false testimony or information at any University Conduct meeting;
3. Intentionally initiating or causing to be initiated any false report;
4. Attempting to discourage an individual's proper participation in, or use of, a student conduct, disciplinary, or legal process;
5. Interference with or disruption of the conduct process (e.g., investigation, conference, or an appeal process); and/or
6. Failure to complete any imposed student conduct outcome(s).

6.20 NOXIOUS ODORS

1. A noxious odor is any fragrance or aroma that has such intensity that it can become apparent and disruptive to those around or the academic experience. This may become noxious when the smell emanates too strongly (e.g., cigarette, marijuana, cigar or pipe, perfume, air fresher or large amounts of dirty laundry).

6.21 SOLICITATION

1. Conducting any unauthorized business sales or monetary drives, political/business campaigns on campus, classroom, administrative building or any other campus location without approval of the Division of Student Affairs;
2. Unauthorized placing of door hangers or signs on cars on campus or in on-campus residential facilities, or other campus property; and/or
3. Any violation of the University Advertising, Sales, and Solicitation Policy.

6.22 STUDENT IDENTIFICATION CARD VIOLATIONS

1. Altering, lending or selling a Student Identification Card;
2. Usage of a Student Identification Card by anyone other than its original holder;
3. Using a Student Identification Card in any unauthorized manner; and/or
4. Failure to produce a Student Identification Card when requested by a Public Safety Officer, staff (including student staff acting in an official capacity for the University), or faculty member of Bowie State University.

6.23 THEFT, BURGLARY, or ROBBERY

1. Actual or attempted taking, possessing, selling, or distributing of any property that is the property of another person, organization, or entity (including but not limited to the University) without the owner's permission;
2. Unlawful entry of a building or structure in an attempt to commit a felony or theft; and/or
3. Taking or attempting to take something of value from another person by the use of force, threats, or intimidation.

6.24 UNAUTHORIZED ENTRY

1. Unauthorized entry into any university building, office, residence hall, off-campus residence hall, parking lot, motor vehicle or other university-related facilities;
2. Remaining in any building after normal closing hours without authorization; and/or
3. Remaining overnight in public areas of the residence hall or surrounding areas without approval from Residential Life.

6.25 UNAUTHORIZED POSSESSION or ABUSE OF ANIMALS

1. Bringing and/or having any unauthorized animal on University property or into any building owned, leased or controlled by Bowie State University without approval of the Division of Student Affairs and/or the Office of Disability Support Services; and/or
2. Intentional abuse, inappropriate handling or causing death to an animal.

6.26 UNAUTHORIZED USE

1. Unauthorized use of university equipment; unauthorized use of bathrooms, exits or windows; unauthorized use or duplication of keys; and/or unauthorized use or possession of any parking permit or hang tag.

6.27 UNAUTHORIZED USE OF COMPUTER or NETWORK SYSTEM RESOURCES

1. Failure to comply with University regulations and policies, license agreements, and contracts governing network, software and hardware use; abuse of communal resources; use of computing resources for unauthorized commercial purposes or personal gain; failure to protect your password or use of your account; breach of computer security, harmful access or invasion of privacy. Misuse or abuse of computer facilities and resources include, but are not limited to:
    a. Use of another individual's identification and/or password.
    b. Use of computing facilities and resources to send obscene or threatening messages.
    c. Use of computing facilities and resources in violation of copyright laws.

    (See the Division of Information Technology's IT Standards and Policies for additional reference.)

6.28 UNDISCLOSED RECORDING

1. The acts of creating, attempting to create or disseminate audio or visual recordings of private or non-public communications and/or meetings within the university and its affiliated spaces without the knowledge or consent of the person participating or subjected to the recording. This policy excludes public events, discussions or recordings made for law enforcement and public safety purposes. If the recording is made that captures a violation of the Code, the Student Conduct Administrator may elect not to enforce this section of the policy against a student making the recording.

6.29 VIOLATION OF CONFIDENTIALITY

1. Violating the confidentiality of a student's educational record; and/or
2. Working in a university office where students' records are kept and managed and disclosing confidential personnel information.

6.30 VIOLATION OF LAW

1. Any act that violates a provision of the laws of the United States, the laws of the State of Maryland, the ordinances of any county, city, municipality or other political subdivisions, or the laws of another nation or political subdivision thereof in which such act occurs, is deemed to be a violation of the *Code of Student Conduct* when that act:
    a. Occurs on the campus of the university, including all property owned, leased, licensed or otherwise controlled by the university;
    b. Occurs on the premises of any domicile of a recognized Greek-letter organization;

c. Occurs in the context of any event planned, presented, sanctioned or made available by the university, or its affiliates or any student organization;
d. Occurs at any intercollegiate athletic event in which one of the university's teams is participating, home or away;
e. Involves more than one member of the university community; and/or
f. Otherwise adversely affects the university.

6.31 VIOLATION OF PUBLISHED UNIVERSITY POLICIES

1. Violation of any University policy, rule, or regulation published in hard copy or available electronically on the University's website. Such policies include, but are not limited to, Office of Residence Life contracts and policies, Division of Information Technology (DoIT) policies, policies related to the use of student identification cards, entry and use of University facilities and dining hall conduct.

6.32 VIOLATION OF RESIDENCE LIFE POLICIES

1. Violation of any policies outlined in writing by the Office of Residence Life. Please refer to the Residence Life Handbook for additional information regarding Residence Life Policies and procedures.

6.33 EVENT-RELATED MISCONDUCT

1. Event-related misconduct is rioting, assault, theft, vandalism, fire-setting, or other misconduct related to an institution-sponsored event, occurring on or off campus, that results in harm to persons or property or otherwise poses a threat to the stability of the campus or campus community.

   A student suspended under this section shall not be admitted to any other institution in the University System of Maryland during the term of the suspension. A student expelled under this section shall not be admitted to any other institution in the System for at least one year from the effective date of the expulsion. Additional information regarding this policy may be found on the System's website: V800 - USM.

6.34 TRAFFIC-RELATED OFFENSES

1. Driving in a manner that recklessly endangers the health and/or safety of oneself or others; and/or
2. Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University-sponsored or supervised activities.

7. STUDENT CONDUCT PROCESS

This section provides general information and an overview of the student conduct process. Not all cases are the same, and allegations differ in their severity and complexity. However, OSCCS endeavors to treat similar facts and circumstances consistently.

7.1 MAKING A REFERRAL

1. Anyone may refer a student suspected of violating this Code to the OSCCS. Written referrals are preferred. The OSCCS will review all referrals for reasonable cause; this means that the OSCCS will review the allegation(s) to determine whether there is evidence, which if true, would amount to a conduct violation of this Code. If reasonable cause is established, the

complainant should expect to be a participant and/or provide pertinent information in any future proceedings. In the absence of a determination that there is reasonable cause to proceed, the referral may be dismissed.

2. A referral must state sufficient facts, including specific name(s), date(s), location(s) and description(s) of the alleged act(s) of misconduct to enable the OSCCS to decide whether further fact-finding is necessary.
3. Reports may be accepted through alternative reporting mechanisms at the discretion of the OSCCS including, but not limited to, media reports, written communication, published information, or referral from another University department.
4. If a report alleges sexual misconduct, the OSCCS shall report the matter to the Title IX Coordinator (or designee) to evaluate the appropriate procedures for investigating the matter in accordance with the Title IX Policies.
5. Retaliation against anyone for reporting an alleged violation of this Code is strictly prohibited and any student who retaliates will be considered for further student conduct action during this Code.

7.2 INTERIM MEASURES

1. Based on the nature and circumstances of the referral, the Director of Student Conduct and Community Standards (or designee) may authorize interim measures to ensure the safety and wellbeing of the parties involved and the University community, as appropriate. The following interim measures may apply, depending on the particular circumstances:
    a. **Interim Suspension (University and/or Housing):** Suspension for an interim period pending resolution of student conduct proceedings. Interim suspensions may become effective immediately without prior notice whenever there is evidence that the continued presence of the student in the University community poses a significant threat to themselves or others, or the stability and continuation of normal University operations. The student will be afforded an opportunity to meet with the Director of OSCCS (or designee) within five (5) University business days from the effective date of the interim suspension. However, there is no guarantee that the student will be permitted to return to campus prior to a resolution of the conduct matter at hand.
    b. **No Contact Directive:** No Contact Directives are effective immediately without prior notice whenever there is evidence that the continued interaction of the student with other particular members of the University community poses a substantial threat to themselves or others, or to the stability and continuation of normal University operations. A No Contact Directive applies to both the Respondent and Complainant and prohibits contact between either parties by any means.
    c. **University Directive**: An administrative measure that adopts the terms and conditions of a court order or other similar directive, with reasonable modifications to apply to the University setting. The university directive may be issued independently, preceding, or concurrent with the University conduct process. For the duration of the directive, an involved student may submit documentation of any modifications issued by the originating source. The University may adjust the university directive as new information becomes available.
    d. **University Restriction**: Additional social or behavioral restrictions or conditions may be imposed upon a student, depending on the nature and seriousness of the alleged misconduct.

7.3 RESOLUTION PROCEDURES

1. Staff in the OSCCS will review referrals to determine whether the alleged misconduct may result in suspension or expulsion from the University. Alleged misconduct which results in or could have foreseeably resulted in significant injury to person or damage to property, or which otherwise poses a substantial threat to the stability and continuation of normal University or University-sponsored activities, may result in a student's suspension or expulsion from the University.
2. Students who face potential suspension or expulsion from the University have the right to have their case heard before the University Student Conduct Panel, or they may choose to waive their right to have their case reviewed before the University Student Conduct Panel. Respondents who waive their right to have their incident reviewed before the University Student Conduct Panel are subject to the full range of outcomes as outlined in this Code.
3. Respondents do not have the right to have their case heard before the University Student Conduct Panel in cases that do not have the potential to result in a student's suspension or expulsion from the University. Except in extenuating circumstances, such cases are typically resolved administratively through a Student Conduct Conference.
4. At the discretion of the OSCCS, residential conduct referrals may be referred to the Office of Residence Life for decision making outcomes for residential students. These referrals may be heard administratively by a SCA or through a Residence Life Conduct Board. The process and procedures of a Residence Life Conduct Board shall be bound to the due process procedures outlined in this Code.
5. If deemed appropriate by the OSCCS, a student may agree to resolve their student conduct process with a Restorative Resolution process. Factors that the University will consider when determining whether a student is eligible for a Restorative Resolution process include, but are not limited to, the following:
    a. Whether the Respondent has a previous conduct record.
    b. Whether the Respondent has previously resolved an allegation with a Restorative Resolution process.
    c. The number and severity of the alleged policy violations.
6. As a general practice, student conduct proceedings will not be delayed due to pending legal matters or the unavailability of an Advisor.

7.4 STUDENT CONDUCT CONFERENCES ("CONDUCT CONFERENCES")

1. A Student Conduct Conference is a resolution meeting between the Respondent and SCA, assigned by the Director of OSCCS, who is deciding the case. Respondents participating in a Conduct Conference receive the following procedural protections:
    a. Written notice of the alleged violations at least three (3) University business days prior to the conduct conference;
    b. Reasonable access to the case file prior to and during the conduct conference;
    c. An opportunity to respond to the allegations and bring forward any evidence, witnesses, or information on their behalf; and
    d. The option to be accompanied by an Advisor of their choosing as outlined by this Code.
2. A Respondent, after receiving sufficient notice as outlined in this Code, who fails to appear for the conference will be deemed to have waived their right to their conduct proceedings,

unless the student can demonstrate that an extraordinary circumstance prevented their appearance.

3. The Director of OSCCS may refer more complex or contested cases to the University Student Conduct Panel for resolution.

7.5 UNIVERSITY STUDENT CONDUCT PANEL ("PANEL")

1. The Panel is a combination of faculty, staff, and students who are trained to hear a case, determine facts, render a decision on a Respondent's responsibility, and impose outcomes within the guidelines of this Code.
2. The Panel may be composed of up to seven members (up to five panel members who are faculty, staff, or students; one Student Conduct Administrator; and one Chairperson). At least five members (three panel members; one Student Conduct Administrator; and one Chairperson) from the panel is required to make a quorum.
3. The Chairperson will serve as the facilitator of the conduct process. The Chairperson makes decisions related to all procedural matters for the conduct panel. The Chairperson will be a professional staff member or faculty. The Chairperson is not a voting member of the panel.
4. The Student Conduct Administrator presents the information related to the alleged violation(s) on behalf of OSCCS. The Student Conduct Administrator is not a voting member of the panel.
5. The Division of EMSA establishes the rules to govern the selection processes for panel members.

7.6 UNIVERSITY STUDENT CONDUCT PANEL PROCEEDINGS

1. To preserve the confidential nature of the conduct process, and to protect the privacy interests of all respondents involved in the process, the conduct panel will be closed.
2. The Chairperson will facilitate the conduct panel and will make determinations on all procedural matters.
3. The Student Conduct Administrator will present the information that supports the alleged violation(s). The Student Conduct Administrator will have the burden of showing that a violation of the Code was more likely than not to have been committed by the Respondent.
4. Information regarding prior misconduct will not be used as proof of a current violation. However, information of prior misconduct may be considered in determining an appropriate outcome if a student is found responsible for the current violation of the Code (e.g., to show that the student had prior experience(s) relevant to the alleged violation(s) or to show that the student had previously been informed that the conduct was not acceptable).
5. A Respondent, after receiving sufficient notice as outlined in this Code, who fails to appear at the conduct panel will be deemed to have waived their right to their conduct proceedings, unless the student can demonstrate that an extraordinary circumstance prevented their appearance.
6. A verbatim record in the form of an electronic recording shall be made of each conduct panel which could lead to **suspension** or **expulsion** as an outcome. Deliberations will not be recorded.
7. Except as otherwise permitted by the Chair, witnesses will be excluded physically from the conduct panel, except during their own testimony. However, a victim, as defined by

applicable law and provided rights to attend such conduct panels by law, will be permitted to attend the entire conduct panel.

8. A majority vote of the Panel is needed to make a decision related to a finding of responsibility and decisions related to outcomes.
9. The University Student Conduct Panel will not deliberate on the appropriate outcome(s) unless and until it determines that a violation of the *Code of Student Conduct* occurred, or the student has accepted responsibility for the violation(s). In determining the appropriate outcome(s), the University Student Conduct Panel may consider any mitigating or aggravating circumstances available to them at the time of the decision.
10. The University Student Conduct Panel will render its decision after the conclusion of the conduct panel and deliberations. The panel will communicate its decision, in writing, to the Chair. The written decision will include findings of facts and a statement of the rationales for the findings and will be signed by the Chair.
11. Following the decision by the University Student Conduct Panel, the Respondent will have five (5) University business days from the date of the written notice to appeal the outcome of the panel. Students may seek an appeal within the 5-day time frame pursuant to the processes outlined in the ***Student Conduct Appeal Procedures (Section 9)***.

7.7 RESTORATIVE RESOLUTION (RR) PROCESS

1. Participation is voluntary and both the Responsible Party and the Impacted Party must consent in writing to participate in the RR.
2. The RR process is used for incidents which allege behavior that violates a specific University policy.
3. The RR process may not be used for incidents that allege violence against a member of a vulnerable population, the use of a dangerous weapon, or significant physical injury.
4. The Responsible Party must acknowledge responsibility for having violated the alleged policy to participate in a RR process.
5. The University shall not pressure or compel any party to participate in any form of the RR process.
6. The RR process is not a disciplinary proceeding, and therefore, an Advisor may not speak on behalf of the Responsible Party, Impacted Party, or Affected Party.
7. Any party may withdraw from the RR process until the signing of the RR Agreement.
8. In the event that any party withdraws from the RR process or if parties are not able to reach an agreement through the RR Agreement, the incident will be referred back to the appropriate office (e.g., OSCCS, Title IX, etc.) based upon the nature of the allegation for further action.
9. Information obtained through the RR process may not be utilized in any other form of investigation or resolution. Additionally, information obtained through the RR will be kept confidential except when otherwise required by law or the University (e.g., disclosure of sexual misconduct, direct threat of harm to self or others).
10. Separate meetings in the RR process may be merged based on the discretion of the facilitator and the needs of the students or University.
11. A RR process concludes with the drafting of a RR Agreement detailing the agreed upon outcomes for the Responsible Party.
    a. The RR Agreement must be signed by both the Responsible Party and the Impacted Party as well as the Facilitator.

b. RR Agreements signed by all necessary parties are considered final and are not subject to any further review or appeal. Upon signing the outcomes agreed upon in the Agreement constitute a University Directive.
c. Cases resolved by a signed RR Agreement through the RR process are not categorized as a student conduct record at the University but may be referred to as an aggravating factor in assigning outcomes if a future violation occurs.

12. Failure to adhere to the requirements agreed upon in the signed RR Agreement may result in a violation of the Code for failure to comply with a University Directive.

7.8 EMERGENCY AND MEDICAL EVACUATIONS

Information regarding harm to self or others will be referred to such appropriate persons as members of the Behavioral Assessment Team (BAT), Public Safety, Vice-President of EMSA (or designee), Director of the Henry Wise Wellness Center, and Counseling Services. Confidentiality of records and/or information will be appropriately maintained. Any Bowie State University student who has engaged in harm to self and/or others will be treated as a medical, psychological, and/or Public Safety emergency. The Behavioral Assessment Team may assist in making a general assessment of the potential emergency and contacting other appropriate personnel.

Once an incident has been deemed a medical or psychological emergency, Public Safety or the University Wellness Center staff will summons an ambulance and specify that the student be transported to the hospital. If the student refuses to be transported to the hospital, an emergency petition may be sought by Public Safety. In other cases, parents or guardians may be contacted and required to escort the student.

A written letter stating requirements for re-entry to the university will subsequently be provided to the student by the Division of Enrollment Management and Student Affairs. The letter will state that the student will not be allowed to return to class and/or the residence halls until cleared by their licensed mental health professional such as a psychiatrist and/or psychologist. When a student cannot speak or comprehend coherently, a family representative will be contacted and apprised of the need for medical documentation prior to clearance to return to the university.

If a student fails to provide the required medical documentation after proper notification, the Vice President EMSA (or designee) may intervene to ensure that the student is withdrawn from class, and a notification of such will be provided to faculty.

A student involved in a situation involving harm to others may be required to undergo a conduct panel conducted by the University Student Conduct Panel.

Upon re-entry to Bowie State University, a student may subsequently be required to see a counselor in Counseling Services or continue with a prescribed treatment plan with an outside professional. In some cases of harm to self or others, a student may be subject to an involuntary administrative withdrawal from Bowie State University

8. OUTCOMES

In order to protect its educational purposes and processes, the university has the authority to impose outcomes on any student, student group, or student organization found responsible for an offense or breach of regulation(s)/policies. All outcomes imposed on Respondents who have been found responsible for violations of the Code are based solely on individual circumstances. No case is exactly the same as another, and outcome(s) may differ slightly in similar instances. Below are possible outcomes that may be imposed if a student is found responsible for a violation of the *Code of Student Conduct*, but please note that this list is not exhaustive:

1. **Status Outcomes**
    a. **Expulsion:** A permanent separation of the student from the University. The student is no longer eligible for reenrollment to the University.
    b. **Interim Suspension:** A temporary suspension until student conduct proceedings can be conducted.
    c. **Suspension:** A forced withdrawal from the university for a defined period of time, after which readmission may be allowable. Suspension may extend for the remainder of the current semester or more semesters; or until a specified condition is met. The suspension takes effect when the appeal for the violation(s) is exhausted or waived; or when the appeal deadline has passed.
    d. **Conduct Probation:** An official notice that the student's conduct is in violation of the *Code of Student* Conduct but is not sufficiently serious to warrant expulsion or suspension. The probation may be for a specified length of time or until a stated condition is met. Further violations of policies will result in consideration of more severe outcomes, including **suspension** or **expulsion** from the University. A student on conduct probation is deemed "*not in good standing*" with the University.

        A student who is "not in good standing" is subject to the following restrictions:
        i. Ineligibility to hold an office in any student organization recognized by the University or to hold any elected or appointed office of the University.
        ii. Ineligibility to represent the University in any way, including representing the University at any official function, intercollegiate athletics or any forms of intercollegiate competition or presentation. This includes events taking place both on and off university premises.
        iii. Ineligibility to receive a University-administered scholarship when the length of the period of not in good standing is equal to or greater than one semester. Some scholarships adhere to more strict guidelines, and therefore, ineligibility may result from a lesser length of not a good standing. This outcome implies a serious offense and must be uniformly applied by the office administering the scholarship upon notification by the University Conduct Administrator.
        iv. Additional social and behavioral restrictions or conditions may also be imposed, depending on the nature and seriousness of the misconduct.
    e. **Conduct Review:** An official warning that the student's conduct is in violation of the *Code of Student Conduct*, but not sufficiently serious to warrant expulsion, suspension, or conduct probation. A student on conduct review shall have their conduct under review for a specified period of time. This outcome may require regular meetings with an appropriate official to ascertain and evaluate compliance with university expectations. Additional restrictions or conditions may also be imposed, depending on

the nature and seriousness of the misconduct. Students placed on this outcome remain in good standing with the University. If there is a finding of responsibility for subsequent violations of the *Code of Student Conduct* during this period, more severe outcomes may be administered.

f. **Letter of Reprimand:** An official written statement to the student that he or she has violated a University policy. It is a warning that any further misconduct may result in a more severe outcome in the future.
g. **Residence Hall Expulsion:** A permanent separation of the student from their assigned residence hall (or specific residence halls as listed in their outcome letter).
h. **Residence Hall Suspension:** A separation of the student from their assigned residence halls (or specific residence halls as listed in their outcome letter) for a specified length of time, after which the student is eligible to return.
i. **Residence Hall Probation:** An official notice that the student's conduct is in violation of Residence Life policies and/or University policies and that more stringent student conduct outcomes, including removal from housing, may result if future violations occur.
j. **University Ban:** A complete removal of a student from any university-affiliated property or event.

2. **Educational Outcomes**
    a. **Community Service:** A student must complete assigned mandatory hours of service at a non-profit/community-based organization.
    b. **Educational Outcomes:** Mandatory participation in a specific educational program, workshop, support groups, or the completion of a work or research assignment. The student is responsible for all related expenses.
    c. **Letter of Apology:** A student will formulate an apology for the infraction which will be submitted to the university, reviewed and disseminated to the intended party.
    d. **Meeting with an Administrator:** A student can be assigned mandatory check-in meetings with particular university staff members who the Student Conduct Administrator deems beneficial to the student's growth and development at the university for a designated period of time.
3. **Administrative Directive Outcomes**
    a. **Additional Stipulations:** A student may receive this creative stipulation from the university as a write-in from the Student Conduct Administrator in cases where additional explanations or designations are needed for clarity and specificity.
    b. **Assessment/Fine:** A forced monetary compensation appropriate to the violation, including residence life violations.
    c. **Loss of Privileges:** A denial of specified privileges for a designated period of time.
    d. **No Contact Directive:** A No Contact Directive can be given to a student who needs to discontinue **all** communication with individuals involved with a case (includes, but is not limited to, via phone, texting, social media, group messaging, written or third party). This action is immediate in nature.
    e. **Recommended Next Outcome:** Based on a student's student conduct history and/or violations, this outcome notifies the Student Conduct Administrator of the next action to be taken.
    f. **Restitution:** Forced compensation to the university or, in the case of private property, to the owner who has suffered the loss. This outcome is applied in cases involving damages to or theft of university or private property.

NOTE: In accordance with FERPA and HIPAA, a parent/guardian contact can be reached by various communicative means, if the behavior of a student poses harm to the student and/or campus community.

A Respondent found to have violated the *Code of Student Conduct* may receive more than one outcome. Respondents found responsible for violations of the *Code of Student Conduct* may be prohibited from a specified affiliation or from representing the university as a member of an organization or a university-sponsored activity.

9. STUDENT CONDUCT APPEAL PROCEDURES

In each case involving a finding of responsibility, the Respondent shall have the right to appeal the decision.

1. Students are afforded a single opportunity to appeal a decision and/or outcome issued by a Decision-Maker. Appeals shall be in writing to the Dean of Students (or designee) within five (5) University business days following the written decision from OSCCS (or designee). A Respondent who fails to file an appeal within the five (5) University business days forfeits the right to any appeal.
    a. In instances when the Dean of Students is the original Decision-Maker, appeal decisions shall be rendered by the Vice President of EMSA.
    b. Decisions by Student Conduct Administrators in Residence Life or the Residential Conduct Board may be appealed to the Director of Residence Life.
    c. The Dean of Students (or designee) may also designate a University Student Conduct Appeals Panel to render a decision on a student's appeal.
2. Any interim actions shall remain in effect at the discretion of the OSCCS; however, any outcome(s) resulting from the original Decision-Maker will be placed on hold pending the conclusion of the BSU appeal process.
3. All appeals must be in writing, identify the basis (or bases) for appeal, and include any supporting documentation the appealing party wishes to be considered.
4. Appeal reviews are not a "rehearing" of a student conduct matter. It is a review of the process and submitted information to ensure stated procedural standards were followed. An appeal may be made only on the following grounds:
    a. **Process Review:** To determine whether there was any procedural irregularity, including arbitrariness or bias, that significantly affected the outcome of the matter;
        i. A finding of bias will require specific allegations about why the Decision-Maker was not fair or impartial under the circumstances of a particular case.
    b. **Outcome Review:** To determine if the imposed outcome(s) was appropriate for the violation(s) given the facts or circumstances; and/or
    c. **New Information Review:** To consider new information that could alter a decision, only if such information was not reasonably available or could not have been known to the appealing party at the time of the original decision.
5. The following applies to review of an appeal under these procedures:
    a. Restorative Resolution Agreements signed by all necessary parties are considered final and may not be appealed.
    b. An appeal cannot be submitted solely because the student is dissatisfied with the decision.

c. If the student was permitted to, but did not, attend the scheduled conduct proceedings, any information that could have been known to the student at the time of the scheduled proceedings will not be considered new information.
d. Except for new information, an appeal is limited to the written record, which includes written notice, evidence considered by the Decision Maker, and to the extent at issue in the appeal, records related to the outcome(s).

6. Upon receipt of an appeal, the Dean of Students (or designee) shall review the case and make one of the following determinations:
    a. **Affirm:** Find no error and affirm the decision of the Student Conduct Administrator or University Student Conduct Panel, which adjudicated the case;
    b. **Modify Outcome:** Modify the outcome(s) issued by the original Decision-Maker;
    c. **New Conduct Proceeding:** Determine a new conduct proceeding is warranted to correct procedural irregularity or to consider new information. A student may appeal any decision by a hearing body assigned to adjudicate a new conduct proceeding; or
    d. **Remand:** Direct the original Decision-Maker(s) to review their original determination subject to any instructions from the Appeal Administrator, including the requirement of further clarification of the rationale supporting the decision.
        i. The original Decision-Maker(s) may affirm the original decision or render a new decision consistent with those instructions.
        ii. A Respondent may appeal a decision made on remand; however, if a Decision-Maker affirms its original decision, the Respondent may not appeal the decision on the same grounds as the previous appeal.

10. ACADEMIC INTEGRITY AND DISHONESTY

An important goal of Bowie State University is to prepare students as effective and productive professionals and citizens in society. This goal is promoted through an academic environment conducive to free and open discourse, inquiry, and expression. Academic dishonesty is a serious offense, which is against the important principle of scholarship. Furthermore, academic dishonesty works against the development of students' intellectual abilities. Academic dishonesty includes, but is not limited to, the following:

10.3 PROHIBITED CONDUCT

1. **CHEATING**
    a. Submitting material that is not yours as part of your course performance;
    b. Using information or devices that are not allowed by the faculty;
    c. Obtaining and/or using unauthorized materials;
    d. Fabricating information, research, and/or results;
    e. Violating procedures prescribed to protect the integrity of an assignment, test, or other evaluation;
    f. Collaborating with others on assignments without the faculty's consent;
    g. Cooperating with and/or helping another student violate any provision of this Code;
    h. Demonstrating any other forms of dishonest behavior.

2. **PLAGIARISM**
    a. Directly quoting the words of others without using quotation marks or indented format block quotations to identify them;
    b. Using sources of information (published or unpublished) without identifying them;

c. Paraphrasing materials or ideas without identifying the source;
d. Unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic material;
e. Resubmission of material without prior approval.

3. **FABRICATION**
   a. Intentional falsification or invention of any information or citation in an academic exercise.

10.4 PROCEDURES IN A CASE OF DISHONESTY

1. The instructor shall discuss the evidence supporting an allegation of academic dishonesty with the student immediately. The instructor may impose any academic penalty up to and including assignment of a failing grade for the course. If a failing grade is assigned, the faculty member shall notify and give in writing the reason for the failing grade to the student, Chair of the Department and the Dean of the College, School or Division in which the course is offered, of this decision. The Dean shall report the offense to the Provost and Vice President for Academic Affairs and the Vice President for Enrollment Management and Student Affairs.
2. The student may appeal the instructor's decision to the Department Chair, the Dean, or the Provost and Vice President for Academic Affairs of the University.
3. In a case of dishonesty which may warrant more serious action, the Dean, with the concurrence of the Provost and Vice President for Academic Affairs, may refer the matter to the Vice President for Enrollment Management and Student Affairs for referral to the Director of Student Conduct and Community Standards for investigation and to determine if the charges have merit.

10.5 ACADEMIC RIGHTS AND RESPONSIBILITIES

As members of the Bowie State University community, students have certain rights and responsibilities in the academic area of the university. Faculty and students as members of the university community have shared responsibility for creating an academic atmosphere of mutual respect and consideration of individual dignity.

The university subscribes to the following basic principles of academic freedom for students:

1. On matters of opinion, students are free to disagree with other students and with instructors and to reserve judgment. Each instructor in the university is obligated to encourage free discussion, inquiry and expression and to differentiate between fact and opinion (whether their own or that of others). Each instructor is obligated to administer their classroom so that the students will express themselves without fear of embarrassment, intimidation or reprisal by the instructor or other students.
2. Students are to be evaluated in courses solely on the basis of their performance in meeting appropriate academic criteria and not on opinions or conduct in matters unrelated to academic standards. They are free to share in the evaluation of the teaching effectiveness of their instructors.

10.6 ACADEMIC OUTCOMES

When a student's academic performance does not meet the minimum standards of the course, the instructor of the course shall assign to the student a failing grade for the course. Students who fail to meet certain academic standards as set forth in the Bowie State University *Undergraduate Catalog* may be placed on academic probation, suspended from the university

for a defined period or permanently denied permission to continue as a Bowie State University student. Students should consult the Bowie State University *Academic Catalog* for specific standards.

10.7 ACADEMIC APPEALS PROCEDURE

If a student feels that the final grade assigned to them for work in any course is unfair for any reason, these procedures should be followed:

1. Seeking a satisfactory explanation for the grade earned, the student should consult with the instructor of the course.
2. If the student feels that their grievance still exists after conferring with the instructor, he or she may present the complaint in writing to the chair of the department in which the course is offered (or the dean of the college/school, if the instructor is the chair). Such appeal must be presented within 30 days (excluding Saturdays, Sundays and holidays) after the beginning of the next semester. A student who is not enrolled in the summer term must appeal within the first 30 days of the fall semester if the disputed grade came in the preceding spring semester. A student who fails to file an appeal within the 30 day period forfeits the right to any appeal. In cases of appeal, the department chair (or dean of the college/school) shall consider the matter in consultation with the instructor and the student and seek to exercise their influence toward mediation.
3. If the department chair or the dean fail to mediate the dispute, the dean shall appoint a committee consisting of the chair of the department, who shall chair the committee, two faculty members (other than the one involved in the dispute) of the department offering the course and two student participants chosen from the honor societies. If the instructor in dispute is the chair of the department, the two faculty members will come from outside of the department and the dean of the college or school will serve as the chair of the committee. If the instructor in dispute is the dean of the college/school, the Provost and Vice President for Academic Affairs will appoint a committee, and the faculty members will come from outside the college/school.

After consideration of information, presented by the student and instructor, the committee shall announce a decision, which shall be binding unless a notice of appeal to the Provost and Vice President for Academic Affairs is given within five University business days of the decision of the student being notified. This decision shall be made by mid-semester only on procedural grounds. The student has a right to appeal the decision of the Provost and Vice President for Academic Affairs to the University President by submitting a written notice with three University business days following the decision of the Provost and Vice President for Academic Affairs. Depending upon the gravity and/or the frequency of such charges against the faculty or staff member, the Provost and Vice President for Academic Affairs may consult with Human Resources, and if necessary, handled under specific provisions found in the *Faculty Handbook* or *Non-Academic Staff Handbook*, whichever is applicable.

11. OTHER POLICIES AND PROCEDURES

11.3 PEACEFUL PROTESTS AND FREEDOM OF EXPRESSION

As a public institution in the state of Maryland, Bowie State University acknowledges students' *First Amendment Rights*, as they pertain to religion, expression, assembly, intellectual freedom and the right to petition.

Students are free to exercise and demonstrate these rights (i.e, communication through lawful means; peaceful assembly; speech-making; distributing literature; engaging with the media; hanging of materials and administering petitions), as long as, in accordance with Maryland Code, Criminal Law § 10-201 (c)(2)/10-201 (c)(4).

Students are encouraged to consult with the Office of New Student Experience and Student Engagement, Division of Student Affairs, and/or Public Safety, to ensure that any university materials and spaces needed for such activities, are properly secured; and the safety of students, faculty and staff, whether they are participants or bystanders, is paramount. Those found in violation of this law, or prevent students, faculty or staff from exercising their *First Amendment Rights*, will proceed through the student conduct process and be issued appropriate outcomes accordingly (as outlined in the *Code of Student Conduct*). Disorderly or Improper Assembly under the Bowie State University policy states: Any assembly for the purpose of inciting violence, destruction of property or disorderly diversion, which interferes with the operations of the university and/or administrative and/or academic functions; and/or any obstruction to the free movement of other persons about campus or the interference with the use of university facilities is prohibited.

11.4 STUDENT TRAVEL POLICY

Any student or student organization representing Bowie State University while attending any conference, workshop, study abroad program, or other activity and while traveling to and from these events is considered to be on official university business and is therefore governed by the *Code of Student Conduct* and other Administrative Policies. Any violation of the Code may result in appropriate student conduct action as allowed by the Code. In addition, all Bowie State University students on official university travel must follow the procedures listed below: Completion of a *Liability Form*; meet the minimum required GPA; and be enrolled full time in classes.

1. Participation

Students are expected to participate fully in the conference, workshop, study abroad program, or other activity by attending all programs and events as outlined by the office(s), official(s), conference organizer(s) and/or activity organizer(s) overseeing such programs or activities. If participating as a part of a group, the group will seek to attend as many sessions as possible in order to obtain the greatest amount of information and/or resources.

2. Proper Dress

Students must dress appropriately for the conference, workshop, study abroad program, or other activity based on the guidelines provided by the office(s), official(s), conference organizer(s), and/or other activity organizer(s). Any questions about proper attire should be directed to the advisor or the conference/workshop/event organizer(s) prior to leaving for the activity.

3. Alcohol and Drug Use

Students must comply with the University's Policy on Substance Use while on university travel. Students who violate these policies may proceed through the Student Conduct and Community Standards process, upon their return to the University. Although alcohol and drug laws and policies in other countries may differ, students are still expected to abide by the University's Policy on Substance Use.

12. RECORDING KEEPING PRACTICES

1. A student who participates in a student conduct process as a respondent has a file created and maintained by the Office of Student Conduct and Community Standards. Files are maintained in a manner consistent with the University record retention policy, the University System of Maryland policy, and Maryland State Law. Files resulting in a respondent's suspension or expulsion are maintained indefinitely.
2. Students are permitted reasonable access and review of their records pursuant to FERPA for the purpose of reviewing information that is subject to consideration as part of the student conduct proceeding.
3. Any student desiring a transcript of a recorded conduct proceeding that is part of their education record must make a request in writing to the Office of Student Conduct and Community Standards. The OSCCS may consult with the Office of General Counsel for a confidentiality review of the transcript and redact any confidential or exempt information pursuant to state and federal law. The requester shall bear the cost (if any) of the transcript preparation and confidentiality review.
4. Student conduct records may be cleared for good cause upon review and approval by the Dean of Students (or designee). When a record is cleared, the information it contains is no longer considered a student conduct record. Factors to be considered in review of such petitions shall include, but are not limited to: (1) the student's level of understanding of their behavior and its impacts; (2) the conduct of the student after the violation(s); and (3) the nature of the violation(s) and the severity of any damage, injury, or harm resulting from the violation(s).
    a. The University may be required to produce the record regardless of its status in order to comply with a subpoena or other information request consistent with federal or state law. The University is required by law and policy to retain student education records for specified periods of time, and for certain purposes.
    b. Clearing a record affects only information maintained by the Office of Student Conduct and Community Standards. Copies of letters distributed by (or to) other University departments, incident reports, police reports, and the results of previous background checks reported outside of the Student Conduct Authority are not affected by this process.
    c. Petitions for clearing a record may be made no sooner than one year after the date of the respondent's last finding of responsibility from the student conduct process or one calendar year prior to the student's anticipated graduation, whichever is later.
    d. The request must be made in writing to the Dean of Students (or designee) and will not be granted for conduct that resulted in suspension or expulsion from the University. A petition may also be denied for any records related to conduct that involved a student complainant, posed a threat to a member of the University community, or caused serious damage to University property.

13. EXCEPTIONS TO PROCEDURES

1. A Party may submit a petition to the OSCCS to request exceptions to these procedures for good cause. In order to be considered, petitions must:
    a. Provide a brief written statement regarding the reason for the exception; and
    b. Be made by the date specified in these procedures; and where not specified, no later than a date that gives the University a reasonable amount of time to consider the request.
2. The University has the discretion to grant or deny petitions. Where the outcome of a petition has the potential to impact both parties (i.e., complainants and respondents), the University may choose to provide the other party with an opportunity to respond to the petition.
3. For good cause, the University may also make an exception to these procedures. If an exception is made by the University which significantly impacts timelines or other aspects of the process, the University will send a notice of exception within a reasonable time.