

**BAYLOR UNIVERSITY**  
**INTERIM COVID-19 TESTING COMPLIANCE DISCIPLINARY POLICY**  
**February 4, 2021**

**Policy Statement**

Students who fail to comply with Baylor's COVID-19 Testing requirements will be referred for processing under this policy after missing a 4<sup>th</sup> required COVID-19 test. This interim policy has been approved by the University and will be utilized in COVID-19 Testing Compliance cases rather than the Student Conduct Code.

Students will be emailed notice of the alleged COVID-19 Testing Compliance violation and provided with an opportunity to be heard. The opportunity to be heard will be in written form only.

**Scope of This Policy**

This interim policy will not be utilized for other student conduct issues.

**Notice of Charge**

The student will be emailed a Notice of Charge that summarizes the alleged COVID-19 Testing Compliance violation and notice that the student has the responsibility, **within three business days**, to send in writing to the Judicial Affairs office at [Judicial-Affairs@baylor.edu](mailto:Judicial-Affairs@baylor.edu) the student's response to the charge.

The written Notice of Charge will be sent to the student at his or her Baylor email account and will constitute full and adequate notice. As stated in University policy, each Baylor student is personally responsible for checking his or her Baylor email on a regular and recurring basis for receipt of official University correspondence. Students whose wifi access has been cancelled for failure to follow the COVID-19 testing policy are required to use public computers in the SUB, Library or other locations to check email. Inability to check email will not be a grounds to appeal a sanction imposed under this policy.

A student who fails to submit a response within three business days following notice of the charge waives the opportunity to be heard. In such cases, the Student Conduct officer appointed by the University may find the student responsible for the alleged COVID-19 Testing Compliance violation and impose a sanction or sanctions that may include suspension or expulsion from the University. The list of sanctions outlined in Article IV of Baylor's Student Conduct Code may be utilized.

**Opportunity to Be Heard**

The student's ability to be heard will be in written form only and must be **submitted in writing within three business days**. The written response to the Notice of Charge must be sent to the Judicial Affairs office at [Judicial-Affairs@baylor.edu](mailto:Judicial-Affairs@baylor.edu).

Student Conduct Officers appointed by the University will review the student's response to the charge and make a determination as to whether or not the student is responsible for the alleged COVID-19 Testing Compliance violation. The Student Conduct Officer may request additional information from the student though this is not required.

It is important for the student to offer all of his or her information in the written submission. Additional information may not be submitted afterwards unless requested by the Student Conduct Officer.

**Finding of the Student Conduct Officer**

The Student Conduct officer will review the information submitted by the student and determine, based on the preponderance of the evidence standard of proof, whether or not the information supplied by the COVID-19 Testing staff and the student supports the allegation that the student violated the University's COVID-19 Testing requirements.

**COVID-19 Testing Compliance Violation Outcome**

The Student Conduct officer will provide notice of the outcome to the student.

**a. Finding of Not Responsible**

If the student is found not responsible, the charge will be dismissed

**b. Finding of Responsible**

If the student is found responsible for the COVID-19 Testing Compliance violation, the Student Conduct officer will determine the appropriate sanction(s). In determining what sanctions to impose, the Student Conduct officer may review and consider the student's academic and disciplinary records. Other factors that may be considered include but are not limited to the student's attitude regarding the misconduct, the nature and gravity of the misconduct, and any mitigating or aggravating circumstances.

**There is no appeal of the decision of the Student Conduct Officer or the sanctions imposed.**