



**Maryland University of Integrative Health**  
**Academic Policy and Procedures**

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**Subject: Code of Student Conduct**

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## **1. Purpose**

Maryland University of Integrative Health (MUIH) is committed to fostering a caring, respectful, inclusive community (both in person and online) environment that is conducive to academic inquiry, thoughtful study and discourse, and safety.

Our community exists on the basis of shared [values and principles](#). At Maryland University of Integrative Health, student members of the community are also expected to uphold and abide by certain standards of conduct that form the basis of the Code of Student Conduct. These standards are consistent with our University’s values, including integrity.

At MUIH, we ground our actions and words in honesty, compassion, and dignity. We aspire to excellence and accountability in all we do. As such, each member of our community is responsible and accountable for their behavior.

## **2. Policy**

At MUIH, the *Code of Student Conduct* is designed to be educational, not punitive. Sanctions are intended to support students in repairing harm, restoring relationships, resolving conflicts, and making informed decisions about behavior that is consistent with University values. When a student is unable or unwilling to conform their behavior to community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating in this community.

It is important to note that the student conduct process is firmly rooted in education and, therefore, is quite different from criminal and civil court proceedings. The goal is to bring about positive behavioral change, when applicable. Procedures and rights in student conduct are conducted with fairness to all. Although the student conduct process does not require due process, no student will be found in violation of MUIH policy without a preponderance of information available showing, that it is more likely than not that a policy violation occurred. Any sanctions assigned are proportionate to the severity of the violation and to the cumulative conduct history of the student.

### **2.1 Scope**

MUIH students may access the *Code of Student Conduct* from the University’s website. All students are responsible for having read and for abiding by the provisions of the *Code of Student Conduct*. The University reserves the right to make changes to this code as necessary and, once those changes are posted online, they are in full effect. A notice of substantive changes will be promptly sent to students via MUIH email.

For the purposes of student conduct, the University considers an individual to be a student when an offer of admission has been extended and confirmed by the student and thereafter, as long as the student has a continuing educational interest in the University, specifically up to their last date of attendance.

Students are expected to follow the *Code of Student Conduct* while on voluntary break in enrollment, as well as during the time prior to the break, withdrawal, or graduation. Students who are found to be in violation of the code of conduct while on voluntary break in enrollment may not be able to re-enroll until the conduct matter is resolved. In the rare event of serious misconduct committed while still enrolled, but reported after the accused student has graduated, the University may engage the student conduct procedures, and should the former student be found responsible, the University may revoke that student's degree.

The *Code of Student Conduct* applies to behaviors that take place on the campus, at University-sponsored events, and may also apply off-campus when the Dean of Students/Director of Student Affairs or designee determines that the off-campus conduct affects a substantial University interest. A substantial University interest is defined to include:

- Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of themselves or others; and/or
- Any situation that significantly impinges upon the rights of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of the University.

The *Code of Student Conduct* may also be applied to behavior conducted online, via email, or via another electronic medium. Social media postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. The University does not regularly search for this information but may take action if and when such information is brought to the attention of University officials. However, most online speech by students not involving University networks or technology will be protected as free expression and not subject to this Code, with the exception of a threat that a reasonable person would interpret as a serious expression of intent to inflict bodily harm upon specific individuals or behavior that causes significant social disruption.

## **2.2 Prohibited Conduct**

The following standards of conduct apply to University students. Any student found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in the Conduct Procedures section.

- **Abuse of Conduct Process** – abuse or interference with, or failure to comply in, University processes, including conduct and academic integrity hearings including, but not limited to actions such as:
  - a. Falsification, distortion, or misrepresentation of information;
  - b. Failure to provide, destroying, or concealing information during an investigation of an alleged policy violation;

- c. Attempting to discourage an individual's proper participation in, or use of, the campus conduct system;
- d. Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding;
- e. Failure to comply with the sanction(s) imposed by the campus conduct system;
- f. Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system;
- **Academic Dishonesty** – acts of academic dishonesty, including plagiarism, cheating, and misrepresentation of work; Please refer to [Policy 6000 Academic Integrity](#).
- **Acts or Omissions that Violate Professional Ethics in Patient Care within an MUIH Clinic and off-campus MUIH-affiliated clinic Settings** - these include, but are not limited to:
  - a. Treating or consulting with patients/clients outside the course of training at MUIH
  - b. Improper practitioner-client/patient relationship
  - c. Intentionally furnishing false information or documents
  - d. Violation of patient/client confidentiality
  - e. Insubordination
  - f. Failure to report elder and child abuse
  - g. Failure to adhere to expectations outlined in the Clinic Handbook
- **Alcohol** – alcohol intoxication on University or University-controlled property;
- **Animals** – animals, with the exception of animals that provide assistance (service animals), are not permitted on campus except as permitted by law. Please consult [Policy 5010 Animals on Campus](#).
- **Arrest** – off-campus violations that are deemed to adversely affect the safety and security of the University, University property, or individual members of the University community;
- **Bullying and Cyberbullying** – bullying and cyberbullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally and are not protected by freedom of expression. Examples of cyberbullying include impersonating a victim online by sending derogatory messages that causes others to respond negatively to the victim, or encouraging others to send the victim threatening e-mails or to overwhelm the victim with offensive e-mail messages.
- **Collusion** – action or inaction with another, or others, to violate the *Code of Student Conduct*;
- **Damage and Destruction** – intentional, reckless, and/or unauthorized damage to or destruction of University property or the personal property of another;
- **Discrimination** – any act or failure to act that is based upon an individual or group's actual or perceived status: sex, gender, race, color, age, creed, national or ethnic origin, disability, veteran status, pregnancy status, religion, sexual orientation, or other protected status that is sufficiently severe that it limits or denies the ability to participate in or benefit from the University's educational program or activities.
- **Disruptive Behavior** – substantial disruption of University operations including obstruction of teaching, research, administration, other University activities, and/or other authorized non-University activities which occur on campus;

- **Drugs** – use, possession, or distribution of illegal drugs or drug paraphernalia, except as expressly permitted by law and [Policy 1030 Drug and Alcohol Policy](#). No student may possess substances defined as controlled, other than personally prescribed medication;
- **Failure to Comply** – failure to comply with the reasonable directives of University officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so;
- **Falsification** – knowingly furnishing or possessing false, falsified, or forged materials, documents, accounts, records, identification, or financial instruments;
- **Financial Responsibilities** – failure to promptly meet financial responsibilities to the institution, including, but not limited to, knowingly passing a worthless check or money order in payment to the institution or to an official of the institution acting in an official capacity.
- **Fire Safety** – violation of local, state, federal, or campus fire policies including, but not limited to:
  - a. Intentionally or recklessly causing a fire which damages University or personal property or which causes injury.
  - b. Failure to evacuate a University-controlled building during a fire alarm;
  - c. Improper use of University fire safety equipment; or
  - d. Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on University property. Such action may result in a local fine in addition to University sanctions;
- **Harm to Persons** – intentionally or recklessly causing physical harm or endangering the health or safety of any person.
- **Hostile Environment** – sanctions can and will be imposed for the creation of a hostile environment only when unwelcome harassment is sufficiently severe, pervasive (or persistent), and objectively offensive that it unreasonably interferes with, limits, or denies the ability to participate in or benefit from the University's educational or employment program or activities.
- **IT Unacceptable Use** – misuse or destruction of the University's computer technology and network system on or off the campuses. This includes but is not limited to the following:
  - a. Copying or damaging software or files stored on University-owned computers;
  - b. Uploading any content that contains a virus, or any other computer code, or programs that may alter, damage, or interrupt the functionality of the University's computing resources or the hardware or software of any other person;
  - c. Transmission of communication in any form (e.g. text, images, sound) where the content, meaning, and/or distribution of the message would violate applicable law or regulation, or be deemed obscene, threatening, or culturally offensive; and/or,
  - d. Violations that violate federal or state laws can also result in referral to the appropriate legal authority and are grounds for University disciplinary action;
- **Retaliatory Discrimination or Harassment** – any intentional, adverse action taken by a responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant or supporter of a participant in a civil rights grievance proceeding or other protected activity under this Code.
- **Sexual Harassment** – for definitions related to sexual misconduct/harassment, including sexual assault, dating violence, domestic violence, and stalking, please refer [Policy 1020 Sexual Harassment, Sexual Misconduct, Sexual Assault, and Retaliation Policy](#).

- **Smoking** – smoking in any area of campus;
- **Theft and Possession of Stolen Property** – intentional and unauthorized taking of University property or the personal property of another, including goods, services, and other valuables;
- **Threatening Behaviors:**
  - a. **Threat** – written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
  - b. **Intimidation** – intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.
- **Unauthorized Entry** – misuse of access privileges to University premises or unauthorized entry to or use of buildings, including trespassing, propping, or unauthorized use of alarmed doors for entry into or exit from a University building;
- **Unwelcome Harassment** – any unwelcome conduct based on actual or perceived status including: sex, gender, race, color, age, creed, national or ethnic origin, disability, veteran status, pregnancy status, religion, sexual orientation, or other protected status. Any unwelcome conduct should be reported to campus officials, who will act to remedy and resolve reported incidents on behalf of the victim and community.
- **Violations of Law** – evidence of violation of local, state or federal laws, when substantiated through the University's conduct process.
- **Weapons** – possession, use, or distribution of explosives (including fireworks and ammunition), guns (including facsimile weapons), dangerous chemicals, or other weapons or dangerous objects except where required for an academic course, including the storage of any item that falls within the category of a weapon in a vehicle parked on University property;
- **Other Policies** – violating other published University policies, agreements, or rules, including Natural Care Center policies.

### **3. Procedures**

#### **3.1 Overview of the Student Conduct Process (Non-Sexual Harassment)**

Maryland University of Integrative Health is committed to a fair, timely adjudication process. Students are assured confidentiality to the extent possible as required by the [Family Educational Rights and Privacy Act](#).

##### **3.1.1 Filing of Complaints**

Any member of the University community, visitor, or guest may allege a policy violation(s) by any student for misconduct under this Code. To report an alleged violation of the *Student Code of Conduct*, the complainant should submit an email to the Student Affairs Office at [studentaffairs@muih.edu](mailto:studentaffairs@muih.edu) as soon as possible after the incident and include the following information:

- The date, time, and location of the alleged incident
- The persons involved (including respondent and witnesses)
- Information about the complainant, including contact information
- A detailed, factual account of the incident

Though anonymous complaints are permitted, such complaints may limit the University's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it

as quickly as possible to the Student Affairs Office. The University has the right to pursue an allegation or notice of misconduct on its own behalf and to serve as convener of the subsequent campus conduct process.

### **3.1.2 Review/Investigation**

Upon receipt of this complaint, the Director of Student Affairs (or designee) will review this complaint and determine whether more information is needed, no action may be taken, or the case may proceed. No complaint will be forwarded for a hearing unless there is reasonable cause to believe a policy has been violated.

Depending on the nature of the allegations and the substance of the complaint, a University representative may be required to investigate and determine whether further action is necessary. This investigation may include interviews and written requests from complainants, respondents and/or witnesses. This process may proceed regardless of the cooperation of the respondent and/or complainant. This process will be completed in a timely, effective manner, with focused attention on maintaining confidentiality to the greatest extent possible.

Allegations of academic dishonesty will be adjudicated through the *Code of Student Conduct* when severe or persistent, as determined by the Dean of Academic Affairs in consultation with the Director of Student Affairs. All other allegations of academic dishonesty will be managed consistent with [Policy 6000 Academic Integrity](#).

Allegations of prohibited conduct within the University's Natural Care Center will be adjudicated through the *Code of Student Conduct* when severe or persistent, as determined by the Clinic manager/director in consultation with the Director of Student Affairs. All other clinic-related violations will be managed according to the [Clinical Practices Integrity Policy](#).

### **3.1.3 Alternative Resolution**

The Director of Student Affairs or designee has discretion to refer a complaint for mediation or other forms of appropriate conflict resolution with the goal to repair harm and restore relationships. All parties must agree to conflict resolution and to be bound by the decision with no review/appeal. Any unsuccessful conflict resolution where an agreed upon outcome is not reached can be forwarded for formal processing and hearing. The Director of Student Affairs or designee may also suggest that complaints that do not involve a violation of the *Code of Student Conduct* be referred for mediation or other appropriate conflict resolution.

### **3.1.4 Notice of Student Conduct Meeting/Hearing**

Once a determination is made that reasonable cause exists for the Director of Student Affairs (or designee) to refer a complaint for a student conduct meeting or administrative hearing, notice will be given to the responding student via the student's MUIH email account. Students will be provided with at least seven days notice for an administrative hearing.

This letter will include the following information:

- A link to the *Code of Student Conduct*, including all conduct-related policies and procedures;



- A description of which provisions of the *Code of Student Conduct* the student is alleged to have violated;
- The date of the alleged violation(s), if known;
- Information regarding the date, time, and location of the scheduled hearing. By default, all hearings are conducted in Microsoft teams, unless otherwise specified.

### **3.1.5 Notifications of Victims of Violent Crime**

Victims of a crime of violence may request in writing to the Student Affairs Office to be informed of the outcome of a conduct proceeding. In the tragic event that the victim is deceased, the next of kin may submit said request.

### **3.1.6 Conduct Holds on Student Accounts**

At any time after the filing of a complaint, the Student Affairs Office may place a "Conduct Hold" on the student's account pending the outcome of proceedings, enforcing a sanction, or ensuring cooperation with the student conduct process. A Conduct Hold may prevent registration, the release of transcripts, and/or the awarding of a degree. Once the student has fully cooperated with the conduct process, the conduct hold will be lifted in a timely manner.

### **3.1.7 Withdrawal While Conduct Action is Pending**

Conduct action may be taken against a student who withdraws from the University or withdraws from a course after being charged with a violation. The University may choose to hold a hearing, even after the student has withdrawn. The student will be provided with notice of any hearing.

### **3.1.8 ADA Accommodations**

Participants in a hearing who require accommodations, such as interpreters or real-time captioning, are strongly encouraged to submit a request to the Disability Services Office at [dscoordinator@muih.edu](mailto:dscoordinator@muih.edu) as soon as possible, but no later than 72 hours prior to the hearing to ensure access.

### **3.1.9 Objections Regarding the Fairness or Impartiality of the Assigned Hearing Officer**

The Director of Student Affairs or designee will assign a University official who will serve as a hearing officer to adjudicate the conduct case, as well as hearing panel members if applicable, and the student will be informed of the hearing officer and hearing panel members in the Notice they receive. Should any party object to the assigned hearing officer or hearing panel members, that party must raise all objections, in writing, to the Director of Student Affairs immediately. If the party objects to the participation of the Director of Student Affairs, they must notify, in writing, the Vice President of Academic and Student Affairs. Hearing officers will only be unseated if the Director of Student Affairs or Vice President concludes that their bias precludes an impartial hearing of the complaint. Additionally, any hearing officer who feels they cannot make an objective determination must recuse themselves from the proceedings.

### **3.1.10 Documentation**

The respondent and complainant have a right to present information at the conduct proceeding. At least three days prior to the conduct proceeding, the complainant and respondent may provide the hearing officer any physical, auditory, or video materials that they would like to present at the hearing. They may also submit witness statements if they speak directly to the incident. The hearing officer presiding at the hearing will make the final decision related to the admissibility of all information presented in support of



or in defense of the allegations. Any of these documents that are determined to be relevant to the allegations will be sent to the other party by the Director of Student Affairs or their designee in advance of the hearing.

### **3.1.11 Pre-Conduct Proceeding Informational Meeting**

Respondents or complainants may request a pre-conduct proceeding informational meeting prior to the conduct proceeding. The purpose of this meeting is to discuss the process or procedures and answer any questions that may arise.

## **3.2 Conduct Proceedings**

Participation in the conduct proceedings is critical to an educationally meaningful process and is strongly encouraged; however, if a respondent fails to participate in a student conduct meeting or administrative hearing, the University will proceed with adjudicating the matter based on the information available at the time in the respondent's absence. If the complainant chooses not to proceed, the University official reserves the right to continue its investigation and adjudication regardless of complainant cooperation or involvement.

### **3.2.1 Student Conduct Meeting**

A student conduct meeting is less formal than an administrative hearing and offers the opportunity for the student to meet with a University official to discuss the alleged violation(s) of the *Code of Student Conduct*. This may be no more than an in-person or virtual meeting between the student and University official. The purpose of this meeting is to provide the opportunity for the student to respond to allegations of misconduct prior to a determination of responsibility and assigned sanctions (if applicable). During this conversation, the student will have the opportunity to provide their account of the incident, present information that support their account, and share witness information for further consideration. Based on this meeting, the University official serving as a hearing officer may:

- a. Find the student not responsible.
- b. Find the student responsible for violation(s) of the *Code of Student Conduct* and assign conduct sanction(s).
- c. Initiate an administrative hearing.

### **3.2.2 Administrative/Panel Hearing**

If the facts of the case warrant the consideration of University suspension or expulsion, an administrative hearing will be conducted. Hearings provide an opportunity for parties to the allegation to present information for review by either a University official/Hearing Officer or a Panel Hearing Board chaired by a hearing officer.

The hearing is not open to the public. Only the following individuals may be present: respondent(s), complainant(s), advisor(s), witnesses identified to the Student Affairs Office in advance, hearing officer, hearing panel members (if applicable), and representatives of the Student Affairs Office. The hearing officer determines who can be present during the administrative hearing at any time.

The administrative hearing may be recorded at the sole discretion of the hearing officer. No other participant is permitted to record any portion of the hearing.

In hearings that involve more than one responding student, the standard procedure will be to hear the complaints jointly; however, the Director of Student Affairs may permit the hearing pertinent to each responding student to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each responding student.

The respondent and complainant have the right to be accompanied by an advisor. The advisor can be an attorney, but it is not required to be. At the respondent's request, the University may provide an advisor. The respondent represents themselves throughout the conduct process and the advisor may not make a presentation or represent the party bringing the complaint or responding student during the hearing. They may confer quietly with their advisee, exchange notes, clarify procedural questions with the chair, and suggest questions to their advisee.

A respondent is not compelled to be a witness against themselves. However, if a respondent decides not to participate in the hearing or does not provide information requested by the hearing officer, the hearing officer/panel will render a decision in the absence of such information.

The hearing officer is responsible for ensuring that information presented during the hearing is relevant and appropriate. Only documentation, recordings, and videos previously provided to the Office of Student Affairs within the established deadline may be presented during the hearing, unless extenuating circumstances exist, and the hearing officer approves the exception.

The hearing officer/panel will consider all charges against the respondent and may ask questions of all complainant(s), respondent, and witnesses.

The complainant and respondent(s) will have the opportunity to present their cases and are permitted to bring witnesses to a hearing. The party bringing the complaint, the responding student(s), the panel, and the hearing officer will have the privilege of questioning all present witnesses and questioning all present parties (directly or through the hearing officer, at the discretion of the hearing officer). Unduly repetitive witnesses can be limited at the discretion of the hearing officer.

If a witness is not able to attend a hearing, they may provide a written statement which will be presented at the hearing. In-person witnesses may be asked to leave the room before or after their testimony. The exception to this is a witness who was potentially a victim of the alleged violation, or if retaliation or safety is a concern. These exceptions will be made at the discretion of the hearing officer. Questions of whether potential information will be considered shall be resolved by the hearing officer.

### **3.2.3 Findings and Notifications**

Respondents may be found responsible, not responsible, or a result of "no finding" may be issued.

Respondents will be found responsible of a violation if the hearing officer or panel finds, by a preponderance of the information provided, that the respondent was responsible for the misconduct charged. This burden of proof is the equivalent of a "more likely than not" standard. If the hearing officer or panel finds the respondent responsible, the hearing officer or panel shall determine the sanction. Applicable precedent and any previous conduct violations by the responding student will be taken into account when determining the sanction(s). The hearing officer or panel will ordinarily issue a decision within 7 days of the administrative hearing. The hearing officer will notify the respondent in writing of the decision and sanction(s), if any.

In some circumstances, rather than a finding of responsible or not responsible, the hearing officer may issue no finding. In such case, if no additional information regarding the case becomes available, no disciplinary record will exist with respect to the charge. In the event further information about the case becomes available, the result of "no finding" may be modified to a finding of responsible or not responsible.

The outcome of a campus conduct proceeding is part of the education record of the responding student and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions. As allowed by FERPA, when a student is accused of a policy violation that would constitute a "crime of violence" or forcible or nonforcible sex offense, the University will inform the alleged victim/party, bringing the complaint in writing, of the final results of a hearing regardless of whether the University concludes that a violation was committed. Such release of information may only include the alleged student's/responding student's name, the violation committed, and the sanctions assigned (if applicable).

In cases where the University determines through the student conduct process that a student violated a policy that would constitute a "crime of violence" or nonforcible sex offense, the University may also release the above information publicly and/or to a third party. FERPA defines "crimes of violence" to include:

- a. Arson
- b. Assault offenses (includes stalking)
- c. Burglary
- d. Criminal Homicide—manslaughter by negligence
- e. Criminal Homicide—murder and nonnegligent manslaughter
- f. Destruction/damage/vandalism of property
- g. Kidnapping/abduction
- h. Robbery
- i. Forcible sex offences
- j. Non-forcible sex offences

### **3.2.4 Appeals**

Any party may request an appeal of the decision of the Investigative Interview or Administrative Hearing by filing a written request to the Director of Student Affairs or designee, subject to the procedures outlined below. If the Director of Student Affairs served as the hearing officer, the party should direct the appeal to the Vice President of Academic and Student Affairs or their designee. The administrator managing the appeal process is known as the appeal officer. All sanctions imposed by the original hearing remain in effect, and all parties should be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.

Appeals requests are limited to the following grounds:

- a. A substantial procedural error occurred that significantly impacted the outcome of the hearing.
- b. To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included;

- c. Bias of the hearing officer or a hearing panel member, for reasons other than the stated rationale for the decision.
- d. The sanctions imposed are substantially outside the parameters or guidelines set by the University for this type of offense or the cumulative conduct record of the responding student.

### **3.2.4.1 Appeal Procedures**

The appeal officer will share the appeal by one party with the other party (parties), when appropriate under procedure or law (e.g., if the responding student appeals, the appeal is shared with the complainant, who may also wish to file a response, or request an appeal on the same grounds or different grounds).

Any response to the appeal must be filed in writing with the appeal officer within five business days of receipt the original appeal. The appeal officer will first determine if the appeal is valid, based upon the limited grounds for appeal through a review of the case materials, the written appeal, and any responses to the appeal. A review of the audio recording from the original hearing, if available, will only be conducted at the request of the appeal officer. They may consult with the Director of Student Affairs on any procedural or substantive questions that arise.

If the appeal fails to meet the requisite grounds described above, it will be dismissed, and the original decision will stand. This decision is final and not subject to further appeal.

If the appeal is determined to be valid, the appeal officer may take one of the following actions:

1. **Modify Sanctions:** Where the sanctions are challenged, the appeal officer may modify the sanctions if they are found to be substantially disproportionate to the severity of the violation or are substantially outside parameters or guidelines set by the University for the violation. The appeal officer may consider the cumulative conduct record of the responding student in making its decision.
2. **Remand for Rehearing:** The appeal officer may send a case back to the original hearing officer/panel or call for a new hearing officer/panel to hear the case. In general, where new evidence is presented, the matter will be remanded back to the original hearing officer/panel to consider the new information. Where the original hearing officer/panel may be unduly biased by a procedural error, a new hearing officer will be summoned to consider the matter with a new panel, if applicable. The decision as to whether a case is sent back to the original hearing officer/panel, or if a new officer/panel will be assembled, is made by the appeal officer.
  - a. If the appeal officer remands the case for a rehearing, the decision of the administrative/panel hearing in the remanded case is final. There is no opportunity to file another appeal for a case that has been remanded for a rehearing, except in the event of a significant procedural error.
3. **Affirm Original Decision:** The appeal officer may affirm the original decision of the student conduct meeting or hearing. The appeal officer will inform the parties of the appeal officer's decision within approximately 10 business days. Decisions of the appeal officer are final and not subject to further review.

At the discretion of the Director of Student Affairs, implementation of sanctions may be stayed pending review only in extremely exigent circumstances. This does not include proximity to graduation, end of

term, or exams. Instead, it refers to an overwhelming likelihood, as determined by the Appeal Officer and Director of Student Affairs, in consultation, that the appeal would result in a reversal of the finding and/or substantial modification of the sanctions.

#### Other Guidelines for Appeals

- All parties will be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision;
- Every opportunity to return the appeal to the original decision-maker(s) for reconsideration (remand) should be pursued;
- Appeals are not intended to be full re-hearings of the complaint (de novo). In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal; Witnesses may be called if necessary.
- Appeals are not an opportunity for an appeals officer to substitute their judgment for that of the original decision-maker(s) merely because they disagree with the finding and/or sanctions. Appeals decisions are to be deferential to the original decision-maker, making changes to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so.

### **3.3 Procedures Related to Allegation of Sexual Harassment, Sexual Misconduct, Sexual Assault, and Retaliation**

All related policy and procedures are contained within [Policy 1020 Sexual Harassment, Sexual Misconduct, Sexual Assault, and Retaliation Policy](#). Policy 1020 takes precedence over the non-Title IX related policies outlined above.

### **3.4 Sanctions**

One or more of following sanctions may be imposed upon any student for any single violation of the *Code of Student Conduct*:

- Warning – an official written notice that the student has violated University policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the University.
- Restitution – compensation for damage caused to the University or any person's property. This could also include situations such as failure to return a reserved space to proper condition—labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.
- Community/University Service Requirements – for a student to complete a specific supervised University service.
- Loss of Privileges – the student will be denied specified privileges for a designated period of time.
- Confiscation of Prohibited Property – items whose presence is in violation of University policy will be confiscated and will become the property of the University. Prohibited items may be returned to the owner at the discretion of the Director of Student Affairs.
- Behavioral Requirement – this includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.
- Academic Grading Recommendations – recommendation of a failing grade on an assignment or course; failed program requirement.

- Educational Program – requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.
- Revocation of admission and/or degree – the student’s admission to, or a degree awarded from, the University may be revoked for fraud, misrepresentation, or other violations of University standards in obtaining the degree, or for other serious violations.
- University Probation – the student is put on official notice that, should further violations of University policies occur during a specified probationary period, the student may face suspension or expulsion. Regular probationary meetings may also be imposed.
- University Suspension – separation from the University for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. During the suspension period, the student is banned from university property, functions, events, and activities without prior written approval from the Director of Student Affairs. This sanction may be enforced with a trespass action as necessary. This sanction may be noted as a Conduct Suspension on the student’s official academic transcript
- University Expulsion – permanent separation from the University. The student is banned from university property and the student’s presence at any University-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary. This sanction may be noted as a Conduct Expulsion on the student’s official academic transcript.
- Other Sanctions – additional or alternate sanctions may be created and designed as deemed appropriate to the offense, with the approval of the Director of Student Affairs or designee.

### **3.4.1 Interim Actions and Supportive Measures**

Interim sanctions may be imposed prior to the completion of the student conduct process. Interim sanctions will be imposed:

1. to ensure the safety and well-being of members of the University community or preservation of University property;
2. to ensure the student’s own physical or emotional safety and well-being;
3. if the student is facing allegations of serious criminal activity; or
4. if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.

Interim sanctions will be imposed by the Director of Student Affairs or designee. During interim sanctions, a student may be denied access to University property (including classes and clinic) and/or all other activities or privileges for which the student might otherwise be eligible, as determined by the Director of Student Affairs or designee. The interim sanctions do not replace the regular process.

### **3.4.2 Violations of the Law**

Alleged violations of federal, state, and local laws may be investigated and addressed under the *Code of Student Conduct*. When an offense occurs over which the University has jurisdiction, the University conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident.

The University reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint. Interim suspensions are imposed until a hearing can be held, typically within two weeks. Within that time, the suspended student may request an immediate hearing from the Director of Student Affairs to show cause why the interim suspension should be lifted. This hearing may resolve the allegation or may be held to determine if the interim suspension should be continued. The interim suspension may be continued if a danger to the community is posed and the University may be delayed or prevented from conducting its own investigation and resolving the allegation by the pendency of the criminal process. In such cases, the University will only delay its hearing until such time as it can conduct an internal investigation or obtain sufficient information independently, or from law enforcement, upon which to proceed. This delay will be no longer than two weeks from notice of the incident unless a longer delay is requested in writing by the complaining victim to allow the criminal investigation to proceed before the University process.

Students accused of crimes may request to take a break in enrollment from the University until the criminal charges are resolved. In such situations, the University procedure for voluntary break in enrollment is subject to the following conditions:

- The responding student must comply with all campus investigative efforts that will not prejudice their defense in the criminal trial; and
- The responding student must comply with all interim actions and/or restrictions imposed during the leave of absence; and
- The responding student must agree that, in order to be reinstated to active student status, they must first be subject to, and fully cooperate with, the campus conduct process and must comply with all sanctions that are imposed.

### **3.5 Records**

All conduct records will remain on file for a period of seven years after the incident date. Once per year, records will be reviewed and destroyed if applicable. The exceptions to this process are cases involving sanctions of suspension or expulsion, and those that fall under [Policy 1020 Sexual Harassment, Sexual Misconduct, Sexual Assault, and Retaliation Policy](#), which are maintained indefinitely.

### **3.6 Interpretation**

The Director of Student Affairs will develop procedural rules for the administration of hearings that are consistent with provisions of the *Code of Student Conduct*. The Director of Student Affairs may modify procedures with notice when practicable upon determining that changes to law or regulation require policy or procedural alterations not reflected in this Code. The Director of Student Affairs may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party. Any question of interpretation of the *Code of Student Conduct* will be referred to the Vice President of Academic and Student Affairs, whose interpretation is final.

### **3.7 Revision**

The *Code of Student Conduct* will be reviewed annually under the direction of the Director of Student Affairs with a comprehensive revision process being conducted every five years.



### 3.8 Attribution

The Maryland University of Integrative Health Code of Student Conduct is adapted from The NCHERM Group Model Developmental Code of Student Conduct and is used here with permission. The NCHERM Group Model Code Project, 2013.

## 4. Definitions

- **COMPLAINANT** – the person who reports an alleged violation of the *Code of Student Conduct*. A member of the MUIH community or the University may serve as the complainant. In cases of sexual harassment, a “Complainant” is an individual who is alleged to be a victim of conduct that could constitute sexual harassment.
- **HEARING OFFICER** – refers to the individual designated to adjudicate a specific incident that will be processed under the *Code of Student Conduct*. Before an individual other than the Director of Student Affairs may serve as a hearing officer, they must complete training on the student conduct system approved by the Director of Student Affairs.
- **HEARING PANEL** – a group of trained members of the University community who may adjudicate alleged violations that could result in a University suspension or expulsion.
- **NOT RESPONSIBLE** – as an outcome to a hearing means that there was insufficient information to determine that the respondent’s behavior violated the *Code of Student Conduct*.
- **PREPONDERANCE OF THE EVIDENCE** – refers to the evidentiary standard that is used to determine if a student is responsible for a policy violation. The preponderance standard is satisfied when it is more likely than not that the responding student is in violation of a policy.
- **RESPONDENT** – any student(s) accused of violating the *Code of Student Conduct*. In cases of alleged sexual harassment, the “Respondent” is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
- **RESPONSIBLE** – as an outcome to a hearing, means that that there was sufficient information to determine that the respondent’s behavior violated the *Code of Student Conduct* based on the preponderance of the evidence.
- **WITNESS** – any person with information relevant to an incident involving an alleged violation of the *Code of Student Conduct*.

## 5. References

Clinical Practices Integrity Policy

<https://muih.edu/academics/office-of-the-registrar/student-policies/>

Family Educational Rights and Privacy Act

<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

MUIH Values and Principles

<https://muih.edu/about-muih/foundational-principles/>

Policy 1020 Sexual Harassment, Sexual Misconduct, Sexual Assault, and Retaliation Policy

[https://my.muih.edu/wp-content/uploads/Policy\\_1020\\_Sexual\\_Harassment\\_Sexual\\_Misconduct\\_Sexual\\_Assault\\_Policy.pdf](https://my.muih.edu/wp-content/uploads/Policy_1020_Sexual_Harassment_Sexual_Misconduct_Sexual_Assault_Policy.pdf)

Policy 1030 Drug and Alcohol Policy

[https://my.muih.edu/wp-content/uploads/Policy\\_1030\\_Drug\\_and\\_Alcohol\\_Policy.pdf](https://my.muih.edu/wp-content/uploads/Policy_1030_Drug_and_Alcohol_Policy.pdf)

Policy 5010 Animals on Campus

[https://my.muih.edu/wp-content/uploads/Policy\\_5010\\_Animals\\_on\\_Campus.pdf](https://my.muih.edu/wp-content/uploads/Policy_5010_Animals_on_Campus.pdf)

Policy 6000 Academic Integrity

[https://my.muih.edu/wp-content/uploads/Policy\\_6000\\_Academic\\_Integrity\\_Policy.pdf](https://my.muih.edu/wp-content/uploads/Policy_6000_Academic_Integrity_Policy.pdf)

## **6. Approval and Revisions**

Approved August 27, 2018 by Provost & Vice-President Academic & Student Affairs, Christina Sax, Ph.D.

- Revision 1

Updated links throughout document.

Approved October 7, 2019, by Provost & Vice-President Academic & Student Affairs, Christina Sax, Ph.D.

- Revision 2

Comprehensive update throughout document.

Approved August 14, 2020, by Provost & Vice-President Academic & Student Affairs, Christina Sax, Ph.D.