

Allegany College of Maryland
STUDENT & LEGAL AFFAIRS

CODE OF STUDENT CONDUCT: EXECUTIVE SUMMARY

I. PHILOSOPHY

Allegany College of Maryland, hereinafter referred to as “the College” is an institution of higher learning dedicated to excellence; as stated in the College’s mission statement, “Our focus is the preparation of individuals in mind, body, and spirit for lives of fulfillment, leadership, and service in a diverse and global society.” Consequently, the College accepts its responsibility to provide a meaningful, safe, educational environment not only in the classroom but also in the library, in the residence halls, in the cafeteria, in the gym, and anywhere else we find students, faculty, staff, and visitors. To fulfill that responsibility, the College presents this Code of Student Conduct, which demands high standards in our Core Values: Respect, Integrity, Opportunity, Wellness, and Quality.

II. AUTHORITY (Board of Trustees)

III. JURISDICTION

The Code of Student Conduct applies to all students on any of the College’s campuses* and to all students whose off-campus conduct (whether or not affiliated with the College or any College-sponsored activity) adversely affects the student’s fitness to be a member of the College community *or* is detrimental to the aims and objectives of the College. The Code of Student Conduct applies from enrollment (including between semesters) until the student graduates, withdraws from the College, or transfers to another institution without enrolling for further coursework at the College.

IV. STANDARD OF CONDUCT AND POLICIES

Students enrolling at any campus of Allegany College of Maryland assume an obligation to conduct themselves in a manner compatible with the College’s function as an educational institution. Conduct shall be consistent with the College’s Core Values: Respect, Integrity, Opportunity, Wellness, and Quality. Each student is presumed to have fundamental knowledge of proper conduct, such as manners, keeping hands to oneself, respecting the property rights of others, listening in class, and obeying authority. Each student is likewise expected to follow all federal, state, and local laws. Furthermore, each student shall be presumed to have read the Code of Student Conduct; ignorance of its provisions shall not be a defense to violating them. Finally, the actions/behaviors prohibited in the lists that follow are not exhaustive, since every possible conduct action/behavior cannot be foreseen by College officials, and the College reserves the right to supplement the standards of conduct at any time with notice to the students. Any questions about the Code may be addressed to the Dean of Student & Legal Affairs.

A. Personal Interaction

1. Assault / Assault & Battery
2. Aggravated Assault
3. Threat / Intimidation
4. Sexual Assault
5. Sexual Harassment
6. Harassment
7. Bullying
8. Other / Law

B. Respect for Property

1. Theft / Unauthorized Use
2. Trespassing
3. Unauthorized Entry
4. Breaking & Entering
5. Robbery
6. Vandalism / Destruction of Property
7. Other / Law

C. Health & Safety

1. Weapons
2. Disregarding Fire Safety
3. Drugs
4. Alcohol
5. Tobacco
6. Reckless Endangerment
7. Child Endangerment
8. Enabling

9. Unauthorized Possession/Duplication of Keys
10. Traffic Obstruction
11. Unsafe Driving
12. Unauthorized Parking
13. Animals
14. Infectious Disease
15. Other / Law

D. Peace & Order

1. Failure to Comply [Directions of College Official]
2. Probation Violation
3. False Statement
4. Fraud
5. Disorderly Conduct
6. Inappropriate/Unauthorized Computer Usage
7. Residence/Residency
8. Unauthorized Publications/Sales
9. Other / Law

E. Housing Regulations

1. Photo IDs
2. Guests
3. Quiet Hours
4. Smoking
5. Banned items
6. Exceeding occupancy
7. Unregistered Car

B. Disciplinary Procedures

1. **Reporting:** All violations (or suspected violations) shall be reported. Reports should be made in writing when possible/practical. Once reported, all violations (or suspected violations) will be documented.
2. **Initiation of Discipline:** Reports will be forwarded immediately to the appropriate Hearing Officer.
 - a. Student/non-resident violations (all) to the Vice President of Student & Legal Affairs
 - b. Non-student violations to the Vice President of Student & Legal Affairs
 - c. Student/resident Housing violations to Housing staff
 - d. When a reported violation involves violence, force, and/or a reasonable concern that a safety risk exists, the Vice President of Student & Legal Affairs may request an Order of Immediate Interim Suspension from the College President. Such an Order requires that the accused student immediately leave College grounds (including housing) and may not return for any reason (including classes) without permission from the College President – typically when either the investigation is concluded or the safety risk no longer exists. Housing residents who are accused of conduct violations that necessitate their temporary removal from [only] housing (also for safety reasons) may be suspended by either the Director of Residence Life or the Vice President of Student & Legal Affairs. These residents will be responsible for finding temporary accommodations and transportation to/from campus.
3. **Notice:** Students accused of Code violations will be given written notice
 - a. Specific policy, regulation, rule, or law allegedly violated
 - b. Date (approximated, if necessary) of alleged violation
 - c. Hearing date, time, and location (not less than 24 hours) or directions for the accused student to schedule a hearing.
 - d. Notice shall either be sent by certified mail to the accused student's address of record OR be hand-delivered with a signed receipt/acknowledgment by the accused student.
 - e. Additional Notice may be waived in limited circumstances [false information and violations related to prior notice].
4. **Investigation:** Assigned hearing officer conducts investigation*
 - a. Interview complainant/victim. The Hearing Officer shall ascertain whether, in fact, a violation is likely to have occurred. If there is no basis for the complaint, the matter will be dismissed immediately. False reports could trigger a new disciplinary proceeding against whoever made it.
 - b. Interview witnesses; witness names may be provided by the complainant/victim, the accused student, other witnesses, College faculty/staff, and/or the hearing officer.
 - c. Review incident or police report(s), if any.
 - d. Review documentation or other records, recordings, videos, etc..
 - e. Hearing with accused student.
5. **Hearing:** Accused students are entitled to an impartial, closed hearing with the Hearing Officer who may be assisted by another College official to ensure accuracy. As stated below, the accused may be accompanied by an Ombudsman*
 - a. Students have the right to attend the hearing
 - (i) Failure to attend could result in decision without student's input
 - (ii) If a student is unable to attend a scheduled hearing for good cause or needs more time to prepare, s/he must contact the Hearing Officer to reschedule.
 - b. Students have the right to answer and admit/deny the allegation
 - c. Students have the right to decline to give a statement
 - (i) Students' failure to provide a statement will not end the process; decisions shall be made without the student's input.
 - d. Students have the right to present fact or character witnesses.
 - e. Students have the right to present relevant evidence
 - f. Students do *not* have the right to an attorney during any disciplinary proceedings, as College proceedings are non-legal in nature and are, therefore, not subject to the same rules, procedures, and standards of proof as legal proceedings.
 - g. Students have the right to seek procedural assistance and information from the Ombudsman, a neutral third party who is a member of the College staff appointed by the President, who does not advocate for any position or outcome, but who is well-versed in the Code of Student Conduct. The Ombudsman *may* meet with accused students (as requested) to prepare for the hearing and may attend the hearing.

***These rights apply at all hearings, including the Committee on Student Conduct.**
6. **Deliberation:** The Hearing Officer shall take the necessary time to decide and shall re-interview any person s/he deems necessary. The standard to be applied in making decisions is preponderance of the evidence (i.e., it is more likely than not that the accused student committed the violation(s) as alleged).
7. **Decision:** The hearing officer shall notify the student in writing of the decision and the reasoning for that decision. It shall either be sent by certified mail to the appealing student's address of record or hand-delivered with a signed receipt/acknowledgment by the appealing student.
 - a. Findings: Not responsible/not in violation OR Responsible/in violation
 - b. If found not responsible, report/file will be closed and nothing will be noted in the student's official disciplinary records
 - c. If found responsible, sanction(s) shall be imposed.
8. **Sanctions:** A response appropriate for the offense will be imposed.
 - a. Censure: A written reprimand placed in the student's disciplinary file.
 - b. Fine: A financial penalty.
 - c. Educational Sanction: An exercise intended to help the student learn.
 - d. Probation: A period of time when the student's conduct will be more closely monitored for compliance with all rules, regulations, policies, and laws. Specific terms and/or conditions that are intended to ensure safety, to compensate any victim, to deter this or any student from a similar course of conduct, or to educate the student may be placed upon a student for whom the sanction is probation. Examples of terms/conditions that may be imposed include (but are not limited to) restitution, letters of apology, counseling, written assignments, educational sanctions, community service, restriction of activities, and no contact with designated persons.
 - e. Suspension: A period of time when the student may not be present on campus (or at housing) for any reason without the prior, written permission of the Hearing Officer. The written decision will state when the suspension period expires. A student who is suspended and who comes onto campus (or housing) could be arrested and prosecuted for criminal trespassing and could face additional disciplinary action.
 - f. Dismissal: The student is terminated from the College for an indefinite period of time and may be readmitted only with written approval from the College President. A student who is dismissed and who comes onto campus (or housing) could be arrested and prosecuted for criminal trespassing and could face additional disciplinary action. Any Willowbrook Woods resident who is dismissed from the College is automatically expelled from housing.