
Chapter: Student Affairs

Modification No. **002**

Subject: **Student Success**

- I. Student success for all students is the primary goal of Montgomery College. Aligned with the Strategic Plan, “students” means all students. This policy seeks to create a framework for an equitable level of institutional attention for credit and noncredit students. Student success is actualized by an equitable and data-informed pursuit of the following three components: (1) providing access to community members seeking further education; (2) supporting their completion; and (3) focusing on post-completion success that results in family-sustaining wages and being civically engaged.
- II. Achieving student success is the driving force behind the College’s planning, budgeting, and decision-making. Success is accomplished through a collaborative effort to achieve learning that actively engages students, faculty, and staff with a commitment to diversity, equity, and inclusion. Student success will be measured by degree completion, time-to-degree, cost-of-degree, transfer, post-completion success, course completion, content mastery, and job attainment, as appropriate. Students will be guided throughout their academic journey at Montgomery College by developing completion plans upon entry, which will be monitored periodically at various points on their academic progression. Deeply situated student focused partnerships with educational entities, business and industry, and community organizations are critical for student success. Acknowledging that success goals are unique to individual students, all stakeholders in the educational enterprise are accountable for contributing to strategies to enhance student success.
- III. Student success for all students at Montgomery College will be tracked and measured for the purpose of achieving individual student success and the purpose of identifying potential systemic improvements that lead to transformational change at scale for all students. Montgomery College is committed to adhere to and respond to success measures as reflected in annual federal and state accountability reports, College departmental performance matrices, and other accountability assessment methodologies. The College’s employee performance evaluation process will ensure that all employees have a clear understanding of their role in student success and will be responsible for improvements.
- IV. The president is authorized and directed to establish procedures necessary to implement this policy.

Board Approval: June 16, 2015; June 21, 2023

Chapter: Student Affairs

Modification No. 002

Subject: **Student Success**

I. Principles of Implementation

- A. Montgomery College is committed to identifying and implementing key conditions that promote equity in success for all students. These conditions include: consistent and intentional strategies to engage students with faculty, staff, and their academic work; mandatory administrative processes; and opportunities for achieving critical learning outcomes through participation in student life, co- and extra-curricular activities outside the classroom.
- B. Faculty, staff, and students work as partners for the shared goal of student success and each has responsibilities to achieve this goal.
- C. The College community is dedicated to structuring programs and supports so that students can:
 - 1. start smart;
 - 2. maintain a foundation of support opportunities;
 - 3. get connected;
 - 4. build community;
 - 5. participate in enhanced classroom experiences;
 - 6. be encouraged every step of the way; and
 - 7. have a plan to cross the finish line.

II. Actualization of Student Success

- A. Student success is accomplished when all students are prepared to engage in the global society and the knowledge economy as evidenced by their ability to:
 - 1. think: Solve problems by inquiring, interpreting, evaluating, and applying knowledge and skills;
 - 2. communicate: Pursue common understanding through effective exchange and expression of ideas;
 - 3. create: Apply curiosity, creativity, and flexible thinking to develop new ideas;
 - 4. engage: Collaborate effectively to discover and achieve common objectives;
 - 5. connect: Integrate learning across courses, over time, and between the College and the community to recognize interdependence and inter-connectedness; formulate an understanding of global interdependency;
 - 6. grow: Develop knowledge and skills to be resilient, self-confident, and independent lifelong learners; and
 - 7. achieve: Apply the experience, knowledge, and skills attained at Montgomery College to complete personal, educational, and professional goals.
- B. Success for all students is facilitated through:
 - 1. assessing student academic skills and guiding students to appropriate courses;

2. counseling and advising students to establish focused educational, career, and personal goals;
 3. assessing ongoing development, clarification, and refinement of student goals throughout the educational process;
 4. teaching students with challenging, but nurturing and encouraging, instructional methods; and
 5. providing effective and appropriate learning support programs and services.
- C. Student success is enabled when faculty and staff are committed to:
1. providing a positive, welcoming climate that reflects an ethical and caring college community;
 2. taking a personal interest by encouraging, assisting, and respecting the individual potential in each student; and
 3. setting personal performance expectations that reflect their commitment to student success.
- D. Student success is further ensured when the College:
1. is responsive to the community's needs and sets goals to meet them;
 2. monitors the workforce needs of local employers and develops programs to meet those needs;
 3. engages in partnerships with local nonprofits and other organizations to provide services for students' academic journey and basic needs;
 4. works closely with other educational institutions to build a resilient pipeline of opportunity from K-12 schools and into four-year institutions;
 5. clearly and effectively communicates information internally and externally;
 6. provides physical and virtual environments conducive to learning and the development of a sense of community for all students, faculty, and staff;
 7. offers students a comprehensive co-curricular program;
 8. is responsive to the needs of faculty and staff directly involved in the learning process;
 9. develops plans, allocates resources, and assigns administrative time to activities contributing to student success;
 10. provides professional development opportunities for faculty and staff that enhance the learning environment;
 11. maintains a reward system that recognizes faculty and staff contributions to students and their learning; and
 12. regularly evaluates (with student input) all aspects of College instruction, as well as support and administrative offices, and uses the data to improve such aspects.
- E. Specific actions and measurable results that support students towards their academic and career goals will be monitored. There are many valid measures of student success and achievement. Montgomery College measures used in credit programs include:
1. academic progress measured by GPA (by semester, cumulative, and trend direction);

2. retention and persistence measured by continuous enrollment and by credit hour acquisition over time; and
3. student goal attainment measured by transfer, employment, licensure, and graduation.

III. College Support for Student Engagement

Montgomery College faculty and staff are partners with students to support their success, and encourage a spirit of confidence in students in order that they can:

A. be champions of their own learning.

MC students will be guided to become familiar with policies, programs, and activities expressly established to promote student success. Students will be told the importance of attending advisor meetings and responding to communications from the College.

B. be champions of their peers' learning.

MC students are part of a college culture that focuses on everyone succeeding. Students will be encouraged to work with faculty and staff and take leadership in engaging peers in creating conditions for equity in achievement at Montgomery College.

C. connect with Montgomery College.

Students will be encouraged to utilize, to their benefit, the tremendous variety of supports (such as financial aid, grants, and scholarships), programs, services (such as faculty advisors, academic coaching, tutoring, learning centers, libraries, disability support, and community engagement centers), and opportunities (such as clubs, councils, and community service events).

D. commit to academic progress.

Degree-seeking students and transfer students, with support from faculty and staff, will establish a reasonable yet ambitious course plan to which they are expected to adhere. Recognizing that requirements are established to support their success, students will attend class, register as early as possible, meet deadlines, and participate in all required activities for their program and for the College.

IV. Effective Strategies for Student Success

Consistent with the principles above, Montgomery College will take the following actions:

A. Provide a safe, equitable, respectful, inclusive, and supportive learning environment.

Montgomery College will provide a safe, supportive, and accessible environment for all members of the community through such measures as communication among faculty, staff, and students, the *Code of Conduct*, ADA services, and

other College policies and applicable laws and regulations, including Title IX, Section 504, and the Americans with Disabilities Act.

Montgomery College recognizes the unique needs of students from diverse and varying economic and academic histories and experiences and is committed to supporting successful environments for all, paying particular attention to marginalized students and those facing opportunity barriers.

B. Sustain an institutional culture of evidence.

Montgomery College will continue to collect, analyze, share, and act on student success and achievement data that is clearly delineated and disaggregated by outcomes based on key student demographics. Insights from data collected will be integrated into program planning, reviews, budgeting, and resource allocations.

C. Support successful, informed access into the Montgomery College community.

1. Work with students to develop completion plans.
2. Welcome students to accessible, informative orientations.
3. Provide timely and clear financial aid and scholarship information.
4. Provide relevant programs and courses that prepare students for the workforce to earn family sustaining wages.
5. Monitor students' success throughout their academic journey and provide effective learning and/or personal interventions, if needed.

D. Provide advising.

Montgomery College will ensure effective advising throughout the student's academic experience; will help students distinguish between transfer and career goals; will use technology tools to track students' progress; will celebrate successful progress; and will respond to potential concerns through intrusive intervention measures such as immediate outreach, timely academic support and referrals, all designed to engage faculty and staff with students for successful progress.

E. Provide a wide range of targeted programmatic supports.

Montgomery College provides, for all students, a wide range of support programs including comprehensive first year experience courses, academic learning centers, open educational resources, federal grants, mentoring programs, Disability Support Services, career services, and other supportive referrals.

F. Connect students to the MC community through organizational structures, policies, and practices that support priorities for student achievement and success.

Montgomery College provides mentoring programs that include peer mentoring as well as mentoring by faculty and staff, opportunities for leadership development, community and civic engagement, undergraduate research with faculty, and participation in service learning, co-curricular and extra-curricular programs.

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- G. Connect students to articulated program pathways to major transfer institutions and contemporary and relevant programs for business and industry employment.

Montgomery College provide programs pathways that prepare students to earn a credential, to transfer for academic work towards a bachelor's degree or beyond, and/or to enter the workforce. The College endeavors to support all students on their chosen learning paths.

Administrative Approval: June 29, 2015; April 19, 2023

Chapter: Student Affairs

Modification No. 007

Subject: **Admission to Montgomery College**

- I. Montgomery College is committed to a policy of equal opportunity in student admissions, and other student policies and procedures. in accordance with Policy 41002-Equal Education Opportunity and Non-Discrimination Policy.
- II. In order to accommodate the various interests and goals of persons requesting admission to the College, applicants may be admitted to credit programs and courses as either degree or certificate seeking, or non-degree seeking, depending on their objectives and educational background, Applicants may also be admitted to noncredit workforce development and continuing education courses.
- III. General admission to Montgomery College credit programs and courses is open to all who are high school graduates, or the equivalent and those who are beyond the age of compulsory secondary school attendance in the state of Maryland.
- IV. Individuals without a high school diploma, GED, or the equivalent, and who are over sixteen (16) years of age, may register as non-credit students for noncredit workforce development and continuing education courses, with exception of some courses that require lab/internship/clinical experiences that may require students to be over 18 (eighteen) years of age. Those under aged sixteen (16) years of age may also, under certain circumstances, be eligible to enroll with permission of the program director by the start date of class.
- V. Individuals without a high school diploma who are attending high school may be admitted as a dual enrollment student. Maryland law defines a dually enrolled student as a “student who is dually enrolled in: (1) a secondary school in the State; and (2) an institution of higher education in the State.”
- VI. In setting priorities for admission to limited-enrollment curricula, the President (or designee) is authorized to establish minimum standards for admission to such curricula, as well as criteria to rank applicants for admission to such curricula in circumstances where the number of applicants exceeds the number of available spaces.
- VII. The Board of Trustees authorizes the president to establish any procedures necessary to implement this policy.

Board Approval: April 21, 1980; April 21, 1986; May 21, 1990; June 18, 2001; September 17, 2002; May 16, 2016; April 15, 2024.

Chapter: Student Affairs

Modification No. 023

Subject: **Admission to Montgomery College**

I. General

- A. All applicants seeking admission to the College must submit a completed electronic or paper application for admission to the Office of Records and Registration.
- B. To ensure the availability of all appropriate assessment and advising services, applications for admission must be received by the Office of Records and Registration a minimum of ten days prior to the start of the semester for which application is being made.
- C. Some curricula of the College have a limit on the number of students who may be admitted. These limitations are set by the campus vice president/provost.
- D. Students who wish to enroll in the music curriculum on the Rockville Campus must be auditioned prior to registering for certain classes.

II. Criteria for Admission to Montgomery College

- A. In order to satisfy minimum qualifications for enrollment in MC credit courses, in addition to submitting an application, the applicant must meet any one of the following conditions:
 - 1. Be a graduate of an accredited high school.
 - 2. Have satisfactorily completed the General Equivalency Diploma examination.
 - 3. Meet eligibility requirements as a dually enrolled student. Maryland law defines a dually enrolled student as a “student who is dually enrolled in: (1) a secondary school in the State; and (2) an institution of higher education in the State.”
 - a. For standard admission into Dual Enrollment, students will:
 - 1) Have verifiable enrollment in a secondary school in the State.
 - 2) Have an articulated plan for high school and college attendance which will include all courses required for high school graduation with time remaining in the schedule to include college courses for the registered term, verified by a high school official
 - 3) Have an overall 2.75 (unweighted on a 4-point scale) cumulative high school grade point average as a Junior or below or an overall 2.50 (unweighted on a 4 point scale) high school cumulative grade point average at the

end of their junior year (verified by an official copy of their high school transcript).

- 4) Have the approval of a parent (or guardian).
 - 5) Students enrolled in an out of state school may be eligible to participate if they meet all criteria above.
- b. For admission into Dual Enrollment as a home-schooled student, students will:
- 1) Submit verification from their county's home school program office, indicating that they are registered with the local county or district school system as home schooled high school level student.
 - 2) Have an articulated plan for high school and college attendance which will include all credits required for high school graduation with time remaining in the schedule to include college courses for the registered term, verified by a home school approver.
 - 3) Have an overall 2.75 (unweighted on a 4-point scale) cumulative high school grade point average as a Junior or below or an overall 2.50 (unweighted on a 4-point scale) high school cumulative grade point average at the end of their junior year (verified by an official copy of their high school transcript from a MSDE registered non-public entity).
 - 4) Students without a verifiable high school transcript must test college ready in English, reading and math.
 - 5) Have the approval of a parent (or guardian).
- c. Under extraordinary circumstances:
- 1) Students who are enrolled in a public or private school, or equivalent, and who do not meet the requirements in II. A. 3.a. above, but whose achievement in a certain field of study is clearly exceptional may be enrolled as a Dual Enrollment student. This achievement may be documented through testing or other means deemed necessary by the appropriate instructional dean, department chair or faculty, and it must surpass the level of courses offered by the school attended. The approval of the director of academic initiatives or designee is also required.
 - 2) Students under age 14 must also be interviewed by the director of academic initiatives or designee, however

these students must first meet the standard requirement for admission and meet all course assessment levels, prerequisites, and any other course requirements.

4. A person who is beyond the age of compulsory attendance in the State of Maryland and who has left secondary school.
- B. In all cases, the College reserves the right to make the final decision on admission.

III. Documents Required for Admission to Montgomery College

A. Required Documentation

1. Application completed and signed.
 2. Official high school transcript or GED for students seeking admission within five years following high school attendance. The U.S. Department of Education requires colleges that receive federal funds to adopt procedures to determine the validity of a student's high school completion status when the student applies for Federal Student Aid (FSA). In accordance with 34 C.F.R 668.16, if Montgomery College or the U.S. Department of Education has reason to believe that the high school diploma or transcript is not valid or was obtained from an entity that does not provide secondary education, the College must review further. In cases where the validity of graduation information is in question, Montgomery College will request supporting documentation, including any of the following:
 - a. Documentation from the secondary school to confirm the validity.
 - b. Documentation from the relevant department or agency in the state or country in which the secondary school is located to confirm that the secondary school is recognized as a provider of secondary school education.
 - c. An educational evaluation completed by an accepted credential evaluation agency.
 3. Official College/University transcripts (if applicable).
 4. Dually enrolled students must complete all dual enrollment criteria and submit their most recent official high school transcript for each semester seeking enrollment.
 5. Recent high school graduates are also strongly encouraged to submit SAT or ACT scores. Some scores may waive requirements for assessment testing.
- B. Students who wish to register for credit courses must follow the College's assessment policies and procedures.

- C. Dual Enrollment students may not enroll in developmental courses or courses that combine developmental and college level work, except in rare and unusual circumstances and with approval of the director of academic initiatives.
- D. Additional admissions procedures are required for International Students on Student Visas (F-1/M-1). Beyond the above requirements, they must:
 - 1. submit a Montgomery College application and all supporting data by June 1st for fall enrollment or October 1st for spring enrollment;
 - 2. submit a high school transcript (certified translation if not in English) or GED certificate, Secondary External Examinations (GCE Ordinary or Advanced Level Exam Reports, Baccalaureate, CXC), secondary leaving certificate, as appropriate;
 - 3. submit transcript(s) (translated into English) from any U.S. or foreign post-secondary institution;
 - 4. submit a letter, if the applicant is currently enrolled at a language school in the United States, indicating the current or last date of enrollment;
 - 5. provide evidence of satisfactory English language fluency (international students whose assessment test scores in English and reading, in accordance with College policies and procedures regarding assessment testing and placement, or whose academic records indicate deficiency in English language fluency, may be admitted, but will be required to take appropriate courses designed to improve their language fluency sufficiently to benefit from regular courses);
 - 6. provide documented proof of sufficient financial support, as determined by the Office of Records and Registration..
 - a. an affidavit of support that must be current within six months of the date the affidavit was completed and
 - b. proof of financial support as demonstrated by one or any combination of the following items:
 - 1) certified bank letter showing the date the account was opened, the amount deposited for the past year, and the present balance;
 - 2) certified letter from the sponsor's employer showing the date and nature of employment and the salary paid and indicating if the position is temporary or permanent;
 - 3) copy of scholarship award or authorization letter from sponsoring agency showing amount of support and length of time authorized as well as any special conditions of sponsorship; or

- 4) copy of the most recent income tax statement or commercial rating if the applicant's sponsor is self-employed and resides in the United States.

IV. Additional Requirements for Admission to Medical Health Science Programs

All candidates seeking admission to one of the medical health science programs, which are selective admission programs, must meet the following additional admission requirements:

- A. Must be eligible for admission to Montgomery College. (Submit separate Montgomery College admission application if not submitted previously.)
- B. Must meet curriculum admission criteria, which have been approved in advance by the Campus Provost for the curriculum for which the student is applying.
- C. Must meet minimum grade point average requirement of 2.5 out of 4.0 scale for consideration based on the most recent 24 college credits or equivalent high school units.
- D. Must meet all legal requirements and/or standards imposed by recognized professional societies and by the institution or agency where the clinical practice is to occur.
- E. Must understand that participation in certain clinical courses (e.g. those involving hospital practice) may require the passing of appropriate health examinations (i.e. TB test).

V. Workforce Development and Continuing Education Students

A. Criteria

1. The Continuing Education & Workforce Development unit of the College offers noncredit courses open to anyone regardless of previous educational experience. Individuals enrolled in the noncredit courses are admitted as Continuing Education students.
2. The Workforce Development and Continuing Education unit also coordinates the offering of off-campus and non-traditional credit courses/programs. Applicants for admission to these credit courses/programs are subject to the same criteria specified in section II above.

B. Admission Procedures

1. Registration in a noncredit Continuing Education course is equivalent to admission to the College as a Continuing Education student.
2. Applicants for admission to credit courses/programs sponsored and coordinated by the Workforce Development & Continuing Education unit are subject to the same procedures for credit courses/programs specified above.

VI. Readmission Procedures

1. Once admitted to Montgomery College, students are eligible to return at any time in the future without a subsequent application.
2. In accordance with regulation 53001a(8.3)(D)(3), students whose period of non-enrollment at Montgomery College (excluding summers) is two consecutive academic years must select and complete a curriculum as specified in any catalog in effect during their subsequent enrollment. Specialized programs may have additional re-admittance requirements.
3. In accordance with federal regulations, 34 C.F.R. 668.18, and the Department of Defense Voluntary Education Partnership Memorandum of Understanding, Montgomery College allows military service members and reservists who are temporarily unable to attend class or have to suspend their studies due to service requirements to be promptly readmitted with the same academic status and without completing a new curriculum.

Administrative Approval: March 4, 1974; May 1, 1980; May 21, 1990; April 1, 1991; January 7, 1992; April 29, 1993; May 6, 1993; December 4, 1995; July 12, 1997; August 13, 1998; October 8, 2000; June 18, 2001; November 17, 2001; September 17, 2002; December 3, 2002; March 26, 2003; August 7, 2007; June 24, 2013; June 29, 2015; June 16, 2016; August 21, 2021; April 17, 2024; September 9, 2024.

Chapter: Student Affairs

Modification No. 009

Subject: Equal Education Opportunity and Non-Discrimination Policy

- I. Montgomery College is committed to equal education opportunity that assures access, equity, and diversity in student admissions and other student policies. Further, the College is committed to providing an environment in which all persons are provided the opportunity for participation in academic programs, and/or other College activities, free from discrimination and/or ethnic, cultural, and racial hostility, violence, or harassment.
- II. It is the policy and practice of the College to prohibit discrimination in its programs and activities against a qualified individual with a disability or on the basis of age, citizenship status, color, covered veteran status, gender identity, genetic information, marital status, national origin, race, religion, sex, sexual orientation or any other characteristic protected by applicable law. This policy is consistent with applicable laws and regulations.
- III. It is the policy of the Board of Trustees to take positive steps to identify and change College policies and other institutional barriers that may prohibit or adversely affect access, equity, and diversity.
- IV. The Board of Trustees authorizes the president to establish any procedures necessary to implement this policy.

Board Approval: January 22, 1975; July 26, 1976; April 15, 1991; July 15, 1991; September 21, 1999, November 18, 2002, December 13, 2010; February 25, 2013; April 15, 2024.

Chapter: Student Affairs

Modification No. 005

Subject: Equal Education Opportunity and Non-Discrimination Policy

I. General Accommodations

A. Montgomery College is committed to providing equal access to educational opportunities for students with disabilities. Montgomery College recognizes that individuals with disabilities may need reasonable accommodations to have equally effective opportunities to participate in or benefit from College educational programs, services and activities. Montgomery College shall adhere to all applicable federal and state laws, regulations, and guidelines with respect to providing reasonable accommodations as necessary to afford equal access to programs for qualified persons with disabilities.

B. Accommodation Requests

1. Applicants and students requesting reasonable accommodations for placement testing, degree, and non-degree programs shall contact Disability Support Services (DSS) at Rockville, Germantown, Takoma Park/Silver Spring, or Workforce Development and Continuing Education. Students must complete the online DSS Intake Form located on the DSS web site.
2. The DSS Counselors are responsible for the determination of eligibility and all reasonable accommodations.
3. Students must provide supporting documentation that demonstrates how their disability limits participation in courses, programs, services, jobs, activities, and/or access to College facilities and how the accommodation meets their need. The type of required documentation will vary depending on the nature of the disability and accommodations requested.
4. Documentation of the disability must be from appropriate professionals who are credentialed to make a diagnosis. DSS Counselors will determine the appropriateness of the documentation and reserve the right to request additional documentation when the disability and need for accommodation is unclear.
5. All documentation related to a student's disability shall be kept confidential and retained by DSS. The DSS file shall be maintained separately from other student records maintained by the College.
6. Requests for accommodation should be made as soon as possible after admission to the College, or as soon as the disability becomes known to allow DSS adequate time to review the documentation, establish whether the student is qualified, and determine a reasonable accommodation through an interactive process with the student. In general, students are encouraged to request accommodations prior to the beginning of a semester or course or as soon as a disability becomes known.

C. Eligibility Determination and Implementation

1. Students are responsible for scheduling a meeting with DSS and submitting all necessary supporting documents prior to that meeting. The purpose of the meeting is for DSS to engage the student in an interactive process to determine whether the student is: 1) a qualified individual, and 2) appropriate accommodations that meet the student's individual needs.
2. An *Accommodations Letter* will be developed for the student with directions for sharing the letter with instructors. After receiving the *Accommodations Letter*, students are expected to meet with each course instructor, to provide them with a copy of the letter. Students are responsible for requesting accommodation letters each semester from DSS.
3. Students and instructors should discuss a plan for how the accommodations will be implemented throughout the semester or duration of the course. Questions regarding how to implement accommodations must be referred back to the DSS counselor.
4. DSS will work with the student and instructor (and chair or dean as appropriate) to facilitate effective and timely implementation of approved accommodations. Accommodations must be implemented by faculty, unless it is determined that the accommodation would fundamentally alter the course or program.
5. If an instructor, chair, or dean believes the accommodation fundamentally alters the academic objectives of the course, curriculum, program, or degree, they are obligated to notify DSS immediately, in writing, and provide an explanation of the reasoning.
6. If a student believes they are being denied reasonable accommodations or that reasonable accommodations are not being implemented in an effective and timely manner, the student should contact their DSS counselor or chair of DSS immediately.
7. The College, through DSS, will attempt to resolve any complaints within five (5) business days. If the student is not satisfied with the results of the efforts to resolve the complaint, they may file a complaint with the Director of ADA Compliance.
8. Within ten (10) business days, DSS will work with the student, instructor, chair, and dean to identify an alternative solution to ensure the student's accommodation needs are met.

II. Student Short Term Medical Leave

- A. Montgomery College recognizes that individuals with personal medical incapacitation may need reasonable academic adjustments to have equally effective opportunities to participate in or benefit from College educational programs, services and activities. Montgomery College shall adhere to all

applicable federal and state laws, regulations, and guidelines with respect to providing reasonable accommodations as necessary to afford equal access to programs for all qualified persons. Students should be aware that applying for short-term medical leave may have financial aid and transfer implications and are encouraged to speak with a counselor.

B. Responsibilities

1. Students requesting short-term medical leave must contact the Director of ADA Compliance.
2. The Director of ADA Compliance is responsible for reviewing and approving all requests for student short-term medical leave.
3. In conjunction with the Director of ADA Compliance, academic departments and faculty members will make a determination of all reasonable academic adjustments and providing those adjustments.

C. General Procedures for Students

1. To apply for short-term medical leave, a student must provide medical documentation, fill out a short-term medical leave form and submit that form to the Director of ADA Compliance.
2. The Director of ADA Compliance will review the application for all student short-term medical leave.
3. If the request for leave is deemed eligible, the Director of ADA Compliance will work with the academic department and instructor of record to determine appropriate academic adjustment(s) that will allow the student to successfully complete the course requirements.
4. The Director of ADA Compliance will notify the student in writing of the conditions of his/her short-term medical leave.
5. The student must acknowledge receipt and acceptance of the academic adjustment(s) in writing to the Director of ADA Compliance. Until the student acknowledges receipt of the academic adjustment(s) in writing, the student will continue to be held to the standards that were set forth in the course syllabus.
6. A request for short-term medical leave should be submitted as close to the medical condition as possible, preferably within the same semester/session during which the leave will be used. In cases where the medical leave was unanticipated, a student can retroactively request leave.

D. General Procedures for Faculty

1. The instructor of record will consult with the Director of ADA Compliance to determine which academic adjustment(s) will ensure that the student is able to fulfill the course requirements.
2. It is at the discretion of the instructor of record to determine which academic adjustment(s) presented by the Director of ADA Compliance will allow a student to successfully complete the course requirements.
3. Academic adjustments may include, but are not limited to:
 - a. extensions on course assignments;
 - b. alternative content delivery; or
 - c. possible withdrawal from a course
4. During the review process, the Director of ADA Compliance may consult with other offices as necessary to determine academic adjustments.

III. Pregnancy Disclosure

- A. A student who is, or becomes, pregnant is strongly encouraged to notify their course instructors or the Director of ADA Compliance as soon as possible. By doing so, the student and instructors and the Director of ADA Compliance can collaborate and develop an appropriate plan for the continuation of the student's education in light of the unique nature of the College program, as well as particular challenges the student may face while pregnant or when recovering from childbirth (e.g., missed classes, make-up work, etc.). Adjustments described in III., B., below may also apply to the pregnant student's partner at the discretion of the Director of ADA Compliance. However, the choice to declare a pregnancy is voluntary, and a student is not required to disclose this information to the College.

B. Options After Disclosure

Once a student has voluntarily decided to disclose a pregnancy to the College, the student will have several options, as described below. The instructor will set up an interactive meeting with the student and the Director of ADA Compliance.

1. Continue in the program

If a student decides to continue in the program and desires to have any adjustments to their academic program due to the pregnancy, the student should contact the instructor. Then the instructor and the Director of ADA Compliance will meet with the student to discuss any reasonable adjustments that may be necessary to continue in the program.

2. Request a leave of absence

- a. A leave of absence due to pregnancy may be for various amounts of time depending on a student's particular circumstances. Such a leave may be extended if deemed medically necessary by the student's physician.
- b. Due to the structure of some College academic programs, such as Nursing and Health Sciences, the timing and/or length of a student's leave of absence may result in the student being required to re-take or finish course(s) in a future term.
- c. If taking a leave of absence due to a pregnancy, an educational plan will be developed and discussed with the student and instructor and the Director of ADA Compliance.

3. Withdraw from the College

The student may, at the student's sole discretion, determine that they must withdraw from the College for an indefinite period of time or permanently due to pregnancy. Normal College withdrawal procedures, and readmission procedures (if applicable), apply.

IV. Accommodations for Faith-based or Religious Practices

- A. It is the College's long-standing policy and practice to provide reasonable alternative academic accommodations for students to practice sincerely held faith-based or religious beliefs. In addition, the College provides space on each campus to accommodate faith-based or religious practices.
- B. Students will be allowed reasonable alternative accommodations for missing an examination or other academic requirement if the student's sincerely held faith-based or religious belief or practice affects the student's ability to take an examination as scheduled or meet any other academic requirement. However, where there is more than one alternative accommodation that will effectively accommodate the student's request, the College may select any of the accommodations. In addition, the College is not required to grant any requested accommodation that would fundamentally alter a course or academic program.
- C. The Office of Equity & Inclusion will post a list of major religious holidays or festivals for the next two academic years. Instructors should make every effort to avoid scheduling exams on the listed days. The posted list is non-exhaustive, and the list may not be used to deny accommodation to a student for a holiday or festival of the student's faith-based or religious belief system that does not appear on the list.
- D. Students are responsible for reviewing the course syllabus during the first week of instruction for potential conflicts with faith-based or religious practices and email their instructor to request any academic accommodations. For exams and assignments subsequently added or announced, students should email their instructor as soon as possible and in advance of the conflict.

- E. The instructor will review the student's request for any academic accommodations to practice sincerely held faith-based or religious practices, engage in an interactive process with the requesting student as appropriate to determine whether and how the request can be accommodated, and provide a written response to the student.
 - F. If the instructor grants a student's request under this procedure, the instructor will provide the student the opportunity to make up missed assignments, exams, or activities, or provide alternatives that are substantially equivalent to the original assignment, exam, or activity. Student absences granted as an accommodation under this procedure will not be counted against any mandatory attendance policy, but they do not relieve the student of the responsibility for completion of any part of the coursework missed as the result of a faith-based or religious practice.
 - G. If, upon good faith consideration of the request, the student and instructor are unable to agree upon a reasonable accommodation, or the instructor has concerns regarding the student's request and whether a reasonable accommodation is possible, the instructor should consult with the department chair before denying the request.
 - H. If the instructor, after consultation with the department chair, denies a student's request for accommodation under this procedure, the student may file a written appeal, accompanied by the student's original request and the instructor's written denial, to the instructional dean of the department within five (5) business days of the instructor's decision. The instructional dean or designee will issue a decision in writing within five (5) business days of receiving the appeal. The decision of the dean or dean's designee is final.
 - I. Students, faculty members, chair and/or deans who have questions or concerns about academic accommodations for religious observances or religious beliefs, may contact the College's Director of ADA Compliance, at Compliance@montgomerycollege.edu or 240-567-4279.
 - J. Students wishing to report noncompliance with this section or who believe they have been harassed or discriminated against based on religion may contact the College's Director of ADA Compliance at Compliance@montgomerycollege.edu or 240-567-4279 or file a complaint pursuant to the procedures set forth in Section V below.
- V. Discrimination Complaint Procedure
- A. Any student may file a discrimination complaint with the Director of ADA Compliance when they believe a discriminatory violation has occurred. A formal discrimination complaint must be in writing and include all pertinent information concerning the individual's complaint. All complaints will be subject to a comprehensive investigation conducted by the Director of ADA Compliance in consultation with the appropriate dean. A discrimination complaint must be filed within 180 calendar days after the facts giving rise to the alleged violations has occurred to comply with federal regulation and College policy. If the

discriminatory behavior is or has been continuous, the complainant should consult the Director of ADA Compliance immediately.

- B. Students are encouraged to attempt informal resolution of any problem within the unit where the problem occurs. Confidential inquiries may be made to the Director of ADA Compliance in an effort to resolve complaints informally.
- C. Upon receipt of a discrimination complaint, the Director of ADA Compliance will meet with the concerned individual(s) as soon as practicable in an attempt to resolve the complaint, consistent with established procedures.
- D. More detailed information concerning the complaint procedures is available in the offices of the Dean of Student Affairs on all three campuses and the Office of Compliance and Ethics.
- E. The College recognizes the importance of confidentiality. To the extent possible, all information received in connection with the filing, investigation, and resolution of complaints will be treated as confidential. Records will be maintained in a confidential manner to the extent permitted by law and insofar as they do not interfere with the College's legal obligation to investigate and resolve issues of discrimination. Thus, confidentiality will be maintained except as disclosure may be required to be made: (i) by law; (ii) to individual witnesses with knowledge of facts relating to the complaint; (iii) to the Director of ADA Compliance, or designated representative, when applicable; (iv) to union representatives in the event the Respondent(s) are union members, and/or; (v) on a need to know basis to counsel, insurers, auditors, appropriate Board members and executives of the College. The Complainant(s) and Respondent(s) shall, at all times pending final determination of the matter, maintain the confidentiality of the matter and shall not disclose to any person the name of the Complainant(s), any Respondent(s), or the facts asserted to give rise to the complaint. Complainants and witnesses should be informed that the confidentiality of their identities cannot be assured throughout the investigation, although a reasonable effort will be made to protect and preserve confidentiality. A Complainant(s) should be aware that s/he/they may be called as a witness in subsequent disciplinary or other related proceedings.
- F. Retaliation against a person who has filed a complaint or against any individual who participated in an investigation is strictly prohibited. Any retaliatory action by any College employee or student against a Complainant or witness is prohibited and may be grounds for disciplinary action or dismissal from the College.
- G. Any individual found to have knowingly and intentionally filed a false allegation or provided false information may be subject to appropriate disciplinary action. A complaint made in good faith is not considered false merely because the evidence does not ultimately support the allegation of discrimination.

VI. OCR Complaint

Although students are encouraged to attempt to resolve complaints pertaining to disabilities by using this Grievance Procedure, they have the right to file a complaint directly with the U.S. Department of Education, Office for Civil Rights (OCR).

VII. Education and Training

Education is a key element of this procedure. The College will provide education and information, as appropriate, for students and employees to enhance understanding and increase awareness of the College's Student Short-Term Medical Leave Policy. Any mandatory education requirements will be announced and posted on the College's website.

Administrative Approval: October 7, 2010; December 13, 2010; February 23, 2015; February 12, 2018; October 20, 2023

Chapter: Student Affairs

Modification No. 004

Subject: **Student Cumulative Records**

- I. In the day-to-day operations of the College, employees must often utilize information of a confidential nature in order to carry out their jobs. It is a major responsibility both ethically and legally for all employees to safeguard and properly use confidential information.
- II. Montgomery College students have a right to privacy in accordance with the provisions established by the Family Educational Rights and Privacy Act of 1974 (FERPA) and its amendments.
- III. Students have the right to (1) inspect their education records; (2) limit disclosure of personally identifiable information from their education records to others without students' prior written consent, except to the extent FERPA authorizes disclosure without consent; and (3) the opportunity to seek correction of their education records where appropriate; file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA.
- IV. The Board of Trustees authorizes the president to establish any procedures necessary to implement this policy.

Board Approval: July 15, 1968; September 15, 1975; October 17, 2016; March 20, 2024.

Chapter: Student Affairs

Modification No. 010Subject: **Student Cumulative Records**

I. Introduction

Montgomery College ("the College") complies with the Family Education Rights and Privacy Act of 1974 ("FERPA") and its amendments. It is the College's policy (1) to permit students to inspect their education records; (2) to limit disclosure of personally identifiable information from education records to others without students' prior written consent, except to the extent FERPA authorizes disclosure without consent; and (3) to provide students the opportunity to seek correction of their education records where appropriate.

II. Definitions

A. Directory Information has been designated by the College to include the following information, which would not be generally considered harmful to the student, or an invasion of privacy, if disclosed:

1. Student's name;
2. Address;
3. Email address;
4. High school attended;
5. Major field of study (including current classification, year, credit load, and number of academic credits earned toward degree);
6. Dates of attendance;
7. Degrees and awards received (type of degree and date granted);
8. Participation in officially recognized activities and sports;
9. Photograph, weight and height of members of athletic teams;

The following information will not be disclosed, but may be verified:

1. Telephone listing
2. Date of birth

B. Alleged Perpetrator of a Crime of Violence is a student who is alleged to have committed acts that would, if proven, constitute any of the following offenses or attempts to commit the following offenses: arson; assault offenses; burglary; criminal homicide - manslaughter by negligence; criminal homicide - murder and non-negligent manslaughter; destruction, damage, or vandalism of property; kidnapping or abduction; robbery; forcible sex offenses.

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- C. Alleged Perpetrator of a Non-Forcible Sex Offense means a student who is alleged to have committed acts that, if proven, would constitute statutory rape or incest.
 - D. Disclosure means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records to any party, by any means, including oral, written, or electronic means.
 - E. Disciplinary Action or Proceeding is the investigation, adjudication, or imposition of sanctions by the College with respect to an infraction or violation of the internal rules of conduct applicable to College students.
 - F. Education records include those records (in handwriting, print, computer media, video or audio tape, film, or other medium) that contain information directly related to a student and that are maintained by the College as official working files. Disciplinary action or proceeding records are considered education records.
 - 1. The following are not education records:
 - a. records about students made by educational personnel which are in the sole possession of the maker of the record and are not accessible or revealed to any other individual (except a substitute who performs on a temporary basis);
 - b. law enforcement (campus security) records created by the law enforcement unit, maintained solely for law enforcement purposes, and kept separate from the education records described above and not shown to others;
 - c. employment records relating exclusively to the student's capacity as an employee, except that records of an individual who is employed by the College because of the individual's status as a student are education records (e.g. teaching or research assistants, work study and student assistants);
 - d. records of a physician, psychologist, or other recognized professional or paraprofessional made in connection with treatment of student and disclosed only to individuals providing the treatment. These records, however, may be reviewed by an appropriate professional designated by the student;
 - e. records containing information relating to a student that do not relate to the individual's time as a student, but rather related to matters after that person is no longer is in attendance at the College.
 - G. Final Results means a decision or a determination, made by an honor court or council, committee, commission, or other entity authorized to resolve disciplinary matters within the institution. The disclosure of final results must include only the name of the student, the violation committed, and any sanction imposed by the institution against the student.

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- H. Law Enforcement Unit Records are records, files, documents and other materials that are (1) created by a law enforcement unit; (2) created for a law enforcement purpose; and (3) maintained by the law enforcement unit.
1. These records do not include:
- a. records created by a law enforcement unit for a law enforcement purpose that are maintained by a component of the educational institution other than the law enforcement unit;
- b. records created and maintained by a law enforcement unit exclusively for non-law enforcement purposes such as a disciplinary action or proceeding conducted by the institution.
- I. Legitimate Educational Interest means the demonstrated need to know by a College official who needs the education record or personally identifiable information in order to fulfill their professional responsibility.
- J. Personally Identifiable Information includes data that can be used, in part or in combination with other data to distinguish or trace an individual's identity, such as name, social security number, date of birth, student/employee M number; and any other information that is linked or linkable to an individual, such as medical, educational, financial, or employment information.
- K. Sanction Imposed means a description of the disciplinary action taken by the institution, the date of its imposition, and its duration.
- L. School or College Officials include any persons employed by the College in an administrative, supervisory, academic or support staff position (including law enforcement unit personnel and health staff); any person, firm, or company with whom the College has contracted (such as an attorney, auditor, or collection agent); any person serving on the Board of Trustees; any student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing their duties.
- M. Student means any individual who is or has been in attendance at the College in either an on- or off-campus program, and regarding whom the College maintains education records. Persons whose applications to the College have not been accepted have no rights under FERPA. Admitted students are covered by FERPA once they have enrolled at the College.
- N. Violation Committed means the institutional rules or code sections that were violated and any essential findings supporting the institution's conclusion that the violation was committed.
- O. Violent Crime means an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense. It includes, but is not limited to, the following offenses: criminal homicide, forcible sex offense, robbery, aggravated assault, and arson, as well as burglary of an occupied structure or dwelling and kidnapping.

III. Inspection and Review of Records**A. Right of Access**

1. Each student has a right to inspect and review their education records, except that the College does not have to permit a student to inspect and review:
 - a. education records containing information about more than one student, in which case the student may inspect and review or be informed of only the specific information pertaining to the student.
 - b. financial records of the student's parents;
 - c. confidential letters of recommendation received prior to January 1, 1975;
 - d. confidential letters of recommendation placed in a student's education records after January 1, 1975; if the student has signed a waiver of their right to access; and the letters and statements are related to the student's (1) admission to an education institution; (2) an application for employment; or (3) receipt of an honor or award
 - (1) The College will not require waivers as a condition for admission, receipt of financial aid, or any other service or benefit.
 - (2) When the student has signed such a waiver, the College shall give the student, upon request, the names of persons who provided the letters and statements of recommendation and use the recommendation solely for the purpose intended.
 - (3) A waiver may be revoked in writing at any time, and the revocation will apply to all subsequent recommendations, but not to recommendations received while the waiver was in effect.

B. Requests for Access

1. Requests for access should be made in writing to the Director of Enrollment Services and College Registrar. The College will comply with a request for access within a reasonable time, which shall not be more than forty-five (45) days from the request. The College shall respond to reasonable requests for explanations and interpretations of records. Usually, arrangements will be made for the student to inspect and review their records in the presence of the appropriate College staff member. If circumstances effectively prevent the student from exercising the right to inspect their education records, the College shall provide the student with a copy of the records requested. No campus will provide copies of

any transcripts in the student's records other than the student's current College transcript. Official College transcripts, with the College seal, are provided at a higher charge, in accordance with the fee structure approved by the Board of Trustees and published in the College Catalog. The College shall not charge a fee to search for or retrieve education records.

2. Once a student has requested access to their education records, such records cannot be destroyed until inspection and review have been provided.

C. Types and Location of Education Records; Title of Record Custodians

1. Admissions

- a. Director of Enrollment Services and College Registrar.
 - (1) Applications and transcripts from high schools and other colleges previously attended.
 - (2) Admissions information.

2. Registrations

- a. Director of Enrollment Services and College Registrar.
 - (1) All ongoing academic and biographical records from high school and other colleges.
 - (2) Records of academic appeal.

3. Departments

- a. Departmental offices; Chairs (Check first with the Director of Enrollment Services and College Registrar).
 - (1) Miscellaneous records kept within the department.

4. Deans

- a. Deans' offices of each campus.
 - (1) Miscellaneous records.

5. Dean of Student Affairs

- a. Students' judicial and disciplinary records.

6. Counseling Department

- a. Counseling department for each campus.

- (1) Biographical data, summaries of conversations with students, and test results
 - (a) Where such records are made and used only for treatment purposes, they are not education records and are not subject to this policy.

7. Financial Aid

- a. Director of Financial Aid, Central Administration.
 - (1) Financial aid applications, needs analysis statements, awards
 - (a) There is no student access to parents' financial statements.

8. Career Development Center

- a. Career/Transfer Center for each campus.
 - (1) Recommendations, unofficial copies of academic records.

9. Business Services

- a. Chief Business Officer, Central Administration.
 - (1) All student accounts receivable, records of student's financial charges and credits with the College.

IV. Amending Education Records

A. Scope

The procedural safeguards set forth in this section are not applicable to grade disputes.

B. Request to Correct Records

- 1. A student who believes information contained in their education records is inaccurate or misleading or violates their right of privacy may submit a written request to the Director of Enrollment Services and College Registrar, specifying the document(s) being challenged and the basis for the complaint. The request will be sent to the person responsible for any amendments to the record in question.
 - a. Questions regarding the accuracy in recording of academic or admissions data will be referred to the Director of Enrollment Services and College Registrar, or the Campus Registrar where the record is maintained.

- b. Questions regarding the accuracy or appropriateness of disciplinary material included in the cumulative report will be referred to the Dean of Student Development of the campus maintaining the record.
 - c. Questions regarding the accuracy of financial aid materials will be referred to the Director of Financial Aid.
 - 2. Within a reasonable period of time of receipt of the request, the College will decide whether to amend the records as requested. If the College decides not to amend the record as requested, the student will be so notified and will also be advised of the right to a hearing.
- C. Right to a Hearing
 - 1. Upon request by a student, the College will provide an opportunity for a hearing to challenge the content of the student's record(s).
 - a. A request for hearing should be in writing and submitted to the Director of Enrollment Services and College Registrar.
 - 2. Within a reasonable period of time of receipt of the request, the student will receive written notification of the date, place and time reasonably in advance of the hearing.
 - 3. Conduct of the Hearing
 - a. The hearing will be conducted by a College official who does not have a direct interest in the outcome.
 - b. The student will have a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of the student's choice at their own expense, including an attorney.
 - 4. Decision
 - a. Within a reasonable period of time after the conclusion of the hearing, the College will notify the student in writing of its decision. The decision will be based solely upon evidence presented at the hearing and will include a summary of the evidence and the reasons for the decision.
 - b. If the College decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, the College will amend the records accordingly.
 - 5. Right to Place an Explanation in Education Record
 - a. If, as a result of the hearing, the College determines that the information is not inaccurate, misleading, or otherwise in violation of the student's rights, the College will inform the student of the right to place in their record a statement

commenting on the information and/or explaining any reasons for disagreeing with the College's decision. Any such explanation will be kept as part of the student's record as long as the contested portion of the record is kept and will be disclosed whenever the contested portion of the record is disclosed.

V. Disclosure of Records

A. Prior Consent

1. In general, the College will not disclose a student's education records or personally identifiable information therefrom without the student's prior written consent.
2. The written consent must:
 - a. specify the records that may be disclosed;
 - b. state the purpose of the disclosure; and
 - c. identify the party or class of parties to who the disclosure may be made.
3. A student may request that the College provide a copy of the records disclosed pursuant to such consent.

B. Prior Consent Not Required

1. The College *may* make disclosures of a student's personally identifiable information and/or education records, without obtaining prior written consent, if the disclosure meets one or more of the following conditions:
 - a. When the information is directory information as defined in Section I. (A).
 - (1) While disclosure of directory information about a student is not generally considered harmful or an invasion of privacy under FERPA, FERPA does not require the College to disclose directory information to outside parties. The College exercises discretion in responding to requests for directory information and may or may not provide such information when requested, depending on the intended purpose of the request. Where the College does decide to disclose directory information, it typically releases only names, terms enrolled, major field of study, and degrees and awards received. Requests for addresses and e-mail addresses may be released, at the College's sole discretion and provided such requests have been reviewed and approved by appropriate College personnel, in response to requests from law enforcement agencies and /or accredited educational institutions seeking to provide information to MC students regarding educational opportunities.

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- (a) Requests from educational institutions shall be reviewed by the Senior Vice President for Academic Affairs, or designee, in consultation with the Director of Enrollment Services and College Registrar.
 - (b) Requests from law enforcement agencies shall be reviewed by the Director of Public Safety, or designee, with notice provided to the Director of Enrollment Services and College Registrar.
 - (c) All other requests shall be reviewed by the Director of Enrollment Services and College Registrar or designee.
 - (2) The College will not knowingly release directory information to any outside entity for commercial, political, or solicitation purposes. The College does not rent or sell student information for a fee.
 - (3) The College will give annual notice to students of the categories of information designated as directory information. A student may choose to have this information withheld and not disclosed by filing a request with the Director of Enrollment Services and College Registrar, within three weeks of the first day of the semester in which the student begins each school year. This notice must be filed annually within the above allotted time to avoid automatic disclosure of directory information. All requests for non-disclosure of directory information will be implemented as soon as publication schedules reasonably will permit.
 - (4) The College will use its best efforts to maintain the confidentiality of those categories of directory information that a student properly requests not be publicly disclosed.
 - b. When the information is disclosed to College officials who have legitimate educational interests.
 - c. When the disclosure is to officials at another institution of post-secondary education where the student seeks or intends to enroll. Upon request, a student will be given a copy of any records disclosed.
 - d. When the information is disclosed to organizations conducting studies for or on behalf of the College or an education agency, to develop, validate, or administer predictive tests, administer student aid programs, or improve instruction.
 - (1) Information will only be disclosed under this exception if the study is conducted in a manner that does not permit personal identification of students by individuals outside the research organization, and the information is

destroyed when no longer needed for the purposes of the study.

- e. When the disclosure is to an accrediting organization, to carry out their accrediting functions.
- f. When the information is disclosed in response to a judicial order or lawfully issued subpoena.
 - (1) If a court order or subpoena shall be served on the College requesting the release of records, the Director of Enrollment Services and College Registrar will take the necessary steps to notify the student of such a subpoena, unless the order or subpoena specifically states that the student must not receive prior notice.
- g. When the information is disclosed because of health and/or safety emergency.
 - (1) Subject to the approval from the Director of Enrollment Services and College Registrar, or Campus Registrar, information contained in a student's cumulative record may be released to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of the student or other persons. Factors to be considered in making a decision to release such information in these situations are
 - (a) the severity of the threat to the health or safety of those involved;
 - (b) the need for the information;
 - (c) the time required to deal with the emergency; and
 - (d) the ability of the parties to whom the information is to be given to deal with the emergency.
- h. When the information is disclosed to parents of dependent students.
 - (1) Parents of dependent students who request access to the records of their student dependent age 18 or older, without the student's consent, must substantiate the dependent status of the student as defined in Section 152 of the Internal Revenue Code.
 - (2) The College may disclose information to either parent, regardless of which one claims the student as a dependent.

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- (3) Parents' access to student records under this exception will be recorded in the record of disclosures.
 - i. When the information is disclosed in connection with financial aid for which the student has applied or received and such information is necessary to determine eligibility for the amount of, or conditions related to such financial aid, or to enforce the terms and conditions of the aid.
 - j. When the disclosure is to a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include the final results of the disciplinary proceeding conducted by the College with respect to that alleged crime or offense. The College may disclose the final results of the disciplinary proceeding regardless of whether the College concludes that a violation was committed.
 - k. When the information is disclosed as the result of a disciplinary proceeding conducted by the College against the alleged perpetrator of a crime of violence or a non-forcible sex offense, and the College determines, as a result of the proceeding, that the alleged perpetrator committed a violation of the College's rules or policies with regard to that crime.
 - (1) Only the final results of the disciplinary proceeding may be disclosed.
 - (2) The College may not disclose the name of any other student, such as a victim or a witness, without the prior written consent of such student.
 - (3) This section applies only to disciplinary proceedings in which the final results were reached on or after October 7, 1998.
 - l. When the information is disclosed to a parent or legal guardian of a student at the College regarding the student's violation of any Federal, State, or local law, or any rule or policy of the College governing the use or possession of alcohol or a controlled substance if:
 - (1) the student is under the age of 21; and
 - (2) the College determines that the student has committed a disciplinary violation with respect to that use or possession.
 - m. If a parent or a student initiates legal action against the College, the College may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the College to defend itself.

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- n. If the College initiates legal action against a parent or a student, it may disclose education records to the court without a court order or subpoena, that are relevant for the College to proceed with the legal action.
 - o. When the information is disclosed to State and Federal authorities as prescribed by law, including but not limited to
 - (1) The Comptroller General of the United States, the Secretary of Education, authorized representatives of the Attorney General of the United States and state education authorities.
 - (2) Authorized representatives of the State and Federal governments may have access to those student records which may be related to the audit and evaluation of Federally-supported educational programs, or in connection with the enforcement of or compliance with federal legal requirements relating to these programs.
 - (3) The IRS pursuant to the reporting requirements of the Hope Scholarship Credit and Lifetime Learning Credit provisions of the Taxpayers Relief Act of 1997.
 - (4) The military service, in accordance with the Department of Defense Rules and Regulations, 32 C.F.R. § 216 *et seq.* ("The Solomon Amendment"), seeking access to information on students for military recruiting purposes.
 - (a) The military service refers to the Army, Navy, Marine Corps, Air Force and Coast Guard, including their Reserve or National Guard components.
 - (b) Each branch of the military service can ask for student recruiting information during one semester.
 - (c) Student recruiting information is the student's name, local address, telephone listing, age (or year of birth), level of education or degree awarded for recent graduate, and major. The College's definition of directory information includes all these items of student recruiting information.
 - (i) The College will provide student recruiting information on enrolled individuals who are 17 years of age or older.
 - a) Enrolled students are students registered for at least one credit

hour of academic credit during the most recent term, the current term or the next term.

- (ii) The College will not provide student recruiting information requested by the military:
 - a) on enrolled individuals who are not yet 17;
 - b) if the College does not maintain the information;
 - c) if the College has already provided the information to the military service for that semester;
 - d) if the student has formally requested the College to withhold directory information from third parties.

C. Limitations on Redisclosure of Information

- 1. Where information is released without the prior consent of the student pursuant to one of the exceptions set forth in subsection B above, the College shall inform the third party to whom disclosure is being made that no further release of personally identifiable information is authorized without the written consent of the student. This restriction does not apply to disclosures made to parents of dependent students, to disclosures made to parents pursuant to Section IV(B)(1)(l) with respect to the use or possession of alcohol or a controlled substance, to disclosures made in connection with disciplinary proceedings pursuant to Section IV(B)(1)(k), to disclosures made pursuant to court orders, lawfully issued subpoenas or litigation, to disclosures of directory information, or to disclosures to students.

D. Record of Disclosures

- 1. The College will maintain with the student's education records a record of each request for disclosure and each disclosure made, except for the following:
 - a. disclosures to the student him or herself;
 - b. disclosures pursuant to the written consent of the student (the consent form will suffice as a record);
 - c. disclosures to College officials;
 - d. disclosures of directory information; and

- e. disclosures made pursuant to a subpoena where the issuing court or agency has ordered that the existence of the subpoena or the information furnished in response to it not be disclosed.
- 2. This record shall include the parties who have requested and received personally identifiable information from education records and the interests of the parties requesting or obtaining the information.
- 3. This record of disclosures may be inspected by the student, the official custodian of records, and other College and governmental officials.

VI. Right to File Complaint

A student alleging the College's noncompliance with the Family Educational Rights and Privacy Act may file a written complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-0001.

Administrative Approval: September 15, 1975; March 8, 1977; March 6, 1983; August 20, 1991; October 13, 2000; March 24, 2008; August 20, 2008; July 18, 2016; June 18, 2019; February 25, 2022.

Chapter: Student Affairs

Modification No. 001

Subject: **Student Health and Safety**

- I. It is the policy of the College to be responsive to the health and safety of the College community. Any problem concerning the health and safety of College students, employees, or members of the public on campus should be reported promptly to the appropriate College official, as set forth in procedures approved by the President.
- II. All students enrolled in programs or courses which require the handling of food are required to be free from active tuberculosis and other communicable diseases.
- III. Students in clinical or other instructional settings may be required to provide certain health information in order to enroll in a particular program or course.

Board Approval: December 17, 1984.

Chapter: Student Affairs

Modification No. 001

Subject: **Student Health and Safety**

I. General

- A. Emergency first-aid and medical assistance for students and College personnel is provided by the Office of Facilities through the campus based offices of Safety and Security.
- B. The College does not assume liability for any actions taken in assisting students in a medical emergency or for any costs incurred as a result of required medical treatment.
- C. See the personnel section of this manual for policies and procedures regarding employee health and safety.

II. Procedure

Any employee of the College who is informed of a potential health or safety problem by an employee, a student, a representative of a student organization, or an official representative of a municipal/County/State governmental agency will act in accordance with the following guidelines:

- A. In an emergency situation, College personnel and/or students should immediately contact the campus Safety and Security Office and, if appropriate, the rescue squad.
 - 1. Campus Safety and Security will respond immediately by providing assistance and/or contacting the appropriate rescue squad or police department.
 - 2. The Director of Facilities, Safety and Security Manager, dean of student development, and campus provost, as well as other appropriate administrators, will immediately be advised about the nature of the emergency and the type of assistance rendered.
 - 3. Campus Safety and Security will create a written report of the emergency for their files, and forward a copy of the report to the Director of Facilities, Safety and Security Manager, campus dean of student development, and the campus provost. As appropriate, a written report will also be filed by Safety and Security with the Academic Vice President and the Administrative Vice President. The Assistant to the President shall receive copies of reports on all incidents that might have insurance/liability implications for the College.
- B. In a nonemergency situation, College personnel and/or students should contact the campus dean of student development.
 - 1. The campus dean of student development will take action that is deemed appropriate.

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- 2. The campus dean of student development will submit a written report of action taken to the campus provost.
 - 3. The report will include the salient facts, describe the action taken, and note the results.
 - C. The campus deans of student development are responsible for assuring that information about student health and safety is disseminated and publicized on campus.

Administrative Approval: December 17, 1984.

Chapter: Student Affairs

Modification No. 002

Subject: **Presidential Academic Excellence Award**

The Board of Trustees has authorized the selection of "Presidential Academic Excellence Award" recipients. The College President is authorized to establish procedures for the selection and recognition of "Presidential Academic Excellence Award" recipients.

Board Approval: September 22, 1981; March 21, 2022.

Chapter: Student Affairs

Modification No. 009

Subject: **Presidential Academic Excellence Award**

I. Presidential Scholar

- A. Students nominated for the Presidential Academic Excellence Award must exhibit evidence of outstanding scholarship in the form of a 3.50 quality point average or above at the time of nomination. The nominee must also show evidence of outstanding leadership in the College and/or in the community, evidence of outstanding service to the College and/or in the community, and matriculation in a curriculum and completion of at least 28 semester hours of credit earned at Montgomery College.
- B. Nominations shall be made to the Vice President and Provost of the campus or a designee by any faculty member, administrator, staff, student (other than a self-nomination), or others, and shall be confidential to protect the privacy of the individual nominees. All nominations are to be in letter format and accompanied by appropriate supporting materials including letters of commendation, evidence of outstanding leadership performance in the College or community, evidence of outstanding service to the College or community, and any other supporting documentation. Nomination letters must include the name of the nominee, identification number, address, phone number, and justification for the nomination including information regarding service in the community or campus community service, leadership ability, and academic performance.
- C. Each campus Vice President and Provost will develop a selection process that ensures the objective evaluation of students applying for this award.
- D. Each campus will forward confidentially the name of its nominee, with supporting data, to the Senior Vice President for Academic Affairs/College Provost no later than April 7 of each year.
- E. The Senior Vice President for Academic Affairs/College Provost will review the submitted materials and will recommend to the President no later than April 12 those students to be designated as "Presidential Academic Excellence Award" recipients. If a student selected as a "Presidential Academic Excellence Award" recipient is receiving financial aid, the appropriate campus financial aid office shall be notified of the award. Awards shall be made before the end of the academic year as part of an appropriate campus honors program.
- F. No person may be designated a "Presidential Academic Excellence Award" recipient more than once.
- G. Designation of a "Presidential Academic Excellence Award" recipient is a discretionary authority of the President, and all of those persons nominated shall not necessarily be designated as "Presidential Academic Excellence Award" recipients.
- H. Presidential Academic Excellence Award recipients shall receive an appropriate citation and a cash award.

II. Presidential Apprenticeship Academic Excellence Award

- A. To be considered for nomination as a “Presidential Apprenticeship Academic Excellence Award” recipient a student must have completed or will complete during the spring semester all required courses, be eligible for Journeyworker status, and have taken at least the final two (2) years of the required apprenticeship academic training at Montgomery College. The nominee must also show evidence of outstanding leadership in the College Apprenticeship Program and/or the community, and have maintained a cumulative grade point average of 3.5 or above in all courses at the College.
- B. Eligible students will be determined from grade report records maintained in the Apprenticeship/Technical Trades Office. All nominations are to be supported by appropriate supporting materials, including letters of commendation, evidence of College enrollment, grade reports, evidence of outstanding leadership performance in the College or community, evidence of outstanding service to the College or community, and other supporting materials.
- C. The Vice President for Workforce Development and Continuing Education will develop a selection process that ensures the objective evaluation of students applying for this award.
- D. The Vice President for Workforce Development and Continuing Education will forward confidentially the name of its nominee, along with supporting data, to the Senior Vice President for Academic Affairs/College Provost no later than April 7 of each year.
- E. The Senior Vice President for Academic Affairs/College Provost will review the nomination and the supporting information and will recommend to the President no later than April 12 the student to be designated as “Presidential Apprenticeship Academic Excellence Award” recipient. If the student selected as a “Presidential Apprenticeship Academic Excellence Award” recipient is receiving financial aid, the appropriate campus financial aid office shall be notified of the award.
- F. The “Presidential Apprenticeship Academic Excellence Award” recipient will be recognized at an appropriate awards ceremony. The “Presidential Apprenticeship Academic Excellence Award” recipient will receive an appropriate citation, and a cash award.
- G. There shall be no more than one (1) “Presidential Apprenticeship Academic Excellence Award” recipient designated each year by the President. Designation of a “Presidential Apprenticeship Academic Excellence Award” recipient is a discretionary authority of the President, and the person nominated shall not necessarily be designated as “Presidential Apprenticeship Academic Excellence Award” recipient.

Administrative Approval: January 9, 1978; September 21, 1981; May 8, 1987; October 17, 1988; April 1, 1994; July 31, 1995; July 15, 2002; February 9, 2022; April 3, 2024.

Chapter: Student Affairs

Modification No. 002

Subject: **Board of Trustees Academic Excellence Award**

- I. The Board of Trustees is dedicated to recognizing students with outstanding academic achievement from each of the four academic units in the College.
- II. The President is authorized to establish procedures to implement this policy.

Board Approval: April 19, 1993; February 21, 2022.

Chapter: Student Affairs

Modification No. 004

Subject: **Board of Trustees Academic Excellence Award**

- I. The Board of Trustees Academic Excellence Award program is designed to recognize anticipated graduates with outstanding academic achievement across the College's academic units as follows:
 - A. Applied Technologies, Gudelsky Institute for Technical Education, and Workforce Development and Continuing Education
 - B. Arts, Business, Education, English, and Social Sciences
 - C. Communication, Health Sciences, Health and Physical Education, and Humanities
 - D. Science, Technology, Engineering, and Mathematics
- II. Candidates for nomination must be eligible for graduation. The nominee must have received an associate's degree (as a first undergraduate degree) in summer or fall terms or have completed 45 credit hours and have in progress final requirements for an associate's degree (as a first undergraduate degree) in the spring term of the given academic year. At least 25 of the required credit hours must have been taken at Montgomery College. The nominee must have maintained a cumulative grade point average of 3.8 in all courses at the College. In addition, the candidate for nomination must participate in the commencement ceremony program and be willing to serve as a commencement speaker, if asked to do so.
- III. All students who meet the initial criteria will be notified of their nomination by College email in February, informed of the selection process by the senior vice president for academic affairs, and asked to respond to an appropriate contact person if they wish to be considered.
- IV. Selection Process
 - A. The senior vice president for academic affairs will appoint a collegewide nomination panel for each of the academic units. Each panel will consist of three faculty members from at least two campuses (except for single-campus programs) who represent disciplines in the academic unit. The initial appointees will have staggered one-year, two-year, and three-year appointments. Subsequent appointees will have three-year terms. Faculty members will be recommended by the appropriate vice president/provost to the senior vice president no later than January 31 with appointments made by the senior vice president no later than February 15 each year.
 - B. All nominees for each Board of Trustees Academic Excellence Award will be ranked in GPA order and reviewed by the academic unit's nomination panel. Nominees will be asked to submit a 500-word essay addressing their educational experience and community service. Each academic unit nomination panel will select nominees to interview. The panel will use the (a) academic history of the nominees, (b) the essay, and (c) the interview to recommend the top three students for the academic unit award.

- C. Academic unit nomination panels will submit their three recommended students to the vice presidents/provosts, who will select the awardees for each Board of Trustees Academic Excellence Award. The vice presidents/provosts will submit the names of the awardees to the senior vice president for academic affairs no later than April 15.
 - D. In the event that an additional nominee in an academic unit category is deemed worthy of recognition, the vice presidents/provosts may recommend a runner-up award for that student.
 - E. The senior vice president for academic affairs will notify the Office of the President and the Office of Advancement and Community Engagement (OACE) of the awardee names. OACE will contact the students to develop a brief biographical sketch and obtain a photograph for College publications.
 - F. Should the designated awardee in an academic unit fail to maintain the 3.8 GPA and/or fail to complete graduation requirements, the vice presidents/provosts will be notified by the College Registrar and asked to name an awardee from the other students recommended by the academic unit nomination panel.
- V. Recognition

Board of Trustees Academic Excellence Award recipients will be recognized at the commencement ceremony. The awardees will receive an appropriate citation, a monetary award to be applied to future tuition or educational purposes of their choice, and appropriate recognition in commencement publications. Runners-up will also receive an appropriate citation, monetary award and an appropriate recognition in the commencement program. In the event of an extraordinary circumstance preventing the awardee from participating in commencement ceremonies, the senior vice president for academic affairs may waive the participation.

Administrative Approval: April 19, 1993; July 15, 2002; February 25, 2022; February 12, 2024.

Chapter: Student Affairs

Modification No. 002

Subject: **Board of Trustees Apprenticeship Academic Excellence Award**

- I. The Board of Trustees is dedicated to recognizing students with outstanding academic achievement from the Workforce Development and Continuing Education Apprenticeship Program.
- II. The President is authorized to establish procedures to implement this policy.

Board Approval: April 28, 1997; February 21, 2022.

Chapter: Student AffairsModification No. 004Subject: **Board of Trustees Apprenticeship Academic Excellence Award**

I. Program and Eligibility

- A. The Board of Trustees Apprenticeship Academic Excellence Award program is designed to recognize anticipated graduates with outstanding academic achievement through the College's apprenticeship programs.
- B. Candidates for nomination must be eligible for commencement ceremonies. The nominee must have competed or will complete during the spring semester all required courses; have taken at least the final two (2) years of required apprenticeship academic training at Montgomery College; and have maintained a cumulative grade point average of 3.8 in all courses at the College. In addition, the candidate must participate in the commencement ceremony program and be willing to serve as a commencement speaker, if asked to do so.
- C. Eligible students will be determined from grade report records maintained in the Workforce Development and Continuing Education offices. All students who meet the initial criteria in the Apprenticeship Program will be notified of their nomination by email in February, informed of the selection process, and asked to respond if they wish to be considered.

II. Selection Process

- A. The senior vice president for academic affairs will appoint an apprenticeship academic excellence award nomination panel. The panel will consist of apprenticeship program staff, faculty, and program sponsors. The panel members will be recommended to the vice president/provost no later than January 31 with appointments made by the senior vice president no later than February 15 each year.
- B. All nominees will be ranked in GPA order and reviewed by the nomination panel. The nominees will be asked to submit a 500-word essay addressing their educational experience and community service in advance of formal interviews. The panel will use the (a) academic history of the nominees; (b) the essay; and (c) the interview to recommend the top three students for the award.
- C. The apprenticeship academic excellence nomination panel will submit its top three recommended students to the vice president/provost who will select the awardee for the Board of Trustees Apprenticeship Academic Excellence Award. The vice president/provost will submit the name of the awardee to the senior vice president for academic affairs no later than April 15.
- D. In the event that an additional nominee for the Board of Trustees Apprentice Academic Excellence Award is deemed worthy of recognition, the vice president/provost may recommend a runner-up award for that nominee.
- E. The senior vice president for academic affairs will notify the Office of the President and the Office of Advancement and Community Engagement (OACE) of the awardee

Chapter: Student Affairs

Modification No. 004

Subject: **Board of Trustees Apprenticeship Academic Excellence Award**

names. OACE will contact the students to develop a brief biographical sketch and obtain a photograph for College publications.

- F. Should the designated awardee fail to maintain the 3.8 GPA and/or fail to complete graduation requirements, the vice president/provost will be notified by the college registrar and asked to name an awardee from the other students recommended by the nomination panel.

III. Recognition

The Board of Trustees Apprenticeship Academic Excellence Award recipient will be recognized at the commencement ceremony. The awardee will also receive an appropriate citation and a monetary award to be applied to future tuition or educational purposes of their choice, and appropriate recognition in the commencement publications. Runners-up will also receive an appropriate citation, monetary award and appropriate recognition in the commencement program. In the event of an extraordinary circumstance preventing the awardee from participating in commencement ceremonies, the senior vice president for academic affairs may waive the participation.

Administrative Approval: April 28, 1997; July 15, 2002; February 25, 2022; February 12, 2024.

I.

Chapter: Student Affairs

Modification No. 002

Subject: **Student Code of Conduct**

- I. Montgomery College is dedicated to providing a quality comprehensive educational program designed to meet the diverse and changing educational, social, economic, and cultural needs of the community. The College is committed not only to learning and the advancement of knowledge, but also to the development of ethically sensitive and responsible persons. It seeks to achieve these goals through a sound educational program and through regulations and policies governing student life that encourage responsibility and respect for the rights and viewpoints of others.
- II. The College believes in the premise that students are responsible for their own actions and who should be free to pursue their educational objectives in an environment that promotes learning, protects the integrity of the academic process, and protects the College community.
- III. To promote this overall policy, the Montgomery College Board of Trustees authorizes the President of the College to establish a Montgomery College Student Code of Conduct to apply to all students. Student enrollment at Montgomery College presupposes a commitment to the principles, policies, and procedures embodied in this Code.
- IV. The President is authorized to develop procedures necessary to implement this policy.

Board Approval: May 20, 1985; January 24, 2024.

Chapter: Student AffairsModification No. 007Subject: **Student Code of Conduct**

I. Philosophy/Mission Statement

- A. It is the goal of Montgomery College to prepare its students to be active, engaged citizens of the world and to educate them for positions of leadership in their communities and their nations. The College seeks to provide an environment where discussion and expression of all views relevant to the subject matter of the class, event, program or activity are recognized as necessary to the educational process. Students, from all campuses, including online classrooms and Workforce Development and Continuing Education, are invited to be participating members of the educational community within the guidelines of acceptable standards of conduct, which include:
1. Academic conduct that reflects the highest level of honesty and integrity.
 2. Actions that are civil, courteous and respectful of all members of the college community, their property, and the property of the College and that of the larger community.
 3. Social behavior that encourages responsibility and discourages the unlawful use of alcohol, illicit drugs and weapons.
 4. Group behavior that promotes its members' mutual respect, equality and safety, and opposes those acts that harass, disrupt, intimidate or haze.
- B. The student conduct program is committed to an educational and developmental process that balances the interests of individual students with the interests of the Montgomery College community.
- C. A community exists on the basis of shared values and principles. At Montgomery College, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the Student Code of Conduct. These standards are embodied within a set of core values that include integrity, social justice, respect, community, and responsibility.
- D. Each member of the Montgomery College community bears responsibility for their conduct and to assume reasonable responsibility for the behavior of others. When members of the community fail to exemplify these five values by engaging in violations of the rules below, campus conduct proceedings are used to assert and uphold the Student Code of Conduct.
- E. The student conduct process at Montgomery College is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our community expectations. When students are unable 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.

- F. Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, as defined within these procedures, assures written notice and a hearing before an objective decision-maker. No student will be found in violation of Montgomery College policy without information showing that it is more likely than not that a policy violation occurred and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

II. Definitions

- A. The term “advisor” means any person, including an attorney, chosen by the charged student to assist him/her throughout the disciplinary process. Although a student may consult with his or her advisor freely, the consultation must take place in a manner that does not disrupt the disciplinary proceeding. The advisor shall not speak on behalf of the student.
- B. The term “business day” means a day that the College is open for business even if no classes are scheduled.
- C. The term “College” means Montgomery College and all of its campuses, sites, divisions and programs.
- D. The term “College premises” means all buildings and grounds owned, leased, operated, controlled and/or supervised by the College.
- E. The term “College sponsored activity” means any activity on or off College premises that is specifically initiated or supervised by the College.
- F. The term “educational conference” means a forum in which the Dean of Student Affairs, Associate Dean of Student Affairs or the Student Conduct Program Coordinator meets with a student to adjudicate an alleged violation of the Student Code of Conduct.
- G. The term “disciplinary hearing” means a forum in which a hearing panel meets with a student to adjudicate an alleged violation of the Student Code.
- H. The term “faculty member” means any person hired by the College to conduct classroom activities and /or to perform professional counseling and academic advising duties.
- I. The term “staff member” means any person hired by the College in a support staff position, staff line position, and/or administrative position.

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- J. The term “student” means a person currently matriculating, enrolled in or auditing credit or non-credit courses at the College, whether on or off campus, regardless of their physical location or enrollment status online, or on a part-time or full-time status.
 - K. The term “student organization” means an association of persons that has met College requirements for official recognition.
 - L. The term “weapon” means any object or substance designed or used to inflict a wound, to cause injury, or to incapacitate, including but not limited to all firearms, pellet guns, switchblade knives, knives with more than three inch blades, chemicals, or any other objects that are meant for other purposes but are used instead to threaten members of the College community.
 - M. The term “suspension” means that a student has been barred from all Montgomery College facilities, leased, owned or operated by the college, including but not limited to the three campuses and administrative centers, for a certain period of time. Suspensions are issued by the College through the student code of conduct process. During the suspension period, a student may not participate in any college-sponsored activities or events without receiving express permission from the Dean of Student Affairs Office. While on suspension, students can receive permission to attend a disciplinary hearing or Dean’s education conference from the Dean of Student Affairs office.
 - N. The term “trespass” means that a person has been barred from Montgomery College for a specified period of time. This action is initiated by Montgomery College and results in an order being issued by the local police department. A person who violates a trespass order may be subject to arrest. Once trespassed, the person may not be present on any Montgomery College campus or property until the trespass has been lifted or is expired. A trespassed person may request permission from the Dean of Student Affairs Office to be on campus for a specified period of time in order to conduct college-related business.
- III. Jurisdiction
- A. Students are responsible for reading and abiding by the provisions of the Student Code of Conduct. Students at Montgomery College are provided an electronic copy of the Student Code of Conduct each semester via email. Hard copies are available upon request from the Dean of Student Affairs Office.
 - B. The Student Code of Conduct and the student conduct process apply to the conduct of individual students and of College-affiliated student organizations. For the purposes of student conduct, a “student” is a person currently matriculating, enrolled in, or auditing credit or non-credit courses at the college whether on or off campus, regardless of their enrollment status online, or on a part-time or full-time basis. For incidents occurring during summer and winter session, this definition includes students who were registered for the previous or current semester, but who are not yet registered for the upcoming semester. This means that the application of the Student Code of Conduct may extend to incidents that occur during breaks within or between semesters of enrollment, as well as between the time of application to the College and registration or participation in courses. Montgomery College reserves the right to address the behavior of a

student who has recently applied for admission and who is accepted to register for courses (as indicated by being assigned a MC ID number). The College may also address allegations of a student's misconduct through the Code when the student is currently under sanction(s); so long as the student has not already been permanently separated from the college for academic or disciplinary reasons. Depending on an individual's current registration status and last date of attendance, a previous student or non-student may also be trespassed from campus grounds at the request of Campus Safety and Security to local authorities for misconduct or disruption.

- C.** The student conduct process may occur simultaneously, prior to, or following any criminal, employment, or other proceeding. A student charged with violating the Code of Conduct may not avoid the conduct process by withdrawing from the College. Student conduct proceedings may continue without the student's participation, and/or a hold may be placed on the student's record until the matter is resolved.
- D.** Montgomery College retains conduct jurisdiction over students who choose to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to the leave, withdrawal or graduation. If sanctioned, a hold may be placed on the student's record, which may impact the student's ability to re-enroll, and/or obtain official transcripts and/or graduate. When possible, sanctions must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, Montgomery College may invoke these procedures and should the former student be found responsible through the disciplinary process, Montgomery College may revoke that student's degree.
- E.** The jurisdiction of the College applies to the conduct of any student or student organization that occurs on College premises, in online courses, online activities, and through the use of e-mail or at any College-sponsored activity. The College reserves the right to impose the disciplinary process based on any conduct, regardless of location, that may adversely affect the College community and its programs, or pose a serious and substantial danger to others. The Student Code of Conduct may apply to off-campus or online behavior when the Dean of Student Affairs or designee determines that the off-campus conduct affects a substantial Montgomery College interest. A substantial Montgomery College interest is defined to include:

 - 1. Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of others; and/or
 - 2. Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
 - 3. Any situation that is detrimental to the educational mission and/or interests of the College.
- F.** The Student Code of Conduct may be applied to behavior conducted online, via email or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites are in

the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. The Dean of Student Affairs Office does not regularly search for this information but may take action if and when such information is brought to the attention of Montgomery College officials. However, most online speech by students not involving College networks or technology will be protected as free expression and not subject to this Code, with two notable exceptions:

1. A true threat, defined as “a threat a reasonable person would interpret as a serious expression of intent to inflict bodily harm upon specific a specific individual or individuals”;
2. Speech posted online about Montgomery College or its community members that causes a significant on-campus disruption.

- G.** The Code may also be applied to campers and high school bridge/extension/partner/dual-credit and continuing education programs that are affiliated with or partner with the college by contractual agreements.
- H.** There is no time limit on reporting violations of the Student Code of Conduct; however, the longer someone waits to report an offense, the harder it becomes for Montgomery College officials to obtain information and witness statements and to make determinations regarding alleged violations.
- I.** Though anonymous complaints are permitted, doing so may limit the College’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 Dean of Student Affairs Office and/or to Campus Safety and Security.
- J.** Students are responsible for all official communication from the Dean of Student Affairs office, including mail delivered to their Montgomery College email address.

IV. Violations of the Law

- A.** When an offense occurs over which Montgomery College has jurisdiction, the Montgomery College conduct process will usually go forward independent of any criminal or civil complaint that may arise from the same incident. Requests for a delay in the conduct process may be honored at the discretion of College officials. Disciplinary action at the College may proceed while other proceedings are still in process. Such proceedings will not be subject to challenge on the grounds that criminal charges involving the same incident have been dismissed or reduced.
- B.** Alleged violations of federal, state and local laws although not having occurred on College property, may be investigated and addressed under the Student Code of Conduct if they pose a substantial risk of threat or harm to the campus community.
- C.** A person may be trespassed from Montgomery College as a result of an alleged violation of federal and/or local laws or Montgomery College policies. Trespasses are issued for a specified length of time which is typically between 1-3 years.

Once a person is trespassed from one campus, it is the policy of Montgomery College to bar the person from all three campuses for the same length of time stipulated in the trespass notice. The process for trespassing a student is set forth in the College's trespass policy.

V. Standards of Conduct

- A. Montgomery College considers the behavior described in the following sub-sections as inappropriate for the Montgomery College community and in opposition to the core values set forth in this document. These expectations and rules apply to all students, whether they are taking credit or non-credit courses. Montgomery College encourages community members to report to Montgomery College officials all incidents that involve the following actions. Any student found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in Section 7: Conduct Procedures.

B. Behavioral Expectations and Core Values

1. Integrity: Montgomery College students exemplify honesty, honor and a respect for the truth in all of their dealings. Behavior that violates this value includes, but is not limited to:
 - a. Falsification. Knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification or financial instruments; Knowingly misrepresenting your identity or the identity of another, for instance for a class or for testing, or to receive benefits.
 - b. Providing false information. Knowingly providing false information to college officials during the course of an investigation.
 - c. Academic Dishonesty. Acts of academic dishonesty as outlined in the section on Academic Integrity
 - d. Misuse of Access privileges. Misuse of access privileges to Montgomery College premises or to Montgomery College electronic data, i.e. keys, cards, etc.). Unauthorized possession, duplication or use of means of access to any college building. Failing to timely report a lost Montgomery College identification card or key, borrowing, sharing or lending cards or keys.
 - e. Collusion/Inciting/Encouraging. Action or inaction with another or others to violate the Student Code of Conduct; Encouraging others to violate the Student Code of Conduct.
 - f. Trust. Violations of positions of trust within the community; misusing roles and positions of student leadership for personal gain and/or coercion of others.
 - g. Taking of Property/ Stolen Property. Intentional and unauthorized taking of Montgomery College property or the personal property

of another, including goods, services and other valuables;
Knowingly taking or maintaining possession of stolen property.

2. Community: Montgomery College students build and enhance their community. Behavior that violates this value includes, but is not limited to:
- a. Disruptive Behavior. Substantial disruption of Montgomery College operations including obstruction of teaching, research, administration, other College activities, and/or other authorized non-Montgomery College activities which occur on campus;
 - b. Rioting. Causing, inciting or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damage and/or destruction of property;
 - c. Unauthorized Access or Entry. Unauthorized access to or use of any Montgomery College building including trespassing, propping or unauthorized use of alarmed doors for entry into or exit from a Montgomery College building;
 - d. Trademark. Unauthorized use (including misuse) of Montgomery College or organizational names and images;
 - e. Damage and Destruction. Intentional, reckless and/or unauthorized damage to or destruction of Montgomery College property or the personal property of another; Littering, defacing, destroying, or damaging College property or property under College jurisdiction, or removing or using such property without proper authorization.
 - f. IT and Acceptable Use. Violating Montgomery College Acceptable Use and Computing Policy, found online at: [http://cms.montgomerycollege.edu/EDU/Verified -
_Policies_and_Procedures/PDF_Versions/66001_Acceptable_U
se_of_Information_Technology/](http://cms.montgomerycollege.edu/EDU/Verified_-_Policies_and_Procedures/PDF_Versions/66001_Acceptable_Use_of_Information_Technology/)
 - g. Gambling. On the campuses or any college sponsored function.
 - h. Weapons. Possession, use, or distribution of explosives (including but not limited to fireworks and ammunition), dangerous chemicals (discharging of pepper spray or mace), guns (including air, BB, paintball, facsimile weapons and pellet guns), or other weapons or dangerous objects such as arrows, axes, machetes, nun chucks, throwing stars, or knives, including the storage of any item that falls within the category of a weapon on Montgomery College property;
 - i. Smoking/Tobacco. Smoking or tobacco use in any area of campus to include parked vehicles on campus and parking lots.

This includes e-cigarettes, vaping and other related smoking devices.

- j. Fire Safety. Violation of local, state, federal or campus fire policies including, but not limited to:
 - 1) Intentionally or recklessly causing a fire on College property including personal property;
 - 2) Failure to evacuate a College-controlled building during a fire alarm;
 - 3) Improper use of Montgomery College fire safety equipment; or
 - 4) Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on College property. Such action may result in a local fine, in addition to Montgomery College sanctions.
 - k. Ineligible Pledging or Association. Pledging, claiming membership in or falsely associating with a student organization without having met eligibility requirements established by the College.
 - l. Wheeled Devices. Skateboards, roller blades, roller skates, bicycles and similar wheeled devices are not permitted to be used inside College buildings or prohibited areas. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities and individuals may be liable for damage to Montgomery College property caused by these activities. In no way shall wheeled devices be used in an unsafe manner. Hover Boards are prohibited on college property.
3. Social Justice: Students recognize that respecting the dignity of every person is essential for creating and sustaining a flourishing College community. They understand and appreciate how their decisions and actions impact others and are just and equitable in their treatment of all members of the community. They act to discourage and challenge those whose actions may be harmful to and/or diminish the worth of others. Conduct that violates this value includes, but is not limited to:
- a. 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, physical or mental disability, veteran status, pregnancy status, religion, or sexual orientation, gender identity or other protected status) that is sufficiently severe that it limits or denies the ability to participate in or benefit from the College's educational program or activities.
 - b. Harassment. Any unwelcome conduct based on actual or perceived status including: [sex, gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran

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- status, pregnancy status, religion, sexual orientation, gender identity 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 complainant and community.
- c. 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 College's educational or employment program or activities.
 - d. 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].
 - e. Complicity:
 - 1) Complicity with or failure of any student to appropriately address known or obvious violations of the Student Code of Conduct or law;
 - 2) Complicity with or failure of any organized group to appropriately address known or obvious violations of the Student Code of Conduct or law by its members.
 - f. Abuse of the Conduct Process. Abuse or interference with, or failure to comply in, Montgomery College processes including disciplinary hearings including, but not limited to:
 - 1) Falsification, distortion, or misrepresentation of information;
 - 2) Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
 - 3) Attempting to discourage an individual's proper participation in, or use of, the campus conduct system;
 - 4) 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;
 - 5) Failure to comply with the sanction(s) imposed by the campus conduct system;
 - 6) Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.
4. Respect: Montgomery College students show positive regard for each other and for the community. Behavior that violates this value includes, but is not limited to:

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- a. Harm to Persons. Intentionally or recklessly causing physical harm or endangering the health or safety of any person. This includes reckless driving on campus grounds.
 - b. Threatening Behaviors:
 - 1) 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.
 - 2) Intimidation. Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.
 - c. 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.
 - d. Hazing. An act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent (and/or) failing to discourage (and/or) failing to report those acts may also violate this policy.
 - e. Intimate Partner/Relationship Violence. Violence or abuse by a person in an intimate relationship with another.
 - f. Stalking. Engaging in a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear.
 - g. Any violation of the Sexual Misconduct Policy, Including , but not limited to, sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, and/or sexual exploitation, sexual intimidation and interpersonal relationship violence (See Sexual Misconduct Policy for more information).
 - h. Consensual Sex Acts. Consensual sex acts on college property.
 - i. Public Exposure. Includes deliberately and publicly exposing one's intimate body parts, public urination or defecation on college property.
5. Responsibility: Montgomery College students are given and accept a high level of responsibility to self, to others and to the community. Behavior that violates this value includes, but is not limited to:
- a. Alcohol. Use, possession, or distribution of any alcoholic beverages on any College property or College sponsored activities without proper authorization.

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- b. Drugs. Use, possession or distribution of illegal drugs and other controlled substances or drug paraphernalia except as expressly permitted by law.
 - c. Prescription Medications. Abuse, misuse, sale, or distribution of prescription or over-the-counter medications.
 - d. Failure to Comply. Failure to comply with the reasonable directives of Montgomery College 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; Refusing to show identification upon request or providing false information to employees of the College when acting in the performance of their duties.
 - e. Other Policies. Violating other published Montgomery College policies or rules, including policies referenced in the Colleges policies and procedures;
 - f. Health and Safety. Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.)
 - g. Violations of Law that pose a substantial threat of harm to the campus community. Evidence of violation of local, state or federal laws, when substantiated through the College's conduct process.

VI. Overview of the Conduct Process

This section gives a general idea of how the College's campus conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, these procedures are flexible, and are not exactly the same in every situation, though consistency in similar situations is a priority. The campus conduct process and all applicable timelines commence with notice to the Dean of Student Affairs office of a potential violation of Montgomery College rules¹.

Once notice is received from any source, Montgomery College may proceed with a preliminary investigation conducted by the appropriate Dean of Student Affairs and/or may schedule an initial educational conference with the responding student to explain the conduct process to the responding student and gather information.

A. Preliminary Inquiry

- 1. The preliminary Inquiry is the initial investigation to gather facts about the incident. It may include a review of reports, or complaints, data gathering, and interviews with involved parties. Once the college conducts a preliminary inquiry into the nature of the incident, complaint or notice, the evidence available, and the parties involved, this may lead

¹ In Title IX related issues, the "administrator" is any "responsible employee" as defined under Title IX and/or campus policy.

to:

- a. A determination that there is insufficient evidence to pursue the investigation, because the behavior alleged, even if proven, would not violate the Student Code of Conduct, (e.g.: for reasons such as mistaken identity or allegations of behavior that fall outside the code);
 - b. A more comprehensive investigation, when it is clear more information must be gathered.
 - c. A formal complaint of a violation and/or an educational conference with the responding student.
2. When the Dean of Student Affairs' office is notified of a conduct related incident the Dean's office may elect to place a hold on a student's account to ensure that the student responds to a meeting request. The hold in itself is not intended to be a sanction and can be removed at any time during the process, if deemed appropriate by the Dean's office. Holds are also placed to ensure that sanction requirements are met and to prevent non-eligible students from registering.
3. Educational Conference
 - a. An Educational Conference is a meeting between the responding student and either the Dean or Associate Dean of Student Affairs, or the Student Conduct Coordinator. When an initial educational conference is held, the possible outcomes include:
 - 1) A decision not to pursue the allegation based on a lack of or insufficient evidence. The matter should be closed and records should so indicate;
 - 2) A decision on the allegation, also known as an "informal" or "administrative" resolution to an allegation;
 - 3) A decision to proceed with additional investigation and/or referral for a disciplinary hearing.
 - b. If a decision on the allegation is made and the finding is that the responding student is not responsible for violating the Code, the process will end. If the College's finding is that the responding student is in violation, the administrator conducting the initial educational conference will then determine the sanction(s) for the misconduct, which the responding student should receive in writing. This decision will be final.
 - c. If the administrator conducting the educational conference determines that it is more likely than not that the responding student is in violation, and the violation is one that is serious enough to result in suspension based on precedent, then it

should be referred to a disciplinary hearing.

B. Formal Disciplinary Hearing

A disciplinary hearing may be held when there is reasonable cause to believe that a rule or rules have been violated. A formal notice of the complaint will be issued, and a hearing will be held before a disciplinary hearing panel or in certain circumstances, by an administrator. If the finding is that the responding student is not responsible, the process ends. When there are extenuating or extraordinary circumstances, the college reserves the right to offer the student a Dean's Disciplinary hearing in lieu of a panel hearing/student conduct review board. For example, during summer or winter session when there is no availability of students or faculty. It is the student's right to choose. The administrator conducting the hearing will be the Dean of Student Affairs or the Dean's designee.

C. Review and Finalize Sanction(s).

1. If the student is found in violation of the student code of conduct, sanctions will be determined by the Student Conduct Review Board and will be subject to the Montgomery College appeals process by any party to the complaint. In cases of a Dean's disciplinary hearing, if the student is found in violation of the student code of conduct, sanctions will be determined by the Dean of Student Affairs or Designee, and will be subject to the Montgomery College appeals process by any party to the complaint. Appeals will be reviewed by the Senior Vice President for Student Affairs or the Senior Vice President's Designee.
2. In incidents where a student accepts responsibility for the violation, Montgomery College will conduct a sanction-only hearing, conducted by the Student Conduct Review Board. The sanction is then reviewed and finalized by the Dean of Student Affairs and is subject to appeal by any party to the misconduct. Once the appeal is decided, the process ends. A finding will be determined and is final except Applicable appeals options are described below.

VII. Student Conduct Authority

A. Authority

The Dean of Student Affairs is vested with the authority over student conduct by the Board of Trustees. The Dean of Student Affairs may appoint a designee as deemed necessary to efficiently and effectively supervise the student conduct process. As a result, the Dean of Student Affairs, Student Conduct Program Coordinator or Associate Dean may all oversee and manage the student conduct process.

B. Gatekeeping

No complaint will be forwarded for a hearing unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that

information is merely a credible witness or a victim's statement. A complaint wholly unsupported by any credible information will not be forwarded for a hearing.

C. Conflict Resolution Options

The Dean of Student Affairs Office has discretion to refer a complaint for mediation or other forms of appropriate conflict resolution. All parties must agree to conflict resolution and to be bound by the decision with no review/appeal. Any unsuccessful conflict resolution can be forwarded for formal processing and hearing; however, at no time will complaints of physical sexual misconduct or violence be mediated as the sole institutional response. The Dean of Student Affairs Office may also suggest that complaints that do not involve a violation of the Student Code of Conduct be referred for mediation or other appropriate conflict resolution.

D. Composition of the Hearing Panel

The Dean of Student Affairs, Student Conduct Coordinator or other designee will be responsible for assembling the Student Conduct Review Board according to the following guidelines:

1. The membership of the Student Conduct Board is selected from a pool of students, faculty and staff members appointed by the Dean of Student Affairs Office. The conduct board will also receive annual training coordinated by the Dean of Student Affairs Office.
2. For each complaint, a panel will be chosen from the available pool, and will be comprised of two students, two faculty members (one instructional faculty and one counseling faculty), and one of the following; staff member or faculty, department chair or administrator. Availability may determine a different composition for the board; The Dean of Student Affairs Office will appoint the chair of the Student Conduct Review Board. The chair convenes the hearing and assures that Montgomery College procedures are followed throughout the hearing. The Dean of Student Affairs Office is responsible for appointing a person with a non-voting role, to assume responsibility for answering procedural and process related questions for the Student Conduct Board and to also ensure that Montgomery College procedures are followed. This person may be referred to as an advisor, however the person so designated will not influence the decision of the board.
3. In complaints involving discrimination, sexual misconduct, or other sensitive issues, the Title IX Coordinator will conduct an investigation and determine the outcome in accordance with the College's policy and procedures as appropriate.

E. Panel Pool

1. To serve on the Student Conduct Review Board, students must:
 - a. Be in academic good standing and have completed 15 hours of

academic credit with a cumulative GPA of at least 2.0.

- b. Be in good standing with the conduct process throughout the semester in which they serve. Good standing is defined as having no record of misconduct. A history of misconduct will disqualify a student for service.
 - 2. The Dean of Student Affairs' Office will have final authority to approve all those serving on the panel. The non-voting advisor to the panel will ensure a fair process for the party bringing the complaint and responding student. In the event of a resignation from the board, the Dean's office will solicit a replacement from the group from which the representative came. Decisions made, and sanctions imposed, by the student conduct board or an Administrative Hearing Officer will be final and implemented, pending the normal appeals process. At the discretion of the Dean's Office, implementation of sanctions may be stayed pending review.
- F. The prior Student Code of Conduct no longer governs conduct by students, except that any pending action or proceeding shall not be affected by this code and will be subject to the code provisions in effect at the time the action or proceeding was brought.

VIII. Formal Conduct Procedures

A. Montgomery College as Convener

Montgomery College is the convener of every action under this code. Within that action, there are several roles. The responding student is the person who is alleged to have violated the Code. The party bringing the complaint, who may be a student, employee, visitor, or guest, may choose to be present and participate in the process as fully as the responding student. There are witnesses, who may offer information regarding the allegation. There is an investigator(s) whose role is to present the allegations and share the evidence that Montgomery College has obtained regarding the allegations.

B. Group Violations

A student group or organization and its officers and membership may be held collectively and individually responsible when violations of this code by the organization or its member(s):

- 1. Take place at organization-sponsored or co-sponsored events, whether sponsorship is formal or tacit;
- 2. Have received the consent or encouragement of the organization or of the organization's leaders or officers; or
- 3. Were known or should have been known to the membership or its officers.

Hearings for student groups or organizations follow the same general student

conduct procedures. In any such action, individual determinations as to responsibility will be made and sanctions may be assigned collectively and individually and will be proportionate to the involvement of each individual and the organization.

C. Amnesty

1. For Victims

Montgomery College provides amnesty to victims who may be hesitant to report to Montgomery College officials because they fear that they themselves may be accused of minor policy violations, such as underage drinking, at the time of the incident. Educational options will be explored, but no conduct proceedings or conduct record will result².

2. For Those Who Offer Assistance

To encourage students to offer help and assistance to others, Montgomery College pursues a policy of amnesty for minor violations when students offer help to others in need. At the discretion of the Dean of Student Affairs Office, amnesty may also be extended on a case-by-case basis to the person receiving assistance. Educational options will be explored, but no conduct proceedings or conduct record will result.

3. For Those Who Report Serious Violations

Students who are engaged in minor violations but who choose to bring related serious violations by others to the attention of Montgomery College are offered amnesty for their minor violations. Educational options will be explored, but no conduct proceedings or record will result.

Abuse of amnesty requests can result in a decision by the Dean of Student's Office not to extend amnesty to the same person repeatedly.

4. Safe Harbor

Montgomery College has a Safe Harbor rule for students. Montgomery College believes that students who have a drug and/or addiction problem deserve help. If any Montgomery College student brings their own use, addiction, or dependency to the attention of Montgomery College officials outside the threat of drug tests or conduct sanctions and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and campus conduct processes will be initiated.

D. Notice of Alleged Violation

1. Any member of Montgomery College community, visitor or guest may allege a policy violation(s) by any student for misconduct under this Code

² Records regarding the provision of amnesty, however, should be maintained.

by submitting a report to the Dean of Student Affairs Office or Campus Safety and Security Office.

2. Notice may also be given to the Dean of Student Affairs (or designee) and/or to the Title IX Coordinator, when appropriate. Additionally, administrators may act on notice of a potential violation whether a formal allegation is made or not. All allegations can be submitted by a victim or a third party, and should be submitted as soon as possible after the offending event occurs. Montgomery College 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.

E. Provisions for Sexual Misconduct, Discrimination and Other Complaints of a Sensitive Nature

Complaints of this nature will be addressed under the direction of, Montgomery College's Title IX Coordinator. Please refer to Montgomery College's Sexual Misconduct Policy and Equal Educational Opportunity and Non-Discrimination Policy.

F. Notice of Hearing

1. Once a determination is made that reasonable cause exists for the Dean of Student Affairs (or designee) to refer a complaint for a hearing, notice will be given to the responding student. Notice will be in writing and may be delivered by one or more of the following methods: in person by the Dean of Student Affairs (or designee); mailed to the local or permanent address of the student as indicated in official Montgomery College records; or emailed to the student's College-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. The letter of notice will:
 - a. Include the alleged violation and notification of where to locate the Student Code of Conduct and Montgomery College procedures for resolution of the complaint; and
 - b. Direct the responding student to contact the Dean of Student Affairs (or designee) within a specified period of time to respond to the complaint. This time period will generally be no less than two days³ from the date of delivery of the summons letter.
2. A meeting with the Dean of Student Affairs (or designee) may be arranged to explain the nature of the complaint and the conduct process. At this meeting, the responding student may indicate, either verbally or in writing, to the Dean of Student Affairs (or designee), whether they admit to or deny the allegations of the complaint.

G. Interim Action/Interim Suspension

³ "Day", used throughout this document, refers to normal business days Monday-Friday when the College is in operation.

1. Under the Student Code of Conduct, the Dean of Student Affairs or designee may impose restrictions and/or separate a student from the community pending the scheduling of a campus hearing on alleged violation(s) of the Student Code of Conduct when a student represents a threat of serious harm to others, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve Montgomery College property and/or to prevent disruption of, or interference with, the normal operations of the College. Interim actions can include separation from the institution or restrictions on participation in the community for no more than ten (10) business days, or pending the scheduling of a campus hearing on alleged violation(s) of the Student Code of Conduct. A student who receives an interim suspension may request a meeting with the Dean of Student Affairs or designee to demonstrate why an interim suspension is not merited. The student will be afforded the opportunity to meet with the Dean or Designee within five days of the interim suspension notice. The student must contact the Dean's office immediately (within one business day of receipt of suspension notice) to schedule this meeting. If the Dean's Office is not contacted within this time frame, the student's request to meet may be denied. As a result of this meeting, the Dean of Student Affairs or designee may reverse the interim suspension, if new, previously unknown, or compelling information presented warrants the reversal. Regardless of the outcome of this meeting, Montgomery College may still proceed with the scheduling of a campus disciplinary hearing.
2. During an interim suspension, a student may be denied access to Montgomery College campuses, facilities, and events. As determined appropriate by the Dean's office, this restriction may include classes and/or all other Montgomery College activities or privileges for which the student might otherwise be eligible. At the discretion of the Dean's office and with the approval of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student.
3. Applicability of the Student Code of Conduct

Students accused of crimes may request to take a leave from Montgomery College until the criminal charges are resolved. In such situations, Montgomery College procedure for voluntary leaves of absence is subject to the following conditions:

 - a. The responding student must comply with all campus investigative efforts that will not prejudice their defense in the criminal trial; and
 - b. The responding student must comply with all interim actions and/or restrictions imposed during the leave of absence; and
 - c. 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.

H. Hearing Options & Preparation

1. The following sub-sections describe Montgomery College's student conduct hearing processes. Except in a complaint involving failure to comply with the summons of the Dean of Student Affairs (or designee), no student may be found to have violated the Student Code of Conduct solely as a result of the student's failure to appear for a hearing. In all such instances, conduct hearings will proceed as scheduled and the information in support of the complaint will be presented to, and considered by, the Dean of Student Affairs, Administrative Hearing Officer (AHO) or Student Conduct Review Board presiding over the hearing.
2. Where the responding student admits to violating the Student Code of Conduct, the Dean of Student Affairs (or designee) may invoke administrative hearing procedures to determine and administer appropriate sanctions without a formal hearing. This process is also known as a Dean's disciplinary hearing. In an administrative conference, complaints will be heard and determinations will be made by the Dean of Student Affairs or designee.
3. Where the responding student denies violating the Student Code of Conduct, a formal hearing will be conducted if the violation as reported, could rise to the level of suspension. Students who deny a violation for which a panel hearing will be held will be given a minimum of 10 business days to prepare unless all parties wish to proceed more quickly. Preparation for a formal hearing is summarized in the following guidelines:
 - a. Notice of the time, date and location of the hearing will be in writing and may be delivered by one or more of the following methods: in person by the Dean of Student Affairs (or designee); mailed to the local or permanent address of the student as indicated in official Montgomery College records; or emailed to the student's College-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered.
 - b. If there is an alleged victim of the conduct in question, the alleged victim may serve as the party bringing the complaint or may elect to have Montgomery College administration serve as the party bringing the complaint forward. Where there is no alleged victim, Montgomery College administration will serve as the party bringing the complaint forward.
 - c. If a responding student fails to respond to notice from the Dean of Student Affairs (or designee), the Dean of Student Affairs (or designee) may initiate a complaint against the student for failure to comply with the directives of a Montgomery College official and give notice of this offense. Unless the student responds to this notice within five business days by answering the original

notice, an administrative conference may be scheduled and held on the student's behalf. As a result, the student may be administratively withdrawn from attending classes or a disciplinary hold may be placed on their Montgomery College account, deeming them ineligible to register for courses until such time as the student responds to the initial complaint. Montgomery College reserves the right to proceed with an administrative conference or disciplinary hearing if the responding student chooses not to participate.

- d. The Dean of Student Affairs (or designee) will ensure that the hearing information and any other available written documentation is shared with the parties at least two (2) business days before any scheduled hearing. Hearing officers will only be unseated if the Dean of Students or Designee concludes that their bias precludes an impartial hearing of the complaint. Additionally, any panelist who feels they cannot make an objective determination must recuse themselves from the proceedings.

I. Panel Hearing Procedures

1. The Dean of Student Affairs will appoint one panelist as the Chair for the hearing. The parties have the right to be present at the hearing; however, they do not have the right to be present during deliberations. If a student cannot attend the hearing, it is that student's responsibility to notify the Dean of Student Affairs no less than three (3) business days prior to the scheduled hearing to arrange for another date, time and location. Except in cases of grave or unforeseen circumstances, if the responding student fails to give the requisite minimum three (3) day notice, or if the responding student fails to appear, the hearing will proceed as scheduled. If the party bringing the complaint fails to appear, the complaint may be dropped unless Montgomery College chooses to pursue the allegation on its own behalf, as determined by the Dean of Student Affairs.
2. The Dean of Student Affairs (or designee), the Chair and the Panel will conduct panel hearings according to the following guidelines:
 - a. Hearings will be closed to the public.
 - b. Admission to the hearing of persons other than the parties involved will be at the discretion of the hearing advisor and the Dean of Student Affairs or Designee.
 - c. In hearings involving more than one responding student, the standard procedure will be to hear the complaints jointly; however, the Dean 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.

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- d. The parties have the right to an advisor/advocate of their own choosing, including attorneys. Typically, advisors are members of the campus community, but the parties may select whomever they wish to serve as their advisor. 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 and suggest questions to their advisee. If the advisor is an attorney, Montgomery College must be given notice at least 5 business days prior to the hearing.
 - e. The party bringing the complaint, the responding student, and the conduct review board will have the privilege of questioning all present witnesses and questioning all present parties (directly or through the Chair). Unduly repetitive witnesses can be limited at the discretion of the conduct review board.
 - f. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the Student Conduct Review Board. Formal rules of evidence are not observed. The conduct review board may limit the number of character witnesses presented or may accept written affidavits of character instead.
 - g. All procedural questions are subject to the final decision of the Dean of Student Affairs, Designee, or panel advisor.
 - h. After a panel hearing, the panel will deliberate and determine, by majority vote, whether it is more likely than not that the responding student has violated the Student Code of Conduct. Either the Dean of Student Affairs, Associate Dean, Student Conduct Program Coordinator or other designee will be present and available as a resource during all deliberations. Once a finding is determined, if the finding is that of a policy violation, the panel will determine an appropriate sanction(s). The Dean of Student Affairs (or designee) is responsible for informing the panel of applicable precedent and any previous conduct violations or other relevant pattern information about the responding student. The panel Chairperson will prepare a written deliberation report and deliver it to the Dean of Students, detailing the recommended finding, how each member voted, the information cited by the panel in support of its recommendation, and any information the panel excluded from its consideration and why. This report should conclude with any recommended sanctions. This report should not exceed two pages in length and must be submitted to the Dean of Student Affairs within two (2) business days of the end of deliberations.
 - i. The Dean of Student Affairs will consider the recommendations of the panel, may make appropriate modifications to the panel's report and will then inform the responding student and party bringing the complaint (if applicable by law or Montgomery

College policy) of the final determination within 5 business days of the hearing. Notification will be made in writing and may be delivered by one or more of the following methods: in person by the Dean of Student Affairs (or designee); mailed to the local or permanent address of the student as indicated in official Montgomery College records; or emailed to the student's College-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. In cases of sexual misconduct and other crimes of violence, notice of the outcome will be delivered to all parties simultaneously, meaning without substantial delay between the notifications to each.

- j. There will be a single verbatim record, such as an audio recording, for all panel hearings. Deliberations will not be recorded. The record will be the property of Montgomery College and maintained according to the College's record retention policy.

J. Conduct Sanctions

- 1. One or more of following sanctions may be imposed upon any student for any single violation of the Student Code of Conduct:
 - a. Warning: An official written notice that the student has violated Montgomery College 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 College.
 - b. Restitution: Compensation for damage caused to Montgomery College 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.
 - c. Fines: Reasonable fines may be imposed.
 - d. Community/Montgomery College Service Requirements: For a student or organization to complete a specific supervised Montgomery College service.
 - e. Loss of Privileges: The student will be denied specified privileges for a designated period of time.
 - f. Confiscation of Prohibited Property: Items whose presence is in violation of Montgomery College policy will be confiscated and will become the property of the College. Prohibited items may be returned to the owner at the discretion of the Dean of Student Affairs and/Campus Safety and Security.
 - g. Behavioral Requirement: This includes required activities

including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.

- h. 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.
- i. Restriction of Visitation Privileges: The student's privilege to visit specific Montgomery College buildings is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary. Prior to entry into specified areas, the student must gain permission from the Dean of Student Affairs Office. The parameters of the restriction will be specified.
- j. Disciplinary probation: The student is put on official notice that, should further violations of Montgomery College policies occur during a specified probationary period, the student may face suspension or expulsion. Regular probationary meetings may also be imposed.
- k. Eligibility Restriction: The student is deemed "not in good standing" with Montgomery College for a specified period of time. Specific limitations or exceptions may be granted by the Dean of Student Affairs and terms of this conduct sanction may include, but are not limited to, the following:
 - 1) Ineligibility to hold any office in any student organization recognized by Montgomery College or hold an elected or appointed office at the College; or
 - 2) ineligibility to represent Montgomery College to anyone outside Montgomery College community in any way including: participating in the study abroad program, attending conferences, or representing Montgomery College at an official function, event or intercollegiate competition as a player, manager or student coach, etc.
- l. Montgomery College Suspension: Separation from Montgomery College 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. The student is banned from college property, functions, events and activities without prior written approval from the Dean of Student Affairs Office.
- m. Interim Action: The student's privilege to visit specific Montgomery College buildings, events or areas of campus is revoked for a specified period of time. Prior to entry into specified areas, the student must gain permission from the Dean of Student Affairs Office. The parameters of the restriction will be

specified.

- n. Removal from class: A student may be rendered ineligible to return to a specified class. As a result, the student will be withdrawn administratively.
 - o. Montgomery College Expulsion: Permanent separation from the College. The student is banned from college property and the student's presence at any College-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary.
 - p. Other Sanctions: Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Dean of Student Affairs or designee.
 - q. No contact order; students may be directed to make no contact with another involved party.
2. The following sanctions may be imposed upon groups or organizations found to have violated the Student Code of Conduct:
- a. One or more of the sanctions listed above, specifically a through e.
 - b. Deactivation, de-recognition, loss of all privileges (including status as a Montgomery College registered group/organization), for a specified period of time.

K. Parental Notification

Montgomery College reserves the right to notify the parents/guardians of dependent students regarding health and safety emergencies, including alcohol and other drug violations. Montgomery College may also notify parents/guardians of non-dependent students who are under the age of 21 of alcohol and/or other drug violations. Parental notification may also be utilized discretionarily by administrators when permitted by FERPA or consent of the student.

L. Notification of Outcomes

- 1. The outcome of a campus hearing 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 non-forcible sex offense, Montgomery College will inform the alleged victim/party bringing the complaint in writing of the final results of a hearing regardless of whether Montgomery College 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 of sexual misconduct and other offenses covered by Title IX, only, the rationale for

the outcome will also be shared with all parties to the complaint in addition to the finding and sanction(s).

2. In cases where Montgomery College determines through the student conduct process that a student violated a policy that would constitute a "crime of violence" or non-forcible sex offense, Montgomery College may also release the above information publicly and/or to any 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 non-negligent manslaughter
 - f. Destruction/damage/vandalism of property
 - g. Kidnapping/abduction
 - h. Robbery
 - i. Forcible sex offences
 - j. Non-forcible sex offences
3. All students, as members of Montgomery College community, are expected to comply with conduct sanctions within the timeframe specified by the Dean of Student Affairs. Failure to follow through on conduct sanctions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions and/or suspension from Montgomery College. A suspension will only be lifted when compliance with conduct sanctions is satisfactorily achieved. This determination will be made by the Dean of Student Affairs.

M. Appeal Review Procedures

When a disciplinary hearing results in a sanction of suspension, the respondent may request an appeal of the decision of the Student Conduct Board/Dean's Disciplinary Hearing/Interim Suspension by filing a written request to the Senior Vice President for Student Affairs or Designee, subject to the procedures outlined below. All sanctions imposed by the original hearing body 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.

- K.** The request for an appeal must be submitted in writing within five business days of the date of the notification of the decision of the hearing and state the grounds for the appeal. There shall be only the four following grounds for an appeal:
1. A claim that the original hearing was not conducted fairly in light of the charges and the evidence presented and that it was not in conformity with the prescribed procedures.
 2. A claim that the decision reached by the hearing panel regarding the accused student was not supported by substantial evidence.

3. A claim that the sanction(s) imposed were not appropriate for the violation of the Student Code of Conduct which the student was found to have committed.
4. A claim that the Senior Vice President for Student Affairs or Designee should consider new evidence sufficient to alter a decision or other facts not brought forth in the original hearing, because such evidence and/or facts were not known to the person making the appeal at the time of the original hearing.
5. Failure to file an appeal or request an extension within five business days constitutes a waiver of any right to an appeal.
6. Except as is required in an appeal claiming new evidence, an appeal shall be limited to a review of the hearing record, which shall include a copy of the notice sent to the student, all documentary and other evidence admitted at the hearing, the panel's findings and a tape recording of the hearing.
7. Senior Vice President for Student Affairs or Designee will render a decision and notify the student in writing within five business days. This decision is final under the Student Code of Conduct. The decision may affirm, modify, reverse or remand the hearing panel's decision, or order that a new hearing be held. If the hearing panel's decision is reversed, the Senior Vice President for Student Affairs/Workforce development or Designee shall have the file sealed and any reference to the disciplinary process removed from the student's record.

O. Disciplinary Records

All conduct records are maintained by Montgomery College for six (6) years from the time of their creation except those that result in permanent dismissal or expulsion,) which are maintained for 50 years.

IX. Academic Integrity/Academic Dishonesty

- A. The maintenance of the highest standards of intellectual honesty is the concern of every student, faculty and staff member at Montgomery College. The College is committed to imposing appropriate sanctions for breaches of academic honesty. The list below is not all-inclusive of prohibited behavior. Nothing in this section precludes an academic department from issuing supplemental guidelines giving examples of plagiarism or other forms of academic dishonesty and academic misconduct which are pertinent to the subject matter of the class.
- B. Academic Dishonesty or Misconduct can occur in many ways. Some common forms include:
 1. Cheating on assignments or examination
 2. Plagiarizing from written, video, or Internet resources
 3. Using tests or other material without permission
 4. Forgery
 5. Submitting materials that are not the student's own

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6. Taking examinations in the place of another student, including assessment tests
 7. Assisting others in committing academic dishonesty
 8. Failing to use quotation marks for directly quoted material unless using block quotes other accepted formats.
 9. Copying from another student during an examination
- C. Sanctions to be imposed. Students who engage in any act that the classroom instructor judges to be academic dishonesty or misconduct are subject to the following sanctions:
1. The minimum grade sanction imposed by a faculty member is to award an "F" on the assignment or test in which the dishonesty occurred.
 2. The maximum grade sanction is to award an "F" for the course in which the dishonesty occurred.
 3. In addition, each faculty member has the prerogative of referring a case to the campus Dean of Student Affairs or designated Instructional Dean of Workforce Development and Continuing Education with a specific request that the Dean consider imposing additional sanctions.
- D. Procedures
1. The faculty member will:
 - a. Notify the student of the allegation in writing, with a copy forwarded to the Dean of Student Affairs or the designated Instructional Dean of Workforce Development and Continuing Education.
 - b. Include the grade sanction to be imposed, the reasons for it, and the appeals process. It is expected that the instructor will take immediate action.
 - c. If a student is no longer at the institution, send a letter to the student's last address of record via e-mail and mail.
 - d. Hold a conference with the student so that the student can present his/her information, if the charge is contested.
 2. The student will inform the faculty member that he or she will contest the charge within five business days after his or her receipt of the letter.
 3. Referred for Additional Sanctions
 - a. In requesting additional sanctions for academic dishonesty to the campus Dean of Student Affairs or designated Instructional Dean of Workforce Development and Continuing Education, the faculty member will state in writing the circumstances surrounding the incident, the nature of the evidence collected against the student, the result of the discussion with the student, and the grade sanction to be imposed.

- b. The faculty member will provide the supporting documentation to both the Dean and student.

4. Appeal

- a. A student may appeal the grade sanctions imposed by the faculty member to the Vice President/Provost of the campus or Workforce Development and Continuing Education whichever is applicable.
- b. The appeal will be submitted, in writing within 10 business days of the date the student is informed of the imposition of the sanction.
- c. A grade sanction can only be changed through the appeal process and not through withdrawal from the course.
- d. If further non-academic sanctions were imposed by the Dean of Student Affairs or by the Dean of Workforce Development and Continuing Education, those sanctions can also be appealed to the campus or WD&CE Vice President and Provost, in writing, within 10 days of the date the student is informed of the sanction.

X. Disruptive Classroom Behavior

All full and part-time faculty are strongly encouraged to include this statement in their syllabi and post in appropriate offices and labs to remind students of expected behaviors.

- A. The College seeks to provide an environment where discussion and expression of all views relevant to the subject matter of the educational forum are recognized as necessary to the educational process.
- B. However, students do not have the right to interfere with the freedom of the faculty to teach or the rights of other students to learn, nor do they have the right to interfere with the ability of staff to provide services to any student.
- C. Faculty and staff set the standards of behavior that are within the guidelines and spirit of the Student Code of Conduct or other College policies for classrooms, events, offices, and areas, by announcing or posting these standards early in the semester.
- D. If a student behaves disruptively in the classroom, an event, an office, or an area after the instructor or staff member has explained the unacceptability of such conduct and the consequences that will result; the student may be asked to leave that classroom, event, office, or area for the remainder of the day. This does not restrict the student's right to attend other scheduled classes or appointments.
- E. If the student does not leave, the faculty or staff member may request

the assistance of the Office of Public Safety and Security.

- F. The faculty or staff member must communicate with the student about the incident before the next class meeting to resolve the issue. If a second incident occurs that warrants removal from class, the faculty member again communicates with the student and must send a written report about the incident to the Dean of Student Affairs with a description of the incident and whether or not the incident is being referred to the formal disciplinary process.
- G. The Dean of Student Affairs Office should be informed in writing about any situation that should be addressed through the formal disciplinary process. The faculty or staff member will provide the Dean of Student Affairs Office with a written summary of the facts or conduct on which the referral is based within 48 hours of the incident for appropriate and effective disciplinary process, which must include the date, time, place, and a description of the incident.

XI. Student Rights and Responsibilities under the Student Code of Conduct

- A. Student are afforded the following rights at Montgomery College:
 - 1. The right to have access to and participate in the academic and non-academic opportunities afforded by the College.
 - 2. The right to freedom of thought and expression.
 - 3. The right to be free from discrimination based on race, religion, color, sex, age, disability, marital status, sexual orientation, and national origin as stated in College policy.
 - 4. The right to a fair process in the determination of accountability for conduct according to the Student Code of Conduct.
 - 5. The right to submit informal and formal complaints to the appropriate College official. To obtain information as to who could best address the complaint, students can also see a counselor or the Dean of Student Affairs for guidance. *There shall be no retaliation against individuals who, in good faith, report suspected violations. Individuals who believe they have suffered retaliation from any Montgomery College employee as a result of making a disclosure through this process may report suspected violations to the Dean of Student Affairs or the Chief compliance, Risk and Ethics Officer. Students can refer to the *Employee Code of Conduct* for questions about Standards of Behavior for Montgomery College Employees.
- B. Student Responsibilities
 - 1. The responsibility to exercise the above mentioned rights and freedoms in a manner that will not violate College rules and regulations or infringe on the rights of other students, faculty and staff.
 - 2. The responsibility to comply with all provisions of the Student Code of

Conduct.

3. The responsibility to treat all members of the College community with civility, respect, and courtesy.
4. The responsibility to contribute to the overall welfare and common good of all students, faculty and staff at Montgomery College.
5. The responsibility to obtain and carry an official College ID.

XII. Interpretation and Revision

The Dean of Student Affairs, or Dean's Designee, will develop procedural rules for the administration of hearings that are consistent with provisions of the Student Code of Conduct. Material deviation from these rules will, generally, only be made as necessary and will include reasonable advance notice to the parties involved, either by posting online and/or in the form of written communication. The Dean of Student Affairs may vary procedures with notice upon determining that changes to law or regulation require policy or procedural alterations not reflected in this Code. The Dean of Student Affairs may recommend minor modifications to procedure that do not materially jeopardize the fairness owed to any party. Any question of interpretation of the Student Code of Conduct will be referred to the Dean of Student Affairs, whose interpretation is final. The Student Code of Conduct will be reviewed annually under the direction of the Deans of Student Affairs, with a comprehensive revision process being conducted every 5 years or as deemed appropriate by the Senior Vice President of Student Affairs.

Administrative Approval: May 12, 2003, effective July 1, 2003; February 7, 2006 (Administrative correction only); June 17, 2009 (Administrative correction only); September 16, 2010; December 1, 2011 (Administrative correction only); November 5, 2012 (Administrative correction only); June 28, 2018 (effective July 1, 2018).

Chapter: Student Affairs

Modification No. 002

Subject: **Campus Behavioral Intervention Teams**

- I. Montgomery College is committed to promoting the overall health and safety of Montgomery College students, staff, and faculty by providing proactive assistance to students who are exhibiting behaviors of concern.
- II. The Board of Trustees authorizes the establishment of Behavioral Intervention Teams (B.I.T.) as a proactive way to provide a centralized, coordinated, caring, developmental intervention for those in need prior to crisis and to which student behaviors of concern can be referred and addressed.
- III. The Student Code of Conduct, which governs students' rights and responsibilities, requires the College to take action after the occurrence of an incident or perceived violation. By contrast, the use of Behavioral Intervention Teams (B.I.T.) is preventative and allows the College to respond to student behaviors of concern before an actual incident occurs.
- V. The B.I.T. will make recommendations to the President regarding interventions, policies, procedures, practices, and education consistent with College policy and procedures.
- VI. The President is authorized to develop procedures to implement this policy.

Board Approval: February 22, 2016; January 24, 2024.

Chapter: Student Affairs

Modification No. 001

Subject: **Campus Behavioral Intervention Teams**

I. Introduction

- A. The Campus Behavioral Intervention Teams (B.I.T.) promote the overall health, safety and welfare of the Montgomery College community by providing proactive assistance to students who are exhibiting behaviors of concern and through preventative education.
- B. The B.I.T. is an interdisciplinary team composed of representatives from Counseling, Disability Support Services, Safety and Security, the Dean of Student's office, and other possible faculty and staff as appropriate. The team is chaired by the associate dean of student services, or designee, and functions under the supervision of the Campus Dean of Student Services.

II. Definitions

- A. The term "College" means Montgomery College and all of its campuses, sites, divisions, programs and college sponsored activities.
- B. The term "student" means a person currently matriculating, enrolled in or auditing credit or non-credit courses at the College, whether on or off campus, regardless of their physical location or enrollment status online, or on a part-time or full-time status. This definition also includes students who were registered for the previous or current semester, but who are not yet registered for the upcoming semester.
- C. The term "student of concern" means a student whose behavior is deemed concerning by others or who engages in behavior that may threaten the safety of the Montgomery College community.
- D. The term "behaviors of concern" is an umbrella term for inappropriate, disruptive and/or threatening or self-harming actions or behaviors that employees observe.
- E. The term "intervention" means a plan of action to address behaviors of concern.
- F. The term "threat assessment" means the process used to determine the threat level for students of concern.

III. Responsibilities

The responsibilities of the Behavioral Intervention Teams are to:

- A. Investigate and assess reports of concerning behavior that may pose a potential risk of harm to self or persons in the College community.
- B. Consult with administration, faculty, staff, and other students affected by the inappropriate behaviors of a student of concern.

- C. Conduct threat assessments for referred students of concern and recommends interventions to manage the threatening or concerning behavior to assure the safety and rights of others and to minimize the disruption to the College community.
- D. Provide education and training to the campus community on prevention, protocols, resources, and roles/rights/responsibilities.

IV. General Procedures

- A. Step 1. An Incident Report is submitted to the B.I.T. Chair and/or Dean of Student Services/WD&CE Instructional Dean via B.I.T. Incident Report, email, phone and/or Safety and Security.
- B. Step 2. The B.I.T. Chair and/or Dean of Student Services/WD&CE Instructional Dean determine whether to proceed as a B.I.T. case or other.

*Non-student behaviors will be addressed under the direction and authority of Campus Safety and Security.
- C. Step 3. If a B.I.T. case is opened, the campus-based team is convened and reviews the information using assessment tools.
- D. Step 4. If behaviors of concern exist, the B.I.T. recommends an intervention to the B.I.T. Chair and/or the campus Dean of Student Services, Instructional Dean of WD&CE or designee. If behaviors of concern do not exist, the case is closed.
- E. Step 5. An intervention takes place and the team follows up with the reporter and other individuals/groups as appropriate.

*If the threat assessment indicates a direct threat to others, based on medical or psychological reasons, B.I.T. may recommend that the Dean of Student Services or Instructional Dean of WD&CE initiate the Involuntary Medical Withdrawal (IMW) Procedure. There may be situations in which both the Involuntary Medical Withdrawal policy and the Student Code of Conduct may apply.

V. Involuntary Medical Withdrawal Overview

- A. Montgomery College considers the safety and welfare of its students, faculty and staff a top priority. When a student engages in behavior that violates the rules of conduct, the behavior will be addressed as a disciplinary matter under the applicable [Student Code of Conduct](#). The Student Code of Conduct defines prohibited conduct and outlines a process for conducting disciplinary proceedings.
- B. This Involuntary Medical Withdrawal Procedure is not a disciplinary code, policy or process. It is not intended to apply to situations in which a student engages in behavior that violates the College's rules of conduct. It is intended to apply when a student's observed conduct, actions and/or statements indicate a direct threat to the health and/or safety of others. There may be situations in which both this Involuntary Medical Withdrawal Policy and the Student Code of Conduct may apply. In such cases, the policies and procedures in the Student Code of Conduct are preferred unless, in the judgment of the Dean of Student Services or

Instructional Dean of WD&CE, the Code of Conduct should not or cannot be applied.

VII. Involuntary Medical Withdrawal Guidelines

A student may be withdrawn involuntarily from Montgomery College if the College determines that the student represents a direct threat to the health and safety of others by:

- A. Engaging or threatening to engage in behavior which poses a high probability of substantial harm to others; or
- B. Engaging or threatening to engage in behavior which would cause significant property damage, would directly and substantially impede the lawful activities of others, or would interfere with the educational process and the orderly operation of the College.
- C. In each case, an assessment of the student's ability to safely participate in the College's programs will be conducted. In cases where the behavior constitutes an imminent threat, the College may take action to immediately withdraw a student pending the assessment.

VIII. Emergency Interim Withdrawal

- A. The College may take emergency action to immediately withdraw a student on an interim basis where there is the likelihood of imminent or significant danger of serious physical harm to others. The purpose of an interim withdrawal is to provide time to obtain a mental health assessment or to gather additional information before a withdrawal decision is made.
- B. In the event emergency action is taken to withdraw the student on an interim basis, the student shall be given notice of the emergency withdrawal either in person, by certified mail, phone, and/or email. The student will have an initial opportunity to address the circumstances on which the emergency withdrawal is based with the Dean of Student Services, Instructional Dean of WD&CE, or designee within forty-eight (48) hours from the effective date of the interim withdrawal.
- C. Following this meeting, the Dean of Student Services, Instructional Dean of WD&CE, or designee may either cancel the interim withdrawal or continue it until a formal decision has been made in accordance with the procedures set forth in this policy or until the reasons for imposing the interim action no longer exist.
- D. If the emergency interim withdrawal remains in effect, the next stages of this procedure will be followed, and every effort will be made to expedite the process.
- E. The Dean of Student Services/WD&CE Instructional Dean, or designees, will notify faculty members of the change in registration status for the student, as appropriate.

IX. Commencement of the Involuntary Medical Withdrawal Procedure

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- A. When the Dean of Student Services, Instructional Dean of WD&CE, or designee based on a student's conduct, actions or statements, has reasonable cause to believe that the student meets one or more of the criteria for involuntary medical withdrawal, an assessment of the student's ability to safely participate in the College's program is initiated.
 - B. The Dean of Student Services, Instructional Dean of WD&CE, or designee initiates this assessment by first meeting with the student to:
 - 1. Review available information concerning the behavior and/or incidents which have caused concern and give the student the opportunity to respond to these concerns,
 - 2. Provide the student with a copy of this Involuntary Medical Withdrawal Policy and Procedure and discuss its contents with the student,
 - 3. Provide the student an opportunity to explain his/her behavior, and
 - 4. Discuss options available to the student, including counseling, voluntary withdrawal and evaluation for involuntary medical withdrawal.
 - C. If the student decides to withdraw voluntarily from the College and waives any right to any further procedures available under this policy, the student will be dropped or given a grade of W for all courses (as appropriate). The student will be advised in writing of any conditions that must be satisfied prior to re-enrollment, and may be referred for appropriate mental health or other health services.
 - D. The Dean of Student Services/WD&CE Instructional Dean, or designees, will notify faculty members of the change in registration status for the student, as appropriate.
 - E. If the student does not decide to withdraw voluntarily and the Dean of Student Services, Instructional Dean of WD&CE, or designee continues to have reasonable cause to believe the student meets one or more of the criteria for involuntary medical withdrawal, the Dean of Student Services, Instructional Dean of WD&CE, or designee may require the student to be evaluated by an appropriate and approved licensed mental health professional.
- X. Evaluation by Mental Health Professional
- A. The Dean of Student Services, Instructional Dean of WD&CE, or designee may refer the student for an evaluation, to an appropriate/approved community mental healthcare professional or other appropriate professional (e.g. a psychiatrist, licensed psychologist, licensed clinical social worker, psychiatric nurse practitioner, or licensed clinical professional counselor) The student may also select his or her own appropriate mental health care professional (e.g. psychiatrist, licensed psychologist, licensed clinical social worker, psychiatric nurse practitioner, or licensed clinical professional counselor). In either case, documentation should be provided by a licensed or otherwise properly credentialed professional for the area being evaluated, who has undergone appropriate and comprehensive training, has relevant experience, and has no personal relationship with the individual being evaluated.

1. The mental healthcare professional selected to conduct the evaluation must be qualified to provide an effective assessment relevant to the evaluation questions at hand. The student should check with the Dean of Student Services, Instructional Dean of WD&CE, or designee before selecting their own mental healthcare professional to clarify qualifications.
 2. The College will cover the evaluation costs of any mandated referrals the College makes to a mental healthcare professional. If the student selects their own mental healthcare professional, the student will be responsible for the cost of the evaluation. The student may apply to the College for financial assistance. A written copy of the involuntary medical withdrawal referral shall be provided to the student. The student will be asked to sign a release authorizing the healthcare professional to discuss the evaluation with the Dean of Student Services, Instructional Dean of WD&CE, or designee.
 3. The Dean of Student Services, Instructional Dean of WD&CE, or designee shall review the report and recommendations submitted by the student's mental healthcare professional and may seek a secondary evaluation from an independent healthcare professional of the College's choice if it is determined that the professional selected by the student does not have the expertise to give an opinion about the student's condition and whether he or she poses a threat to others at the College, the information submitted does not specifically address the referral provided by the College, or there are other factors that indicate the information submitted is not credible or is fraudulent. This evaluation will be at no cost to the student.
 4. The Dean of Student Services, Instructional Dean of WD&CE, or designee shall provide the student with a specified period in which to be evaluated. If a student refuses to undergo an evaluation, does not attend the evaluation at the time it is scheduled, or refuses to provide a release authorizing the healthcare professional to discuss the evaluation with the Dean of Student Services, Instructional Dean of WD&CE, or designee, the student may be subject to disciplinary action under the Student Code of Conduct for failure to comply with the directive of a College official.
- B. The professional making the evaluation shall make an individualized and objective assessment of the student's ability to safely ~~to~~ participate in Montgomery College's program, based on a reasonable professional judgment relying on the most current professional knowledge and/or the best available objective evidence.
1. This assessment shall include a determination of the nature, duration and severity of the risk posed by the student to the health or safety of others, the probability that the potentially threatening injury will actually occur, and whether reasonable modifications of policies, practices or procedures will sufficiently mitigate the risk.

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2. The professional will, with appropriate authorization, share his/ her recommendation with the Dean of Student Services, Instructional Dean of WD&CE, or designee, who will consider this recommendation in determining whether the student should be involuntarily withdrawn from Montgomery College. A copy of the professional's recommendation will be provided to the student.
 3. If the evaluation results in a determination that the student's continued attendance presents no significant risk to the health or safety of others, and no significant threat to property, to the lawful activities of others, or to the educational processes and orderly operations of the College, no further action shall be taken to withdraw the student from the College except as a result of sanctions resulting from a violation of the Student Code of Conduct.
- C. If the evaluation results in a determination that a treatment plan is needed to ensure the likelihood that there will be decreased risk, then the Dean of Student Services, Instructional Dean of WD&CE or designee will expect that the treatment plan be followed and documented in order to maintain an active enrollment status.
 - D. If the evaluation results in a determination that the continued attendance of the student presents a significant risk to the health or safety of others, such that there is a high probability of substantial harm, or a significant threat to property, to the lawful activities of others, or to the educational processes and orderly operations of the College, the student may be involuntarily withdrawn from the College. In such an event, the student shall be informed in writing by the Dean of Student Services, Instructional Dean of WD&CE, or designee of the involuntary withdrawal, of his/her right to an informal hearing, of his/her right to appeal the decision of the hearing officer, and of any conditions necessary for re-enrollment.
 - E. The Dean of Student Services/WD&CE Instructional Dean, or designees, will notify faculty members of the change in registration status for the student, as appropriate.
- XI. Involuntary Medical Withdrawal Hearing
- A. A student who has been involuntarily withdrawn may request an Involuntary Medical Withdrawal hearing before the College's Director of ADA Compliance or designee by submitting a written request to the Dean of Student Services, Instructional Dean of WD&CE, or designee within three (3) business days from receipt of the notice of involuntary withdrawal. A student who does not request an informal hearing within three (3) business days shall be immediately withdrawn from the College without further procedures. When an informal hearing is requested, it shall be held within five (5) business days, by the Director of ADA Compliance or designee, who shall inform the student in writing of the time and place of the hearing and the nature of the reasons for the proposed actions. If a student fails to attend the scheduled hearing, the Director of ADA Compliance may proceed and make a determination based on available evidence.
 - B. The hearing shall be conversational and non-adversarial. No rules of evidence shall apply. The hearing will be closed to the public and the evidence presented shall be kept confidential pursuant to the Family Educational Rights and Privacy

Act ("FERPA"). The student may be accompanied to the involuntary medical withdrawal hearing by an advisor of his or her choice. The advisor may be an employee or student at the College, a member of the student's immediate family, or a health professional of his/her choice. The role of the advisor is limited to providing advice to the student. Only the student is allowed to speak or ask questions. The hearing officer can excuse or dismiss anyone who is disruptive to the hearing process. If the student declines to attend the hearing or does not request an alternative hearing date, then the hearing may take place without the student being present.

- C. The Dean of Student Services, Instructional Dean of WD&CE, or designee will provide all evidence relevant to whether the student is subject to involuntary withdrawal, including the health professional's written evaluation, witnesses, statements, documents and written reports.
- D. The student shall be provided with the opportunity to review and comment on all documents, information, testimony and statements that are in the case file and would be considered regarding the involuntary withdrawal and shall also be allowed to present information in support of his or her case, including documentation from an appropriate health care provider of their choice who has conducted a proper assessment.
- E. A recording shall be made of the proceedings and shall be made available to the Dean of Student Services, Instructional Dean of WD&CE and/or the student, upon written request, and to the Senior Vice President for Student Services if there is an appeal.
- F. The Director of ADA Compliance shall prepare a written decision containing findings and conclusions as to whether the student should be involuntarily withdrawn from the College. The decision of the Director of ADA Compliance shall be furnished to the student and the Dean of Student Services or Instructional Dean of WD&CE within five business days.

XII. Procedural Appeal to the Senior Vice President

The decision of the Director of ADA Compliance shall be final unless the student submits a written appeal to the Senior Vice President for Student Services within three (3) business days. The appeal is limited to a determination as to whether there was an arbitrary and capricious procedural error that substantially affected the outcome of the involuntary medical withdrawal process to the material prejudice of the student. The written appeal should specify the specific procedural errors the student wishes the Senior Vice President for Student Services to consider. The Senior Vice President for Student Services shall review the student's written appeal and notify the student of his/her decision within five business days. The decision of the Senior Vice President for Student Services is final and constitutes a final administrative decision by the College.

XIII. Notice

All decisions and notices referenced in these procedures shall be delivered to the student by any of the following methods: first class mail; certified mail, return receipt requested; hand delivery or electronic mail to the student's College e-mail account, and will become effective immediately upon deposit in the mail, the date sent by electronic mail or, in the case of hand delivery, upon receipt by the student.

XIV. Effect on Academic Status

A student who has been involuntarily withdrawn under these procedures may no longer attend classes, may not be an active member of any registered student organization and may no longer use any College facilities. The student shall be dropped or receive a grade of "W" in all enrolled classes (as appropriate). A refund will be considered in accordance with current policy 45001, II. B.2 - refund will be prorated based on the total amount of expired course time. The student shall have an administrative hold placed on their records that will prevent them from being readmitted or reenrolled at the College except as set forth below.

XV. Conditions for Re-enrollment

A student who has been involuntarily withdrawn under this policy who wishes to be considered for reenrollment should contact the Dean of Student Services or Instructional Dean of WD&CE, and shall provide to the Dean appropriate documentation that the student is fit to return to school and safely participate in the College community, including documentation from an appropriate licensed healthcare provider of their choice who has conducted a proper assessment of the student and has concluded the student does not pose a threat of serious harm to others. The Dean may also require the student to be evaluated by a licensed healthcare professional chosen and paid for by the College. If the student refuses to undergo an evaluation, provide authorization to review his/her medical records, or submit any other required information, the Dean may deny the student's request for readmission/reenrollment.

XVI. Education

Education is an important element of this Policy. The College will provide education and information, as determined appropriate by the president, for all employees and students to enhance understanding and increase awareness of the College's Campus Behavioral Intervention Team Policy and Procedures. Periodic training will also be conducted for responsible College employees, as determined by the President.

Administrative Approval: March 7, 2016

Chapter: Student Affairs

Modification No. 001Subject: **Student Social Media Privacy Protection****I. Introduction**

Montgomery College recognizes the importance of privacy in a student's personal activities involving the use of social media. It also recognizes that the use of social media by College employees plays a valuable and appropriate role in academic and career-based activities to the benefit of students. The purpose of this policy is to set forth appropriate rules to protect student privacy interests while permitting the use of social media for academic and career-based activities.

II. Definitions

- A. "Access information" means a user name, a password, log-in information, an account name, or any other security information that protects access to a personal electronic account.
- B. "Personal electronic account" means an account created via an electronic medium or a service that allows users to create, share, or view user-generated content, including uploading or downloading videos or still photographs, blogs, video blogs, podcasts, messages, electronic mail, Internet Web site profiles or locations, or any other electronic information. Personal electronic accounts do not include an account that is opened on behalf of, or owned or provided by, Montgomery College.
- C. "Student" includes an individual who is a participant, trainee, or student in an organized course of study or training offered by the College.

III. Prohibited Activities

Subject to subsection IV below, the College may not:

- A. Require, request, suggest, or cause a student, an applicant, or a prospective student to grant access to, allow observation of, or disclose information that allows access to or observation of the individual's personal electronic account;
- B. Compel a student, an applicant, or a prospective student, as a condition of acceptance or participation in curricular or extracurricular activities, to:
 - 1. Add to the list of contacts associated with a personal electronic account any individual, including a coach, a teacher, an administrator, another employee of the College, or a volunteer; or
 - 2. Change the privacy settings associated with a personal electronic account;
- C. Take any action or threaten to take any action to discharge, discipline, prohibit from participating in curricular or extracurricular activities, or otherwise penalize a student as a result of the student's refusal to:

1. Grant access to, allow observation of, or disclose any information that allows access to or observation of a personal electronic account;
 2. Add any individual to the list of contacts associated with a personal electronic account; or
 3. Change the privacy settings associated with a personal electronic account; or
- D. Fail or refuse to admit an applicant as a result of the applicant's refusal to:
1. Grant access to, allow observation of, or disclose any information that allows access to or observation of a personal electronic account;
 2. Add any individual to the list of contacts associated with a personal electronic account; or
 3. Change the privacy settings associated with a personal electronic account.

IV. Limitations

Nothing in this policy shall be construed to:

- A. Prohibit the College from requesting or requiring a student to disclose access information to allow the College to gain access to an electronic account:
 1. Opened at the College's behest; or
 2. Owned or provided by the College;
- B. Prohibit or restrict the College from viewing, accessing, or utilizing information about a student, an applicant, or a prospective student that:
 1. Can be obtained without access information;
 2. Is publicly accessible; or
 3. Is available to the College as the result of actions undertaken independently by the student;
- C. Create a duty requiring the College to search or monitor the activity of a personal electronic account;
- D. Make the College liable for failing to request or require a student, an applicant, or a prospective student to grant access to, allow observation of, or disclose information that allows access to or observation of the individual's personal electronic account;
- E. Prohibit a student, an applicant, or a prospective student from allowing an athletic coach or administrator to view the student's, applicant's, or prospective student's publicly accessible communications; or

- F. Apply to:
1. A suspected criminal activity investigation into the publicly accessible communications of a student, an applicant, or a prospective student that is performed by law enforcement; or
 2. An investigation, an inquiry, or a determination relating to the publicly accessible communications of a student, an applicant, or a prospective student that is conducted in accordance with applicable College policies and procedures.
- V. The President is authorized and directed to establish procedures necessary to implement this policy.

Board Approval: January 23, 2017

Chapter: Student Affairs

Modification No. 001

Subject: **Anti-Hazing**

- I. Montgomery College is committed to ensuring the health and safety of all students. Hazing presents a serious risk to the health and safety of students, is against state and federal law, and is strictly prohibited at the College.
- II. This anti-hazing policy applies to conduct that occurs on or off College property between two or more enrolled students who are members of a student organization (e.g., club, group, team), regardless of whether the organization is established or recognized by the College. This policy also applies to College employees and volunteers working with student organizations.
- III. Any member of the College community who becomes aware of a hazing incident must report it as soon as possible. All allegations will be promptly and thoroughly investigated through established procedures.
- IV. All students, employees, and volunteers working with student organizations will be educated about this policy. The policy will be included in relevant handbooks (e.g. Student Club Handbook, Student-Athlete Handbook, Coaches Handbook), and included in training for those working with student organizations (e.g. Student Life Specialists, Coaches).
- V. The College Community will also be provided with research-informed prevention programs and strategies at times and in formats most appropriate to them.
- VI. Violators of this policy may subject to disciplinary action in accordance with applicable College policies, procedures, or Collective Bargaining Agreements.
- VII. The Board of Trustees authorizes the president to establish any procedures necessary to implement this policy.

Board Approval: May 19, 2025.

Chapter: Student Affairs

Modification No. 001

Subject: **Anti-Hazing**

- I. Montgomery College is dedicated to fostering a safe environment for all students and strictly prohibits any form of hazing.
- II. Definitions
 - A. Hazing: an intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that
 - 1. is committed in the course of an initiation into an affiliation with, or the maintenance of membership in, a student organization; and
 - 2. causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury.
 - B. Student organization: any student group or organization (e.g. club, association) at the College in which two or more of the members are students enrolled at the College, regardless of whether the organization is established or recognized by the institution.
 - C. Student: a person who is currently matriculated, enrolled in or auditing credit or non-credit courses at the College, whether on site, off-site, online, part-time, or full-time.
- III. Scope and Applicability
 - A. The College prohibits hazing regardless of whether the conduct occurs on or off College premises, in-person or during online activities, or outside of the hours of College operation.
 - B. This policy applies to all employees, students, student organizations, groups, clubs, and volunteers associated with any student club or organization at the College.
 - C. The implied or expressed consent of a student to hazing is not a defense to an alleged violation of this policy and procedures.
 - D. Retaliation against any person who reports hazing or who participates in a hazing investigation pursuant to this policy and procedure is prohibited in accordance with College Policy 39003: Protection Against Retaliation.

IV. Prevention

Education and prevention are essential means by which the College creates and maintains a safe, positive environment free from hazing. Programs and strategies include, but are not limited to:

- A. Posting this policy on the College website.
- B. Inclusion of policy in new student orientation.
- C. Annually inform students, organizations, College employees and volunteers that hazing is prohibited, by means of distribution of written policy and publication in handbooks.
- D. Making anti-hazing online training available to all students and employees. Such anti-hazing training shall include information regarding hazing awareness, prevention, intervention, and the College's policy.
- E. Requiring student government association, student athletes, leaders of registered student clubs, and other organizations and groups, to complete anti-hazing training provided by the College. Such anti-hazing training may be conducted online or in-person and shall include information regarding hazing awareness, prevention, intervention, and the College's policy. Failure to complete the training will result in the student being denied the ability to join any recognized student club or organization.
- F. The College shall also provide all staff and volunteers that advise or coach a student club or organization recognized by or operating under the sanction of the College and who have direct contact with students with mandatory training on hazing which shall include information on hazing awareness, hazing prevention, and the institution's policy, including how to report incidents.

V. Reporting and Investigation

- A. All members of the Montgomery College community must report known or suspected hazing incidents and are encouraged to make such reports promptly to maximize the College's ability to respond and take appropriate action, including to obtain evidence and to conduct a prompt and equitable investigation.
- B. Campus Security Authority personnel are considered mandatory reporters and must report known or suspected hazing incidents immediately upon learning of them.
- C. Hazing incidents may be reported through any of the following means:
 - 1. The Office of Public Safety at any location, or to any designated Campus Security Authority.
 - 2. The Office of the Dean of Student Affairs at any location.
 - 3. The Title IX Coordinator in the Office of Compliance, Risk, and Ethics at 240-567-4279 or HazingConcerns@montgomerycollege.edu.

4. The College's confidential online reporting line, www.montgomerycollege.ethicspoint.com, or the toll-free confidential reporting line, 1-844-572-2198.
- D. Once notice is received from any source, the College will proceed with a preliminary investigation. Where a reported violation is covered by the College's existing policies and procedures, including grievance procedures, the office designated under that policy or procedure will be responsible for investigating the report:
1. Complaints identifying a student respondent will be referred to the process for resolution under 42001: Student Code of Conduct.
 2. Complaints identifying an employee respondent will be referred to the Office of Compliance, Risk & Ethics for assessment and triage under 31000: Code of Ethics and Employee Conduct.
 3. In accordance with College policies and procedures, the Office of Compliance, Risk, & Ethics is authorized to investigate any suspected violation not explicitly under the jurisdiction of another office.
- E. If during an investigation a College employee meets with any individual who reports being hazed, they will be informed of their right to report to law enforcement.

VI. Violations and sanctions

- A. Students and/or student organizations found in violation of this policy are subject to disciplinary action in accordance with procedures set forth in the College policy 42001: Student Code of Conduct. Sanctions will be based on the circumstances and nature of the violation and include, but are not limited to, a warning, disciplinary probation, community service, participation in education programming, suspension, and dismissal from the College.
- B. If a student activity or organization permits hazing in violation of this policy or other relevant College regulations, penalties may include revocation of the organization's authorization to operate on college property or to function under the college's sanction or recognition.
- C. Employees found in violation of this Policy are subject to action in accordance with the procedures set forth in College policies 34002: Disciplinary Action and Suspension and 34003: Discharge of Administrators and Staff or, for bargaining unit members, the applicable procedures in the collective bargaining agreement.
- D. Violations may be subject to criminal penalties pursuant to Maryland law. Additionally, the College reserves the right to refer violators to law enforcement authorities.

VII. Campus Hazing Transparency Report

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- A. The College will publish on its website a report summarizing findings concerning any recognized student organization found to be in violation of this policy to include: the name of the student organization, a general description of the violation that resulted in a finding of responsibility, and the pertinent dates.
 - B. Statistics for hazing incidents that were reported to campus security authorities or local law enforcement will also be published in the Annual Security Report and comply with Clery Act requirements.

Administrative Approval: May 21, 2025

Chapter: Student Affairs

Modification No. 003

Subject: **Student Financial Aid**

- I. It is the philosophy of the Board of Trustees that no student should be restricted from the privilege of attending Montgomery College because of limited financial resources. The student financial aid program at Montgomery College has been developed to act on this philosophy.
- II. The College will determine student eligibility, disburse funds in a fair manner, and administer the funds in a manner that provides for accountability.
- III. The financial aid funds, will be awarded on the basis of need, and/or merit, and/or in line with the guidelines of the sponsoring agency. The determination of financial need recognizes that parents and/or students are expected to contribute to educational expenses according to their means.
- IV. The president is authorized and directed to establish procedures to implement this policy.

Board Approval: July 16, 1984; March 21, 2016; January 24, 2024.

Chapter: Student Affairs

Modification No. 005Subject: **Student Financial Aid**

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- I. Students seeking financial aid should complete and submit the Free Application for Federal Student Aid by March 1st preceding the academic year for which aid is requested.
 - II. In order to receive financial aid, a student must have the equivalent of a U.S. high school diploma. The U.S. Department of Education requires colleges that receive federal funds to adopt procedures to determine the validity of a student's high school completion status when the student applies for Federal Student Aid (FSA). In accordance with 34 C.F.R. 668.16, if Montgomery College or the U.S. Department of Education has reason to believe that the high school diploma or transcript is not valid or was obtained from an entity that does not provide secondary education, the College must review further. In cases where the validity of graduation information is in question, Montgomery College will request supporting documentation, including any of the following:
 - A. Documentation from the secondary school to confirm the validity.
 - B. Documentation from the relevant department or agency in the state or country in which the secondary school is located to confirm that the secondary school is recognized as a provider of secondary school education.
 - C. An educational evaluation completed by an accepted credential evaluation agency.
 - III. Once all the necessary forms and data have been received, the Office of Student Financial Aid will determine the student's eligibility for the available resources. According to established guidelines the resources are awarded and communicated to the student. The resources are awarded in a combination which will best meet the student's financial need and/or request based on eligibility and available funds.

The resources consist of one or more of the following:

- A. Loans
 - B. Grants
 - C. Scholarships
 - D. Employment
- IV. The Office of Student Financial Aid is responsible for the development and maintenance of consumer information. The consumer information details procedures regarding financial aid opportunities and processes, and includes the student loan Cohort Default Rate (CDR) in the event it exceeds the national average. This information is located on the College web page and in hard copy from any campus financial aid office as well as from Records and Registration, Accounts Receivable, and Raptor Central. The Office of Student Financial Aid will also develop procedures to maintain records of scholarship donors and recipients, as well as financial aid sources and recipients and other records as required by law and good management.

- V. The director of Student financial aid develops office policy and procedures relevant to the administration of student financial aid at the College that ensure compliance with all federal and Maryland state laws and regulations.
- A. The director is responsible for the development of financial aid forms and processes, and collaborates, when necessary, with student affairs and administrators including the campus directors of student financial aid, the campus deans of student affairs, the director of access, the director of enrollment services, and the College Enrollment Management Team. They will advise the director of concerns expressed by members of the College community about matters related to student financial aid.
- B. The Professional Judgment committee consists of financial aid counselors and or the three campus directors of student financial aid. Procedures for appeals are outlined in Montgomery College Student Financial Aid's consumer information.
- The Professional Judgment committee shall review all student appeals as they are offered. The student receives a written decision. Students who are not satisfied with the decision may appeal the committee's recommendations to the director of student financial aid.

Administrative Approval: July 16, 1984; April 1, 2003; March 23, 2016; August 21, 2021; December 2, 2024.

Chapter: Student Affairs

Modification No. 006

Subject: **Board of Trustees Student Grants and Scholarships**

- I. The Montgomery College Board of Trustees is committed to making access to higher education affordable for all. Board of Trustees grants and scholarships are provided by the College's Board of Trustees to assist recent Montgomery County Public School graduates, Montgomery County residents, and a limited number of Maryland state and out-of-state residents who have financial need or have demonstrated academic potential.
- II. The Board of Trustees authorizes the President to occasionally designate grants or scholarships for special purposes. When there are such occasions, there may be additional criteria which must be met by applicants.
- III. The President is authorized and directed to establish procedures to implement this policy.

Board Approval: July 16, 1984; April 21, 1986; November 21, 1988; May 10, 2004; March 21, 2016; January 24, 2024.

Chapter: Student Affairs

Modification No. 003

Subject: **Board of Trustees Student Grants and Scholarships**

I. Grants

The College will determine the eligibility of students, their financial need, and their grant amounts through the Office of Student Financial Aid using the following guidelines:

- A. A minimum of 75% of the recipients shall be Montgomery County residents.
- B. Funds may be awarded as need-based grants to students who are not Montgomery County residents.
- C. Recipients must be able to demonstrate financial need on the basis of a needs analysis performed by authorized personnel in the Office of Student Financial Aid.
- D. Recipients must maintain satisfactory academic progress, as determined by the Office of Student Financial Aid, in order to continue an award in subsequent semesters.
- E. Grant funds may be used for dual enrollment students with documented financial need

II. Scholarships

- A. The President shall include funding in the proposed operating budget to support a minimum of 150 merit scholarships covering a maximum of fifteen credit hours per semester for the fall and spring semesters in one academic year.
- B. There will be one merit scholarship for one academic year per Montgomery County public high school awarded solely on the basis of academic potential. Each participating high school will nominate one student from the current graduating class based on academic performance and interest in attending Montgomery College.
- C. A limited number of scholarships are renewable for a second year, provided the eligibility criteria are met. The qualifying grade point average for second-year renewal will be determined annually based on available funding.
- D. A non-renewable transfer scholarship may be provided to the currently serving student member of the Board of Trustees upon graduation and if the student serves the full annual term of service.

Administrative Approval: March 23, 2016; October 14, 2020; June 22, 2021

Chapter: Student Affairs

Modification No. 010

Subject: **Tuition Waiver for Non-Employees of the College**

- I. Maryland law grants authority to the Board of Trustees to set tuition and fees for Montgomery College students. The Board's authority to set tuition and fees is limited by statute and the General Assembly has waived tuition (and in some instances mandatory fees) for certain students, including:
 - A. Students with Disabilities (Md. (Educ.) Code Ann. Section 16-106(c))
 - B. Senior Citizens (Md. (Educ.) Code Ann. Section 16-106 (b))
 - C. Maryland National Guard Members (Md. (Educ.) Code Ann. Section 11-403)
 - D. Foster Care Recipients (Md. (Educ.) Code Ann. Section 15-106.1)
 - E. Unaccompanied Homeless Youth (Md. (Educ.) Code Ann. Section 15-106.1)
 - F. Parents of Deaf or Hard of Hearing Children (Md. (Educ.) Code Ann. Section 15-106.10)
- II. It is the policy of the Board of Trustees to provide a waiver of tuition for certain students, or exempt certain students from payment of tuition, in accordance with State law.
- III. The president is authorized and directed to establish procedures necessary to implement this policy.

Board Approval: October 18, 1982; July 17, 1989; June 17, 1991; June 17, 1996; June 15, 1998; May 15, 2000; September 12, 2002 (editorial); November 14, 2011; March 21, 2016; September 23, 2019

Chapter: Student Affairs

Modification No. 011

Subject: **Tuition Waiver for Non-Employees of the College**

I. Students with Disabilities

- A. Pursuant to Md. (Educ.) Code Ann. Section 16-106(c), students requesting a tuition waiver on the basis of disability and retirement will be required to annually provide the College with certification from the Social Security Administration, Railroad Retirement Board, or Office of Personnel Management verifying that they are receiving disability or retirement benefits. Annual certification from the Social Security Administration of an individual's receipt of disability or retirement benefits under either Title II or Title XVI of the Federal Social Security Act shall satisfy requests for a tuition waiver.
- B. A completed tuition waiver must be returned to the Office of Enrollment Services by the third week of the applicable fall or spring semester, or the first week of the applicable summer or winter term. A complete form will include a major title and curriculum code for a degree program or a certificate title and program code that leads to employment, if the student plans to enroll in credit coursework that exceeds 6 credits per semester. A course must have 10 regularly enrolled students for the waiver to apply.
- C. In order to receive this exemption, an individual who qualifies under section I., A. of the Policy shall submit a timely application for any state or federal student financial aid, other than a student loan, for which the student may qualify.
- D. Any student financial aid, other than a student loan, received by the student shall be applied first to pay the student's tuition.
- G. Under this exemption, the waiver shall apply to the difference, if any, between the charge for tuition and the financial aid award, not including a student loan, that the student receives.
- H. On request, the College shall assist any individual required to submit an application for state or federal student financial aid.

II. Senior Citizens

- A. Pursuant to Md. (Educ.) Code Ann. Section 16-106 (b) students requesting a tuition waiver on the basis of age will when requested, provide proof of age. In order to qualify for this waiver, the 60th birthday of the student must occur on or before the first regularly scheduled day for classes in the instructional term in which the student wishes to enroll. These students will be assigned a specific residency code for identification purposes.
- B. Students requesting a tuition waiver on the basis of senior citizen status will be able to register in designated noncredit courses at any time during the registration period. Students requesting a tuition waiver on the basis of senior citizen status will be permitted to register in the credit program on a space available basis only. Senior citizens requesting tuition waiver will be permitted to

register during the three days following the end of regular registration. Senior citizens may register with tuition waiver three days before the semester/summer session begins or later. This does not preclude a senior citizen from registering at any point in the registration period and paying tuition and fees.

III. Maryland National Guard Members

- A. Pursuant to Md. (Educ.) Code Ann. Section 11-403 students requesting a 50% tuition waiver on the basis of their serving in the Maryland National Guard will be required to present documentation from the Maryland Adjutant General verifying that they are in the National Guard and have agreed to serve for a minimum of 24 months. These students will be assigned a specific residency code for identification purposes.
- B. Students requesting a tuition waiver on the basis of Maryland National Guard status will be able to register in designated noncredit courses at any time during the registration period. Students requesting a tuition waiver on the basis of Maryland National Guard status will be permitted to register in the credit program on a space available basis only. Members of the Maryland National Guard requesting tuition waiver will be permitted to register during the three days following the end of regular registration. Members of the Maryland National Guard will not be assessed a late registration fee during these three days. This does not preclude a member of the Maryland National Guard from registering at any point in the registration period and paying tuition and fees.

IV. Foster Care Recipients and Homeless Youth

- A. Pursuant to Md. (Educ.) Code Ann. Section 15-106.1 foster care recipients and a homeless child or youth as defined by the McKinney-Vento Homeless Assistance Act will be eligible for waiver of tuition and all fees required as a condition of enrollment in credit-bearing and noncredit courses offered during the fall, winter, spring, or summer term provided they are;
 - 1. enrolled full-time or part-time at Montgomery College on or before reaching the age of 25 years, and
 - 2. enrolled in an associate's degree program or a vocational certificate program, and
 - 3. have filed for federal and state financial aid.
- B. Students applying for a tuition waiver will be able to register at any time during the registration period. All tuition and fees for both credit and non-credit bearing courses are waived if a foster care recipient meets the eligibility criteria.
- C. If the student receives a scholarship or grant the scholarship or grant may not be applied to the tuition and fees of the foster care recipient.
- D. Foster care recipients and homeless youth applying for a waiver of tuition and fees required as a condition of enrollment are required to provide evidence that they are a foster care recipient in the State of Maryland and that they have applied for financial aid.
- E. Foster care recipients and homeless youth continue to qualify for the waiver until the earlier of 10 years after first enrolling as a candidate for a degree or

vocational certificate at a Maryland public institution of higher education, or the date the student is awarded a bachelor's degree.

- F. Students will receive written notice of approval or denial of the tuition waiver. Students who receive a notice of denial will be allowed a timely appeal.
 - G. A written decision indicating the outcome of the appeal and the reason for the outcome will be submitted within 30 days of the appeal.
- V. Parents of Deaf or Hard of Hearing Children
- Pursuant to Md. (Educ.) Code Ann. Section 15-106.10, a parent or legal guardian of a deaf or hard of hearing child may take one course at an institution of higher education that teaches a language or communication mode that the parent or legal guardian chooses to communicate with their deaf or hard of hearing child. All tuition and mandatory fees associated with the course are waived if the parent or legal guardian meets all statutory requirements and provides appropriate documentation to the College.
- VI. Students in any of these categories who are registered for a class will be treated in the same manner as any other student who is registered.

Administrative Approval: October 18, 1982; July 27, 1989; June 17, 1991; July 21, 1999; May 15, 2000, January 29, 2007; October 18, 2011; March 23, 2016; June 30, 2017; October 11, 2019; September 7, 2021

Chapter: Student Affairs

Modification No. 003Subject: **Student Life Contracts**

I. General

The College enters into numerous contracts between the College and entertainers, presenters, or others who are being employed by authorized student groups and organizations of the respective campuses. Written agreements are essential in all instances in order to preclude misunderstanding and/or disagreement about the terms and conditions of the event contracted for.

II. Procedures**A. Student Life Contracts of \$250 or Less**

When the entertainer, presenters, or other person being hired by the authorized student group and/or organization charges \$250 or less, a written contract or letter of agreement is required, and the following sequence of events is observed:

- I. A letter of agreement will be signed by the performer and the campus dean or associate dean of student development at least two weeks in advance of the event.
 - a. The letter of agreement will indicate the date/s, time/s, and location/s of all performances, and the amount of fees agreed upon.
 - b. Any special agreements between the performer and the College should be noted in the letter of agreement.
2. A copy of the signed letter of agreement accompanied by a memorandum from the dean or associate dean of student development will be sent to the Director of Finance. The memorandum, requesting payment for the performer or presenter, will include the account number, amount, method, and date by which payment should be made.
3. In the event the performer or presenter has not satisfied the conditions in the letter of agreement the dean or associate dean of student development will immediately take action, as follows:
 - a. In instances where the withholding of payment appears justified the dean or associate dean of student development will take the following action:
 - . Contact the Finance Office and request a halt of the payment of fees.

Contact the College's General Counsel forwarding to said Counsel a copy of: the letter of agreement, the memorandum to the Director of Finance, and a brief written report stating the circumstances under which the performer did not fulfill the terms and conditions of the letter of agreement.

- b. General Counsel will advise the dean of student development about appropriate follow up action to be taken.
- c. Until the issue is satisfactorily resolved all correspondence from the performer to campus personnel concerning withholding of payment should be forwarded immediately to the College General Counsel.

B. Student Life Contracts of More than \$250

A written agreement is required in all instances when an entertainer or other person is being hired and the cost is more than \$250. The following sequence of events is observed:

- I. The contract, signed by the performer or presenter, is forwarded by the director/coordinator of student activities to the campus dean or associate dean of student development at least two weeks in advance of the event for approval.
 - a. If the contract has not been signed by the other party, the campus dean or associate dean of student development, after his/her review of the contract is complete and his/her signature has been affixed thereto, will return it to the director/coordinator of student activities who will obtain the signature of the other party and, after keeping appropriate copies, will forward the remainder of the completed agreement and a memorandum from the dean or associate dean of student development stipulating the details of payment to the Director of Finance.
 - b. If the contract has been signed by the other party, the campus dean or associate dean of student development, after review of the contract is complete and his/her signature has been affixed thereto, sends three copies to the director/coordinator of student activities and forwards the remainder with a memorandum stipulating the details of payment to the Director of Finance.
 - c. The director/coordinator of student activities ensures that the other party to the contract has received a copy after it has been signed by both parties.
- 2. In the event the performer or presenter has not satisfied the conditions in the contract the dean of student development should, if it is deemed appropriate, immediately take action to halt payment of fees.

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- a. In instances where the withholding of payment appears justified the dean of student development will take the following action:
 - (1) Contact the Finance Office and request a halt of the payment of fees.
 - (2) Contact the College's General Counsel forwarding to said Counsel a copy of: the contract, the memorandum to the Director of Finance, and a brief written report stating the circumstances under which the performer did not fulfill the terms and conditions of the letter of agreement.
 - b. General Counsel will advise the dean or associate dean of student development about the appropriate follow up action to be taken.
 - c. Until the issue is satisfactorily resolved all correspondence from the performer to campus personnel concerning withholding of payment should be forwarded immediately to the College General Counsel.

III. Office of Record

The office of record for Student Life contracts is the director/coordinator of Student Life on each campus.

Administrative Approval: December 4, 1974; May 20, 1988; August 17, 2010.

Chapter: Student Affairs

Modification No. 011

Subject: **Tuition, Fees and Refunds**

I. General

Tuition and fees for credit courses are established periodically by the Board of Trustees.

II. Refunds

A. Under certain circumstances, students are eligible to receive either complete or partial refunds of the tuition and, in some cases, fees, which they have paid for courses that are administratively canceled and for courses from which they have officially withdrawn. It is the responsibility of the student to officially withdraw from a class or classes.

B. Refunds will be based on the following guidelines:

1. Official withdrawal: students who withdraw prior to the published withdrawal deadline date will be refunded 100 percent of tuition and fees.
2. Official involuntary withdrawal: in accordance with MD HB Bill 539, students who must withdraw for extenuating circumstances will be provided a 100 percent refund of tuition and fees paid by them for the semester in which they withdraw, upon submission of appropriate documentation. Eligible extenuating circumstances include the student experiencing one of the following:
 - a. Military mobilization
 - b. Illness
 - c. Injury
 - d. Hospitalization
 - e. Mental health
3. Refunds and return of funds for recipients of Federal Title IV funds are based on applicable federal law and regulations.

III. The Board of Trustees authorizes the president to establish any procedures necessary to implement this policy.

Board Approval: May 21, 1984; April 18, 1988; December 18, 1989; February 20, 1990; May 15, 1995; April 17, 1995; October 15, 2001; January 22, 2002; March 18, 2002; November 12, 2018; June 17, 2024.

Chapter: Student Affairs

Modification No. 008Subject: **Tuition, Fees and Refunds**

I. Tuition and Fee Payment Responsibilities**A. Financial Responsibility**

Each student is individually responsible for all tuition and fees charges. To ensure the student's financial record reflects the correct charges, the student is responsible for notifying the campus records office in writing of all registration changes.

B. Payment Procedures

The college accepts payments of tuition, fees and other charges in the form of cash, certain debit/credit cards and checks. Card payments can be made online and at a designated cashier office. Cash payments can only be made at a designated cashier office. Check payments can be presented at a designated cashier office or mailed to the attention of:

Montgomery College
Attn: Cashier
51 Mannakee Street
Rockville, MD 20850

Payment by check procedures are as follows:

1. One party checks, bank money orders, and bank treasurer/cashier checks, are acceptable in payment of tuition and fees. All personal checks and money orders must be made payable to "Montgomery College" for the exact amount of tuition and fees.
2. Two-party personal checks and payroll checks are not acceptable in payment of tuition and fees
3. Financial aid awarded to student's accounts is an acceptable payment option of tuition and fees.
4. Stopping payment on a check tendered in payment of tuition and fees does not relieve the student of financial responsibility for incurred tuition and fee charges.

C. Tuition Sponsorship by a Third Party

If a third party such as, but not limited to, a federal, state, municipal, private or government agency agrees to pay tuition and fee charges, the student remains primarily responsible for tuition and fees charges. In the event that such a third party fails to honor its agreement, Montgomery College reserves the right to bill the student directly.

II. Refund Procedures

A. General

1. Students wishing to officially withdraw from a course or courses should consult with the records office on their campus in order to insure that required procedures are followed.
2. Students who receive financial aid must inform the Student Financial Aids Office if their withdrawal or change of schedule changes the number of credit hours in which they are enrolled. If they have paid their tuition using financial aid funds, they normally will receive no refund since the amount of the refund will be returned to the appropriate financial aids account.
3. The effective date for the calculation of a refund will be the date that an appropriate "Change of Schedule" or "Complete Withdrawal" form is received in the respective campus records office. Except in cases where courses are administratively canceled by the College, no refund will be made unless the required forms have been completed and received in the appropriate campus records office.

B. Administrative Cancellation

1. When a course is administratively canceled by the College, students who do not replace the canceled course are eligible for a refund of 100% of the total tuition and fees which they have paid for the course.
2. Unlike the voluntary or involuntary withdrawal procedures, students enrolled in courses which are canceled by the College are not required to "officially" withdraw from the courses. Appropriate adjustments, including refunds, will be made to their accounts.

C. Involuntary Withdrawal

1. In order to be eligible for a full refund of tuition and fees under the conditions listed below, the student must submit to the campus records office the required written notification of withdrawal form and the appropriate substantiating data to support such a withdrawal.
2. A withdrawal is considered involuntary if it results from one of the following:
 - a. Military Mobilization

The request for withdrawal must be substantiated with copies of military orders signed by the individual's commanding officer or another appropriate official to show proof of date of entry.
 - b. Illness, injury, hospitalization, or mental health of the student

Certification must be provided by the student's attending physician stating that the student's circumstances require their withdrawal.

- c. Death of the student or in the immediate family of the student (immediate family includes a child, parent, spouse, or other member of the individual's household)

Appropriate substantiation must accompany the request for withdrawal.

- 3. Other extenuating circumstances may be deemed involuntary withdrawal on a case-by-case basis. Students may petition the College Registrar to have their circumstances considered as involuntary.

D. Voluntary Withdrawal

- 1. Voluntary withdrawal is one which results from causes other than those defined above as involuntary.

- 2. The percentages of refunded tuition vary according to the following:

- a. Withdrawal prior to the first class meeting

Students are eligible to receive a refund of 100% of the total tuition and fees which they have paid for the course or courses from which they are withdrawing, if their withdrawal is effective prior to the day of the first class meeting of the course or courses. The date of the first class meeting of each course is shown on the student's schedule and at any subsequent time the student effects voluntary change to their course selections.

- b. Withdrawal prior to the published deadline date of a course

Students are eligible to receive a refund of 100% of the total tuition and fees which they have paid for the bill hours from which they are withdrawing, if the withdrawal is effective on or after the day of the first class meeting of the course or courses, but before the date specified as the deadline for receiving refunds in each course from which a withdrawal is made. The last date for receiving a refund will be shown for each course section on the student's schedule and at any subsequent time the student effects voluntary changes to their course selection.

- c. Withdrawal after the published deadline date for refund purposes

Students withdrawing from a course after the published deadline date are not eligible to receive a refund for that course.

E. Appeals of Refund Decisions

- 1. Appeals of refund decisions may be made to the College Registrar. Appeals will not be considered if entered more than 45 days after the close of the term for which the student is claiming a refund. Campus academic appeals committees hear appeals on academic matters and have no authority to authorize refunds.

III. User Fees

- A. The Board of Trustees has established fees assessed to all credit-bearing students and reviews these fees annually in concert with tuition rates:
1. A "Consolidated Fee" is intended to eliminate separate fee charges formerly associated with registration, records, use of various in-class instructional and laboratory supplies and instructionally related items (such as library, learning resources, and counseling and advising materials and services), student activities and athletics, intramurals, alumni activities, and use of some instructional equipment and expendable supply items.
 2. A "Technology Fee" in order to maintain current, safe and accessible technology in classroom and gathering space.
 3. A "Major Facilities Fee" to support the renewal and replenishment of College facilities and applicable debt service costs incurred for such renewal and replacement.
 4. A "Transportation Fee" to support the cost of transportation operations including parking garages and lots, campus roadways, the Metro Ride On Service, shuttle services and associated debt service costs incurred for these operations.

Periodically, the Board of Trustees may consider other fees as appropriate.

- B. Fees for each continuing education course are established using a standard formula. These fees are used to cover costs associated with college provided resources and services including instructionally related items, the renewal and replenishment of College facilities, and the cost of technology incurred for instructional programs.

Administrative Approval: May 21, 1984; February 8, 1985; April 18, 1988; October 23, 2000; October 7, 2002; May 14, 2004; March 23, 2015; June 27, 2024.

Chapter: Student Affairs

Modification No. 012

Subject: Tuition and Fees; State Aid

- I. Maryland law grants authority to the Board of Trustees to set tuition and fees for Montgomery College students, including the authority to "...operate one or more community colleges." (Education Article of the Annotated Code of Maryland, §16-103 (b)) and to "...charge students reasonable tuition and fees set by it with a view toward making college education available to all qualified individuals at low cost." (Education Article of the Annotated Code of Maryland, §16-103 (j)).
- II. In addition, the administrative policy of the Maryland Higher Education Commission ("MHEC") permits approved categories of students to be included in the submission of FTE enrollment of the College for purposes of State Aid
- III. The purpose of this policy is to set forth the basic tuition structure and to meet the MHEC requirements for submission for State Aid, specifically excluding such students from the FTE count if not within a category of students approved by MHEC for State Aid FTE submission. In addition, this policy conforms to any special State policies with respect to tuition rates.
- IV. In meeting its responsibilities under the law, and in order to promote the education of all qualified students, it is the policy of the Board of Trustees to provide a quality, affordable education. For each fiscal year, and more often as may be necessary, the Board of Trustees shall set appropriate fees and tuition rates in at least three categories: 1. Montgomery County residents ("C Rate"); 2. Maryland residents from outside Montgomery County ("S Rate"), and 3. Out-of-State residents ("OS Rate").
- V. The Board of Trustees authorizes the president to establish any procedures necessary to implement this policy.

Board Approval: January 18, 1982; July 19, 1982; March 21, 1983; July 17, 1989, effective July 1, 1989; October 28, 1991; May 20, 1996; June 15, 2009; November 15, 2010; June 20, 2011 (*effective December 6, 2012*); January 25, 2013; March 23, 2015; April 15, 2024.

Chapter: Student AffairsModification No. 007Subject: **Tuition and Fees; State Aid**

I. Credit Students**A. Applicability of Tuition Rates**

Except as otherwise permitted by State or federal law, students attending Montgomery College will pay the tuition based on their place of residence at the time they are admitted to the College. The three categories of tuition are: 1. Montgomery County residents ("C Rate"); 2. Maryland residents from outside Montgomery County ("S Rate"); and 3. Out-of-State residents ("OS Rate").

B. Determination of Residence and Domicile

1. To qualify as a resident of Montgomery County or the State of Maryland for purposes of determining the applicable tuition rate to be applied, legal domicile must have been maintained for a period not less than three months prior to the first regularly scheduled class for the semester.
2. For a student to be considered as a resident of Montgomery County or the State of Maryland for purposes of determining the applicable tuition rate to be applied, the student must possess the legal capacity under State and federal law to establish Maryland domicile.
3. Domicile shall be considered as "a person's permanent place of abode, where physical presence and possessions are maintained and where he/she intends to remain indefinitely. The domicile of a person who received more than one-half of his/her financial support from others in the most recently completed year is the domicile of the person contributing the greatest proportion of support, without regard to whether the parties are related by blood or marriage."
4. At the time of admission to or initial enrollment in any credit course at Montgomery College, each student shall sign a statement affirming domicile and the factual basis for the claim of domicile. If facts indicate the domicile has changed, the student shall indicate whether his/her domicile is the same or different from previous signed statement affirming domicile.
5. A domicile in Montgomery County of the State of Maryland is lost when a new domicile is established for a period of three months at a location outside the County or State.
6. An individual's immigration status shall not preclude award of Maryland residency under this policy if the individual has the legal capacity to establish domicile in Maryland.

C. Proof of Residency

In determining the adequacy of the factual basis for domicile provided by the student, the College will consider any of the following factors and request evidence for substantiation:

1. Ownership or rental of local living quarters;
2. Substantially uninterrupted physical presence including the months when the student is not in attendance at the College;
3. Maintenance in Maryland and in the County of all, or substantially all, of the student's possessions;
4. Payment of Maryland State and local piggyback income taxes on all taxable income earned, including all taxable income earned outside the State;
5. Registration to vote in the State and County;
6. Registration of a motor vehicle in the State, with a local address specified, if the student owns or uses such a vehicle; or
7. Possession of a valid Maryland driver's license, with a local address specified, if the student is licensed anywhere to drive a motor vehicle.

D. Reclassification of Residency

A person shall be provided the opportunity to request a change in residence classification or to appeal current classification within a reasonable time after the decision by the College. Appeals for changes of resident classification must be accompanied by evidence justifying such changes and must be processed prior to the end of the third week of fall and spring classes or the first week of winter and summer classes. Any changes processed after the third week of classes will be effective the following semester. Appeals shall be submitted in writing to the appropriate Campus Registrar.

E. Non-Residents Who May Qualify for a Lower Tuition Rate

In addition to the general requirements above, State and federal law in some instances provide that specific categories of non-resident students may be eligible for the "S Rate" or "C Rate." To qualify, students may need to provide documentation and/or complete forms developed by the Office of Enrollment Services. Please contact the Office of Records & Registration if you have questions or believe you may be covered by one of the following categories.

1. Active duty members of the United States armed forces, their spouses and their financially dependent children, if the active duty member is stationed in, resides in, or is domiciled in Montgomery County or in Maryland. Spouses and financially dependent children continue to be eligible for a lower tuition rate after the active duty service member is no longer stationed in, resides in, or is domiciled in Montgomery County or Maryland if they remain continuously enrolled.

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2. A veteran who was honorably discharged from the United States armed forces and resides in or is domiciled in Maryland.
 3. A member of the National Guard who provides a critical military occupational skill or is a member of the Air Force Critical Specialty Code.
 4. A student who is the son or daughter of a State or local public safety employee killed in the line of duty.
 5. A student, including an undocumented immigrant but excluding a nonimmigrant alien within the meaning of 8 U.S.C 11101(a)(15), who meets the following requirements:
 - a. Attended a public or nonpublic high school in Maryland ;
 - b. Graduated from a public or nonpublic high school in Maryland or received the equivalent of a high school diploma from the State ;
 - c. Enrolls at Montgomery College not later than six years after graduating from a public or nonpublic secondary school in the State or receiving the equivalent of a high school diploma in the State;
 - d. Provides documentation that the individual, or the individual's parent or legal guardian has filed a Maryland income tax return annually for the 3 year period before the academic year in which the tuition rate exemption would apply;
 - e. Provides an affidavit stating that the individual will file an application to become a permanent resident within 30 days after the individual becomes eligible to do so; and
 - f. Provides proof that the individual, if required to do so (males age 18-25), has registered with the selective service system.
 6. A student from outside the State who enrolls in an education program leading to licensure in nursing if, at the time of registration, they furnish a surety bond or promissory note satisfactory to the Maryland Higher Education Commission, that on completion of the nursing program, the student will work full-time in Maryland for at least 2 years in a hospital or related institution.
 7. A student who is employed by a business located in Montgomery County.
 8. A Montgomery County Public Schools teacher who has been employed for less than a year and resides in Montgomery County or Maryland but is unable to meet residency requirements for tuition purposes and is taking a course that is required for employment.
 9. A student who is an employee, or a spouse or a financially dependent child of an employee, who moved to Montgomery County or Maryland as part of the Base Realignment and Closure process and resides in the

County or State but does not meet residency requirements for tuition purposes.

10. A student enrolled in a program designated as a health manpower shortage program or a statewide or regional by the Maryland Higher Education Commission if domiciled in the approved region for the program.
11. A student from outside the State who enrolls as part of a reciprocity agreement negotiated between Maryland and another state.
12. A “covered individual” using benefits under the Post 9/11 GI Bill® or Montgomery GI Bill® as provided for by Section 702 of the Veterans Access, Choice and Accountability Act or Section 301 of the Veterans Affairs Expiring Authorities Act of 2018. A “covered individual” is defined by the Act as:
 - a. A veteran who lives in Montgomery County or Maryland (regardless of his or her formal state of residence) and enrolls at Montgomery College within 3 years of discharge from a period of active duty service of 90 days or more;
 - b. Anyone using transferred benefits who lives in Montgomery County or Maryland (regardless of his or her formal state of residence) and enrolls at Montgomery College within 3 years of the transferor’s discharge from a period of active duty service of 90 days or more;
 - c. A spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship veteran who lives Montgomery County or Maryland (regardless of his or her formal state of residence);
 - d. Anyone using transferred Post-9/11 G.I. Bill (38 U.S.C. § 3319) benefits who lives in Montgomery County or Maryland (regardless of his or her formal state of residence) and the transferor is a member of the uniform service who is serving on active duty;
 - e. An individual using educational assistance under chapter 31, Vocational Rehabilitation and Employment, who lives in Montgomery County or Maryland, while attending Montgomery College (regardless of the individual’s formal state of residence), effective for courses, semesters or terms beginning after March 1, 2019.
 - f. Anyone described above while the individual remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters, or terms) at the same school. The person so described must have enrolled in the school prior to the expiration of the three-year period following discharge or release as described above and must be using educational benefits under either Chapter 30, Chapter 31

(Vocational Rehabilitation and Employment), or Chapter 33 of Title 38, United States Code.

13. A victim of human trafficking who provides evidence of such status, including certified law enforcement, court, or other federal or state agency records or files; documentation from a human trafficking prevention or assistance program; or documentation from a religious, medical, or other professional from whom the applicant has sought assistance or treatment as a victim of human trafficking. Such evidence and any other information collected or maintained by the College related to an individual's application or related to the individual's status as a victim of human trafficking shall remain confidential and may only be disclosed upon the applicant's written consent. "Victim of human trafficking" means an individual who has been recruited, harbored, transported, provided, or obtained for labor, services, or a sexual act through the use of force, fraud, or coercion. The College will keep a record of the number of individuals affected by this tuition adjustment and will report this information to the Maryland Higher Educational Commission annually.
14. A returned Peace Corps volunteer who is domiciled in the County or State.
15. Citizens of the three Freely Associated States, which are the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI), and the Republic of Palau, for tuition charged to students on or after July 1, 2024.

II. Noncredit Students

In establishing the domicile of a person enrolling in a noncredit continuing education course, a person shall indicate on a signed registration document whether he/she is a resident of the State, County, or region.

III. Contracted Education and Training

Montgomery College may enter into a contract with any public or private sector employer or non-profit organization that maintains facilities, operates, or does business in the State to provide education or training for public or private sector employees or members for a set contractual fee in place of payment of tuition and fees under the following conditions:

- A. The employee or member is enrolled in credit or noncredit courses which will benefit the employer;
- B. The employer or non-profit organization pays the fee charged by the College;
- C. The fee reasonably reflects the usual costs borne by students in the same or similar courses;
- D. The employees or members enrolled under this program shall be treated as any other students in accordance with Montgomery College policies and procedures and the general policies of the Maryland Higher Education Commission, with the exception of payment of tuition;

- E. Contractual arrangements under this section may include customized training as well as employer paid tuition and tuition reimbursement plans.

Footnote: GI Bill® is a registered trademark of the U.S. Department of Veterans Affairs (VA). More information about education benefits offered by VA is available at the official U.S. government Web site at <http://www.benefits.va.gov/gibill>

Administrative Approval: March 23, 2015; June 30, 2017; October 11, 2018; February 6, 2019; June 15, 2022; April 24, 2024; June 27, 2024.

Chapter: Student Affairs

Modification No. 003

Subject: **Student Indebtedness**

- I. The Board of Trustees recognizes that prudent fiscal control includes the active collection of all indebtedness, including student indebtedness.
- II. Montgomery College may initiate recovery efforts on student indebtedness. .
- III. In all cases, students will be notified of any indebtedness and given the available options for repayment and an opportunity to rebut the College's claim.
- IV. The Board of Trustees authorizes the president to establish any procedures necessary to implement this policy.

Board Approval: May 21, 1984; December 12, 2016; March 20, 2024.

Chapter: Student Affairs

Modification No. 007Subject: **Student Indebtedness**

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- I. To prevent over-encumbrances, the College will exert every reasonable attempt to collect all types of student indebtedness. Students with unpaid financial obligations may be prevented from receiving final grades, diplomas, and commencement privileges until all outstanding debts due the College are paid and may be precluded from registering for subsequent semesters.
 - II. An individual with an unpaid student account balance of \$250 or less will be allowed to register for courses at the College if the individual settles the balance prior to the first day of classes for the next semester. An individual with an unpaid student account balance of more than \$250 will be allowed to register for courses at the College if the individual enters into an installment payment plan prior to the first day of classes of the current semester.
 - III. In accordance with the Veterans Benefits and Transition Act of 2018 (effective August 1, 2019) and notwithstanding the preceding section or any other College policy/procedure to the contrary, the College will not impose any penalty, including the assessment of any late fee, precluding registration or otherwise denying access to classes, libraries or other College facilities, or requiring the student to borrow additional funds, on any student using U.S. Department of Veterans Affairs (VA) Vocational Rehabilitation and Employment (Chapter 31) or Post 9/11 GI Bill (Chapter 33) benefits who has unpaid financial obligations due to any delay in payment or disbursement of funding by the VA.

Students intending to use Chapter 31 or Chapter 33 benefits are required to: (1) submit a certificate of eligibility for entitlement to the College Registrar, or designee, no later than the first day that the class(es) meet, unless the Registrar, or designee, makes an exception; (2) submit a written request to use such entitlement; and (3) provide additional information necessary to properly certify.

Charges and associated fees not covered by educational assistance under Chapter 31 or Chapter 33 are the sole responsibility of the student. Penalties, including but not limited to late fees, drops for non-payment and registration holds, may be applied to the student's account for unpaid charges not covered under Chapter 31 or Chapter 33. The student can bring their account into a paid status by paying their remaining balance in full or by enrolling in payment plan approved by the College.

- IV. Students with prior indebtedness who are part of a Workforce Development and Continuing Education contractual course training agreement may be registered and may only attend these specialized contract course training classes, regardless of whether they are offered at a Montgomery College facility or at their place of employment. Certificates of completion will be issued for and released to these students or their employers. Participation does not release these students from any prior indebtedness to the College.
- V. Unofficial transcripts are available free of charge to any current or former student. Official transcripts containing the College seal and the signature of the College Registrar are available upon request subject to applicable fees. For students with unpaid financial obligations, the College will not refuse to provide a transcript because the student owes a debt, condition the issuance of a transcript on the payment of a debt, charge a higher fee for obtaining a transcript because a student owes a debt, provide less favorable

treatment of a transcript request because a student owes a debt, or use transcript issuance as a tool for debt collection. However, all students and former students, including those with financial holds, who request an official transcript are responsible for any applicable fee.

- VI. The Chief Business/Financial Strategy Officer is responsible for the establishment and administration of procedures necessary for the collection of unpaid student financial obligations. After collection efforts by the Office of Business Services Accounts Receivable department staff to collect such obligations are exhausted, all undisputed obligations may be sent to the Central Collection Unit of Maryland or other collection agency that has a collection agreement with the College. The College will not send unpaid student financial obligations to the Central Collection Unit unless the obligations have not been settled prior to the first day of classes of the semester after the student account became delinquent or the student has not entered into or made timely payments to satisfy an installment payment plan.

Should the collection agency determine that the claim is collectible through court suit and requests the College to support the claim with student records, the Office of Business Services Accounts Receivable department will provide such supporting documents.

- VII. Selection of a collection agency will be conducted by the Chief Business/Financial Strategy Officer who will require each interested agency with which he/she negotiates to submit its proposal in writing. The Chief Business/Financial Strategy Officer will submit his/her recommendations to the Senior Vice President for Administrative and Fiscal Services for approval. All arrangements pertinent to the relationship of the College with the collection agency selected must be reduced to a written agreement which, prior to execution, must be reviewed by the College's General Counsel for legal form and sufficiency.

Administrative Approval: May 21, 1984; December 17, 2002; December 6, 2011; April 28, 2014 (administrative corrections only); April 11, 2017; July 30, 2019; June 22, 2023

Chapter: Student Affairs

Modification No. 002

Subject: **Student Concerns About Athletic Programs and Activities**

- I. Montgomery College is committed to providing athletic programs and activities that adhere to a high standard of ethical and legal conduct, and ensure the health and safety of all student athletes.
- II. It is the policy of the College to encourage students to report any concerns of suspected wrongdoing or abuse in the administration or conduct of College athletic programs and activities so that prompt corrective action can be taken by the College.
- III. No student who in good faith reports a concern or suspected concern of wrongdoing or abuse regarding athletic programs and activities shall thereby suffer harassment, retaliation or adverse employment and/or academic or educational consequence. An individual who retaliates against a student who has made a report in good faith under this policy is subject to disciplinary action in accordance with College policies and/or the student code of conduct, up to and including dismissal from the College.
- IV. This policy does not protect an individual who files a report or provides information that the individual knows to be false, or provides information with reckless disregard for its truth or falsity.
- V. Student concerns regarding athletic programs and activities will be kept confidential except to the extent that limited disclosure may be necessary for the purpose of conducting a full and fair investigation, providing opportunity for response, taking remedial action, and responding to a government inquiry or legal action.
- VI. The president is authorized to establish procedures necessary to implement this policy.

Board Approval: June 17, 2019; September 23, 2019

Chapter: Student Affairs

Modification No. 003Subject: **Student Concerns About Athletic Programs and Activities****I. Definitions**

- A. Concern: Unethical, illegal, unhealthy, unsafe, inappropriate, or fraudulent activity in violation of College policies or procedures, or applicable laws or regulations.
- B. Good Faith: Acting in good faith means the reporter has a reasonable basis in fact for reporting or providing the information. Reports will be provided with careful regard for the truth, with full disclosure of relevant information, and not with malicious intent or with frivolous information.
- C. Protected Disclosure: Communication about student concerns of wrongdoing or abuse in the administration or conduct of College athletic programs and activities based on good faith.
- D. Reporter: Any person who makes a protected disclosure. This definition honors federal, state, and local regulations for whistleblower policies.
- E. Retaliation: Any adverse action against a student because the individual has made a protected disclosure as a reporter or has participated in an investigation, proceeding, or hearing involving a protected disclosure. Such adverse action can affect or threaten to affect the educational rights or other interests of an individual and can take educational, work, or social form.

II. Reporting Process for Students

- A. Students may report concerns about athletic programs and activities through any of the following means:
 - 1. The Office of Public Safety on any of the campus locations
 - 2. Coaches, athletic advisors, or a member of the athletic department
 - 3. The Title IX Coordinator in the Office of Compliance, Risk, and Ethics at 240-567-4279 or AthleticConcerns@montgomerycollege.edu
 - 4. The College's confidential online reporting line, www.montgomerycollege.ethicspoint.com, or the toll-free confidential reporting line, 1-844-572-2198.
- B. Reports and any subsequent investigations will be kept confidential to the extent possible under law and consistent with the need to conduct an adequate investigation and take corrective action.

III. College Employee Responsibilities

- A. As soon as a report is made to one of the individuals listed in Section II, A, 1 and 2 above, or to any College employee, that individual must communicate the report to the Office of Compliance, Risk, and Ethics, regardless of which method of reporting was used or to whom the initial report was made. For employees who receive a protected disclosure from a reporter, failure to forward reports to

the Chief Compliance, Risk, and Ethics Officer within one (1) business day of receiving the report may result in disciplinary action.

- B. Employees who receive a protected disclosure are not responsible for investigating the activity or for determining fault or corrective measure; appropriate investigators are charged with these responsibilities.

IV. College Response to Reported Concerns

- A. Initial receipt of the report will be acknowledged by the Office of Compliance, Risk, and Ethics within three (3) business days. Reports received via the confidential reporting line will be acknowledged through the reporting line.
- B. The reporter will be invited to meet with the Office of Compliance, Risk, and Ethics when made aware of a concern. The purpose of the meeting will be for the investigator to:
 - 1. Assess any immediate threats to student, participant, spectator, staff, or institutional safety; and
 - 2. Gather information to aid in determining if the concern is a possible violation of this or other College policy; and

If the Reporter chooses not to meet with the Office of Compliance, Risk, and Ethics, the College will investigate the matter to the extent possible.

- C. When an investigation is initiated, internal investigation protocols will be followed, and the investigating entity shall make every effort to issue a disposition within sixty (60) days of receipt of the report. This timeline may be shortened depending on the nature of the allegation and the amount of facts that have to be collected. However, extenuating circumstances may require the extension of this projected timeline.
- D. Nothing in these procedures preclude students or the College from making a report to external agencies when necessary.
- E. At the conclusion of the investigation, a follow-up with the reporter will be made to the extent possible and permitted by law for closure of the concern.

V. Protection Against Retaliation

Any student who makes a good faith report or protected disclosure of a concern will be protected in accordance with College Policy 39003-Protection Against Retaliation.

VI. Reports to the President

Annually, or upon request, the Chief Compliance, Risk, and Ethics Officer will prepare a summary report including the number of students who shared athletic programs and activities concerns under the policy, in order for the President, or designee, to submit this information to the Maryland Higher Education Commission as described by law or regulation.

VII. Education

Education is a key element of this Policy. The College will provide education and information, as appropriate, for students and employees to enhance understanding and increase awareness of the policy. The President is authorized to provide institutional leadership and guidance for developing education programs to increase knowledge and share information and resources to ensure that athletic programs and activities adhere to a high standard of ethical and legal conduct, and protect the health and safety of all students, participants spectators, staff, and the institution. Some goals to be achieved through education are: (a) identifying the avenues available for reporting concerns of suspected wrongdoing or abuse in the administration or conduct of College athletic programs and activities; (b) promoting awareness of the reporting process; and (c) communicating the College's commitment to protect anyone who makes a report in good faith from retaliation. Any mandatory education requirements will be announced and posted on the College's website.

Administrative Approval: September 24, 2019; December 3, 2020 (administrative correction); June 22, 2023