



**University of Science and Arts of Oklahoma  
Student Handbook  
2020-2021**

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**NOTICE OF NONDISCRIMINATION**

The University of Science and Arts of Oklahoma is committed to an inclusive educational and employment environment that provides equal opportunity and access to all qualified persons. This institution, in compliance with Titles VI and VII of the Civil Rights Act of 1964, Executive Order 11246 as amended, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and other federal laws and regulations, does not discriminate on the basis of race, color, national origin, gender identity or expression, sex, age, religion, disability, sexual orientation, status as a veteran or any other characteristic protected by applicable federal, state, or local law in any of its policies, practices, or procedures. This includes, but is not limited to, admissions, employment, financial aid, and educational services. Discrimination or harassment should be reported to the Title IX Coordinator (405-574-1225). If the reporter would like to keep the details confidential, they may speak with staff counselor in Student Services (405-574-1326).

## **MISSION**

As the state's sole public liberal arts college, the University of Science and Arts of Oklahoma provides a distinctive education in the liberal arts and sciences, supporting both its interdisciplinary core curriculum and major fields of study with superior teaching. Through its inclusive learning environment, USAO fosters diversity of thought and practice to help students realize meaningful, purposeful and productive lives as global citizens in a rapidly changing world.

## **OBJECTIVES**

USAO has adopted the following set of objectives consistent with its mission and the functions assigned by the Oklahoma State Regents for Higher Education:

1. To provide an outstanding general education program for the State of Oklahoma with strong offerings in the liberal arts and sciences. This program will feature interdisciplinary team-teaching and will extend throughout the undergraduate experience.
2. To offer programs of study approved by the State Regents for Higher Education, culminating in the Bachelor of Arts, Bachelor of Science, and Bachelor of Fine Arts degrees.
3. To offer a limited number of career, professional, and specialized degree programs which would be especially strengthened when combined with an interdisciplinary, liberal arts foundation.
4. To provide a learning environment suited to the needs of academically and artistically talented students while offering students the advantages of an interdisciplinary, liberal arts program.
5. To assemble a faculty whose interests, knowledge, and experiences transcend their specialized fields of graduate study and who are dedicated to liberal arts education.
6. To operate on a flexible trimester plan which will permit some students to complete a baccalaureate degree in three years and allow all students to progress in their academic programs at a rate which they desire.
7. To foster scholarly activities appropriate to the nature and the needs of the university.
8. To provide cultural, educational, and professional opportunities and services which enrich the university and the community.

## **STUDENT'S RIGHT TO KNOW**

USAO adheres to the philosophy of openness and therefore makes available to all students the following information on an annual basis:

- Number of students categorized by race and sex;
- Number of students who receive athletically related student aid, categorized by race and sex in all sports;
- Graduation rate for students categorized by race and sex;
- Completion or graduation rate for students who received athletically related student aid, categorized by race and sex;
- Average graduation rate for the four most recent graduating classes categorized by race and sex; and
- Average graduation rate for the four most recent graduating classes who received athletically related student aid, categorized by race and sex.

# STUDENT CODE OF CONDUCT

## I. INTRODUCTION

### A. Purpose

The Student Code of Conduct outlines university policies and procedures to which all students are expected to adhere during their time at USAO. The intent is not to take away individual liberties, but to insure knowledge and fair treatment on policies and procedures. The primary focus of the conduct process is on educational and corrective outcomes; however, sanctions such as suspension or expulsion from the university may be necessary to uphold community standards and to protect the campus community. The goal is to resolve cases by the lowest appropriate authority for maximum educational benefit.

For questions regarding the Student Code of Conduct, contact Student Services at 405-574-1278.

This handbook was approved by the Executive Council as of August 2016 and by the USAO Board of Regents in September 2016. For the most current version, see <https://usao.edu/student-life/index.html>.

### B. Authority

The University's authority is vested in the Oklahoma State Regents for Higher Education, the USAO Board of Regents and the President of the University of Science and Arts of Oklahoma. This includes authority to adopt policies and procedures governing the conduct of its students.

The President of USAO delegates to the Vice President for Enrollment Management and Student Affairs and/or the Dean of Students the authority to investigate potential or alleged violations of University regulations or law and to determine and administer appropriate penalties using a preponderance or weight of the evidence standard. The Vice President for Enrollment Management and Student Affairs reserves the right to intervene and/or hear any case of student misconduct.

All disciplinary decisions are carried out in the name of the President. The Vice President for Enrollment Management and Student Affairs delegates the authority to manage the student disciplinary process and appropriate resolutions to the Dean of Students. Any sharing or delegation of the student conduct function remains revocable.

The Dean of Students shall develop policies for the administration of the student conduct program and procedural rules for student conduct hearings, which are consistent with the provisions of the Student Code of Conduct.

### **C. Standards of Behavior**

Attendance at USAO is optional, voluntary and a privilege. When students enroll at USAO, they voluntarily accept obligations of performance and behavior consistent with USAO's lawful mission, processes, and functions. In general, these obligations are considered much higher than the obligations imposed by civil and criminal law for all citizens.

USAO is an institution of higher learning. Thus, the rules and regulations are designed to ensure optimal conditions of learning for all students. Standards of conduct for students are seen as a base or foundation of behavior rather than arbitrary limits of behavior. The University's approach to student discipline emphasizes assisting students in understanding and accepting responsibilities for their behavior. Both the interests of the student and the University community are considered in deciding the desirability and appropriateness of undertaking a course of discipline

Students are expected to comply with all university policies, contracts, and/or agreements. Failure to do so may result in students being required to participate in the conduct process. Conduct action may also be taken for any violation of local ordinances, state, or federal law, on or off campus, which adversely affects the university community or the pursuit of the university's lawful educational mission, process or function. The university will take necessary and appropriate action to protect the safety and well-being of the campus community. In addition, if a student has been found to have violated state or federal law, the university reserves the right to notify the appropriate authority.

Students will be afforded due process and the ability to appeal as prescribed in this document and other relevant university policies, rules or regulations. Students may be subject to civil and criminal penalties in addition to campus sanctions. Campus resolution may proceed before, during, or after civil or criminal actions are concluded and is not subject to challenge based on the action or inaction of civil authorities.

### **D. Applicability of the Student Code of Conduct**

As previously stated, the USAO Student Code of Conduct applies to conduct which occurs on university premises, at USAO sponsored events both on and off campus, and to off-campus conduct that adversely affects the USAO community or the pursuit of its objectives.

Each student is responsible for all of their actions from the time of application for admission through the actual awarding of the degree. Inappropriate conduct that occurs before classes begin or after classes end, as well as during the academic year and periods between terms of actual enrollment (even if the conduct is not discovered until after a degree is awarded) is covered by the Student Code of Conduct. The Student Code of Conduct will apply even if the student withdraws from the university while a conduct matter is pending.

The university will take necessary and appropriate action to protect the safety and well-being of the campus community. Off-campus behavior that allegedly violates ordinances, local, state or federal law adversely affects the university community and the pursuit of the

university's lawful educational mission, and may be subject to university conduct action. The Dean of Students and the Vice President of Enrollment Management and Student Affairs will decide whether off-campus inappropriate conduct is subject to university conduct action. Examples of off-campus behavior that may be subject to university conduct action include, but are not limited to: selling or otherwise providing alcohol to underage students, selling or distributing illicit drugs, actions that result in the serious injury or death of another person(s), alcohol or drug offenses, or any alleged violation that jeopardizes an individual's or community's educational opportunities.

### **E. Amnesty Policy**

The University recognizes that the potential for disciplinary action may act as a deterrent to reporting and/or seeking emergency medical assistance. In these incidents, the primary concern is the well-being, health, and safety of students. The university may offer amnesty for minor conduct violations to (1) a student who may have committed a minor violation at the time of a more serious incident or (2) a student who offers help to those who need medical assistance. If amnesty is offered, educational options may be explored, but no conduct actions or record will result.

### **F. Jurisdiction of the University**

Generally, University jurisdiction and discipline shall be applicable to misconduct which occurs on or near activities, events, and premises which are owned, leased, or controlled by the University, including USAO owned social media and electronic communications.

Additionally, the University shall exercise jurisdictional discipline to address misconduct which violates local, state, and/or federal law and adversely affects the University community and/or the safe and orderly pursuit of its educational objectives.

### **G. Interpretation**

Any question of interpretation regarding the Student Code of Conduct will be determined at the discretion of the Dean of Students, the Vice President for Enrollment Management and Student Affairs or their designee.

### **H. Definitions**

1. **University:** University of Science and Arts of Oklahoma.
2. **Student:** Any person who has been admitted and/or enrolled for the current term or a future term at the University of Science and Arts of Oklahoma including online courses, study abroad and auditing courses. This includes any person whether full- time, part-time, concurrent, on campus, abroad, or any other form of enrollment. Persons not officially enrolled for a particular semester, but who are eligible to enroll or who have a continuing relationship with the USAO may be considered students. Students are subject to conduct action for misconduct that occurs during any period of enrollment. Persons who withdraw after allegedly violating the Student Code, who are not officially enrolled but have a continuing relationship with the University or who have been notified of their acceptance



for admission are considered “students” as are those persons who are living in University on- campus housing although not enrolled at this institution. Students who leave the university before a conduct complaint is resolved may be prohibited from future enrollment until the matter is resolved.

3. **Faculty Member:** Any person hired by the University to conduct classroom activities.
4. **University Official:** Any person employed by the University, performing assigned administrative or professional responsibilities. A University official in their work has a legitimate educational interest if the official needs to review the contents of an educational record in order to fulfill his or her professional responsibilities.
5. **Member of the University Community:** Any person who is a student, faculty member, University Official, or any other person employed by the University. A person’s status in a particular situation shall be determined by the Vice President for Enrollment Management and Student Affairs or their designee.
6. **University Premises:** Any buildings or grounds owned, leased, operated, controlled, or supervised by the university (including adjacent streets and sidewalks). Students should be advised that this includes properties that are not a part of the main university campus such as the USAO Habitat. University premises also include, but are not limited to, all University- owned, leased or rented vehicles.
7. **Student Organization:** Any number of persons who have complied with the formal requirements for University recognition.
8. **Hearing:** An initial formal gathering and educational opportunity for complainants and respondents to voice their version of involvement of reported incidents, hear and question the findings of the investigation, present witnesses, and be supported by advisors before a hearing body, which may consist of faculty, staff, and/or students. A hearing may be a student conduct hearing, a Title IX hearing, or an appeal hearing. Prior to hearings, complainants and respondents will receive notice of the date, time and location of hearings. Additionally, complainants and respondents are notified of the final outcomes of hearings.
9. **Hearing Panel:** Any person or persons authorized by the Dean of Students to determine if a student has violated the Student Code. This body is to hear misconduct cases, consider the provided information, and recommend an appropriate outcome, which may include recommending or imposing sanctions. A hearing body may be referred to as a board or committee.
10. **Advisor:** A person who has agreed to assist a complainant or respondent during the university conduct process. The advisor may be a person of the student’s choosing, including an USAO faculty or staff member, an USAO student, a parent, a friend, or an attorney.
11. **Action Plan:** During a Student Conduct Meeting the student and the conduct officer will work together to develop an Action Plan that will consist of various assignments to aid the student in their ethical, personal and intellectual development.
12. **Complainant:** An individual who files a disciplinary complaint; the university may also serve as a complainant.
13. **Respondent:** Any student that is alleged to have violated the Student Code of Conduct.

14. **Day:** University working day, not including Saturday, Sunday or university breaks/holidays. Time deadlines may be extended during breaks and university holidays.
15. **Sanction:** A disciplinary correction which is imposed on students who are found responsible for violating the Student Code of Conduct. Typically sanctions include educational measures that hold students accountable for their behavior, providing the opportunity for behavior change in an individual. Sanctions can range from a verbal warning to suspension or expulsion. Sanctions are primarily educational and corrective; however, sanctions such as suspension or expulsion from the university may be necessary to uphold community standards and to protect the campus community.
16. **The Family Educational Rights and Privacy Act (FERPA):** A federal law originally passed in 1974 that defines student educational records and regulates who may access those records and under what circumstances. The purpose of FERPA is to protect the privacy of student education records.
17. **Title IX:** A clause in the 1972 Federal Education Act that states that no person shall be denied the benefits of any educational program or activity because of sex. Title IX prohibits sexual harassment, gender-based discrimination and sexual violence.
18. **University-sponsored Activity:** Any activity on university premises or at an off- campus location that is directly initiated or supervised by the university or a university recognized group or organization. This includes, but is not limited to study abroad programs and sporting events.
19. **Policy:** The written regulations of the University as found in, but not limited to, the Student Handbook, the Student Code and the University Catalog.

## II. PROHIBITED CONDUCT

### A. Conduct Rules and Regulations

The following list describes actions that detract from the effectiveness of a university community and for which students may be subject to conduct action. All violations below may be addressed by the university when the behavior potentially jeopardizes the individual's or community's safety or educational opportunities. Any student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in the Judicial Policies:

1. Abuse of the Judicial System, including but not limited to:
  - a. Failure to obey the summons of a judicial body or University Official.
  - b. Falsification, distortion, or misrepresentation of information before a judicial body.
  - c. Disruption or interference with the orderly conduct of a judicial proceeding.
  - d. Institution of a judicial proceeding knowingly without cause.
  - e. Attempting to discourage an individual's proper participation in, or use of, the judicial system.
  - f. Attempting to influence the impartiality of a member of a judicial body prior to, and/or during the course of, the judicial proceeding.
  - g. Harassment (verbal or physical) and/or intimidation of a member of a judicial body prior to, during, and/or after a judicial proceeding.

- h. Failure to comply with the sanction(s) imposed under the Student Code.
  - i. Influencing or attempting to influence another person to commit an abuse of the judicial system.
2. Acts of dishonesty, including but not limited to the following:
    1. Attempting to defraud the University by using services without payment, including but not limited to: staying in student housing, eating in the cafeteria, or attending University events.
    2. Cheating, plagiarism, or other forms of academic dishonesty.
    3. Furnishing false information to any University Official, faculty member or office. This includes the submission of documentation in which required information or documents have been omitted.
    4. Forgery, alteration, or misuse of any University document, record, or instrument of identification. Forging or using without authorization university documents or records, financial aid documents, computers, electronic mail, telephones, identification, or university property.
    5. Tampering with the election of any University recognized student organization.
    6. Knowingly falsifying or being a party to the falsification of any official University record.
    7. Assuming the identity of another.
    8. Knowingly making false representation(s) to the university in any form, written or verbal. Submission of false information or withholding information at the time of admission or readmission may make an individual ineligible for admission to, or continuation at USAO.
    9. Any other act of dishonesty which adversely affects the University or the pursuit of its objectives.
  3. Engaging in theft, attempted theft, or unauthorized possession of property belonging to the university or other individuals or recognized groups on university property or facilities on or near campus.
  4. Behaving in a disorderly, lewd, or indecent manner or breaching the peace on university property or at university-sponsored activities or aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored or participated in by the University. Includes, but is not limited to, any nonconsensual photography, video or audio recording of another person when such recording causes or is likely to cause injury or distress.
  5. Disrupting or obstructing normal university or university-sponsored or -hosted activities, including, but not limited to: studying, teaching, research, disciplinary proceedings, university administration or fire, police or emergency services on university premises or at university sponsored activities off campus. This includes disrupting or obstructing other individuals' right to expressive activity as defined by Oklahoma law.
  6. Engaging in behavior that a reasonable person would view as substantial or repeated interference with the instructor's ability to teach the class or the ability of other students to benefit from instruction. Disruption or obstruction of teaching, which includes, but is not limited to, the use of profanity, vocal outbursts, talking, sleeping, and the abuse of cellular phones, pagers and personal audio equipment.
  7. Attempting to or encouraging others to commit acts prohibited by this Code. Apathy or acquiescence in the presence of prohibited conduct may constitute a violation of this policy.

8. Participating in parties or gatherings that disturb the peace of campus residences or off-campus neighborhoods.
9. Attempting to or completion of defacing, damaging, or destroying property belonging to the university or other individuals or recognized groups on university property or facilities on or near campus.
10. Failing to comply with the lawful directions of any university employee acting within the scope of their official duties or failing to identify oneself to such a person when requested to do so.
11. Engaging in misuse or unauthorized use of firefighting equipment, fire sprinkling systems, and other safety equipment or warning devices (including false alarms, abuse or dismantling smoke detectors and fire extinguishers), engaging in behavior that creates a fire hazard, or failure to evacuate when a fire alarm is activated.
12. Hazing is engaging in any action or activity that causes or is likely to cause physical or mental discomfort or distress, that may demean, degrade, or disgrace any person, regardless of location, intent or consent of participants, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this rule. State law classifies hazing as a crime, Title 21 Oklahoma Statutes Section 1190. (See Hazing Policy, p. 69).
13. Illegal or unauthorized possessing, using, or storing firearms, explosives (including firecrackers), electronic control devices, such as Taser or other stun guns, other weapons, or dangerous chemicals on university property or in the course of any university activity, except as specifically authorized under applicable state law. This includes, but is not limited to, BB guns, paintball guns, knives, swords, crossbows, handguns, shotguns, and rifles. See Weapons Policy p. 62).
14. Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.
15. Participation in a campus demonstration which disrupts the normal operation of the University and infringes on the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area and/or, intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus. (See Campus Expression Policy p. 54).
16. Attempted or actual physical abuse that results or could result in bodily injury, pain, or impairment. Physical abuse is fighting, punching or any physical altercation, not limited to those actions causing personal injury. It may also include physically restraining, holding or transporting an individual against his/her will or other similar actions.
17. Security camera equipment misuse including abuse, damage or dismantling security cameras or monitors.
18. Theft or other abuse of computer time, including but not limited to:
  - a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
  - b. Unauthorized transfer of a file modification, deletion, or security access parameters.
  - c. Unauthorized use of another individual's identification and password.

- d. Use of computing facilities to interfere with the work of a member of the University community.
  - e. Use of computing facilities to send obscene or abusive messages.
  - f. Use of computing facilities to interfere with normal operation of the University computing system.
19. Threats, verbal abuse, intimidation, coercion, harassment, stalking, bullying (verbal, physical, and/or cyber) and/or other conduct which threatens or endangers the health or safety of any person.
20. Unauthorized entry to or use of University premises. This includes entering into, attempting to enter into, or using without proper authorization, any university building, roofs of buildings, balconies, steam tunnels, facility, vehicle, equipment, room, area or university approved housing. This includes unauthorized possession, duplication or use of university keys, computers, lock combinations or other special access codes or passwords.
21. Use, possession manufacture, cultivation, being in the presence of or distribution of alcoholic beverages, narcotic or other controlled substances except as expressly permitted by law and University regulations, or public intoxication. (See Drug & Alcohol Policy, p. 64).
- a. Consuming, possessing, manufacturing, distributing, selling or serving alcoholic beverages on university premises (including residence halls) or at university-sponsored activities regardless of age, except as expressly permitted by university policy is prohibited. Knowingly being in the presence of alcohol where it is not permitted on campus is also prohibited. The following are also violations on or off campus:
    - i. Public intoxication or under the influence of alcohol
    - ii. Driving under the influence of alcohol or while impaired
    - iii. Actual physical control of a vehicle while under the influence of alcohol
    - iv. Providing alcohol to individuals under 21 years of age
    - v. Social Host: Providing a location for any individual under 21 years of age to possess or consume alcohol
    - vi. Transporting an open container of alcohol
    - vii. Incapacitation due to alcohol
    - viii. Possession or use of a fake ID
    - ix. Underage in possession of alcohol
    - x. Underage in a liquor (package) store.
    - xi. Lawful and responsible alcohol consumption is permitted only in designated areas of the USAO campus, properties and facilities as authorized by the Board of Regents.
  - b. Acting or intending to act to illegally use, possess, sell, share, distribute, cultivate, manufacture or be under the influence of any state or federally controlled drug or substance is prohibited. Possessing drug paraphernalia. Inhaling or ingesting any substances (e.g., nitrous oxide, glue, paint, etc.) that will alter a student's mental state. Knowingly providing a location for individuals to possess or consume drugs, or knowingly being in the presence of drugs are also prohibited. While the use of medical marijuana has been legalized in the state of Oklahoma, federal law continues to prohibit marijuana. Therefore, the possession or use of prescribed medical

- marijuana is prohibited on campus property and at University-sponsored activities.
22. Attempted or actual vandalism and/or other conduct which has the potential to or does damage to the property of the University, property of another individual, or public property.
  23. Initiating, causing, or contributing to any false report, warning, or threat of fire, bomb, terrorism, or other emergency.
  24. Failing to properly leash and control the animal and properly dispose of its organic waste. Having unauthorized animals in university building. Emotional support animals are not allowed in non-residential university buildings. Emotional support animals are only allowed in residential university buildings when approved by Housing and Residential Life and Student Disability Services.
  25. Failing to comply with on-campus residence hall policies. Policies are available in the Housing and Residence Life Handbook at <https://usao.edu/student-life/living-on-campus/housing/housing-forms>.
  26. Failing to comply with the university's Information Technology policies. Policies are available online at <https://usao.edu/about/usao-policies.html>.
  27. Illegal gambling for money or other things of value on campus or at university-sponsored activities.
  28. Using tobacco in any form or using electronic cigarettes (vaping) on campus. See Tobacco policy p. 67).
  29. Engaging in verbal abuse, threats, intimidation, harassment, coercion, bullying or other conduct that threatens or endangers the mental or physical health/safety of any person or causes reasonable apprehension of such harm that is persistent, severe or pervasive and is subjectively offensive to the complainant and objectively offensive to a reasonable person.
  30. Discrimination including but is not limited to, disparate treatment directed toward an individual or group of individuals based on sex, race, color, sexual orientation, age, status as a veteran, gender identity or expression, national origin, religion or qualified individual with a disability that adversely affects their employment or education.
  31. Interfering with the Conduct Process: Interfering with conduct procedures or outcomes, including but not limited to: falsification; distortion or misrepresentation of information before a conduct officer or Hearing Panel; knowingly initiating a complaint without good cause; harassment or intimidation of any member of a Hearing Panel, witness(es), or university personnel before, during, or after a proceeding; violating a No Contact Order; and failure to comply with the sanction(s) imposed by either a conduct officer or Hearing Panel.
  32. Retaliating or taking any adverse action (including, but not limited to, intimidation, threats, coercion, harassment, or discrimination) taken against someone because the individual made a report or filed a Formal Complaint; or against someone who has supported or provided information in connection with a report or Formal Complaint; or against someone who has participated or refused to participate in any investigation or hearing under this Policy; or against someone who has engaged in other legally protected activities.
  33. Dating violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with another person. The existence of such a relationship shall be determined based on consideration of the following factors: length of relationship, type of relationship, and frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the

threat of such abuse. Dating violence does not include acts that meet the definition of domestic violence.

34. Domestic violence committed by a:
- a. current or former spouse or intimate partner of the victim;
  - b. person with whom the victim shares a child in common;
  - c. person who is cohabitating with or has cohabited with the victim as a spouse or intimate partner;
  - d. person similarly situated to a spouse of the victim.
  - e. person similarly situated to a spouse of the victim under the domestic or family violence laws of Oklahoma;
  - f. any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Oklahoma.

Domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions, or threat of actions that influence another person.

35. Engaging in physical violence of any nature against any person, on or off campus. This includes fighting; assaulting; battering; using a knife, gun, or other weapon; physically abusing, restraining or transporting someone against their will; or acting in a manner that threatens or endangers the physical health or safety of any person or causes reasonable apprehension of such harm.
36. Making unwelcomed sexual advances, requests for sexual favors, and other verbal or physical contact or communication of a sexual nature when: Submission to such conduct or communication is made either explicitly or implicitly a term or condition of educational benefits, employment, academic evaluations or other academic opportunities; Submission to or rejection of such conduct or communication by an individual is used as the basis for an employment decision or academic decision affecting such individual; or Such conduct is sufficiently severe, pervasive or persistent, and both subjectively and objectively offensive, that it has the effect of creating an intimidating, hostile or offensive environment which negatively affects an individual's academic or employment environment. Sexual harassment does not include verbal expressions or written materials that are relevant and appropriately related to course subject matter or curriculum, and this policy shall not abridge academic freedom or the university's educational mission.
37. Engaging in non-consensual contact of a sexual nature. Sexual misconduct may vary in its severity and consists of a range of behavior or attempted behavior including, but not limited to, the following examples of prohibited conduct:
- a. Unwelcome sexual touching: Touching an unwilling or non-consensual person's intimate parts (such as genitalia, groin, breast, buttocks, mouth, or clothing covering same); touching an unwilling person with one's own intimate parts; or forcing an unwilling person to touch another's intimate parts.
  - b. Exposure: Engaging in indecent exposure, sexual acts in a public place, voyeurism, or non-consensual sharing of sexually explicit images.
  - c. Non-consensual sexual assault: Penetrating any bodily opening of an unwilling or non-consensual person with any object or body part.
  - d. Forced sexual assault: Penetrating any bodily opening of an unwilling or non-consensual person with any object or body part that is committed either by force,

threat, intimidation, or through exploitation of another's mental or physical condition (such as lack of consciousness, incapacitation due to ingestion of drugs or alcohol, age or mental disability) of which the respondent was aware or should have been aware.

**Effective consent** is a voluntary, mutually understandable agreement that clearly indicates a willingness to engage in each instance of sexual activity. Consent to one act does not imply consent to another. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Any expression of an unwillingness to engage in any instance of sexual activity establishes a presumptive lack of consent. Consent is not effective if it results from the use of physical force, a threat of physical force, intimidation, coercion, incapacitation, or any other factor that would eliminate an individual's ability to exercise their own free will to choose whether or not to engage in sexual activity.

38. Stalking which refers to one who engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.
  - a. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
  - b. Reasonable person means a person under similar circumstances and with similar identities to the victim.
  - c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

## **B. Violation of Law and University Discipline**

1. University discipline proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Student Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceeding off campus at the discretion of the Dean of Students. Determinations made or sanctions imposed under this Student Code shall not be subject to change because civil or criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced or resolved in favor of or against the criminal law defendant.
2. When a student is charged by federal, state or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. If that alleged offense is also being processed under the Student Code, the University may advise off-campus authorities of the existence of the Student Code and of how such matters are typically handled within the University community. The University will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions). Individual students and other members of the University community, acting in their personal capacities remain free to interact with governmental representatives as they deem appropriate.



### **III. STUDENT CONDUCT PROCESS**

The responsibility for the campus student conduct system is delegated from the Board of Regents for USAO to the Vice President for Enrollment Management and Student Affairs through the President. The Vice President for Enrollment Management and Student Affairs further delegates authority for student conduct to the Dean of Students, Housing and Residential Life, and other designated conduct officers. The goal is to resolve cases by the lowest appropriate authority for maximum educational benefit.

Cases related to Title IX will be managed under the Equal Opportunity, Harrassment and Non Discrimination policy. Questions regarding Title IX, including its application and/or concerns about noncompliance, should be directed to the Title IX Coordinator. For a complete copy of the policy or for more information, please visit <https://usao.edu/about/title-ix.html> or contact the Title IX Coordinator.

#### **A. Student Conduct Procedures**

The following information is provided to inform students of the procedures in place at USAO for resolving alleged violations of university regulations. The procedures are designed to allow for fact-finding and decision-making in the context of the USAO educational community. The objective is to provide procedures that balance the rights of the individual with the legitimate interests of the university and community.

##### **1. Complaints**

- a. Any member of the university community (faculty, staff or student) or any person who is unaffiliated with the university who has knowledge of an alleged violation of the Student Code of Conduct may file a complaint against a student alleging that a violation of the Student Code of Conduct has occurred. The university may itself initiate a complaint.
- b. Such complaint should be filed with the Dean of Students as soon as possible but within 180 calendar days (not university business days) of the alleged violation. A late complaint may be accepted with the approval of the Vice President for Enrollment Management and Student Affairs, the Dean of Students and Administration or their designee.
- c. The complaint must be submitted in writing and signed by the complainant. The complaint must include the date, time, place, name(s) of person(s) involved (e.g., the accused, witnesses) and sufficient detail to make a determination of whether disciplinary action may be warranted.
- d. Complaints may be initiated for incidents where concurrent criminal charges are pending. The university may adjudicate incidents without regard to either pending civil litigation or criminal prosecution. University conduct proceedings may proceed before, during or after court proceedings.

##### **2. Investigations**

Once the written complaint is received, the Dean of Students or designee shall conduct an investigation to determine if the complaint has merit. Investigations may consist of interviews with the complainant(s), the reporting party (if different from the complaint),

the respondent(s), any witnesses, and the evaluation of relevant documentation such as photographs, video, and cellular telephone logs. Generally, the Dean of Students or designee contacts the complainant(s), the respondent(s), and witnesses by telephone call, email, or post letter sent to available on- or off-campus addresses or classrooms. This contact is established to arrange for an interview.

Students who are contacted by the Dean of Students or designee should respond immediately by following the directions specified in the personal conversation, voice mail, email, and/or post letter that they receive and schedule a meeting with the Dean of Students or designee by the deadline identified within the notice. Notices issued through University email addresses are considered proper notification to students. Students are responsible for checking their email on a regular basis for University communication. Failure to comply with these directions can be considered a violation of University policy. If respondents who have been provided with notice do not appear for an interview, then the information in support of the complainant shall be presented and considered in the absence of the respondent. A decision shall be made without the benefit of the respondent's personal input, unless a documented emergency can be verified to account for the respondent's absence. The purpose of the interviews is to give the complainant and respondent the opportunity to voice their version of the incident and recommendation for outcome.

### **3. Interim Suspension**

In cases where student health or safety is reasonably believed to be significantly jeopardized, the Vice President for Enrollment Management and Student Affairs, in consultation with the President of the university, or designee, may suspend a student for the period of time required to allow a thorough investigation and an opportunity for a hearing. Students who are so suspended are not permitted on campus or in university buildings, facilities, or activities at any time for any reason during the period of the interim suspension, unless otherwise permitted in writing by the Dean of Students.

If the conduct or behavior of a student residing in an USAO residence hall is determined by the Vice President for Enrollment Management and Student Affairs, the Dean of Students, and the Director of Housing and Residential Life to be a threat to others, the ability to live in the residence hall may be immediately suspended for a period of time pending the outcome of a hearing. During an interim housing suspension, the student is immediately removed from the residence hall and is not to reenter any campus residence hall until a hearing is held and a decision regarding the pending complaint has been made.

### **4. Temporary Sanctions**

In certain circumstances, the Dean of Students or designee may impose a temporary sanction prior to the start of the Student Conduct process. The temporary sanction is a stop-gap measure. It is designed to separate a member of the USAO community from either another person, group of people, or property of the USAO campus when there is a need to be concerned for the safety of the person receiving the temporary sanction and the USAO campus community. The temporary sanction issued will be no more

restrictive than necessary to minimize the impact on a student's academic success while still maintaining the safety of the University community.

Temporary sanctions may be imposed:

- a. To ensure the safety and well-being of members of the USAO community or preservation of USAO property;
- b. To ensure the student's own physical or emotional safety and well-being;
- c. If the student poses an ongoing threat of disruption of or interference with the normal operations of USAO.

Under the temporary sanction, a student or recognized student organization may be denied access to the residence halls and/or to the campus (including classes) and/or all other USAO activities or privileges for which the student or recognized student organization might otherwise be eligible; or the student or recognized student organization may be banned from contact with another person or group of people.

The temporary sanction does not replace the regular process, which shall proceed on the normal schedule.

Student Conduct shall have the authority to remove any issued temporary sanction upon final resolution of a case in which any temporary sanction(s) was issued.

**Administrative Review of a Temporary Sanction:**

Students or recognized student organizations receiving a notice of a temporary sanction may request an administrative review of the temporary sanction by submitting their request in writing to the Office of the Vice President for Student Affairs and Enrollment Management or designee.

Requests for administrative review of temporary sanctions must be submitted within three (3) business days of receipt of a notice of temporary sanction. (Temporary Sanctions are sent both electronically to the student's email and a paper copy is also delivered to the address on file with the registrar's office. USAO considers the temporary sanction delivered when an USAO staff member sends electronic notice to the student issuing the temporary sanction.)

The student or recognized student organization will be given the opportunity to present and justify his/her grounds for appeal. The Vice President for Enrollment Management and Student Affairs or designee may then ask questions regarding the situation.

The Vice President for Enrollment Management and Student Affairs or designee will issue a decision in writing, normally within five (5) business days of completion of the administrative review. The decision will be to sustain, lessen, increase, or remove the temporary sanction(s), and it will be based on the material from the review and other germane information (e.g., the student's or recognized student organization's student conduct file). There is no appeal of this decision.

Any temporary sanction that is either upheld or modified by the Vice President for Enrollment Management and Student Affairs or designee will remain in effect until the final resolution of the Student Conduct Process.

### **5. Evidentiary Standard**

In order for a student to be found responsible, the information must support a determination by a preponderance of evidence, that it is more likely than not that a violation of the Student Code of Conduct occurred. Hearsay evidence may be considered but will be weighed accordingly.

### **6. Disposition of Allegation**

The university conduct process is administered through the Dean of Students office. Alleged violations of university regulations where neither suspension nor expulsion are a possibility will normally be resolved through a Student Conduct Meeting (see Section III (C) below).

Allegations which may result in suspension and where a one-on-one meeting between the conduct officer and the respondent would be the most effective way to establish the facts of the case are typically referred to a Student Conduct Hearing (see Section III (D) below).

Allegations which could result in suspension or expulsion, or that are complex, sensitive, or require a number of witnesses or that involve an alleged victim are often referred to a Hearing Panel (see Section III (E) below).

At the conclusion of a Student Conduct Hearing, the conduct officer may refer the case to a Hearing Panel if further development of the facts is warranted and would be aided by a more formal hearing. If this is done, the conduct officer will not make any findings. Additionally, a respondent or complainant in a case assigned to a Student Conduct Hearing may request that their case be resolved by a Hearing Panel. Such a request must be made before the scheduled hearing to the assigned conduct officer.

If a student is assigned to a Hearing Panel and admits responsibility for the alleged violation(s), a Student Conduct Hearing may be conducted. In instances when a complainant is involved, both parties must agree on any changes to the hearing type.

In instances where a student has been convicted of a felony through the criminal process or the university believes it has enough information that would make it more likely than not a violation of the Student Code of Conduct has occurred the university may file a complaint against the alleged student without the cooperation of the victim.

## **B. Student Rights in the Conduct Process**

The University views the conduct process primarily as an educational experience that can promote growth in personal understanding of one's role as a member of an educational community and one's rights, responsibilities, and privileges therein. However, sanctions such as suspension or expulsion from the university may be necessary to uphold community standards

and to protect the campus community.

During a conduct process, both the respondent and the complainant have the rights to:

1. A written notice of the alleged violation(s);
2. An explanation of the student conduct process upon request;
3. Have no violation assumed;
4. A timely hearing;
5. Be accompanied by an advisor during the conduct process. In matters not involving possible suspension or expulsion, the advisor is limited to advising the student and may not present information, question relevant parties or make statements during the proceedings;
6. Have access to the information and documents to be presented at the hearing in advance;
7. Be present during the entire proceeding, except during deliberation;
8. Question any party or witness present, either directly or indirectly, at the discretion of Hearing Panel Chair;
9. Present material witnesses (those with firsthand knowledge of the incident). The respondent and complainant are responsible for contacting and arranging for the attendance of their own witnesses in all cases;
10. Receive a written notification of the outcome of the conduct process; the complainant can only receive written notification of the outcome of the conduct process when permitted by federal law; and
11. An avenue for appeal from a hearing.

### **C. Student Conduct Meeting**

Upon determining that sufficient evidence exists to believe that a violation of the Student Code of Conduct may have occurred, the Dean of Students, or another conduct officer with jurisdiction, will notify the student in writing of the alleged violations against them. The written notice will be hand delivered directly to the student, sent electronically to the student's institutional email address, or mailed to the student's last known address as filed in the Registrar's Office. (Students are responsible for providing and maintaining a current local address and e-mail address with the Registrar's Office.)

At the meeting, the student will be provided with the following:

1. An explanation of the alleged violation(s) of university policy;
2. A summary of the facts and information that substantiate the allegations;
3. The opportunity to reflect upon and give their account of the incident or circumstances pertaining to the allegation(s);

An explanation of the decision of the conduct officer that may result in the following:

1. The allegation(s) may be dismissed as unfounded.
2. The student may admit responsibility for the violation(s) and have a sanction(s) imposed.
3. The student may be found responsible for violating the Student Code of Conduct and have a sanction(s) imposed.
4. Any sanction (except suspension, deferred suspension, and expulsion) may be imposed.
5. Decisions reached at the meeting will be final with no option to appeal or other proceedings.
6. Failure to respond to a written allegation(s) or failure to complete the assigned

sanction(s) will result in either a hold being placed on the student's enrollment privileges or graduation, additional alleged violations or a decision being made based on the information available at the time.

#### **D. Student Conduct Hearing**

Hearing procedures are provided for allegations against an individual where suspension from the university is possible, if found responsible. Cases of suspension and expulsion are only processed through the Dean of Students office.

Students have the right to be accompanied by an advisor, who may advise and support the student. The advisor may participate directly to the same extent as the student. Such direct participation is a privilege which, if abused, may be withdrawn by the conduct officer. If the privilege is withdrawn, the advisor may continue to advise the student. However, if the advisor fails to act in accordance with hearing procedure, the conduct officer may bar the advisor from the hearing. The student must notify the Dean of Students office four days in advance of the hearing if accompanied by an advisor. In such cases, the university may have an attorney in attendance.

##### **1. Pre-Hearing Procedures**

The Dean of Students office will prepare and send a written notice to the respondent and complainant at least five days before the hearing. The notice will be delivered in person, sent electronically to the student's institutional email address or mailed to the student's last known address of record as filed in the Registrar's Office and will include:

- a. The date, time, place and nature of the hearing;
- b. Reference to the section(s) of the Student Code of Conduct involved;
- c. A brief explanation of the alleged violation(s), including the approximate date and place where the alleged violation(s) occurred;
- d. Names of witnesses, if known;
- e. The right to be accompanied by an advisor and the advisor's role in the hearing;
- f. Names of the conduct officer(s) for the case.

The Dean of Students or designee will be available to meet with the complainant and the respondent, separately, to discuss and explain the hearing procedure and answer questions.

##### **2. Four Days in Advance of the Hearing**

- a. The respondent and the complainant will provide to the Dean of Students office copies of documents to be presented at the hearing and the names of witnesses who will be called.
- b. Each student must notify their witnesses of the date, time and location of the hearing.
- c. The respondent and the complainant will have access to copies of documents to be presented at the hearing by prior appointment. Materials will be sent via email three days in advance of the hearing.
- d. The respondent and the complainant will provide notice to the Dean of Students office if they will be accompanied by an advisor.

### **3. Hearing Procedures**

The hearing provides a forum where all the information and documents can be presented, where questions can be asked of all parties, and where the conduct officer(s) can deliberate and make a decision using a preponderance of evidence, that is it more likely than not that a violation of the Student Code of Conduct did, or did not, occur.

Formal rules of process, procedure, and technical rules of evidence, such as those applied in criminal or civil court, are not used in student conduct proceedings. Deviations from prescribed procedures will not necessarily invalidate a decision or proceeding unless significant prejudice to the student or the university may result.

To protect the privacy of all parties and in accordance with FERPA (Family Educational Rights and Privacy Act), hearings will be closed.

The respondent and complainant can present witnesses who may be questioned by the conduct officer(s). Questioning by the complainant or the respondent is permitted so long as it is relevant and is not threatening or harassing.

In the case of sexual harassment or sexual misconduct, the conduct officer may, at their discretion, exclude evidence of the complainant's sexual history with the respondent from discussion during the hearing. The sexual history of the complainant with persons other than the respondent is irrelevant.

The hearing (excluding the deliberations) will be audio recorded. The recordings are the property of the university. Others will not be allowed to make a recording of any type. The university is not responsible for equipment malfunctions.

Requests to review audio recordings may be made to the Dean of Students office. If the respondent elects not to appear for the hearing, the hearing will be held in their absence. Failure to appear will be noted without prejudice. Findings will be based on information presented at the hearing.

Material witnesses will be present during the introductory comments of the hearing, including the honesty statement, at which point they will be excused until time to give their testimony. Witnesses will be excused upon completion of testimony and questioning, but they may be asked to remain available for recall. The complainant and respondent may remain throughout the hearing.

At the conclusion of the hearing, all parties will be dismissed except for the conduct officer(s), who will deliberate and reach a decision.

A student's past conduct record may be subject to an educational discussion at the hearing. Past conduct history does not impact the finding of responsibility but could be used as information in determining appropriate sanctions.

The conduct officer(s) may accommodate concerns for the personal safety, well-being or

fears of confronting the complainant, respondent, or other witnesses. Procedures or the hearing environment may be modified as determined by the Dean of Students office to be appropriate.

#### **4. Hearing Deliberations and Decision**

The conduct officer(s) will deliberate and determine whether it is more likely than not that a violation(s) of the Student Code of Conduct did or did not occur as alleged.

- a. The conduct officer(s) may find that the information presented was not sufficient to establish that a violation of the Student Code of Conduct was committed and dismiss the case.
- b. The conduct officer(s) may find that the information presented was sufficient to affirm the alleged violations and impose a sanction appropriate for the violation(s).

The decision of the conduct officer(s) will be communicated in writing to the respondent and, if appropriate, the complainant within two days. The notification letter will include findings of fact, sanction(s) imposed (if any), and the rationale for the decision. The notification letter will be delivered in person, sent electronically to the institutional email address, or sent by certified mail to the student's last known address of record as filed with the Registrar's Office. The notification letter may also be picked up in the Dean of Students office within two days of the hearing.

#### **E. Student Conduct Committee Panel Hearing**

Hearing procedures are provided for allegations against a student where suspension or expulsion from the university is possible, if they are found responsible, and for student discrimination grievances.

The Student Conduct Committee Panel Hearing option may not be available during final examinations, breaks or other periods. If feasible, a hearing will proceed during these times. Additionally, a Student Conduct Committee Panel Hearing may not be available when the Dean of Students or Vice President for Enrollment Management and Student Affairs determine that appearing before the panel poses a threat to the physical welfare of panel members or witness(es). Hearings are scheduled around academic schedule on record of complainant and respondent.

The Student Conduct Committee Panel Hearing (Hearing Panel) shall be selected from the Discipline/Judicial Committee which is comprised of faculty, staff and students nominated by the Dean of Students and appointed by the President. The Dean of Students serves as an ex officio member.

A Hearing Panel shall consist of three disinterested members — one faculty member, one student member and one staff member — selected from the Discipline/Judicial Committee by the Dean of Students office. The faculty member will be the chairperson. A list of Hearing Panel members will be available three days in advance of the hearing. Prior to the hearing, alternate Hearing Panel members may be seated to be available in case of conflicts.



A professional staff member from the Dean of Students office will be present as a non-voting participant. Their role will be to facilitate dialogue between the Hearing Panel and the students involved, ensure appropriate participation from advisors, and answer procedural questions as needed. A member of Legal Counsel may be present at the hearing to serve as a non-voting advisor to the Hearing Panel.

A student's advisor may participate directly to the same extent as the student. Such direct participation is a privilege which, if abused, may be withdrawn by the Chair of the Hearing Panel or the Dean of Students office staff member. If the privilege is withdrawn, the advisor may continue to advise the student.

However, if the advisor fails to act in accordance with hearing procedure, the Chair of the Hearing Panel or the Dean of Students office staff member may bar the advisor from the hearing. The student must notify the Dean of Students office four days in advance of the hearing if they will be accompanied by an advisor.

### **1. Pre-Hearing Procedures**

Hearing Panel members will be selected by the Dean of Students office based on their availability.

The Dean of Students office will prepare and send a written notice to the respondent and the complainant at least five days before the hearing. The notice will be delivered in person, sent electronically to the institutional email address, or sent via certified mail to the student's last known address of record as filed with the Registrar's Office and will include:

- a. The date, time, place and nature of the hearing;
- b. Reference to the section(s) of the Student Code of Conduct involved;
- c. A brief explanation of the alleged violation(s) including the approximate date, time and place where the alleged violation(s) occurred;
- d. Names of witnesses, if known;
- e. The right to be accompanied by an advisor and the advisor's role in the hearing.

The Dean of Students or designee will be available to meet with the complainant and the respondent, separately, to discuss and explain the hearing procedure and answer questions.

### **2. Four Days in Advance of the Hearing**

- a. The respondent and the complainant will provide to the Dean of Students office copies of documents to be presented at the hearing and the names of witnesses who will be called.
- b. It is the responsibility of each student to notify witnesses of the date, time and location of the hearing.
- c. The respondent and the complainant have the right to access documents to be presented at the hearing, by prior appointment. Materials will be sent via email three days in advance of the hearing.
- d. The respondent and the complainant will provide notice to the Dean of Students office if they will be accompanied by an advisor.

### **3. Hearing Procedures**

The hearing provides a forum where all the information and documents can be presented, where questions can be asked of all parties, and where the Hearing Panel can deliberate and decide to the standard of “more likely than not” that a violation of the Student Code of Conduct did, or did not, occur. Formal rules of process, procedure, and technical rules of evidence — such as are applied in criminal or civil court — do not apply to student conduct proceedings. Deviations from prescribed procedures will not necessarily invalidate a decision or proceeding unless significant prejudice to the student or the university may result.

To protect the privacy of all parties and in accordance with FERPA (Family Educational Rights and Privacy Act), all hearings will be closed.

The respondent and complainant can present witnesses, who may be questioned by the Hearing Panel. Questioning by the complainant or the respondent is permitted so long as it is relevant and is not threatening or harassing.

The hearing (excluding the deliberations) will be audio recorded. The recordings are the property of the university. Others will not be allowed to make a recording of any type. The university is not responsible for equipment malfunctions. Requests to review audio recordings may be made to the Dean of Students office.

If the respondent or complainant elects not to appear for the hearing, the hearing will be held in their absence. Failure to appear will be noted without prejudice. Findings will be based on information presented at the hearing.

Material witnesses will be present during the introductory comments of the hearing, including the honesty statement, at which point they will be excused until time to give their testimony. Witnesses will be excused upon completion of testimony and questioning, but they may be asked to remain available for recall. The complainant and respondent remain throughout the hearing. It is preferred all witnesses be present in person; however, if a witness cannot be present for the hearing, arrangements can be made for a witness to participate via phone or other electronic means as long as adequate notice is provided.

At the conclusion of the hearing, all parties will be dismissed except for the Hearing Panel so they may deliberate and reach a decision.

Conduct history is not relevant in determining responsibility but can be used as information in determining an appropriate sanction. A student’s conduct history will be available to the Hearing Panel if the respondent is found responsible.

The order of presentation at the hearing will be as follows:

- a. Opening statement provided by the Hearing Panel Chair.
- b. The complainant may present an opening statement.
- c. The respondent may present an opening statement.
- d. If relevant, the university investigator will present the investigation report and

answer related questions in cases of sexual harassment, sexual misconduct, discrimination, or when the university has conducted an investigation.

- e. The complainant will present information and call witnesses.
- f. The respondent will present information and call witnesses.
- g. At the conclusion of each witness statement, the witness may be questioned by the Hearing Panel, the respondent, and the complainant, either directly or indirectly.
- h. The complainant may make a closing statement.
- i. The respondent may make a closing statement.
- j. All parties are dismissed for Hearing Panel deliberation.

The Hearing Panel may accommodate concerns for the personal safety, well-being or fears of confronting the complainant, respondent, or other witnesses. Procedures or the hearing environment may be modified as determined by the Dean of Students or the Vice President for Enrollment Management and Student Affairs.

#### **4. Hearing Panel Deliberations and Decision**

The Hearing Panel will deliberate and, by majority vote, a decision will be made using a preponderance of evidence, that is, it is more likely than not that a violation of the Student Code of Conduct did, or did not, occur as alleged.

- a. The Hearing Panel may find that the information presented was not sufficient to establish a finding of responsibility for a violation(s) of the Student Code of Conduct.
- b. The Hearing Panel may find that the information presented was sufficient to find the respondent responsible for violating the Student Code of Conduct and impose a sanction appropriate with the violation(s).

The Hearing Panel's decision will be communicated in writing to the Dean of Students, which will notify the respondent, and if appropriate, simultaneously notify the complainant in writing within two days.

The notification letter will include findings of fact, sanction(s) imposed (if any), and the rationale for the decision. The notification letter will be delivered in person, sent electronically to the institutional email address or sent by certified mail to the student's last known address of record as filed with the Registrar's Office. The notification letter may also be picked up in the Student Services office, within two days of the hearing.

#### **F. Complainant Notification**

Complainants are entitled to know about the results of proceedings involving alleged crimes of violence or non-forcible sex offenses, as defined by FERPA. Both the respondent and complainant will be notified in writing of the results of any hearing involving alleged crimes of violence or non-forcible sex offenses.

## **IV. SANCTIONS**

Although not intended to be inclusive, the following are possible sanctions that may be imposed, either singularly or in combination, for a student if a violation of the Student Code

of Conduct is found. During a Student Conduct Meeting the student and the conduct officer will work together to develop an Action Plan to aid the student in their ethical, personal and intellectual development.

1. Written Warning is an official written notice that the student has violated university policies and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the university.
2. Restriction is a limitation on a student's privileges for a period of time and may include, but not be limited to, the denial of the use of facilities or access to parts of campus, denial of the right to represent the university, or denial of participation in extracurricular activities not directly associated with academics (e.g., intramural sports, attending athletic events, student organizations/clubs/associations, or leadership positions within campus organizations). Students must apply to re-instate the privilege by submitting documentation of their significant proactive efforts to become good citizens of the community and engage in responsible, productive behavior.
3. Educational and Behavioral Change Requirements are assigned as an opportunity for personal development and can include, but are not limited to, attending alcohol education, a reflection essay, community service, seeking academic counseling, decision making class, and other relevant educational opportunities.
4. Assessments/Evaluations: A directive to attend and actively participate in as many appointments or sessions as necessary or recommended that will aid in the direction of the overall sanction learning outcome. These appointments or sessions may be facilitated by USAO Counseling or other campus or non-campus agency.
5. Class Removal occurs when a student is dropped from a class or moved to another section of a class. Faculty members, in consultation with the Dean of Students, reserve the right to interim suspend a student from class pending a hearing for alleged violations of the Student Code of Conduct occurring in the classroom that substantially interfere with teaching or other students' ability to learn.
6. No Contact Order is an absolute prohibition from contact with specified person or persons in any form whatsoever, including, but not limited to, contact in person, by phone, electronically, or through another person. A No Contact Order may be implemented as an interim measure for Title IX issues. Interim measures can be put in place without a formal complaint, conduct process, or a finding of responsibility. Violating a No Contact Order may result in suspension from the university.
7. Restitution is compensation for the damage caused to the university or any person's property on campus. This is not a fine, but rather a repayment for labor costs and/or value of property destroyed, damaged, consumed, or stolen.
8. Residence Hall Status Change: The following sanctions may include:
  - a. Restrictions on visitation to specified buildings or all university housing.
  - b. Reassignment to another university housing facility as determined by Housing and Residential Life staff.
  - c. Suspension from a university housing facility for a specified period of time, after which the student is eligible to return. Conditions for returning may be specified.
  - d. Removal from living in or visiting any university housing facility.
9. Conduct Probation is a specified period of time during which the student is placed on formal notice that they are not in good standing with the university and that further violations of university regulations will subject them to suspension or expulsion from

- the university.
10. Conduct Suspension is the exclusion from enrollment in classes and other privileges or activities for a definite period of time not to exceed three years and until the conditions which are set forth in the hearing outcome letter are met. Students who are suspended from USAO are not permitted on campus or in university buildings, facilities or activities at any time for any reason during the period of suspension, unless otherwise permitted by the Dean of Students. Notation on the transcript is not made; however, a record of the action is maintained in the student's record in the Registrar's Office. If a transcript is requested during the period of suspension, a letter will be sent with the transcript to the requesting party/institution stating the student is under suspension for conduct reasons. Only unofficial transcripts will be released to the student directly. Any refund of tuition or fees will be subject to the university's normal withdrawal policy.
  11. Conduct Expulsion is termination of student status for an indefinite period. Students who are expelled from USAO are not permitted on campus or in university buildings, facilities or activities at any time for any reason, unless otherwise permitted by the Dean of Students. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student's record in the Registrar's Office. If a transcript is requested, a letter will be sent with the transcript to the requesting party/institution stating the student has been expelled for conduct reasons. Only unofficial transcripts will be released to the student directly. Expulsion becomes a permanent part of a student's conduct record. Any refund of tuition or fees will be subject to the university's normal withdrawal policy.
  12. More than one of the sanctions listed above may be imposed for any single violation.
  13. The following sanctions may be imposed upon groups or organizations:
    - a. Those sanctions listed above.
    - b. Deactivation: Loss of all privileges, including University recognition, for a specified period of time.

#### **A. Parental Notification**

USAO reserves the right to notify the parents/guardians of dependent students regarding any conduct situation, particularly alcohol and other drug violations. The university 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.

#### **B. Failure to Complete Sanctions or Comply with Conduct Office Requests**

All students, as members of the university community, are expected to comply with conduct sanctions within the timeframe specified by the Dean of Students office. 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 an enrollment hold, which is a "hold" on enrollment privileges. This hold can prevent the adding or dropping of classes or enrollment for subsequent terms. Cancellation of enrollment occurs when a previous enrollment hold has been cleared with the condition that the enrollment will be cancelled for failure to meet the conditions of the clearance. If cancelled, the refund of tuition or fees will be subject to the university's normal withdrawal policy. A graduation hold is a hold on a student's participation in graduation exercises and diploma for failure to respond to a

request to meet with the Dean of Students or other conduct officer, or for noncompliance with conduct sanctions. The Vice President for Enrollment Management and Student Affairs may recommend a graduation hold.

### **C. Implementation of Sanctions**

Conduct actions or grievance decisions shall not be implemented until the time for appeal has expired, until the entire appeal process is completed, or until the individual voluntarily waives the right to appeal in writing. The exceptions to delaying sanctions until the process is complete include:

- 1) when interim suspension has been imposed or
- 2) to protect the well-being of students on the campus.

## **V. APPEAL PROCEDURE**

The appeal request process serves as a procedural safeguard for the involved parties. . An appeal is a review of the record of the original hearing, not a new hearing. It is the responsibility of the person who initiated the appeal to show that one or more of the listed grounds for appeal has merit.

Any outcome decided in a hearing may be appealed by the respondent or the complainant.

Appeals must be submitted in writing to The Dean of Students office by 5 p.m. within five days of the original hearing's decision. Failure to file an appeal within the prescribed time constitutes a waiver of any right to an appeal. Failure to check or claim notice of the disciplinary decision by email, US Postal Service, or campus mail will not constitute an acceptable reason for non-receipt of the original decision.

Appeal requests that do not involve suspension, expulsion, temporary suspension, rescission of credits, or degree revocation may be reviewed by the Vice President for Enrollment Management and Student Affairs or an Appeal Panel.

Appeal requests that do involve suspension, temporary suspension, expulsion, degree revocation, or rescission of credit are automatically reviewed by the Appeal Panel.

### **Appeals Reviewed by the Vice President for Enrollment Management and Student Affairs**

After receiving the granted appeal request, the Vice President for Enrollment Management and Student Affairs will initiate a further review of the appeal and make a determination to affirm, modify, or reverse the original hearing body's decision.

### **Appeals Reviewed by the Panel**

The Appeal Panel generally consists of a faculty, staff member, and student member who review appeal. The faculty representative serves as the Chair. The Appeal Panel will have one advisor, either a representative from the Dean of Students office or from Legal Counsel. The appeal will be reviewed by the panel through a formal appeal hearing. At the appeal hearing, the party requesting the appeal must demonstrate their selected appeal merit(s), as the original findings and sanctions will be presumed to have been decided reasonably and appropriately. The parties will not appear before the Appeal Panel unless specifically requested to do so by the Appeal Panel.

For granted appeal requests, the Vice President for Enrollment Management and Student Affairs will inform the opposing party of the granted appeal requests (e.g., if the respondent's appeal request is granted, the appeal request will be shared with the complainant, who may also wish to file a response). Furthermore, each party will be contacted to coordinate the date and other necessary logistics for the appeal review or hearing. The Vice President for Enrollment Management and Student Affairs and/or the Appeal Panel will make every attempt to hear or resolve an appeal within fifteen (15) Business days of the submitted appeal request.

Prior to the appeal review, if there is an opposing party or university investigator involved in the case, they will be given seven days to provide a written response to the appeal.

The appeal must cite at least one of the following appeals criteria as the reason for appeal and provide supporting argument(s) as to why an appeal should be granted on these grounds. Appeals criteria include the following:

1. The hearing was not conducted in conformity with prescribed procedures, and substantial prejudice to the complaint or the respondent resulted;
2. New information that could substantially affect the outcome of the previous lower hearing has been discovered since that hearing. The information must not have been available at the time of the original hearing. Failure to present information that was available is not grounds for an appeal under this provision;
3. The sanction is not appropriate for the violation. This provision is intended to be utilized when a determined sanction is inherently inconsistent with university procedures or precedent. Simple dissatisfaction with a sanction is not grounds for overturning a sanction under this provision.

During the Appeal process, the record of the original hearing, including documents, the appeal and written response/s to appeal, if applicable, will be reviewed and a finding as to the merits of the criteria cited as the reason for appeal will be issued.

Appeals reviewed by the Vice President for Enrollment Management and Student Affairs and/or the Appeal Panel will result in one (1) of three (3) outcomes:

1. That the original hearing body's determination is affirmed
2. That the original hearing body's determination be modified
3. That the original hearing body's determination be reversed

If it is found that the previous hearing was not conducted as prescribed and substantial prejudice resulted, the matter may be remanded to a new hearing.

If there is new information presented that could not have been presented at the original hearing and finds the new information is relevant, the matter may be resubmitted to the original hearing body.

If it is found that the sanction is inappropriate for the violation, it may be recommended the sanction be modified by the Vice President for Enrollment Management and Student Affairs, or their designee, and state the reasons for that recommendation.

The Appeal Panel's final decision will be communicated in writing by the Dean of Students office

to the complainant and the respondent. The decision will normally be communicated within two days of receiving the written decision.

If the Appeal Panel recommends modifying the outcome or the sanction, the Vice President for Enrollment Management and Student Affairs or their designee will review the Appeal Panel's recommendation. The final decision will be communicated in writing by the Vice President for Enrollment Management and Student Affairs or their designee to the complainant and the respondent. The decision will normally be communicated within 15 days of receiving the written recommendation. The decision of the Vice President for Enrollment Management and Student Affairs or their designee will be final.

### **Pending Sanctions During Request and Review**

All sanctions imposed by the original hearing body will be in effect during the appeal request and review. A request may be made to the Dean of Students for special consideration, due to exigent circumstances, but the presumptive stance of the University is that the sanctions will stand. Graduation, study abroad, internships, co-curricular activities, and athletic team involvement do not, in and of themselves, constitute exigent circumstances. Hence, students may not be able to participate in those activities during their appeal request and review. In cases whereby, the appeal review results in a reinstatement to the University or of a return of previously lost privileges, all reasonable attempts will be made to restore the students to their prior status and assist with correspondence for missed coursework, while acknowledging that some opportunities may be lost in the short term. The University shall maintain safety as the first priority.

### **Significant Newly Acquired Information**

In cases whereby newly acquired or discovered documentation, sufficient enough to alter the original decision is submitted as an appeal request beyond the expired appeal request deadline, the matter may be reviewed by the Vice President for Enrollment Management and Student Affairs for consideration of re-opening the case. If the newly acquired or discovered documentation was not accessible during the original appeal deadline, then the Vice President for Enrollment Management and Student Affairs may conduct an initial review of the newly submitted appeal request form and remand the case to the original hearing body for re-opening of the hearing to allow reconsideration of the original determination and/or sanction(s). If the newly acquired or discovered documentation is not sufficient enough to alter the original decision, the appeal request may be denied. The decision of the Vice President for Enrollment Management and Student Affairs will be final.

### **Appeal Hearing Proceedings**

Appeal Hearings will be conducted in the same manner as initial formal hearings. Generally, the Dean of Students or designee shall serve as the University's representative

## **VI. REVIEWING AUTHORITY**

Reviewing authority is retained by the Vice President for Enrollment Management and Student Affairs, at their discretion, to convert any sanction imposed to a lesser sanction, to rescind any previous sanction, or to return a recommended sanction to a Hearing Panel for review or reconsideration.



## **VII. CONDUCT FILES AND RECORDS**

Case referrals will result in the development of a conduct file in the name of the respondent. If the student is found not responsible for the allegations, the file will be marked no action. A no action record will not constitute a conduct record. Student Conduct records with sanctions less than suspension or expulsion will be maintained in the Dean of Students office for seven years following the calendar year of record and then destroyed. Records of cases in which suspension from the university occurred are kept for at least 10 years. Records of cases in which expulsion from the university occurred are kept indefinitely.

All conduct records are education records and may not be disclosed in whole or in part except as provided by law, by the written authorization of the student, under legal compulsion or where the safety of other persons may be involved. Conduct records are maintained separate from the student's academic record but are part of the student's educational record.

### **REVISION**

The Student Code shall be reviewed every five (5) years under the direction of the Vice President for Enrollment Management and Student Affairs. (Regents 05/11/04)

## **STUDENT ORGANIZATION EXPECTATIONS AND RESPONSIBILITIES**

The University of Science and Arts of Oklahoma recognizes the fact that every individual is unique and may excel in a wide range of areas. Therefore, USAO strives to provide an environment in which students, staff and faculty create activities and organizations in an effort to enhance co-curricular life. These activities and organizations provide students with the opportunity to develop leadership skills, build relationships and take an active role in the formation of campus plans and policies.

### **Responsibilities of Recognized Student Organizations**

1. The organization must be created and controlled by currently enrolled students of USAO.
2. A minimum of four currently enrolled USAO students is required to register a student organization.
3. Membership in a recognized student organization is limited to students enrolled for at least one semester hour of credit at USAO. Faculty, staff, alumni, and others may participate in the activities and programs of student organizations as guests. Guests may not vote and may not have the same privileges as a member. The number of USAO student members shall always exceed the number of guest participants.
4. All officers of a recognized student organization must be currently enrolled in and successfully complete at least three credit hours during the semester(s) in which they are officers.
5. All officers must be in good academic and conduct standing. A student on academic or disciplinary probation may not hold office but may continue as an organization member.
6. At least one officer must either participate in a mandatory organization information session or meet with an appropriate staff person prior to registration.
7. Membership and all privileges, including voting and officer positions, must be extended to all

students without regard to age, ethnicity, gender, disability, color, national origin, race, religion, sexual orientation, or veteran status. Title IX of the Educational Amendments of 1972, Section 106.14, makes an exception for social fraternities and sororities, in regard to gender, for membership criteria. Religious student organizations will not be denied registration solely because they limit membership or leadership positions to students who share the same religious beliefs. These groups, however, may not discriminate in membership or leadership on any other prohibited basis (i.e., age, ethnicity, gender, disability, color, national origin, race, sexual orientation, or veteran status).

8. Any organization seeking exemption from the minimum membership requirement must submit a written request to Student Services.
  - a. The written request must detail specific reasons why the exemption is sought.
  - b. The written request must provide an outline or timeline detailing how the organization will work to meet the requirement.
  - c. An exemption will only be granted for six (6) months. Failure to seek an extension or meet the minimum membership requirement will result in loss of recognition.
9. The organization and organizational officers are responsible for upholding the rules and regulations of USAO. This responsibility cannot be delegated to advisors, campus security, and/or others and applies to activities on and off the USAO campus. Violations will be reviewed by the University and may result in, but not limited to, denial of facility usage, revoking of recognized organizational status, and individual and/or group discipline.
10. Organizational rules and constitutions do not supersede the policies and procedures of the USAO.
11. Any organization's rules, regulations, laws or procedures remain revocable.
12. The designated Student Services staff will resolve conflicts concerning interpretation of individual constitutions.

### **Student Organization Facility Utilization Policies**

1. Recognized Student Organizations may reserve campus facilities for use during organization activities. To reserve facilities, an organization must contact Student Services to avoid scheduling conflicts. Events outside of a building must also be scheduled by contacting Student Services.
2. Recognized student organizations may post and distribute signs, handbills, flyers and displays in the designated University locations with approval.
3. Recognized student organizations may request funding from the SGA.
4. Recognized student organizations that acquire funds other than those from SGA are encouraged to maintain those funds in an account with the business office.

### **Membership in Recognized Student Organizations**

1. All student organization members must be enrolled at USAO. Student Organizations that have constitutionally established city-wide, state-wide, or multiple university charters and have registered in such manner with the Student Services shall be deemed acceptable under this policy.
2. To serve as an officer of a recognized student organization, a student must be currently enrolled at USAO have a cumulative GPA of 2.25 and maintain a 2.25 each semester of participation. Students falling below the minimum GPA requirements for any given semester may not serve as an officer during the following semester (fall and spring, not summer) until GPA requirements are met.

### **Establishing a New Student Organization**

If a student wishes to participate in a student organization whose purpose is not currently addressed by any existing student organization, that student may form a new student organization and apply for recognition by registering at Student Services. In order to start a new student organization, a group must have four students, a full-time faculty/staff advisor and a current constitution. The designated Student Services staff will let you know when you are approved.

### **Inactive Status**

Any student organization that fails to complete the materials necessary to maintain active status will be deemed inactive. Inactive student organizations may regain active status by completing the renewal steps:

- a. Updating their profile with Student Services including updated officer names and a dated Constitution.
- b. Attending Student Organization Leader training.

### **Disciplinary Suspension**

1. The Vice President for Enrollment Management and Student Affairs or their designee may place a student organization on disciplinary suspension. A student organization placed on disciplinary suspension loses all privileges reserved for active student organizations.
2. Student organizations placed on disciplinary suspension may regain active status in the following way:
  - a. Meet all the requirements set forth by the Vice President for Enrollment Management and Student Affairs or their designee.
  - b. Discuss the objectives and goals of the organization with the designated Student Services staff.
  - c. Review the former constitution. Revise, update or approve the constitution and submit it to Student Services.
  - d. Complete an updated organization profile with at least one (1) full-time faculty or staff member as advisor.
  - e. When all the required information has been received and approved, the Vice President for Enrollment Management and Student Affairs will forward a letter of official University recognition to the officers and advisors of the organization.
3. Student organizations that have been placed on disciplinary suspension by the Vice President for Enrollment Management and Student Affairs or their designee may reserve campus facilities for informational meetings only during the last semester of their suspension. The Vice President for Enrollment Management and Student Affairs or their designee must approve the scheduling of rooms for, and publicizing of, informational meetings by inactive student organizations. Student organizations placed under disciplinary suspension are limited to one (1) on-campus informational meeting per semester. An informational meeting is defined as a gathering where the purpose of the organization is the only topic of discussion.

### **Fundraising Guidelines**

The University has established the following policies and procedures to ensure that student organization fund-raising activities are conducted in accordance with University policy and state law. All fund-raising activities must be approved in advance and in accordance with University policy.

Fund-raising is defined as any event in which an organization solicits money from its members or from other members of the campus community. The following guidelines shall apply:

1. Only recognized student organizations shall be permitted to hold fund-raising activities.
2. No door-to-door solicitation shall be permitted in the residence halls.
3. Lotteries, raffles, and games of chance must be in accordance with Oklahoma state law.
4. Fund-raising events are to occur during a specified period of time

### **Advisor Responsibilities**

The responsibilities of student organization advisors are:

1. To serve as a resource person and to offer guidance, assistance, advice, and encouragement to the organization.
2. To help the organization:
  - a. Determine the goals and objectives for the year
  - b. Develop a plan to achieve the goals and objectives
  - c. Develop adequate funds to finance proposed programs
3. Become familiar with and understand relevant University policies and procedures.
4. Act within the scope of your authority.
5. Act in an advisory capacity, as opposed to a directive relationship in the organization. The following educational functions are cited as examples:
  - a. providing the officers with the elements of good organizational practice
  - b. teaching the techniques and responsibilities of leadership and following
  - c. teaching the principles of effective group operations
  - d. developing procedures and plans for actions
  - e. keeping the group focused on its goals
  - f. developing self-discipline and responsibility in the group
  - g. stimulating and initiating activity
6. Be available to the officers and members to share ideas about organization affairs.
7. Meet with the officers of the group to discuss the progress and direction of the group.
8. Attend as many meetings and functions as possible.
9. Advise and consult with the organization and its officers in its financial affairs to see that the proper budgets are formulated and that the proper distribution of and accounting for funds of the organization are maintained. For non-funded organizations, provide financial and budgetary advice.
10. Approve/co-approve off-campus activities in which students represent the organization, such as meetings, conventions, etc.
11. Sign or co-sign appropriate University forms, such as those for use of campus facilities, purchase orders, travel requests, etc.
12. Serve until a successor is appointed, if for any reason it is impossible to continue as advisor to the organization.
13. Contact Student Services when questions or problems arise.

### **Social Functions**

1. All students and faculty members of the USAO are invited to attend any all-school functions. Closed functions may be limited.
2. All organized social functions sponsored by student organizations must be chaperoned by a recognized University faculty or staff advisor. The members of the various organizations have

the responsibility of obtaining chaperones for their activities. Chaperones should arrive before the activities begin and remain until all participants depart. During the time they are present, the staff/faculty advisor/chaperone are the representatives of the University and assist students with compliance of University policies and the rules and regulations of the facility in which the activity is located. Student Services reserves the right to require additional chaperones for any activity.

3. Each group will be held responsible for any property damage and for the conduct of individuals (members or guests) attending its social functions. In keeping with University policy, events where alcohol is served must be catered by Sodexo.
4. Any group sponsoring an activity on campus is responsible for removing all decorations and returning all properties immediately after the function. The use of hay and other flammable materials is not permitted in campus facilities without prior approval.
5. All student organization meetings and activities, which are held on-campus in the evening on Sunday through Thursday, must conclude no later than fifteen (15) minutes prior to the posted closing hours of the building in which the meeting or activity is being held or by 12:00 a.m. (midnight), unless proper prior written authorization is acquired. All events held on the weekend must conclude by a reasonable hour. Student Services should be consulted regarding dates and activities previously scheduled to avoid conflict with other school programs. Student Organizations must abide by the policies and guidelines set by the building in which their event is being held.

## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. The University of Science and Arts of Oklahoma complies with the guidelines of the Family Educational Rights and Privacy Act of 1974. The USAO Office of the Registrar serves as the official custodian of FERPA guidelines. All questions or concerns regarding FERPA issues should be routed to the Office of the Registrar.

## **ACADEMIC CODE OF CONDUCT**

Academic integrity is the honest and responsible pursuit of scholarly activity, a practice that depends on a commitment to learning. It is a basic guiding principle for all academic activity at the University of Science and Arts of Oklahoma. All members of the USAO community are obligated to support this practice, as well as to discourage and punish academic dishonesty. Each student must subscribe to the following honor code:

“I will not engage in academic dishonesty or assist others who attempt to do so.”

Any form of academic dishonesty is unacceptable to the University. The following sections describe such offenses and outline the punishments that may be imposed on the student who cheats, ranging from an “F” on an assignment to expulsion from the University with a statement on the student’s transcript that the student was “dismissed for academic dishonesty.” All students are required to follow the academic code of conduct that is outlined in the section that follows.

## **Section I: Definitions of Academic Dishonesty**

### **A. Plagiarism**

Plagiarism is stealing the words or ideas of another person and presenting them as one's own, either by copying someone else's work or by paraphrasing. Each time a writer or speaker presents someone else's ideas or works, credit must be given to that person. Some selected examples of plagiarism include:

1. Submitting written or oral work done totally or in part by someone else.
2. Failing to give credit in a paper, footnote, or speech for works or ideas originated by another person.
3. Failing to use quotation marks when quoting written material directly from another person.
4. Paraphrasing another's ideas or words without indicating the source of the information.
5. Submitting work that was submitted in another course, whether in its original or altered form, without first obtaining the permission of the instructor
6. Knowingly aiding any of the above offenses.

### **B. Fabrication**

Fabrication is inventing information. Although fabrication may involve plagiarism, fabrication does not include necessarily the stealing of ideas from another writer. Fabrication, however, is dishonest. With fabrication the writer or speaker is deceiving an audience by presenting work as based on real, established facts when those facts do not exist. Some selected examples of fabrication would include:

1. Using false citations, i.e., falsely attributing information or ideas to an authoritative source.
2. Using graphs or statistical information not supported by existing data based on actual research.
3. Falsely claiming that one did formal research in support of a paper or speech.
4. Reporting data that was not actually collected.
5. Knowingly aiding any of the above offenses.
6. Duplicating, redistributing, editing, or sharing Lecture Capture content by students is prohibited without the express, written permission of the course instructor.

### **C. Cheating**

Cheating is presenting material as proof that the writer or speaker has learned the information when, in fact, he/she has not. Some selected examples of cheating would include:

1. Allowing another person to do one's work and presenting it under one's own name.
2. Using unauthorized notes, study aids, or information from another student on in-class examinations.
3. Altering a graded work after it has been returned, and then re-submitting the work as though for the first time.
4. Having another respond to one's name during roll call or having another sign one's name on an attendance sheet.
5. Obtaining, either directly or with the help of another, an advance copy of an examination.
6. Knowingly aiding any of the above offenses.
7. Duplicating, redistributing, editing, or sharing Lecture Capture content by students is

prohibited without the express, written permission of the course instructor.

#### **D. Forgery and Altering Documents**

Forgery is writing someone else's name on a record or document. Forgery also means altering a record or document for the purpose of presenting inaccurate information. Some selected examples of forgery would be:

1. Altering official academic records
2. Making an unauthorized signature for a faculty member or other University Official.
3. Falsifying information on an official academic document.

### **Section II: Degrees of Academic Dishonesty**

#### Unintentional Dishonesty

These incidents of dishonesty are deemed the consequence of inexperience, naivety, or sincere misunderstanding, by the faculty member.

#### Intentional Dishonesty

##### ***Minor Offenses***

##### *Plagiarism in which:*

1. The nature or extent of the offense indicates intentional dishonesty **AND**
2. is minor enough that its inclusion without detection would not have raised the grade received for the assignment **AND**
3. The dishonesty is perpetrated by a freshman or a sophomore **AND**
4. The dishonesty is a first offense

##### *Fabrication in which*

1. The nature or extent of the offense indicates intentional dishonesty **AND**
2. is minor enough that its inclusion without detection would not have raised the grade received for the assignment **AND**
3. The dishonesty is perpetrated by a freshman or a sophomore **AND**
5. The dishonesty is a first offense

*There are no Minor Offenses of Forgery and Altering Documents.*

##### ***Serious Offenses***

##### *Plagiarism in which:*

1. The nature or extent of the offense indicates intentional dishonesty **AND**
2. The plagiarism represents a minor portion of the submitted work, but the inclusion without detection of fraudulent portions could potentially raise the grade for the assignment **OR**
3. The dishonesty is perpetrated by a junior or a senior **OR**
4. The dishonesty is a second offense

##### *Fabrication in which:*

1. The nature and extent of the offense indicates intentional dishonesty **AND**

2. The fabrication represents a minor portion of the submitted work, but the inclusion without detection of fraudulent portions could potentially raise the grade for the assignment **OR**
3. The dishonesty is perpetrated by a junior or a senior **OR**
4. The dishonesty is a second offense

*Cheating in which:*

1. There is no pre-meditation to cheat **AND**
2. The cheating represents a minor portion of the submitted work, but the inclusion without detection of fraudulent portions could potentially raise the grade for the assignment

*There are no Serious Offenses of Forgery and Altering Documents.*

### ***Egregious Offenses***

*Plagiarism in which:*

1. The nature or extent of the offense indicates intentional dishonesty **AND**
2. The plagiarism represents a significant portion of the submitted work **OR**
3. The dishonesty is a third offense

*Fabrication in which:*

1. The nature or extent of the offense indicates intentional dishonesty **AND**
2. The fabrication represents a significant portion of the submitted work **OR**
4. The dishonesty is a third offense

*Cheating in which:*

1. There is pre-arrangement to cheat, i.e., preparing “cheat sheets” for an exam, obtaining an advance copy of the exam, etc. **AND**
2. the cheating represents a significant portion of the submitted work **OR**
3. the dishonesty is a second offense

*All cases of Forgery and Alteration of Documents shall be considered egregious*

***All second offenses shall be defined as serious or egregious***

### **Section III: Procedures**

Faculty members at USAO are empowered to determine instances of academic dishonesty and what disciplinary action, if any, should be taken within their classroom. After discovering instances of intentional dishonesty, faculty members may pursue either an informal or a formal means of resolution. The means of resolution is at the discretion of the faculty member. However, in both procedures, faculty members are obligated to report academic dishonesty to the Vice President of Academic Affairs. The names of students found guilty of academic dishonesty will remain on record in the office of the Vice President of Academic Affairs.

The Academic Integrity Committee—a university committee composed of faculty



members, students, and the registrar—is empowered to pursue disciplinary action above and beyond that of the faculty members or to hear appeals upon the failure of the informal resolution process. The Academic Integrity Committee is empowered to recommend supplementary disciplinary action outside of the classroom and to hear appeals regarding instances of academic dishonesty resolved through the informal resolution process. These additional penalties may include expulsion, suspension, probation, revocation of scholarship funds, or mandatory service to the college.

#### Intentional Dishonesty: Informal Resolution Procedures

If a faculty member suspects academic dishonesty on the part of a student, an informal resolution may be reached through a conversation between the faculty member and the student. If the student admits guilt or if the faculty member is convinced of an act of academic dishonesty on the part of the student, then the faculty member and student may resolve the instance of academic dishonesty informally without invoking the Office of Academic Affairs or the Academic Integrity Committee. Appropriate sanctions, such as loss of credit on an assignment or failure in the course, should be levied.

If resolved informally, the instance of academic dishonesty should be reported within five business days to the Office of Academic Affairs. Appropriate documents should include the signatures of both the faculty member and the student, affirming an informal resolution of academic dishonesty. Along with this informal resolution form, documentation of the details of the case of academic dishonesty should also be submitted to the office of the VPAA. Documentation may include a report detailing plagiarism, an admission of guilt on the part of the student, witness testimony, or any other relevant information.

If the student denies the charge of academic dishonesty, or if the faculty member does not feel as if the case has been suitably resolved, then an appeal may be made to the Academic Integrity Committee. Such an appeal must be made in person or in a letter to the Office of Academic Affairs.

Faculty members are encouraged to resolve perceived minor instances of academic dishonesty through the informal resolution process. (Please refer to Section II of the current policy for definitions of minor offenses). Faculty members are also encouraged to resolve instances of academic dishonesty by first- or second-year students through the informal resolution process.

Even if the case is resolved informally, second or third offenses of academic dishonesty will be reported to the Academic Integrity Committee for possible additional disciplinary action.

#### Intentional Dishonesty: Formal Resolution Procedures

If a faculty member suspects that a student has committed an act of academic dishonesty and does not wish to pursue the informal resolution process, cases of potential academic dishonesty can be referred to the Office of Academic Affairs, which in turn will refer the case to the chair of the Academic Integrity Committee. The faculty member shall provide a written account of the incident along with supporting documentation. The written account should detail any actions taken by the professor within the confines of the classroom in addition to any conversations regarding the case of academic dishonesty.

The suspected case of academic dishonesty should be reported to the Office of Academic Affairs within five business days of its discovery by the faculty member.

Penalties may be imposed according to the degree of academic dishonesty as outlined below.

## **Section IV: Punishments**

### Unintentional Dishonesty

Faculty should clearly warn the student and educate them as to proper academic practices. Such cases need not be reported to the Office of Academic Affairs or to the Academic Integrity Committee.

### Intentional Dishonesty

For all instances of perceived intentional dishonesty, the faculty member shall provide a written account of the incident (as outlined above) to the Office of Academic Affairs, which will keep a record of the report and refer the incident to the chair of the Academic Integrity Committee. The chair will provide documentation to the committee members in advance of the next scheduled meeting of the committee. The student will also be invited to attend the meeting.

After the committee has met, the committee shall report the proceedings and penalty to the Office of Academic Affairs, which shall then communicate the decision to the professor and the student, in writing, within three business days. The Office of Academic Affairs shall also report the incident to the Financial Aid Office and the Office of Student Affairs. Personnel in these offices will report the incident to other interested parties, including Residential Life or relevant academic departments. Additional disciplinary action may be administered by these parties.

Recommended punishments, as agreed upon by the committee, may follow the guidelines as outlined below:

#### ***Minor Offenses***

For minor offenses of academic dishonesty, the committee may recommend supplementary discipline in the form of college service. The committee may also recommend academic probation.

#### ***Serious Offenses***

For serious offenses of academic dishonesty, the committee may recommend supplementary discipline in the form of college service. The committee may also recommend a maximum penalty of a one-semester suspension from the university or a lesser penalty as it deems appropriate.

A record of the offense and the penalty shall be included in the student's academic record. In the event of a suspension, the committee may place a statement on the student's transcript indicating that the suspension was the result of academic dishonesty. If the student commits no other offense of academic dishonesty, he/she may petition the university upon graduation to have his/her record expunged.

#### ***Egregious Offenses***

For egregious offenses of academic dishonesty, the committee may recommend supplementary discipline in the form of college service. The committee may also recommend a maximum penalty of expulsion from the university or a lesser penalty as it deems appropriate.

A record of the offense and penalty shall be included in the student's academic record. In

the event of a suspension, the committee may place a statement on the student's transcript indicating that the suspension was the result of academic dishonesty. If the student commits no other offense of academic dishonesty, he/she may petition the university upon graduation to have his/her record expunged. An offense resulting in expulsion cannot be expunged from the student's record.

### ***Multiple Offenses***

For multiple offenses of academic dishonesty, the committee shall recommend a minimum penalty of college service. Two instances of serious or egregious academic dishonesty shall result in a minimum of automatic academic dishonesty probation. Academic suspension may also be recommended. A maximum penalty of expulsion from the university may be recommended upon two instances of serious or egregious acts of academic dishonesty. Three determinations of academic dishonesty of any form will result in an automatic expulsion from the university.

In the event of academic dishonesty probation or suspension, the committee may place a statement on the student's transcript indicating that the suspension was the result of academic dishonesty. If the student commits no other act of academic dishonesty, he/she may petition the university upon graduation to have his/her record expunged. An offense resulting in expulsion cannot be expunged from the student's record.

## **Section V: The Academic Integrity Committee**

The Academic Integrity Committee shall be designated a university committee comprised of the following seven individuals: four faculty members (one from each division) who have been employed at least three years at the time of appointment; three students who either volunteer or are recommended by faculty and/or the Vice President of Enrollment Management; and the registrar, a non-voting member.

## **Section VI: Procedure for Appeals**

Both the instructor and the student shall have the right to appeal the decision of the Academic Integrity Committee to the Vice President for Academic Affairs. Upon request for an appeal, the Vice President will appoint an ad hoc Appeals Committee consisting of five tenured faculty who have no previous involvement with the incident. The ad hoc Appeals Committee may uphold or overturn the decision of the Academic Integrity Committee. The ad hoc committee will report its decision to the Office of Academic Affairs, which shall then communicate the decision to the professor and the student, in writing, within 3 working days.

The instructor and the student shall have the right to appeal the decision of the ad hoc Appeals Committee to the President. The President may uphold or overturn the decision.

If, after all campus channels have been exhausted, no satisfactory solution has been reached, the student or instructor may request a hearing before the USAO Board of Regents.

## **STUDENT GRADE APPEAL POLICY AND PROCEDURE**

Whenever a student has a concern that a course grade issued by the instructor was incorrect, such student shall have the right to appeal.

## **PROCEDURE:**

### **STEP 1**

Within thirty (30) days following the issuance of the grade in question, the student shall communicate in writing with the instructor, requesting a review of the grade and indicating the reasons why the grade is believed to be incorrect. If the instructor fails to respond to the appeal within five (5) working days of receiving the request, or if the response is not satisfactory to the student, the student may request in writing, a review of the matter by the appropriate Division Chair. Within five (5) working days of receiving the request, the Division Chair shall respond in writing. The response shall inform the student of any action taken with regard to the grade and the reasons for such action. If the student is not satisfied with the response by the Division Chair, the student may proceed to Step 2.

### **STEP 2**

The student may request in writing that the University Academic Regulations Committee review the case. Such request shall be received no later than fourteen (14) working days following the date the Division Chair communicates a decision in Step 1 above. Such request shall be made to the Vice President for Academic Affairs; the Academic Regulations Committee shall hear the case within ten (10) working days thereafter.

At such review the student shall be allowed to appear in person and present any evidence, including the testimony of others, which is relevant in determining if the grade in question was correct. The instructor who issued the grade shall be given the opportunity for further clarification of how the grade was determined.

The Academic Regulations Committee Chair shall communicate the decision of the committee in writing within ten (10) working days after the hearing is closed. Should the committee find in favor of the student, it may recommend to the instructor that the grade be changed.

### **STEP 3**

The student shall have the right to appeal the decision if:

- a. The Academic Regulations Committee rules against the student or;
- b. The Academic Regulations Committee recommends that the grade be changed, but the instructor chooses not to do so.

The student shall have an additional five (5) days after notification of the decision to appeal it to the Vice President of Academic Affairs. After receiving the report of the Academic Regulations Committee, the Vice President shall determine if Steps 1 and 2 were followed. If steps 1 and 2 have been followed, the Vice President shall:

- a. Talk with the student to get further clarification of the problem.
- b. Talk with the faculty member and Division Chair to get further clarification of the problem.

After careful consideration of all facts, but within five (5) working days, the Vice President shall render a decision in writing to the student. The decision of the Vice President may be to:

- a. Uphold the instructor's original grade, or;
- b. Recommend to the instructor that the grade be changed.

### **STEP 4**

The student shall have the right to appeal the decision if;

- a. The Vice President for Academic Affairs rules against the student, or
- b. The Vice President for Academic Affairs recommends that the grade be changed, but the instructor chooses not to do so.

The student shall have an additional five (5) working days after notification of the decision to appeal it to the University President.

After receiving the reports of the Academic Regulations Committee and the Vice President for Academic Affairs and conferring with the student and the instructor, but within ten (10) working days, the President shall render a decision in writing to the student and the instructor. The decision of the University President shall be to:

- a. Uphold the original grade, or;
- b. Instruct the Registrar to change the grade.

#### **STEP 5**

If either the student or the instructor is dissatisfied with the President's decision, an appeal may be made to the University Board of Regents. The procedures for addressing the Board of Regents are outlined in the Board of Regents Policy Manual.

### **USAO EMERGENCY WITHDRAWAL POLICY**

The following procedure applies to students who are unable to continue classes for extraordinary medical or other personal circumstances, such as serious illness or injury, personal physical or mental health (for example: care of a seriously ill child or spouse, or a death of a close person in the student's life). Required/accepted documentation for medical or mental health reasons requires specific documentation from a health care provider. Depending on the situation, other required/acceptable documentation may include police reports, legal documents such as restraining orders, airline ticket receipts, newspaper articles, obituaries, copy of a death certificate, etc.

Students seeking to withdraw due to medical or mental health reasons must withdraw from all registered courses. There are rare occasions when it is appropriate for students to receive an Emergency Withdrawal for one or two courses (ex. a physical injury that prevents the individual from participating in a course that requires physical activity.) Such exceptions will be considered on an individual basis.

Once a student submits all appropriate documentation for an emergency withdrawal, a decision will be made by the Emergency Withdrawal Committee within five working days and the student will be notified through their USAO student email address. In order for an Emergency Withdrawal Request to be considered for a given semester, all required documents must be completed in full, signed and submitted at any time prior to the start of final exams.

The Emergency Withdrawal Committee determines the appropriateness of an Emergency Withdrawal request and based on the documentation provided either approves or denies the request. All approved requests will result in the assignment of "W" grades for each course on the

student's academic transcript. Please note that "W" grades will not be assigned if this request process is not completed prior to the start of final examinations. In such cases, final grades will be assigned by the instructor(s). The committee also determines if an administrative hold is appropriate. If appropriate, the student will be blocked from all future registration at USAO until the hold is removed. The removal of the emergency administrative hold is usually only processed after the student/healthcare provider supplies documentation by completing the Request for Re-Entry Form. The Re-Entry form explains the student is well enough to return to the university, accompanied by a personal letter written by the student stating why they feel they will be able to successfully return. Emergency Withdrawal applications and supporting documents are retained by the Director of Counseling for at least five years and filed separately from the student's other records.

### **Student Procedure for Emergency Withdrawal**

To request an Emergency Withdrawal, students must pick up a packet from Student Services (Student Center, Room 303) or the Registrar's Office (Troutt Hall, Room 204) and complete the Emergency Withdrawal Checklist in its entirety. The student will then visit the Registrar's Office to consult on how an Emergency Withdrawal will affect them academically, especially if they are an international student, student athlete, veteran, or are using veteran education benefits.

Students will be required to consult with someone from the Financial Aid Office to identify and understand the financial assistance/monetary implications of processing this withdrawal, including financial aid, grants, loans, scholarships and more.

It is important to note that the U.S. Department of Education does not differentiate between an Emergency Withdrawal and a regular course withdrawal. If a student who has received federal financial aid withdraws from courses (for health reasons or not) before completing 60% of the semester, the U.S. Department of Education requires the college Financial Aid Office to recalculate the student's award based on the student's last date of attendance, to determine what amount of financial aid must be returned to the Federal Government. Under these circumstances, the student will be required to return funds for which they are no longer eligible by the government's regulations.

Students must also go by the Business Office to ensure their address after withdrawal is correct and to receive a printout of amount still owed. Tuition refunds will be distributed as stated in the college refund policy. If the student's account is paid in full, tuition credit (for the up-coming semester) may be considered. Students remain fully responsible for college fees, any outstanding fines and repayment of financial aid as mandated by the Federal Government. Housing and meal plans will be prorated upon withdrawal.

Next, students will submit the Request for Documented Emergency Withdrawal form and Request for Emergency Withdrawal – Health Care Provider Form along with a personal letter detailing why the student is requesting an emergency withdrawal, along with any other appropriate documentation to the Director of Counseling Office. If a student is unable to complete this process in person, arrangements can be made by contacting the Director of Counseling.

If a student is living on campus they must meet with the Resident Director to discuss proper checkout. If the Emergency Withdraw is approved they will be required to checkout within 48 hours of notification. If more time is needed, prior arrangements must be made through the Dean of Students.

## **MEDICAL LIABILITY AND RESPONSIBILITY NOTICE**

Whether enrolled in an on-campus class or in a University-sponsored internship, practicum, course, or activity involving domestic or foreign travel, the student is responsible for his or her own medical treatment and is liable for his or her actions. In the event of injury or illness while participating in a University-sponsored activity, the University cannot approve a claim for treatment or reimbursement. The University does not offer a student health insurance plan. A number of reasonably priced insurance policies are available from the private business sector. Students who participate in intercollegiate athletics must have primary insurance in force before practice begins. Each student is strongly encouraged to invest in the appropriate coverage.

## **STUDENT GRIEVANCE PROCEDURES**

USAO desires to resolve student concerns and/or complaints in an expeditious and constructive manner through open dialogue and honest communication. The paramount function of these procedures is to determine whether an institutional error or an injustice has occurred and if so, what constitutes an appropriate redress for the grievance.

Although the confidentiality of the information received and the privacy of the individuals involved cannot be guaranteed, they will be protected to as great an extent as is legally possible. The expressed wishes of the complainant regarding confidentiality will be considered in the context of the University's legal obligation to act upon the charge and the right of the charged party to be informed concerning the charge.

All grievances will be promptly, thoroughly, and impartially investigated and decided within reasonable time frames at each stage of the grievance process.

### **Definitions**

**Burden of Proof:** A member of the University community who files a grievance has a burden of proving, by a preponderance of the evidence, that they have been wronged.

**Confidentiality:** Confidentiality means maintaining as confidential, to the extent possible, all matters related to a grievance on a criterion of "need to know."

**Day:** Day means university working day, not including Saturday, Sunday or university breaks, holidays, and closures. Time deadlines may be extended during breaks, university holidays and closures.

**Grievance:** A grievance is an allegation by an individual based on specific facts that there has been a misinterpretation, misapplication, discriminatory application, or violation of a University Policy or Procedure. The intent of a grievance process is to resolve a dispute over significant issues not minor disagreements. Grade disputes, admissions decisions, graduation appeals and similar academic decisions are not grievable issues, unless they are complaints of a civil rights nature, including complaints related to age, sex, race, religion, creed, color, ethnic/national origin, ancestry,

physical or mental disability, pregnancy, genetic background, marital status, sexual orientation, gender identity, veteran status, or other personal characteristic protected by applicable local, state or federal law. The following situations may be grieved: (1) unsafe or inappropriate work assignment; (2) unsafe working conditions; (3) policy application;

**Dean of Students:** The Dean of Students or designee acts as the grievance coordinator and is the individual to whom a formal, written grievance must be submitted. The Dean of Students is responsible for helping to coordinate the expeditious and fair resolution of problems raised by students. The role of the Dean of Students is to assist the parties in seeking a satisfactory resolution of the issues and not to determine who is "right" or "wrong." To that end, the Dean of Students will remain neutral throughout the proceedings and will serve primarily as a facilitator. In appropriate circumstances, the Dean of Students may also coordinate efforts within various University offices to resolve disputes in a prompt, flexible, and responsive manner. The Dean of Students also may be consulted during the Informal Process of trying to resolve a grievance. If a grievance is lodged against a Dean of Students then the Vice President for Enrollment Management and Student Affairs will name an alternative person to serve as the grievance coordinator for that specific matter.

**Grievance Committee:** The Grievance Committee consists of 6 members of the University community with equal representation from three constituencies: students, faculty, and staff. The Dean of Students serves as an ex officio member of the committee. Members of the Grievance Committee will receive annual training in the dispute resolution process and the University's Policies and Procedures regarding the same.

**Grievant:** The Grievant is the person lodging a grievance.

**Respondent:** The Respondent is the person against whom a grievance is lodged.

**Retaliation:** Retaliation is a material adverse action against an individual, because of their participation in any part of a grievance proceeding. The University prohibits retaliation in any form.

**Witness:** An individual identified by the Grievant, Respondent or a member of the Grievance Committee who can contribute to the substance of the grievance at hand. An individual identified as a witness or potential witness cannot be forced to testify and will not be coerced, intimidated, or retaliated against for their testimony or refusal to testify.

### **Grievance Process**

The grievance must be brought to the attention of the appropriate individuals within the timelines specified in these procedures or the grievance will not be considered. Informal discussions between the parties at all levels of the University should occur in good faith to attempt to resolve the dispute.

If the grievance is not satisfactorily resolved through informal means, the following points are important. The Grievant submits the written complaint to the Dean of Students, within the timelines described in these procedures, for consideration and further action, stating the nature of the grievance, the steps that have been taken, and the resolution expected. A Grievance Committee hearing will be convened to determine whether the issue qualifies as a grievance as defined by this policy and, if so, to hear the grievance and make a recommendation on the action, if any, to be taken.

### **Informal Student Concern or Complaint**

Most issues and concerns can be resolved by open communications and through an informal process. Individuals are encouraged to achieve by informal means what they regard as a fair and reasonable resolution of their complaint. Before filing a formal written grievance, the Grievant must first make a good faith effort to confer with the party against whom they have a grievance in an effort to resolve



the matter informally.

Concerns expressed by students should be addressed by the person receiving the concern, to the best of their ability. Informal student concerns include items expressed verbally or in an electronic format such as email, texting, etc.

In instances where the Grievant feels uncomfortable speaking to the Respondent or has any reservations about initiating the initial contact within the Grievant's department or work unit, the Grievant should contact the Dean of Students. If the grievance is against the Dean of Students then the Vice President for Enrollment Management and Student Affairs should be contacted and they will appoint another individual to serve as a grievance coordinator for that matter. The Dean of Students will discuss the matter with the Grievant, become familiar with the complaint, and then advise the Grievant as to what options are available for resolving the problem.

If applicable, the Dean of Students may ask the Grievant to meet with the Grievant's immediate or second level supervisor in order to give those individuals an opportunity to resolve the matter. The Dean of Students may meet with the parties together or separately to discuss the problem and may involve other persons in these discussions as appropriate. The Dean of Students may serve as a resource or a facilitator during the informal process.

#### **Step One: Initial Discussion**

Before filing a formal written grievance, the Grievant must first make a good faith effort to meet and confer with the party against whom they have a grievance. The Grievant should normally initiate this informal process within twenty (20) working days of the most recent incident or action leading to the grievance. This meeting should represent an effort to achieve by informal means what the Grievant regards as fair and reasonable resolution to the complaint.

The Grievant, either personally or through the Dean of Students, has the obligation to adequately and fully inform the Respondent of the problem and what would be considered a satisfactory solution. The Respondent, in turn, has the obligation to consider the matter seriously and to answer issues as promptly as possible. Both parties have the obligation to act in good faith. If the issue is not resolved, then the Grievant should proceed to Step Two of the informal process.

#### **Step Two: Meeting with Supervisor**

If the Grievance is not resolved in Step One then the Grievant should contact the Respondent's immediate supervisor or Dean of Students to discuss the grievance. The Grievant must clearly inform the supervisor, Dean of Students, or other member of management that they are pursuing a grievance under this Policy. This step should normally be undertaken within ten (10) working days of meeting with the Respondent. If the Grievance involves the supervisor then the Grievant should contact the next level of supervision. A meeting to discuss the Grievance should normally occur within ten (10) working days of the Grievant's notification of the grievance to the Respondent's supervisor. If the Grievance is resolved in this meeting, then the Respondent's supervisor should prepare a written document summarizing the issue and its resolution and give a copy to the involved parties. If the Grievance is not resolved, then the Grievant is encouraged to use Step Three of the Informal Procedure.

#### **Step Three: Mediation**

If the matter has not been resolved to the Grievant's satisfaction in Step Two of the Informal

Procedure then the Grievant should contact the Dean of Students to request a mediation meeting with the Dean of Students and the Respondent's supervisor. The purpose of this meeting is to discuss the grievance and, if possible, reach a solution that is acceptable to all parties. The Dean of Students will participate in this meeting and will function as the mediator to facilitate discussion and assist in resolving differences between the parties. The Grievant's request for a mediation meeting should generally be made within ten (10) working days of the conclusion of Step Two of this procedure. This meeting should generally occur within fifteen (15) working days from the date the Grievant requests the meeting. The Grievant and all other involved parties must be informed of the date of this meeting in writing. The Grievant should be prepared to: a) fully explain the issue, b) describe the steps that have been taken; and c) state the resolution that is desired. If resolution is reached from this meeting the Dean of Students will document the meeting and the resolution. Copies of the written documentation will be given to the Grievant, the Respondent, and to the appropriate supervisors for implementation. If resolution is not reached, the Grievant may proceed with the Formal Procedure.

### **Formal Written Grievance Procedures**

In the event the Grievance is not resolved through informal discussions and mediation then the Grievant may choose to pursue the Formal Grievance Procedure as described below. Prior to invoking the Formal Procedure, the Grievant must demonstrate that they have exhausted all informal steps and is still not satisfied with the resolution of the issue. The Dean of Students will make the determination if all steps have been exhausted.

#### **Step One: Written Request for Grievance Hearing**

A student who wishes to lodge a formal grievance with the University must complete and submit the Formal Student Grievance Form which can be obtained from the Dean of Students. This form must be submitted to the Dean of Students within fifteen (15) working days of the conclusion of the Informal Procedure. The form will require a narrative description of the complaint, the date(s) which the problem became evident, and a statement of the desired resolution. Upon receipt of the Written Request for a Grievance Hearing, the Dean of Students will assess whether interim measures to protect the Grievant while the Grievance is pending are appropriate and will inform the Grievant and Respondent in writing if any such measures are taken. The Dean of Students will notify the Respondent and will give the Respondent a copy of the written grievance.

#### **Step Two: The Grievance Committee**

The Grievance Committee has two charges. The first is to determine whether the Grievant's complaint is a grievable issue under this policy. If the Committee determines that the issue is grievable under this Policy then its second objective is to hear the grievance and related testimony and render a decision and recommendations on the issue(s) being grieved. Committee members are absolved of any and all personal liability or responsibility for decisions made and actions taken by the committee

The Dean of Students, upon receipt of a Written Request for a Grievance Hearing, will immediately notify the appropriate parties involved. The Dean of Students will convene the Grievance Committee, normally be done within thirty (30) working days of receipt of the Written Request for a Grievance Hearing. Each member of the Grievance Committee must avoid participating in any matter where a conflict of interest or material bias for or against the Grievant or the Respondent(s) is present.

### **Step Three: Initial Meeting of the Grievance Committee**

The initial meeting of the Grievance Committee as convened by the Dean of Students is a closed meeting. This meeting will generally take place within thirty (30) working days. During the meeting the members will elect, by a simple majority vote, a Chair of the Committee. The Committee will then determine whether the issue(s) presented by the Grievant are grievable under this Policy, including whether the grievance is valid or is a frivolous complaint.

At least five days prior to the initial meeting of the Committee, the Dean of Students will provide members of the Committee with a copy of the Grievant's written complaint, and any other documents that are part of the grievance. At that time, members of the Grievance Committee may ask the Dean of Students to obtain additional documents that it believes to have relevance to the meeting.

The Committee's decision will be based on a simple majority vote of its members.

If the Grievance Committee decides the issue is not grievable under this Policy, then the Chair will prepare a written report of the committee's findings and forward it to the Dean of Students. The report will generally be issued within ten (10) working days of the Initial Meeting. The Dean of Students will then forward the report to the appropriate parties involved. At the same time, the Dean of Students will inform the Grievant of their right to appeal this determination, as described below.

If the members determine the issue is grievable under this policy then the Chair will notify the Dean of Students of this decision in writing. The Dean of Students will notify the involved parties in writing of this decision and a separate meeting will be scheduled by the Grievance Committee for the purpose of hearing the grievance and issuing a report.

### **Step Four: The Grievance Hearing**

The scope of the Grievance Hearing is limited to the issue(s) identified in the Written Request for a Grievance Hearing.

The Chair of the Committee will schedule a date for the Grievance Hearing. The Grievance Hearing will generally be held within thirty (30) working days from the date the Hearing Panel issues its decision from the Initial Meeting. The Chair of the Committee will notify the Dean of Students of the date of the Hearing and the Dean of Students will notify all of the involved parties and witnesses in writing. This notification will generally be made at least seven working days prior to the date of the Hearing.

The Grievant and Respondent will be asked to submit to the Dean of Students a list of no more than five witnesses each, and their current email address and telephone number, to speak on their behalf during the Grievance Committee meeting. This list must be given to the Dean of Students at least five working days prior to the Hearing date. Generally, only witnesses whose names appear on this list will be permitted to participate in the Hearing. If extenuating circumstances exist the Grievance Committee may elect to hear testimony from additional witnesses the Committee believes have pertinent information to provide. Members of the Grievance Committee may ask the Dean of Students to obtain additional documents that it believes to have relevance to the Hearing. All documents and witness lists must be provided at least five working days prior to the date of Hearing.

Both the Grievant and Respondent may be accompanied at the hearing by a support person (e.g.,

student, parent, faculty member, staff member, associate); however, this person may not participate in the hearing or speak on their behalf. Potential witnesses, other than the Grievant and Respondent(s), must remain outside of the hearing room other than when they are required to testify.

Prior to the hearing, the Grievance Committee will establish an appropriate schedule for the proceedings.

Members of the Committee will meet, in private, following the hearing to evaluate information presented. If during its deliberations the panel determines that additional information and/or witnesses should be considered it may reconvene the hearing at an appropriate time to do so.

The Grievant has the burden of proving by a preponderance of the evidence that they have been wronged.

The Committee's determination will be based upon a vote of a simple majority of the Committee.

### **Report of the Grievance Committee**

The Committee's decision will be based on a simple majority vote of its members. The Chair of the Grievance Committee or designee shall prepare a written report summarizing the Committee's findings as to whether the grievance has merit and will include recommendations on corrective action(s) to be taken, if any. The Chair's report will generally be given to the Dean of Students within ten (10) working days of the conclusion of the hearing. If the Committee requires longer than ten working days, the Chair of the Grievance Committee or designee will notify the Dean of Students, in writing, of the delay; the Dean of Students will then notify the Grievant and the Respondent, in writing.

Upon receipt of the Committee's report, the Dean of Students will provide a copy to the Respondent's supervisor if the respondent is a faculty or staff member. The supervisor will generally have ten working days to review the report and issue a final written decision and corrective action report to the Dean of Students. The Dean of Students will transmit this final written decision to both the Grievant and Respondent as well as other appropriate parties within three working days of receipt. Upon issuance of the report, the Dean of Students will also provide written notification to the parties of their appeal rights, if any.

If the determination is made that the grievance has merit, the University will take appropriate, corrective, and remedial actions.

### **Student Appeals Process**

If the student's concern is not resolved at the formal grievance level, then the student is able to submit a final formal written grievance to the Vice President of Enrollment Management and Student Affairs or designee by following the procedures outlined below. The decision of the Vice President for Enrollment Management and Student Affairs or designee is final.

## **Appeal of the Grievance Committee Decision**

### **Procedures for Appealing a Committee's Determination that an Issue is not Grievable.**

If the Grievance Committee determines that the issue is not grievable then the Grievant may appeal this decision to the Vice President for Enrollment Management and Student Affairs. The appeal must be made within fifteen (15) working days of the date of the decision of the Grievance Committee, in accordance with the procedures below.

To appeal a Committee's determination that an issue is not grievable under this policy, a Grievant must submit a written appeal request to the Dean of Students. This written appeal request must state the Grievant's basis for appealing the Committee's determination. The Dean of Students will then submit the appeal to the Vice President for Enrollment Management and Student Affairs who will notify the Dean of Students in writing of the decision within thirty (30) working days of its receipt of the appeal. The Dean of Students will notify the Grievant and Respondent of the decision in writing. The decision of the Vice President for Enrollment Management and Student Affairs is final. If the Vice President for Enrollment Management and Student Affairs reverses the Committee's determination, the grievance will proceed to a Grievance Hearing in accordance with the procedures described above.

### **Procedures for Appealing a Hearing's Post-Hearing Determination on the Merits.**

A Grievant or Respondent who disagrees with a decision issued following the Grievance Hearing may appeal the decision to the Vice President for Enrollment Management and Student Affairs. To appeal the decision, a party must submit a written request for appeal to the Vice President for Enrollment Management and Student Affairs within ten (10) working days of the date of receiving the initial written decision. The written request for appeal must include a clear explanation of the party's basis for appealing the Committee's decision.

The Vice President for Enrollment Management and Student Affairs will thoroughly review the Grievance Committee's recommendations, along with any witness statements or other documents used during the hearing and the decision of the supervisor. After conducting this review, the Vice President for Enrollment Management and Student Affairs will furnish a written decision to the Dean of Students within thirty (30) working days after receiving the written request for appeal. If the Vice President for Enrollment Management and Student Affairs' review of a case requires longer than thirty days, then they will notify the Dean of Students in writing of the delay who will notify the Grievant and Respondent in writing.

The Vice President for Enrollment Management and Student Affairs' decision regarding the appeal will be submitted to the Dean of Students, who will notify the appropriate parties of the decision. The Vice President for Enrollment Management and Student Affairs' decision on the appeal for student grievances is final at the institutional level.

### **Further Appeal of Student Complaints**

If the student pursues the complaint via the institution's formal procedures for complaints to the highest level possible and still perceives the concerns have not been adequately addressed, the student may file a complaint against a higher education institution in Oklahoma with the Oklahoma State Regents for Higher Education (OSRHE). The OSRHE may be contacted at 405-225-9100 or

[www.okhighered.org/current-college-students/complaints.shtml](http://www.okhighered.org/current-college-students/complaints.shtml) for further instruction and direction.”

## **CAMPUS EXPRESSION POLICY**

As a public institution, USAO has spaces and facilities that may be used or leased by faculty, staff, students, registered student organizations, and non-college outside groups. There are different requirements based on which spaces and facilities are being requested, which entity is requesting, and for what purpose.

Oklahoma statute has defined “Campus Community” as USAO students, administrators, faculty, staff, and their invited guests.

“Expressive Activity” protected under Oklahoma statute include but are not limited to the participation of the *Campus Community* in any lawful verbal, written, audio-visual or electronic means by which individuals may communicate ideas to one another, including peaceful assembly, protests, speeches, guest speakers, distribution of literature, carrying signs, and circulating petitions.

For the purposes of this policy and procedures, the term “public” shall mean all persons and organizations who are not members of the *Campus Community*, as defined above.

### **Policy Statement**

The University will not interfere with the rights of individuals and groups to the free expression of their views or impermissibly regulate their speech based on its content or viewpoint. USAO may establish reasonable time, place, and manner restrictions on Expressive Activity. Such restrictions shall be content-neutral, narrowly tailored to serve a significant governmental interest, and allow ample alternative channels for communication of the information. No event or Expressive Activity shall be permitted to substantially disrupt normal University operations.

Oklahoma statute identifies that the outdoor areas of the USAO campus are deemed public forums for the *Campus Community*. Outdoor areas of campus are the generally accessible outdoor areas where members of the *Campus Community* are commonly allowed, such as grassy areas, walkways, and common areas. Outdoor areas where access is restricted from the majority of the *Campus Community* are not included.

The University designates the following indoor facilities as unavailable for Expressive Activity: administrative offices, laboratories, and (during instructional hours) classrooms. Classrooms are available for use during non-instructional hours by members of the *Campus Community* only. Rooms can only be reconfigured in a limited fashion and the sponsoring organization is responsible for clean-up, damages to property, and other costs associated with use. Restrictions on Expressive Activities occurring in indoor facilities will apply equally to all individuals and organizations and not depend upon the content or viewpoint of the expression or the possible reaction to that expression.

## **USAO Indoor Facilities Use for Faculty, Staff, Students, Registered Student Organizations**

College rooms are rooms that can be reserved for shared academic use and are administered through the office of Academic Affairs. First and foremost, USAO classrooms are for accommodating University classes, therefore class scheduling takes precedence over any other event. Please contact the office of Academic Affairs to schedule a classroom.

## **Unscheduled Expressive Outdoor Facilities Use**

The right to free speech in order to express opinion, and the right to petition and assemble for this purpose, is recognized by the University of Science and Arts of Oklahoma (USAO). Such expression, petitions, or assemblies must take place in an orderly manner to avoid in any way curtailing the legal operation of the University, interfering with the employees or the University in the normal performance of their assigned duties in a manner that would substantially hinder or prevent them from performing those duties, and/or violating the right of other students to pursue any part of their University life.

USAO embraces the sharing of knowledge and ideas through public discourse and free speech. As part of this community devoted to learning, USAO students, faculty, staff, and visitors are encouraged to engage in respectful dialogue.

Any member of the campus community or the public may use unrestricted generally accessible outdoor areas for non-commercial expressive activities on a first come, first served basis without giving prior notice if:

- The activity does not materially and substantially disrupt the function of the University, as defined by state law, including but not limited to the following:
  - a. engaging in fighting, violent, or other unlawful behavior;
  - b. violating state or federal law;
  - c. committing any act likely to create a health or safety hazard;
  - d. engaging in destruction of University or personal property or in the physical harm to others;
  - e. physically blocking or using threats of violence to prevent any person from attending, listening to, viewing or otherwise participating in an expressive activity;
  - f. interfering or impeding the institution's scheduled classes, events, ceremonies, or normal and essential operations; or,
  - g. interfering or blocking the flow of vehicular or pedestrian traffic, or the entrance or exit of any building.
- Use of unscheduled expressive outdoor space may occur when the University is open. All use of unscheduled expressive outdoor space must be held at least 20 feet away from buildings that normally hold classes.
- When an unscheduled activity conflicts with an event which was previously scheduled for the same time and space, the unscheduled activity shall be allowed to continue in its existing location until it needs to be relocated to allow for the prior scheduled activity or preparations for it. When relocation is necessary or desired by those engaging in the unscheduled activity,

upon request, the appropriate University official will assist in relocating it to a space where the activity can continue or in scheduling it for a different time.

- With an unscheduled activity, participants may not use sound amplification equipment or equipment requiring use of electrical power connections. Due to the proximity of offices and classrooms, the University does not permit excessive noise during any event. The sound level should not disturb the occupants of buildings or interfere with normal University activities. Hand-held megaphones may be used after 5pm and must be used so as to direct the sound away from nearby buildings where classes might be held. Sound volumes must be at or below 90dB inside the surrounding buildings.
- Signs or banners will be carried or personally attended at all times by at least one participant. Unattended displays may not be used.
- Vehicles and heavy equipment may not be used in unscheduled expressive outdoor space.
- No items (e.g., signs, equipment, décor, etc.) may be attached in any manner to trees, bushes, benches, light poles, buildings, or permanent signs.
- No free-standing structure may be constructed for any event not specifically sponsored by the University. Freestanding removable displays are permitted as long as the display occupies a space of less than 200 cubic feet, has a footprint of not more than 100 square feet, weighs less than 300 pounds, is accompanied at all times by an individual responsible for the display, and is removed in its entirety daily. If a group chooses to secure its display to the ground, it must only be affixed using a water ballast system, no stakes or other affixtures or bases are allowed.
- Non-commercial pamphlets, handbills, circulars, newspapers, leaflets, magazines, fliers, and other written materials may be distributed on a person-to-person basis in open areas outside of buildings if done in a way to avoid substantial littering on the campus.
- Access to any standing water, fenced areas, the exterior, roof, and sides of campus buildings is prohibited, except by authorized personnel. Rappelling off, climbing on, and the dropping of objects from campus buildings are expressly prohibited.

The following outdoor areas are especially conducive to non-commercial expressive activities because they are located centrally and in high-traffic areas. These areas are located at:

- Te Ata Statue located in front of Troutt Hall
- Flag Plaza located on the Oval

For more information about conducive areas or questions regarding the above time, place, and manner restrictions for unscheduled expressive outdoor space please contact one of the following offices:

- Vice President of Enrollment Management and Student Affairs: (405)574-1225
- Dean of Students: (405)574-1330

## **CAMPUS SAFETY & SECURITY**

Campus Security serves as part of the Student Services team under the supervision of the Dean of Students within the Division of Enrollment Management and Student Affairs at The



University of Science & Arts of Oklahoma.

### **Reporting Crime Statistics**

USAO subscribes to the approach that public disclosure of the nature of crimes, the quantity, and how they are investigated is a right-to-know issue. It is this University’s position that the public should know how active the campus security is in crime prevention and detection. USAO is committed to preventing crime on campus. In accordance with the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act”, institutions of higher education are required to prepare an annual security report containing information on campus security policies and campus crime statistics. The annual crime statistics report for USAO is available online and in the office of the Dean of Students, 3rd Floor of the Student Center.

### **Emergency Notification Protocol**

Drover Alert is USAO's emergency notification system. All students, faculty and staff are automatically entered into the Drover Alert program for emergency notifications upon enrollment or employment. This program allows USAO to send Short Message Service (SMS) text messages (a cost may be applied by individual cell telephone providers), e-mails, and voice messages informing the community of vital information. Alerts are issued upon unplanned campus closures for weather related emergencies or confirmation of a serious threat or dangerous situation which threatens the safety of USAO students, faculty or staff. Drover Alerts may only be withheld if these alerts would compromise efforts to contain the emergency. Students, faculty, and staff are strongly encouraged to check and verify their preferred and alternate phone numbers and alternate email address on a regular basis. Students, faculty, and staff may opt-out of the Drover Alert program by contacting the Communications and Marketing department. For more information, please go to <https://usao.edu/student-life/living-on-campus/campus-safety/drover-alert.html>

Review or update your emergency notification contact information at: <https://usao.bbcportal.com/>

### **Severe Weather and Emergency Procedures**

Please visit the Safety and Security website at <https://usao.edu/student-life/living-on-campus/campus-safety/safety-resources-tips.html> for detailed information regarding Severe Thunderstorms, Tornado Watches, Tornado Warnings, Lighting Safety Rules, Fire Protection Procedures and Emergency Evacuation Procedures.

All residents and visitors are required to evacuate the building when the fire alarm is sounded. Those refusing to cooperate with USAO Housing staff, USAO Security and/or evacuate the building are subject to disciplinary action. Housing staff may key into the rooms to check for evacuation during evacuation exercises or actual fire situations.

### **Emergency Information**

Please report all emergency situations to 911 and then contact Campus Security and when necessary contact the Residence Hall Staff.

Campus Security .....405-222-8066  
Dean of Students .....405-574-1330  
Student Services .....405-574-1278

## **Searches**

The University reserves the right to conduct searches of any USAO property or person, vehicle, and/or object that enters USAO property. Searches may be conducted by University Security or local authorities. USAO reserves the right to conduct searches on its property or authorize searches by law enforcement on its property without the student being present. (Regents 6/2007)

## **Parking on Campus**

All regulatory signs on campus must be obeyed. Violators will be cited under university policies and procedures.

The maximum speed limit on the campus is 15mph. Parking is allowed in marked spaces only. Short-term parking, intended for visitors to the campus, is available on the Oval in front of Troutt Hall, in front of Nash Library, east of the Lawson Court Clubhouse and on the north side of Gary Hall.

USAO Parking Permits are required from the first day of classes each semester except in visitor or disabled person parking spaces. All vehicles must have a valid USAO parking permit, properly displayed, while parked on campus. These permits for students are issued through Student Services, 3rd Floor of the Student Center. Vehicles parked in disabled person spaces must display valid state issued disabled person identification at all times.

Faculty/Staff require a valid employee parking permit at all times. Employee permits are valid anywhere on campus and may be obtained in the Business Office.

Motorcycles may be parked in any parking space and require a parking permit.

The issue of a parking permit does not guarantee a parking space. The responsibility for finding a legal parking space rests with the operator of the vehicle. Lack of space is not an excuse for illegal parking.

USAO is not responsible for lost or stolen permits. Replacement permits may be paid for in the Business Office and obtained from Student Services. Special permits may be issued by Student Services and must be displayed on the dash – face up. All vehicles remaining for more than 15 minutes in any loading zone on campus will be cited. Parking or loitering on campus after 11:00 p.m. or after special events is prohibited.

### **Enforcement of Parking Regulations**

The University campus is patrolled 24 hours a day, seven days a week by uniformed security personnel.

They are instructed to enforce parking policies and procedures authorized by the University. Parking enforcement is upheld by the Traffic Appeals committee, as instructed by the Board of Regents. Security personnel are charged to enforce the following policies:

- **Vehicle Registration:** The University requires all members of the University community to register motor vehicles which they own or operate on the University campus. Registration shall be required prior to the first day of classes for each academic term, or

within 48 hours (excluding holidays or weekends) following acquisition of a vehicle during the school year. Vehicle registration forms are available on-line at parking permit registration. Once the webform is complete, you can pick up the parking permit at the Office of Student Services, Student Center 303.

- Charges shall be assessed at the time of registration of a student vehicle.
  - Parking stickers can be purchased for \$30.
  - Hangtags can be purchased for \$40.
  - A prorated amount for parking decals will be based on the registration date of a change of primary vehicle.
    - Spring semester \$20
    - Summer semester \$10
- Each additional decal and registration of secondary vehicles is \$10. Students may register up to two vehicles.
- Vehicle registration is nontransferable. A registrant must remove the decal prior to the sale of the vehicle or termination of employment, or be responsible for tickets that may be received by the new owner.
- Vehicle registration will include providing make, model, year, color and tag number of the vehicle.
- All University employees who park personal vehicles on campus while at work are required to register motor vehicles.
- The registration decal shall be affixed to the lower left corner of the vehicle's rear window. Failure to affix the decals as specified shall be deemed as failure to register the vehicle. Taping the decal to the vehicle is prohibited. Hangtags will be hung from the rear-view mirror with registration number facing out. Failure to display properly shall be deemed as failure to register vehicle.
- Temporary parking permits are available in Student Services for those students, faculty and staff who may be using a vehicle for a short term. This may be due to an accident or repair to their registered vehicle. These permits are available at no cost and are time limited.
- Visitor passes are available in Student Services at no cost to visitors. Visitors without the pass may park only in the areas marked "Visitors Parking Only." These spots are located outside Troutt Hall and Lawson Court Apartments. Unrestricted parking for visitors is permitted only on Homecoming, Family Day and other designated University functions.
- Each school year, all expired USAO decals or other expired decals and hangtags must be removed.
- Non-University employees, whose work assignments are permanently on the campus, shall follow campus regulations the same as all other members of the University community.
- "Open parking" hours shall be declared from 5:00 p.m. to 7:00 a.m. daily and from 4:00 p.m. on Friday through 7:00 a.m. on Monday. School holidays are considered as "open parking" days. Exceptions to this rule are:
  - No parking zones
  - Loading zones
  - Visitors zones
  - Handicap zones
- Vehicles shall be parked within designated parking boundaries; in no case shall they overlap into or onto a roadway, crosswalk, sidewalk, or other parking space. The fact that other

vehicles are parked improperly shall not constitute an excuse for parking with any part of the vehicle over any line.

- Visitor spaces are to be utilized by bona fide visitors only. Visitor spaces in front of Lawson Court Clubhouse are for visitors to the University, not members of the University community visiting the apartments or the clubhouse.
- The responsibility for finding a legal parking space rests with the vehicle operator.
- Lack of space is not a valid excuse for violating a parking regulation.

## **Parking Violations, Penalties and Fines**

### **Violations**

- No permit..... \$30.00
- Illegal use, reproducing, or altering.....\$50.00
- False registration information.....\$25.00
- Parking at yellow curb.....\$25.00
- Blocking drives or traffic.....\$25.00
- Double-parking.....\$25.00
- Parking in No Parking Zones.....\$50.00
  - a. All posted areas.
  - b. All areas marked with yellow paint.
  - c. All fire lanes.
  - d. All loading zones.
  - e. All driveways. These will not be posted.
  - f. Any part of a traveled roadway or service road.
  - g. On any athletic field. These will not be posted.
  - h. All sidewalks or walkways.
  - i. All cultivated areas, grass or other growth areas.
  - j. All shoulders of roadways not marked for parking
- Across sidewalk and/or crosswalk.....\$25.00
- Driving on grass.....\$50.00
- Over line parking.....\$10.00
- Improper display of permit.....\$25.00
- Parked in handicap space.....\$100.00

Any fine that is paid by the next business day at 4 p.m. shall be reduced by half the ticket amount. All fines shall be paid to the Business Office located in Troutt Hall.

Vehicles illegally parked in the following areas are subject to towing without further notice at the owner's expense: handicap spaces, fire lanes, or loading zones. The University assumes no responsibility for any damage to towed vehicles. Refusing and/or reusing a notification of violation shall carry a fine of \$25.00. Receipt of more than five (5) parking/traffic violations in one trimester shall result in all subsequent violations carrying a fine of \$75.00. (Regents 6/2007)

If a decal is not visible to the officer while issuing a citation, the citation shall be for no permit. If, in the course of issuing a citation, the officer discovers the decal, the officer has the discretion to downgrade that ticket to improper display only.

A traffic ticket or other communication from Campus Security is considered to be an official University notice. Failure to respond shall make the recipient subject to disciplinary action. The owner or registrant of a vehicle, regardless of who is driving, is liable for any violation in which the vehicle is involved.

### **Appeal of Parking Violation or Penalty**

To appeal traffic violations, report to Office of Student Services, 303 Student Center. An ad hoc traffic appeals committee, appointed by the Dean of Students, shall review policies and consider appeals as needed. Appeals should be submitted within 72 hours of the issued ticket.

### **Handicap Parking**

As required, a number of parking spaces have been designated for use by individuals with handicaps only. Each space has been clearly marked with signs and blue paint on the ground. Vehicles parked in these spaces must have either a handicap hangtag, State of Oklahoma handicap license plate, or other out-of-state handicap identification such as a handicap license plate. Vehicles found illegally parked in these spaces are subject to impoundment and a fine of fifty (\$50) dollars, in addition to towing and impoundment fees.

### **General Information**

- USAO cannot and does not assume the obligation of providing parking space for all vehicles.
- USAO does not assume responsibility for the care and protection of any vehicle or its contents while said vehicle is operated or parked on the campus or land controlled by the University.
- “Junker” automobiles are not permitted on the campus at any time. Disabled and derelict vehicles may be turned over to the Police for disposal according to law.
- Mechanical work other than engine tune-up and tire changing is not permitted on the University campus.
- USAO reserves the right to restrict or revoke the use of an automobile to any student if the use of the vehicle is thought to be detrimental to the academic achievement of the student or if the student has abused the privilege of operating said vehicle on or off campus.
- It shall be the responsibility of any driver of a disabled vehicle (i.e. dead battery, out of gas, etc.) to immediately notify Campus Security of the problem and location of the disabled vehicle. Failure to make notification may result in the vehicle’s being either towed or given a ticket. Abandoned vehicles shall be towed at the owner’s expense.
- Flagrant disregard of campus parking and traffic regulations may result in the vehicle’s being towed to storage and driving/parking privileges on campus revoked. Towing and storage charges shall be assessed prior to the release of the vehicle to the owner. (Regents 06/05/01)

## **WEAPONS POLICY**

The possession, carrying, or use of any weapon, ammunition, or explosive by any person is prohibited on all USAO property except by authorized law enforcement officers and other persons specifically authorized by the University. No person shall possess, carry, or use any fireworks on University property, except for those persons authorized by University and local governments to discharge such fireworks as part of a public display. Paintball guns and paintball markers may only be used on the property of the University in connection with authorized University activities

and only at approved locations. Any University student who violates these prohibitions shall be subject to discipline in accordance with regular University procedures, which may include suspension or dismissal from the University. Visitors to the University will be subject to appropriate trespass actions for failure to comply with these regulations. Further, if possession or use of a weapon, fireworks or paintball device is in violation of the law, it will be referred to University Security officers, Dean of Students or other proper law enforcement authorities.

**Definitions:** A weapon is any instrument or implement which is capable of inflicting serious bodily injury, and shall include but not be limited to:

1. Any rifle, shotgun, handgun, machine gun, or other firearm, or antique firearms suitable for use; any air gun, spring gun, B-B gun, or implement that is not a firearm, which propels a pellet of any kind; any starter pistol, flare gun, tranquilizer gun, stun gun, zip gun, spear gun, dart gun, sling shot; realistic facsimiles of guns or ammunition of any type for weapons governed by these regulations.
2. Any knife with a blade larger than that of a folding pocket knife; dagger; razor or other cutting instrument, the blade of which is exposed in an automatic way by switch, push-button, spring mechanism, or otherwise.
3. Any striking instrument to include clubs, truncheons, blackjacks, sandbags, metal knuckles, or sap gloves.
4. Any martial arts weapons to include nunchakus, tonfas, staffs, and throwing stars.
5. Any bow and arrow combination.
6. Any device which discharges chemical irritant or tear gas and smoke grenades.
7. Any incendiary device to include flammable substances enclosed in readily breakable containers that can be equipped with an igniter of any type.
8. Any explosive device to include hand grenades, bombs, black powder, smokeless powder, percussion caps, friction primers, and pyrotechnic fuses.
9. Fireworks are defined as any combustible or explosive composition or any substance or combination of substances or any article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation.
10. Any blank cartridge or toy cannon in which explosives are used; the type of balloons which require fire underneath to propel them; firecrackers, torpedoes, skyrockets, roman candles, aerals or other fireworks of like construction; and any fireworks containing any explosive or flammable compound or any tablets or other device containing any explosive substance.

**Regulations:** All use and possession of weapons must conform to all applicable state, federal and local laws.

1. Possession and storage of weapons in on-campus residences is prohibited. No person shall store any weapon in a vehicle on campus.
2. Possession of commercially available aerosol dispensers of non-lethal chemical irritants for the purpose of self-protection is permitted. Any such use of such devices must be justifiable in accordance with the laws governing the use of force.
3. Educational use, including instructional, research and authorized recreational use and possession of weapons is permitted under the supervision of appropriate faculty members.
4. Occupational use and possession of weapons by employees of the University is permitted where authorized by appropriate supervision.
5. Heads of those departments which have need for weapons and/or their use for educational,

instructional, occupational, or recreational purposes must provide specific information pertaining to their individual needs to Dean of Students office. The safe use and security of weapons for such authorized purposes shall be the responsibility of the Department involved, subject to any conditions as required in the authorization.

6. Club sports teams and student organizations which utilize weapons in their organizational activities must have approval to maintain and use any implements defined as weapons in this policy. The authorization for club sports teams shall be granted by the Dean of Students.
7. The authorization for student organizations shall be granted by the Dean of Students. Approval will be granted only after the sports club team or student organization has provided information describing how the weapons are to be used, the qualifications of those who will be instructing and/or overseeing the activities involving weapons, and the established procedures to insure the safe use and storage of any weapons. Annually during September of each year, club sports teams and student organizations must submit a request for renewal of their authorization to maintain and use weapons. Any sports club teams or student organization whose activities involve the use of firearms must also have their request for authorization reviewed and approved by University Security before initial approval may be granted. Any significant changes in the procedures for maintaining and using firearms must be approved by University Security.
8. Conferences having a need to use or store weapons for educational, instructional, research or authorized recreational activities may store weapons at suitable facilities on the campus when such storage is limited to the duration of the conference and the storage facility and storage procedures have been approved by University Security.
9. Any questions concerning the interpretations of these regulations should be forwarded to University Security.

### **Oklahoma Self-Defense Act**

No person in possession of any concealed handgun pursuant to the Oklahoma Self-Defense Act is authorized to carry the handgun into or upon University property. Under 21 O.S. §1277, the following property shall not be construed as prohibited for persons having a valid concealed handgun license:

- a. Any property set aside for the use of any vehicle, whether attended or unattended, provided the handgun is carried or stored as required by law and the handgun is not removed from the vehicle without the prior consent of the University president while the vehicle is on University property;
- b. Any property authorized for possession or use of handguns by University policy; and
- c. Any property authorized by the written consent of the University president, provided the written consent is carried with the handgun and the valid concealed handgun license while on University property.

## **DRUG AND ALCOHOL POLICY**

### **Drug-Free Schools and Communities Act Disclosure**

The Drug-Free Schools and Communities Act Amendments of 1989 require that the University must advise faculty, staff and students of relevant laws pertaining to the illicit manufacture, possession, distribution, and usage of drugs and alcohol. This disclosure is to notify you of penalties for violations of Oklahoma and Federal statutes, the health risks associated with the

usage of controlled substances, and the student conduct penalties associated with the manufacture, possession, distribution, and usage of controlled substances.

**Standards of Conduct and Institutional Sanctions:**

USAO is committed to compliance with the Drug Free Schools and Communities Act, and a campus culture that reduces alcohol and drug use, abuse, and illegal conduct. University policy strictly prohibits the illegal use, possession, manufacture, dispensing or distribution of alcohol, drugs, or controlled substances in the workplace, on its premises, or as part of any University sponsored activities except where allowed by policy. The inappropriate use, misuse, or abuse of prescription or over-the counter medications is forbidden. All members of the campus community will also be held accountable by law enforcement representatives of those entities for any illegal drug and/or alcohol activity. It is the responsibility of all campus members to be aware of these laws.

The violation of this student policy can result in reprimand, conduct probation, removal from residence halls, mandatory treatment or rehabilitation at the student's own expense, and can result in sanctions up to and including suspension or expulsion from the university.

Students, faculty, and staff who violate USAO's drug and alcohol policies are simultaneously subject to criminal sanctions provided by federal, state, and local law.

The University of Science and Arts of Oklahoma recognizes its responsibility as an educational and public service institution to promote a healthy and productive environment. Student use of illegal drugs, misuse of prescription and non-prescription medications (as defined by law), and alcohol abuse is a matter of concern to USAO. USAO endeavors to protect and assist students by providing reliable information about the hazards of drugs and alcohol, identifying students at risk for substance use issues and, assisting students in receiving substance abuse treatment when necessary. The University is committed to a program to prevent the abuse of alcohol and the illegal use of drugs by its students. The University program includes this policy which prohibits illegal use of drugs and alcohol in the workplace, on University property, or as part of any University sponsored activities. In order to meet these responsibilities, University policy:

1. Requires all students to abide by the terms of this policy as a condition of initial and continued enrollment.
2. Recognizes that the illegal use of drugs and alcohol is in direct violation of local, state and federal laws as well as University policies included in this policy, and the Student Code of Conduct. University policy strictly prohibits the illegal use, possession, manufacture, dispensing or distribution of alcohol, drugs, or controlled substances in the workplace, on its premises, or as part of any University sponsored activities.
3. Considers a violation of this policy to be a major offense which can result in a requirement for satisfactory participation in a drug or alcohol rehabilitation program at the individual's expense, referral for criminal prosecution, and/or immediate disciplinary action up to and including expulsion from the University. A criminal conviction is not required for sanctions to be imposed upon student for violations of this policy.
4. Recognizes that violations of applicable local, state and federal laws may subject a student to a variety of legal sanctions including, but not limited to, fines, incarceration, imprisonment, and/or community service requirements. Convictions become a part of an individual's criminal record and may prohibit career and professional opportunities.



5. Prohibits the use of controlled substances which cannot be legally obtained, including: prescribed drugs when prescription is no longer valid (e.g. use of medication after a course of treatment is completed); prescribed drugs used contrary to the prescription; prescribed drugs issued to another person.
6. Prohibits residents and their guests who are under the age of 21 from possessing or consuming alcohol. No resident, or their guests, regardless of age, may possess or consume hard alcohol in the residence halls. Hard alcohol is defined as alcohol that is equal to or greater than 15 percent alcohol by volume or 30 proof. Residents of the age of 21 or older are permitted to consume alcohol in the presence of those under 21. It is a violation for any resident to provide alcohol to any under the age of 21. It is a violation of housing policy to provide alcohol to anyone regardless of age who is visibly intoxicated. It is a violation of housing policy to be publicly intoxicated in the residence halls. Students 21 or over who are disruptive because of the use of alcohol may be considered in violation of this policy. Open containers of alcohol are not permitted in public or common areas either inside or outside of the residential buildings. Common areas include, but are not limited to, outside entry or adjacent sidewalk areas, all lounges, Lawson Clubhouse, Lawson pool, community kitchens, recreation rooms, entertainment areas, hallways, lobby restrooms, stairways, fire exits, and laundry rooms. Residents entry doors must remain closed while consuming alcohol. Any activities that induce, encourage, or result in the rapid consumption of alcohol are prohibited. Items used for drinking games or other activities that encourage the excessive or rapid consumption of alcohol (e.g. keg, beer pong tables, beer bong, funnels, etc.) are prohibited. University officials will ask individuals who violate the alcohol policy to dispose of all alcohol in their possession. Students who violate the alcohol policy may be referred for disciplinary action. University officials have discretion to call police.
7. Provides referrals to counseling services for counseling and training programs which inform students about the dangers of drug and alcohol abuse. Voluntary participation in or referral to these services is strictly confidential and shall not, alone, result in disciplinary action.
8. Provides for annual distribution of this policy to student members of the university community.

### **Medical Marijuana**

It is illegal to use, be under the influence, manufacture, possess, cultivate, distribute purchase, or sell any alcohol and/or drugs (illegal and/or dangerous or controlled substance, including marijuana) and/or any drug paraphernalia while on college owned or college-controlled property, and/or at any function authorized or supervised by the college and/or in state owned or leased vehicles.

Although Oklahoma state law permits the use of medical marijuana, i.e., use by persons possessing lawfully issued medical marijuana cards, federal laws prohibit marijuana use, possession and/or cultivation at educational institutions and on the premises of other recipients of federal funds. The use, possession or cultivation of marijuana for medical purposes is therefore not allowed in any USAO housing or any other USAO property, nor is it allowed at any University sponsored event or activity off campus.

Students with prescriptions for medical marijuana may contact the Dean of Students office and

submit a letter requesting to be released from their university housing and dining contract. USAO will make accommodations for students who are registered to use medical marijuana under state law by waiving the requirement for them to live on campus or by allowing them to end their housing contract and move off campus. In such situations, students will be released from their contracts with no financial penalty. Any payments made to the university for dining services or housing facilities will be returned to the student in proportion to the remainder of their time on a university meal plan or in university residence halls.

**Resources**

The following resources may be of use to someone needing help or service:

**On-campus resources**

Director of Counseling at USAO ..... 405-574-1326 (M-F, 8am-5pm)

**Non-Campus Programs (external options)**

Grady Memorial Hospital - 2220 Iowa Ave..... 405-224-2300 (Available 24 hours)  
 Options Counseling.....405-222-3018  
 Byte and Associates.....405-222-4786  
 Southwest Youth and Family Services.....405-222-5437  
 Red Rock Behavioral Health Services..... 405-222-0622

**Non-Campus Hotlines**

Alanon/Alateen ..... 800-344-2666  
 Alcohol & Drug Helpline ..... 800-662-HELP (800-662-4357)  
 Alcohol Helpline ..... 800-ALCOHOL (800-252-6465)  
 Cocaine Helpline ..... 800-COCAINE (800-262-2463)  
 Clearinghouse for Alcohol & Drug info ..... 800-729-6686  
 National Council on Alcoholism ..... 800-622-2255  
 Oklahoma Reach Out Hotline ..... 800-522-9054  
 National Institution on Drug Abuse Information and Referral.....1-800-662-HELP  
 Monday-Friday, 8:30 a.m.-4:30 p.m.  
 Safe & Drug-Free Schools.....1-800-624-0100  
 Monday-Friday, 8 a.m.-5p.m.  
 American Council for Drug Education..... 1-800-488-DRUG

**TOBACCO POLICY**

This Tobacco Free Policy applies to all University facilities, owned or leased, regardless of location.

The University of Science and Arts of Oklahoma (USAO) is committed to providing its students, faculty, staff and visitors an environment of wellness and healthy living that is free from the use of tobacco. The purpose of this policy is to eliminate all tobacco use whether located indoors or outdoors on property owned, leased or contracted for use by the USAO and in state vehicles used for USAO business.

## **Tobacco-Free Environment**

Effective July 1, 2012 it shall be the policy of the University of Science and Arts of Oklahoma (USAO) that the use of all tobacco products including but not limited to cigarettes, cigars, pipes, smokeless tobacco, electronic cigarettes (e-cigarettes), vaping devices and other tobacco products be prohibited on the campus property of USAO.

1. The use, sale, or distribution of tobacco products is prohibited throughout all indoor and outdoor areas of property owned or under control of USAO, including buildings, grounds and parking lots owned or under the control of USAO, including personal vehicles parked on USAO property. Tobacco use is also prohibited in any vehicle used by USAO or its employees whenever conducting business on, off or outside USAO owned properties including all off-site campus-sponsored meetings or events.
2. This policy applies to all persons on campus, including but not limited to faculty, staff, students, visitors, and others on business at all USAO properties.
3. The University of Science and Arts of Oklahoma will identify the boundaries of its property, post this information for public reference, and provide notice of this policy with appropriate signage, including signs at the entrance to the properties and /or other locations as needed. USAO will also utilize printed materials and other communications as needed to educate employees, students and all other persons using or visiting the property regarding this policy.
4. Tobacco product receptacles are not allowed on campus property and have been removed, including any ash cans near entryways.
5. The promotion of tobacco products will be prohibited anywhere on campus. This will also include prohibiting sponsorship of any school activity by tobacco companies.
6. USAO will not accept donations, gifts, money, or materials intended to promote the use of tobacco or participate in any type of services that promote the use of tobacco.
7. USAO will provide services to students, faculty, and staff who wish to participate with tobacco-use cessation programs through the use of the Oklahoma Tobacco Helpline (1.800.QUIT.NOW or 1.800.784.8669) the American Cancer Society, the American Lung Association, and/or the American Heart Association. In addition, USAO will make available appropriate educational materials and possible activities concerning the harmful health consequences of tobacco use.
8. USAO will make available a method of communication regarding tobacco use, prevention efforts on campus related to policy, prevention, and cessation during student orientation, new employee training, annual review opportunities, and through the USAO website.
9. USAO will provide insurance benefits and access to the following types of assistance with no prior authorization or out-of-pocket cost to the employee including:
  - Telephone coaching: up to five one-on-one telephone counseling sessions with a trained Quit Coach.
  - Free cessation counseling is also offered by the [\*Oklahoma Tobacco Helpline\*](#) (1-800-QUIT-NOW)
    - over-the-counter (OTC) nicotine replacement therapy products (patches, gum, and lozenges).
10. Organizers and attendees at events (meetings, conferences, lectures, cultural events and sporting events) using USAO facilities are required to abide by the policy. Organizers of such events are responsible for communicating the policy to attendees and for enforcing this policy.

11. USAO will ensure that job postings will contain information about the tobacco-free environment. All new employees will receive information about the tobacco-free work environment at the time of the employment.
12. Contractors conducting business on state property would be subject to the tobacco-free policy the same as anyone else on state property.
13. Compliance with this policy is shared responsibility of all students, faculty, and staff. Emphasis will be placed on creating a positive and healthy culture, free of tobacco and should be a cooperative effort, encouraged by all faculty, staff and students. Non-compliance with this policy will be handled in the same manner as any other policy violation and is subject to disciplinary process. Non-compliance of this policy shall be addressed as follows:

#### **Students**

- USAO students residing in University Housing shall be directed to and handled by the Directors of Housing. If the violation merits such action, the complaint may be escalated to the Dean of Students.
- All other USAO Students shall be directed to and handled by the Dean of Students.

#### **Faculty and Staff**

- Faculty shall be directed to and handled by the Vice President of Academic Affairs.
- Staff shall be directed to and handled by the Vice President of Business and Finance.

#### **Visitors**

- Visitors shall be directed to and handled by the Vice President of Enrollment Management and Student Affairs. The visitor may be asked to leave university premises for failure to comply.

14. When discipline is necessary, steps may include but not be limited to verbal warning, written warning, suspension and/or termination. This does not prohibit USAO from pursuing other corrective discipline deemed appropriate.

#### **Definitions**

**Campus:** includes any and all USAO owned, leased, rented, or maintained property including but not limited to buildings, facilities, sidewalks, roadways, parking lots, and grounds. Campus also includes all University owned, leased, or rented vehicles. Campus may not include any owned properties which are leased to third parties under long-term leases.

**Students:** includes but is not limited to all students enrolled in University classes and/or classes held on campus, as defined above.

**Tobacco products:** includes all form of tobacco but is not limited to cigarettes, cigars, pipes, hookahs, chewing tobacco, snuff, electronic cigarettes (E-Cigarettes), vaping devices and all other kinds and forms of tobacco prepared in such a manner to be suitable for spit tobacco use, smoking, or both. This term also includes herbal tobacco products, simulated tobacco products that imitate or mimic tobacco products, including but not limited to cloves, bidis, and kreteks.

**Tobacco use:** Includes smoking, chewing, dipping or any other consumption or use of tobacco products.

**Visitors:** includes, but is not limited to, guests, spectators, contractors, vendors, volunteers and anyone else providing any type of product or service to the University.

**Faculty and Staff:** Includes, but is not limited to, all employed at USAO in any capacity whether in a paid or unpaid (volunteer) status.

**Action**

The University of Science and Arts of Oklahoma is responsible for ensuring the annual review of this tobacco policy.

This policy is effective July 1, 2012. Revised October 2016. Revised October 2018

**HAZING POLICY**

Regardless of the incident location(s), any student(s) and/or student organization(s) found responsible for any form of hazing may be subject to immediate suspension and/or expulsion. The expressed or implied consent of the victim shall not be considered as a defense. Apathy and/or consent in the presence of hazing are not neutral acts; they shall be considered violations of this policy. Any penalties imposed by the University for hazing are separate from, and in addition to, penalties resulting from criminal cases, or the organization’s governing body.

**Title 21, Section 1190, amended 1995 Oklahoma Statutes**

- A.** No student organization or any person associated with any organization sanctioned or authorized by the governing board of any public or private school or institution of higher education in this state shall engage or participate in hazing.
- B.** Any hazing activity described in subsection F of 21 O.S. § 48-1190 or section V. I. 6. upon which the initiation or admission into or affiliation with an organization sanctioned or authorized by a public or private school or by any institution of higher education in this state is directly or indirectly conditioned shall be presumed to be a forced activity, even if the student willingly participates in such activity.
- C.** A copy of the policy or the rules and regulations of the public or private school or institution of higher education which prohibits hazing shall be given to each student enrolled in the school or institution and shall be deemed to be part of the bylaws of all organizations operating at the public school or the institution of higher education.
- D.** Any organization sanctioned or authorized by the governing board of a public or private school or of an institution of higher education in this state which violates subsection F of 21 O.S. § 48-1190 or section V. I. 6., upon conviction, shall be guilty of a misdemeanor, and may be punishable by a fine of not more than one thousand five hundred dollars (\$1,500) and the forfeit for a period of not less than one (1) year all of the rights and privileges of being an organization organized or operating at the public or private school or the institution of higher education.
- E.** Any individual convicted of violating the provisions of section V.J.1. of this section shall be guilty of a misdemeanor, and may be punishable by imprisonment for not to exceed ninety (90) days in the county jail, or by the imposition of a fine not to exceed five hundred dollars (\$500), or by both such imprisonment and fine.
- F.** For purposes of this section:
  - 1. “Hazing” means an activity which recklessly or intentionally endangers the mental health or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization operating subject to the sanction of the public or private school or of any institution of higher education in this state;

2. “Endanger the physical health” shall include but not be limited to any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, alcoholic beverage or intoxicating liquor as defined by 37 O.S. §506, non-intoxicating beverage as defined by 37 O.S. §163.2, drug, controlled dangerous substance, or other substance, or any other forced physical activity which could adversely affect the physical health or safety of the individual;
3. “Endanger the mental health” shall include but not be limited to any activity, except those activities authorized by law, which would subject the individual to extreme mental stress, such as prolonged sleep deprivation, subjection to poor living and/or sleeping conditions, forced prolonged exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual. (21 O.S. § 48-1190, 1990, amended 1995)

#### **SECTION 4.**

This act shall become effective July 1, 1990, amended 1995.

#### **SECTION 5.**

It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason, whereof this act shall take effect and be in full force from and after its passage and approval.

#### **Reporting Hazing Activity**

The entire University community shares the challenge and responsibility of reporting hazing activity. Indeed, hazing may occur in academic, Greek, student athletic, band, cultural, and/or other interest organizations. Apathy and/or consent in the presence of hazing are not neutral acts; they shall be considered violations of this policy. If you are aware of or have reluctantly participated in any form of hazing, then please contact Security at 405-222-8066 or the Dean of Student office at 405-574-1278.

## **EQUAL OPPORTUNITY, HARASSMENT, AND NONDISCRIMINATION FOR ALL FACULTY, STUDENTS, EMPLOYEES, AND THIRD-PARTIES**

The University of Science and Arts of Oklahoma (USAO) is committed to creating and maintaining an environment for all University personnel and students which is free of objectionable and disrespectful conduct and communication.

USAO adheres to all federal, state, and local civil rights laws prohibiting discrimination in employment and education. USAO does not discriminate in its admissions practices [except as permitted by law], in its employment practices, or in its educational programs or activities on the basis of sex/gender. As a recipient of federal financial assistance for education activities, USAO is required by Title IX of the Education Amendments of 1972 to ensure that all of its education programs and activities do not discriminate on the basis of sex/gender. Sex includes [sex, sex stereotypes, gender identity, gender expression, sexual orientation, and pregnancy or parenting status].

USAO also prohibits retaliation against any person opposing discrimination or participating in any discrimination investigation or complaint process internal or external to the institution. Sexual harassment, sexual assault, dating and domestic violence, and stalking are forms of sex discrimination, which are prohibited under Title IX and by USAO policy.

Any member of the campus community, guest, or visitor who acts to deny, deprive, or limit the educational, employment, residential, or social access, opportunities and/or benefits of any member of the USAO community on the basis of sex is in violation of the Equal Opportunity, Harassment, and Nondiscrimination for all Faculty, Student, Employees and Third Parties policy.

Any person may report sex discrimination (whether or not the person reporting is the person alleged to have experienced the conduct), in person, by mail, by telephone, by video, or by email, using the contact information listed for the Title IX Coordinator (below). A report may be made at any time (including during non-business hours) by via email.

Title IX Policy Statement Policy Questions regarding Title IX, including its application and/or concerns about noncompliance, should be directed to the Title IX Coordinator. For a complete copy of the policy or for more information, please visit <https://usao.edu/about/title-ix.html> or contact the Title IX Coordinator.

Individuals who believe they have experienced sex discrimination, harassment, and/or retaliation in violation of the USAO policy should contact the following:

Title IX Coordinator  
Monica M Treviño  
Vice President for Enrollment Management & Student Affairs  
Troutt Hall Room 218  
1727 W. Alabama  
Chickasha, OK 73018  
(405) 574-1226 (office)  
(405) 574-1220 (fax)  
[mtrevino@usao.edu](mailto:mtrevino@usao.edu)

Faculty & Staff  
Deputy Title IX Coordinator  
Title VII Coordinator  
Mike Coponiti  
Vice President for Business and Finance  
Troutt Hall Room 220  
1727 W. Alabama  
Chickasha, OK 73018  
(405) 574-1333 (office)  
(405) 574-1397 (fax)  
[mcononiti@usao.edu](mailto:mcononiti@usao.edu)

## Students

Deputy Title IX Coordinator

Nancy Hughes

Dean of Students

Student Center Room 301

1727 W. Alabama

Chickasha, OK 73018

(405) 574-1330 (office)

(405) 574-1220 (fax)

[nhughes@usao.edu](mailto:nhughes@usao.edu)

For Confidential Reporting Resources, Contact:

Catelyn Perry, Director of Counseling

Student Center Room 306

1727 W. Alabama

Chickasha, OK 73018

(405) 574-1326 (office)

405-574-1220 (fax)

[cperry@usao.edu](mailto:cperry@usao.edu)

or

Andrea Freymiller, MS, LAT, ATC

Athletic Trainer

Fieldhouse, Room 101

1727 W. Alabama Ave

Chickasha, OK 73018

(405) 574-1398 (office)

(405) 574-1220 (fax)

[afreymiller@usao.edu](mailto:afreymiller@usao.edu)

A person may also file a complaint with the appropriate federal, state, or local agency within the time frame required by law. Depending upon the nature of the complaint, the appropriate agency may be the federal Equal Employment Opportunity Commission (EEOC), Office for Civil Rights (OCR) of the U.S. Department of Education, the Department of Justice, and/or the Oklahoma Human Rights Commission.

- Equal Employment Opportunity Commission ([www.eeoc.gov](http://www.eeoc.gov))
- U.S. Department of Justice ([www.justice.gov](http://www.justice.gov))
- U.S. Department of Education, Office of Civil Rights ([www2.ed.gov/ocr](http://www2.ed.gov/ocr))
- Oklahoma Human Rights Commission ([www.ok.gov/ohrc/](http://www.ok.gov/ohrc/))
- Assistant Secretary for Civil Rights Office for Civil Rights, National Headquarters  
U.S. Department of Education Lyndon Baines Johnson Dept. of Education Building  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Telephone: 800-421-3481



Fax: 202-453-6012; TDD: 800-877-8339  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Within any resolution process related to this policy, USAO provides reasonable accommodations to persons with disabilities and religious accommodations, when that accommodation is consistent with state and federal law.

## RESOURCES

A student who believes they may have experienced sexual assault is encouraged to seek medical care and supportive counseling as soon as possible.

Chickasha Police .....	911 (Available 24 hours)
Chickasha Police Department Non-Emergency.....	405-222-6050
Grady County Sheriff Department.. ..	405-224-0984
USAO Campus Security .....	405-222-8066 (Available 24 hours)
Intervention & Crisis Advocacy Network - CRISIS LINE .....	405-222-1818 (Available 24 hr)
Director of Counseling at USAO .....	405-574-1326 (M-F, 8am-5pm)
Grady Memorial Hospital - 2220 Iowa Ave.....	405-224-2300 (Available 24 hours)
Grady County District Attorney's Office .....	405-224-4770 (M-F, 8am-4:30pm)
Options.....	405-222-3018
Byte and Associates.....	405-222-4786
Southwest Youth and Family Services.....	405-222-5437
Red Rock Behavioral Health Services .....	405-222-0622