

Student Right and Responsibilities

Student Code of Conduct

Harris-Stowe State University seeks to preserve the integrity of all students. It is expected that individual students will refrain from participating in acts which are considered inappropriate. Students are subject to disciplinary action that continues in violating any of the privileges, standards and policies of the University; who are consistently negligent in academic responsibility; and/or who continuously neglect their financial obligations; or who disconcert the University in any manner. The University reserves the right to discharge a student for unbecoming social behavior. The possession of firearms, weapons and narcotics by Harris-Stowe State University students is strictly forbidden and is grounds for immediate dismissal.

The University reserves the right to notify civil authorities whenever a student is guilty of, or charged with, violation(s) of civil law. The University also reserves the right to dismiss said student if arrested and while charges are pending. Student may apply for readmission upon being cleared of all charges. The Board of Regents has given authority to the administration of the University to formulate policies and methods to insure the welfare of all students, faculty and staff.

These measures extend likewise to the preservation of the physical plant. Variations in behavior may be expected in a large group; however, every student is responsible for understanding and acting in accordance with established regulations. Any conduct or behavior which is in violation of the University Bulletin, Student Handbook, city, county, state or federal ordinances, statutes or laws, or any act which, in the sole judgment of the administration, is considered detrimental to the safety and welfare of the campus community or which tends to bring disgrace or discredit upon Harris-Stowe State University, may be considered to be "misconduct."

Admission into the University does not give students any greater legal rights or protection from the laws of the land than any other non-enrolled citizen, nor does it clothe them with any special immunity from prosecution by civil or criminal law enforcement agencies. The University reserves the right to conduct administrative or disciplinary proceedings against a student while criminal charges arising from the same incident are pending.

In short, the University does not condone or knowingly disregard any student violations of campus, city, state or federal laws. The University welcomes reports from anyone on or off campus who has personal knowledge of a student offense or a complaint concerning student misconduct. Complaints will not go unheeded, nor will any student go unpunished if found guilty of an offense.

Drug-Free Policy

One of the certifications now required for the receipt of federal grants and funds is a formal statement from the grantee that it has adopted a policy and implemented a program that prevents the illicit possession, use or distribution of drugs and alcohol by students and employees of the

institution. Further, the grantee must maintain evidence that it is in compliance with all sections of the relevant federal regulations.

Harris-Stowe State University has a “Zero Tolerance” policy regarding the improper use of controlled substances. This policy expressly prohibits:

- The possession, manufacturing, distributing or sale of a controlled or illegal substance. Examples of these illegal substances are: crack cocaine, ecstasy, “date rape” drugs, marijuana cocaine, heroin, or any other narcotic or controlled substances except as expressly permitted by law.
- The possessing, use, manufacturing, distributing or selling of drug paraphernalia or the attempt to distribute or sell same. Aiding or abetting individuals in the illegal possession, use, sale, distribution or attempted sale or distribution of controlled substances or drug paraphernalia; including allowing persons involved in such activities to visit or stay in their residence hall rooms or to be in any University owned or operated property over which they have control.

Annual Distribution

In compliance with this federal requirement, Harris-Stowe State University has established the written drug/alcohol prevention program described herein. This written program will be distributed at a minimum annually to each employee of the University and to each student who is taking one or more classes for any type of academic credit, regardless of the length of the student’s program of study.

I. Standards of Conduct

The following is the University’s official statement of the Student Code of Conduct expected of its students and the University’s commitment to, and action toward, ensuring a drug-free and alcohol-free and campus.

- The unlawful manufacture, distribution, dispensing, possession or use of a controlled substances or alcohol on the campus of Harris-Stowe State University or at any location at which the University is conducting programs or events are strictly prohibited.
- All students of Harris-Stowe State University are required, as a condition of admission to the University, to comply with this strict rule.

II. Description of Legal Sanctions under Local, State and Federal Law

Below are summaries of sanctions provided in local, state and federal laws against the unlawful possession, use and distribution of illicit drugs and alcohol.

- A. Sanctions imposed by local laws consist of ordinances of the City of St. Louis, which prohibit the sale of alcohol to minors, the operation of an automobile while under the influence of alcohol, public drunkenness and similar offenses. These offenses are misdemeanors punishable by fines and imprisonment. Fines may be as high as \$500, and imprisonment may be for as long as one year.
- B. Sanctions imposed by state law are more extensive and include the following:
 - Possession of a controlled substance; depending on the quantity of controlled substances in possession, penalties can range from one to seven years.
 - Trafficking of drugs; penalties can range from five to 30 years in prison and

- may be served without probation or parole.
- Unlawful use of drug paraphernalia;
- Unlawful distribution of a controlled substance to a minor; penalty from five to 15 years imprisonment.
- Distribution of a controlled substance near schools; penalty can range from 10 to 30 years life imprisonment.
- Penalties can include forfeiture of vehicles, vessels or aircraft, or disqualification from voting and jury service.

Sanctions imposed by federal law:

- First conviction: up to one year imprisonment and fine of at least \$100,000 or both.
- After one prior drug conviction, at least 15 days in prison must be served not to exceed one year and fine of at least \$2,500, but not more than \$250,000 or both.
- Special sentencing provisions are in effect for possession of crack cocaine: Mandatory minimum sentence of at least five years in prison, not to exceed 10 years and fine of up to \$250,000 or both, if:
 - a. First conviction and the amount of crack possessed exceeds five grams;
 - b. Second crack conviction and the amount of crack possessed exceeds three grams;
 - c. Third or subsequent crack conviction and the amount of crack possessed exceeds one gram.
- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment.
- Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance;
- Civil fine of up to \$10,000;
- Denial of federal benefits, such as student loans and licenses; up to one year for the first offense, up to five years for the second and subsequent offenses;
- Ineligible to receive or purchase firearms;
- Revocation of certain federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., as vested within the authorities of individual federal agencies.

Disciplinary Sanctions that the University Will Impose for Violations of the Student Code of Conduct by Students

- Students of Harris-Stowe State University who have been determined by the University to have violated the Code of Conduct will be disciplined. The penalties include:
 - a. Verbal warning;
 - b. Written warning which will be filed in the student's file maintained at the University;
 - c. Mandatory attendance in a rehabilitation program;
 - d. Suspension
 - e. Referral to appropriate authorities for prosecution.

Harris-Stowe State University will conduct a biennial review of its program to provide a drug-free and alcohol abuse-free environment on its campus and at campus-sponsored activities.

The purpose of this review is:

- To determine the effectiveness of the program and to implement changes, if warranted;
- To ensure that all disciplinary sanctions are consistently, fairly and vigorously enforced;
- To ensure that the University will maintain appropriate records to establish its compliance with this program.

Drug and or Alcohol Counseling, Treatment or Rehabilitation or Re-entry Programs that are Available to Students

- A. Each semester, Harris-Stowe State University offers a drug-free awareness program, which is conducted by the University's Office of Counseling Services in conjunction with the Office of Health Services. This program, open to both students and employees, will include the dissemination of printed materials and also include periodic meetings and or conferences designed to inform all students and employees regarding:
 1. The dangers of drug abuse and its effect on academic and personal success;
 2. The University's policy of maintaining a drug-free campus;
 3. The availability of drug counseling, rehabilitation and other assistance programs;
 4. The penalties that may be imposed upon students and employees for drug and alcohol abuse violations occurring on campus.
- B. The Office of Counseling Services will provide referral services and programs offered through that office and also through various community agencies.
- C. Persons who successfully complete rehabilitation programs are eligible for consideration for re-employment on the University campus.

Hazing

Harris-Stowe State University has always renounced acts of brutality and hazing during the intake process, and this statement serves to reaffirm that long-standing commitment. "Hazing" is any action taken or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes, including but not including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of the University. "Hazing" includes, but is not limited to, pressuring or coercing the student into violating state or federal law, any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or other forced physical activity that could adversely affect the physical health or safety of the student, and also includes any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion for social contact, forced conduct that could result in extreme embarrassment or other forced activity that could adversely affect the mental health or dignity of the student. In addition, late work sessions which interfere with scholastic activities and any other activities which are not consistent with policies of Harris-

Stowe State University or which violate local, state or federal laws are expressly forbidden. Anyone violating this policy will be subject to disciplinary action and may also face criminal prosecution.

Cognizance and understanding of the above definition and the use of common sense in the carrying out of intake activities should be sufficient to guide campus chapters to avoid hazing violations. A good rule of thumb is: “IF IN DOUBT, LEAVE IT OUT.”

All Harris-Stowe State University students and student organizations must adhere to the State of Missouri anti-hazing legislation. According to State Statutes (573.360-578.365). Chapter members and advisors are responsible for seeing that the intake process follows steps prescribed by their respective national offices, within HSSU guidelines. No chapter or member is “above the law.” All participants should be urged to remember that the intake process is designed to prepare new “sisters” and “brothers,” and hazing has no place in this important process.

Definitions

Administrative Dismissal

The Dean of Student Success reserves the right to suspend a student without a hearing where the student presents a threat to himself, others or campus property. The Dean of Student Success may also render temporary suspension pending the outcome of a criminal case. Emergency Student’s Rights and Responsibilities Hearings may convene when deemed appropriate.

Summary Disciplinary Dismissal

Summary disciplinary dismissal is the immediate separation of a student from the University and is authorized by the Dean of Student Success when the continued presence of the student at the University constitutes a danger to the health, safety or welfare of the University community. At the time a student is summarily dismissed, the student shall be informed of his or her right to a hearing. Such hearing shall be held without undue delay, and the student shall remain dismissed until the hearing determines the student’s status.

Sanctions of suspension, dismissal and any sanction resulting from an act of academic dishonesty are recorded in the student’s discipline file, which will be retained by the Senior Associate Dean of Students for a period of five years. With the exception of cases of academic dishonesty, records of disciplinary probation will be retained for one year after the conclusion of the probationary period.

Student’s Rights and Responsibilities Hearings

Student’s Rights and Responsibilities hearings shall be convened when a student is accused of a violation of the University’s Student Code of Conduct for the purpose of determining the appropriate discipline for an accused student, including suspension or expulsion.

Student’s Rights and Responsibilities Review Committee

The Student’s Rights and Responsibilities Review Committee is appointed for the purpose of hearing appeal from the Administrative Panel. The Dean of Student Success or his/her designee,

upon receipt or request for appeal, will convene committee for review.

Emergency Student's Rights and Responsibilities Hearings

The Dean of Student Success reserves the right to convene disciplinary hearings when deemed appropriate, upon written notification to the accused student. Emergency disciplinary hearings for determining temporary suspensions may be convened upon less than 48 hours notice, where the accused student presents a threat to himself, others or campus property. An accused student may be notified orally or in writing of an emergency disciplinary hearing. If a student presents a danger to him/her, others or campus property he or she may be temporarily suspended and removed from campus while awaiting a full disciplinary hearing.

Sanctions

A student who violates these regulations may be subject to the following sanctions:

Restitution

This designation may include payment for damage to property or facilities, payments for damage to property or person of a member of the University community and repayment of misappropriated or misused funds.

Disciplinary Suspension

Disciplinary suspension is the temporary separation of a student from the University.

Disciplinary Dismissal

Disciplinary dismissal is the permanent separation of a student from the University.

Hearing Officers/Administrative Hearing Panel

The Senior Associate Dean of Students shall designate a pool of Hearing Officers (Administrative Panel), for the purpose of conducting individual student disciplinary hearings, which shall be comprised of faculty, staff, and members of the Administration, security and students. It is the duty of the Senior Associate Dean of Students to inform a student of charges against him/her and to make certain the student is aware of his/her rights and privileges before, during and after the hearing, as set forth in this policy. The Administrative Panel shall have the authority to suspend or expel students.

Institution of Disciplinary Proceedings

Notification of Hearing/Rights and Responsibilities

As set forth above in the definitions of administrative and disciplinary hearings, the University administration will convene administrative hearings when deemed appropriate in order to address violations of the Student Code of Conduct or other stated University policies or regulations.

Disciplinary hearings may take place upon 24 hours of written notice.

In an emergency situation, where the accused student presents a danger to himself, others or campus property, Disciplinary hearings may be held as soon as oral or written notice has been given to the accused student by the Senior Associate Dean of Students.

1. Upon written notice of an alleged violation of this policy and regulation, disciplinary

proceedings shall be instituted by a hearing officer by the issuance of notice of charges against the student, including the relevant provisions of the Student Code of Conduct or other University policies, regulations, or state, local or federal laws alleged to have been violated. The written shall include the date, place, and time of the scheduled hearing.

2. The notice of charges and all other written notices shall be delivered by the method deemed most effective by the hearing officer. Such notification shall be hand delivered, emailed, mailed or delivered to local address of record.

Procedure for Conducting Disciplinary Hearings

In all cases referred to the Senior Associate Dean of Students for disciplinary action, the accused student shall have the following rights:

- The right to testify on his or her own behalf;
- The right to be represented by a representative of his or her choice, provided that the representative must be a member of the faculty/staff or student body of Harris-Stowe State University, if student elects to be represented by a faculty/staff, the accused must provide a signed letter designating that person as his or her official representative before the University can communicate otherwise privileged information to the advisor.;
- The right to present evidence and call witnesses on his or her behalf;
- The right to question witnesses who testify against him/her, in a polite manner, regulated by the Senior Associate Dean of Students.

In all cases referred to a designated Hearing Officer for disciplinary action, the Complainant shall have the following rights:

The right to be represented by a representative of his or her choice, provided that the representative must be a member of the faculty/staff or student body of Harris-Stowe State University;

In all cases referred to a designated Hearing Officer for disciplinary action, the following rules shall apply:

- The hearing shall be tape-recorded; such tape-recordings shall be maintained for five years;
- In cases involving more than one student, the hearing officer may consolidate the cases for hearing but shall make separate recommendations for each accused student;
- Disciplinary hearings shall be closed to the public (including parents, guardians and attorneys). Only the accused, the Complainant, their representatives, and the Panel may be present;
- Witnesses may only be present while testifying;
- All witnesses must be instructed by the Hearing Officer to give truthful and accurate testimony;
- Rules of common courtesy and decency shall be observed.
- The questions of any person appearing before the hearing officer by an individual participating in a hearing shall not be in a badgering, unduly repetitious or irrelevant manner. It shall be at the discretion of the hearing officer to curtail a participant's

further opportunity for questioning if such behavior occurs.

- Any person may be dismissed from the hearing who interferes with or obstructs the hearing or who fails to abide by the rulings of the hearing officer.
- In reaching its decision, the Panel shall use a preponderance of the evidence standard. This means that the evidence supports that it is more likely than not that the given conduct occurred. The Panel shall not use the clear and convincing evidence standard of beyond a reasonable doubt.
- The Panel may question any witness.
- Hearsay evidence may be admitted where it is both relevant and trustworthy, as determined by the Senior Associate Dean of Students.

All deadlines set forth in this policy may be reasonably adjusted in cases where the facts or issues in dispute are complex. If a deadline is adjusted, the Senior Associate Dean of Students shall alert the accused student, in writing, of the change, as soon as is reasonably possible. If a student is uncertain about his/her procedural rights, he/she may schedule an appointment with the Assistant Dean of Students for clarification.

Notification of Ability to Attend/Failure to Attend

If either the Accused or the Complainant is unable to attend a scheduled hearing due to unavoidable circumstances, he/she must notify, in writing, the Senior Associate Dean of Students as soon as the conflict is known. Notification must include documentation of extenuating circumstances. Failure to give timely notice, or to provide an excuse for nonattendance satisfactory to the Associate Dean of Students, may result in additional disciplinary action, including discipline for impeding the student disciplinary process. The University reserves the right to conduct the hearing in the individual's absence.

When an accused student or organizational representative appears in response to the notice of charges

The hearing officer shall review the facts of the alleged violations and of the names of witnesses then known. The student or organizational representative shall be advised that no response is required and that any statement made shall become a part of the official evidence of the case. The accused may advise the hearing officer of any witnesses or evidence supporting the student's position. The hearing officer shall also advise the accused that if any new evidence is discovered during an investigation subsequent to the hearing, it will be shared with the accused. The accused will have an opportunity to respond to the evidence.

Notification of Disciplinary Hearing Outcome

After the hearing with the student or organizational representative and such further investigation as the hearing officer deems necessary, the hearing officer shall proceed as follows:

- a. If the hearing officer determines that the alleged violation is not supported by the evidence, the charges shall be dismissed and the accused student so notified.
- b. If the hearing officer is satisfied that the violation occurred as alleged, but that no

disciplinary sanction should be imposed, the hearing officer may levy administrative action and notify the student accordingly.

- c. If the hearing officer is satisfied that the violation occurred as alleged and that a disciplinary penalty should be imposed, the hearing officer shall so notify the accused student or organizational representative, describing the sanction which the panel will impose.

Notice to Accuse

As soon as is reasonably possible, the Senior Associate Dean of Students shall prepare a written statement informing the accused of his or her decision. In most cases, written notification will be given to the student within 48 hours of the Panel's decision, if reasonably possible. This deadline may be extended in the event of complex or unusual circumstances.

Notice to Victim

The Administrative Panel's decision may also be provided to the victim, provided that the individual was a victim of a crime of violence (arson, assault offenses, burglary, criminal homicide/manslaughter by negligence, criminal homicide/murder and non-negligent manslaughter, destruction/damage/vandalism of property, kidnapping/abduction, robbery, forcible and non-forcible sex offenses). The disclosure may only include the name of the accused student, the violation committed, and any sanction imposed by the University against the student.

Notice to University Officials

The Administrative Panel's decision shall also be submitted to the Dean of Student Success. The Senior Associate Dean of Students will notify relevant University officials and departments who have legitimate educational interests, of the outcome and any sanctions.

Notice to Parents

The Hearing Officer's decision regarding a violation of any federal, state, or local law or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance may also be reported to the accused student's parents if:

- The institution determines that the student has committed a disciplinary violation with respect to that use or possession; and
- The student is under the age of 21 at the time of the disclosure to the parent.

Appeals

(See Sex-Based Discrimination, Sexual Harassment & Sexual Violence policy for cases involving such allegations.) A student may appeal a decision of the Administrative Panel to the Dean of Student Success or designee. The appeal must be submitted in writing (typewritten) and within five business days of receiving written notification of hearing outcome.

The Dean of Student Success or designee will convene a Student's Rights and Responsibilities Review Committee to only hear appeals where the accused student has demonstrated one or more of the following:

- Bias or improper hearing procedures that materially affected the outcome of the hearing;
- New evidence (not available at time of original hearing) has surfaced; or
- Imposition of an inappropriate sanction for the offense in question.

Limitations on Appeals

Only the accused may file an appeal.

Appeals filed after the deadline will not be considered.

The Dean of Student Success or designee will issue a decision in writing to the accused student no later than 30 days after the request for an appeal has been submitted. This deadline may be extended in the event of complex or unusual circumstances. If this deadline is extended, the Dean of Student Success or designee shall notify the accused of the delay in writing.

Behavioral Expectations

Harris-Stowe students shall conduct themselves in a manner compatible with the University’s educational mission and shall be disciplined for misconduct adversely affecting that mission.

Each student enrolled at Harris-Stowe State University has the responsibility to reflect, in his or her conduct, the understanding of institutional standards and to refrain from those acts which impose upon the rights of others. The University reserves the right to discipline its students outside of the recommended penalties listed below, and up to and including immediate dismissal or expulsion, as the University deems necessary in its sole discretion.

CATEGORY 1

Immediate Disciplinary Action

OFFENSE

- | | |
|---|---|
| 1. Arrest of Felonious Nature | 4. Assault or Battery of a Campus Public Safety Officer |
| 2. Drugs/Controlled Substances | |
| 3. Intrusive Contact: Assault, Battery, Sexual Assault (Rape or attempted Rape) or Stalking (includes Cyberstalking). | 5. Weapons (Possession or Use) |
| | 5. Felony Probation |

RECOMMENDED PENALTY

1. Temporary suspension until cleared by civil authorities.
2. Use or Possession: “Zero Tolerance” Policy –Could lead to suspension for at least one year. 2nd Offense: Expulsion. Manufacturing of sales: Expulsion.
3. Suspension: Expulsion for severe cases or repeat offenders.
4. Suspension: (Assault) – Expulsion (Battery)
5. Expulsion: (HSSU has a “Zero Tolerance” Policy regarding the possession or use of weapons)

CATEGORY 2

Priority, Disciplinary Action within 48 Hours

OFFENSE

1. Campus Theft
2. Disorderly/Disruptive Conduct, failure to cooperate or interface with University investigation
3. Embezzlement
4. Failure to Comply
5. Fighting
6. Fraud/Forgery
7. Hazing
8. Illegal Residence hall Visitation
9. Illegal Unauthorized Entry
10. Misconduct
11. Shoplifting
12. Vandalism/Criminal Mischief
13. Gambling
14. Any violation of a Missouri State Statutes or the United States of America, whether criminally prosecuted or not

RECOMMENDED PENALTY

1. Suspension for one – two semesters. 2nd Offense: Expulsion
2. Fine, Suspension or Expulsion
3. 1st Offense: educational sanction. 2nd Offense: \$250 fine. 3rd Offense: \$500
4. “Zero Tolerance” Policy (Pending Investigation: Fine, Suspension or Expulsion)
5. Suspension
6. Expulsion (may result to arrest)
7. 1st Offense: \$250 fine. 2nd Offense: \$500 fine. 3rd Offense: loss of residence hall privileges (may not be allowed to live in dorms)
9. Suspension or Expulsion
10. Fine, Suspension or Expulsion
11. 1st Offense: \$250 fine. 2nd Offense: \$500 fine. 3rd Offense: \$1,000 or Suspension or Expulsion
12. 1st Offense: \$250 fine. 2nd Offense: \$500 fine. 3rd Offense: \$1,000 or Loss of residence hall privileges
13. Restitution, suspension or expulsion where appropriate
14. Restitution, suspension or expulsion where appropriate
15. Fine. \$250 fine per incident
16. Fine, Suspension or Expulsion
17. 1st offense: \$250 Fine. 2nd offense: To be determined by Student Rights and Responsibilities Committee; suspension or expulsion where appropriate

CATEGORY 3

Routine, Disciplinary

OFFENSE

1. Academic Dishonesty
2. Alcoholic Beverage (Possession or Use)
3. Entering In to Unauthorized Contracts on behalf of HSSU
4. Electronic Communication (Illegal Use Of)
5. Harboring
6. Illegal Book Sales
7. Perjury
8. Smoking
9. Refusal to provide an ID card upon request/demand
10. Public Intoxication

RECOMMENDED PENALTY

1. Reduction of grades, loss of grades, removal from class or suspension.
2. 1st Offense: educational sanction. 2nd Offense: \$250 fine for subsequent violations. Payments to be made within two weeks, or suspension is to be imposed.
3. Administrative suspension.
4. Fine \$250.
5. Suspension or expulsion.
6. Full restitution for the books plus fine: \$500-\$1,000 based upon severity of infraction. One year probation.
7. Suspension for at least one semester.
8. Fine \$250
9. Letter of Apology, Community Service, Fine or Suspension
10. Fine, Suspension

DEFINITIONS OF MISCONDUCT

Academic Dishonesty

Cheating on tests or examinations, plagiarism, falsifying records, and textbook theft are some examples of academic dishonesty.

Alcoholic Beverages

The sale, possession or consumption of an alcoholic beverage is prohibited on campus grounds and at off-campus University sponsored events.

Campus Theft

Theft or attempted theft of property and/or services; knowingly possessing or transporting stolen property, or improperly converting the property of another for personal use are prohibited.

Contracts, Entering Into

Individual students and/or student representatives of organizations are prohibited from entering into verbal or written agreements or contracts on behalf of Harris-Stowe State University; or that may in any way bind, obligate or create liability for the University.

Criminal Violations

Any violation of local, state, or federal laws resulting in an arrest.

Cyberbullying

Cyberbullying is when someone purposely embarrasses, harasses, or torments another using digital media. Such behavior on the World Wide Web, including but not limited to, social media networks, constitutes violation of University policy and will be sanctioned accordingly.

Disorderly/Disruptive Conduct

Acting in a manner that impairs, interferes with, or obstructs the orderly conduct, processes, functions, or investigations of the University, agents of the University, or of any person or persons on University owned or operated property or at any University-sponsored event.

Students whose attire may be considered disruptive at University events, academic functions or general University operations because it is sexually explicit, lewd, profane, patently offensive or carries messages in print or pictures which are sexually explicit or patently offensive, or a student whose behavior, communication, or conduct is indecent, sexually explicit, profane, exhibitionist, or otherwise beyond standards of decency and reasonable moral conduct, may be ejected from said University sponsored event or activity, excused from an academic course of instruction, and/or subjected to further discipline.

Drug-Free Policy

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- The possessing, use, manufacturing, distributing or selling of drug paraphernalia, or the attempt to distribute or sell same. Aiding or abetting individuals in the illegal possession, use, sale, distribution, or attempted sale or distribution of controlled substances or drug paraphernalia, including allowing persons involved in such activities to visit or stay in their residence hall rooms, or to be in any University owned or operated property over which they have control.

Electronic Communication, Illegal/Improper Use Of

The academic instructor may excuse a student from the classroom, laboratory or practicum or clinical experience if a student’s behavior, conduct or communication disrupts to the instructor’s ability to provide academic instruction.

Examples of such behaviors would include: use of electronic devices such as cell phones, video games, or personal music players, playing computer games, text messaging or IM’ing during class sessions, laboratory, clinical practicums or academic instruction, the use of technology not directly required or approved for a given course, using University telecommunications, data networks or any electronic means owned and operated by the University for illegal or improper purposes or in violation of University regulations and policies, or in violation of federal, state, or

local laws.

Embezzlement

Unauthorized acquisition and/or use of funds belonging to or under the stewardship of any University unit, organization or individual.

Failure to Comply/Non-Compliance/Insubordination

Failing to comply with or respond to the directions or instructions of an authorized University official, faculty, or staff member acting in the performance of his or her duties or any other person responsible for a University facility or registered function acting in accordance with his or her duties, wearing clothing in class or during academic instruction in violation of the Policy on Appropriate Dress or any other conduct that disrupts academic instruction may subject the student to sanctions.

False Testimony (See Perjury)

Knowingly making false statements regarding a judicial matter in the course of the student's rights and responsibilities process.

Fighting

A physical conflict between two or more individuals.

Forgery, Fraud

Forging the name of a University employee or another student, altering or misusing official University forms, documents, records stored data or identification, or knowingly furnishing false information to University officials, faculty and/or employees or providing such information involving or referring to the University to off-campus organizations or institutions; or making false statements in public or private. Aiding and abetting another individual in such conduct also constitutes a violation.

Harboring

Anyone who has been trespassed or has an outstanding arrest warrant is strictly prohibited from campus grounds, campus events or off-campus University sponsored events. Knowingly allowing any prohibited person on campus is strictly prohibited.

Hazing

The University's Statement on Hazing is set forth in this handbook.

Illegal Book Sales

Sale or return of books that do not belong to the student.

Illegal Residence Hall Visitation

Opposite sex or same sex visitation in University-owned residences and residence halls.

Illegal/Unauthorized Entry

Entering or using University facilities or property owned by or in the custody or control of the University, for an improper purpose, or without proper authorization, or assisting others in doing so.

Intrusive Contact:

Assault

Assault may be committed without actually touching or striking, or doing bodily harm to another person. Rather, an assault is any intentional, unlawful threat by word or act to do violence to another person, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that violence is imminent.

Battery

Battery occurs when a person actually and intentionally touches or strikes another person against the will of that other person, or when a person intentionally causes bodily harm to another person.

Assault or Battery on a Campus Public Safety Officer

Under Missouri State Statute 17 CSR 20-5.055 a person licensed as a security officer as defined in **17 CSR 20-5.025** who is wearing a uniform that has a patch or emblem visible at all times, and who is engaged in the lawful performance of his or her duties, receives the same statutory coverage as a sworn law enforcement officer. Anyone who assaults or batters a campus security officer may be charged with the following enhanced charges:

- (a) In the case of assault, from a misdemeanor of the second degree to a misdemeanor of the first degree.
- (b) In the case of battery, from a misdemeanor of the first degree to a felony of the third degree.
- (c) In the case of aggravated assault, from a felony of the third degree to a felony of the second degree.
- (d) In the case of aggravated battery, from a felony of the second degree to a felony of the first degree.

Sexual Assault

This term encompasses sexual assault and all other incidents of “criminal sexual conduct” as defined by the Missouri Statutes.

Stalking/Cyberstalking

Stalking is defined as willfully, maliciously and repeatedly following or harassing or cyber-stalking another person. “Cyberstalking” means engaging in a course of conduct to communicate or to cause to be communicated, words, images, or language by or through the use of social networking sites,

electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

Misconduct

Any conduct, on or off campus, of such a nature as to be detrimental to the university. Causing any condition that jeopardizes the safety and security of property, individuals or groups of individuals.

Perjury/Lying/Impeding the Student Rights and Responsibilities Process

The willful giving of false testimony or misrepresenting statements during the student disciplinary process (including the investigation and hearing). Failure to cooperate during the investigation and hearing.

Property Damage

The actual or attempted unauthorized removal, use, or defacing of University property, or property in the University's custody or control resulting in its destruction or damage. Destroying, defacing, removing or damaging the property of others on University premises or at University-sponsored activities is likewise prohibited.

Public Intoxication

The act of displaying public drunkenness, incoherence/unresponsiveness and/or disorderly conduct due to the influence of alcohol. Parental notification may occur in the case of underage drinking and/or public intoxication.

Safety

Causing any condition that jeopardizes the safety of individuals, groups of individuals, or the University community. Tampering with safety measures or devices, such as alarm systems, fire extinguishers, exit signs, emergency phone systems, smoke detectors, fire hoses, security cameras, locked exterior or interior doors, and sprinkler systems. Failing to conform to safety regulations, such as falsely reporting an incident, failure to evacuate facilities in a timely fashion in an emergency situation or in response to fire alarms, inappropriate use of the alarm system, and other similar conduct. Falsely reporting the presence of a bomb or any other dangerous device or condition.

Shoplifting/Theft

The unauthorized taking of property that does not belong to the student.

Smoking

Smoking is prohibited on campus grounds and in all campus facilities.

Vandalism/Criminal Mischief (See Property Damage)

Weapons

Possession of weapons including firearms, items that eject projectiles, knives, or any item that anyone of reasonable sensibilities would consider to have the possibility of doing bodily harm is prohibited. Possessing, using, storing, or transporting firearms, other weapons, explosives, fireworks, ammunition or dangerous chemicals (except as authorized for use in class or in connection with University-sponsored research or other approved activities) are likewise prohibited.

Violation of any University policy or regulation not otherwise specified above, including but not limited to, those policies or regulations pertaining to University facilities, student activities, conduct in campus housing, conduct in off-campus housing, and civic enterprises.

DISCIPLINARY SANCTIONS

The disciplinary sanctions listed below are courses of action which may be taken when a student deviates from the expectations set forth the University's Student Code of Conduct, whether such conduct occurs in the residence halls, on the University campus, at University sponsored events or off campus. The disciplinary action taken in any given instance will be based upon consideration of all relevant circumstances and facts, including but not limited to the nature and severity of the violation in question, previous violations, and the student's past conduct and performance. Some single incidents or misconduct may require immediate dismissal or expulsion. These actions and their descriptions shall serve as guidelines for the judicial bodies and may be modified and used in any combination to meet the needs of the individual student involved.

Administrative Probation

Dean of Student Success may place a student on Administrative Probation. During this time and depending on the violation, the student may not be eligible to participate in extra-curricular activities, run for or hold elected positions, hold appointed positions, or run for class offices.

Apology, Letter of

Student is required to write a letter of apology to aggrieved party.

Counseling

Administrative referral is made to the Counseling Office to determine the specific needs of the individual student. Student will be required to satisfy the requirements determined by the team.

Community Service

The student is required to perform work assignments in the community or on the campus. The number of service hours will be determined by the Administrative Panel, or Dean of Student Success.

Disciplinary Probation

The Administrative Panel may place a student on Disciplinary Probation. This action is a formal

probationary status during which the student is removed from good standing at the University for a definite period of time. During this time and depending on the violation, the student may not be eligible to participate in co-curricular activities, run for or hold elected positions, hold appointed positions, or run for class offices. Any further violations while on probation may result in suspension, either from the residence halls or the University.

Disciplinary Warning

A written notice is given to the student that continued misconduct within a stated period of time may result in further disciplinary action. Extracurricular Activities Privilege Revoked. Depending on the violation, any student who is found guilty of a disciplinary infraction may not be eligible to participate in extra-curricular activities, run for or hold elected positions, hold appointed positions, or run for class offices.

Fine

A sum of money to be paid as a penalty for an offense (at the discretion of the Administrative Panel).

Residence Hall Probation

This is a formal probationary status for a period of time as specified by the Administrative Panel. Any further violation of University or residence standards while on probation subjects the student to further disciplinary action.

Residence Hall Dismissal

The student is dismissed from the residence hall and unable to live on campus for remainder of matriculation.

Restitution

Restitution is reimbursement to compensate for personal injury, damage to property or misappropriation of property.

Suspension

Suspension is separation for a period of time set by the Administrative Panel or the Dean of Success.

Expulsion

Expulsion is the permanent termination of student status.

FINES

All fines must be paid during the current semester at the Bursar's Office and the receipt presented to the Dean of Student Success. Fines are to be paid in cash or money orders; no personal checks will be accepted. If fines are not paid by the end of the semester, they will be placed on students' accounts; and the student will not be allowed to register for the following

semester, receive transcripts or apply for residence life until the fine has been cleared from the student's account. All persons who have been found responsible for a violation that merits a fine and thereafter refuse to pay fines are to be dismissed for one full semester. Fines may be assessed by Residence Life Staff.

READMISSION

Readmission to Harris-Stowe State University is not automatic or guaranteed. Any student suspended or withdrawn for disciplinary reasons must submit an application to the Office of Admissions requesting readmission. Final determination may be decided by the Dean of Student Success.

Conditional Readmission

In keeping with our mission, our policy is to provide a safe, healthy and drug free environment. We have established a "ZERO TOLERANCE" policy regarding drugs and controlled substances as defined previously. Violators will be disciplined. If your sentencing allows for a future return to Harris-Stowe State University, the following procedure must be adhered to:

Procedure

Student will enroll in a certified non-residence drug treatment program – *at cost to the student*.

Student must sign two (2) release-of-information forms: (1) permitting the drug treatment program communication with the University and (1) permitting drug screening results to be forwarded to the University.

Student will complete and sign the readmit application and pay the associated cost.

Upon return to the University, the student will submit to a drug screen – at cost to the student – at a University specified lab. The results will be forwarded to the Student's Rights and Responsibilities Review Board Chair.

Once accepted, upon immediate return to the University, the student will report to the Office of Counseling and consent to a 90 day aftercare management program – participation mandatory.

Disclosure

The University has the right to solicit the above requested information and will maintain it in a confidential manner – strictly need to know. The University has the right to expel any student who does not successfully fulfill the requirements set forth in the conditional re-admission policy.