



UNIVERSITY OF
MARYLAND

OFFICE OF EXTENDED STUDIES

Terp Young Scholars Code of Student Conduct

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This *Code* does not apply to matters of student academic integrity. The policy and procedures document applicable to student academic integrity is the *Terp Young Scholars Code of Academic Integrity*.

Introduction

- 1) The *Terp Young Scholars Code of Student Conduct* was created to ensure the safety and security of the University community. The *Code*, administered by Terp Young Scholars and the Office of Extended Studies, seeks to balance the rights and responsibilities of all individuals within the community, and uphold the integrity and values of the University of Maryland, hereto referred to as the University. Reasonable efforts are made to educate and support students in reaching their academic and personal goals while fostering a climate of accountability and responsibility for one's actions. The *Code* outlines behaviors that are inconsistent with University standards and expectations and sets forth applicable procedures and potential sanctions governing *Code* violations.

Prohibited Conduct undermines the character and purpose of the University and the University will take appropriate prompt and effective action to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects.

Parts of the *Terp Young Scholars Code of Student Conduct* is based on the University of Maryland Code of Student Conduct, Residence Life Community Living Handbook, and Acceptable Use of Information Technology Resources. More information regarding University policies can be found on the Academic Integrity and Student Conduct Code page of the [Undergraduate Catalog](#).

Terp Young Scholars

- 2) Terp Young Scholars, hereto referred to as Terp Scholars, under consultation with the Office of Student Conduct, administers matters involving Terp Scholar student discipline. This *Code* is administered by Terp Scholars, the Office of Extended Studies, and Terp Scholars Staff. References in this *Code* to the Terp Scholars staff include the Director, Programs and Marketing-Communication, Office of Extended Studies, and designees. Office of Extended Studies Staff reserve the right to refer complex or contested cases to the Office of Student Conduct for adjudication.

Terp Scholars administers matters involving student discipline, which occur in or around the residence halls and/or on-campus University-affiliated housing owned by, leased from, operated in cooperation with, or supervised by the University. The responsibilities of the Terp Scholars program include:

- a) Determining the disciplinary sanctions to be filed in accordance with this Code and the Code of Academic Integrity;
- b) Interviewing and advising parties involved in disciplinary proceedings;
- c) Maintaining all student disciplinary records;
- d) Developing procedures for conflict resolution; and
- e) Resolving allegations of student misconduct;

Student Rights and Responsibilities

Standards

- 3) When students choose to enroll in Terp Scholars at the University of Maryland, they accept the rights and responsibilities of membership in the University community both on and off campus and in the virtual environment. Students at the University of Maryland are expected to uphold the values of the University by conducting themselves in accordance with all policies and procedures.

Student Rights

- 4) Terp Scholars provides a fair and balanced internal University process for resolving allegations of student misconduct. Students will be treated fairly and with dignity and respect without regard to race, color, sex, gender identity or expression, sexual orientation, marital status, age, national origin, political affiliation, physical or mental disability, religion, protected veteran status, genetic information, personal appearance, or any other legally protected status.

Student Responsibilities

- 5) Balancing students' rights with their responsibilities as members of the University community is imperative to creating mature and engaged citizens. All students are expected to understand and follow University and Terp Scholars policies and procedures as well as to comply with applicable federal, state, and local laws. Due to the high expectations the University has of its community members, responsibilities set forth in University policies may exceed federal, state, or local requirements.
- 6) University email is the primary means by which Terp Scholars communicates with students. Students are responsible for reading all official communications delivered to their University email address and are advised to check their email regularly for University communications, including those from Terp Scholars.

Standard of Evidence

- 7) The focus of disciplinary proceedings is to resolve allegations of student misconduct. Students have the right to be notified of the allegations and specific citation against them, to have access to the information underlying the citation, and to have an opportunity to respond. The preponderance of the evidence standard will be used to determine responsibility for *Code*

violations. Preponderance of the evidence means that based on the totality of the evidence, it is more likely than not that the violation occurred. Sanctions are imposed according to the nature and severity of the violation.

Definitions

8) For purposes of this Policy and Procedures, the following definitions apply:

- a) "University" means the University of Maryland, College Park.
- b) "Terp Scholars" means Terp Young Scholars. Participants of the Terp Scholars programs have been admitted as a non-degree seeking students to the University of Maryland for the Summer Session. Terp Scholars earn both a grade and credits for the course in which they are registered. Both grade and credits will post to the University of Maryland transcript.
- c) "Student" means either a person enrolled in courses as a part of Terp Scholars at the University at the time the alleged violation occurred or an individual who may not be enrolled for a particular term at the time the alleged violation occurred but has a continuing relationship with the University.
- d) The term "University premises" means buildings or grounds owned, leased, operated, controlled, or managed by the University.
- e) The term "TYS-sponsored activity" means any activity on or off campus which is initiated, aided, authorized, or supervised by Terp Scholars.
- f) The term "student group" means a number of persons who are associated with each other but who do not have status as an officially recognized student organization.
- g) "Referral" means a report, complaint, or allegation of misconduct against a student or student group.
- h) "Complainant" refers to an individual(s) who has referred a student, student group, or incident to Terp Scholars based on an alleged violation of the *Code*.
- i) "Respondent" refers to a student or student group alleged to have committed a violation of this *Code*.
- j) "Mitigating factors" may be considered in determining sanctions. Factors include, but are not limited to, the present demeanor and past disciplinary record of the Respondent and any steps the Respondent has taken to address their behavior.
- k) "Aggravating factors" may be considered in determining sanctions. Factors include, but are not limited to, the present demeanor and past disciplinary record of the Respondent, as well as the nature of the offense and the severity of any resulting damage, injury, or harm.

Jurisdiction

- 9) This *Code* covers conduct by a student or student group that occurs:
- a) on University premises; or
 - b) in Terp Scholars virtual environments; or

- c) at Terp Scholars-sponsored activities; or
- d) not on University premises, if:
 - i) the conduct would constitute a violation of this Code had it occurred on University premises; and
 - ii) if Terp Scholars determines that the conduct affects the safety of the University community or the orderly operation of the University.

Prohibited Conduct

10) This list of prohibited conduct is provided to inform students and student groups of behaviors that are not permitted. The list should be read broadly and is not designed to define misconduct in exhaustive terms. Attempts to commit acts prohibited by this *Code* may be sanctioned to the same extent as completed violations. Terp Scholars considers prohibited conduct motivated in whole or in part because of an individual or group characteristic or status, or the perception of an individual or group characteristic or status, protected by the University's Non-Discrimination Policy to be an aggravating factor, which may subject the student or student group to a more severe sanction than would be imposed in the absence of such motivation.

a) Offenses Against Persons

- i) Intentionally or recklessly causing physical harm to any person, or intentionally or recklessly causing reasonable apprehension of such harm.
- ii) Engaging in hazing activities.
- iii) Intentionally and substantially interfering with the lawful freedom of expression of others. (Demonstrations, rallies, leafletting, and equivalent activity are addressed by the University Guidelines for Demonstrations and Leafletting.)

b) Alcohol and Other Drug Offenses

"Controlled substance" and "illegal drugs" are defined by Maryland and federal law.

- i) Unauthorized distribution of any controlled substance or illegal drug, or the production, manufacture, or possession of any controlled substance or illegal drug for purposes of unauthorized distribution.
- ii) Unauthorized use, production, manufacture, or possession of any controlled substance or illegal drug.
- iii) Providing alcohol or alcoholic beverages to a person under the legal age of consumption or possession.
- iv) The illegal or unauthorized consumption, possession, or sale of alcohol or alcoholic beverages.
- v) Operating a motor vehicle while intoxicated or impaired by alcohol or other drug.

c) Property Offenses

- i) Theft of property, services, or resources, or the unauthorized use of services to which one is not entitled.
- ii) Knowingly possessing stolen property.

- iii) Intentionally or recklessly destroying, damaging, vandalizing, tampering with, or defacing Terp Scholars or University property or the property of others.
- iv) Trespassing on or the unauthorized use of Terp Scholars or University facilities, property, or resources.

d) Community Offenses

- i) Unauthorized on-campus or illegal off-campus use, possession, or storage of any weapon or explosive. The term “weapon” includes any object or substance designed to inflict a wound, cause injury, or incapacitate, including, but not limited to, all firearms, pellet guns, switchblade knives, and knives with blades five or more inches in length.
- ii) Intentionally initiating or causing any false report, warning, or threat of fire, explosion or other emergency.
- iii) Rioting, assault, theft, vandalism, fire setting, or other serious misconduct:
 - (1) Related to a Terp Scholars or University sponsored event, occurring on or off campus, that results in harm to persons or property;
 - (2) Which otherwise poses a threat to the stability of the campus or campus community. Such conduct may result in disciplinary action regardless of the existence, status, or outcome of any criminal charges in a court of law.
- iv) Engaging in disorderly or disruptive action that interferes with Terp Scholars or community activities, including, but not limited to studying, teaching, research, and Terp Scholars or University administration.
- v) Internationally or recklessly misusing or damaging fire safety equipment.
- vi) Unauthorized setting of fires on University property.
- vii) Unauthorized use or possession of fireworks.
- viii) Public urination or defecation.

e) Offenses Against Terp Scholars or University Operations

- i) Intentionally furnishing false information to Terp Scholars or the University.
- ii) Marking, possessing, providing, or using any forged, altered, or falsified Terp Scholars or University document.
- iii) Failure to comply with a directive of Terp Scholars or University officials, including law enforcement officials, acting in the performance of their duties.
- iv) Knowingly violating the terms of any disciplinary sanction imposed in accordance with this *Code of Student Conduct* or by the Office of Extended Studies in accordance with other University policies.

f) Course Attendance

- i) Two or more unexcused absences from registered course
- ii) Excessive tardiness in attendance of course

a) Other Offenses

- i) Conviction, a plea of no contest, acceptance of responsibility or acceptance of sanctions in state or federal court for a crime (other than a minor traffic offense) not otherwise prohibited by the *Code of Student Conduct*.

- ii) Making, possessing, providing, or using any forged, altered or falsified instrument of identification.
- g) Violation of published University regulations or policies, including but not limited to, rules addressing conduct in the residence halls, use of vehicles, campus demonstrations, misuse of identification cards, acceptable use of technology resources, non-discrimination, and access to University resources.

Residence Hall Prohibited Conduct

11) Certain behaviors are prohibited in order to help prevent or minimize the following:

- a) risk of fire hazard
- b) risk of intruders, assault, or theft
- c) risk of injury
- d) risk of electrocution
- e) damage or overload to electrical circuits
- f) damage to physical facilities or furnishings
- g) hindrance of staff response to emergency situations
- h) pest, insect, or sanitation problems
- i) risk of exposure to hazardous materials

12) Student choices for behavior are limited in some areas with the above risks in mind. In order to promote the safety and security for all residents, specific behaviors identified are prohibited within the residence halls.

- a) Using any device that creates an open flame, has an exposed heating element or a torchiere lamp with a halogen bulb; using any substance/device which can smolder and/ or create smoke, including gooseneck lamp with plastic shades a,f
- b) Bringing or storing flammable material in a residence hall a,f
- c) Cooking (except in designated areas) and use or possession of an open-flame or open element appliance, including toaster, skillet, and hotplates a,e,f
- d) Use or possession of microwave ovens or refrigerators larger than 3.6 cubic feet (except in designated areas*) e
- e) Remaining in a Residence Hall during a fire alarm c,g,i
- f) Removing or unlocking security grates or any window screen b,c,f,h
- g) Propping entrance doors open b,f
- h) Allowing strangers to follow you into a residence hall through an entrance door b Entering or exiting a residence hall through a window b,f,h
- i) Hanging any objects out of windows c,f,h
- j) Climbing or scaling the exterior wall of a residence hall c Installing a satellite dish, antenna, or any hardware which protrudes from a window or attaches to the exterior of a residence hall c,f,h
- k) Altering electrical outlets or circuits in a residence hall room a,d,e,f
- l) Tampering with entry door buzzers in suite and apartment units b,f

- m) Tampering with, obstructing, or affixing objects to hardware for fire alarms, exit signs, fire sprinklers, fire hydrant valves, or building systems pipes a,f,g
 - n) Tampering with or disabling electronic door security devices such as card access readers, horns, locks, and prop monitors b,f
 - o) Installing ceiling fans or air conditioners c,d,e,f
 - p) Installing locks or chains on room doors f,g
 - q) Installing lofts other than those provided by the Department of Residential Facilities or Bedloft a,c,f
 - r) Tampering with or covering smoke detectors in residence hall rooms a,f
 - s) Drilling into window sill surfaces, ceiling or floor tiles, or puncturing insulation on pipes f,i
 - t) Unauthorized modifications, including painting of a residence hall room or space a,c,e,f,i
 - u) Stacking/arranging furniture in an unsafe manner a,c,f
 - v) Using any sporting or recreational equipment in areas where damage or injury may result c,f
 - w) Using, possessing, charging, and/or storing of electronic skateboards, including self-balancing hover boards/scooters and other similar equipment is prohibited in all university residence halls: a, c, e, f
 - x) Tampering with, covering or obstructing University installed dehumidifiers. f,h
- 13) The following are prohibited conduct in the University of Maryland residence halls:
- a) Setting or fueling a fire of any size.
 - b) False report of any emergency; damage or misuse of fire safety equipment.
 - c) Possession, use, or manufacture of explosive, flammable, or harmful materials.
 - d) Possession or use of any weapon.
 - e) Causing any object which could cause physical harm to fall from a residence hall.
 - f) Causing physical harm or a reasonable expectation of physical harm to any person.
 - g) Harassing or threatening any person so as to interfere with that person's ability to sleep, study, or be present in one's own room or residence hall.
 - h) Possession, use, sale, or provision of any controlled substance, illegal drug, or related paraphernalia.
 - i) Theft of property or services; knowing possession of stolen property; unauthorized removal or possession of property or furnishings from common areas.
 - j) Possession or use of alcohol by a minor; sale or provision of alcohol to a minor; possession of alcohol in public areas or common sources of alcohol.
 - k) Interference with or obstruction of Resident Life or University officials in the performance of their duties; provision of false information to officials; failure to comply with directives from officials.
 - l) Engaging in noisy, disorderly, or disruptive behavior, which interferes with others' abilities to sleep, study, or be present in one's own room or residence hall; or creates an avoidable urgent situation to which University officials are required to respond.
 - m) Destroying, damaging, or defacing the property of others.

- n) Violation of conditions of Administrative Housing Probation; failure to complete assigned administrative sanctions.
- o) Misuse of identification; possession, presentation, sale, distribution, or manufacture of false identification.
- p) Failure to monitor guests' behavior in order to assure adherence to the Residence Hall Rules.
- q) Unauthorized entry into any secured, or restricted residence hall space.
- r) Misuse or unauthorized possession of room keys, building keys, or access cards.
- s) Misuse of University-owned and/or personal computers, phones, telecommunications or network systems.
- t) Violation of a written agreement with roommates, apartment/suitemates or other residents developed under the supervision of a Resident Life staff member.
- u) Bringing or housing an animal inside a residence hall.
- v) Obstructing or impeding entrance to or egress from a residence hall.
- w) Renting, subleasing, or loaning of a residence hall space.
- x) Creating risks or hazards in or around a residence hall through violations of the Safety and Security Prohibitions.
- y) Violations of Resident Life policies and procedures published in the Residence Halls/Dining Services Agreement, the Community Living Handbook, and/or policies posted within the residence halls.
- z) Using Electronic Nicotine Delivery Systems (also known as vapes, juuls, e-cigarettes) within any residence hall space, or within 25 feet of any residence hall.

Student Conduct Process

- 11) This section provides a general overview of the conduct violation process. Not all cases are the same, and allegations differ in their severity and complexity. However, Terp Scholars endeavors to treat similar facts and circumstances consistently.
- 12) Certain conduct may constitute both a violation of law and a violation of the *Code of Student Conduct*. Therefore, students may be accountable to both criminal authorities to Terp Scholars and to the University as a result of the same conduct or incident. Terp Scholar's student conduct process differs from any legal or criminal proceedings. Disciplinary action at the Terp Scholars will normally move forward before or during criminal proceedings, and will not be subject to challenge on the grounds that criminal charges involving the same incident have been dismissed or reduced. The same conduct may also result in civil litigation. Civil litigation is separate and independent from any University process under this Code, and the resolution of any civil legal action by settlement or other means will not resolve a University action for violation of the Code.

Referral

- 13) Anyone may refer a student or student group suspected of violating this *Code* to Terp Scholars. Written referrals are preferred. Terp Scholars will review all referrals for reasonable cause; this

means that Terp Scholars will review the allegations to determine whether there is evidence, which if true, would amount to conduct in violation of the *Code*. If reasonable cause is established, the Complainant should expect to be a participant and provide pertinent information in any future proceedings. In the absence of a determination that there is reasonable cause to proceed, the case may be dismissed.

- 14) There are no time restrictions on reporting potential *Code* violations to Terp Scholars. However, individuals are encouraged to report incidents as soon as they occur so that witnesses can be identified and important information and documents preserved, in the event there is a reasonable cause determination and the Office determines to move forward.
- 15) A Complainant may remain anonymous; however, anonymity may limit Terp Scholars' ability to investigate and respond to a complaint. Retaliation against anyone for reporting an alleged violation of this Code is strictly prohibited and persons who retaliate will be considered for further disciplinary action.

Resolution Procedures

- 16) Terp Scholars Staff members will review referrals to determine whether the alleged misconduct might result in dismissal from Terp Scholars or housing termination. Alleged misconduct which results in or could have foreseeably resulted in significant injury to persons or damage to property, or which otherwise poses a substantial threat to the stability and continuation of normal Terp Scholars, University, Terp Scholars-sponsored activities, or University-sponsored activities, may result in a student's dismissal from Terp Scholars or housing termination. Both cases in which the student does not face dismissal from the program and cases in which the student does face potential dismissal or housing termination are resolved in a Disciplinary Conference. Respondents who participate in a Disciplinary Conference are subject to the full range of sanctions and also waive their right to an appeal.

Disciplinary Conference

- 17) A Disciplinary Conference is a resolution meeting between the Respondent and the designee(s) assigned by Terp Scholars who is (are) deciding the case. Respondents participating in Disciplinary Conferences receive the following procedural protections:
 - a) Written notice of the citations at least 24 hours prior to the conference;
 - b) An opportunity to respond to the allegations and bring forward any evidence, witnesses, or information on their behalf; and
- 18) After establishing reasonable cause, Terp Scholars or the Office of Extended Studies will have a Disciplinary Conference with the Respondent. The purpose of the Disciplinary Conference is to review the allegations with the Respondent, to assist the Respondent in understanding the student conduct process, and to deliver any appropriate sanctions. Relevant information shared in this meeting may become part of the case file for future proceedings.
- 19) Terp Scholars staff may initiate or dismiss disciplinary citations against a Respondent regardless of whether they choose to discuss the alleged incident during the Preliminary Interview.

20) Terp Scholars may refer complex or contested cases to the Office of Student Conduct for resolution.

Role of Support Person

21) Respondents may choose to be supported by a Support Person of their choice to provide emotional and logistical support. A Support Person shall not be an active participant in the process.

22) As a general practice, disciplinary proceedings will not be delayed due to the unavailability of a Support Person.

Sanctions

23) Students found responsible for disciplinary offenses are subject to sanctions. The aims of sanctioning are to protect the campus community, deter future offenses, promote individual accountability, and enhance ethical development. Reasonable efforts are made to educate and support students in reaching their academic and personal goals while fostering a climate of accountability and responsibility for one's actions. However, Terp Scholars nor the University is designed or equipped to rehabilitate or incapacitate persons who pose a substantial threat to themselves or others. The following sanctions may be imposed by Terp Scholars for violations of the *Code*:

- a) **Terp Scholars Program Dismissal:** the student will be dismissed from the Terp Young Scholars program without a refund and will be withdrawn from their academic course. To learn more about withdrawal, visit the [Payment Information: Cancellation, Withdrawal, and Refunds](#) page for the respective [Terp Scholars-Campus](#) or [Terp Scholars-Online](#). Students who have been dismissed from the program are not eligible to participate in Terp Young Scholars in future years, nor may they serve on program staff in future years, unless specified in the sanctions.
- b) **Housing Probation or Termination:** Probation is a serious Administrative Sanction and is deemed as the Final Warning. Residents are notified that the Residence Hall Agreement is terminated. The current assignment must be vacated, usually within 24 hours. Residents may also be prohibited from re-entering their former residence hall. This additional sanction is called Denial of Access and, if violated, can result in Terp Scholars Program Dismissal from the University.
- c) **Billing:** Residents will be assessed charges for damages, theft, loss, or special service costs required due to abuse of the assigned space or common areas and/or the University property within it. When the assigned space is shared, and where the responsible resident cannot be determined or fails to assume responsibility, an equal portion of the charges may be billed to each resident. Residents may also be billed for damage or theft for which their guests are responsible. Residents may be held collectively responsible for damage, theft, loss, or special service costs required for the common areas or to University property within the residence halls when individual responsibility cannot be determined, and when deemed necessary by Terp Scholars staff members. Charges would be divided equally among all residents.

- d) **Removal of Item:** Residents will be directed to remove any appliances and/or instruments that are deemed unsafe or create a disturbance. Air conditioners, scooters, lofts and other structures are prohibited and must be removed within 24 hours. Failure to remove the item may result in a disciplinary or administrative referral.
 - e) **Room Move: Individual:** Terp Scholars staff may reassign a resident to a location on campus when that relocation would be in the best interest of the individual(s) involved and/or the community. Terp Scholars staff may also reassign a group of residents when it has been determined that a group has been disruptive in a serious or repeated manner, or that they pose a threat to their current living environment. Such a room move normally would be expected to occur within 24 hours of notification from Terp Scholars staff, and therefore may occur prior to the initiation of actions which may be taken in adjudicating a violation of the Code of Student Conduct and/or Residence Hall Rules. Normally, the space vacated by the student will remain unassigned, pending the outcome of any adjudication process.
 - f) **Emergency Removal from Housing:** Terp Scholars staff or an authorized designee may temporarily suspend an individual from the residence halls pending initiation or implementation of administrative or disciplinary action when the resident constitutes a threat to oneself or others.
 - g) **Disciplinary Reprimand:** warning to the student that further misconduct or violations of the Code of Academic Integrity may result in more severe disciplinary action.
 - h) **Educational Sanctions:** may be imposed in addition to those specified above with the intent of providing the student with learning, assistive, or growth opportunities. Research or reflective assignments, community service, values/ethics-based activities, or other sanctions may be assigned.
 - i) **Other Sanctions:** other sanctions may be imposed in addition to those specified above. For example, students may be subject to housing termination for disciplinary violations which occur in the residence halls. Likewise, students may be subject to restrictions upon or denial of driving privileges for disciplinary violations involving the use or registration of motor vehicles. Student groups may be subject to other relevant restrictions and sanctions as determined by Terp Scholars.
- 24) Repeated or aggravated violations of any section of this Code may also result in Program Dismissal in the imposition of lesser sanctions as deemed appropriate.

Disciplinary Records

- 25) Students and student groups found responsible for violations of this *Code* be issued a written Letter of Reprimand, which will include the Code violation the student has been found responsible for and the required sanction. The Office of Extended Studies Staff reserves the right to provide a copy of the Letter of Reprimand to the student's parent, guardian, and/or other responsible adult representative depending on the severity of the violation and sanction.
- 26) The Letter of Reprimand is maintained as the student's disciplinary record with the Terp Young Scholars program. Disciplinary records are maintained by Terp Young Scholars permanently.
- 27) Students found responsible for violations of the *Code* will not have a disciplinary record with the University unless the case has been referred to the Office of Student Conduct.

28) Students may petition Terp Scholars to void their disciplinary record for good cause. Factors to be considered in review of such petitions shall include:

- a) the present demeanor of the Respondent;
- b) the conduct of the Respondent subsequent to the violation; and
- c) the nature of the violation and the severity of any damage, injury, or harm resulting from it.

Residence Hall Policies

Alcohol Policy

- Possession/use of alcohol in the residence hall is prohibited.
- Kegs and other common sources of alcohol are prohibited.
- Sale of alcohol is prohibited.

State of Maryland Law

- It is unlawful for any MINOR* to possess or consume alcoholic beverages.
- It is unlawful for any MINOR* to knowingly and willfully make any misrepresentation or false statement as to one's age in order to obtain alcoholic beverages.
- It is unlawful for any person to obtain alcoholic beverages for consumption by an individual who is known to be a MINOR*.
- *MINOR is defined as any person under the age of 21.

Alcohol Poisoning

- In the event a student requires transport to a hospital emergency room solely due to excessive alcohol consumption, Terp Scholars staff will notify the student's parents.

Computer Use and Connectivity Policy

- All residents have direct Ethernet and wireless access to the University of Maryland information technology (IT) resources and the Internet.
- Once you activate a data jack in your room or log onto the University Wireless system, you are responsible for all activity on your data jack or wireless access.
- Should a violation of the Residence Hall Rules, the Code of Student Conduct, or the University's Acceptable Use Policy originate from your data jack or wireless access, you will be responsible for those actions.
- Care should be taken to monitor the access your computer, network enabled devices, data jack, or wireless account, as you will be held responsible for any violations that occur.

Drug Policy

- Possession/use of any illegal drug is prohibited.
- Sale, distribution or provision of any illegal drug is prohibited.
- Drug paraphernalia is prohibited.

Students alleged to be involved with drugs in or around the residence halls will be referred to Terp Scholars. The case will be resolved in accordance with the Terp Scholars adjudication process set forth in this document and in *the Terp Young Scholars Code of Student Conduct*. Where applicable, sanctions will address both the residence hall status and the student status of the respondent.

Violations of drug policy will result in immediate Program Dismissal from Terp Scholars.

Medical Marijuana

Under the University of Maryland and Terp Scholars Drug Policies, the possession, use, sale or provision of marijuana is prohibited. Pursuant to the University of Maryland's obligations under the federal Drug-Free Schools and Communities Act, prescribed marijuana, also known as Medical Marijuana, is prohibited under the University and Terp Scholars Drug policies, regardless of Maryland state laws permitting marijuana to be used for medicinal purposes

Noncompliance and Staff Entry into Student Rooms

University staff respect the right to student privacy and work to assure that no unwarranted or unauthorized entry into students' room occurs.

Designated University staff do have the authority to enter your room without your knowledge or consent in the following situations:

- for routine or emergency repairs or replacements, inspections for maintenance or sanitation problems, assessments of damage from flooding, improvements, etc.;
- at the time a resident vacates a given room as an inspection for cleanliness and damage; and,
- in any emergency when appropriate staff are responding to a reported incident or believe there is serious physical or psychological distress or imminent danger to the room's occupants or contents

Pet Policy

- Pets are prohibited due to potential problems with allergies, odors, sanitation, and noise.

Curfew Policy

Curfew refers to the periods of time when all Terp Scholars must remain inside their assigned rooms within the residence hall. Designated curfew hours can be seen on the Terp Scholars Activity Calendar, which is accessible via the Terp Scholars-Campus and –Online websites.

Quiet Hours

Designated quiet hours in the residence hall are from 10:00 p.m. to 8:00 a.m., Sunday through Thursday evenings, and midnight to 10:00 a.m. on Friday and Saturday evenings. "Quiet hours" refer to those periods when the residence halls must remain especially quiet. Quiet hours are maintained to provide an atmosphere conducive to relaxation, study, and sleep. During designated quiet hours, it is expected that all residents will contain noise so it cannot be heard outside of their room with the door closed. During final exam periods, 24 hour quiet hours are in effect.

Reasonable quiet is maintained 24 hours a day throughout the residence halls. These are referred to as "courtesy hours." When asked by another resident to reduce noise and/or lower the volume

of music or conversation, students will be expected to immediately do so out of courtesy to your neighbors.

Selling/Conducting a Business

Residence halls cannot be used for commercial activity. Thus, residents may not conduct a business or other commercial activity using their room, room address, room phone, data jack, or wireless access.

Smoking Policy

- The University of Maryland is a smoke-free campus;
- Smoking in any form is not allowed within any residence hall room or space;
- Smoking is only permitted in designated outdoor locations on campus at all times.
- Use of Electronic Nicotine Delivery systems (also known as vapes, juuls, e-cigarettes) is not permitted.

Spare Key & Spare Swipe Check-Out Limits

- A spare room key may only be checked out by the resident of the room.
- A spare building entry swipe may only be checked out by a resident of that building.
- Spare keys or swipes may only be checked out for 1 hour. If you have lost your key or University ID card, please inform your service desk. You may hold on to the spare key and/or swipe until your locks have been changed or you have obtained a new University ID card.
- If you do not return your spare key by the due date/ time, or you have lost your key, your locks will be changed. Spare swipes not returned by the due date/time will be deactivated.
- There is a fee for lock changes and deactivated spare swipe cards. These fees are charged directly to your student account. Check with your service desk for current fees.

Visitors and Guests

- A guest is defined as any person who does not reside in the residence hall room/suite/apartment they are visiting.
- No guests or visitors are permitted in the residence hall. Guests are defined as any person not enrolled in Terp Scholars-Campus. Only professional staff who have completed required background checks and Terp Scholars are allowed access to the residence hall.
- Residents may be held financially responsible for damages caused by their guests.

Sexual Assault and Misconduct Policy

Prohibited Conduct undermines the character and purpose of the University and the University will take appropriate prompt and effective action to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. The purpose of this Policy and Procedures is to describe the Prohibited Conduct; describe how to report or file a complaint; provide resources for counseling,

safety, emotional support, and advocacy; articulate the procedures for investigating and resolving complaints; and articulate awareness and educational training objectives.

The University acknowledges its commitment to a working and learning environment free from sexual misconduct through training, education, prevention programs, and policies and procedures that promote prompt reporting and response, provide support to persons alleged to be victimized, prohibit retaliation, and implement timely, fair, and impartial investigations and resolutions that ensure due process and remedy Policy violations. Sexual Harassment, Other Sexual Misconduct, and Retaliation are Prohibited Conduct and will not be tolerated in any form. This Prohibited Conduct corrupts the integrity of the educational process and work environment and violates the core mission and values of the University, and the University will address such conduct in accordance with this Policy

This Policy applies to all members of the University community, including students, faculty, and staff. It also applies to contractors and other third parties who are engaged in any University Education Program or Activity, or who are otherwise interacting with the University, including, but not limited to volunteers, vendors, guests, and visitors. All University members are prohibited from engaging in, or assisting or abetting another's engagement in Sexual Harassment, Other Sexual Misconduct, or Retaliation.

Every member of the University community should be aware that all sexual contact or behavior on the campus and/or occurring with a member of the University community must be consensual. Consent must be clear and voluntary, free of coercion or force, and may be communicated through verbal or non-verbal expression. In order to give consent, one must be of legal age for sexual consent and be both sober and conscious enough to understand what is being agreed to. Consent may be withdrawn at any point.

Prohibited Conduct

This Policy prohibits Sexual Harassment, Other Sexual Misconduct, and Retaliation as set forth below. Prohibited Conduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Prohibited Conduct can be committed by any person, regardless of gender identity, and can occur between people of the same or different sex, sexual orientation, or gender expression.

- 1) **Sexual Harassment** means conduct on the basis of sex that satisfies one or more of the following:
 - a) **Quid Pro Quo:** An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct.
 - b) **Hostile Environment:** Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's Education Program or Activity.
 - c) **Sexual Assault:** An offense classified as a sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Sex offenses are any sexual acts directed

against another person, without the Consent of the victim, including instances where the victim is incapable of giving Consent (Non-Consensual Sexual Penetration or Fondling); also, unlawful sexual intercourse (Incest or Statutory Rape).

- i) Non-Consensual Sexual Penetration: Penetration, no matter how slight, of the genital or anal opening of the body of another person with any body part or object, or oral penetration by a sex organ of another person, without the Consent of the victim, including instances where the victim is incapable of giving Consent because of their age or because of their temporary or permanent mental or physical incapacity.
 - ii) Fondling: The touching of the private body parts of another person for the purpose of sexual gratification without the Consent of the victim, including instances where the victim is incapable of giving Consent because of their age or because of their temporary or permanent mental or physical incapacity.
 - iii) Incest: Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - iv) Statutory Rape: Nonforcible sexual intercourse with a person who is under the statutory age of consent.
 - v) Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on a consideration of the following factors:
 - (1) The length of the relationship;
 - (2) The type of relationship; and
 - (3) The frequency of interaction between the persons involved in the relationship.
 - vi) Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Maryland, or by any other person against an adult or youth Complainant protected from that person's acts under the domestic or family violence laws of Maryland.
 - vii) Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - (1) Fear for their own safety or the safety of others; or
 - (2) Suffer substantial emotional distress.
- 2) **Other Sexual Misconduct** means the following conduct:
- a) Sexual Harassment that occurred against a person outside of the United States or not within an Education Program or Activity, or otherwise does not fall under Title IX.
 - b) Sexual Coercion: The use of unreasonable pressure in an effort to compel another individual to initiate or continue sexual activity against the individual's will. A person's words or conduct are sufficient to constitute Sexual Coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in

sexual activity. Sexual Coercion includes but is not limited to intimidation, manipulation, express or implied threats of emotional or physical harm, and/or blackmail. Examples of Sexual Coercion include but are not limited to causing the deliberate Incapacitation of another person; conditioning an academic benefit or employment advantage on submission to the sexual contact; threatening to harm oneself if the other party does not engage in sexual contact; or threatening to disclose an individual's sexual orientation, gender identity, gender expression, or other personal sensitive information if the other party does not engage in the sexual contact.

- c) Sexual Exploitation: Taking non-consensual or abusive sexual advantage of another person for one's own advantage or benefit or for the advantage or benefit of anyone other than the person being exploited.
 - d) Sexual Intimidation: Threatening behavior of a sexual nature directed at another person, such as threatening to sexually assault another person or engaging in indecent exposure.
 - e) Attempted Sexual Assault: An attempt to commit Sexual Assault.
 - f) Other Sex-Based Offenses: Unwelcome sexual advances, unwelcome requests for sexual favors, or other behavior of a sexual or gender-based nature where:
 - i) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, evaluation of academic work, or participation in a University-sponsored educational program or activity;
 - ii) Submission to or rejection of such conduct by an individual is used as the basis for an academic, employment, or activity or program participation decision affecting that individual; or
 - iii) Such conduct has the effect of unreasonably interfering with an individual's academic or work performance, i.e., it is sufficiently severe or pervasive to create an intimidating, hostile, humiliating, demeaning, or sexually offensive working, academic, residential, or social environment.
- 3) **Retaliation** means intimidating, threatening, coercing, or discriminating against, or otherwise taking an adverse action against an individual for the purpose of interfering with any right or privilege secured by law or University policy relating to Prohibited Conduct, or because an individual has made a report, filed a complaint, testified, assisted, participated or refused to participate in any manner in an investigation, proceeding, or hearing related to Prohibited Conduct. Adverse actions 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. Retaliation includes retaliatory harassment. Adverse actions, including charges against an individual for violations of other University policies that do not involve sex discrimination or Prohibited Conduct, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or complaint of Prohibited Conduct, for the purpose of interfering with any right or privilege secured by law, constitutes Retaliation. However, charging an individual with a violation of other University policies for making a materially false statement in bad faith in the course of a proceeding does

not constitute Retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any Party made a materially false statement in bad faith. The exercise of rights protected under the First Amendment does not constitute Retaliation. The University will keep confidential, to the extent permitted by the Family Educational Rights and Privacy Act (FERPA), the identity of any individual who has made a report of Prohibited Conduct.

Acceptable Use of Information Technology Resources Policy

Terp Scholars students are responsible for all network activity originating from associated registered connection (i.e., data jack and University wireless network), with or without your knowledge.

- Students may not provide network access to anyone who is not a member of the University of Maryland community.
- Students may, if installed and set up properly, operate server software on your computer as long as it is not a source of persistent traffic to the network as the result of running server services (e.g., sharing files with a peer-to-peer network, operating a streaming web cam, operating a public FTP or IRC server).
- Students must ensure that their computer is equipped with appropriately updated anti-virus software and definitions.
- Students must ensure that computer and all network-enabled devices (e.g., smartphone, game console, tablets, etc.) are automatically updated with the latest security patches and hot-fixes appropriate to your operating system and applications.

Primary Principles: Freedom of Expression and Personal Responsibility

Freedom of expression and an open environment to pursue scholarly inquiry and for sharing of information are encouraged, supported, and protected at the University of Maryland. These values lie at the core of our academic community. Censorship is not compatible with the tradition and goals of the University. While some computing resources may be dedicated to specific research, teaching, or administrative tasks that would limit their use, freedom of expression must, in general, be protected. The University does not limit access to information due to its content when it meets the standard of legality. The University's policy of freedom of expression applies to computing resources.

Concomitant with free expression are personal obligations of each member of our community to use computing resources responsibly, ethically, and in a manner that accords both with the law and the rights of others. The campus depends first upon a spirit of mutual respect and cooperation to create and maintain an open community of responsible users.

General

This policy sets forth standards for responsible and acceptable use of university information technology (IT) resources. These resources include computer systems, computer labs, applications, networks, software, and files.

IT resources are provided to support the academic, research, instructional, and administrative objectives of the university. These resources are extended for the sole use of university faculty, staff, students, and all other authorized guests to accomplish tasks related to the status of that individual at the university, and consistent with the university's mission.

Those using university IT resources, whether at the university or elsewhere, are responsible for complying with security standards set forth by the Vice President and Chief Information Officer (VP/CIO), safeguarding identification codes and passwords, and for using them solely for their intended purposes. Individuals are solely responsible for their personal use of IT resources and are prohibited from representing or implying that statements related to such use constitute the views or policies of the university.

The maintenance, operation, and security of IT resources require responsible university personnel to monitor and access systems and networks. To the extent possible in the electronic environment and in a public setting, a user's privacy will be preserved. Nevertheless, that privacy is subject to applicable federal and state law, including the Maryland Public Information Act, and the needs of the university to meet its administrative, business, and legal obligations.

Prohibited Conduct

The following provisions describe conduct prohibited under this policy:

- Altering system software or hardware configurations without authorization; disrupting or interfering with the delivery or administration of IT resources.
- Attempting to access or accessing another's accounts, private files, e-mail messages, or intercepting network communication without the owner's permission except as appropriate to your job duties and in accordance with legitimate University purposes.
- Misrepresenting oneself as another individual in electronic communication.
- Installing, copying, distributing, or using digital content (including software, music, text, images, and video) in violation of copyright and/or software agreements or applicable federal and state law.
- Engaging in conduct that interferes with others' use of shared IT resources.
- Using university IT resources for commercial or profit-making purposes or to represent the interests of groups unaffiliated with the university or unassociated with the normal professional activities of faculty, staff or students without written authorization from the university.
- Ignoring individual departmental or unit lab and system policies, procedures, and protocols.
- Facilitating access to university IT resources by unauthorized users.
- Exposing sensitive or confidential information or disclosing any electronic information that one does not have the authority to disclose.
- Knowingly using IT resources for illegal activities. Criminal or illegal use may include obscenity, child pornography, threats, harassment, copyright infringement, university trademark infringement, defamation, theft, identity theft, and unauthorized access.

The VP/CIO or designee may suspend, block, relocate to a secure location, or restrict access to information and network resources when necessary to protect the integrity, security, or

functionality of university IT resources or to protect the university from liability. Notice of such action will be provided to the designated security contact for the affected unit.

Conditions of Internet Use—Use of Electronic Networks

Because some Terp Scholars are minors (under the age of 18), the University would like to ensure that parents/guardians are aware of the following conditions and liabilities regarding the use of the Internet/electronic networks by students.

The University of Maryland can make no express or implied warranties for the Internet access it provides and cannot completely eliminate access to information that is offensive or illegal and residing on networks outside of the University of Maryland system. The accuracy and quality of such information obtained cannot be guaranteed. Moreover, the University of Maryland cannot be responsible for any information that may be lost, damaged, or unavailable due to technical or other difficulties.