



Policies and Procedures

Administration Policies

VI-1.05(B)

UMB Student Sexual Orientation Non-Discrimination Policy and Procedures

ADMINISTRATION | *Approved October 9, 2012*

RESPONSIBLE VP/AVP

[Roger Ward, EdD, JD, MSL, MPA](#)

REVISION HISTORY

Approved by the President, November 6, 1997; Amended October 9, 2012 [*nondiscrimination definition, per USM VI 1.05*]

Purpose

Background

Effective July 11, 1997, the Board of Regents of the University System of Maryland specifically prohibited discrimination against students on the basis of sexual orientation in academic admissions, financial aid, educational services, housing, student programs and activities and recruitment. Effective June 22, 2012, the Board of Regents prohibited discrimination based upon sexual identity or expression. The Board reserved the right to enforce or comply with any Federal or State law, regulation, or guideline, including conditions for the receipt of federal funding. This University reiterates its commitment to the most fundamental principles of academic freedom, equality of opportunity, and human dignity by requiring that treatment of its students and applicants for admission be based on individual abilities and qualifications and be free from invidious discrimination.

Policy Statement

Related Employment Policy

University students who are also University employees should be aware of the Employee Sexual Orientation Non-Discrimination Procedures.

Policy

Consistent with Board of Regents policy, it is this University's policy that (a) within the University, the educational environment will be free of discrimination on the basis of sexual orientation, and (b) University students are prohibited from discriminating on the basis of sexual orientation against fellow students, University personnel, and other persons with whom the students interact during the course of their educational experiences both on and off campus. Students may be disciplined for violation of this policy.

Procedures

A student's questions about peer, staff or faculty behavior that may constitute discrimination based on sexual orientation and a student's questions about disciplinary policies should be directed to the Associate Vice President for Student Affairs in the UMB Office of Academic Affairs ("AVPSA"), (410) 706-2477 or, to the campus Director of Employee Relations and Diversity Initiatives, at 410-706-7302, or to the student affairs dean of the student's school.

A complaint of discrimination based on sexual orientation may be made initially to the dean of the complaining student's school, to the appropriate student or school judicial board of the complaining student's school, or to the AVPSA. The AVPSA should be notified of any complaint filed with another office. Investigation of complaints will be made through appropriate school judicial bodies whenever feasible. If a complaint involves persons from more than one school, the AVPSA will work with the deans of the schools involved to develop an appropriate investigational process.

To determine whether alleged conduct constitutes discrimination on the basis of sexual orientation, the University will look at the record as a whole and at the totality of the circumstances. The determination of whether a particular action is discrimination will be made from all the facts, on a case by case basis.

Timely reporting of allegations of discrimination based on sexual orientation is crucial. It permits effective University intervention to protect students and educate and discipline offenders. Incidents of discrimination should be documented promptly and reported as soon as practical. Reporting within the time limits set in a school's judicial policy is strongly encouraged. Reporting an incident of discrimination more than thirty (30) days after it occurs can hinder the ability of the school and institution to investigate the matter. Nevertheless, the school and institution will investigate any complaint filed within a reasonable time.

Institutional investigations of discrimination based on sexual orientation charges often require the complainant's identity to be known by the accused. However, complainants should be aware that the University will not tolerate or condone any form of retaliation against a student complainant whose discrimination claim is made in good faith. Deliberate filing of false accusations may be the basis for independent disciplinary action against the accuser.

Complaints Involving Affiliates' Employees

Many University students will be supervised by employees of the University's affiliates and teaching sites during their educational experiences. If a student experiences discrimination on the basis of sexual orientation in such a setting, the University will attempt to resolve the issue, and will attempt to reassign the student if a resolution is not feasible.

Counseling

The Counseling Center offers assistance in coping with the stress resulting from discrimination based on sexual orientation or participation in campus proceedings to investigate such discrimination charges. Please call 410-328-8404 for more information about campus counseling services.

Educational Programs

Programs for students about discrimination based on sexual orientation can be arranged through the AVPSA, the student affairs dean of each school, or the Director of Employee Relations and Diversity Initiatives.

Definitions

Sexual orientation is the identification, perception, or status of an individual as to homosexuality, heterosexuality, or bisexuality.

Gender identity or expression is defined as a person's actual or perceived gender identity, self-image, appearance, behavior, or expression, regardless of whether that identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the person's gender at birth.

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| RELATED POLICIES |
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[USM Policy on Non-Discrimination and Equal Opportunity](#)

RELATED PROCEDURES

[Reporting Through The UMB Hotline](#)

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