

# Student Conduct

In the event of an inconsistency between this Guide and the *Code of Student Rights and Responsibilities*, the *Code of Student Rights and Responsibilities* shall control.

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A primary aim of the Residence Life program is to maintain an atmosphere that is conducive to the pursuit of academic goals and personal growth. In order to achieve this goal, it is important to remember that a large number of individuals live together in a residence hall. This situation requires students to be respectful of the rights and needs of others.



without that individual's consent, even if the image was lawfully made or taken with consent. The knowing or intentionally viewing of an image by a third-party when the third party knows or has reason to know that the subject of the image

hallways, lounges, laundry rooms, lobbies, balconies, within 50 feet of all entrances and exits of all residence halls, unless otherwise specified.

- Failure to abide by Visitation Hours and Guest Policies in the residence halls.
- Possession of items not allowed in the residence hall rooms and/or public areas, to include heaters/heating units (except UL-approved heating blankets), halogen torchiere lamps, lamps with narrow plastic shades, lava lamps, ozone machines, waterbeds, mattress toppers and pads over 2" high that are not California fire rated, fog machines, personal washers/dryers or dishwashers, candles (with or without wicks), Scentsy-type warmers, air conditioners, outside antennae, flammable fluids, incense, alcoholic beverage containers, non-University provided refrigerators and microwaves, and personal surveillance systems in public places. Cooking outside of using the provided microwave is prohibited in all areas except the community kitchen. All cooking appliances are prohibited, except traditional blenders, auto-shutoff coffee pots, auto-shutoff electric kettles, toasters (not toaster ovens), and air-popped popcorn makers (intended for in-home use). Some small appliances and cookware may be checked out at each building's front desk for use in the community kitchen.
- Selling and/or solicitation in the residence halls, unless approved by the hall council of the respective residence hall.
- Operation of a bicycle, in-line skates, skateboard, or other recreational devices in the residence halls.
- Participation in any type of sport activity in the hallways and/or public areas of the residence halls.
- Possession and/or care of animals other than fish in properly maintained aquariums of 20 gallons of water or less. No laboratory animals are permitted in the residence halls.
- The playing of any musical instruments if heard outside a residence hall room/suite (other than in locations where some halls provide a piano and a designated area for the playing of this and other instruments).
- Use of darts and dartboards in any area of the residence halls.

**9. Failure to Comply with the Direction of University Officials (Reference 4.6 of the Code for more information)**

#### **14. Room Decorations**

- Nails, screws, double-stick tape, packing or duct tape on or in the walls, furniture, or fixtures.
- Removal of furniture from assigned room/suite/apartment.
- Removal of traffic and/or street signs. In the absence of a verifiable bill of sale, traffic and street signs are not permitted in the residence hall.
- Displaying pictures and other materials that is discriminatory or harassment under other University policies in areas that may be visible outside a residence hall room/suite (including viewed from outside of room through window or door).
- Displaying alcoholic beverage signs.
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**The Code of Student Rights and  
Responsibilities**

- 1.10 Organizations and groups may be established within the University for any lawful purpose. Affiliation with an extramural organization shall not, in itself, qualify or disqualify the University branch or chapter from institutional privileges. A group shall become an organization when formally recognized by the University according to the procedures and regulations established by the Office of Student Engagement. No group may be so recognized or continue to be recognized if its purposes or programs are in conflict with this Code of Student Rights or with the laws of the State or of the United States.
- 1.11 A student group or organization may distribute written material on campus without prior approval provided that such distribution is consistent with the University's Advertising,







students while enrolled as such" and the authority to enforce obedience to those rules and regulations. It also has the power to delegate student conduct authority.

- 3.2 Generally, jurisdiction and the conduct process shall be limited to behavior which occurs on University premises or at University-sponsored activities, or off campus when it adversely affects the University Community and/or the pursuit of its objectives.
- 3.3 Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded). The Student Code shall apply to a student's behavior even if the student withdraws from school while a conduct matter is pending.

### **Article IV: Proscribed Conduct**

Any student found to have committed any of the following misconduct is subject to the consequences outlined in Article VII. The University cannot develop a list of acts of misconduct that can accurately describe or anticipate every possible act of a student. The authority to determine if a specific act is subject to consequences shall be left with the Conduct Office and/or Hearing Authority working with the specific case.

- 4.1 Acts of dishonesty that are related to a student's academic performance, and any incident of alleged academic dishonesty committed by any student at Missouri State University outside of the context of enrollment in any particular course, are governed by the Student Academic Integrity Policies and Procedures. This document is available in the Office of the Provost, at <http://www.missouristate.edu/assets/policy/academicintegritypolicyrev-1-08.pdf> and in the Office of Academic Affairs. Any one of the following acts constitutes academic dishonesty: cheating, fabrication, plagiarism, or facilitating academic dishonesty. Definitions of these acts are included in Article X: Definition of Terms. When an act of dishonesty is of a non-academic nature, the policies of this Code are in effect. Acts of dishonesty may include (i) the academic nature of the act.

- 4.7 Unauthorized possession, duplication, or use of keys to any University premises or unauthorized entry to or use of University premises that have restricted access.
- 4.8 Violation of University policies, rules, or regulations published in University documents: "The University Catalogue", "Policy and Ethics for Student Computer Use and Computer Network Use", "The Guide to Residence Hall Living", "The Guide to University Apartment Living", The Policy Library (specifically Chapter 5 regarding Student Policies) at <http://www.missouristate.edu/policy/studentpolicies.htm>, or in other sources with which a student could reasonably be expected to be familiar.
- 4.9 Violation of federal, state, or local laws and ordinances on University premises or at University-sponsored or -supervised activities. Violations that occur off campus when the conduct adversely affects the University community and/or the pursuit of its objectives.
- 4.10 Use, possession, or distribution of narcotic ( or)-15.8o ( )-17.1 (oc976 0 Td [(V)-9.4 (i)-6.1 (ol)-6.1 (at)-19





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be removed by a Conduct Officer and/ or Hearing Authority when the student fulfills the required conditions. A student receiving a hold may seek relief from the Vice President for Student Affairs. The student shall request relief in writing.

or sponsored activities. In the case where a student is a member of a student

be kept as a permanent conduct record but will not be noted on the academic transcript. Cases of dismissal are permanent and, unlike other conduct records, appear as a notation on the academic transcript. The Conduct Records Policy is in compliance with the state's Records Retention Schedule.

- 7.5 Conduct cases that are incomplete, due to factors such as the student's not responding to conduct charges or not fulfilling an educational consequence, remain a conduct record until required actions are completed by the student. Registration for subsequent terms or the conferral of academic degrees may be withheld pending the resolution of allegations of student misconduct.
- 7.6 The following educational consequences may be imposed upon groups or organizations:
- a. Those consequences listed above in Sections 7.2.a through 7.2.g
  - b. Revocation of University Recognition – Loss of all privileges, including University recognition, for a specified period of time. Conditions for recognition may be imposed.
  - c. Dismissal – permanent revocation of University recognition.
  - d. All conduct records concerning student organizations are maintained permanently for archival purposes.
- 7.7 In each case in which a hearing body determines that a student or student organization has violated the Code, the consequences shall be determined and assigned by the Hearing Authority. The Dean of Students will review the consequences set forth by the Hearing Authority and may, at his or her discretion, alter the consequences assigned. The Dean is not limited to consequences recommended by the members participating in the conduct process. Following the hearing, the Hearing Authority and the Dean shall advise the accused in writing of their determination and of the consequences enacted, if any. A decision by the Dean may be appealed as described in Article VIII. The Dean may designate the Director, Associate, or Assistant Director of Residence Life Housing and Dining Services to determine and assign consequences for students who live in the residence halls. In cases involving sexual violence, both the complainant and the accused will be informed, in writing, of the outcome of the complaint.
- 7.8 Temporary or Provisional Orders – In addition to the authority granted in section 2.3 of this Code, the Dean of Students is empowered to impose temporary or provisional orders ex parte to preserve the status quo or to prevent the potential endangerment of persons or property. Such temporary or provisional orders are not intended to replace a hearing before a Hearing Authority. Such an order is intended to place parameters on individual behavior in order to avoid the necessity of a conduct hearing and allow the status quo to be maintained. Generally, such orders should be limited to those circumstances where the Dean has good cause to believe that the student, or the student's behavior, poses a threat to the status quo of the University community or member(s). A student shall receive a written copy of the order, which specifies the conditions of the order, the duration of the order, the consequence for violation of the order, and how the record of the order will be maintained. During a sexual violence or other Title IX investigation, Conduct Officers and/or Hearing Authorities may issue such interim measures as are appropriate to protect a complainant such as class or residence hall reassignment, no-contact directives or temporary bans from campus property when approved by the Dean of Students.
- 7.9



## **Article VIII: Appeals**

- 8.1 Within five (5) University business days of the initial decision letter, the complainant or the respondent may appeal the conduct decision by submitting a written request for appeal to the Dean of Students that is signed by the appealing party, dated, and







10.20 The term "paraphernalia" includes any object that contains the residue of alcohol or of an