SPORT CLUB CONDUCT & UNIVERSITY POLICIES

Sport club members have an obligation to conduct themselves and their organization in a manner compatible with the University's philosophy and function as an institution of higher education. Members of sport clubs are expected to act in a mature and responsible manner both on-campus and off-campus, especially while participating in club activities. They will be held responsible for complying with CRS Sport Club policies and procedures, the Sport Club Code of Conduct, the University of Maryland Code of Student Conduct, federal, state, and local laws, and they may be disciplined for failure to do so.

NOTE: CRS has expectations for a high standard of behavior during sanctioned activities, and club members and officers should further be aware that public perception of individual acts may reflect poorly on the club and the University.

Prohibited conduct, includes but is not limited to:

- Club members participating in an inappropriate activity (fighting, alcohol/drug use, etc.), which violates University policies, campus regulations and/or state/federal laws, while participating in any sport club related activity.
- The use and/or presence of alcohol/drugs at any club activity (home/away tournaments, events, practices, travel, etc.).
- Use of club checking account funds for the purchase of alcoholic beverages, personal items, individual phone, or other bills.
- Failure to comply with requests of any University employee, including CRS staff or student employees, acting in the performance of their job.
- Hazing – see policy below
- Failure to comply with regulations in this handbook.

When the Assistant Director-Sport Clubs has reason to believe that a club member, several club members, coaches, or instructors have violated rules and regulations outlined in the Sport Club Handbook, the University Code of Student Conduct, or any federal, state or local laws, she will take action to ensure that cases of rule violations are handled fairly and expeditiously, and that individuals accused of rule violations are afforded due process. The following steps will be taken:

1. Individual club members will receive written notice that an investigation is being conducted and that the members(s) involved are suspended from participating in club activities until information is collected and a meeting is held with the Assistant Director-Sport Clubs. In cases where the entire club is involved or the member(s) in violation cannot be identified, the club president will receive written notice that an investigation is being conducted and that all club activities are suspended until information is collected and a meeting is held with the Assistant Director-Sport Clubs.

2. The incident or behavior(s) will be investigated. The Assistant Director-Sport Clubs will promptly collect written reports and information from as many participants and witnesses as possible.

3. A meeting will be held with the individuals(s) involved. The individual(s) will have an opportunity to present his/her/their version of the incident(s) and an opportunity to rebut statements of witnesses.

4. The Assistant Director-Sport Clubs, will review the evidence, listen carefully to the persons involved, and consider the following before taking action:
   - The attitude(s) of the club member(s).
   - Any past disciplinary record of the member(s) or the club.
   - The severity of the damage, injury, or harm that resulted.
• Whether the violation involved an action directed at another because of his/her/their race, religion, ethnicity, gender, mental or physical impairment, etc.
• Whether the member(s) at fault take responsibility for his/her/their actions.
• The club member(s) honesty, or lack thereof, and cooperation with CRS during the course of the investigation.

5. The Assistant Director-Sport Clubs will apply an appropriate sanction. Possible sanctions include:
• **Warning** that further incidents will result in more serious sanctions.
• **Probation** (final warning) for a period of time. Committing any violations while on probation will result in suspension and possible expulsion.
• **Restitution/Charitable Contribution.**
• **Fines** as deemed appropriate by the Assistant Director-Sport Clubs and Associate Director-Programs.
• **Work Project.**
• **Suspension** of the member(s) from all CRS-sponsored club activities and/or suspension of all club activities (facilities, travel, and or funding) for a specific period of time.
• **Expulsion** of the member(s) from the club or expulsion of the club from the Sports Club Program.

6. The Assistant Director-Sport Clubs, will notify the individual(s) or club in writing of the sanctions to be imposed and any further action (i.e. referral to the Office of Student Conduct or campus police) that may be taken.

7. A summary of the incident, investigation, and applied sanctions will be established and maintained in the CRS Office.

Additionally, for violations of the *Maryland Code of Student Conduct*, Club members may be referred to the Office of Student Conduct and face possible judicial sanctions that affect his/her/their student status. These sanctions include:
• Disciplinary reprimand
• Disciplinary probation
• Suspension/expulsion from the University

CRS disciplinary actions and University disciplinary actions must be appealed separately. The decision of the Assistant Director-Sport Clubs may be appealed to the Director of Campus Recreation Services. The appeal must be addressed to the Director of CRS (1115 Eppley Recreation Center), and submitted, in writing, within 5 business days of the date on the letter notifying the individual(s) or club of the sanction imposed. The decision of the Director of Campus Recreation Services is final.

Appeals of University sanctions must be addressed to the Director of Student Conduct. These appeals must be submitted, in writing, to the Office of Student Conduct (2108A Mitchell Building) within 7 business days of the date on the letter notifying the student of the sanctions imposed (see *Code of Student Conduct*, paragraphs 38-45).

**University of Maryland Hazing Policy**
Taken from the Office of Student Conduct ([http://osc.umd.edu/OSC/NonAcademicStudentsHazingPolicy.aspx](http://osc.umd.edu/OSC/NonAcademicStudentsHazingPolicy.aspx)):

**Hazing is Strictly Prohibited**
Hazing is a fundamental violation of human dignity. It is strictly prohibited at the University of Maryland - College Park. The University defines hazing as intentionally or recklessly
subjecting any person to the risk of bodily harm, or severe emotional distress, or causing or encouraging any person to commit an act that would be a violation of law or university regulations, for the purpose of initiating, promoting, fostering, or confirming any form of affiliation with a student group or organization, as defined by the Code of Student Conduct. The express or implied consent of the victim will not be a defense.

Examples of Hazing
Examples of hazing include, but are not limited to: forced consumption of alcohol or other substances; sleep deprivation; use of alcohol in drinking games or contests; paddling; forced tattooing or branding; creation of excessive fatigue; severe psychological shocks or humiliation (as defined by a reasonable person under all the circumstances); compulsory servitude; theft or misuse of property belonging to others.

Penalties for Hazing
Aggravated violations of this policy, as defined in Part 2 (a) of the Code of Student Conduct, normally result in suspension or expulsion from the University, or revocation suspension or expulsion or registration for a student group or denial of recognition or registration for a student group or organization, even for a first offense. Individuals who participate in acts of hazing are personally accountable under this policy, and the Code of Student Conduct, regardless of the outcome of any related case brought against a student group or organization.

The Responsibilities to Challenge and Report Hazing
All members of the university community share the responsibility to challenge and make known to the Office of Student Conduct acts of apparent hazing. Apathy in the presence of hazing, or acquiescence to hazing, are not neutral acts. Individuals who participate in acts of hazing as perpetrators or victims are personally accountable under this policy, and the Code of Student Conduct.

Any acts or suspicion of acts of hazing must be reported immediately to the Assistant Director-Sport Clubs.

University of Maryland Policy and Procedures on Sexual Harassment
Taken from the Office of Diversity and Inclusion (http://www.ohrp.umd.edu/compliance/shpp/V1.120a.html):

The University of Maryland is committed to maintaining a working and learning environment in which students, faculty, and staff can develop intellectually, professionally, personally, and socially. Such an environment must be free of intimidation, fear, coercion, and reprisal. The campus prohibits sexual harassment. Sexual harassment may cause others unjustifiable offense, anxiety and injury. Sexual harassment threatens the legitimate expectation of all members of the campus community that academic or employment progress is determined by the publicly stated requirements of job and classroom performance, and that the campus environment will not unreasonably impede work or study.

Sexual harassment by University faculty, staff, and students is prohibited. This constitutes campus policy. Sexual harassment may also constitute violations of the criminal and civil laws of the State of Maryland and the United States. For the purpose of this campus policy,
sexual harassment is defined as: (1) unwelcome sexual advances; or (2) unwelcome requests for sexual favors; and (3) other behavior of a sexual nature where:

A. Submission to such conduct is made either or implicitly a term or condition of an individual’s employment or participation in a University-sponsored educational program or activity; or

B. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or

C. Such conduct has the purpose or effect of unreasonably interfering with an individual’s academic or work performance, or of creating an intimidating, hostile, or offensive educational or working environment.

In assessing whether a particular act constitutes sexual harassment forbidden under this policy, the standard shall be the perspective of a reasonable person within the College Park community. The rules of common sense and reason shall prevail. Allegations of sexual harassment shall be judged with attention to the facts particular to the case and the context in which the alleged incident(s) occurred.

Conduct prohibited under this policy may manifest itself in many different ways. Sexual harassment may, for example, be as undisguised as a direct solicitation of sexual favors, or solicitation accompanied by overt threats. Harassment may also arise from behavior which as the effect of creating an intimidating, hostile, or offensive educational or working environment. In this regard, the following types of acts, if pervasive and continuous, are more likely-than-not to result in allegations of sexual harassment: unwelcome physical contact, sexual remarks about a person’s clothing, body or sexual relations, conversation of a sexual nature or similar jokes and stories, and the display of sexually explicit materials in the work place or used in the classroom which are without defensible educational purpose.

Sexual harassment may occur within a variety of relationships. It may occur among peers. It may occur where no relationship exists between the parties other than being co-employees, or co-students. Especially injurious, on the other hand, is harassment in relationships characterized by an inequality of power, where one party has institutional authority over the other. Inherent in these relationships is the power and fear of reprisal. Typically, such relationships are found between employer and employee; senior faculty and junior faculty; graduate teaching assistant and undergraduate; and faculty and student, when the student is enrolled in a faculty member’s class or when the student is in a continuing position to require evaluation of work or letters of recommendation from the faculty. Such relationships can be immediate, here and now, or based upon future expectations (i.e. the need for future evaluations and references). Sexual harassment may occur between persons of the same or different genders.

Education and awareness are the best tools for the elimination of sexual harassment. The campus is committed to taking appropriate action against those who violate the provisions of the policy. The campus is committed to protecting targets of harassment from retaliation.

**Procedures**

Individuals who believe themselves subjected to an incident of sexual harassment should be aware that there are many ways to bring it to the attention of the University and, where proper, obtain redress or protection. There is an informal route. There are also more formal procedures of long-standing which are sufficiently broad to deal with sexual harassment. Preventing sexual harassment is a responsibility of the entire campus community. The campus has made this a priority, but ultimately, no satisfactory investigation or resolution of
a complaint can occur without the initiate and continuous cooperation of the person who feels injured. Similarly, allegations of sexual harassment are extremely serious, with potential for great harm to all persons if ill-conceived or without foundation. Procedures which implement campus policy recognize that potential. The campus is committed to protecting the rights of the alleged offender as well as the offended.

Informal Consideration
An incident of sexual harassment may be reported to: a) any campus or University official or faculty member, including an individual’s supervisor, department chair or dean; b) the Director of Personnel (301-405-5651); c) a departmental or college equity officer; d) the Director of the Office of Diversity and Inclusion (301-405-2838); or e) the President’s Legal Office (301-405-4945). When an individual receives a report of sexual harassment, he or she will notify the Legal Office prior to taking any action to investigate or resolve the matter informally. The Legal Office will normally manage and coordinate all matters relating to complaints. Complainants will be advised of relevant campus policies and procedures, and the informal and formal means of resolving the matter will be explained. When a written complaint is not required to initiate an informal investigation, the Legal Office must receive a signed complaint from the offended person before any sanctions or other action can be undertaken against an individual for sexual harassment. If the matter is to be investigated, consideration shall be given to the situation and the wishes of the complainant. The investigation of a complaint will include discussing the matter with the person accused of sexual harassment. The finds of the investigation shall be confidentially reported to the President and to the relevant vice president, dean, chairperson or supervisor for any necessary action. Sanctions for sexual harassment may range from reprimand to termination, depending upon the circumstances of the case.

Formal Complaints
Formal grievance procedures for resolving sexual harassment complaints are available based on the classification of the aggrieved person: a) Faculty members may file with the dean of their academic unit under the Faculty Grievance Procedure contained within the Faculty Handbook of the College Park Campus, University of Maryland; b) Associate Staff employees may file with the Employee Specialist under the Associate Staff Grievance Procedure contained within the Personnel Policies and Rules for Associate Staff Employees of the University of Maryland, Office of Personnel, Chesapeake Building, 301-405-5651; d) Students may file under the Code of Student Conduct, Office of Judicial Programs, 2108 Mitchell Building, 301-314-8204; or e) Faculty, associate staff, classified, staff, and students may file under the UMD Human Relations Code with a campus unit equity administrator or the Campus Compliance Officer, Office of Diversity and Inclusion, 1107 Hornbake Library, 301-405-2838 (voice) or 301-314-9993, (TTY).

STATEMENT ON SEXUAL RELATIONSHIPS AND PROFESSIONAL CONDUCT
The basic function of a university is the discovery and transmission of knowledge and activities, which are founded upon the free and open exchange of ideas. In order for productive learning and the work that supports it to occur, members of the Campus community - faculty, students and staff personnel - should pursue their responsibilities guided by a strong commitment to principles of mutual trust and confidence and professional codes of conduct.

It should be understood by all members of the Campus community that sexual relationships that occur in the context of educational or employment supervision and evaluation are generally deemed very unwise because they present serious ethical concerns. Many
professional codes of conduct prohibit relationships that occur within the context of one’s profession. Accordingly, faculty and supervisors are warned about the possible costs of even an apparently consenting relationship. The element of power implicit in sexual relationships occurring in the supervisory context can diminish a subordinate’s actual freedom of choice. There is doubt whether any such relationship can be truly consensual. In addition, sexual relationships between a professor or supervisor and a subordinate create an environment charged with potential conflict of interest. Questions of favoritism frequently arise. As a result, such conduct may subvert the normal structure of incentives that spurs work and learning advancement and interjects attitudes and pressures which are not consonant with the education and employment policies and principles to which the Campus is committed.

**University of Maryland Drug and Alcohol Abuse Policy**

Taken from Testudo (http://www.testudo.umd.edu/soc/drugalcohol.html):

Illegal or abusive use of drugs or alcohol by members of the campus community jeopardizes the safety of the individual and the campus community, and is inadmissible to the academic learning process. The University of Maryland is therefore committed to having a campus that is free of the illegal or abusive use of drugs and alcohol. In keeping with this commitment, it is the policy of the University that the illegal or abusive use of drugs or alcohol is prohibited on University property or as part of University activities. This POLICY is to notify students of prohibited conduct and disciplinary actions which may result from violation of University policy.

**Prohibited Conduct: Drugs**
The Code of Student Conduct prohibits, on University premises or at University sponsored activities, the

1. unauthorized distribution
2. possession for purposes of distribution
3. use --- OR ---
4. possession of any controlled substance or illegal drugs.

"Controlled substance" and "illegal drugs" prohibited under the Code are set forth in Schedules I through V in Article 27, part 279 of the Annotated Code of Maryland.

**Prohibited Conduct: Alcohol**

- The Code of Student Conduct prohibits the violation of published University regulations or policies regarding the possession, use or distribution of alcoholic beverages, as approved and compiled by the Vice-President for Student Affairs. These policies, generally described below and subject to amendment from time to time, are available for public inspection during normal business hours in the Judicial Programs Office.
- **The Resident Life Alcohol Policy** controls the use, possession or distribution of alcohol in campus residence halls. This policy prohibits the possession or use of alcohol by any student under the age of 21 or the furnishing of alcohol to a person known to be under the age 21. It prohibits common containers (such as a keg or punch bowl) the sale of alcohol, and parties involving alcohol. Students of legal drinking age may consume alcohol in their rooms, suites or apartments only.
- **The Office of Campus Program Alcohol Policy** controls the use, possession, or distribution of alcohol by students on University premises or at University sponsored activities. This policy prohibits the possession or use of alcohol by any student under the age of 21 or furnishing of alcohol to a person known to be under the age of 21. Alcoholic beverages otherwise may not be possessed, consumed or distributed at University
sponsored events occurring on University premises unless advance written approval has been obtained from the Office of Campus Programs. In addition, the University Policy on Possession or Use of Common Containers of Alcohol prohibits the possession or use of kegs, beer balls, punch bowls, and other common containers of alcoholic beverages or a similar nature on University property, except for possession and use resulting from licensed purchase by the University's Department of Dining Services.

- **Disciplinary Sanctions:** Sanctions for violations for University drug and alcohol policies include expulsion, suspension, disciplinary probation, disciplinary reprimand, restitution, dismissal from University housing, housing probation, work or research projects, drug testing, and restrictions on further use of University facilities. Students may be accountable to both civil authorities and the University for acts which constitute violations of law and University policy. Disciplinary action at the University will normally proceed during the pendency of criminal proceedings and will not be subject to challenge on the grounds that criminal charges involving the same incident have been dismissed or reduced.