



**BOARD OF TRUSTEES
CAMPUS LIFE COMMITTEE
REPORT SUMMARY**

Date of Meeting: May 7, 2021

Date of Next Meeting: October 2021

Committee Chair: Danielle Troyan '92

Committee Members: Nick Abrams, Carlos Alcazar, John Bell '95, Chair Lex Birney, Alice Bonner '03, Fatima Bouzid '22, Peg Duchesne '77, President Tuajuanda Jordan

Staff Members: Kelsey Bush '94, Michael Dunn, Shana Meyer, Derek Young '02

Dashboard Metrics

N/A

Executive Summary

Discussion Items

Student Trustee Report

Fatima Bouzid '22 will provide the Student Trustee Report.

Inclusive Diversity, Equity, Access and Accountability (IDEAA) Report

Kelsey Bush '94 will provide key accomplishments and next steps on IDEAA goals for the year.

Vice President for Student Affairs/Dean of Students Report

Interim Vice President for Student Affairs, Shana Meyer, will provide an overview of the division's efforts in achieving two overarching goals for the year.

Information Items

COVID-19 Surveillance Testing Report

The Spring 2021 surveillance testing report will show the percentages of students, faculty, and staff who participated in surveillance testing and the reasons others who were selected did not participate.

Title IX Updates

Michael Dunn will provide information on Spring '21 Title IX reports, the 2021 campus climate survey, prevention programming and an update from the Office of Civil Rights.

Revision to Academic Judicial Procedures

Update regarding the procedural changes made to the College's Academic Misconduct procedures.

Action Items

II.A. Endorsement of the Non-Discrimination Procedures Policy

The Non-Discrimination Procedures Policy establishes procedures to address and investigate allegations of discrimination or harassment based on race, sex, gender, ability status, and other identity characteristics that are protected by law and included in the College's Non-Discrimination Policy. These procedures apply to students, faculty, and staff. The Procedures include provisions for a formal investigation process, as well as an Alternative Dispute Resolution process. Reports filed under these procedures would be managed under the Division of Inclusive Diversity, Equity, Access, and Accountability (IDEAA) and/or Human Resources.

II.B. Endorsement of the Support Pregnant and Parenting Students Policy

As required by Title IX, the Policy to Support Pregnant and Parenting Students ensures that all students who are pregnant, experiencing pregnancy-related conditions, and new parents, are treated equally and protected from discrimination. The policy prohibits discrimination based on pregnancy and parenting status, describes reasonable accommodations for pregnant and parenting students, and prohibits harassment and retaliation. The Title IX Office would manage the implementation of this policy, with support as needed from the Office of Accessibility Services and the Office of Human Resources.

II.C. Endorsement of the 2021 Cultural Diversity Report

Each Maryland public college and university is required to develop and implement a plan for a program of cultural diversity. The Board approved report will be submitted to the Maryland Higher Education Commission, the agency responsible for monitoring the College's progress toward achieving the goals outlined in its plan and ensure compliance with the State's goals for higher education



**BOARD OF TRUSTEES
CAMPUS LIFE COMMITTEE
MEETING OF MAY 7, 2021**

AGENDA

I. DISCUSSION ITEMS

- A.** Student Trustee Report
- B.** Inclusive Diversity, Equity, Access and Accountability (IDEAA) Report
- C.** Vice President for Student Affairs/Dean of Students Report

II. ACTION ITEMS

- A.** Approval of the Non-Discrimination Procedures Policy
- B.** Approval of the Policy to Support Pregnant and Parenting Students
- C.** Approval of the Maryland Higher Education Commission (MHEC) Cultural Diversity Report

III. INFORMATION ITEMS

- A.** Minutes (Meetings of February 5, 2021 and March 12, 2021)
- B.** COVID-19 Surveillance Testing Report
- C.** Title IX Updates
- D.** Revision to Academic Judicial Procedures (Appendix 1 and Appendix 2)

The Committee does not expect to close any portion of this meeting.

**BOARD OF TRUSTEES
ST. MARY'S COLLEGE OF MARYLAND
CAMPUS LIFE COMMITTEE
MEETING OF MAY 7, 2021
DISCUSSION ITEM I.A.
STUDENT TRUSTEE REPORT**

It truly has been a year of adapting and resilience amongst the St. Mary's community. We have made it to our last meeting, after a whole year of hybrid, and about 30% of students attending remotely.

In the past, I have mentioned bills that were passed by Student Government in order to create an ever-improving St. Mary's campus. We have recently finalized the MySSP Bill that will give students the ability to connect with mental health services on their devices. MySSP (My Student Support Program) is a confidential online counseling service offering mental health support for all SMC students via text, phone, or video. Thanks to Laurie Scherer, Director Wellness Center, we will have this platform for students starting next school year.

In addition, the in-person World Carnival, including off-campus students, was a success. Some of the events for this year's World Carnival included: axe throwing, food trucks, and stuffed animal making.

As we look ahead for a fully in-person 2021-2022 school year, some students have reservations about how successful bringing back the whole community would be. In talking to students, I am telling them that St. Mary's will take the healthiest and safest approach to bring students back. Students hope the College will provide information such as whether students will be required to take the Covid-19 vaccine and if the same randomized surveillance testing will be used in the following school year.

The classes of 2022 and 2023 were worried about fulfilling their Experiencing the Liberal Arts in the World (ELAW) requirements. Due to the pandemic, ELAW waivers were offered to the classes of 2020 and 2021, but not to current juniors or sophomores. St. Mary's recently waived this requirement to ensure the Classes of 2022 and 2023 do not need to worry about this requirement.

Finally, the new Student Trustee in Training was selected this past month. I want to welcome Brayan Ruiz Lopez, of the Class of 2024. He majors in Neuroscience, with a minor in Philosophy. As a Freshman he is already very involved in our community. Brayan is the social media consultant for the SMC Pre-Med Club and has also assisted with the organization of programs such as "Healthy Relationship" and "A Call to Men." We have a meeting planned to create a smooth transition. In addition, with the mentoring that will now be in place for upcoming Student Trustees, the already rewarding experience of being a Student Trustee will be even more of a learning opportunity. I am sure he will do an amazing job as he prepares to take on this role.

**BOARD OF TRUSTEES
ST. MARY'S COLLEGE OF MARYLAND
CAMPUS LIFE COMMITTEE
MEETING OF MAY 7, 2021
DISCUSSION ITEM I.B.
INCLUSIVE DIVERSITY, EQUITY, ACCESS AND ACCOUNTABILITY
(IDEAA) REPORT**

Inclusive Diversity, Equity, Access, and Accountability (IDEAA)

The Division of Inclusive Diversity, Equity, Access, and Accountability (IDEAA) has been steadily working with students, faculty, and staff to develop relationships and identify areas and ways that the College could increase inclusivity and diversity in an equitable fashion.

Throughout this academic year, the team in IDEAA has worked to fulfill its stated mission of leading campus-wide efforts to create and sustain policies, initiatives, and resources to ensure that the College is a welcoming, transformative, and empowering institution where all students, faculty, and staff can thrive.

To that end, IDEAA has focused on establishing itself as a leading resource on campus by building relationships, identifying and addressing policy gaps, and offering responsive programming to respond to current issues and celebrate the diverse threads of the College community.

The table below summarizes some of IDEAA's key accomplishments of the past year, based on the 2020-21 goals outlined in our October 2020 report to the Board, as well as our planned next steps.

Goal	Key Accomplishments and Next Steps
<p>To <i>create the IDEAA division and structure</i> while bringing together, and cultivating relationships with, campus offices and stakeholders to advance inclusive diversity, equity, access, and accountability.</p>	<p>Key Accomplishments</p> <ul style="list-style-type: none"> ● Developed IDEAA vision, mission, and <u>website</u> ● Launched Black, Indigenous, and People of Color (BIPOC) Faculty Collaborative ● Developed policies with campus partners: <ul style="list-style-type: none"> ○ Non-Discrimination Procedures (pending Board approval) ○ Policy to Support Pregnant and Parenting Students (pending Board approval) ○ <u>Bias Prevention and Support Team</u> ○ Procedures for extended health episodes (with the Wellness Center and Accessibility Services)

	<ul style="list-style-type: none"> ○ Personal care attendant policy (with Accessibility Services) <p>Next Steps</p> <ul style="list-style-type: none"> ● Develop IDEAA strategic plan, based on research and evidence-based practices, focusing on recruitment, retention, and wellness, in conjunction with the forthcoming College strategic plan
<p>To <i>review the existing data</i> around IDEAA issues to establish a baseline of performance. We will then <i>develop evaluation processes</i>, including measurable outcomes, to assess changes or areas of concern.</p>	<p>Key Accomplishments</p> <ul style="list-style-type: none"> ● Engaging in ongoing research on best practices to use data to inform accountability measures ● Partner with the Office of Institutional Research to retrieve data regarding high-impact practices, equity gaps in General Education course grades, and the withdrawal of BIPOC students <p>Next Steps</p> <ul style="list-style-type: none"> ● Develop evaluation processes and data dashboards to bolster accountability
<p>To develop and implement <i>programs and activities</i> to highlight and support the IDEAA mission.</p>	<p>Key Accomplishments</p> <ul style="list-style-type: none"> ● Supported student affinity groups ● Conducted engagement surveys for underrepresented minority faculty and students ● Advised Enrollment Management to address equity issues and bolster Latino recruitment, in partnership with Latino faculty and students ● Participated in campus-wide committee on retention to advise on retaining students of color and first-generation students ● Hosted monthly film series ● Engaged with campus partners to developing land acknowledgement <p>Next Steps</p> <ul style="list-style-type: none"> ● Create an ongoing calendar of IDEAA-related programs
<p>To collaborate with other units to <i>respond to</i></p>	<p>Accomplishments</p>

<p><i>campus-related issues and events</i> that are driven by local, state, national or world events.</p>	<ul style="list-style-type: none"> ● Co-hosted four-part “Bridging Our Gaps: Community Conversations to Rebuild Our Democracy” program series with the College of Southern Maryland and the Center for the Study of Democracy ● Hosted a community town hall, “Finding Our Way,” to discuss the January 6, 2021 insurrection at the U.S. Capitol ● Authored multiple letters to the campus community to address campus and national issues, including the January 6, 2021 insurrection at the U.S. Capitol, the commemoration of Black History Month, and the murders of Asian and Asian American women in Atlanta ● Co-Hosted with Student Affairs and Public Safety a town hall in response to the verdict in the Chauvin trial ● Collaborating with campus and community partners to plan the inaugural Mathias de Sousa Leadership Symposium in October 2021 <p>Next Steps</p> <ul style="list-style-type: none"> ● Create an ongoing IDEAA newsletter to ensure consistent communication
<p>To develop <i>training opportunities</i> built around the IDEAA framework.</p>	<p>Key Accomplishments</p> <ul style="list-style-type: none"> ● Engaged EverFi as vendor for online diversity, equity, and inclusion training for students, faculty, and staff ● Based on student feedback, engaged in outreach to faculty about the inclusion of transgender students in the classroom, and partnered with trans students on additional training resources <p>Next Steps</p> <ul style="list-style-type: none"> ● Develop a comprehensive campus-wide training plan beginning in summer 2021

**BOARD OF TRUSTEES
ST. MARY'S COLLEGE OF MARYLAND
CAMPUS LIFE COMMITTEE
MEETING OF MAY 7, 2021
DISCUSSION ITEM I.C.
VICE PRESIDENT FOR STUDENT AFFAIRS/DEAN OF STUDENTS REPORT**

Vice President for Student Affairs

The Division of Student Affairs had two overarching goals for the year:

1. Amplify a student-centered, engaging, and transformative experience through co-curricular programs, diverse experiences, and support services.
2. Provide an exemplary student-centered Wellness model, focusing on physical health and mental health needs.

The following information will highlight our efforts in achieving these goals. The student experience was certainly different in an era of COVID-19, with both positive and negative outcomes. Positively, there were fewer conduct cases and Public Safety reports, and our students and staff found innovative new ways of engaging students. On the negative side, there were fewer students on campus who often found themselves feeling isolated in the name of COVID-19 mitigation. While we provide the resources for students to process their feelings and get engaged, often times they do not take advantage of these services.

Student Experience

Residence Life: The Office of Residence Life housed 851 resident students for the spring semester. We are close to capacity in Waring Commons, the Townhouses, and Lewis Quad, while reserving four townhouses and four six-person suites for COVID-19 isolation and quarantine. In the fall and spring semesters, we utilized a staggered move-in process to reduce the number of students and families interacting in close proximity to each other. The method worked well and provided a more efficient move-in process that will be replicated in the fall.

Activities: Student Clubs and Organizations successfully utilized social media to transform the way they program, from how they advertised in-person events to bringing engaging activities into students' rooms. They used the Engage platform and Instagram to inform, educate, and advocate for students.

The SGA Programs Board held 46 events in the spring semester and a total of 89 events for the 2020-2021 academic year. The Programs Board wrapped up the year with a three-day World Carnival event, utilizing the entire campus. During the event they highlighted student performing groups, participated in axe throwing and a rage room for stress relief, watched outdoor movies for two nights, and rode around campus on an electric train.

Student Activities staff have also provided a number of events that highlight the diverse backgrounds of our students, including Queer Dinners, an Intersectional poetry night, Trans Day of Visibility, Social Justice Jeopardy, and Lavender Graduation.

Student Government: The Student Government Association (SGA) considered legislation this semester to improve student life and advocate for student needs. Five new clubs were added this semester including Alianza, Volleyball Club, Chess Club, Music Club, and Energize, a women's exercise empowerment club. The SGA also provided funding for 10 new picnic tables, the inspection and replacement of the rock wall floor, and to replace the Kate Chandler Campus Farm sign. To make the governing body of the students more efficient, SGA amended the constitution, bylaws, and senate committees. SGA voted on 21 constitutional amendments, passing 13.

Conduct: College policy violations have been down comparatively from prior years, particularly marijuana and alcohol violations. We have seen an increase in violations of failure to comply with requests from a college official. These have been focused primarily around not participating in COVID-19 surveillance testing.

	2019-2020 Totals	2020-2021 Totals
Student Conduct Charges	296	89

Student Health and Wellness

Physical Health: Healthcare appointments with a prescribing health care professional (Nurse Practitioner or Physician Assistant) are provided to SMCM students by contract with Medstar Medical Group (MMG). Last year, our health providers saw 258 students in the spring semester. This year, only 60 appointments were made. This dramatic shift is due to the provider not being on campus. Instead, students were provided telehealth or in-person appointments at the outpatient clinic in Great Mills.

	2019-2020 Totals	2020-2021 Totals
Physical Health Visits	428	177

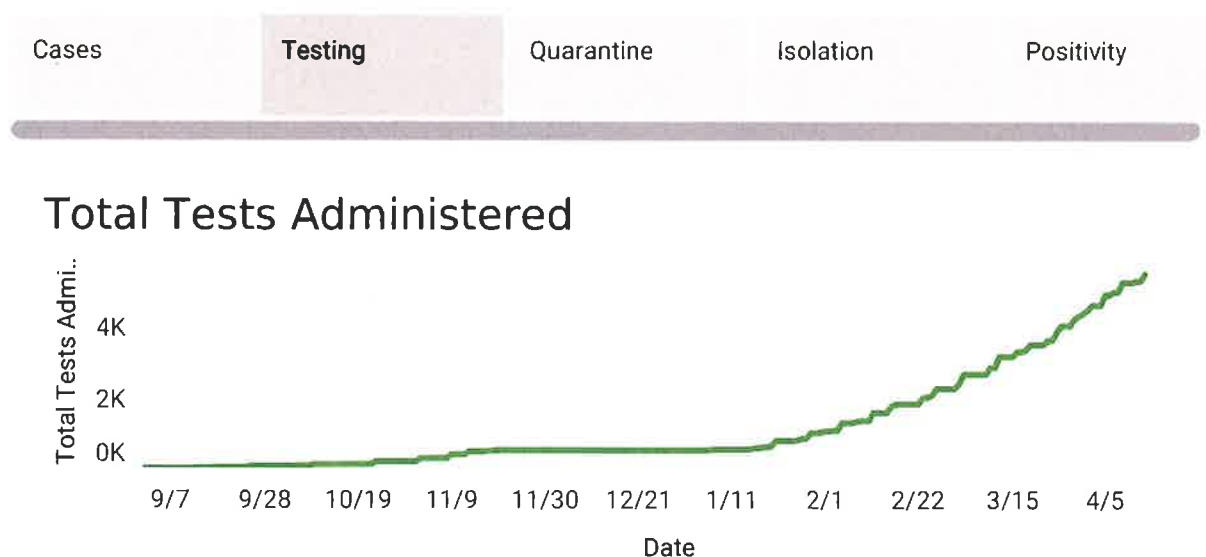
Mental Health: The Wellness Center counseling staff consists of five dedicated professionals who offer tele-mental health care via HIPPA-compliant Zoom sessions. For the spring of 2021, 695 individual appointments were provided, as compared to 1325 last spring. This number will rise slightly through the last month of the semester. Couples counseling, group counseling sessions, and quick access appointments for urgent or walk-in needs were also offered. In addition, access was provided for on-the-spot urgent or walk-in needs.

Most students (75%) who utilize counseling services attend six or fewer counseling sessions. Typically, services are not provided when classes are not in session. However, during the COVID-19 pandemic, the Wellness Center provided services over the break, providing counseling to those students who required additional support. This population of students attended between 10 and 15 sessions. Five students attended more than 16 sessions, which is more than weeks in the semester. This reflects an increased need and lack of resources for obtaining support at their homes.

In addition to counseling, psychiatric services are provided by a psychiatrist/psychiatric nurse practitioner. Services were offered in-person through March 23, 2020 and via telehealth through the end of the 2019-2020 academic year. For the entire 2020-2021 school year, all services were via telehealth.

Type of Care	2019-2020 Totals	2020-2021 Totals
Individual Counseling	2727	1917
Couples Counseling	20	19
Group Counseling	72	8
Quick Access Counseling (Urgent / Walk-in)	426	206
Psychiatric Evaluations	39	56
Medication Management	225	144
Sexual Assault Advocacy	4	7

COVID-19: The Wellness Center took the lead in the College's COVID-related health care. To date, over 5800 COVID-19 tests have been administered on the SMCM campus. These tests include weekly surveillance testing, athletic testing, and frontline worker testing. Fifty tests were administered on demand for students, staff, and faculty. For more information on surveillance testing, please see Information Item III. B, COVID-19 Surveillance Testing Report.



COVID-19 Tests administered by SMCM staff on the SMCM campus.

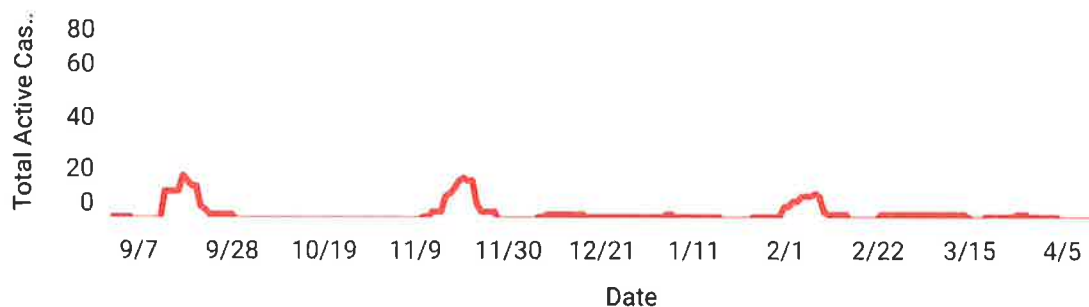
900 was used as the base data range for the Y axis to match the approximate total number of residents on campus for the 2020-2021 academic year.

This range will increase automatically over time as testing continues.

In the spring semester, 19 positive COVID-19 cases were reported to the Wellness Center. Of these, 10 students utilized isolation units on campus. An additional 36 students completed quarantine on campus, with many more who were monitored for symptoms or close contact / possible exposure. For the year, a total of 63 cases of COVID-19 were made known to the Wellness Center, determined by SMCM administered test, self-reporting, and contact tracing reports of individuals that were on the SMCM campus. At the height of reported cases on campus (September 17, 2020), the campus had a 1.1% positivity rate.

Cases	Testing	Quarantine	Isolation	Positivity
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Total Active Cases



Positive cases determined by SMCM administered test, self reporting, and contact tracing reports of individuals who have physically been on SMCM campus within the past 14 days.

Approximately 80 cases would equate a 5% positivity rate. This is the threshold at which on-campus living arrangements will be reassessed.

Each day, faculty, staff, and students track potential COVID-19 symptoms via the SMCM Daily Symptom Tracker. The Wellness Center Staff has reviewed 158,738 responses to Tracker since August 2020 and contacted any respondent reporting symptoms. This system will also be used as a mitigation tool for guests attending Grad Walk.

SMCM partnered with the St. Mary's County Health Department to provide information to the campus regarding COVID-19 vaccinations. The Wellness Center Staff sent out vaccine eligibility letters to 210 faculty and staff members, and 341 student employees as the vaccine phases were opened to higher education in the State of Maryland. Transportation to the vaccine clinic was offered, with 23 students participating.

Campus Safety

The Office of Public Safety (OPS) continues to follow the recommendations made in the consultants' report for positive improvements to campus service. They have obtained and begun utilizing Power DMS for policy and training management. This online software helps to ensure

all officers have read updated policies and tracks training sessions attended. Two officers have become Certified Field Training Officers, and one Sergeant attended a Special Police Officer Academy. Trainings such as these provide information that can then be shared with the rest of campus. For example, after attending Fair and Impartial Policing training, Public Safety conducted the same training for the rest of the public safety staff, along with a modified training for resident assistants.

OPS is working to engage students in their efforts and re-established the Public Safety Advisory Council, co-chaired by the Director of Public Safety and the President of the Black Student Union. This group recommended additional assessments be conducted. As such, all students were assessed regarding their experiences with Public Safety. OPS also sends surveys to all with whom they formally interact.

Campus Shield (also known as the Seahawk Safe Mobile App), serves as an emergency communication tool between the SMC community and Public Safety. This tool provides emergency calling with location tracking, the ability to receive Seahawk Alerts, a tip line, friend watch safety check, and student handbook and emergency procedure information. Utilization of this service continues to rise, with tip line reporting on COVID-19 policy violations comprising the majority of the increase.

	2019-2020 Totals	2020-2021 Totals
Calls for Service	846	527
Reports	91	55
Campus Shield Tips	46	65
Campus Shield Emergency Calls	16	8
Campus Shield Users	Unknown	1777

**BOARD OF TRUSTEES
ST. MARY'S COLLEGE OF MARYLAND
CAMPUS LIFE COMMITTEE
MEETING OF MAY 7, 2021
ACTION ITEM II.A.
APPROVAL OF NON-DISCRIMINATION PROCEDURES POLICY
(See Appendix A for Supporting Documents)**

RECOMMENDED ACTION

The Campus Life Committee recommends approval at its May 7, 2021 meeting, by the Board of Trustees, St. Mary's College of Maryland, of the Non-Discrimination Procedures Policy.

RATIONALE

The Non-Discrimination Procedures Policy establishes procedures to address and investigate allegations of discrimination or harassment based on race, sex, gender, ability status, and other identity characteristics that are protected by law and included in the College's Non-Discrimination Policy. These procedures apply to students, faculty, and staff. The Procedures include provisions for a formal investigation process, as well as an Alternative Dispute Resolution process. Reports filed under these procedures would be managed under the Division of Inclusive Diversity, Equity, Access, and Accountability (IDEAA) and/or Human Resources.

St. Mary's College of Maryland
Non-Discrimination Procedures
May 2021

(Adapted from the [University of Maryland Non-Discrimination Policy and Procedures](#))

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I. Policy Statement

St. Mary's College of Maryland ("SMCM" or the "**College**") is fully committed to equal employment and educational opportunities for its employees and students. The College does not discriminate or condone discrimination or harassment in the workplace or academic setting, on the basis of race, color, religion, sex (including pregnancy and parental status), national origin, gender identity/expression, sexual orientation, ethnicity, age, marital status, physical or mental disability, protected veteran status, or any other characteristic protected by law. For more information, see the College's [Non-Discrimination Policy](#) (the "**Policy**").

The Assistant Vice President of Equity and Inclusion and/or the Assistant Vice President of Human Resources, or designee are the "**College Officials**" who shall receive all complaints of discrimination and harassment made pursuant to this Policy.

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Complaints of discrimination based on sex, gender identity or expression, and sexual orientation that do not involve misconduct of a sexual nature will be addressed under these Non-Discrimination Procedures (the Procedures). Complaints of sexual harassment, sexual violence, relationship violence, and stalking will be addressed under the College's Policy Against Sexual Harassment and Grievance Process to Resolve Complaints of Sexual Harassment, as appropriate. These documents are available at <http://www.smcm.edu/title-ix/>.

When the Title IX Coordinator determines that alleged sexual harassment would not constitute a potential violation of the Policy Against Sexual Harassment, based on an initial assessment, the Title IX Coordinator may refer the complaint to these Procedures, as appropriate.

Complaints of discrimination on the basis of disability may be made under these Procedures.

II. Applicability

All workplace and academic policies, programs and activities of the College are and shall be in conformity with applicable federal and State laws on non-discrimination including, but not limited to: Title VI of the Civil Rights Act of 1964 as amended, Title IX of 1972 Education Amendments, Section 504 of the Rehabilitation Act of 1973, and the Vietnam Era Veterans' Readjustment Assistance Act of 1974. The College's equal opportunity policy applies to the College's educational policies, admission policies, scholarship and loan programs and athletic programs. The policy applies to all employment decisions, including those affecting recruitment, advertising, job application procedures, hiring, upgrading, training, promotion, transfer, compensation, job assignments, benefits, and/or other terms, conditions, or privileges of employment, provided the individual is qualified, with or without reasonable accommodations, to perform the essential functions of the job.

These Procedures apply to members of the College community, including students, trainees, faculty, staff, and certain third parties (e.g., visitors, volunteers, applicants for admission or employment, vendors, and contractors) while on College property or while participating in College-sponsored activities who either carry out discrimination or are subject to it.

These Procedures apply to discrimination, harassment, or retaliation:

- on College premises, in any College facility, or on College property;
- and/or at any College-sponsored, recognized, or approved program, visit, or activity, regardless of location; and
- that impedes equal access to any College education program or activity or that adversely impacts the education or employment of a member of the College community regardless of where the conduct occurred.

III. Definitions

“Discrimination” is unequal treatment based on a legally protected status that is sufficiently serious to unreasonably interfere with or limit an individual’s opportunity to participate in or benefit from a College program or activity, or that otherwise adversely affects a term or condition of the individual’s employment or education.

“Harassment” is defined as: (a) unwelcome conduct based on a legally protected class, including: race, color, religion, sex, national origin, gender identity/expression, sexual orientation, ethnicity, age, marital status, physical or mental disability, protected veteran status, or any other characteristic protected by law; and (b) that is so severe or pervasive that it interferes with an individuals’ work or academic performance or creates an intimidating, hostile or offensive working environment.

Harassment in violation of the Policy depends on the totality of the circumstances, including the nature, frequency, and duration of the conduct in question, the location and context in which it occurs, and the status of the individuals involved. Harassing behaviors may include, but are not limited to, the following, when based on a person’s protected status:

- conduct, whether verbal, physical, written, graphic, or electronic that threatens, intimidates, offends, belittles, denigrates, or shows an aversion toward an individual or group;
- epithets, slurs, or negative stereotyping, jokes, or nicknames;
- written, printed, or graphic material that contains offensive, denigrating, or demeaning comments, or pictures; and
- the display of offensive, denigrating, or demeaning objects, e-mails, text messages, or cell phone pictures.

“Personal appearance” means the outward appearance of any person irrespective of sex with regard to hairstyle, beards, or manner of dress. It shall not relate, however, to the requirement of cleanliness, uniforms, or prescribed attire when uniformly applied for admittance to a public accommodation or a class of employees for a customary or reasonable business-related purpose.

“Retaliation” refers to adverse action that is taken against an individual because they reported discrimination, filed a complaint of discrimination, or participated in an investigation or proceeding concerning a discrimination complaint. Adverse actions may include, but are not limited to, impeding an individual’s academic advancement; terminating, refusing to hire, or refusing to promote an individual; or transferring or assigning an individual to a lesser position in terms of wages, hours, job classification, or job security.

IV. Complaint Procedures

Generally, a complaint filed under other College procedures cannot also be addressed under these Procedures. Students, staff, and faculty must choose between the different complaint processes available to them.

A. Reporting

All members of the community are urged to report any harassment or discrimination that they learn of or experience, to the College's Assistant Vice President of Equity and Inclusion and/or the Assistant Vice President of Human Resources (the "**College Officials**"). Unless the College is aware of misconduct, it cannot address it.

Employees who experience violations of this Policy are encouraged to promptly file a complaint or bring it directly to the attention of their supervisor or submit a complaint to a College Official. Students are similarly urged to file a complaint or inform an administrator or a College Official if they have been subjected to harassment or discrimination.

The College considers its supervisors and administrators (i.e., employees who are in a position to address misconduct) (collectively "**Supervisory Employees**") as instrumental in preventing and reporting conduct that may violate this policy. To that end, Supervisory Employees should report harassment that they directly observe or learn of to a College Official.

The College recognizes that there are circumstances where the affected employee or student may be reluctant to have their experience reported. In those instances, the Supervisory Employee is urged to contact a College Official for guidance on handling those requests.

The College recognizes that individuals who experience harassment or discrimination may wish to seek support from a confidential resource. Students seeking support from the Wellness Center can expect that their experiences will not be shared with a College Official and will remain confidential unless and/or until the student contacts a College Official directly.

B. Timeliness

Complaints must be made within ninety (90) business days of the incident(s). The College Official may waive the time limit upon a showing of good cause.

C. Initial Assessment

Written complaints are encouraged, but not required. If a verbal complaint is made, the College Official will prepare a written statement of the allegations and the "**Complainant**" (the person who allegedly experienced discrimination or harassment in violation of the Policy) will be required to acknowledge its accuracy in writing.

The College Official will acknowledge receipt of the complaint by sending a notification letter or contacting the Complainant directly within five (5) business days of receipt. The College Official will then conduct an initial assessment of the complaint to determine whether the complaint should be investigated, and will consider the Complainant's request that the complaint be investigated or not investigated. The College Official will then notify the complainant whether:

- the complaint is appropriately filed with the College Official and the College has jurisdiction over the alleged conduct and the "**Respondent**" (the person who allegedly engaged in discrimination or harassment);
- the complaint has previously been filed under another College policy;

- the complaint is suitable for alternative resolution; and
- the allegations, if true, would constitute a Policy violation.

If the College Official determines that the complaint is not appropriately filed, the College Official will inform the Complainant of the reason. Reports that do not rise to the level of a potential Policy violation may be referred to other campus resources, such as the Bias Prevention and Support Team.

D. Alternative Dispute Resolution Process

When determined appropriate by the College Official, the Complainant may elect to resolve a complaint through Alternative Dispute Resolution. The purpose of Alternative Dispute Resolution is to resolve the complaint by conference and conciliation.

The College Official will notify and advise supervisors and other administrators, as appropriate, of the complaint and efforts by the parties to proceed with Alternative Dispute Resolution. The College Official shall document efforts to resolve the complaint and whether or not those efforts were successful. When Alternative Dispute Resolution is successful, the College Official shall summarize the resolution in writing, have it signed by the parties, and provide signed copies to the respective parties and supervisors and administrators, as appropriate. The College Official will also monitor implementation of the resolution agreement and/or close the case. When Alternative Dispute Resolution does not succeed within forty-five (45) business days of the date the complaint is filed, the College Official will cease that process and begin the investigation process.

If a Complainant is bargaining unit-eligible individual, a Complainant's request for Alternative Dispute Resolution may also include a request for a delay in the timeline for discipline as outlined in the relevant Memorandum of Understanding. Under these circumstances, management may give notice of additional time to investigate as a result of granting the delay.

E. Investigation

When the Initial Assessment or a failure of the Alternative Dispute Resolution process results in a determination that the College will investigate the complaint, the College Official shall advise the Complainant and Respondent of their rights under this Policy and Procedures, including the following:

- both parties have a right to an impartial investigation;
- both parties have a right to produce relevant documents, witnesses, and other material they would like the investigation to include; and
- both parties may have an advisor of their choice present to provide advice during the investigative interview; however, the advisor may not speak or act on behalf of the party.

1. Standard of Review

In making the determination of whether a Policy violation has occurred, the standard of review is “preponderance of the evidence,” which means it is more likely than not that a Policy violation occurred.

2. Expectation of Cooperation

Absent good cause, all parties and identified witnesses shall cooperate during the investigation by being available during reasonable business hours to discuss the complaint and by making available any relevant information requested by the investigator.

3. Investigation Timeline

The College seeks to complete an investigation within sixty (60) business days. The time frames set forth in this Policy may be extended for good cause. Exceptions to this timeframe may vary depending on the complexity of the investigation, access to relevant parties, and the severity and extent of the alleged discrimination.

4. False Information

Anyone who knowingly files a false complaint under this Policy or who knowingly provides false information to the College during an investigation will be subject to appropriate disciplinary action.

5. Appointment of Investigators

The College Official will assign one or more investigators who will conduct an adequate, reliable, and impartial investigation of the complaint. The College Official may serve as an investigator. The investigator(s) may be employees of the College or external investigator(s) engaged to assist the College in its fact-gathering. The College Official may appoint a team of two investigators, which may include the pairing of an external investigator with a College employee. Any investigator chosen to conduct the Investigation must be impartial and free of any conflict of interest.

A conflict of interest may arise if the investigator is related to, has a friendship with, or otherwise has had interactions with one of the parties or witnesses that may compromise the fairness or impartiality of the investigation. In the rare situation in which an actual or perceived conflict of interest arises from the involvement of an investigator, that conflict must be disclosed to all parties and any potential or actual conflict must be appropriately addressed.

If a Complainant or Respondent has reason to believe that an investigator for the case has a conflict of interest, the party should notify the College Official immediately via email and provide the reasons why the party believes there is a conflict of interest. Likewise, an investigator must promptly disclose any potential conflict of interest the investigator might have in a particular case. The College Official will review the information provided and make a determination regarding whether the investigator should be replaced with another investigator.

6. Investigative Interviews

The investigator(s) will interview the Complainant and the Respondent and any other available relevant witnesses, and review available relevant documents.

After each investigative interview, the investigator(s) shall prepare a written summary of the interview and shall email a copy of the summary of the interview to the party or witness who was interviewed as soon as practicable after the interview is conducted. The party or witness shall have two (2) business days, from the date upon which the investigator(s) sent the summary of the interview, to provide any comments or additional information via email to the investigator(s).

If the party or witness does not provide comments or additional information to the investigator(s) within this time period, the summary of the interview will be included in the Investigation Report and Findings, as defined below, without comment from the party or witness. If the party or witness provides comments or additional information to the investigator(s) within this time period, the investigator(s) shall include the comments and additional information in the Investigation Report and Findings, and may, in the investigator(s)' discretion, conduct another interview of the party or witness.

7. Preliminary Investigation Report and Findings

The investigators shall complete a preliminary written report of its investigation, including a summary of the allegations, evidence reviewed and witness statements, findings of material fact and an analysis of those facts, and a conclusion stating whether the Policy was violated, based on the preponderance of evidence standard (the "**Preliminary Report**"). The College Official will review the Preliminary Report and findings for consistency with College policy and practice, and the College's legal counsel will review the Preliminary Report for legal sufficiency.

The College will send the Preliminary Report to each party. Each party will have ten (10) days to submit a response, which the investigators will consider prior to the completion of the final investigative report. The investigator(s) will carefully review all of the information submitted by the parties in response to the Preliminary Report. The Investigator(s) may conduct additional interviews to the extent reasonable, based on the relevancy and materiality of the statement of information known by a witness.

8. Final Investigative Report and Findings

After the investigator(s) review the responses to the Preliminary Report and conduct any additional investigation, the investigator(s) will prepare the final investigative report and findings (the "**Final Report**"). The College Official will review the Final Report and findings for consistency with College policy and practice, and the College's legal counsel will review the Final Report for legal sufficiency.

The College Official will then issue a Notice of Findings and/or provide a copy of the Final Report to the parties and to the appropriate supervisors or department/unit heads, or the Student Conduct Officer, depending on the status of the parties. Copies of the Final Report may be redacted to comply with applicable law.

V. Appeal

The Complainant and/or Respondent may appeal the investigation finding within five (5) business days of the date of receipt of the Notice of Findings by submitting a written statement of their intent to appeal, and the stated grounds, to the College Official via email.

The scope of the appeal is limited to the grounds set forth below. Mere dissatisfaction with the finding is not a valid basis for appeal. If an appeal is received by the College Official, the other party will be notified and given five (5) business days from the date of receipt of that notice to respond by submitting a written statement to College Official. Appeals filed by more than one party will be considered together in one appeal review process. All appeal documents submitted by a party will be shared with the other party.

If neither party submits an appeal, the decision will be considered final five (5) business days after the last date either party received the Notice of Findings. Appeals submitted after five (5) business days shall be denied, except upon a showing of good cause.

A. Grounds for Appeal

Either party may appeal the Finding only on the following grounds:

- **Substantial Procedural Error:** Procedural errors or errors in interpretation of College policy were so substantial as to effectively deny a Complainant or Respondent notice or a fair opportunity to be heard.
- **New Evidence:** New relevant, material evidence that a reasonably diligent person could not have discovered prior to the issuance of the Notice of Findings has become available.

B. Review

The appealing party has the burden of proof to overturn the finding. The standard of proof is preponderance of the evidence. Appeals are not intended to allow for a review of the entire investigation, with the exception of new evidence, as referenced above. The appellate review will be based on the written record; parties are not entitled to a hearing or meeting with the reviewing administrator or designee.

Appeal officers may be members of the College's Executive Council or may be external personnel with specific training and experience, appointed for this purpose. Appeal officers must be unbiased and without any conflicts of interest (as described above in section (IV)(E)(5)).

C. Appeal Outcome

Upon receipt of the appeal and response, the College Official will forward them to the appeal officer. Within five (5) business days, the appeal officer will issue a written determination stating

whether the Appeal was granted or denied, including a summary of its rationale (the “**Appeal Outcome**”). The Appeal Outcome shall either:

- affirm the finding,
- overturn and reverse the finding, or
- send the case back to investigator(s) with specific directions to reconsider the finding.

The decision of the appeal officer as set forth in the Appeal Outcome shall be final. The appeal officer shall forward a copy of the Appeal Outcome to the College Official via email. The College Official will forward a copy of the Appeal Outcome to the parties and respective supervisor/unit head/department chair/Student Conduct Officer as soon as possible.

VI. Recommendations for Corrective Action

The College Official may provide the appropriate Vice President, supervisor, and department chair with a recommendation for corrective action. The final decision for determining and implementing any necessary corrective action shall remain the responsibility of the appropriate Vice President or designee. The Vice President or designee will notify the College Official within ten (10) business days of any corrective action that has been implemented.

The College Official is responsible for monitoring efforts to ensure that any ongoing violations of the Policy cease. In the event corrective action requires specific anti-discrimination training not readily available to the parties, the College Official will work with the supervisor and/or department/unit head to ensure training occurs as soon as feasible.

VII. Disciplinary Action

A. Students

With respect to Student Respondents, the Student Conduct Officer, in accordance with the provisions of the Code of Student Conduct, is responsible for imposing disciplinary action. See the Code of Student Conduct for more information on disciplinary sanctions.

The College Official may consult with the Student Conduct Officer when appropriate to develop and provide other remedies. These remedies will identify reasonable long-term or permanent remedies to address the effects of the conduct on the Complainant, restore the Complainant’s safety and well-being, and maximize the Complainant’s educational and employment opportunities. Remedies may also be identified to address the effects of the conduct on the College community.

Students may appeal discipline imposed as a result of a violation of these Procedures in accordance with the Code of Student Conduct.

B. Staff

With respect to Staff Respondents, any disciplinary action or corrective measures will be imposed by the appropriate supervisor and unit head, in consultation with the Assistant Vice President of

Human Resources and/or the College Official, and other relevant administrators, as needed. Information about disciplinary action may be found in the Employee Handbook (for non-bargaining unit employees) and Memorandum of Understanding (for bargaining-unit employees). Staff may grieve discipline imposed as a result of a violation of this Policy in accordance with their applicable grievance rights.

C. Faculty

With respect to Faculty Respondents, disciplinary action or corrective measures will be imposed by the appropriate supervisor and unit head, in consultation with the Provost/Dean of Faculty, the College Official, and other relevant administrators, as needed.

Faculty may submit a grievance regarding any discipline imposed as a result of a violation of this Policy in accordance with their respective grievance rights, as described in the Employee Handbook and/or Faculty Bylaws.

D. Records Retention

The College Official will maintain the records relating to the investigation. The respective unit responsible for issuing any discipline will maintain any disciplinary records in accordance with the University's records retention schedule. The respective unit shall also provide a copy of the disciplinary records to the College Official.

The Assistant Vice President of Equity and Inclusion will maintain the records on behalf of the Division of Inclusive Diversity, Equity, Access, and Accountability for a period of seven (7) years.

VIII. External Government Agencies that Address Discrimination Complaints

Filing an employment discrimination complaint under this Policy or an alternative campus procedure does not preclude an employee from filing a complaint with the Maryland Commission on Civil Rights, the Equal Employment Opportunity Commission, or the Office for Civil Rights of the U.S. Department of Education.

Complainants who wish to file discrimination complaints that are not connected with the official functions of the College or not falling within the scope of this Policy, will be referred to appropriate College, County, State, or Federal agencies by the College Official.

Office for Civil Rights U.S. Department of Education

Philadelphia Office (Regional Office for Maryland)

The Wanamaker Building

100 Penn Square East, Suite 515

Philadelphia, PA 19107-3323

Phone: 215-656-8541

FAX: 215-656-8605

TDD: 800-877-8339

Email: OCR.Philadelphia@ed.gov

Website: <http://www2.ed.gov/about/offices/list/ocr/index.html>

Maryland Commission on Civil Rights

Phone: 410-767-8600

Website: <http://mccr.maryland.gov/>

Equal Employment Opportunity Commission

Phone: 800-669-4000

TTY: 800-669-6820

Website: <https://egov.eeoc.gov/eas/>

It is important to note that in order to protect certain legal rights and remedies, Complainants must comply with certain time limits and deadlines. Affected persons should contact the relevant agencies listed above to verify time limits for filing. Failure to meet required deadlines may result in a loss of rights to seek a legal remedy.

**BOARD OF TRUSTEES
ST. MARY'S COLLEGE OF MARYLAND
CAMPUS LIFE COMMITTEE
MEETING OF MAY 7, 2021
ACTION ITEM II.B.**

**APPROVAL OF POLICY TO SUPPORT PREGNANT AND PARENTING STUDENTS
(See Appendix B for Supporting Documents)**

RECOMMENDED ACTION

The Campus Life Committee recommends approval at its May 7, 2021 meeting, by the Board of Trustees, St. Mary's College of Maryland, of the Policy to Support Pregnant and Parenting Students.

RATIONALE

As required by Title IX, the Policy to Support Pregnant and Parenting Students ensures that all students who are pregnant, experiencing pregnancy-related conditions, and new parents, are treated equally and protected from discrimination. The policy prohibits discrimination based on pregnancy and parenting status, describes reasonable accommodations for pregnant and parenting students, and prohibits harassment and retaliation. The Title IX Office would manage the implementation of this policy, with support as needed from the Office of Accessibility Services and the Office of Human Resources.

St. Mary's College of Maryland
Policy to Support Pregnant and Parenting Students
April 2021

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I. Policy Summary

St. Mary's College of Maryland (the "**College**" or "**SMCM**") is committed to providing an educational, living and working environment free from all forms of harassment and discrimination for all members of the community. As stated in the St. Mary's Way, the College aspires to be a place "where people foster relationships based upon mutual respect, honesty, integrity, and trust."

As a recipient of federal funding, and in adherence to Title IX of the Education Amendments of 1972, the College prohibits discrimination on the basis of sex, including discrimination based on pregnancy and parental status, in educational programs and activities. The College hereby establishes this policy and procedures to ensure that all students who are pregnant, experiencing pregnancy-related conditions, and new parents, are treated equally and protected from discrimination.

The College's Title IX Coordinator and the staff of the Office of Title IX Compliance and Training (the "Title IX Office") are available to address any questions or concerns about this policy. College employees who are pregnant or parenting may contact the Office of Human Resources or see the Employee Handbook for more information.

II. Offices Affected by this Policy

The College's Title IX Coordinator and the staff of the Title IX Office oversee the implementation of this policy. The Title IX Office partners with the Office of Accessibility Services and the Office of Human Resources to implement accommodations relating to pregnancy or parental status.

III. Who Should Know About this Policy

This policy applies to all students, faculty, and staff at the College, as well as all aspects of the College's program, including, but not limited to, admissions, educational programs, activities, and extracurricular activities.

A copy of this policy shall be made available to faculty, staff, and employees in their required training and posted on the website of the Office of Title IX Compliance and Training (www.smcm.edu/title-ix). The College shall alert all new students to this policy and the location of this Policy. The Title IX Office shall make educational materials available to all members of the College community to promote compliance with this policy and familiarity with its procedures.

IV. Definitions

Medical Necessity: A determination made by a health care provider (of the student's choosing) that a certain course of action is in the patient's best health interests.

Parenting: The raising of a child by the child's parents or legal guardians.

Pregnancy and Pregnancy-Related Conditions: May include, but are not limited to, pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from any of these conditions.

Pregnancy Discrimination: Includes treating an individual affected by pregnancy or a pregnancy-related condition less favorably than similar individuals not so affected, and includes a failure to provide legally mandated leave or accommodations.

Pregnant Student/Birth-Parent: Refers to the student who is or was pregnant. This policy and its pregnancy-related protections apply to all pregnant individuals, regardless of gender identity or expression.

Reasonable Accommodations: (For the purposes of pregnancy-related conditions) changes in the academic environment or typical operations that enable pregnant students or students with pregnancy-related conditions to continue to pursue their studies and enjoy the equal benefits of the College.

V. Policy

A. Prohibition of Discrimination Based on Pregnancy and Parenting Status

The College prohibits discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from any of these conditions. The College shall not apply any rule related to a student's parental, family, or marital status that treats students differently based on their sex.

The College shall not exclude a pregnant student from participating in any part of an educational program. This prohibition applies to academic courses, extracurricular programs, interscholastic sports, and opportunities for student leadership, among other activities.

The College may modify or provide reasonable accommodations for a pregnant student. These modifications or accommodations cannot alter course goals/outcomes and must be comparable to the experience of other enrolled students.

In general, the College shall excuse a student's absences because of pregnancy or childbirth for as long as the student's doctor deems the absences medically necessary. The College will work with the student to provide appropriate accommodations and to assist the student in making up any missed work. When a student returns to school after a medical leave related to pregnancy or a pregnancy-related condition, the student must be allowed to return to the same academic and cocurricular status as before the medical leave began.

Pregnant students will be able to access the same general supports offered to students who experience extended health episodes and/or students who receive disability-related accommodations. The College will work with each pregnant or parenting student individually to determine which existing supports are the most reasonable to access in their circumstance.

The College may require a pregnant student or student who has given birth to submit medical releases for a return to classes only if the College also requires such releases from all students with physical or emotional conditions requiring the attention of a physician. Thus, for example, a student who has been hospitalized for childbirth shall not be required to submit a medical release to return to the College if a provider's release is not required of students who have been hospitalized for other conditions.

B. Reasonable Accommodations for Pregnant and Parenting Students

Students with pregnancy-related disabilities, like any student with a short-term or temporary disability, are entitled to reasonable accommodations so that they are not disadvantaged in their courses of study or research. These students may seek assistance from the Office of Title IX Compliance and Training and/or the Office of Accessibility Services, and should do so as soon as they are aware they are pregnant or may need an accommodation. No artificial deadlines or

time limitations will be imposed on requests for accommodations, but the College is limited in its ability to impact or implement accommodations retroactively.

Reasonable accommodations may include, but are not limited to:

- Providing accommodations requested by a pregnant student to protect the health and safety of the student and/or pregnancy (such as allowing the student to maintain a safe distance from hazardous substances);
- Making modifications to the physical environment (such as accessible seating);
- Working with students who are using temporary mobility supports (e.g., wheelchair, cane) to ensure physical accessibility to campus;
- Extending deadlines and/or allowing the student to make up tests or assignments missed;
- Offering remote learning options where possible;
- Excusing medically-necessary absences (this must be granted, irrespective of classroom attendance requirements set by a faculty member, department, or division);
- Granting medically necessary leave or implementing incomplete grades for classes that will be resumed at a future date; or
- Allowing breastfeeding students reasonable time and space to pump breast milk in a location that is private, clean, and reasonably accessible. Bathroom stalls do not satisfy this requirement. Dedicated, permanent lactation spaces may be found in the Wellness Center and Montgomery Hall (forthcoming).

Students may not receive any accommodations that lessen or alter essential course requirements. Essential requirements vary from course to course, so what may be possible to support in one class (e.g., multiple absences from class, longer extensions on assignments) may not be feasible in another class. The College will collaborate closely with the student and their instructors to determine which course completion options are viable in a particular semester. Pregnant students cannot be channeled into an alternative program, class, or institution of higher education against their wishes.

C. Prohibition of Harassment and Retaliation

In accordance with Title IX, the College prohibits harassment of students based on sex, including harassment because of pregnancy or related conditions. Harassing conduct can take many forms, including verbal acts and name-calling, graphic and written statements, and other conduct that may be humiliating or physically threatening or harmful. Particular actions that could constitute prohibited harassment include making sexual comments or jokes about a student's pregnancy, calling a pregnant student sexually charged names, spreading rumors about the pregnant student's sexual activity, and making sexual propositions or gestures.

Faculty, staff and other College employees are prohibited from retaliating against a student for exercising the rights articulated by this policy, including imposing or threatening to impose negative educational outcomes because a student requests leave or accommodation, files a complaint, or otherwise exercises their rights under the policy.

VI. Complaints, Disputes, and Appeals

Any member of the College community may report questions, or concerns, or possible violations of this policy to the Office of Title IX Compliance and Training. The Title IX Coordinator is responsible for overseeing complaints of discrimination involving pregnant and parenting students. Alleged violations of this policy will be addressed and/or investigated through the College's Non-Discrimination Procedures.

Office of Title IX Compliance and Training

www.smcm.edu/title-ix

Lucille Clifton House

240-895-2012

Michael Dunn

Assistant Vice President of Equity and Inclusion/Title IX Coordinator

mkdunn@smcm.edu

240-895-4105

VII. Responsible College Offices

The [Office of Title IX Compliance and Training](#) is available to address questions and concerns about this policy, its implementation, and its enforcement.

The [Office of Accessibility Services](#) and/or the [Office of Human Resources](#) are available to address questions and concerns about accommodations for pregnant and parenting students.

VIII. References

For more information about support and resources for pregnant and parenting students, and for more information about Title IX protections against discrimination, please see the following resources:

[Supporting the Academic Success of Pregnant and Parenting Students: Under Title IX of the Education Amendments of 1972](#), U.S. Department of Education, Office for Civil Rights, June 2013

[Know Your Rights: Pregnant or Parenting? Title IX Protects You From Discrimination At School](#), U.S. Department of Education, Office for Civil Rights, June 2013

Office for Civil Rights, U.S. Department of Education

Philadelphia Office (Regional Office for Maryland)

The Wanamaker Building

100 Penn Square East, Suite 515

Philadelphia, PA 19107-3323

Phone: 215-656-8541

FAX: 215-656-8605

TDD: 800-877-8339

Email: OCR.Philadelphia@ed.gov

Website: <http://www2.ed.gov/about/offices/list/ocr/index.html>

Maryland Commission on Civil Rights

Phone: 410-767-8600

Website: <http://mccr.maryland.gov/>

Equal Employment Opportunity Commission

Phone: 800-669-4000

TTY: 800-669-6820

Website: <https://egov.eeoc.gov/eas/>

**BOARD OF TRUSTEES
ST. MARY'S COLLEGE OF MARYLAND
CAMPUS LIFE COMMITTEE
MEETING OF MAY 7, 2021
ACTION ITEM ILC.
APPROVAL OF THE 2021 CULTURAL DIVERSITY REPORT
(See Appendix C for Supporting Documents)**

RECOMMENDED ACTION

The Campus Life Committee recommends approval by the Board of Trustees, St. Mary's College of Maryland, of the College's 2021 Cultural Diversity Report for submission to the Maryland Higher Education Commission.

RATIONALE

In accordance with §11-406 of the Education Article, the governing body of each Maryland public college and university is required to develop and implement a plan for a program of cultural diversity. These plans must be submitted to each institution's board by July 1. Further, statute requires that each institution submit, by September 1 of each year, a report to the Maryland Higher Education Commission (MHEC) summarizing institutional progress toward the implementation of its plan for cultural diversity. According to statute, the Commission must monitor each institution's progress toward achieving the goals outlined in its plan and ensure compliance with the State's goals for higher education. Additionally, the Commission is required to report its findings to the Senate Education, Health, and Environmental Affairs Committee; the Senate Budget and Taxation Committee; the House Appropriations Committee; and the House Committee on Ways and Means by December 1 of each year.



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Andrew R. Smarick
Chair

James D. Fielder, Jr., Ph.D.
Secretary

MEMORANDUM

DATE: February 22, 2021

TO: Dr. Jay Perman, University System of Maryland
Dr. Bernie Sadusky, Maryland Association of Community Colleges
Dr. Tuajuanda Jordan, Saint Mary's College of Maryland
Dr. David Wilson, Morgan State University

FROM: James D. Fielder, Jr., Ph.D.
Secretary

SUBJECT: §11-406 – Plan for Program of Cultural Diversity

This memo is designed to provide additional guidance regarding the requirements for the annual Cultural Diversity report. Please read this memo carefully, as changes have been made from prior year's reports. In particular, please note the revised components of the report and the associated page limits.

In accordance with §11-406 of the Education Article (attached), the governing body of each Maryland public college and university is required to develop and implement a plan for a program of cultural diversity. These plans must be submitted to each institution's board by July 1, 2021.

Further, statute requires that each institution submit, by September 1 of each year, a report to the Maryland Higher Education Commission (MHEC) summarizing institutional progress toward the implementation of its plan for cultural diversity. According to statute, the Commission must monitor each institution's progress toward achieving the goals outlined in its plan and ensure compliance with the State's goals for higher education.

Additionally, the Commission is required to report its findings to the Senate Education, Health, and Environmental Affairs Committee; the Senate Budget and Taxation Committee; the House Appropriations Committee; and the House Committee on Ways and Means by December 1 of each year. Letters further outlining the specific statutory requirements contained in §11-406 have been distributed to all presidents.

This year's report is designed to minimize the reporting burden on institutions while ensuring that each institution continues to make progress with the diversity goals of the State Plan. In accordance with this, each institutional submission should include a **brief narrative (no more than three pages)**, consisting of the sections outlined below. Please ensure all submissions adhere to these guidelines. Additional supplemental information such as data analysis or more comprehensive programmatic information may be provided as an appendix, but the core narrative should not exceed this three-page limit.

- A description of how the institution defines diversity (no more than **one page**); how did the institution develop that definition (e.g., processes, sources, and guidance used)?
- A brief (no more than **one page**) highlight of the *most successful* ongoing and new institutional initiatives designed to address issues related to cultural diversity within the campus and the broader community, and how their efficacy is measured;
- A brief (no more than **one page**) discussion of the ways in which the institution anticipates COVID-19 most affecting– either negatively or positively – its efforts to enhance diversity on its campus or campuses. This may include, for example, acknowledgement of issues such as disproportionate impacts on retention and graduation among certain populations; the shift to distance education modalities limiting the ability to provide in-person programming; or, in contrast, the shift to online education providing opportunity for more students to access diversity programming.

In addition to these narratives, each institution should provide, **as an appendix**, a copy of the diversity plan in place during the reporting year (Academic Year 2020-2021). This should be the plan approved by the institution's Board on or before July 1, 2020. Note that the required elements of this plan are defined in §11-406 of the Education Article.

Along with a narrative summary provided by MHEC, the Commission will include, unedited, these institutional reports and Cultural Diversity plans in the 2021 Report on Institutional Programs of Cultural Diversity.

Please submit your narratives and 2020-2021 Cultural Diversity Plan in **searchable PDF format** and the completed cover sheet at http://bit.ly/MHEC_CD_2021. Any submissions not including the required cover sheet or in excess of the three-page limit will be returned to the institution for revision.

Electronic copies of these documents must be submitted on or before Wednesday, September 1, 2021, in accordance with statutory requirements. **Please note that MHEC does not have the statutory authority to grant exceptions to this deadline. If your governing board does not meet during the summer months, please ensure you provide sufficient time for approval prior to this statutory deadline for submission to the Commission.** Additionally, please note that any necessary revisions may require additional board approval; if there are questions regarding the required elements of the submission, please ensure that you contact the Commission as soon as possible for clarification to ensure that you will remain compliant with the September 1 statutory deadline for submission to MHEC.

If you have any further questions about this report, please feel free to contact the Commission directly.

Thank you for your cooperation.

Enclosure

cc: Ms. Sara Fidler, Maryland Independent College and University Association

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§11-406.

(a) In this section, “cultural diversity” means the inclusion of those racial and ethnic groups and individuals that are or have been underrepresented in higher education.

(b) (1) (i) Each public institution of higher education in the State shall develop and implement a plan for a program of cultural diversity.

(ii) If an institution of higher education already has a program of cultural diversity, the institution of higher education shall develop and implement a plan for improving the program.

(iii) A plan developed and implemented under this subsection shall include an implementation strategy and a time line for meeting goals within the plan.

(2) A plan developed under paragraph (1) of this subsection shall include:

(i) A description of the way the institution addresses cultural diversity among its student, faculty, and staff populations;

(ii) A description of how the institution plans to enhance cultural diversity, if improvement is needed;

(iii) A process for reporting campus-based hate crimes, as defined under Title 10, Subtitle 3 of the Criminal Law Article and consistent with federal requirements under 20 U.S.C. 1092(f), known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act; and

(iv) A summary of any resources, including State grants, needed by the institution to effectively recruit and retain a culturally diverse student body.

(3) A plan developed under paragraph (1) of this subsection shall enhance cultural diversity programming and sensitivity to cultural diversity through instruction and training of the student body, faculty, and staff at the institution of higher education.

(c) (1) On or before July 1 of each year, each institution shall submit the plan developed under subsection (b) of this section to the governing body of the institution for the governing body's review.

(2) On or before September 1 of each year, the governing body of an institution shall submit a progress report regarding the institution's implementation of its plan to the Commission.

(d) (1) The Commission shall review the progress report submitted by each governing body under subsection (c) of this section to monitor compliance with the diversity goals of the State Plan for Higher Education.

(2) On or before December 1 of each year, the Commission shall submit a report, in accordance with § 2-1257 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee, the Senate Budget and Taxation Committee, the House Appropriations Committee, and the House Committee on Ways and Means on the extent to which the institutions of higher education in the State are in compliance with the diversity goals of the State Plan for Higher Education.

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ST MARY'S

COLLEGE *of* MARYLAND

The National Public Honors College

St. Mary's College of Maryland Cultural Diversity Report

2021

Answer to Item 1:

Over its history, St. Mary's College of Maryland has prided itself as an institution that celebrated a panoply of interests, people, and experiences. This goes to the founding of St. Mary's College as a monument to the Freedom of Conscience that was developed at the English settlement that stood on the same grounds as the College. The genesis of the College's founding was to be a living monument to this unique idea. St. Mary's College has always been celebrated for its diverse and vibrant students and faculty.

As a way to capture this tradition of celebrating the peculiar life at St. Mary's, the College processed the history and tradition into a document. Working together, the College community developed the St. Mary's Way. The St. Mary's Way is a communal pledge that all members of the College agree that they will join in the work to develop the College as a community. This pledge builds on the history and environment of the land and the responsibility of those associated with the College to be stewards of both of these. In addition to the support of the history and the environment, College citizens pledge to "engage in an ongoing dialogue that values differences and unique contributions of others' talent, backgrounds, customs, and worldviews." This line established the College's approach and base diversity definition.

To operationalize the tenants of the St. Mary's Way, the College adopted the following language from the American Association of Colleges and Universities (AAC&U) as its definition of diversity: *"Individual differences (e.g., personality, prior knowledge, and life experiences) and group/social differences (e.g., race/ethnicity, class, gender, sexual orientation, country of origin, and ability, as well as cultural, political, religious, or other affiliations)."* This adoption of a common definition of diversity allows for all members of the College community to have the same understanding of this important issue. The College administration has taken the approach to incorporate equity and diversity into all of its planning and activities. Diversity was woven into each goal of the College's most recent strategic plan in 2016 and multiple metrics were established to assess progress in meeting these goals (see Appendix 1). Due to COVID-19, the College continued with its existing strategic plan. The planning process for a new strategic plan is scheduled for the upcoming academic year with the goal of a new plan being in place for the 2022-2023 academic year.

Answer to Item 2:

Six years ago, St. Mary's College of Maryland embarked on directly addressing the diversity, inclusion, and equity on campus with the creation of an ad hoc committee of students, faculty, and staff. Through the hard work of this group and the vision of Dr. Tuajuanda C. Jordan, President of St. Mary's College of Maryland, the Inclusion, Diversity, and Equity Office was created to address the issues associated with cultural diversity. However, this was just the beginning of the College's journey into this important work. Over the next several years, the operations were refined to address the complex nature of cultural diversity. In October 2020, the office was reorganized to address diversity with a cross-cutting approach. Through the last iteration of Inclusive Diversity and Equity (IDE), the Board of Trustees and President Jordan have already acted on our public responsibility to have a diverse, equitable, inclusive, and accessible community where all can flourish and succeed. We have not and will not shy away from diving into the campus thicket when these challenges and opportunities concerning diversity, equity, and inclusion-related issues arise. One of the hallmarks of this is recently dedicated Commemorative to the Enslaved Peoples of Southern Maryland. The physical celebration of perseverance is the first step toward changing the way that we discuss this stain on our collective history. The College is in the process of developing programming and curriculum around this magnificent piece.

With this as the physical dedication to diversity, the next was to change the approach to how IDE work was done at the College. It is with that strong sense of community and resolve that the office steps into this new chapter as IDEAA: The Division of Inclusive Diversity, Equity, Access and Accountability. During President Jordan's State of the College remarks, she said, "What we've learned over the years is that the job [Inclusive Diversity and Equity] is much too complex for a single individual to address with the sense of urgency we need.... SMCM needs a different approach - one that incorporates a number of individuals with different yet complementary areas of expertise and who are familiar with our College, to help build a solid foundation, from which to grow our IDE efforts." To this end, President Jordan has tasked Michael Dunn, Assistant Vice President of Equity and Inclusion, José Ballesteros, Director of Equity Programming, and Kelsey Bush, Interim Chief Diversity Officer, to develop and implement the procedures, programs and policies to move the initiatives of IDEAA forward while making us a community accountable for our efforts.

As mentioned in the previous section, the College includes diversity in its strategic plan. In that plan, success is measured by the several metrics that are outlined in each section. A copy of this plan is included in the appendix. In addition to the measurements in the strategic plan, the unit monitors yearly retention numbers of faculty, staff, and students; follows persistence of students through graduation; uses survey data from multiple satisfaction and safety surveys; and works with different departments and student groups to identify areas of improvement and to collaborate on new initiatives to celebrate and highlight the diversity on campus.

Answer to Item 3:

As the world changed a year ago, St. Mary's College of Maryland shifted its toward the online platform to prevent the spread of COVID 19. The College's leadership led the campus on a shift toward a fully online experience for the remainder of the Spring 2020 semester. Over the summer the first of many positives occurred. The first-year learning experience began with an overhaul of the summer orientation process, Seahawk Orientation Advising and Registration (SOAR). SOAR was moved to an online format and rechristened eSOAR to reflect the electronic format. The first part of eSOAR was the orientation leaders communicating with first-year students via web-based platforms. This created a sense of community early and alleviated the travel cost usually associated with this program. To augment this process, a weekly webinar series "Hawk Talks" was created in summer 2020, in which a featured office gave an overview of their campus role and answered questions from attendees. These practices have been adopted for the upcoming year as a way to allow all first-year families to receive information and participate in these important activities without barriers of travel or the associated costs.

Leadership at the College understood that even with positive outcomes of an online learning environment, many students relied on the College for food, shelter, therapy, and other services. To address those needs, the College utilized the hybrid learning model to allow students that choose or needed to be on campus the opportunity to be here. They would have to adhere to strict guidelines but they would be able to have the support they needed without disruption. Currently, student success data for the entire 2020-21 academic year is not yet available. However, based on multiple student surveys administered during the Fall 2020 semester, both BIPOC and White students were adjusting fairly well to the altered academic experience (Appendix 2). Also, students indicated that they were satisfied with the processes and procedures that the College had in place with online learning.

Many online programs were developed by Student Affairs to meet co-curricular needs of the campus. Additionally, many programs that have been or would have been in-person events became more impactful as online activities. Two examples of this were the dedication of the Commemorative to Enslaved Peoples of Southern Maryland and the Annual Martin Luther King Jr. Prayer Breakfast. Because both events live online, they can be used to celebrate diversity on campus beyond the day of the event. This allows for further discussion and reflection on the information presented during them. The pandemic has also led to the creation of new programming such as a film series celebrating diversity and a cross community speaker series to discuss and bring the community closer together in light of all of the social and political events of the past year. The Bridging our Gaps program is a partnership between St. Mary's College of Maryland's IDEAA unit, The Center for the Study of Democracy, and the College of Southern Maryland that provide an opportunity for the community at both institutions and the community at large to discuss several critical issues that affect our community. These topics ranged from election integrity to race.

Appendix 1

Cultural Diversity Plan

St. Mary's College of Maryland
Academic Year 2020-2021

Inclusive Diversity at St. Mary's College of Maryland (SMCM) is a foundational tenet of the overall institutional mission. Our work is marked by our intention to “foster... a community dedicated to honesty, civility, and integrity” as stated in the SMCM mission statement. The Division of Inclusive Diversity and Equity (IDE) is committed to engaging the entire campus with a robust slate of activities aimed at program design, curriculum reform, alumni engagement, policy creation and general campus climate reform. Additionally, promoting and embracing cultural diversity and cultural competence among SMCM constituents is essential to the success of the institution as the nation's public honors college; hence, inclusion, diversity, equity, accountability and access are prominent themes that recur throughout the College's [Strategic Plan](#).

The IDE-related objectives in the Strategic Plan serve as the foundation of College's Cultural Diversity Plan, which is as follows:

- **Goal 1:** *Attract intellectually ambitious students who thrive in and respect a diverse, collaborative learning community.* This will be partially accomplished through increasing diversity among the student body (Objective 1); diversifying course offerings related to wellness, diversity, leadership, and financial literacy (Objective 2); and enhancing the academic and social integration of students in the campus environment (Objective 3).
- **Goal 2:** *Engage students in a rigorous, experiential, flexible, and innovative academic environment that capitalizes on our unique geographical location.* This will be partially accomplished by promoting a community and academic environment that embodies the principles of diversity and inclusion on which we were founded (Objective 4). In doing so, the campus will inventory its learning opportunities (via course offerings and workshop/training opportunities) for diversity-related content and pedagogical strategies as well as create a system for developing additional opportunities/offerings and a long-term plan for institution-wide IDE efforts.
- **Goal 3:** *Attract and retain a diverse staff and faculty who achieve excellence across the liberal arts in the teaching, scholarship, creative works, and practice of their disciplines.* Toward this end, SMCM will increase its efforts to recruit/hire a diverse employee population (Objective 1) along with expanding efforts to create an inclusive environment that values and optimizes the strengths of a diverse workplace while supporting employees' professional excellence, personal well-being, and ability to thrive on campus (Objective 2).

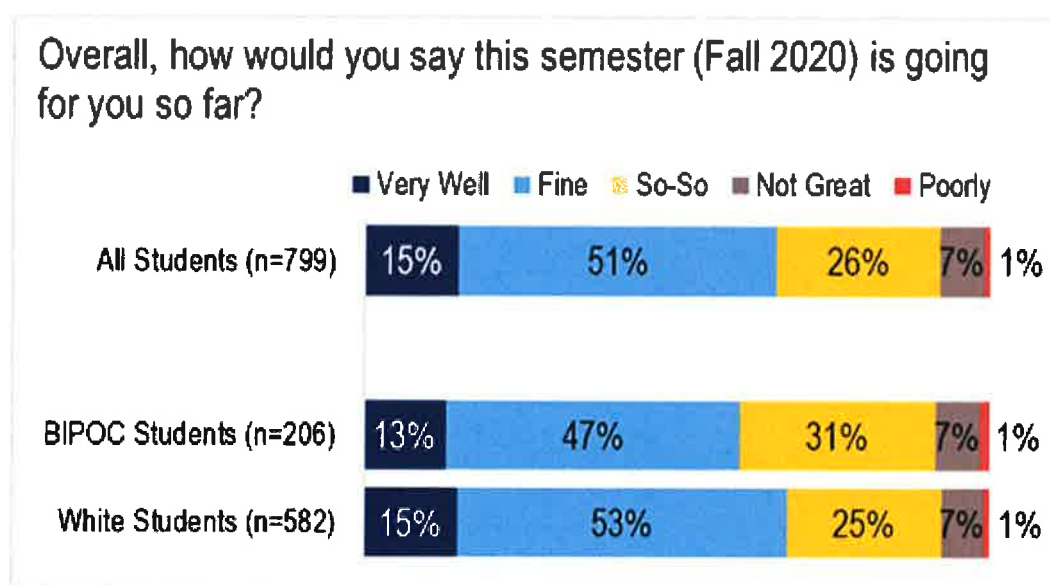
- **Goal 4:** *Graduate prepared, responsible, and thoughtful global citizens.* To accomplish this, SMCM will promote inclusion, diversity, and equity (via increased IDE initiatives and professional development opportunities) to engage students in (and assist employees in working with each other and students while) challenging and abating injustice consistent with the St. Mary's Way (Objectives 3 and 4).
- Increase the four-year graduation rate for underrepresented (racial/ethnic minority and first-generation college) students. Note: Although this objective is not explicitly listed in the Strategic Plan, SMCM is committed to supporting efforts aimed at enhancing retention and graduation rates of these student populations.

Appendix 2

Selected Student Survey Results

Students were surveyed multiple times during Fall 2020 to check in on their experiences with remote or hybrid learning, and to assess their need for further support. Selected results are shown below.

In an early survey (September), students were asked "Overall, how would you say this semester is going for you so far"? Of 1,498 undergraduate students surveyed, 799 answered this question. Results shown below indicate a very similar pattern of responses between white students and BIPOC students.



On a mid-semester (October) survey, students were asked to self-assess their academic performance in the Fall 2020 semester so far. Of 1,490 students surveyed, 787 answered this question. As seen below, again, BIPOC students showed a very similar pattern of responses to white students.

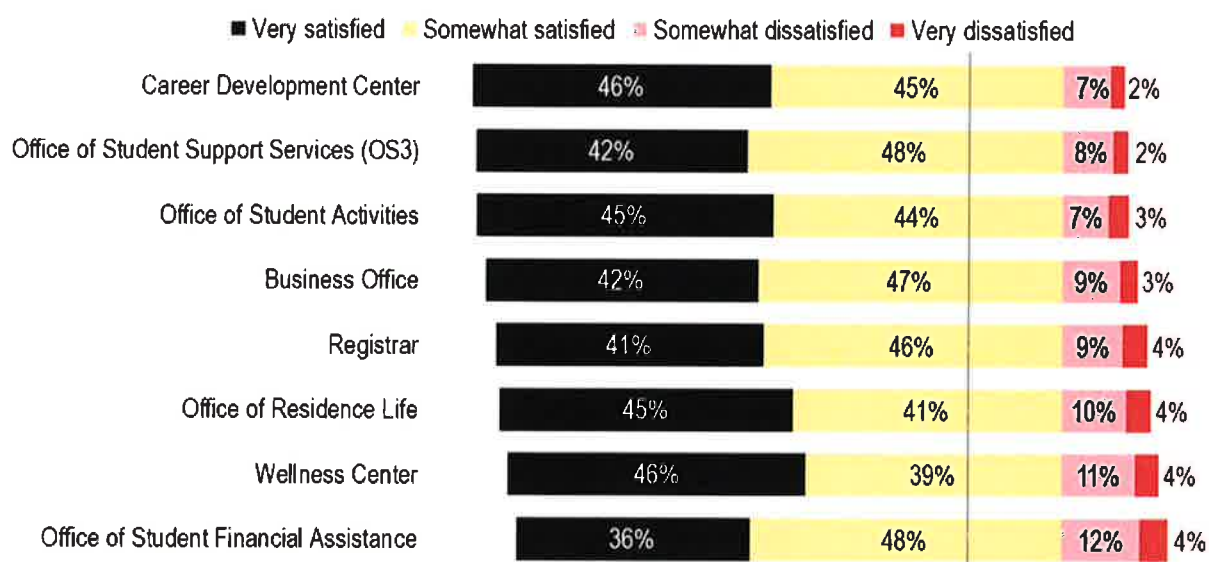
How do you feel about your academic performance in your Fall 2020 classes, compared to your expectations before classes began?

Percent of classes where students report doing ___ than expected:



On that mid-semester survey, students were also asked about their satisfaction with various campus offices and services. Satisfaction results did not appear to vary based on whether students were studying remotely, or were on campus, suggesting that campus offices were able to maintain their effectiveness while operating virtually.

Satisfaction with Campus Services - All Students (n=887)



Institutional Report on Plan of Cultural Diversity

This cover sheet should be submitted along with the institutional report on programs of cultural diversity no later than September 1 of each year, in accordance with statute. **Please note that MHEC does not have the statutory authority to grant exceptions to this deadline. If your governing board does not meet during the summer months, please ensure you provide sufficient time for approval prior to this statutory deadline for submission to the Commission.**

Name of institution: _____

Individual submitting report: _____

Title/Department: _____

Contact phone: _____

Contact e-mail: _____

Individual certifying approval by governing board: _____

Signature of governing board authority: _____

Date of governing board approval: _____

Please submit this cover sheet, report narrative, and 2020-2021 diversity plan in searchable PDF format at http://bit.ly/MHEC_CD_2021, no later than September 1, 2021.

Cultural Diversity Plan

St. Mary's College of Maryland

Academic Year 2021-2022

Inclusive Diversity at St. Mary's College of Maryland (SMCM) is a foundational tenet of the overall institutional mission. Our work is marked by our intention to “foster... a community dedicated to honesty, civility, and integrity” as stated in the SMCM mission statement. In Fall 2020, the Office of Inclusive Diversity and Equity (IDE) was reimagined as the Division of Inclusive Diversity, Equity, Access, and Accountability (IDEA2), reflecting a broadened scope of responsibility and renewed commitment to equity and diversity while also holding our community accountable for our efforts. IDEA2 is committed to engaging the entire campus with a robust slate of activities aimed at program design, curriculum reform, alumni engagement, policy creation and general campus climate reform. Additionally, promoting and embracing cultural diversity and cultural competence among SMCM constituents is essential to the success of the institution as the nation's public honors college; hence, inclusion, diversity, equity, accountability and access are prominent themes that recur throughout the College's last Strategic Plan.

During the 2021-22 academic year, as we emerge from the COVID-19 pandemic, SMCM will reinvigorate our strategic planning efforts with the goal of crafting a new multi-year plan to begin in Fall 2022. In the meantime, the IDE-related objectives in the current Strategic Plan will serve as the foundation of College's Cultural Diversity Plan, which is as follows:

- **Goal 1:** *Attract intellectually ambitious students who thrive in and respect a diverse, collaborative learning community.* This will be partially accomplished through increasing diversity among the student body (Objective 1); diversifying course offerings related to wellness, diversity, leadership, and financial literacy (Objective 2); and enhancing the academic and social integration of students in the campus environment (Objective 3).
- **Goal 2:** *Engage students in a rigorous, experiential, flexible, and innovative academic environment that capitalizes on our unique geographical location.* This will be partially accomplished by promoting a community and academic environment that embodies the principles of diversity and inclusion on which we were founded (Objective 4). In doing so, the campus will create a system for developing additional academic opportunities/offerings and a long-term plan for institution-wide IDE efforts. In particular, IDEA2 will focus on collaborating with other campus units to offer workshops, outreach, and communications in response to local, state, national, or world events.
- **Goal 3:** *Attract and retain a diverse staff and faculty who achieve excellence across the liberal arts in the teaching, scholarship, creative works, and practice of their disciplines.* Toward this end, SMCM will increase its efforts to recruit/hire a diverse employee population (Objective 1) along with expanding efforts to create an inclusive environment that values and optimizes the strengths of a diverse workplace while supporting employees' professional excellence, personal well-being, and ability to thrive on campus (Objective 2).

- **Goal 4:** *Graduate prepared, responsible, and thoughtful global citizens.* To accomplish this, SMCM will promote inclusion, diversity, and equity (via increased IDE initiatives and professional development opportunities) to engage students in (and assist employees in working with each other and students while) challenging and abating injustice consistent with the St. Mary's Way (Objectives 3 and 4).
- Increase the four-year graduation rate for underrepresented (racial/ethnic minority and first-generation college) students. Note: Although this objective is not explicitly listed in the Strategic Plan, SMCM is committed to supporting efforts aimed at enhancing retention and graduation rates of these student populations. In particular, IDEA2 will review existing data, develop evaluation processes, and establish metrics to assess progress on this goal.



**BOARD OF TRUSTEES
CAMPUS LIFE COMMITTEE
OPEN SESSION
MINUTES**

Date of Meeting: February 5, 2021

Status of Minutes: Approved

Campus Life Committee Members Present: Committee Chair Danielle Troyan '92, Nicholas Abrams '99, Carlos Alcazar, John Bell '95, Student Trustee Fatima Bouzid '22, Alice Bonner '03, Peg Duchesne '77, President Tuajuanda Jordan

Staff Members: Kelsey Bush '94, Shana Meyer, Derek Young '02

Others Present: Kristin Babendrier, Bhargavi Bandi, Betsy Barreto, Chair Lex Birney, Allison Boyle, Anne Marie Brady, Thomas Brewer, Peter Bruns, Donny Bryan '73, Jordan Cartwright, Paula Collins, Carolyn Curry, Michael Dougherty, Michael Dunn, Susan Dyer, Judith Fillius '79, Elizabeth Graves '95, Gail Harmon, Anne Harvey-Diggs, David Hautanen, Sven Holmes, Kristina Howansky, Glen Ives, Lindsay Jamieson, Helen Ann Lawless, Larry Leak '76, Doug Mayer '04, Rob Maddox, Scott Mirabile, Brad Newkirk, Kathy Pusecker, Paul Pusecker, Sara Ramirez, Beverly Read, Jenell Sargent, William Seale, Greg Shedd, Jenny Sivak, Janna Thompson, Harry Weitzel, Ray Wernecke, Michael Wick, Libby Williams, John Wobensmith, Tammi Wolfson, Anna Yates

Executive Summary

Committee Chair Danielle Troyan '92 called the virtual (via Zoom) meeting to order at 10:27 a.m. Ms. Troyan informed the committee that there are 3 applicants for the student trustee in training opening.

Student Trustee Report

Student Trustee Fatima Bouzid '22 mentioned two wellness bills that were passed by the Student Government Association (SGA) regarding menstrual equity and funding for a trial run of My Student Support Program (MYSSP), a 24/7 student counseling support program. Ms. Bouzid stated that the programs board continues to engage students with activities such as Pen Pals.

Bouzid stated some students are concerned and uncertain regarding upcoming changes. She intends to make sure through her role on the Board that all student voices are heard. The floor was opened and alumna Kristin Babendreieri shared her deep concerns about the potential upcoming cuts.

Student Affairs Introduction and Overview

Interim Vice President for Student Affairs Shana Meyer presented updates to include highlights from Student Affairs and IDE(A)2:

- A total of 42 COVID cases occurred at SMCM throughout the fall semester. At its height, in September of '20, the campus positivity rate was 1%.
- Testing is now occurring 4 days a week, and there have been over 1100 tests provided on campus.
- The Wellness Center offered three full “Mental Health First Aid” sessions over the winter break to provide faculty and staff with resource and response tools for mental crises.
- IDE(A)2 offered town halls in response to the events of January 6th.
- Over 280 participants watched the 17th annual Martin Luther King Day celebration live. It can now be viewed on SMCM's YouTube channel.
- Students moved back into the residence halls for the Spring in a staggered process.

Ms. Meyer shared her thoughts that St. Mary's College of Maryland's COVID safety protocols and student compliance have been extraordinary. Many institutions throughout the nation are struggling to find the success found at St. Mary's College of Maryland—they are still online, have closed mid-semester, or have been overrun with COVID cases. The St. Mary's College of Maryland community has remained as safe as possible, and our students are not only coping, but they are succeeding.

Ms. Meyer offered her gratitude to all who have gone to extreme efforts to contribute to our ongoing success, particularly the Wellness Center staff, including Director Laurie Scherer.

The meeting adjourned at 10:40 a.m.



**BOARD OF TRUSTEES
CAMPUS LIFE COMMITTEE**

**CLOSED SESSION
MINUTES**

Date of Meeting: March 12, 2021

Status of Minutes: Approved March 31, 2021

Campus Life Committee Members Present: Committee Chair Danielle Troyan '92, Nick Abrams '99, Carlos Alcazar, John Bell '95, Board Chair Lex Birney, Alice Bonner '03, Student Trustee Fatima Bouzid '22, President Tuajuanda Jordan

Campus Life Committee Member Absent: Peg Duchesne '77

Staff Members Present: Shana Meyer, Derek Young '02

Others Present: Anne Harvey-Diggs, Jenny Sivak

Executive Summary

Committee Chair Danielle Troyan called the virtual (via Zoom) meeting to order at 1:04 p.m.

Action Items

III.A. Student Trustee-in-Training Selection

The Committee interviewed two candidates for the Student Trustee-in-Training 2021-2022 position. The candidates interviewed were Emily Shipley '23 and Brayan Ruiz Lopez '24. Student Trustee-in-Training Joshua Ajanaku '22 joined the meeting upon the conclusion of the interviews and provided the Committee with student feedback for each of the candidates. Committee members reviewed and discussed the qualifications and skills for each candidate. After a contemplative discussion, the Committee selected Brayan Ruiz Lopez '24 as the student trustee-in-training for the 2021-2022 academic year.

The meeting adjourned at 2:55 p.m.

**BOARD OF TRUSTEES
ST. MARY'S COLLEGE OF MARYLAND
CAMPUS LIFE COMMITTEE
MEETING OF MAY 7, 2021
INFORMATION ITEM III.B.
COVID-19 SURVEILLANCE TESTING REPORT**

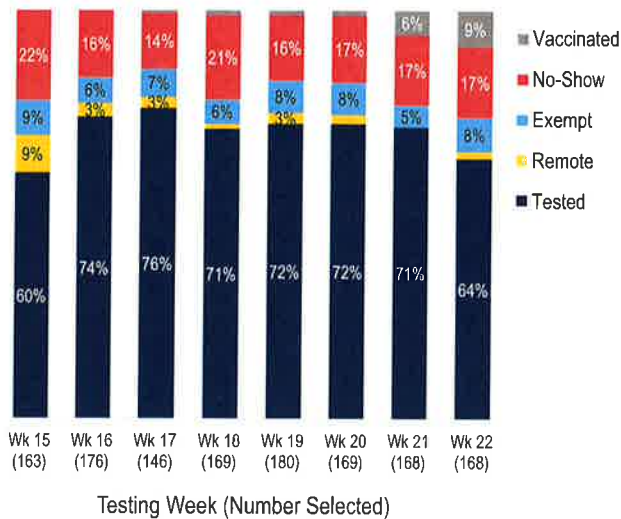
The Spring 2021 surveillance testing report will show the percentages of students, faculty, and staff who participated in surveillance testing and the reasons others who were selected did not participate.

Surveillance Testing Outcomes

Spring 2021

Week 15 (3/4/21) - Week 22 (4/22/21)

Students



Students (Final Report)

Student surveillance testing concluded with Week 22 (4/22/21).

About 165 students were selected each week from a rotating pool of about 700 eligible students. Ineligible students (about 700):

- Remote students
- Students positive for COVID-19 in the past 90 days
- Vaccinated students
- Commuter students not on campus on Thursdays
- Student athletes in season

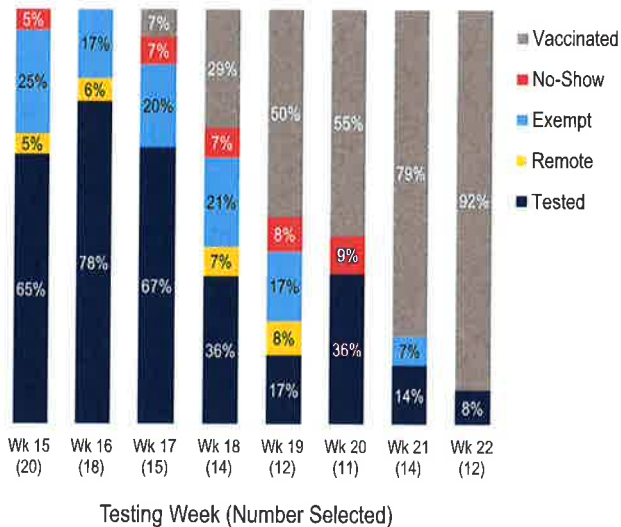
Over the past eight weeks, student testing stayed fairly consistent after a rise in the first week. Very few students in the selection pool were reporting remote learning by Week 22. (Those already known to be remote have been removed from the selection pool.)

However, the no-show rate remained fairly high (average of 18%).

Over the past eight weeks, 25 students were referred for conduct violations (missing two weeks of surveillance testing in a row without a valid exemption).

The student vaccination rate is slowly rising after being at 1% for four weeks in a row.

Faculty



Faculty (One Week Remaining)

Faculty surveillance testing will conclude with Week 23 (4/29/21).

About 15 faculty members are selected each week from a rotating pool of about 70 eligible faculty.

Ineligible faculty (about 120):

- Remote faculty
- Faculty positive for COVID-19 in the past 90 days
- Vaccinated faculty
- Faculty who are not on campus on Thursdays
- Faculty on sabbatical

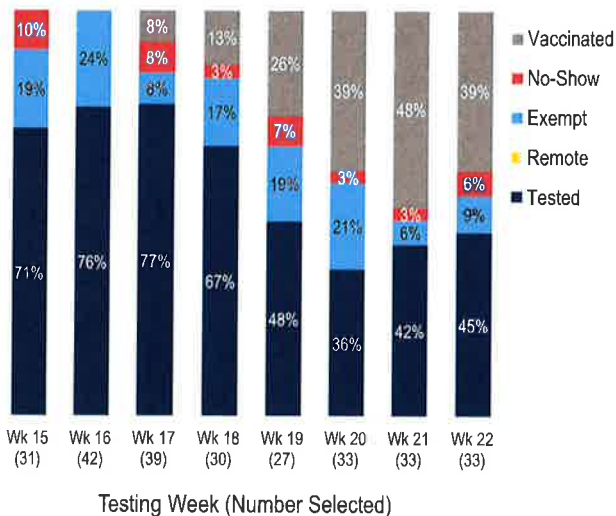
Vaccination is rapidly increasing among faculty members, resulting in a sharp decline in the percentage who are tested (and the overall number who are eligible).

For example, in Week 22, only 1 faculty member was tested (the other 11 were vaccinated).

Few faculty in the selection pool are reporting remote-only instruction. (Those already known to be remote have been removed from the selection pool.)

Very few faculty (0 or 1 per week) are no-shows, and none are repeat no-shows. No faculty members have been issued a letter of reprimand.

Staff



Staff (One Week Remaining)

Staff surveillance testing will conclude with Week 23 (4/29/21).

About 30 staff members are selected each week from a rotating pool of about 155 eligible staff.

Ineligible staff (about 125):

- Remote staff
- Staff positive for COVID-19 in the past 90 days
- Vaccinated staff
- Staff who are not on campus on Thursdays
- Athletic staff in season
- Frontline staff (Wellness, housekeeping, public safety)

Vaccination is increasing among staff members, although not as quickly as among faculty.

No staff members in the selection pool are reporting remote-only work. (Those already known to be remote have been removed from the selection pool.)

Few staff members (0-3 per week) are no-shows, and none are repeat no-shows. No staff members have been issued a letter of reprimand.

**BOARD OF TRUSTEES
ST. MARY'S COLLEGE OF MARYLAND
CAMPUS LIFE COMMITTEE
MEETING OF MAY 7, 2021
INFORMATION ITEM III.C.
TITLE IX UPDATES**

Contents

I.	Spring 2021 Title IX Reports	1
II.	2021 Campus Climate Survey	2
III.	Policy to Support Pregnant and Parenting Students	6
IV.	Prevention Programming: <i>One Love</i> and <i>A Call to Men</i>	7
V.	Update from OCR	7

The team in the Office of Title IX Compliance Training (the Title IX Office), Michael Dunn and Helen Ann Lawless, is pleased to share updates from a busy spring 2021 semester.

I. Spring 2021 Title IX Reports

The Title IX Office has continued to receive fewer reports than usual during this extraordinary academic year. As of April 15, 2021, the Title IX Office has received 11 Title IX reports and 5 reports of non-Title IX issues as follows:

- | | |
|---|---------------------------------|
| • Non-Title IX issues (5) | • Sexual assault unknown (1) |
| • Sexual harassment (3) | • Dating violence (1) |
| • Non-consensual sexual intercourse (2) | • Stalking (1) |
| • Non-consensual sexual contact (2) | • General sexual misconduct (1) |

Of the 11 Title IX reports received, six described incidents occurring in spring 2021, and nine described incidents occurring on campus.

Five of the 11 Title IX reports described incidents of sexual assault (non-consensual intercourse, non-consensual contact, and sexual assault unknown). Of these five reported incidents, one occurred in spring 2021 and three occurred on campus.

The reports have been resolved as follows:

- Proceeded as far as possible (7). These include cases in which students did not respond to outreach from the Title IX Office (3) and the reporting party was unknown (3)
- Initial assessment in progress (3)

- Non-Title IX issues (5)
- Honored reporting party's request for confidentiality (1)

Unlike previous years, the Title IX Office has not conducted any formal investigation processes. This may be due to a combination of factors including the pandemic circumstances and the new formal investigation process required by the Trump administration's Title IX regulations.

Two spring 2021 reports involved sexual harassment allegations against faculty or staff members:

- The first report alleged sexually harassing behavior towards students by a staff member, although the affected students did not wish to share information with the Title IX Office.
- The second report alleged that a faculty member was making inappropriate comments in class, although the Title IX Office found that the alleged conduct would not be considered a Title IX policy violation.

In both situations, the Title IX Office conducted an initial assessment of the allegations, including meetings with the employees. The Title IX Office reminded the employees of the College's policies and expectations for professionalism, and informed all parties that the College may engage in additional investigation if we receive more information.

II. 2021 Campus Climate Survey

The College conducted its annual campus climate survey from January 19 through February 9, 2021. The survey was administered and analyzed by the Office of Institutional Research (OIR) and garnered a response rate of 30% (up from 27% last year). OIR's executive summary notes (with *emphasis added*):

Student opinions continue to show a ***markedly positive trend to increase on nearly every survey measure***, including perceptions of campus culture, perceptions of Title IX processes, perceptions of faculty/staff/administrators, and knowledge of Title IX campus resources. ***Many metrics have reached their most positive values in six years***, continuing an improvement that was evident in last year's survey. There continue to be some students who are dissatisfied with Title IX processes and procedures, and comments reveal that the reasons remain similar to previous years – perceptions of few consequences for offenders, an unsafe reporting process, and general concerns about safety on campus.

Among all survey respondents, 12% indicated that they had experienced sexual assault or sexual violence since coming to the College, a substantial decrease from the 22% reported in 2020. It is likely that this is related at least in part to the lower number of students on campus during the latter part of the Spring 2020 semester and the 2020-21 academic year due to the COVID-19 pandemic.

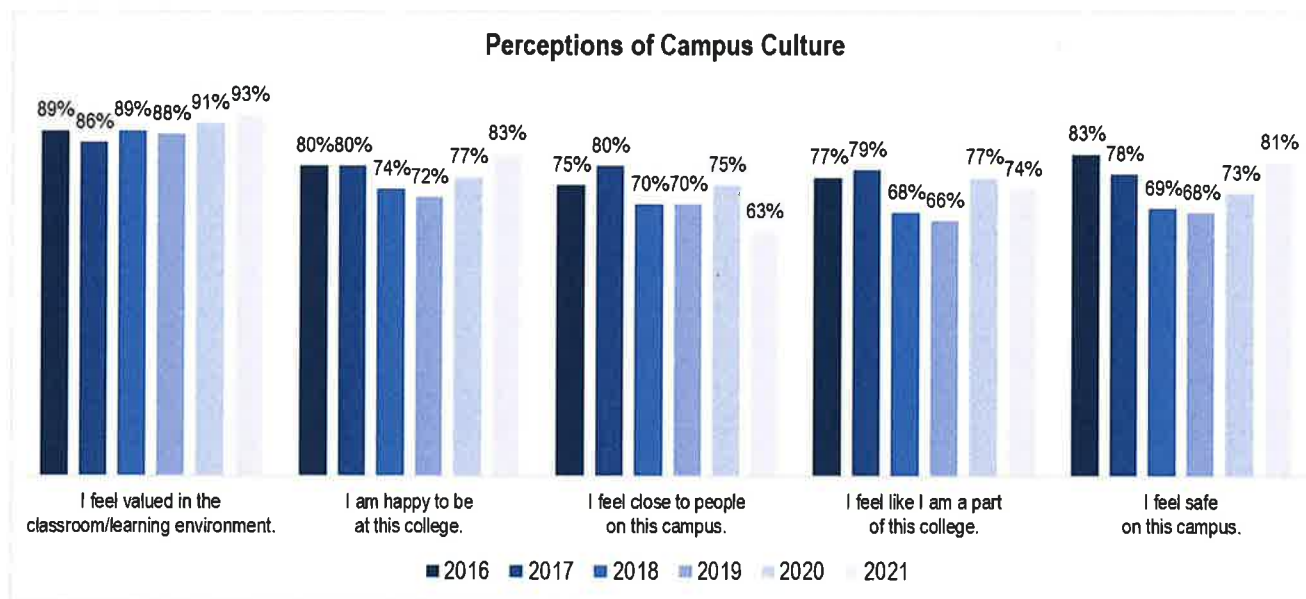
The data and conclusions below are drawn from OIR's analysis.

a. Perceptions of Campus Culture

Participants were asked to respond to five statements gauging their perception of the campus culture. The below graph shows the percent of participants who agreed or strongly agreed with each of the statements,

from the 2016 survey through to the current 2021 survey. Although perceptions appeared to decline in 2018 and 2019, perceptions on all questions improved in the 2020 and 2021 surveys.

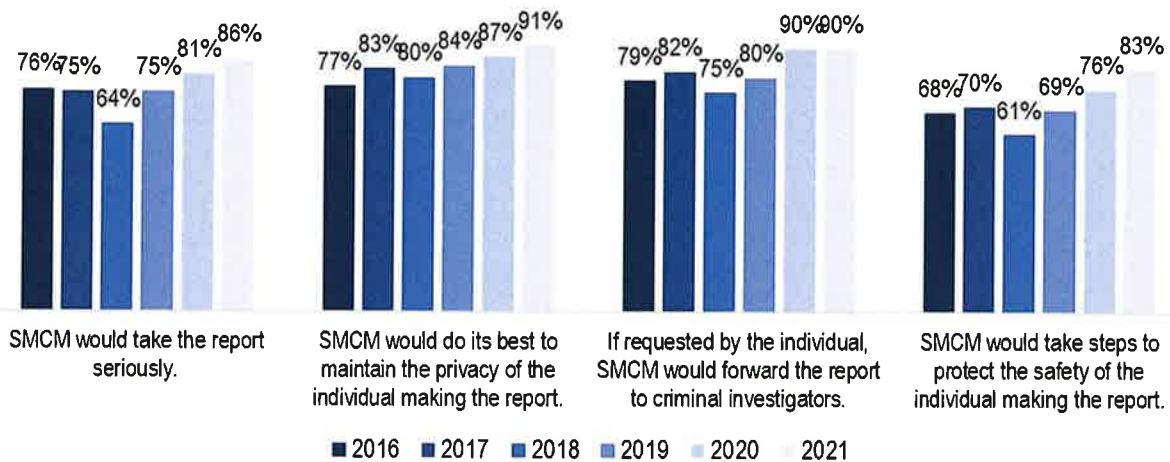
One notable exception is for how close students feel to people on campus in 2021, which dropped to its lowest point over the six-year period. A probable explanation for this exception is the COVID-19 pandemic and the absence of most normal in-person campus experiences.



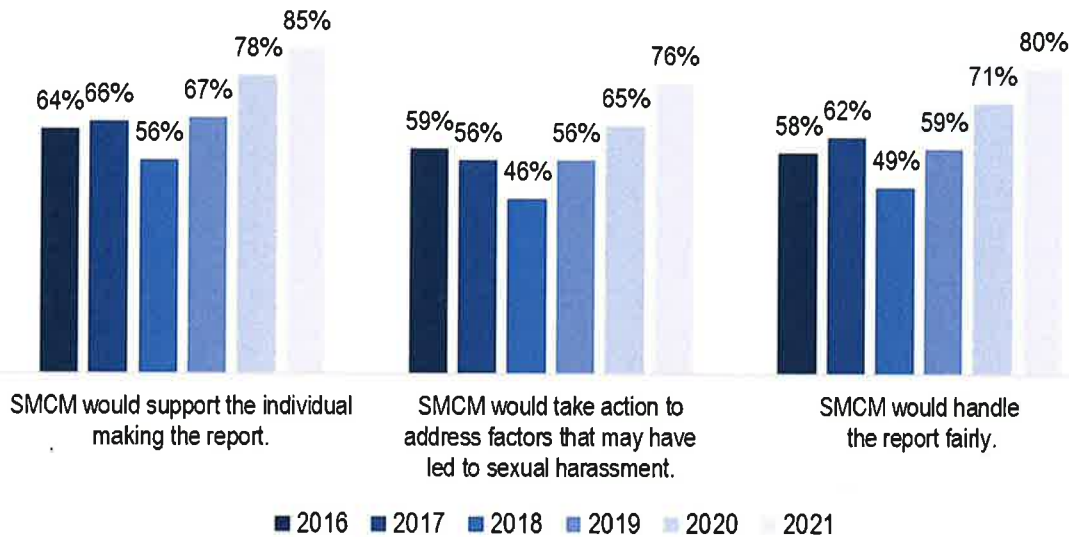
b. Perceptions of How the College Would Handle an Incident of Sexual Harassment

Participants were asked to indicate their agreement with statements about the likelihood of a given scenario if an individual reported an incident of sexual harassment (e.g., sexual assault, dating violence, stalking) to the College. The below graphs show the percentage of participants who felt the given scenario was likely or very likely. Responses to these statements on the 2020 survey reached their highest levels of approval in five years and this upward trend continued with the 2021 survey.

Perceptions of How the College Would Handle an Incident of Sexual Harassment - Part 1



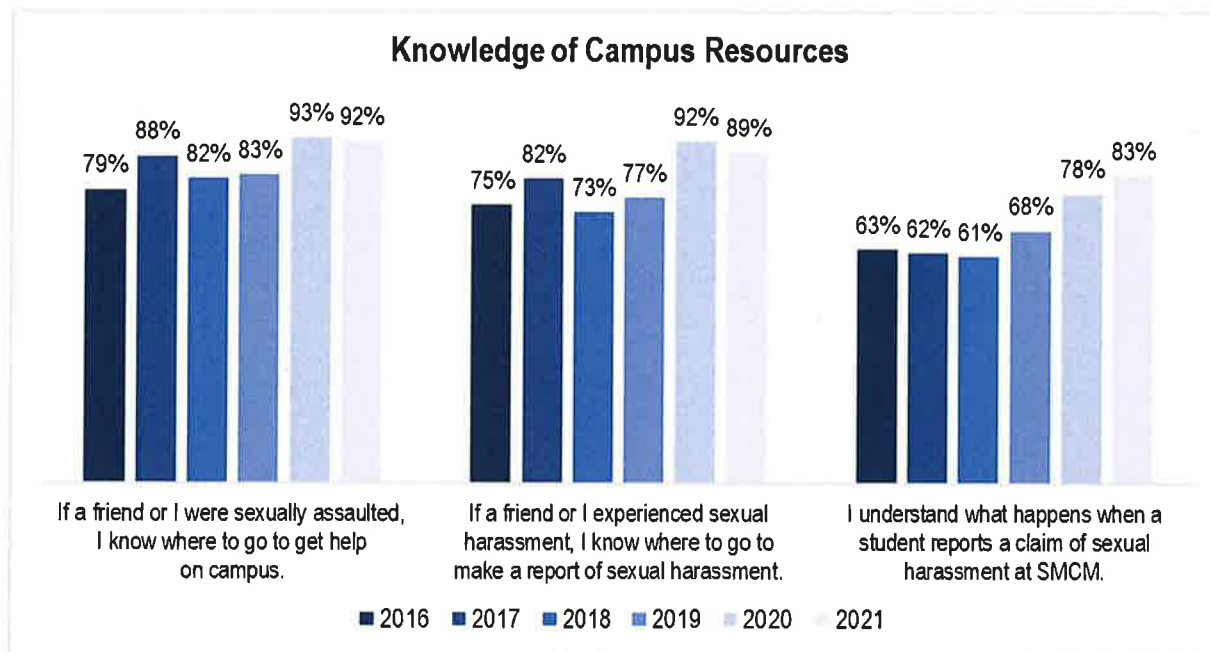
Perceptions of How the College Would Handle an Incident of Sexual Harassment - Part 2



Compared to all previous surveys since 2016, participant perceptions have substantially improved in all scenarios. This further supports the general conclusion that the 2018 survey represented an anomalous low point in campus perceptions and satisfaction with Title IX processes. Additionally, all frequencies of “likely or very likely” are now well over 50%. These improvements across all survey items in this section is highly encouraging.

c. Knowledge of Campus Resources

Survey participants were asked three questions about their knowledge of campus resources related to sexual harassment. The below graph shows the percentage of participants stating that they agreed or strongly agreed with the provided statement. Large improvements observed in the 2020 survey were generally maintained in 2021.



Measures in this section remained comparable to last year's survey. Overall students remain more aware of resources and where to find them compared to the first four years of the survey.

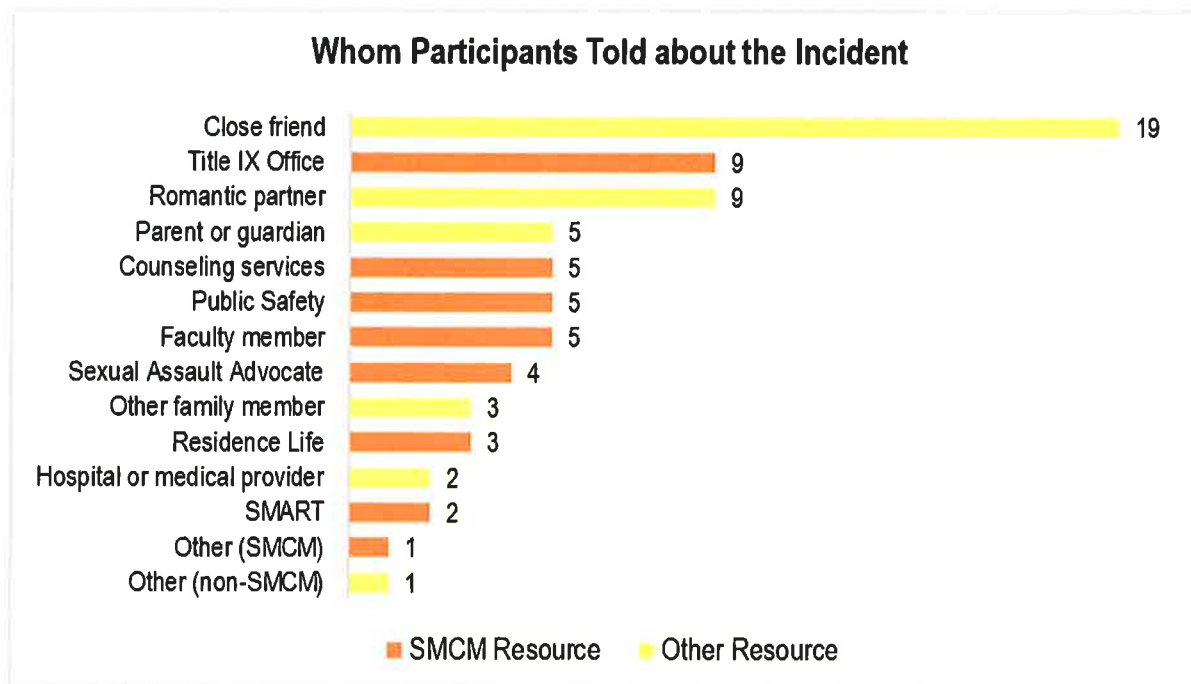
d. Incidences of Sexual Misconduct

The survey asked participants about their own personal experiences with incidences of sexual assault or sexual violence (which may include sexual assault, stalking, and relationship violence).

Of the 360 survey participants answering questions in this section, 42 participants (12%) indicated that they had experienced these forms of sexual harassment since coming to the College, down substantially from the 22% incidence rate reported in 2020 and representing the lowest percentage in five years. Eighteen students (5%) declined to answer the question ("Prefer not to say").

The incidence rates of sexual assault or violence were also examined among the various demographic subgroups, as self-disclosed by survey respondents. There were marked gender differences in incidence rates, with women showing an incidence rate three times higher than that of men. Other notable differences are that first-year students reported a drastically lower incidence rate, and students identifying as having a disability had higher incidence rates than students with no disability.

Of the 42 participants who reported having experienced sexual harassment first hand, 29 agreed to answer additional questions about their experience(s). Of those 29 respondents, 20 indicated that they told someone else about the incident(s), most often a close friend or the Title IX Office. The pattern of whom 2021 participants chose to tell is very similar to the reports by 2020 respondents.



Participants were also asked to assess the quality of the help they received from the resources they informed about the incident. Of the nine respondents receiving help from the Title IX Office, six (67%) indicated good or very good quality of help. This is a drop from last year's survey where 18 of 23 participants (78%) indicated the help they received from the Title IX Office was good or very good, but the smaller sample size this year makes it difficult to interpret whether this change is meaningful.

e. Next Steps

The Title IX Office continues to work with OIR to analyze the survey data. The Title IX Office will share information about these survey results with different campus constituencies throughout the spring and summer.

III. Policy to Support Pregnant and Parenting Students

The IX Office seeks the approval of a Policy to Support Pregnant and Parenting Students.

As required by Title IX, this policy ensures that all students who are pregnant, experiencing pregnancy-related conditions, and new parents, are treated equally and protected from discrimination. The policy prohibits discrimination based on pregnancy and parenting status, describes reasonable accommodations for pregnant and parenting students, and prohibits harassment and retaliation. The Title IX Office would manage the implementation of this policy, with support as needed from the Office of Accessibility Services and the Office of Human Resources.

IV. Prevention Programming: *One Love* and *A Call to Men*

Each year, the Title IX Office hosts prevention workshops from the One Love Foundation to educate students about healthy and unhealthy relationships. Usually we partner with Athletics to plan an event aimed at student-athletes, and historically, 99% of participants have recommended attending the program. Due to the pandemic, we reimagined the stand-alone event to include 30 convenient team or club meetings throughout February and March 2021, intending to reach as many students as possible. With the help of the SGA, Club Council, and Athletics Department, we reached 18 athletic teams, 12 other student organizations, and trained 38 peer educators. Altogether, we reached over 350 students with this prevention activity.

We are currently concluding our second year of A Call to Men programming as a part of our 5-year grant through the Maryland Department of Health. A Call to Men facilitators meet with men's athletic teams on a semesterly basis to talk about healthy manhood and the role men can play in sexual violence prevention. This semester, we added two open sessions and an affinity session for men of color to engage more men in this important conversation. As of April 14, with four out of 11 total events remaining, the programming has reached 111 students so far. Over the past two years, the program has yielded positive evaluation results. Among other measures, 99% of participants recommend attending the program.

V. Update from OCR

On February 25, 2021, the College received a letter from the Office of Civil Rights (OCR), the division of the federal Department of Education that enforces Title IX. The letter was in reference to a resolution agreement that the College had entered with OCR in 2013, following an investigation of Title IX practices on campus at that time. Under this resolution agreement, the College has been providing detailed monitoring reports to OCR every semester about the Title IX reports we receive and the steps we take to address them. We also provide information about prevention initiatives and other related work.

The February 25 letter informed the College that OCR had concluded that we have met all of the requirements of the resolution agreement, and no further monitoring would be required. OCR also thanked the College for its "continued commitment to the enforcement of Title IX and prevention of sexual harassment."

We are proud of the work we are able to accomplish with our amazing colleagues and students, under Dr. Jordan's leadership. We appreciate OCR's recognition of our progress as a campus community and we look forward to continuing and deepening the important project of Title IX.

**BOARD OF TRUSTEES
CAMPUS LIFE COMMITTEE
INFORMATION ITEM III.D.
REVISION TO THE ACADEMIC JUDICIAL PROCEDURES**

BACKGROUND

The College's Academic Misconduct procedures are included in the student handbook *To The Point*. Instances of academic misconduct are handled by the Associate Dean of Faculty. Over the last several years, the number of alleged incidents submitted to the Associate Dean of Faculty has increased significantly, primarily as a result of a couple cases of mass misconduct within a handful of courses. The increased workload has motivated some procedural changes designed to clarify the process, expand the capacity of the office to handle the increased load, and to provide appropriate oversight authority to the Associate Dean of Faculty.

EXECUTIVE SUMMARY OF CHANGES

The full text of the revised procedure, including changes tracked from the current procedure, is included with this document. A clean version of the resulting procedures is also attached for clarity. Here we provide a broad overview of the changes and their rationales.

CLARIFY PROCESS TO STUDENTS

The existing language did not clearly articulate the responsibilities of each participant in the process. Ambiguous passive voice was replaced with active voice and a visual flowchart was added for students whose learning style is more visual. Salient features of the new procedures include:

- clarification of each party's responsibility within the process; and
- codification of transparency requirements to ensure all parties are aware of all written material used in the case;
- allowance for ADA accommodations within the judicial process;
- restriction of the hearing body from considering past suspected misconduct;
- articulation of operating procedures in cases allegedly involving multiple students;
- clarification of the role of witnesses and invited guests in the judicial process.

CLARIFY RECORD KEEPING AND USE

A new section was added to the procedures, Section 2, clarifying the expectations for record keeping and use of those records moving forward. Salient features of the new procedures include:

- articulation of the purpose for record keeping in the office;
- alignment of the record keeping with Maryland record keeping laws; and
- articulation of Associate Dean's authority to share case information as necessary with parties involved in facilitation of final sanctions (e.g., the Registrar's Office).

STRENGTHEN ROLE OF ASSOCIATE DEAN OF FACULTY IN FINDINGS OF RESPONSIBILITY AND/OR SANCTIONS

The existing procedures have the unintended consequence of blocking action by the Associate Dean in unusual cases such as cases communicated directly to the Associate Dean by observers or actions taken by parties involved that fall outside the approved process. Salient features of the new procedures include:

- expansion of the Associate Dean's authority to initiate the process based on credible evidence;
- expansion of the Associate Dean's authority to overrule findings and sanctions for only the most compelling reasons;

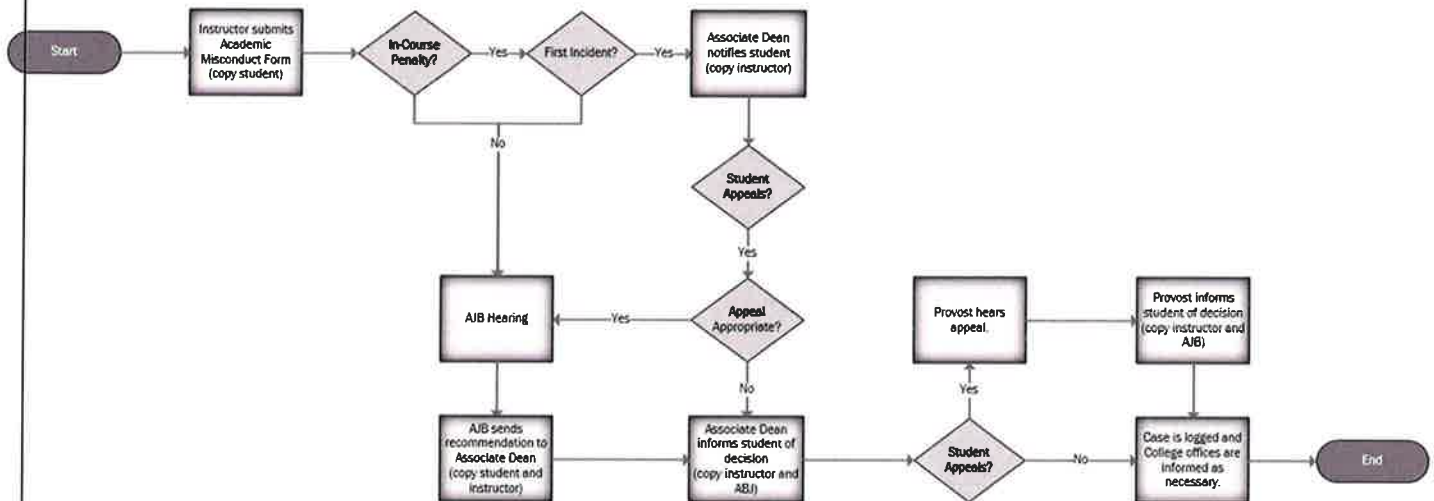
INCREASE CAPACITY OF HEARING COMMITTEE

The existing procedure membership requirements for the Hearing Committee to be drawn from a specific pool of faculty candidates. The revised procedure removes this restriction and allows the Associate Dean to establish a Hearing Committee using any members of the faculty that satisfy the participation requirements (e.g., no two members from the same department).

FULL REVISION TEXT INCLUDING TRACK CHANGES**JUDICIAL PROCEDURES FOR ACADEMIC MISCONDUCT****Article III – Procedures For Academic Misconduct****PROCEDURES FOR ACADEMIC MISCONDUCT****Preface**

St . Mary’s College of Maryland is committed to the ideals of honesty, personal integrity, and mutual trust. Academic integrity is a responsibility of all students, members of the faculty, and administrative officers. All students are expected to uphold the highest ideals of academic integrity throughout their career at St . Mary’s. The following policy has been adopted for fair judgment in cases of suspected academic misconduct. Students who commit acts of academic misconduct (see “Definitions of Academic Misconduct” below) are subject to in-class penalties imposed by the instructor and to a hearing before the Academic Judicial Board with possibilities of additional penalties. [See the “Code of Student Rights and Responsibilities” included in this student handbook.](#)

Please see glossary of terms on page 21. Flowchart: What happens when a student is written up for academic misconduct?



Section 1: Definitions of Academic Misconduct

Academic misconduct may include, but is not limited to, the following acts:

1. Cheating

Cheating involves dishonest conduct on work submitted for assessment. Specific instances of cheating include, but are not limited to, the following:

- Assisting another student or receiving assistance from anyone to complete quizzes, tests, examinations, or other assignments without the consent of the instructor.
- Using aids unauthorized by the instructor to complete quizzes, tests, examinations, or other assignments.

2. Plagiarism

Plagiarism is the act of appropriating and using the words, ideas, symbols, images, or other works of original expression of others as one's own without giving credit to the person who created the work. If students have any questions regarding the definition of plagiarism, they should consult their instructor for general principles regarding the use of others' work. Among sources commonly used for documenting use of others' work are the style manuals published by the American Psychological Association, the Council of

Biology Editors, the Modern Language Association, and Turabian's Manual for Writers of Term Papers. The final authority concerning methods of documentation is the course instructor. Specific instances of plagiarism include, but are not limited to, the following:

- Word-for-word copying of sentences or paragraphs from one or more sources that are the work or data of other persons (e.g., professional or peers; including books, articles, theses, unpublished works, working papers, seminar and conference papers, lecture notes or tapes, graphs, images, charts, data, electronically based materials, etc.), without clearly identifying their origin by appropriate referencing.
- Closely paraphrasing ideas or information (in whatever form) without appropriate acknowledgement by reference to the original work or works.
- Presenting material obtained from the Internet as if it were the student's own work.
- Minor alterations, such as adding, subtracting, or rearranging words, or paraphrasing sections of a source without appropriate acknowledgement of the original work or works.

3. Falsification

Falsification involves misrepresentation in an academic exercise. Misrepresentation includes, but is not limited to:

- Falsely attributing data or judgments to scholarly sources.
- Falsely reporting the results of calculations or the output of computer programs, or materials from other electronic sources.
- Presenting copied, falsified, or improperly obtained data as if it were the result of laboratory work, field trips, or other investigatory work.

4. Resubmission of work

No student may turn in work for evaluation in more than one course without the permission of the instructors of both courses. No student may turn in previously-graded work as all or part of a separate assignment without the explicit permission of the instructors who assigned both works. This does not apply to graded components of a larger project or drafts of a final paper.

Section 2: Procedures

1. Confidentiality requirements ~~∴ All parts of an academic misconduct procedure are confidential. The following guidelines should be followed:~~

- 1.11. If an instructor seeks advice from colleagues or the school administration concerning a suspected case of academic misconduct, he or she should not divulge the name of the student or students involved before taking any action.
- 1.12. If the instructor imposes an in-course penalty (section 24 below), he or she may not divulge the name of the student or students involved except to the Office of the Associate Dean of Faculty.
- 1.13. If the instructor or the Associate Dean of Faculty requests a hearing from the Academic Judicial Board (AJB), the Associate Dean of Faculty shall inform the Hearing Officer of the AJB about the case, provide the Hearing Officer with a statement of purpose of the hearing, and provide the Hearing Officer with the materials in the files.
- 1.14. All hearings of the AJB (as described below) are confidential. The AJB shall submit its rulings and recommendations only to the student or students accused of misconduct, the instructor involved in the case, the Associate Dean of Faculty, and other relevant SMCM personnel.

2. Procedures regarding record-keeping

- 2.11. All records of academic misconduct are kept by the Office of the Associate Dean of Faculty. This information will be kept on file for purposes of identifying recidivism and may influence sanctions in subsequent incidents of academic misconduct. Records will also serve as reference for any future claims of ignorance of the College's academic integrity requirements.
- 2.12. Hard copy and/or electronic files containing documents related to academic misconduct are retained for seven years before they are destroyed. The College incident report log recording the name of student and instructor, date of incident, and in-course penalty or AJB hearing is maintained indefinitely (should the student be found not responsible on appeal or by way of the AJB decision, or if the instructor should retract the incident report, the student's name and record will be expunged from the incident log).
- ~~1.15-2.13.~~ All such records are confidential and may not be discussed with the faculty or other staff members of the College, ~~with the following two exceptions:~~. The sole exception concerns relevant information regarding penalties for academic misconduct, and may be forwarded by the Associate Dean of Faculty as appropriate to any parties involved in the facilitation of these sanctions. These

parties include but are not limited to the AJB Hearing Officer, the Registrar, the Dean of Students, and the Provost.

3. Transparency and expediency standards

1.1.1. The instructor shall send the student an Academic Misconduct form and /or a letter outlining the evidence of the student's academic misconduct and informing him or her of the penalty within 30 days of discovery of the misconduct. The written documentation shall be sent to the student using the student's official College email address. The instructor shall send a copy of the documentation to the Office of the Associate Dean of Faculty. As outlined below, the Office of the Associate Dean of Faculty shall forward relevant information concerning penalties for academic misconduct to the hearing officer of the AJB, the registrar, the dean of students, and any parties involved with the imposition of these penalties;

1.1.2. The Office of the Associate Dean of Faculty shall inform the hearing officer of the AJB if the student or students involved in any action have been previously charged with or penalized for academic misconduct.

- 3.11. All documentation submitted to the student, the Associate Dean, and later to the AJB (should a hearing be necessary) must be identical. Should additional evidence or documentation be submitted later by any party, it must be made available to the student, Associate Dean, and any subsequent adjudicating body.
- 3.12. For cases of misconduct referred to the AJB for a hearing, the Hearing Officer will submit the AJB Recommendation Letter to the student, instructor, and Associate Dean no later than 15 business days after the hearing. The AJB Recommendation Letter will summarize the incident report and all documents in evidence, testimony from all parties, and the subsequent deliberations. The AJB Recommendation Letter will include a vote on whether the student is found responsible or not responsible for academic misconduct, and where appropriate, the Letter will make recommendations on suitable sanctions for the Associate Dean of Faculty's consideration. While the Letter must list all AJB members present for the hearing, it will not attribute names to any of the descriptions of deliberations or the votes cast.
- 3.13. Upon receipt of the AJB's Recommendation Letter, the Associate Dean will have 10 business days to complete a review of all materials and send the Hearing Decision Letter to the student, instructor, and Hearing Officer.
 - 3.13.1. If the sanction requires communication with external offices (eg, Registrar, Office of Student Support Services), the Associate Dean will send a second letter to that office and the student under separate cover to maintain confidentiality wherever possible.

2.4. In-course penalties:

2.11.4.11. If an instructor has compelling evidence of a student's academic misconduct, he or she may impose an academic penalty, including assigning a final grade of "F" to the student for an assignment or for the course. ~~The instructor shall send the student an Academic Misconduct form and /or a letter outlining the evidence of the student's academic misconduct and informing him or her of the penalty within four weeks of discovery of the misconduct. The written documentation shall be sent to the student using the student's official College email address. The instructor shall send a copy of the documentation to the Office of the Associate Dean of Faculty. If the instructor submits an F for the course, the registrar will be informed that the student may not withdraw from the relevant course because of a penalty for academic misconduct.~~

3.5. Requests for a hearing by the Academic Judicial Board:

3.11.5.11. If the instructor believes that the matter warrants a review before the Academic Judicial Board (AJB), he or she may ask the Associate Dean of Faculty to request the Academic Judicial Board to schedule a hearing on the matter. The instructor shall send copies of the request to the student and the Associate Dean of Faculty.

3.12.5.12. If, after review of the documentation and any prior records in the student's file, the Associate Dean of Faculty may request the Academic Judicial Board to schedule a hearing. The Associate Dean of Faculty shall send copies of the request to the student and the instructor.

3.13.5.13. Appeal by the student: The student may appeal ~~in writing~~ an instructor's process for decision of responsibility or in-class penalty to the Associate Dean of Faculty, ~~who shall schedule first evaluate the standing and claim of the proposed appeal. If a hearing on the is appropriate, the Associate Dean will request an appeal before the AJB. The student has 10 business days from the date the penalty letter was sent to make the appeal. If students have any questions or concerns about the process, please contact the associate dean of faculty.~~

5.14. If made aware of behavior that constitutes academic misconduct not otherwise documented by an instructor, the Associate Dean of Faculty may submit an Academic Misconduct Form as described under 3.11 and request a hearing by the AJB.

4.6. Hearing Procedures:

4.11.6.11. The AJB will inform the student of the hearing date within 14 business days from the time the Hearing Officer receives the request. The hearing shall take place as soon as the hearing ~~participants'~~ participants' schedules will allow. If the request is received during a school holiday, the hearing will take place after classes resume.

If the student is graduating, and the matter arises during the student's final semester, the student may not graduate until the hearing procedures have been completed.

4.12.6.12. The student may not withdraw from the class or from the College before a decision is reached and the imposition of any penalties by the Office of the Associate Dean of Faculty.

4.13.6.13. ~~4.3~~ Students ~~that~~who have a disability that necessitates assistance during a hearing may be entitled to reasonable accommodations. ~~Students seeking an accommodation for the hearing process are urged to submit their request for an accommodation as soon as practicably possible, by contacting the Office of Accessibility (adasupport@smem.edu; 240-895-4388, in Glendening 230).~~

6.13.1. In conversation between the Hearing Officer and the Office of Accessibility, the implementation of a reasonable accommodation will be arranged in advance of the hearing. While AJB members will be made aware of any procedural changes necessary to facilitate the accommodation, all usual standards of confidentiality will be upheld to ensure the student's privacy.

6.13.2. The implementation of a reasonable accommodation is not considered a "deviation from procedure," as broadly defined under Section 6.

6.14. While there is no expectation to do so, the student may submit additional materials to the Hearing Officer in support of their defense. In order for additional materials to be eligible for inclusion in the documents in evidence, the student must provide an accompanying letter that explains why their material counters any claims brought forth by the incident report. Any supplemental materials must be forwarded no later than 5 business days before the scheduled hearing. Such materials may include, but are not limited to, a prepared statement, evidence documenting original work, or communications among classmates or others that attest to the innocence of the student. To receive full consideration by the AJB, the burden rests on the student to effectively and succinctly connect any submitted materials to the alleged academic misconduct. The AJB will not sort through volumes of information looking for a possible link.

4.14.6.15. The student may request that an employee or student member of the College community be present as a support person to offer advice to and consult with the student concerning procedural matters during the hearing. This individual shall not testify at the hearing. Both parties have the right to be assisted by an attorney. They may do so only if they notify the Hearing Officer of the AJB 5 business days in advance of the hearing. The attorney may not participate in the hearing

and may not address the board or Hearing Officer. Attorneys are present as a support and have no speaking role in the hearing process.

4.15-6.16. The AJB shall meet privately before the hearing to discuss the proceedings. The hearing shall be adjudicated by the members of the AJB. At least five members of the AJB must be present at any hearing, unless it is impossible to find a quorum of the regularly appointed members of the AJB within the set time. In this case, the Hearing Officer, in consultation with the student conduct officer, may appoint substitutes. The Hearing Officer of the AJB or his or her designated designee shall preside.

4.16-6.17. The Hearing Officer shall keep a record of the hearing. The Hearing Officer shall forward all records of the hearing to the Office of the Associate Dean of Faculty for final storage; upon transfer of those records to the Associate Dean, the Hearing Officer will delete all records and notes of the hearing. All records are held in the Office of the Associate Dean of Faculty ~~for seven years before they are destroyed.~~

6.18. Hearing Policies regarding due process:

6.18.1. In any hearing, the student shall be presumed not responsible unless a preponderance of the evidence establishes his or her responsibility.

6.18.2. There may be no discussion by the AJB or the complainant of any past known or suspected misconduct on the part of the student; the focus of both the hearing and the deliberations must remain on the evidence pertaining to the incident at hand.

6.18.3. All hearings are private. The only people present at the hearings shall be those determined by the AJB to be material to the proceedings or as outlined herein.

6.18.4. In cases where two students are accused of a linked act of academic misconduct, the students have the right to sever their cases (treat them separately). Where multiple students are accused of a linked act of misconduct, any of the students may petition the AJB to sever their cases. It is up to the Hearing Officer to decide on the suitability of severing multiple cases

6.18.4.1. The AJB will attempt to balance the competing needs of due process (expediency and a well-prepared board) when scheduling individual cases in a linked act of misconduct. The 14-day deadline for scheduling a hearing will not apply in cases of linked acts of misconduct.

6.18.5. Students may not be compelled to testify against themselves.

4.16.1-6.18.6. An accused student who fails to attend a hearing may be found responsible for violation of Academic Misconduct rules and may be assessed appropriate penalties, based on the evidence presented. Should this occur, the respondent student shall be informed in writing of the outcome of the AJB hearing.

4.17-6.19. The hearing shall consist of four phases:

4.17.1-6.19.1. Presentation of Evidence: The instructor shall present the evidence of academic misconduct to the board. The AJB shall also hear witnesses which it or the instructor may call.

4.17.2-6.19.2. Presentation of Defense: The student shall present his or her defense. The student may call witnesses; ~~who may offer testimony to clarify the facts of the incident.~~ The names of such witnesses shall be ~~presented~~sent to the Hearing Officer of the AJB five business days prior to the hearing. The AJB may limit the number of witnesses called during the first two phases of the hearing. ~~No character witnesses are permitted as part of the presentation of defense.~~ The AJB may question the instructor, the student, and any other parties giving evidence. AJB proceedings are not a court of law and should not be held to the same standard of procedure and evidence. ~~At the conclusion of the presentation of all testimony, both the complainant and the respondent student will be given the opportunity to ask questions of the AJB concerning any discrepancies in testimony.~~

6.19.3. Responses and Rebuttal: At the conclusion of the presentation of all testimony, both the complainant and the respondent will have an opportunity to address any discrepancies in testimony. These will be solicited in turn by the Hearing Officer; parties giving testimony should not address each other directly.

4.17.3-6.19.4. ~~Board Ruling:~~Findings: Based on the evidence presented in the submitted documentation and facts clarified through testimony in the hearing, the board shall then rule on whether the student is responsible or not ~~of responsible for~~ academic misconduct ~~if the~~. In the case of a student's appeal of an ~~instructor's~~ ruling ~~was appealed by the student in-course~~ penalty, the Board may alternatively be asked to find whether the requested sanction is deemed appropriate. All deliberations by the AJB shall be made in private, with only members of the AJB present, and their

counsel, if any. All decisions of the AJB are made by a majority vote of those voting, with all members, including the Hearing Officer, eligible to vote.

~~If a student is found not responsible in a charge of academic misconduct, he or she may not be tried again for the same instance of misconduct.~~

~~4.4.1. Assessment of Penalty~~

7. Determination of Responsibility and AJB Recommendation Letter

- ~~4.18.7.11.~~ If a student is found not responsible for academic misconduct, the AJB may recommend that the instructor remove any penalty that has been imposed. Because there may still be a dispute over the ~~student's~~ student's grade or class standing, the AJB shall recommend a course of action for the instructor to take concerning the student. The recommendation shall be made in consultation with both the student and the instructor. The Associate Dean of Faculty shall arbitrate any disputes which cannot be resolved in this manner. The Associate Dean of Faculty ~~shall~~ may also consult with the AJB Hearing Officer privately to discuss the ~~board's~~ board's reasoning behind its recommendations.
- ~~4.19.7.12.~~ If a student is found responsible of academic misconduct, mitigating circumstances may be taken into account when recommending a penalty. It is, however, the student's responsibility to know the policies and definitions regarding academic misconduct. If appropriate, the AJB shall then recommend an alternate academic penalty to the Associate Dean of Faculty.
~~The AJB may interview the student to learn of any possible mitigating circumstances before recommending any penalty.~~
- ~~4.20.7.13.~~ If the case was referred to the AJB at the request of the instructor or the Associate Dean of Faculty, or if the student appeals ~~her/his~~ their responsibility and is found responsible, the penalty may range from simply upholding any penalty given by the instructor to expulsion from the College. ~~In this case, the board may not recommend a penalty lighter than any imposed by the instructor. If the case was referred to the AJB because of an appeal of an in-class penalty by the student, the board may recommend that the faculty member consider a lesser penalty if deemed appropriate. The AJB may recommend modified sanctions from the proposed in-course penalty.~~
- ~~4.21.7.14.~~ The penalties that may be recommended by the AJB include, but are not limited to:
- 0 points for the assignment
 - ~~Upholding any in-class penalty applied by the professor (e.g.)~~ Upholding any in-class penalty applied by the professor (e.g.) ~~for the course~~

- ~~Non-removable~~, F for the course)
- Non-repeatable F for the course
- Notation on the transcript that the F was due to academic misconduct
- Suspension for a semester or a year
- Ineligibility to participate in sports and/or study abroad
- Any combination of these penalties
- Expulsion

~~4.22.7.15.~~ The Hearing Officer shall send ~~at~~ the AJB Recommendation Letter to the Associate Dean, copying in the student and instructor, informing ~~him or her~~ them of the ruling ~~finding~~ and (if appropriate) any penalty recommendations. The official letter shall be sent to the student by email using the student's official College email address (read receipt enabled). ~~The hearing officer has the option of sending an unofficial electronic copy of the letter to all persons involved. A copy of the letter will also be sent to the associate dean of faculty, and~~ The AJB Hearing Officer may divulge ~~convey~~ any pertinent information to the board members in confidence.

~~2. Further Procedures and Policies:~~

~~4.22.1.1.11.1. In any hearing, the student shall be presumed not responsible unless a preponderance of the evidence establishes his or her responsibility.~~

~~8. All hearings are private. The only people present at the hearings shall be those determined~~ Decision Letter issued by the Associate Dean of Faculty

~~4.23.8.11.~~ The Associate Dean of Faculty relies heavily on the AJB Recommendation Letter ~~to be material to describe the proceedings, hearing's presentations of evidence and defense, subsequent deliberations, vote, and where appropriate, recommended sanctions. While this letter will inform the Decision Letter, the Associate Dean may accept or reject the AJB's findings of responsibility, and may accept, modify, or reject the AJB's recommended sanctions.~~

~~2.1. The student may request that an employee or student member of the College community be present to offer advice to and consult with the student concerning procedural matters during the hearing. This individual shall not testify at the hearing. Both parties have the right to be assisted by an attorney. They may do so only if they notify the Hearing Officer of the AJB or his or her designee 48 hours in advance of the hearing. The attorney may not participate in the hearing and may not address the board or Hearing Officer. Attorneys are present as a support and have no speaking role in the hearing process.~~

~~2.2. In cases where several students are accused of a linked act of academic~~

misconduct, the students may petition the AJB to sever their cases (treat them separately). It is up to the AJB to decide on this matter.

~~2.3. The student may not be compelled to testify against him or herself.~~

~~2.4. An accused student who fails to attend a hearing may be found responsible of violation of Academic Misconduct rules and may be assessed appropriate penalties, based on the evidence presented. Should this occur, the respondent student shall be informed in writing of the outcome of the AJB hearing.~~

~~3. Penalties imposed by the associate dean of faculty:~~

~~8.12. The associate dean of faculty may not impose a penalty if the student was~~
If the student is found not responsible for academic misconduct in the Associate Dean's Decision Letter, no penalty may be imposed and all records of the incident and subsequent hearing will be deleted.

~~4.24.8.13. If a student is found not responsible in a charge of academic misconduct by the AJB, he or she may not be tried again for the same instance of misconduct.~~

~~4.25.8.14. The Associate Dean of Faculty may meet with the student in advance of determining a penalty.~~

8.15. The Associate Dean will review the student's record to consider any past incidents of misconduct before applying sanctions.

~~4.26.8.16. If the Associate Dean of Faculty imposes a penalty for academic misconduct, he or she~~
the Associate Dean shall:

- Send notice to the student stating the penalty.
- Send a copy of the letter to the instructor and the Hearing Officer of the AJB.
- If appropriate, inform the Office of the Registrar and the dean of students that the student may not withdraw from the relevant course or from the College because of a penalty for academic misconduct.
- Send all relevant information concerning the penalty to all parties involved in the imposition of the penalty.

penalty.

~~4.27.8.17. The~~
Per the Associate Dean's judgment, the penalty may range be reduced, affirmed, or expanded from simply confirming any penalty imposed by the the recommendations of the instructor to and AJB. At their most severe, penalties may include suspension or expulsion from the College.

~~4.28.8.18.~~ A student may appeal any finding of responsibility or penalty imposed by the Associate Dean of Faculty to the Provost/Dean of Faculty. ~~A request for appeal must be sent within 10 days after the notice of penalty from the associate dean of faculty was sent. The appeal must be sent by email using the Provost's official College email address (read receipt enabled).~~ See Article III, Section ~~11~~10 for appeal procedures.

5.—Composition of the AJB

~~3.1. The Academic Judicial Board shall consist of seven members: four faculty members and three students.~~

~~3.2. The faculty members shall be chosen by the Faculty Senate from the full-time faculty of St. Mary's College. Faculty members shall serve for a two-year term and shall be appointed at the beginning of the school year. The Faculty Senate will appoint one of the faculty members of the AJB to serve as Hearing Officer during her or his term. The hearing officer will also serve as the chair of the AJB.~~

~~3.3. The Student Conduct Board shall choose the student members of the AJB. Student members shall serve for a one-year term and shall be appointed at the beginning of the school year.~~

4.—Case Records

~~This information will be kept on file for purposes of judging any future claims of ignorance that may occur.~~

~~5. At the end of the academic year, the AJB hearing officer will submit a report of the types of penalties recommended throughout the year. This report will be available for the future AJB hearing officer.~~

6.9. Basis upon which an Appeal to the Provost May Be Considered

~~6.11.9.11.~~ An appeal may be made for one or more of the following purposes:

~~6.11.1.9.11.1.~~ To determine whether the original hearing was conducted in conformity with the prescribed procedures of this Code. Minor deviations from designated procedures will not form the basis for sustaining an appeal unless it is determined that such deviation resulted in significant prejudice. For any substantial material deviations from designated procedures, the appeals officer provost may, ~~at his or her discretion opt to~~, remand the matter for reconsideration.

~~6.11.2.9.11.2.~~ To present new evidence which could not reasonably be made available at the time of the original hearing. ~~To present new evidence which could not reasonably be made available at the time of the original hearing.~~ Such cases, at the discretion of the appeals officer provost, may be remanded

back to the appropriate hearing formatevaluator (instructor, Associate Dean, AJB) for reconsideration in light of new evidence.

9.11.3. To determine whether the sanction imposed was appropriate to the violation with which the respondent student was charged.

10. Appeal Procedures

~~6.11.3.1.11.1.~~ To determine whether the sanction imposed was appropriate to the violation with which the respondent student was charged.

~~7.1.~~ Appeal Procedures

~~7.11.10.11.~~ The respondent student may appeal any decision (a finding of responsibility or imposition of penalty) ~~reached as a result of an AJB hearing, up to but not including the Provost's decision.~~

~~7.12.10.12.~~ All appeals must be made in written form specifying all reasons given for the appeal and given to the Office of the Provost and Dean of Faculty within ten (10) business days after the initial hearing. ~~The respondent student shall be able to present in person his/her appeal to the appropriate appeals officer after submitting the written appeal. Such presentation shall be limited to no more than forty-five (45) minutes, receiving the Hearing Decision Letter.~~

~~11.1~~ The Office of the Provost and Dean of Faculty ~~or his/her designee~~ will notify the complainant(s) and Hearing Officer of a pending appeal in order to permit the complainant(s) to submit an "impacta statement" ~~to be considered along with~~ of the respondent's impact of the appeal.

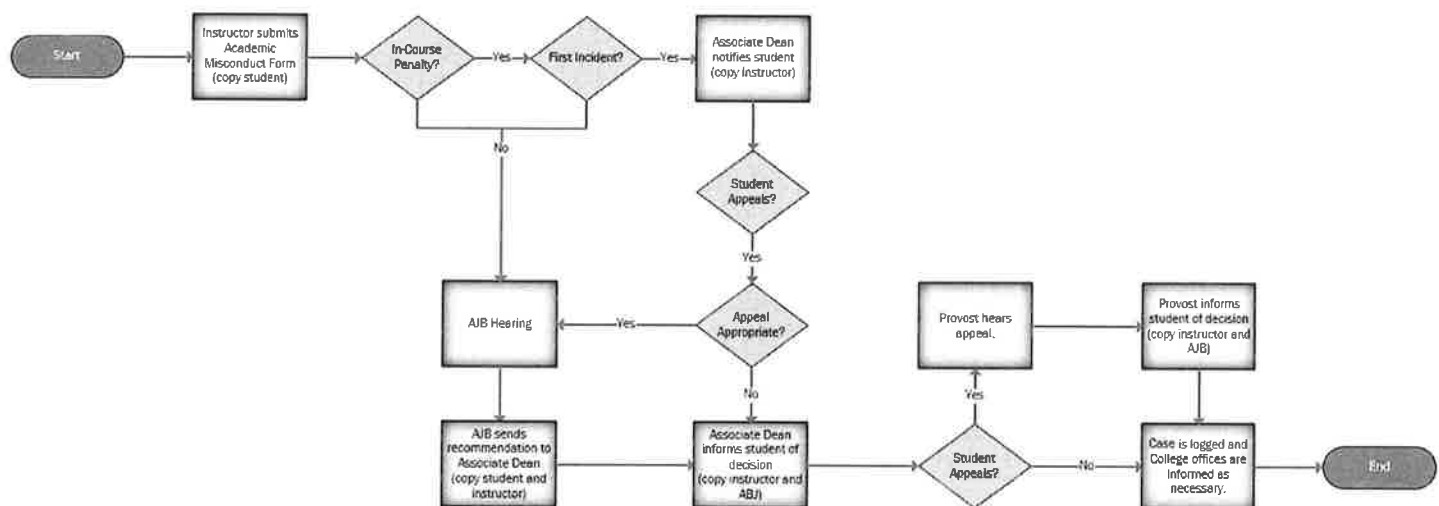
Article IV

Judicial Procedures for Academic Misconduct

Article III – Procedures For Academic Misconduct

St . Mary's College of Maryland is committed to the ideals of honesty, personal integrity, and mutual trust. Academic integrity is a responsibility of all students, members of the faculty, and administrative officers. All students are expected to uphold the highest ideals of academic integrity throughout their career at St . Mary's. The following policy has been adopted for fair judgment in cases of suspected academic misconduct. Students who commit acts of academic misconduct (see "Definitions of Academic Misconduct" below) are subject to in-class penalties imposed by the instructor and to a hearing before the Academic Judicial Board with possibilities of additional penalties. See the "Code of Student Rights and Responsibilities" included in this student handbook.

Flowchart: What happens when a student is written up for academic misconduct?



Section 1: Definitions of Academic Misconduct

Academic misconduct may include, but is not limited to, the following acts:

1. Cheating

Cheating involves dishonest conduct on work submitted for assessment. Specific instances of cheating include, but are not limited to, the following:

- Assisting another student or receiving assistance from anyone to complete quizzes, tests, examinations, or other assignments without the consent of the instructor.
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- Word-for-word copying of sentences or paragraphs from one or more sources that are the work or data of other persons (e.g., professional or peers; including books, articles, theses, unpublished works, working papers, seminar and conference papers, lecture notes or tapes, graphs, images, charts, data, electronically based materials, etc.), without clearly identifying their origin by appropriate referencing.
- Closely paraphrasing ideas or information (in whatever form) without appropriate acknowledgement by reference to the original work or works.
- Presenting material obtained from the Internet as if it were the student's own work.
- Minor alterations, such as adding, subtracting, or rearranging words, or paraphrasing sections of a source without appropriate acknowledgement of the original work or works.

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- Presenting copied, falsified, or improperly obtained data as if it were the result of laboratory work, field trips, or other investigatory work.

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No student may turn in work for evaluation in more than one course without the permission of the instructors of both courses. No student may turn in previously-graded work as all or part of a separate assignment without the explicit permission of the instructors who assigned both works. This does not apply to graded components of a larger project or drafts of a final paper.

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1. Confidentiality requirements

- 1.11. If an instructor seeks advice from colleagues or the school administration concerning a suspected case of academic misconduct, he or she should not divulge the name of the student or students involved before taking any action.
- 1.12. If the instructor imposes an in-course penalty (section 4 below), he or she may not divulge the name of the student or students involved except to the Office of the Associate Dean of Faculty.
- 1.13. If the instructor or the Associate Dean of Faculty requests a hearing from the Academic Judicial Board (AJB), the Associate Dean of Faculty shall inform the Hearing Officer of the AJB about the case, provide the Hearing Officer with a statement of purpose of the hearing, and provide the Hearing Officer with the materials in the files.
- 1.14. All hearings of the AJB (as described below) are confidential. The AJB shall submit its rulings and recommendations only to the student or students accused of misconduct, the instructor involved in the case, the Associate Dean of Faculty, and other relevant SMCM personnel.

2. Procedures regarding record-keeping

- 2.11. All records of academic misconduct are kept by the Office of the Associate Dean of Faculty. This information will be kept on file for purposes of identifying recidivism and may influence sanctions in subsequent incidents of academic misconduct. Records will also serve as reference for any future claims of ignorance of the College's academic integrity requirements.
- 2.12. Hard copy and/or electronic files containing documents related to academic misconduct are retained for seven years before they are destroyed. The College incident report log recording the name of student and instructor, date of incident, and in-course penalty or AJB hearing is maintained indefinitely (should the student be found not responsible on appeal or by way of the AJB decision, or if

the instructor should retract the incident report, the student's name and record will be expunged from the incident log).

- 2.13. All such records are confidential and may not be discussed with the faculty or other staff members of the College. The sole exception concerns relevant information regarding penalties for academic misconduct, and may be forwarded by the Associate Dean of Faculty as appropriate to any parties involved in the facilitation of these sanctions. These parties include but are not limited to the AJB Hearing Officer, the Registrar, the Dean of Students, and the Provost.
3. Transparency and expediency standards
 - 3.11. The instructor shall send the student an Academic Misconduct form and /or a letter outlining the evidence of the student's academic misconduct and informing him or her of the penalty within 30 days of discovery of the misconduct. The written documentation shall be sent to the student using the student's official College email address. The instructor shall send a copy of the documentation to the Office of the Associate Dean of Faculty. All documentation submitted to the student, the Associate Dean, and later to the AJB (should a hearing be necessary) must be identical. Should additional evidence or documentation be submitted later by any party, it must be made available to the student, Associate Dean, and any subsequent adjudicating body.
 - 3.12. For cases of misconduct referred to the AJB for a hearing, the Hearing Officer will submit the AJB Recommendation Letter to the student, instructor, and Associate Dean no later than 15 business days after the hearing. The AJB Recommendation Letter will summarize the incident report and all documents in evidence, testimony from all parties, and the subsequent deliberations. The AJB Recommendation Letter will include a vote on whether the student is found responsible or not responsible for academic misconduct, and where appropriate, the Letter will make recommendations on suitable sanctions for the Associate Dean of Faculty's consideration. While the Letter must list all AJB members present for the hearing, it will not attribute names to any of the descriptions of deliberations or the votes cast.
 - 3.13. Upon receipt of the AJB's Recommendation Letter, the Associate Dean will have 10 business days to complete a review of all materials and send the Hearing Decision Letter to the student, instructor, and Hearing Officer.
 - 3.13.1. If the sanction requires communication with external offices (eg, Registrar, Office of Student Support Services), the Associate Dean will send a second letter to that office and the student under separate cover to maintain confidentiality wherever possible.

4. In-course penalties

- 4.11. If an instructor has compelling evidence of a student's academic misconduct, he or she may impose an academic penalty, including assigning a final grade of "F" to the student for an assignment or for the course.

5. Requests for a hearing by the Academic Judicial Board

- 5.11. If the instructor believes that the matter warrants a review before the AJB, he or she may ask the Associate Dean of Faculty to request the Academic Judicial Board to schedule a hearing on the matter. The instructor shall send copies of the request to the student and the Associate Dean of Faculty.
- 5.12. If, after review of the documentation and any prior records in the student's file, the Associate Dean of Faculty may request the Academic Judicial Board to schedule a hearing. The Associate Dean of Faculty shall send copies of the request to the student and the instructor.
- 5.13. Appeal by the student: The student may appeal an instructor's process for decision of responsibility or in-class penalty to the Associate Dean of Faculty, who shall first evaluate the standing and claim of the proposed appeal. If a hearing is appropriate, the Associate Dean will request an appeal before the AJB. The student has 10 business days from the date the penalty letter was sent to make the appeal.
- 5.14. If made aware of behavior that constitutes academic misconduct not otherwise documented by an instructor, the Associate Dean of Faculty may submit an Academic Misconduct Form as described under 3.11 and request a hearing by the AJB.

6. Hearing Procedures

- 6.11. The AJB will inform the student of the hearing date within 14 business days from the time the Hearing Officer receives the request. The hearing shall take place as soon as the hearing participants' schedules will allow. If the request is received during a school holiday, the hearing will take place after classes resume. If the student is graduating, and the matter arises during the student's final semester, the student may not graduate until the hearing procedures have been completed.
- 6.12. The student may not withdraw from the class or from the College before a decision is reached and the imposition of any penalties by the Office of the Associate Dean of Faculty.
- 6.13. Students who have a disability that necessitates assistance during a hearing may be entitled to reasonable accommodations.
 - 6.13.1. In conversation between the Hearing Officer and the Office of Accessibility, the implementation of a reasonable accommodation will be

arranged in advance of the hearing. While AJB members will be made aware of any procedural changes necessary to facilitate the accommodation, all usual standards of confidentiality will be upheld to ensure the student's privacy.

- 6.13.2. The implementation of a reasonable accommodation is not considered a "deviation from procedure," as broadly defined under Section 6.
- 6.14. While there is no expectation to do so, the student may submit additional materials to the Hearing Officer in support of their defense. In order for additional materials to be eligible for inclusion in the documents in evidence, the student must provide an accompanying letter that explains why their material counters any claims brought forth by the incident report. Any supplemental materials must be forwarded no later than 5 business days before the scheduled hearing. Such materials may include, but are not limited to, a prepared statement, evidence documenting original work, or communications among classmates or others that attest to the innocence of the student. To receive full consideration by the AJB, the burden rests on the student to effectively and succinctly connect any submitted materials to the alleged academic misconduct. The AJB will not sort through volumes of information looking for a possible link.
- 6.15. The student may request that an employee or student member of the College community be present as a support person to offer advice to and consult with the student concerning procedural matters during the hearing. This individual shall not testify at the hearing. Both parties have the right to be assisted by an attorney. They may do so only if they notify the Hearing Officer of the AJB 5 business days in advance of the hearing. The attorney may not participate in the hearing and may not address the board or Hearing Officer. Attorneys are present as a support and have no speaking role in the hearing process.
- 6.16. The AJB shall meet privately before the hearing to discuss the proceedings. The hearing shall be adjudicated by the members of the AJB. At least five members of the AJB must be present at any hearing, unless it is impossible to find a quorum of the regularly appointed members of the AJB within the set time. In this case, the Hearing Officer, in consultation with the student conduct officer, may appoint substitutes. The Hearing Officer of the AJB or his or her designee shall preside.
- 6.17. The Hearing Officer shall keep a record of the hearing. The Hearing Officer shall forward all records of the hearing to the Office of the Associate Dean of Faculty for final storage; upon transfer of those records to the Associate Dean, the Hearing Officer will delete all records and notes of the hearing. All records are held in the Office of the Associate Dean of Faculty.
- 6.18. Hearing Policies regarding due process:

- 6.18.1. In any hearing, the student shall be presumed not responsible unless a preponderance of the evidence establishes his or her responsibility.
 - 6.18.2. There may be no discussion by the AJB or the complainant of any past known or suspected misconduct on the part of the student; the focus of both the hearing and the deliberations must remain on the evidence pertaining to the incident at hand.
 - 6.18.3. All hearings are private. The only people present at the hearings shall be those determined by the AJB to be material to the proceedings or as outlined herein.
 - 6.18.4. In cases where two students are accused of a linked act of academic misconduct, the students have the right to sever their cases (treat them separately). Where multiple students are accused of a linked act of misconduct, any of the students may petition the AJB to sever their cases. It is up to the Hearing Officer to decide on the suitability of severing multiple cases
 - 6.18.4.1. The AJB will attempt to balance the competing needs of due process (expediency and a well-prepared board) when scheduling individual cases in a linked act of misconduct. The 14-day deadline for scheduling a hearing will not apply in cases of linked acts of misconduct.
 - 6.18.5. Students may not be compelled to testify against themselves.
 - 6.18.6. An accused student who fails to attend a hearing may be found responsible for violation of Academic Misconduct rules and may be assessed appropriate penalties, based on the evidence presented. Should this occur, the respondent student shall be informed in writing of the outcome of the AJB hearing.
- 6.19. The hearing shall consist of four phases:
- 6.19.1. Presentation of Evidence: The instructor shall present the evidence of academic misconduct to the board. The AJB shall also hear witnesses which it or the instructor may call.
 - 6.19.2. Presentation of Defense: The student shall present his or her defense. The student may call witnesses who may offer testimony to clarify the facts of the incident. The names of such witnesses shall be sent to the Hearing Officer of the AJB five business days prior to the hearing. The AJB may limit the number of witnesses called during the first two phases of the hearing. No character witnesses are permitted as part of the presentation of defense. The AJB may question the instructor, the student, and any other parties giving evidence. AJB proceedings are not

a court of law and should not be held to the same standard of procedure and evidence.

- 6.19.3. Responses and Rebuttal: At the conclusion of the presentation of all testimony, both the complainant and the respondent will have an opportunity to address any discrepancies in testimony. These will be solicited in turn by the Hearing Officer; parties giving testimony should not address each other directly.
- 6.19.4. Board Findings: Based on the evidence presented in the submitted documentation and facts clarified through testimony in the hearing, the board shall then rule on whether the student is responsible or not responsible for academic misconduct. In the case of a student's appeal of an instructor's in-course penalty, the Board may alternatively be asked to find whether the requested sanction is deemed appropriate. All deliberations by the AJB shall be made in private, with only members of the AJB present, and their counsel, if any. All decisions of the AJB are made by a majority vote of those voting, with all members, including the Hearing Officer, eligible to vote.

7. Determination of Responsibility and AJB Recommendation Letter

- 7.11. If a student is found not responsible for academic misconduct, the AJB may recommend that the instructor remove any penalty that has been imposed. Because there may still be a dispute over the student's grade or class standing, the AJB shall recommend a course of action for the instructor to take concerning the student. The recommendation shall be made in consultation with both the student and the instructor. The Associate Dean of Faculty shall arbitrate any disputes which cannot be resolved in this manner. The Associate Dean of Faculty may also consult with the AJB Hearing Officer privately to discuss the board's reasoning behind its recommendations.
- 7.12. If a student is found responsible of academic misconduct, mitigating circumstances may be taken into account when recommending a penalty. It is, however, the student's responsibility to know the policies and definitions regarding academic misconduct. If appropriate, the AJB shall then recommend an alternate academic penalty to the Associate Dean of Faculty.
- 7.13. If the case was referred to the AJB at the request of the instructor or the Associate Dean of Faculty, or if the student appeals their responsibility and is found responsible, the penalty may range from simply upholding any penalty given by the instructor to expulsion from the College. The AJB may recommend modified sanctions from the proposed in-course penalty.

- 7.14. The penalties that may be recommended by the AJB include, but are not limited to:
 - 0 points for the assignment
 - Upholding any in-class penalty applied by the professor (e.g. F for the course)
 - Non-repeatable F for the course
 - Notation on the transcript that the F was due to academic misconduct
 - Suspension for a semester or a year
 - Ineligibility to participate in sports and/or study abroad
 - Any combination of these penalties
 - Expulsion
- 7.15. The Hearing Officer shall send the AJB Recommendation Letter to the Associate Dean, copying in the student and instructor, informing them of the finding and (if appropriate) any penalty recommendations. The official letter shall be sent to the student by email using the student's official College email address (read receipt enabled). The AJB Hearing Officer may convey any pertinent information to the board members in confidence.
8. Decision Letter issued by the Associate Dean of Faculty
 - 8.11. The Associate Dean of Faculty relies heavily on the AJB Recommendation Letter to describe the hearing's presentations of evidence and defense, subsequent deliberations, vote, and where appropriate, recommended sanctions. While this letter will inform the Decision Letter, the Associate Dean may accept or reject the AJB's findings of responsibility, and may accept, modify, or reject the AJB's recommended sanctions.
 - 8.12. If the student is found not responsible for academic misconduct in the Associate Dean's Decision Letter, no penalty may be imposed and all records of the incident and subsequent hearing will be deleted.
 - 8.13. If a student is found not responsible in a charge of academic misconduct, he or she may not be tried again for the same instance of misconduct.
 - 8.14. The Associate Dean of Faculty may meet with the student in advance of determining a penalty.
 - 8.15. The Associate Dean will review the student's record to consider any past incidents of misconduct before applying sanctions.
 - 8.16. If the Associate Dean of Faculty imposes a penalty for academic misconduct, the Associate Dean shall:

- Send notice to the student stating the penalty.
 - Send a copy of the letter to the instructor and the Hearing Officer of the AJB.
 - If appropriate, inform the Office of the Registrar and the dean of students that the student may not withdraw from the relevant course or from the College because of a penalty for academic misconduct.
 - Send all relevant information concerning the penalty to all parties involved in the imposition of the penalty.
- 8.17. Per the Associate Dean's judgment, the penalty may be reduced, affirmed, or expanded from the recommendations of the instructor and AJB. At their most severe, penalties may include suspension or expulsion from the College.
- 8.18. A student may appeal any finding of responsibility or penalty imposed by the Associate Dean of Faculty to the Provost/Dean of Faculty. See Article III, Section 10 for appeal procedures.
9. Basis upon which an Appeal to the Provost May Be Considered
- 9.11. An appeal may be made for one or more of the following purposes:
- 9.11.1. To determine whether the original hearing was conducted in conformity with the prescribed procedures of this Code. Minor deviations from designated procedures will not form the basis for sustaining an appeal unless it is determined that such deviation resulted in significant prejudice. For any material deviations from designated procedures, the provost may opt to , remand the matter for reconsideration.
 - 9.11.2. To present new evidence which could not reasonably be made available at the time of the original hearing. Such cases, at the discretion of the provost, may be remanded back to the appropriate evaluator (instructor, Associate Dean, AJB) for reconsideration in light of new evidence.
 - 9.11.3. To determine whether the sanction imposed was appropriate to the violation with which the respondent student was charged.
10. Appeal Procedures
- 10.11. The respondent student may appeal any finding of responsibility or imposition of penalty up to but not including the Provost's decision.
- 10.12. All appeals must be made in written form specifying all reasons given for the appeal and given to the Office of the Provost and Dean of Faculty within ten (10) business days after receiving the Hearing Decision Letter.

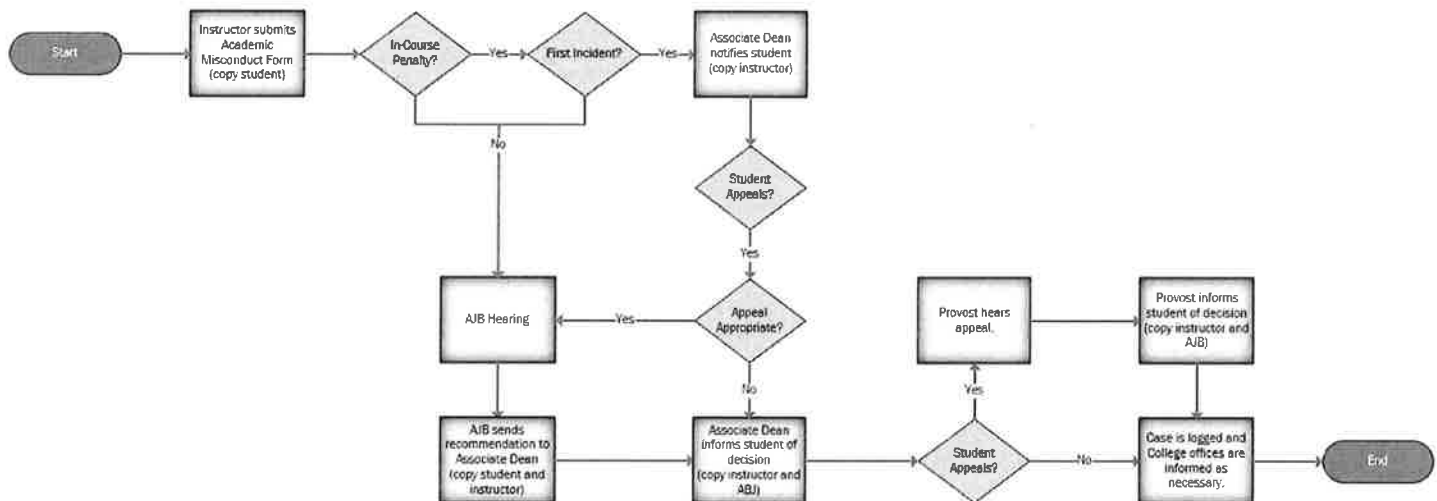
- 10.13. The Office of the Provost and Dean of Faculty will notify the complainant(s) and Hearing Officer of a pending appeal in order to permit the complainant(s) to submit a statement of the impact of the appeal, if granted, on the instructor or other students in the class.
11. Composition of the AJB
 - 11.11. The Academic Judicial Board shall consist of nine members from which to compose a suitable hearing board: five faculty members and four students.
 - 11.12. No fewer than five AJB members must compose a hearing board; of this group, at least one must be a student. Where possible, the Hearing Officer should attempt to arrange boards with at least two students.
 - 11.13. The faculty members shall be chosen by the Faculty Senate from the full-time faculty of St. Mary's College. Faculty members shall serve for a three-year term and shall be appointed at the beginning of the school year. The Faculty Senate will appoint one of the faculty members of the AJB to serve as Hearing Officer during her or his term. The Hearing Officer will also serve as the chair of the AJB.
 - 11.14. The Student Conduct Board shall choose the student members of the AJB. Student members shall serve for a one-year renewable term and shall be appointed at the beginning of the school year.
12. Reporting of Academic Dishonesty Records to External Offices
 - 12.11. Should the College receive an external request for a reference check of a student's academic conduct, these queries should be directed to the Associate Dean of Faculty. Such requests include but are not limited to applications for graduate programs and background checks as a condition of employment for security-sensitive work.
 - 12.12. For the purposes of external reporting, the College makes a distinction between *educational* and *disciplinary sanctions* in the AJB process, and will report only the occurrence of *disciplinary* sanctions to employers and institutions conducting reference checks.
 - 12.12.1. An *educational sanction* is any in-course sanction up to but not including an "F" in the course.
 - 12.12.2. All other sanctions are considered *disciplinary* sanctions and therefore part of the student's official academic record.

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arranged in advance of the hearing. While AJB members will be made aware of any procedural changes necessary to facilitate the accommodation, all usual standards of confidentiality will be upheld to ensure the student's privacy.

- 6.13.2. The implementation of a reasonable accommodation is not considered a "deviation from procedure," as broadly defined under Section 6.
- 6.14. While there is no expectation to do so, the student may submit additional materials to the Hearing Officer in support of their defense. In order for additional materials to be eligible for inclusion in the documents in evidence, the student must provide an accompanying letter that explains why their material counters any claims brought forth by the incident report. Any supplemental materials must be forwarded no later than 5 business days before the scheduled hearing. Such materials may include, but are not limited to, a prepared statement, evidence documenting original work, or communications among classmates or others that attest to the innocence of the student. To receive full consideration by the AJB, the burden rests on the student to effectively and succinctly connect any submitted materials to the alleged academic misconduct. The AJB will not sort through volumes of information looking for a possible link.
- 6.15. The student may request that an employee or student member of the College community be present as a support person to offer advice to and consult with the student concerning procedural matters during the hearing. This individual shall not testify at the hearing. Both parties have the right to be assisted by an attorney. They may do so only if they notify the Hearing Officer of the AJB 5 business days in advance of the hearing. The attorney may not participate in the hearing and may not address the board or Hearing Officer. Attorneys are present as a support and have no speaking role in the hearing process.
- 6.16. The AJB shall meet privately before the hearing to discuss the proceedings. The hearing shall be adjudicated by the members of the AJB. At least five members of the AJB must be present at any hearing, unless it is impossible to find a quorum of the regularly appointed members of the AJB within the set time. In this case, the Hearing Officer, in consultation with the student conduct officer, may appoint substitutes. The Hearing Officer of the AJB or his or her designee shall preside.
- 6.17. The Hearing Officer shall keep a record of the hearing. The Hearing Officer shall forward all records of the hearing to the Office of the Associate Dean of Faculty for final storage; upon transfer of those records to the Associate Dean, the Hearing Officer will delete all records and notes of the hearing. All records are held in the Office of the Associate Dean of Faculty.
- 6.18. Hearing Policies regarding due process:

- 6.18.1. In any hearing, the student shall be presumed not responsible unless a preponderance of the evidence establishes his or her responsibility.
 - 6.18.2. There may be no discussion by the AJB or the complainant of any past known or suspected misconduct on the part of the student; the focus of both the hearing and the deliberations must remain on the evidence pertaining to the incident at hand.
 - 6.18.3. All hearings are private. The only people present at the hearings shall be those determined by the AJB to be material to the proceedings or as outlined herein.
 - 6.18.4. In cases where two students are accused of a linked act of academic misconduct, the students have the right to sever their cases (treat them separately). Where multiple students are accused of a linked act of misconduct, any of the students may petition the AJB to sever their cases. It is up to the Hearing Officer to decide on the suitability of severing multiple cases
 - 6.18.4.1. The AJB will attempt to balance the competing needs of due process (expediency and a well-prepared board) when scheduling individual cases in a linked act of misconduct. The 14-day deadline for scheduling a hearing will not apply in cases of linked acts of misconduct.
 - 6.18.5. Students may not be compelled to testify against themselves.
 - 6.18.6. An accused student who fails to attend a hearing may be found responsible for violation of Academic Misconduct rules and may be assessed appropriate penalties, based on the evidence presented. Should this occur, the respondent student shall be informed in writing of the outcome of the AJB hearing.
- 6.19. The hearing shall consist of four phases:
- 6.19.1. Presentation of Evidence: The instructor shall present the evidence of academic misconduct to the board. The AJB shall also hear witnesses which it or the instructor may call.
 - 6.19.2. Presentation of Defense: The student shall present his or her defense. The student may call witnesses who may offer testimony to clarify the facts of the incident. The names of such witnesses shall be sent to the Hearing Officer of the AJB five business days prior to the hearing. The AJB may limit the number of witnesses called during the first two phases of the hearing. No character witnesses are permitted as part of the presentation of defense. The AJB may question the instructor, the student, and any other parties giving evidence. AJB proceedings are not

a court of law and should not be held to the same standard of procedure and evidence.

- 6.19.3. Responses and Rebuttal: At the conclusion of the presentation of all testimony, both the complainant and the respondent will have an opportunity to address any discrepancies in testimony. These will be solicited in turn by the Hearing Officer; parties giving testimony should not address each other directly.
- 6.19.4. Board Findings: Based on the evidence presented in the submitted documentation and facts clarified through testimony in the hearing, the board shall then rule on whether the student is responsible or not responsible for academic misconduct. In the case of a student's appeal of an instructor's in-course penalty, the Board may alternatively be asked to find whether the requested sanction is deemed appropriate. All deliberations by the AJB shall be made in private, with only members of the AJB present, and their counsel, if any. All decisions of the AJB are made by a majority vote of those voting, with all members, including the Hearing Officer, eligible to vote.

7. Determination of Responsibility and AJB Recommendation Letter

- 7.11. If a student is found not responsible for academic misconduct, the AJB may recommend that the instructor remove any penalty that has been imposed. Because there may still be a dispute over the student's grade or class standing, the AJB shall recommend a course of action for the instructor to take concerning the student. The recommendation shall be made in consultation with both the student and the instructor. The Associate Dean of Faculty shall arbitrate any disputes which cannot be resolved in this manner. The Associate Dean of Faculty may also consult with the AJB Hearing Officer privately to discuss the board's reasoning behind its recommendations.
- 7.12. If a student is found responsible of academic misconduct, mitigating circumstances may be taken into account when recommending a penalty. It is, however, the student's responsibility to know the policies and definitions regarding academic misconduct. If appropriate, the AJB shall then recommend an alternate academic penalty to the Associate Dean of Faculty.
- 7.13. If the case was referred to the AJB at the request of the instructor or the Associate Dean of Faculty, or if the student appeals their responsibility and is found responsible, the penalty may range from simply upholding any penalty given by the instructor to expulsion from the College. The AJB may recommend modified sanctions from the proposed in-course penalty.

- 7.14. The penalties that may be recommended by the AJB include, but are not limited to:
 - 0 points for the assignment
 - Upholding any in-class penalty applied by the professor (e.g. F for the course)
 - Non-repeatable F for the course
 - Notation on the transcript that the F was due to academic misconduct
 - Suspension for a semester or a year
 - Ineligibility to participate in sports and/or study abroad
 - Any combination of these penalties
 - Expulsion
- 7.15. The Hearing Officer shall send the AJB Recommendation Letter to the Associate Dean, copying in the student and instructor, informing them of the finding and (if appropriate) any penalty recommendations. The official letter shall be sent to the student by email using the student's official College email address (read receipt enabled). The AJB Hearing Officer may convey any pertinent information to the board members in confidence.
8. Decision Letter issued by the Associate Dean of Faculty
 - 8.11. The Associate Dean of Faculty relies heavily on the AJB Recommendation Letter to describe the hearing's presentations of evidence and defense, subsequent deliberations, vote, and where appropriate, recommended sanctions. While this letter will inform the Decision Letter, the Associate Dean may accept or reject the AJB's findings of responsibility, and may accept, modify, or reject the AJB's recommended sanctions.
 - 8.12. If the student is found not responsible for academic misconduct in the Associate Dean's Decision Letter, no penalty may be imposed and all records of the incident and subsequent hearing will be deleted.
 - 8.13. If a student is found not responsible in a charge of academic misconduct, he or she may not be tried again for the same instance of misconduct.
 - 8.14. The Associate Dean of Faculty may meet with the student in advance of determining a penalty.
 - 8.15. The Associate Dean will review the student's record to consider any past incidents of misconduct before applying sanctions.
 - 8.16. If the Associate Dean of Faculty imposes a penalty for academic misconduct, the Associate Dean shall:

- Send notice to the student stating the penalty.
 - Send a copy of the letter to the instructor and the Hearing Officer of the AJB.
 - If appropriate, inform the Office of the Registrar and the dean of students that the student may not withdraw from the relevant course or from the College because of a penalty for academic misconduct.
 - Send all relevant information concerning the penalty to all parties involved in the imposition of the penalty.
- 8.17. Per the Associate Dean's judgment, the penalty may be reduced, affirmed, or expanded from the recommendations of the instructor and AJB. At their most severe, penalties may include suspension or expulsion from the College.
- 8.18. A student may appeal any finding of responsibility or penalty imposed by the Associate Dean of Faculty to the Provost/Dean of Faculty. See Article III, Section 10 for appeal procedures.
9. Basis upon which an Appeal to the Provost May Be Considered
- 9.11. An appeal may be made for one or more of the following purposes:
- 9.11.1. To determine whether the original hearing was conducted in conformity with the prescribed procedures of this Code. Minor deviations from designated procedures will not form the basis for sustaining an appeal unless it is determined that such deviation resulted in significant prejudice. For any material deviations from designated procedures, the provost may opt to , remand the matter for reconsideration.
 - 9.11.2. To present new evidence which could not reasonably be made available at the time of the original hearing. Such cases, at the discretion of the provost, may be remanded back to the appropriate evaluator (instructor, Associate Dean, AJB) for reconsideration in light of new evidence.
 - 9.11.3. To determine whether the sanction imposed was appropriate to the violation with which the respondent student was charged.
10. Appeal Procedures
- 10.11. The respondent student may appeal any finding of responsibility or imposition of penalty up to but not including the Provost's decision.
- 10.12. All appeals must be made in written form specifying all reasons given for the appeal and given to the Office of the Provost and Dean of Faculty within ten (10) business days after receiving the Hearing Decision Letter.

- 10.13. The Office of the Provost and Dean of Faculty will notify the complainant(s) and Hearing Officer of a pending appeal in order to permit the complainant(s) to submit a statement of the impact of the appeal, if granted, on the instructor or other students in the class.
11. Composition of the AJB
 - 11.11. The Academic Judicial Board shall consist of nine members from which to compose a suitable hearing board: five faculty members and four students.
 - 11.12. No fewer than five AJB members must compose a hearing board; of this group, at least one must be a student. Where possible, the Hearing Officer should attempt to arrange boards with at least two students.
 - 11.13. The faculty members shall be chosen by the Faculty Senate from the full-time faculty of St. Mary's College. Faculty members shall serve for a three-year term and shall be appointed at the beginning of the school year. The Faculty Senate will appoint one of the faculty members of the AJB to serve as Hearing Officer during her or his term. The Hearing Officer will also serve as the chair of the AJB.
 - 11.14. The Student Conduct Board shall choose the student members of the AJB. Student members shall serve for a one-year renewable term and shall be appointed at the beginning of the school year.
12. Reporting of Academic Dishonesty Records to External Offices
 - 12.11. Should the College receive an external request for a reference check of a student's academic conduct, these queries should be directed to the Associate Dean of Faculty. Such requests include but are not limited to applications for graduate programs and background checks as a condition of employment for security-sensitive work.
 - 12.12. For the purposes of external reporting, the College makes a distinction between *educational* and *disciplinary sanctions* in the AJB process, and will report only the occurrence of *disciplinary* sanctions to employers and institutions conducting reference checks.
 - 12.12.1. An *educational sanction* is any in-course sanction up to but not including an "F" in the course.
 - 12.12.2. All other sanctions are considered *disciplinary* sanctions and therefore part of the student's official academic record.