

## **MISSION**

The University of Science and Arts of Oklahoma (USAO) is a liberal arts, bachelor degree granting institution within the Oklahoma State System of Higher Education. The primary mission of USAO is to provide programs of instruction that combine liberal and career learning through a required core of general education consisting of team-taught, integrated, Interdisciplinary Studies (IDS). General education courses extend throughout the four-year degree program and are de-signed to complement and enrich the students' professional preparation. The IDS courses show students the relationships between the academic disciplines and different fields of knowledge. Ultimately, education at USAO prepares students for effective living in a global world of change and to function as productive members of society, actively contributing to the general good as well as their own advancement.

## **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**

Information contained in the student handbook is designed to give students guidance on University procedures. The intent is not to take away individual liberties, but to insure knowledge and fair treatment on policies and procedures. This hand-book was approved by the USAO Board of Regents as of June 2007.

### **ARTICLE I: DEFINITIONS**

1. The term "University" means University of Science and Arts of Oklahoma.
2. The term "student" includes all persons taking courses at the University, both full-time and part-time, pursuing under-graduate, graduate, or professional studies and those who attend post-secondary educational institutions other than the University and who reside in Student Housing. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered "students."
3. The term "faculty member" means any person hired by the University to conduct classroom activities.
4. The term "University Official" includes any person employed by the University, performing assigned administrative or professional responsibilities.
5. The term "member of the University community" includes 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 his/her designee.
6. The term "University premises" includes all land, buildings, facilities, and other property in the possession of, or owned, used, or controlled by the University (including adjacent streets and sidewalks).
7. The term "organization" means any number of persons who have complied with the formal requirements for University recognition.
8. The term "judicial body" means any person or persons authorized by the Dean of Students to determine if a student has violated the Student Code and to recommend imposition of sanctions.
9. The term "Judicial Advisor" means a University Official authorized on a case by case basis by the Dean of Students to impose sanctions upon students found to have violated the Student Code. The Dean of Students may authorize a Judicial Advisor to serve simultaneously as a Judicial Advisor and the sole member or one of the members of a judicial body. Nothing shall prevent the Dean of Students from serving as Judicial Advisor or authorizing the same Judicial Advisor to impose sanctions in all cases.

10. The term “appellate board” means any person or persons authorized to consider an appeal from a judicial body’s determination that a student has violated the Student Code or from the sanctions imposed by the Judicial Advisor.
11. The term “shall” is used in the imperative sense.
12. The term “may” is used in the permissive sense.
13. The Dean of Students is the person designated by the University President to be responsible for the administration, under the authority of the Board of Regents, of the Student Code.
14. The term “policy” is defined as the written regulations of the University as found in, but not limited to, the Student Handbook, the Student Code and the University Catalog.

## **ARTICLE II: JUDICIAL AUTHORITY**

1. The Dean of Students shall determine the composition of judicial bodies and determine which judicial body and Judicial Advisor shall be authorized to hear each case.
2. The Dean of Students shall develop policies for the administration of the judicial program and procedural rules for the conduct of hearings, which are consistent with provisions of the Student Code.
3. Decisions made by a judicial body and/or Judicial Advisor shall be final, pending the normal appeal process.
4. A judicial body may be designated as arbiter of disputes within the campus community in cases which do not involve a violation of the Student Code. All parties must agree to arbitration and to be bound by the decision with no right of appeal.

## **ARTICLE III: PROHIBITED CONDUCT**

### **A. Jurisdiction of the University**

Generally, University jurisdiction and discipline shall be limited to conduct which occurs on University premises or which adversely affects the University community and/or the pursuit of its objectives.

### **B. Conduct Rules and Regulations**

Any student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in Article IV:

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:
  - a. 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.
  - b. Cheating, plagiarism, or other forms of academic dishonesty.
  - c. Furnishing false information to any University Official, faculty member or office.
  - d. Forgery, alteration, or misuse of any University document, record, or instrument of identification.
  - e. Tampering with the election of any University recognized student organization.
3. Attempted or actual theft of property of the University, of a member of the University community or other personal or public property.
4. Conduct which is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored or participated in by the University.
5. Disruption or obstruction of research, administration, disciplinary proceedings, other University activities, including its public service functions on or off campus, or other authorized non-University activities, when the act occurs on University premises.

6. 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. Failure to comply with directions of University Officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
8. Fire safety equipment misuse including false alarms, abuse or dismantling smoke detectors and fire extinguishers.
9. Hazing defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property (See Hazing Policy, p. 15).
10. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on University premises (See Weapons Policy, p. 13).
11. Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.
12. 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 (See Regulations Governing Demonstrations, p. 10).
13. Physical abuse of any person. 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.
14. Security camera equipment misuse including abuse, damage or dismantling security cameras or monitors.
15. Sexual misconduct is any sexual activity without effective consent. (See Sexual Misconduct Policy, p. 17).
16. 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.
  - 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.
17. Threats, verbal abuse, intimidation, coercion, harassment, and/or other conduct which threatens or endangers the health or safety of any person.
18. Unauthorized entry to or use of University premises including buildings, roofs of buildings, balconies, and steam tunnels on the University campus.
19. Unauthorized possession, duplication or use of keys to any University premises.
20. Use, possession or distribution of alcoholic beverages, narcotic or other controlled substances except as expressly permitted by law and University regulations, or public intoxication. (See Alcohol & Drug Policy, p. 14).
21. Vandalism and/or other conduct which damages the property of another person or the University.
22. Violation of published University policies, rules or regulations.
23. Violation of federal, state or local law on University premises or at University sponsored or supervised activities.

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

1. If a student is charged only with an off campus violation of federal, state, or local laws, but not with any other violation of this Code, disciplinary action may be taken and sanctions imposed for misconduct which demonstrates disregard for the University community. In such cases, no sanction may be imposed unless the student has been found guilty in a court of law or has declined to contest such charges, although not actually admitting guilt (e.g., "no contest" or "nolo contendere").
2. University disciplinary proceedings may be instituted against a student charged with violation of a law, which is al-so a violation of this Student Code, for example, if both violations result from the same factual situation, without regard to the tendency of civil 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 proceedings off-campus.
3. When a student is charged by federal, state or local authorities with a violation of law, the University shall not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is al-so the subject of a proceeding before a judicial body under the Student Code, however, the University may advise off-campus authorities of the existence of the Student Code and of how such matters shall be handled internally. The University shall cooperate fully 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. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

## **ARTICLE IV: JUDICIAL POLICIES**

### **A. Charges**

1. Any member of the University community may file charges against any student for misconduct. Charges shall be prepared in writing and directed to the Dean of Students. Any charge shall be submitted as soon as possible after the event takes place.

2. The Dean of Students may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Dean of Students. Such disposition shall be final and there shall be no subsequent proceedings. If the charges cannot be disposed of by mutual consent, the Dean of Students may later serve in the same matter as the judicial body or a member thereof.

3. All charges shall be sent or delivered to the accused student in written form to the student's campus address or the address listed in the Registrar's records. This shall constitute full and adequate notice. A time shall be set for a hearing, neither less than three (3) nor more than fifteen (15) school days after the student has been notified. Maximum time limits for scheduling of hearings may be extended at the discretion of the Dean of Students.

### **B. Hearings**

After reviewing all charges and evidence, the Dean of Students shall determine the appropriate course of action.

#### **1. Administrative Disciplinary Hearing**

An Administrative Disciplinary Hearing shall be conducted by the Dean of Students or his/ her designee. An Administrative Disciplinary Hearing shall be conducted when: a) separation from the University is not warranted, b) the student admits responsibility for the violation or c) fails to respond within the designated period of time. The University shall take whatever action seems appropriate. The Dean of Students shall determine the appropriate sanction(s) and notify the student.

#### **2. Student Judicial Board Hearing**

A Student Judicial Board Hearing shall be conducted according to established guidelines (see Article IV, section C) to consider cases regarding students. The judicial board shall determine responsibility for the alleged violation and recommend appropriate sanctions to the Dean of Students. The Dean of Students shall determine sanction(s) and notify the student.

#### **3. University Discipline Committee**

The University Discipline Committee shall consist of faculty, students, and staff appointed by the President of the University. Hearings shall be conducted by the University Discipline Committee according to established guidelines (see Article IV, section C). The University Discipline Committee shall determine responsibility for the alleged violation and recommend appropriate sanctions to the Dean of Students. The Dean of Students shall determine sanction(s) and notify the student.

### **C. Hearing Guidelines**

1. Hearings shall be conducted by a judicial body according to the following guidelines:

a. Hearings normally shall be conducted in private. At the request of the accused student, and subject to the discretion of the chairperson, a representative of the student press may be admitted, but shall not have the privilege of participating in the hearing.

b. Admission of any person to the hearing shall be at the discretion of the judicial body and/or its Judicial Advisor.

c. In hearings involving more than one accused student, the chairperson of the judicial body, in his/her discretion may permit the hearings concerning each student to be conducted separately.

d. The complainant and the accused have the right to be assisted by any advisor they choose, at their own expense. The advisor may be an attorney. The complainant and/ or the accused are responsible for presenting his/her own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing before a judicial body.

e. The complainant, the accused and the judicial body shall have the privilege of presenting witnesses, subject to the right of cross examination by the judicial body.

f. Pertinent records, exhibits and written statements may be accepted as evidence for consideration by a judicial body at the discretion of the chairperson.

g. All procedural questions are subject to the final decision of the chairperson of the judicial body.

h. After the hearing, the judicial body shall determine (by majority vote if the judicial body consists of more than one person) whether the student has violated each section of the Student Code with which the student is charged.

- i. The judicial body's standard for disciplinary decision making shall be by a preponderance of the evidence.
2. There shall be a single verbatim record of all hearings before a judicial body. The record shall be the property of the University.
3. Except in the case of a student charged with failing to obey the summons of a judicial body or University Official, no student may be found to have violated the Student Code solely because the student failed to appear before a judicial body. In all cases, the evidence in support of the charges shall be presented and considered.

#### **D. Sanctions**

1. The following sanctions may be imposed upon any student found to have violated the Student Code.
  - a. Warning: A notice in writing to the student that the student is violating or has violated institutional regulations.
  - b. Probation: A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulations during the probationary period.
  - c. Loss of Privileges: Denial of specified privileges for a designated period of time.
  - d. Fines: A monetary sum may be imposed for a code violation.
  - e. Restitution: Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
  - f. Discretionary Sanctions: Work assignments, service to the University or other related discretionary assignments (such assignments must have the prior approval of the Judicial Advisor).
  - g. Student Housing Suspension: Separation of the student from Student Housing for a definite period of time, after which the student is eligible to return. Conditions for readmission shall be specified.
  - h. Student Housing Expulsion: Permanent separation of the student from Student Housing.
  - i. University Suspension: Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission shall be specified.
  - j. University Expulsion: Permanent separation of the student from the University.
2. More than one of the sanctions listed above may be imposed for any single violation.
3. Other than University expulsion, disciplinary sanctions shall not be made part of the student's confidential records. Upon graduation, the student's confidential records may be expunged of disciplinary actions other than Student Housing expulsion, University suspension, or University expulsion, upon application to the Dean of Students. Cases involving the imposition of sanctions other than Student Housing expulsion, University suspension, or University expulsion shall be expunged from the student's confidential records three (3) years after final disposition of the case.
4. The following sanctions may be imposed upon groups or organizations:
  - a. Those sanctions listed above in Section D 1, a through f.
  - b. Deactivation: Loss of all privileges, including University recognition, for a specified period of time.
5. In each case in which a Judicial Advisor determines that a student has violated the Student Code, the sanction(s) shall be determined and imposed by the Dean of Students. Cases in which persons other than, or in addition to, the Dean of Students have been authorized to serve as the judicial body, shall be considered by the Dean of Students in determining and imposing sanctions. The Dean of Students is not limited to sanctions recommended by members of the judicial body. Following the hearing, the Dean of Students shall advise the accused in writing of the determination and of the sanction(s) imposed, if any.

#### **E. Interim Suspension**

In certain circumstances, the Dean of Students, or a designee, may impose a University or Student Housing suspension prior to the hearing before a judicial body.

1. Interim suspension may be imposed only:
  - a. To ensure the safety and well-being of members of the University community or preservation of University property;
  - b. To ensure the student's own physical or emotional safety and well-being;
  - c. If the student poses a definite threat of disruption of, or interference with, the normal operation of the University.
2. During the interim suspension, the student shall be denied access to Student Housing and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the Dean of Students deems appropriate.

## **F. Appeals**

1. A decision reached by the judicial body or a sanction imposed by the Dean of Students may be appealed by accused students or complainants to an Appellate Board within five (5) scheduled class days of the decision. Such appeals shall be in writing and shall be delivered to the Dean of Students.
2. The University Appeals Committee shall hold appellate jurisdiction of University regulations. The Appeals Committee shall consist of faculty, students and staff appointed by the President of the University.
3. Except as required to explain the basis of new evidence, an appeal shall be limited to review of the verbatim record of the initial hearing and supporting documents for one or more of the following purposes:
  - a. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and present evidence that the Student Code was violated, and giving the accused student a reasonable opportunity to prepare and to present a rebuttal to those allegations.
  - b. To determine whether the decision reached regarding the facts in the case was based on substantial evidence, that is, whether the facts in the case were sufficient to establish that a violation of the Student Code occurred.
  - c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code the student was found to have committed.
  - d. To consider new evidence, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such evidence and/or facts were not known to the person appealing at the time of the original hearing.
4. The Appeals Committee has five (5) scheduled class days to reach a decision on the matter and transmit its decision to the Vice President for Enrollment Management and Student Affairs. The Vice President shall notify the student in writing of any discipline imposed. The decision shall be final.

## **ARTICLE V: INTERPRETATION AND REVISION**

- A. Any question of interpretation regarding the Student Code shall be referred to the Dean of Students or his/her designee for final determination.
- B. The Student Code shall be reviewed every three (3) years under the direction of the Vice President for Enrollment Management and Student Affairs. (Regents 05/11/04)

## **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.

#### 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.

#### 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**
4. 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**
3. 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.

#### **Part IV: 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.

### **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 re-calculate 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.

## **REGULATIONS GOVERNING DEMONSTRATIONS**

The right of the student to free speech in order to express opinion, and the right to petition and assemble for this purpose, is recognized by the University. 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.

Definitions: Speech, as used in this document, is the oral presentation of ideas in an open forum. Demonstration is any process of showing individual or group cause by speech, example, group action, or other form of public expression.

Such expression, petitions, and/or assemblies on University premises shall be conducted in compliance with the following regulations with appropriate time, place, and manner limitations:

1. No person or persons may obstruct the flow of traffic on open streets, sidewalks, hallways, or through entrances or exits of any building.
2. No person or persons may physically or verbally molest or abuse visitors or members of the University community including those who may be engaged in counter-demonstrations.
3. No person or persons may either orally or on signs or handbills use statements libeling any person or persons.
4. Assemblies may not disrupt classes or other University business.
5. No person or persons may take any action that damages property or official records of the University or of members of the University community.
6. Time, Place, and Manner Limitations: *Interior*: Demonstrations, debates, and speeches may be held inside University facilities only in compliance with established procedures for the use of the facility. University facilities must be reserved through the Office of the Vice President of Enrollment Management and Student Affairs. *Exterior*: University of Science and Arts of Oklahoma reserves the right to require that speakers,

scheduled and unscheduled, sponsored and un-sponsored, University affiliated or visitors to the campus, use designated locations in order to avoid unreasonable conflict with the normal functions and requirements of the University and to assure that the flow of vehicular and pedestrian traffic will not be impeded. Any exterior speech or demonstration shall be no closer than 100 feet of University buildings. Authorization for any speech or demonstration will require identification of the individual or organization and agreement to abide by University regulations. No musical instrument or sound amplification equipment of any kind, including stereo speakers, turntables, stationary or mobile public address systems, is allowed on the concourses, streets, or in areas adjacent to academic buildings without the approval of the Office of the Vice President of Enrollment Management and Student Affairs.

7. If students who are demonstrators or picketers violate one or more of these conditions, they shall be advised of their violation by a representative of the University, and those who continue shall be subject to discipline by the University, pending action through regular disciplinary procedures.
8. Non-student demonstrators or picketers who violate one or more of the above conditions shall be advised of their violation, and those who continue shall be asked to leave the campus. Those who persist shall be considered trespassers and shall be turned over to the proper authorities.
9. If the violations cannot be ended through the regular procedures of the University, law enforcement officers may be requested to protect persons and property of visitors, faculty, staff, and students of the University and to enable the University to operate in an orderly manner.

## **GRIEVANCE PROCEDURES**

The following procedures have been established for processing student grievances against the University or a member of the University community, other than a student or student group. Student grievances against other students or groups of students are resolved through procedures established by the Student Government Association.

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.

Students are encouraged to discuss their grievance informally with the Dean of Students. For grievances against a faculty/staff member, the faculty/staff member and the departmental chairperson shall be informed in writing by the Dean of Students.

A meeting between the student and faculty/staff member may be scheduled to attempt to resolve the grievance. If it is not resolved at this level, or if it is appropriate, a meeting with the faculty member, the student, the departmental chair, the Vice President of Enrollment Management and Student Affairs and the Dean of Students shall be scheduled.

If grievances cannot be resolved informally, the student may thoroughly explain the grievance in writing on the Report of Grievance and submit the form to the Dean of Students. The Report of Grievance shall be referred to the chairperson of the Grievance Committee, who shall convene the committee. Grievances against a departmental chairperson shall be referred to the Vice President for Academic Affairs.

The Grievance Committee consists of two members of the faculty, two members of the professional/classified staff, and two members of the Student Government Association, appointed by the Student Government Association President, with the confirmation of the Student Senate. Members of the Grievance Committee serve one-year terms. Committee members are absolved of any and all personal liability or responsibility for decisions made and actions taken by the committee (adopted by Regents, 1-77, revised 6-79, revised 6-82).

## **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.

**CAMPUS SAFETY & SECURITY**

Providing a safe environment in which to live, learn and work is our main objective. A truly safe campus can only be achieved through the full cooperation of all the students, faculty, and staff. Take the time to read this information as part of your responsibility in creating a safe environment for yourself and others on the campus.

The Office of Campus Security works closely with the Residence Life staff and other Student Services staff to implement programs aimed at increasing student awareness and safety while decreasing criminal incidents.

Officers perform routine patrols of all dorm living areas, classrooms, and office areas on campus. Security officers are on duty 24 hours/day and can be reached at any time by calling 405-222-8066.

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 INFORMATION**

Please report all emergency situations to Campus Security immediately, and when necessary to the Residence Hall Staff.

**Campus Security ..... 405-222-8066**

**WEAPONS**

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, skyrocketes, roman candles, aerials 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.

### **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)

## **DRUG AND ALCOHOL POLICY**

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. This responsibility demands implementation of programs and services which facilitate that effort. 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 possession or use of alcoholic beverages above 3.2% alcohol content on the USAO campus. Students 21 years of age or older may have 3.2% or less alcohol content beverages within the confines of their Lawson Court apartment or Sparks Hall room. Open containers are prohibited within the halls or balcony areas of student housing. No kegs, party balls, etc. are allowed in Student Housing.
6. 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.
7. Provides for annual distribution of this policy to student members of the University community.

The following toll free, hotline numbers may be of use to someone needing help or service:

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
Southwest Youth & Family Services .....	405-222-5437

## **HAZING POLICY**

### **Title 21, Section 1190 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 this section 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 A of this section, 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 subsection A 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 as defined in Section 506 of Title 37 of the Oklahoma Statutes, non-intoxicating beverage as defined in Section 163.2 of Title 37 of the Oklahoma Statutes, 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 any activity, except those activities authorized by law, which would subject the individual to extreme mental stress, such as prolonged sleep deprivation, 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.

#### **SECTION 4.**

This act shall become effective July 1, 1990.

#### **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.

### **SEXUAL MISCONDUCT, DISCRIMINATION AND HARASSMENT**

The University of Science and Arts of Oklahoma is committed to creating and maintaining an environment for all University personnel and students which is free of objectionable and disrespectful conduct and communication. The University shall not permit conduct of a sexual nature which interferes with individual rights and responsibilities or creates an intimidating or offensive atmosphere either for working or learning. The University does not condone any form of sexual misconduct whether physical, mental, verbal, or emotional in nature. The University condemns discrimination based on sex or gender, sexual harassment, sexual assault, sexual orientation discrimination, discrimination based on gender identity or expression, and sexual misconduct.

This policy covers unwelcome conduct of a sexual or gender-based nature, whether committed on- campus or off-campus where the University has control over the perpetrator or the context of the harassment. The policy defines prohibited conduct, explains what to do if you wish to make a complaint of sexual misconduct, sets forth the procedures to be followed for promptly and equitably investigating and resolving such complaints, and identifies available resources and educational programs. This policy applies to the members of the University Community, including students, faculty, and staff. The policy also applies to contractors and other third party vendors within the University's control. University Community members are expected to take an active role in upholding these policies while promoting the dignity of all individuals.

These actions are violations of law for which criminal charges can be filed and civil remedies sought. They are also violations of the Student Code of Conduct for which disciplinary action can be taken, including suspension or expulsion from the University. If the alleged offender is a student and a complaint is filed, the University will follow established disciplinary procedures to process the case. USAO will provide assistance and support for student victims of sexual assault. (Executive Committee 6/2014)

#### **DEFINITIONS**

USAO prohibits sexual misconduct in any form. Sexual misconduct is a broad term encompassing any unwelcome behavior of a sexual nature that is committed without consent or by force, intimidations, coercion, or manipulation. Sexual misconduct can occur between persons of the same or different sex/gender. Offenses prohibited under the University's policy include, but are not limited to sexual harassment, sex discrimination (including sexual

orientation discrimination, pregnancy discrimination, and gender identity or gender expression discrimination), non-consensual sexual intercourse (or attempts to commit same), non-consensual sexual contact (or attempts to commit same), sexual coercion, domestic/dating violence, stalking, and sexual exploitation, and any attempts to commit the same.

**Sexual Harassment:** Sexual harassment is any unwelcome conduct of a sexual nature, which includes, but is not limited to, unwelcome sexual advances; the use or threatened use of sexual favors as a basis for academic or employment decisions; conduct that creates a hostile, intimidating or offensive academic or working environment; conduct that has the effect of unreasonably interfering with an individual's work performance; and other verbal, nonverbal, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive to limit a person's ability to participate in or benefit from an educational program or activity.

**Sex Discrimination:** Includes sexual harassment and is defined as conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects their employment or education, or institutional benefits, on account of sex or gender (including sexual orientation, gender identity, and gender expression discrimination). It may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

**Non-Consensual Sexual Contact:** Non-Consensual Sexual Contact is any intentional sexual touching, however slight, with any object, by a man or a woman upon a man or a woman that is without consent and/or by force. Sexual Contact includes: intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

**Non-Consensual Sexual Intercourse:** Non-Consensual Sexual Intercourse is any sexual intercourse however slight, with any object, by a man or woman upon a man or a woman that is without consent and/or by force. Intercourse includes: vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

**Dating Violence and Domestic Violence:** Intimidation, harassment, physical abuse, or interference with personal liberty of any person who is a current or former spouse, intimate partner, domestic partner, dating partner, or member of one's family or household. Individuals encompassed in this definition include, but are not limited to: persons who have or have had a dating or engagement relationship; persons who have or have had a social relationship of a romantic or intimate nature; current or former spouses, domestic partners, parents, children, stepchildren and other persons related by blood or by current or prior marriage; persons who share or formerly shared a common dwelling; persons who have or allegedly have a child in common; persons who share or allegedly share a relationship through a child; and personal assistants and personal caregivers for the elderly or disabled.

**Stalking:** Conduct directed at a specific person that is unwelcome and that would cause a reasonable person to fear for their safety (or the safety of a third party) or suffer other emotional distress. Conduct that can amount to stalking may include any actions directed at another person, whether done directly, indirectly, through others, via devices, or via any other methods or means (specifically including electronic means), including but not limited to:

- Following a person
- Being or remaining in close proximity to a person
- Entering or remaining on or near a person's property, residence, or place of employment
- Monitoring, observing, or conducting surveillance of a person.
- Threatening (directly or indirectly) a person
- Communicating to or about a person
- Giving gifts or objects to, or leaving items for, a person
- Interfering with or damaging a person's property (including pets)
- Engaging in other unwelcome contact.

**Sexual Exploitation:** Sexual exploitation is taking sexual advantage of another person without effective consent and includes, without limitation, causing the incapacitation of another person for a sexual purpose; causing the prostitution of another person; electronically recording, photographing, or transmitting intimate or sexual utterances, sounds or images of another person; allowing third parties to observe sexual acts; engaging in voyeurism; distributing intimate or sexual information about another person; and/or knowingly transmitting a sexually transmitted infection, including HIV, to another person.

#### **ADDITIONAL APPLICABLE DEFINITIONS**

**Sexual Assault:** The intentional touching, mauling or feeling of the body or private parts of any person in a lewd and lascivious manner and without the consent of that person. This can be through clothing.

**Rape:** means all acts of sexual intercourse involving oral, vaginal, or anal penetration accomplished without consent and with a male or female (who may be of the same or opposite sex as the perpetrator).

**Rape by instrumentation:** means any act in which any inanimate object or any part of the human body, not intended for sexual intercourse, is used in the carnal knowledge of another person without his or her consent and penetration of the anus or vagina occurs to that person.

**Sexual battery:** shall mean the unwanted touching, mauling or feeling of body or private parts of any person in a touching of a person's genitalia, buttock or breasts.

**Domestic Violence:** includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

**Dating Violence:** means violence by a person who has been in a romantic or intimate relationship with the victims. Whether there was such relationship will be gauged by its length, type, and frequency of interaction. Characteristics of relationship violence include physical behavior such as slapping, pulling hair, punching; threats of abuse such as a threatening to hit, harm, or use a weapon; verbal abuse; emotional abuse; or other forms of harassment.

**Force:** is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent.

#### **EFFECTIVE CONSENT**

Effective Consent is informed, freely and actively given, mutually understandable words or actions which indicate a willingness to participate in a mutually agreed upon, specific sexual activity. A person can withdraw consent at any time during the course of a sexual encounter.

Initiators of sexual activity are responsible for obtaining effective consent. The use of alcohol or drugs does not diminish the initiator's responsibility to obtain effective consent. Silence, passivity or non-communication is not effective consent. The use of intimidation, coercion, threats, force, or violence negates any consent obtained. Lack of consent is implied if there is an imbalance of power held by the perpetrator over the victim.

Consent is not considered effective if obtained from an individual who is incapable of giving consent due to the following:

1. a mental, developmental, or physical disability; or
2. she or he is under the legal age to give consent; or
3. she or he is intoxicated by alcohol or under the influence of drugs.

Consent cannot be inferred from:

1. permission for one particular act;
2. a current sexual, romantic, dating, or marital relationship;
3. a prior sexual, romantic, dating, or marital relationship.

#### **REPORTING**

The University strongly encourages individuals to report incidents of sexual misconduct to University officials as soon as possible after the alleged assault has occurred. In order to best preserve evidence, campus security should be contacted as soon as possible after an assault has occurred. Preserving evidence may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order. Information regarding sexual misconduct will be treated with the confidentiality afforded any victim. All University employees are obligated to report sexual misconduct of which they become aware. The offices listed below are trained to work with individuals who report sexual misconduct, and have knowledge about on- and off-campus resources, services, and options-including possible interim actions and accommodations that may be instituted in cases of sexual misconduct.

1. Counseling Services: Located within Student Services on the 3rd floor of Student Center.
2. Health Services: Located within the Nobbs Wellness Center, 2nd floor of Student Center.
3. Dean of Students: Located within Student Services, 3rd floor of Student Center.
4. Vice President of Enrollment Management and Student Affairs: Located 2nd floor of Troutt Hall
5. Campus Security: Located first floor of Troutt Hall. 405-222-8066.

Complainants may report alleged sexual misconduct to any USAO administrator, supervisor, faculty member, coach or athletic trainer. Reports may also be made directly to the Title IX Coordinator or designee. University employees who receive a report of sexual misconduct are obligated to further report such complaint to the Title IX Coordinator or designee. No employee is authorized to resolve or investigate complaints without the involvement of the Title IX Coordinator.

Institutional personnel can assist a victim in notifying law enforcement authorities, including on-campus & local police, if the victim so chooses. The victim may also decline to notify authorities.

The criminal investigation, should the individual choose to pursue criminal prosecution, will be conducted by local law enforcement. The University has an obligation to investigate any allegations that would be a violation of the student conduct code. The student conduct and the criminal investigations may occur concurrently. Proceeding with a University administrative investigation and resolution of a complaint of sexual misconduct under this policy is independent of any criminal investigation or proceeding. Reporting to law enforcement does not preclude a person from proceeding with a complaint of sexual misconduct under this policy. The University does not normally wait until a criminal investigation or proceeding is concluded before conducting its own investigation, implementing interim measures and taking appropriate action. Because the standards for a violation of criminal law are different from the standards for a violation of this policy, criminal investigations and proceedings are not determinative of whether a violation of this policy has occurred. In other words, conduct may violate this policy even if law enforcement agencies or local prosecutors decline to prosecute.

Complaints of sexual misconduct and related internal University processes may occur prior to, concurrent with, or following civil or criminal proceedings off campus.

All reports of sexual misconduct will be filed with the Dean of Students. Victims will receive a notification of existing on-campus & off-campus counseling, mental health, or other services. The Clery Act mandates that the University report any incident of dating violence, domestic violence, and stalking to the District Attorney's office.

Difference between privacy and confidentiality:

**PRIVACY:** Privacy relates to people. To the extent possible, the University will protect the privacy of all parties to a complaint or other report of sexual misconduct.

**CONFIDENTIALITY:** Confidentiality relates to information/data about an individual. While the University has an obligation to investigate every complaint or other report, if a student wishes the details of an incident to be kept strictly confidential, he or she may speak privately with the University counselor, health providers or official rape crisis resources.

USAO will protect the confidentiality of victims of sexual assault, including the protection of any identifiable information of victims in records that may be accessed by the public, to the extent permissible by federal and state laws. To the extent possible, the University will make every effort to maintain the privacy of all parties involved in alleged sexual offenses, relationship violence, harassment, and stalking incidences. Privacy, however, cannot be guaranteed in some incidences due to the responsibility to the overall campus safety.

While steps will be taken to protect the privacy of such persons, the University may need to investigate an incident and take action once the allegation is known. The University adheres to all federal, state, and local requirements for intervention, crime reporting, and privacy provisions relating to sexual misconduct. Anonymous reports may be filed. Where potential complainants wish to remain anonymous, the report may be made in a John/Jane Doe format. Additionally, attorneys, clergy members, licensed counselors or physicians who are engaged in such capacity may keep such reports confidential. For on-campus adjudication, however, the complainant must be identified.

### **AMNESTY FOR STUDENTS WHO REPORT SEXUAL MISCONDUCT**

USAO encourages reporting of sexual misconduct and seeks to remove any barriers to an individual making a report. The University understands that a person that may have been under the influence of alcohol during the time of the incident may be unwilling to report the incident. An individual who reports sexual misconduct, either as a complainant or a witness, will not be subject to disciplinary action for their own personal consumption of alcohol at or near the time of the alleged incident as long as any such violation does not place the health or safety of any other person at risk. Amnesty will not be extended to any other violations of student conduct beyond alcohol. Amnesty does not preclude or prevent action from the police or other legal authorities. Filing a complaint or otherwise reporting sexual misconduct shall not cause any reflection on the individual's status, nor shall it affect future employment, compensation, work assignments or student status.

### **INTERIM ACTIONS & ACCOMODATIONS**

Individuals who have experienced sexual misconduct may seek reasonable accommodations in their academic, living, transportation or working situations. The Dean of Students may impose a "no contact" order which typically includes a directive that the parties refrain from having contact with each other, directly or indirectly, pending the investigation and if applicable, the hearing. Such accommodations are available regardless of whether the individual chooses to report the crime to campus police or local law enforcement or to file a formal complaint with the University. In addition, University officials can also assist individuals to contact relevant local authorities to obtain civil no contact orders and/or orders of protection.

### **INVESTIGATION PROCESS**

The University will protect the safety of victims during and following a sexual misconduct hearing. Victims have the option for changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available regardless of whether the victim chooses to report the crime to local law enforcement. To the extent possible, the University will make every effort to maintain the privacy of all parties involved in alleged sexual offenses, relationship violence, harassment, and stalking incidences. Privacy, however, cannot be guaranteed in some incidences due to the responsibility to the overall campus safety.

After sexual assault is reported, law mandates that the following be observed:

- The University must promptly respond and complete an investigation of the allegations.
- The accuser and the accused must be notified in writing of the complaint, issued a copy of the current University Policy, and informed of their respective rights in the judicial process.
- During the investigation related to the student conduct violation, a standard of preponderance of evidence will be the standard used to determine the outcome. This standard is not the same level of proof needed for a criminal prosecution.
- Orders of no contact can be implemented to protect the victim.
- Temporary suspension of an alleged perpetrator is sometimes warranted.

The use of alcohol or drugs by either party, in conjunction with a sexual assault, does not alleviate responsibility or diminish the serious nature of the offense.

### **DISCIPLINARY PROCEDURES FOR SEXUALLY RELATED VIOLATIONS**

By Federal Law all reports of sexual discrimination, misconduct, and/or harassment must be fully investigated within 60 days of receipt of the complaint. Reports of sexual discrimination, misconduct, and/or harassment are referred to the Dean of Students for investigation and determination of appropriate action, if any. The Dean of Students will review with the student the nature of the complaint. The Dean of Students has the responsibility for handling the case on a person-to-person basis and for collecting and interpreting information on the allegations or

reports made about the student's behavior relating to the complaint. The Dean of Students will make a decision pertaining to the disposition of the case and will inform the accused and accuser of the Judicial Process. After the Judicial Committee has made their recommendation and the Dean of Students has issued sanctions, a student who feels that he/she has been treated unfairly has the right to request an appeal. The Dean of Students has the authority to make changes to academic and living arrangements to assist victims of a crime.

The University will make a determination based on a preponderance of evidence. Proof by a "preponderance of evidence" means the evidence is sufficient to persuade the finder of fact that the proposition is "more likely true than not".

Proceedings shall:

- Provide a prompt, fair, and impartial investigation and resolution
- Be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability

Allegations of sexual misconduct are extremely serious, with potential for great harm to the accused if ill-conceived or made with malice. The University is committed to protecting the rights of the accused as well as the complainant. An individual found to have deliberately filed a false accusation may be subject to separate appropriate disciplinary action. A complaint made in good faith is not considered false merely because the evidence does not ultimately support the allegation of sexual misconduct.

Persons accused of sexual misconduct will be treated with fairness and respect. A person accused of sexual misconduct will be informed that a complaint has been made, told the specific allegations, provided with a copy of this policy, and informed of available counseling and other resources.

Both the accuser and the accused will be informed simultaneously in writing of the following:

- the outcome of any disciplinary proceeding
- appeal rights, if applicable
- how the institution will protect the confidentiality of the accused and accuser and how public records will be kept without the inclusion of personally identifiable information, to the extent permissible by law

## SPECIAL PROCEDURES FOR ALLEGED SEXUAL RELATED CASES

### A. Special Mandatory Rights

- The complainant and accused shall be permitted to have a silent supporter of his or her choosing accompany him or her throughout the disciplinary procedure. The supporter will not participate in the hearing process and will be bound by the rules of the confidentiality governing the hearing.
- The complainant and accused shall be permitted to be present during the entire disciplinary procedure (except during deliberations of the panel).
- The complainant and accused shall have the right to be informed of the outcome of the hearing upon its conclusion by the panel.

### B. Discretionary Procedures

At the discretion of the committee reviewing a particular case, the following procedures may be deemed appropriate. A committee shall have no duty to grant such measures in any case under review, but should consider the appropriateness of permitting such accommodations:

- The panel may, in its discretion, exclude evidence regarding the past sexual history of the accuser from discussion during the hearing. The past sexual history of the alleged victim with persons other than the alleged perpetrator shall be presumed irrelevant;
- The alleged victim may be given the opportunity to make a statement to the panel regarding the impact that the alleged actions have had in his or her life and educational relationship with the university, if the alleged perpetrator is found to have engaged in sexual misconduct.

## SANCTIONS

Students found to have violated this policy are subject to disciplinary sanctions which may include warnings, victim protection orders, restrictions, probation, suspension, or expulsion from the University. In addition, an individual charged with a sexual assault may be subject to prosecution under Oklahoma Criminal Statutes.

**RETALIATION**

Any attempt to penalize or retaliate against any party involved in a complaint or participating in the investigation of a complaint of sexual misconduct will be treated as a separate and distinct violation of University Policy and to include state, local and federal laws.

**RESOURCES**

A student who believes he or she 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)
Women’s Service & Family Resource Center - CRISIS LINE .....	405-222-1818 (Available 24 hours)
Director of Counseling at USAO .....	405-574-1326 (M-F, 8-5)
Grady Memorial Hospital - 2220 Iowa Ave.....	405-224-2300 (Available 24 hours)
Grady County District Attorney’s Office .....	405-224-4770 (M-F, 8-4:30)
Options.....	405-222-3018
The Lighthouse Christian Guidance Center.....	405-222-8267
Byte and Associates.....	405-222-4786
Southwest Youth and Family Services.....	405-222-5437
Red Rock Behavioral Health Services.....	405-222-0622

**EDUCATION**

Educational opportunities regarding sexual assault and its prevention are offered through the Counseling office. Members of the USAO community work closely with off-campus agencies to provide programming to promote the awareness and prevention of sexual misconduct. Program topics generally include stranger rape, date and acquaintance rape, rapist characteristics, rape trauma syndrome, and victim recovery. Programming will continue to be offered to the Residence Halls, athletic teams, as well as other interested groups. (Executive Committee 6/2014)

**TOBACCO POLICY**

USAO became tobacco free on July 1, 2012. This Tobacco Free Policy applies to all University facilities, owned or leased, regardless of location. USAO’s policy is publicly available online at <http://usao.edu/tobacco-free-campus-policy>.