

Hood College Student Conduct Processes



Introduction

The basic philosophy of the conduct system is one of education. It focuses on the growth and development of student potential through the encouragement of self-discipline and responsibility by fostering respect for the rights and privileges of others. Policies, rules, and regulations have been established by the College to assist in maintaining an optimal environment for students. These are published in this section, elsewhere in this Handbook, in the College Catalog and in the Housing and Food Service Contract.

Students are responsible for becoming familiar with all published materials and for abiding by them during their tenure at Hood. All members of the community also have the right and responsibility to confront others when aware they are not adhering to such regulations.

Due Process

Any member of the campus community may refer a matter to the Student Conduct System. This includes, but is not limited to, staff, faculty, and other students. The following is the process for resolution of such referrals:

1. A formal incident report (complaint) is written by a member of the campus community and filed with the Dean of Students, Assistant Director of Staff Development and Student Conduct, Director of Campus Safety and Security or designee. All complaints filed must be in writing and contain, at a minimum, information sufficient to identify the accused and a clear statement explaining the nature of the complaint. Reports from apartment complex staff or management, neighbors, courtesy officers, and police regarding incidents taking place in College-leased housing are acceptable documentation from which action may result.
2. The Dean of Students, Assistant Director for Staff Development and Student Conduct, or designee will review the complaint and determine if any potential policy violations exist. If potential violations exist, the matter may proceed through the Student Conduct System process (as specified below) or be referred to another process if appropriate (for example, cases involving alleged harassment or alleged sexual misconduct may be referred to the College Grievance Board).
3. Within the Student Conduct System, the accused student(s) will be notified (in writing, by phone, or in person, as the situation warrants) that the complaint was filed if potential policy violations exist (when notified by email, the subject line will likely be "NOTICE OF JUDICIAL ACTION"); the accused student(s) will also be notified of the potential violations and the scheduled hearing details with the appropriate College official. Failure to appear at the scheduled hearing may result in the hearing being held in the student's absence. In this case, decisions will be made without the student's input and may not be appealed.

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4. In most cases resolved through the Student Conduct System, an Assistant Director of Residence Life, or the Dean of Students will conduct the hearing to resolve alleged misconduct. Generally, violations of policy will be resolved through a one-on-one administrative hearing with a staff member. Occasionally, more than one staff member may participate in the hearing.
5. During the hearing, the student will have the opportunity to discuss the complaint and alleged violations and explain his or her perception of the incident. Information gathered by staff members prior to the hearing may be presented to the student in the hearing. Possible sanctions may be discussed and reviewed during the hearing.
6. Following the hearing, a letter outlining the findings will be sent to the student. The letter will indicate whether the student was, based on a preponderance of the evidence, found responsible or not responsible for each potential policy violation. If additional policy violations were discovered, a finding may also be issued on those violations. If the student is found responsible for any policy violations, the letter will outline sanctions and provide a deadline for the completion of the sanctions. In the event that the student is found not responsible for any policy violations, the letter will outline such and no sanctions will be issued.
7. A letter may also be sent to parent(s)/guardian(s) when appropriate and to other members of the faculty and administration of the College as the situation warrants.
8. The judicial officer may decide to waive a hearing with a written notification of a finding of responsibility for the policy violation and direct sanctioning. Typically, this is in the event the accused has acknowledged responsibility for violating college policy or in health and safety room inspection policy violations or similar violations. If there is no hearing, the written notice will outline the ability to request a hearing within five business days, and the judicial officer will schedule the meeting to reconsider the matter; as this scheduled meeting is due process, it is not considered an appeal request.

Appeals

A student has the option to appeal a decision within the Student Conduct System. The student shall file a written notice of appeal with the appropriate party (see designation below). This notice must be filed within 5 business days of notice of the sanction and shall specify, in detail, the grounds upon which the appeal is based. Failure to file the aforementioned notice within the prescribed timeline constitutes a waiver of the right to appeal. A decision may be appealed on the following grounds:

1. Substantive new evidence that was unknown to the accused at the time of the hearing and that may have had an impact on the outcome.
2. Procedural error of fairness.
3. Severity of sanction not consistent with severity of offense.

The guide below indicates to whom the appeal should be addressed: If the sanction was issued by:

- Assistant Director Kandyce Baker, appeal to Assistant Director Becky VanWychen
- Assistant Director Becky VanWychen, appeal to Assistant Director LaShawn Taylor.
- Assistant Director LaShawn Taylor, appeal to Assistant Director Kandyce Baker
- The Dean of Students, appeal to the President of the College.

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There may be instances in which the appeal officer is not the individual listed above. If this is the case, the judicial hearing outcome email will state who the appeal officer will be.

After a student has filed notice of appeal, the appeal officer or board will review the student's request and notify the student of the outcome of the appeal. An additional or new hearing with the appeal officer or board is not automatically granted. The decision of the appeal officer or board is final (i.e. no further appeals are granted). Hood College also reserves the right to immediately sanction a student without following the above procedures if warranted and to adjudicate any case purely administratively; in the event that a student is deemed a danger to themselves or to others, a summary decision may be issued, requiring the student to comply with sanctions (including suspension) immediately. A hearing will then be scheduled to resolve the incident. In the case of summary decisions imposed as the result of criminal charges, the summary decision may remain in effect until the matter is resolved both on and off campus.

Sanctions

The following sanctions may be imposed upon any student or group of students found in violation of any College policy. In every instance, the student will be informed, in writing, of the details of the sanction(s). Copies of this letter will be held by the Office of the Dean of Students and/or Office of Residence Life in a confidential disciplinary file. If the terms of any sanction imposed are not met, additional and more serious sanctions will be imposed and/or a hold may be placed on the student's record until the sanction is complete. The College reserves the right to draw upon any and all available sanctions deemed appropriate and is in no way limited to the sanctions listed below. In most cases, a student is assigned one primary sanction and one or more supplemental sanctions at a time. In cases where more than one policy is violated the College has the right to impose all of the sanctions available for all of the violations. Mitigating and/or aggravating circumstances and factors may influence the sanctions imposed.

Primary Sanctions

- **Written Admonishment** - A written notice to the student that his/her conduct is inappropriate. The infraction and corrective measure(s) are summarized and a warning about possible future consequences should that behavior continue is delivered.
- **Disciplinary Probation (for a specified term)** - Disciplinary Probation signifies that further violation of College policy while the probation is in effect may result in sanctions which are increased in severity from what is typical in a given situation. Such increased sanctions may include extension of probation, loss of College housing (temporarily or permanently), suspension, and/or expulsion from the institution.
- **Disciplinary Probation for Tenure** - See Disciplinary Probation, above. When probation is assigned for tenure, it remains in effect for the balance of the student's enrollment at Hood or until rescinded in writing by the Dean of Students (or designee).
- **Dean's Probation** - With authorization from the Dean of Students, Dean's Probation may be enacted by any hearing officer. See Dean's Probation, in the Administrative Policies and Procedures section.
- **Housing Dismissal** - A permanent dismissal from the residential system. The student may not reapply for residency and may not enter Hood's residential facilities after issuance. The student will generally be provided with a timeline for moving out, however, in certain cases, students may be required to move out immediately as to ensure the health and safety of all involved. In the event a student is dismissed from

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housing for a disciplinary infraction, the Dean of Students will make a determination as to whether or not a hearing must be held to determine if the individual can remain a student at Hood College.

- Suspension - Temporary removal from enrollment at the institution by the Dean of Students or another College official who has authorization to enact suspensions. Suspensions may be for a set period of time, until certain conditions are met, and/or until rescinded by the College. Suspension may include restriction from being present on campus during the suspension period.
- Expulsion - Permanent separation from the College by the Dean of Students or another College official who has authorization to enact expulsions. The student may not re-enroll. Expulsion generally carries a restriction from being present on campus after issuance.

Supplemental Sanctions

- Loss of privileges - Denial of specified privileges for a designated period of time, as defined by the individual(s) who impose the sanction. Examples of privileges which may be denied include, but are not limited to, guest and visitation privileges, ability to participate in or attend events, and ability to participate in room selection.
- Fines - Monetary sanctions. All fines are subject to change and may be higher than stated depending on the circumstances. Any policy violation may be subject to a fine.
 - Possession of weapon, fireworks or devices that shoot projectiles, typical fine: \$250
 - Propping secure doors, typical fine: \$250
 - Tampering with or dismantling automatic door closures, typical fine: \$250
 - Tampering with smoke detector, typical fine: \$250
 - Tampering or misuse of safety equipment, typical fine: \$250
 - False discharge of a fire extinguisher and/or false activation of fire alarm, typical fine: \$250
 - Failure to evacuate during fire drill, typical fine: \$50
 - Possession of items prohibited by fire safety, or electrical appliances policies, typical fine: \$50
 - Any other fire hazard (cloth or paper over lights, live greenery, etc.), typical fine: \$50
 - Loaning key or ID card to unauthorized user, typical fine: \$50
 - Smoking outside of designated areas, typical fine: \$50
 - Pet violation, typical fine: \$200
 - Mistreatment of building or unsafe behavior in building, typical fine: \$50
 - Trespassing, typical fine: \$50
 - Unauthorized residential room change, typical fine: \$25/day
 - Late departure during residential system closings, typical fine: \$25/hour
 - Improper Check-out, typical fine: \$150
 - Unapproved early arrival before residential system opening, typical fine: \$100 per day
- Educational assignments - Tasks that are creatively applied with the education of the violator in mind. Assignments have some meaningful relationship to the violation and may take the form of an interview or research paper.
- Community service - A designated number of hours of community service may be assigned at a particular site, or the student may be permitted to choose an approved site. Most students are assigned service with the College's Facilities Services department.

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- Conflict mediation - A meeting with a designated person and two or more parties in conflict to attempt resolution and terms of agreement for future interactions.
- Referral to and/or mandated support service - Includes, but is not limited to, counseling, alcohol assessment, utilization of community resources such as Alcoholics Anonymous, and/or educational programs.
- Restitution - Reimbursement for damages to, destruction of, or misappropriation of Hood College property or property of any person.
- Forced relocation - A new room and/or hall placement will be assigned to the student for the benefit of the individual and/or others in the residential system. The student will be required to move within a prescribed period of time.
- Suspension from housing - A requirement that the student vacate the residential system for the length of time specified. This may take the form of a weekend suspension or a suspension for the remainder of a term, school year, etc. Students suspended from housing may not enter Hood's residential facilities while the suspension is in effect.

COVID -19 Conduct Policies:

The following language is from pages 60-61 of the New Horizon Plan which outlines how Hood College will operate beginning in the fall 2020 semester in response to the COVID-19 pandemic.

Student Code of Conduct

A. Introduction

Hood College is committed to the well-being of all members of the community. As members of the student body, students have voluntarily entered into a community that embraces respect, honesty and responsibility. It is presumed that students will take responsibility for their behavior and hold their peers accountable for being good citizens. Accordingly, the College has created the Heart, Mind and Hands Pledge. By taking the Pledge, students commit to act in the best interest of the health and safety of all members of the community by doing their part to reduce the spread of COVID-19. All students, prior to arrival on campus, will read and thoroughly familiarize themselves with all COVID-19 policies and procedures. Students should not come to campus if they are unwilling or unable to comply with these and all College policies.

B. Policies

Students must at all times follow the COVID-19 behavioral protocols. In addition,

1. All students must always have a mask and their Hood College ID with them and must present the ID when asked by a College official.
2. Students must abide by the revised visitor policy (see Chapter 1, Health and Safety and Chapter 3, Student Life, Section II, Residence Life).

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3. If a student is required to isolate or quarantine and does not adhere to the Health and Safety protocols (see Chapter 1, Health and Safety), the student is subject to immediate removal from class/es or removal from campus housing and may be suspended or dismissed from the College.

4. Furniture should not be moved or removed from its location to maintain social distancing.

5. Anyone who removes cleaning/sanitation supplies, wipes, etc. without permission will be subject to disciplinary action.

6. It is strongly recommended that students carry sanitizer with them to facilitate frequent handwashing.

7. Students are asked to help keep the campus clean. Students are encouraged to wipe surfaces after coming in contact with them using provided sanitizing wipes.

8. All students (along with faculty and staff) are strongly encouraged to avoid all nonessential travel. If such travel is necessary, students must comply with current guidance on travel provided by local (Frederick County) and state (Maryland) public health sources and the CDC:

- Local (Frederick County Health Department) guidance on travel
- CDC guidance on travel in the U.S.

C. Sanctions

Students who are found in violation of the Hood College Code of Conduct or those policies described herein will be subject to one of the sanctions below. A copy of this action will be maintained as a part of the student's conduct record at Hood College. Furthermore, the status of a student's conduct is subject to reporting to other colleges/universities, in the event a student seeks to transfer, and information is requested by the transfer institution. Because of the severity of the COVID-19 pandemic and its potential impact on students and other members of the Hood College community, a parent/guardian may also be informed of the sanction. Sanctions may include but are not limited to the following.

1. immediate removal from campus facility if not abiding by behavioral policies
2. administrative withdrawal from class/es
3. removal from College housing
4. suspension from the College
5. dismissal/expulsion from the College
6. banned from campus

Violations of these policies will result in immediate disciplinary action. At any time, direct sanctioning can be rendered by the vice president for student life and dean of students or the provost and vice president for academic affairs.