

Student Code of
Conduct
&
Residence Hall Guide

Division of Student Affairs
Missouri Western State University
2011-2012

COMMUNITY EXPECTATIONS

When students choose to accept admission to Western, they accept the rights and responsibilities of the university's academic and social community. As members of the university community, students are expected to uphold the university's values (service, quality, freedom, enthusiasm, respect and courage) by maintaining a high standard of conduct.

Faculty, administrators, staff and students all have responsibility to take care of the intellectual, social, emotional, psychological and physical condition of this community we share. As a result, we expect all members of the Western community to exhibit the following:

Respect for Self

Western expects its community members to appreciate their own talents, take themselves and their academic pursuits seriously and enhance the quality of their lives.

Respect for Others

Western expects its community members to behave towards one another with sensitivity, consideration, understanding, tolerance and an active concern for the welfare of others.

Respect for Property

Western expects its community members to use all property, including buildings, library books, equipment and green spaces, responsibly. This principle requires students to respect personal and institutional property, inside and outside the Western community.

Respect for Authority

Western expects its community members to exhibit respect for its faculty, administrators, staff and designated student staff members and paraprofessionals – each of whom has been charged with responsibilities essential to the orderly operation of the university.

Honesty

Western expects its community members to demonstrate the personal characteristics of honesty and integrity in all aspects of their campus life, both inside and outside the classroom.

These qualities, which are congruent with our community values, are integral parts of daily life on campus.

STUDENT CODE OF CONDUCT

The Community Expectations and values of the university reflect an expectation that students will be held to a high standard of conduct. When a student's behavior departs from the community expectations (when it hurts others, detracts from the sense of community and/or is irresponsible) it will be addressed by the university using established conduct procedures.

Jurisdiction of the Missouri Western State University Student Code of Conduct

The Missouri Western State University Student Code of Conduct shall apply to conduct that occurs on university premises; at university-sponsored activities, and to off-campus conduct that adversely affects the university community and/or the pursuit of its objectives. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree.

The Student Code of Conduct shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. The Student Code of Conduct shall *also* be applied to conduct occurring off campus and will be adjudicated when reported. This listing of Student Code of Conduct violations is meant to serve as a guide and is not exhaustive. Behavior that conflicts with the community expectations, although not specifically included below, may be deemed a violation of the Student Code of Conduct and adjudicated using the student conduct procedures.

The following actions are deemed unacceptable behavior and thus violations of the Student Code of Conduct:

Disrespect for Self

1. Manufacturing, growing, distributing, selling, possessing, using, or offering for sale narcotic drugs, depressants or stimulant substances, hallucinogens, cannabis and/or derivatives, including synthetic derivatives; on university property or at a university-sponsored or supervised event. This includes, but is not limited to, such behavior as being in the presence of illegal drugs.

2. Exhibiting such behavior or engaging in activities which endanger the safety of oneself or others.
3. Possessing, using or participating in an activity involving firearms, fireworks, chemicals which are explosive, hazardous chemicals, other implements used as weapons, and other types of arms classified as weapons in the Missouri Revised Statutes, on university property or at university sanctioned activities.
4. Using or possessing alcoholic beverages on campus or at university sanctioned activities. This includes, but is not limited to, such behavior as underage students being in the presence of or using alcoholic beverages, or being intoxicated on- or off-campus.
5. Conducting oneself in such a manner so as to reflect unfavorably upon the individual student or the university community.

Disrespect for Others

6. Disrupting classes, seminars, research projects, or activities of the university.
7. Assaulting or threatening to assault any person, engaging in any unwelcome physical contact (which includes, but is not limited to, unwanted touching, even between acquaintances) with any person, making unwelcome advances, or engaging in conduct which threatens or endangers the health or safety of any person.
8. Engaging in lewd, indecent or obscene conduct or expression or repeating, proposing or requesting such conduct or expression, after being asked to stop.
9. Harassing and/or intimidating (which includes conduct causing alarm or recklessly creating a risk by threatening to commit crimes against persons or their property or the face to face use of "inflammatory words" any person on- or off-campus. "Inflammatory words" are those personally abusive epithets, which, when directly addressed to an ordinary person, in the context used and as matter of common knowledge, are inherently likely to provoke an immediate violent reaction, whether or not they actually do. Such words include, but are not limited to, those terms widely recognized to be derogatory references to race, ethnicity, religion, sex, sexual orientation, disability and other personal characteristics).
10. Engaging in disorderly conduct or expression, a breach of the peace or aiding or inciting another to a breach of the peace.
11. Engaging in hazing, which is defined as any act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization, constitutes a violation.
12. Engaging in any form of harassment over the Internet, commonly referred to as cyber bullying. Cyber bullying includes, but is not limited to the following misuses of technology: harassing, teasing, intimidating, or threatening another person by sending or posting inappropriate and hurtful email messages, instant messages, text messages, digital pictures or images or Website postings, including blogs and social network systems.

Disrespect for Property

13. Damaging, destroying or defacing university property or property of any person as a result of deliberate action or as a result of reckless or imprudent behavior.
14. Entering and using university facilities without authorization by appropriate university officials.
15. Making or assisting in making unauthorized, obscene or annoying telephone calls, text messages, or computer messages or otherwise misusing or abusing telephone and/or computer equipment.
16. Engaging in computer abuse, which includes but is not limited to, plagiarism of programs, misuse of computer accounts, unauthorized destruction of files, creating illegal accounts, possessing authorized passwords, viewing or distributing of pornographic material, and disruptive or annoying behavior toward the university's computer system.
17. Using or possessing any university key without proper authorization. No student is allowed, under any condition, to have a university key duplicated.
18. Allowing a dog or pet to run at large (without a restraint) on campus or to enter any building on campus. This rule does not apply to service animals.

Disrespect for Authority

19. Harassing or intimidating university officials while they are discharging their official duties and responsibilities.
20. Violating any of the restrictions, conditions or terms of any sanctions resulting from a previously held disciplinary hearing or agreed upon in an informal disposition or formal conduct hearing.

21. Failing to identify oneself when requested to do so by a university official and/or surrender one's ID card when requested to do so. The usual means of identifying oneself is by producing the ID card, which must be in the student's possession at all times.
22. Committing any act which is a violation of a criminal law of the United States, the State of Missouri or a municipal ordinance.
23. Failing to obey Housing Complex rules and regulations, whether or not one is a resident.
24. Failing to obey a reasonable order or request by a university official.

Dishonesty

25. Engaging in acts of academic dishonesty, which include but are not limited to, cheating and plagiarizing.
26. Stealing or attempting to steal university property or property of any person and/or to be in possession of stolen property.
27. Forging, altering, transferring, infringing on the copyright of, or misusing university documents, including identification cards.
28. Providing false information in the application for admission, petitions, requests, disciplinary hearings, or other matters of record, and transactions with officials of the university.
29. Falsely reporting information of an emergency nature (i.e., false report of a bomb, fire, or other emergency) in any building, structure or facility. This is a federal offense and will be reported to the proper authorities.
30. Selling a textbook that does not belong to oneself without prior authorization by the book's owner.
31. Misusing or using university property without proper authorization.

STUDENT CONDUCT PROCESS

Philosophy

Missouri Western State University believes the goal of students enrolling at this university is the pursuit of an outstanding higher educational experience.

Upon enrolling in this university, each student assumes an obligation to conduct themselves in a manner compatible with the university's function as an educational institution and to obey the laws enacted by federal, state and local governments. If this obligation is neglected or ignored while on campus or attending a university function, or even while off campus doing something not associated with the university, the university may, in the interest of fulfilling its function, institute appropriate disciplinary action.

Any student that violates university policies or regulations may be subject to the student conduct process. It should be noted that the burden of proof concerning violation of a university rule or policy rests with the institution. Because inappropriate conduct obstructs the mission and functions of the university, or adversely affects the interests of the university community or may even endanger members of the university community, conduct hearings and resulting sanctions may take place even if the alleged victim chooses to no longer participate. So that the student involved in a conduct meeting will be given every opportunity to present his or her case to the proper hearing agency, the following rules and regulations establishing conduct channels and authority are described.

Overview

The Code of Conduct pertains to ALL students attending Missouri Western State University. To determine if a student is responsible for a conduct violation the Student Conduct Process described below will be followed. In most cases a university police officer, a university faculty/staff member or a student, will file an incident report. After an incident report is filed, it will be referred to the Division of Student Affairs. The Dean of Students or his/her designee will review the case and decide whether the case will be handled as an informal disposition or formal hearing.

The charged student(s), victim(s), complainants and witness(es) identified in the incident report will be notified and will be asked to attend an informal disposition or formal hearing. In both cases, all parties will be asked to provide written and/or verbal testimony and to explain what happened. A determination of responsibility will be based on the evidence presented during the informal disposition or formal hearing. During the hearing a charged student will have certain rights and responsibilities. An electronic or other verbatim record shall be made of all formal hearings.

Definitions

(1) The term "**university**" means Missouri Western State University.

(2) The term "**student**" includes all persons taking courses at the university, both full-time and part-time. Persons who are not officially enrolled for a particular term, but who have a continuing relationship with the university are considered students. Students can also be held responsible for the conduct of their guests whether they are students or not.

- (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 who performs assigned administrative, professional, support service, or classroom responsibilities. This includes certain student employees who act as agents of the university. University officials who may perform informal disposition or formal hearing are the Dean of Students or his/her designee.
- (5) The term “**member of the university community**” includes any person who is a student, faculty member, university official or any other person who is employed by the university.
- (6) The “**complainant**” shall mean the member of the university community who files a written complaint against a student with Student Affairs.
- (7) The term “**university premises**” includes all land, buildings, facilities and other property in possession of or owned, used or controlled by the university.
- (8) The term “**organization**” means any number of persons who have complied with the formal requirements for university recognition. In respect to the rights and procedures outlined below, an “organization” shall have the same rights and requirements as an accused student.
- (9) The “**Appellate Board**” is the body which is authorized to conduct appeal hearings. Appointed by the Vice President for Student Affairs, it will normally be concerned with cases which are serious enough to result in dismissal or expulsion; however students may appeal less serious sanctions than dismissal or expulsion. The Appellate Board has the options of upholding the original sanction or recommending lesser or greater sanctions.
- (10) The **Vice President for Student Affairs** or his/her designee is the person designated by the university President to be responsible for the administration of the Student Code of Conduct and for ensuring that all students are afforded due process.
- (11) The term “**policy**” is defined as the written regulations of the university as found in, but not limited to, the Student Handbook, Residence Life Handbook and university catalog.
- (12) The term “**Student Code of Conduct**” pertains to the rules, regulations and policies of the university, which apply to students and/or student organizations.
- (13) The term “**conduct hearing**” refers to the process by which the Dean of Students or his/her designee may offer a student appropriate discipline, which the student has the right to accept or reject, for a rule infraction. There are two types of conduct hearings: an informal disposition or formal hearing.
- (14) An “**informal disposition**” is a conduct hearing in which the student(s) involved in an alleged violation of the Student Code of Conduct is contacted and invited to have an informal disposition meeting regarding an incident report or formal complaint. Informal dispositions are usually NOT tape recorded and are used in situations when student(s) are most likely responsible for violating the Student Code of Conduct and will likely not appeal the possible outcomes of the disposition. If a student insists he/she is not responsible, the informal disposition must be immediately discontinued and a formal hearing must be scheduled.
- (15) A “**formal hearing**” is a conduct hearing in which the student(s) involved in an alleged violation of the Student Code of Conduct is invited to have a formal conduct hearing regarding an incident report or formal complaint. Formal hearings are recorded and follow an outline that includes the reading of student rights, reading of charges, reading verbatim of the incident report, and an opportunity for the student to present a rebuttal to the incident report or formal complaint and to any alleged charges. Formal hearings are typically conducted when a student(s) is charged with alleged violations of the Student Code of Conduct that will likely end in an outcome that includes university probation, suspension or expulsion. More than one university administrator typically conducts formal hearings, and students must be notified at least three (3) working days in advance of the hearing. All outcomes of formal hearings must be presented to the charged student(s) within five (5) working days of the hearing.
- (16) The Student Conduct Officer (SCO) is the student conduct official assigned to adjudicate an incident report. The Vice President for Student Affairs will designate the University Conduct Officer (UCO) for all University violations and the Housing Conduct Officer (HCO) for Residence Hall violations. The Director of Athletics will assign the Athletic Conduct Officer (ACO) for violation of Athletic Department violations, however resident hall students and student athletes will be adjudicated as all students if they violate the Student Code of Conduct.

Procedures

In cases where disciplinary action against a student(s) is sought or indicated as a result of the complaint of a member of the university community, the complainant shall make his/her complaint to Student Affairs in writing setting forth the time, date, place and details giving rise to the complaint and/or by a report filed with the University Police Department. The Dean of Students or his/her designee, who shall not be an attorney, is the primary officer for administration of discipline for violations of the Student Code of Conduct. The Dean of Students may invoke such discipline or sanctions for violations of the Student Code of Conduct as set forth in this section of the Missouri Western State University Student Handbook.

Missouri Western State University Police Department reports or reports from police departments may also be used in order to invoke discipline or sanctions for violation of the Student Code of Conduct.

A. Due Process

A student charged with a breach of the Student Code of Conduct is entitled to a conduct hearing (informal disposition or formal hearing) and a written notice summarizing the contents and the sanctions imposed during the conduct hearing.

The procedures set forth below shall be interpreted and administered to accomplish this objective and provide for prompt consideration and disposition of student conduct cases. Disciplinary proceedings are not to be construed as legal proceedings, but care shall be taken to comply as fully as possible with the spirit and intent of the procedural safeguards set forth herein.

Following the notification of the outcome of a conduct hearing (informal disposition or formal hearing), a student shall have five (5) working days to elect to appeal the sanctions imposed in writing or the sanction shall stand.

B. Notification Procedures

The charged student will be notified by the Student Conduct Officer at least three (3) working days before the hearing of the date, time, location and nature of the hearing, including a description of the conduct code alleged to have been violated. The charged student may request a delay of up to five (5) working days for the start of the hearing. The decision on the hearing date and location of a delayed hearing will be decided by the Student Conduct Officer. All communications to the student may be verbal, but must subsequently be confirmed in writing.

Note: Violations occurring at the end of a semester or term may be adjudicated before the start of the next semester/term. This may require the student to appear before a Conduct Officer at a time that classes are not in session.

C. Complaints

Any member of the Missouri Western State University community may file complaints against a student for violations of the Student Code of Conduct. Complaints are usually filed by submitting an incident report to Student Affairs and/or to the University Police Department. Once an incident report is submitted, it will be the charge of the Dean of Students or his/her designee to determine which, if any, violations of the code of conduct have allegedly occurred and how the case will be adjudicated. Any complaint should be submitted as soon as possible after the event takes place, preferably within one (1) week.

All complaints shall be presented to the charged student in written form. A time shall be set for an informal disposition or formal hearing, not less than three (3) days after the student has been notified.

D. Conduct Hearings (Informal Disposition and Formal Hearing)

Disciplinary action begins with a conduct hearing (informal disposition or formal hearing) where the incident report or formal complaint is presented to the charged student(s) and the facts surrounding the alleged violation(s) are explored. Missouri Western State University Police Department reports, the reports of other university officials, witnesses and those of other law enforcement agencies are reviewed, and witnesses are produced and interviewed. All of this information becomes university evidence, should an appeal be requested. These conduct hearings are conducted by the Student Conduct Officer. An advocate for the student whose role is solely that of providing emotional support to the student may accompany the charged student.

As part of a conduct hearing, the Student Conduct Officer shall investigate any reported student misconduct before initiating disciplinary sanctions, and give the student the opportunity to present his/her personal version of the incident or occurrence. The Student Conduct Officer may discuss, consult and advise with any student whose conduct is called in to question, and the student shall attend such consultations as requested.

The Student Conduct Officer, in making his/her investigation and disposition, may utilize students, faculty or administrators to make recommendations to him/her, which he/she shall consider in exercising the authority vested in him/her.

Usually someone associated with the location where the infraction is alleged to have occurred such as the residence halls, recreation facilities, or at university- sponsored events, activities, or the events and activities sponsored by student organizations will conduct the conduct hearing. The Vice President for Student Affairs will designate professional staff members throughout the Division of Student Affairs who may be called upon to be Student Conduct Officers. The Dean of Students, along with another Student Conduct Officer(s) whom he/she designates, will conduct all conduct hearings serious enough to result in suspension or expulsion from the university. Students have the right to appeal the sanctions imposed during a conduct hearing. These appeals will be directed to the appropriate appellate process outlined below.

See Informal Disposition and Formal Hearing procedural details below

E. Organizational Hearing

An organizational hearing is a formal hearing conducted by one or more Student Conduct Officers. This type of hearing is conducted when there is a violation of the Student Code of Conduct on premises owned, rented or operated by the organization; during an organization event; in any situation sponsored or endorsed by the organization; or in any event an observer would associate with the organization. The Student Conduct Officers will review all of the evidence and decide responsibility or non-responsibility. If there is a decision of responsibility, the Student Conduct Officer(s) will then assign or recommend a conduct action for the organization and/or individual member(s), as appropriate.

An organizational hearing differs from a formal hearing in the following way:

1. The organization's adviser (faculty, administrative, staff, alumni, or other) is encouraged to attend the hearing.
2. The organization's president and executive officers will usually officially represent the organization at the hearing, although additional officers and/or members of the organization may be invited to the hearing.
3. The organization will be asked to submit a written statement about the incident and its members' involvement that will be used during the hearing. Otherwise, the organizational hearing will follow the procedures outlined below in the formal disposition procedures.

F. Outcomes

The following outcomes or a combination thereof may be imposed upon any student found to have violated the Student Code of Conduct.

1. **University Warning** - a notice in writing to the student that the student is violating or has violated the Student Code of Conduct.
2. **Loss of Privileges** - denial of specified privileges for a designated period of time.
3. **Restitution** - compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
4. **Discretionary Sanctions** – education program, work assignments, service to the university, service to the community, an oral or written apology, and counseling or other related discretionary assignments. Failure to complete a discretionary sanction(s) will result in additional sanctioning.
5. **Residence Hall Probation** - a written reprimand for violation of specified Residential Life policies and procedures. Residence hall 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 regulation(s) during the probationary period. Failure to comply with any or all components of probation may be considered cause for immediate residence hall suspension.
6. **Residence Hall Suspension** - separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for re-admission may be specified.
7. **Residence Hall Expulsion** - permanent separation of the student from the residence halls.
8. **University Probation** - a written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of additional and/or more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period. Failure to comply with any or all components of probation may be considered cause for immediate temporary suspension from the university pending a hearing.
9. **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 re-admission may be specified.
10. **University Expulsion** - permanent separation of the student from the university.

The foregoing is not meant to be an all-inclusive list of sanctions. More than one sanction may be imposed for any single violation.

The following sanctions or a combination thereof may be imposed upon groups or organizations found to have violated the Student Code of Conduct:

1. **University Warning** - a notice in writing to the organization that students comprising such organization are violating or have violated institutional regulations.
2. **Loss of Privileges** - denial of specified privileges for a designated period of time.
3. **Restitution** - compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
4. **Discretionary Sanctions** – education program, work assignments, service to the university, service to the community, an oral or written apology, and counseling, or other related discretionary assignments.
5. **University 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 organization is found to be

violating any institutional regulation(s) during the probationary period. Failure to comply with any or all components of probation may be considered cause for immediate suspension from the university pending a hearing.

6. **Deactivation** - loss of all privileges, including university recognition, for a specified period of time.

The foregoing is not meant to be an all-inclusive list of sanctions. More than one sanction may be imposed for any single violation.

Drug and Alcohol Violation Disclosure

In general, nothing in FERPA or the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) shall be construed to prohibit an institution of higher education from disclosing to a parent or legal guardian of a student, information regarding any violation of any federal, state, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance, regardless of whether that information is contained in the student's education records if:

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

Western will review each case on the individual circumstances in regard to releasing the above information.

Special Circumstances of Student Code of Conduct Violations

Immediate Temporary Suspension

The Dean of Students or his/her designee may temporarily dismiss a student from university facilities, including the residence halls, pending formal procedures when he/she finds or believes from information coming to his/her attention that the presence of the student would be seriously disruptive or would constitute a danger to the health, safety and welfare of the people present in said areas. It is only through consultation with the Vice President for Student Affairs that a student may be temporarily dismissed from campus. Although the temporary suspension will be imposed at an informal proceeding, the dismissal must be submitted in writing to the student when the decision is communicated to the student. The student will then have the right to appeal in writing the immediate temporary suspension within five (5) business days from the date of notification. After temporarily suspending a student, the Dean of Students or his/her designee will have up to three (3) business days to contact the student and arrange to adjudicate the case. Because they are considered to be particularly disruptive to the mission of the university, the following actions and similar actions could result in immediate temporary suspension until review has occurred:

1. Violating federal, state or local laws resulting in the student being charged with or found guilty of a felony crime.
2. Assaulting, striking, intimidating, threatening or endangering the well-being of another, or sexual contact or sexual intercourse with a person without consent or when that person is incapacitated.
3. The brandishing or use of anything that can reasonably be construed as a weapon.
4. Efforts to intimidate individuals by groups of people.
5. The abuse of property including grossly negligent or irresponsible use of property whether it belongs to other individuals or Missouri Western State University.
6. Being in possession of enough illegal substances such as drugs including so-called party drugs or alcohol, as to warrant suspicion of intent to distribute.

In these occurrences, it is the responsibility of the Dean of Students in consultation with the Vice President for Student Affairs, acting on behalf of the best interests of the university, to implement the sanction of immediate temporary dismissal from the university. Because student conduct is the responsibility of the student, the university assumes no responsibility for any of the potential ramifications resulting from temporary or permanent disciplinary sanctions, such as inability to participate in regularly scheduled academic activities including examinations; extracurricular activities such as athletics events; loss of financial aid or employment; how a student is perceived by peers or others on- and off-campus; or whether a student is able to continue her or his educational endeavors at other institutions of higher education.

Sexual Assault Cases

Due to the sensitive nature, sexual assault cases will be referred to a Student Conduct Officer for a formal disposition. When possible, these cases will be chaired by two student affairs administrators, one of each sex. The victim is encouraged to obtain counseling and to utilize an adviser throughout the entire proceeding.

The Student Conduct Officer (s) may issue a "no-contact" directive to any or all parties involved in the case, including third parties. The victim will be notified should this occur. Prior to the hearing, the victim will be required to make a formal statement (normally a signed written statement) describing the incident. The alleged suspect(s) will be given an opportunity to respond with their own formal statement. The victim has the right to be present throughout the hearing, but not during the deliberation of the Student Conduct Officer (s). The victim has the right to present pertinent evidence and the testimony of witnesses to substantiate the complaint. Irrelevant history of both parties will not be discussed or considered during the conduct process. The Student Conduct Officer (s) will determine relevancy. As permitted by federal or state law, the victim will be informed of the results of the student conduct proceeding. Should any delay occur during the proceedings, the Student Conduct Officer (s) will inform the victim of the reason for the delay.

Violations of Federal, State or Local Laws

Missouri Western State University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and the Student Code of Conduct (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus, at the discretion of the Dean of Students or his/her designee. Determinations made or sanctions imposed under this Student Code of Conduct shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of university rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

When a student is charged by federal, state, or local authorities with a violation of law, the university will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also being processed under the Student Code of Conduct, the university may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters are typically handled within the university community. The university will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions). Individual students and other members of the university community, acting in their personal capacities, remain free to interact with governmental representatives, as they deem appropriate.

Academic Honesty

Refer to the **Academic Honesty Policy in the University Policy Guide**.

As per the Academic Honesty Policy and Due Process - Any student who has been found guilty of violating the academic honesty policy a second time will be reported by the Provost to the Dean of Students for disciplinary action.

Informal Disposition Procedures

Informal disposition hearings will be a meeting between the Student Conduct Officer and the student charged with violations of the Student Code of Conduct. The student will be notified by letter of the date/time/location, violations and identification of the Student Conduct Officer they will meet. This meeting is not recorded and usually in the office of the Student Conduct Officer. Following discussion of the incident, violations responsible by the student and outcome, the student will sign an informal disposition form agreeing with the outcome and rejecting the right to appeal. The student will receive a letter, via Western email and regular mail, of the meeting outcome and sanctions. Should the student not agree, formal hearing procedures will be implemented.

Formal Hearing Procedures

This section describes the format of the hearing and the rights of the charged student in a hearing process. It also includes information about witnesses, student conduct administrators, the charged student's adviser, the decision-making process and the communication process.

A. Formal Hearing Format

1. An electronic or other verbatim record will be made of all and will be retained with the student's conduct file.
2. At the beginning of the hearing all those present will identify themselves for the record. The charged student will be informed of standards alleged to have been violated and will be advised that he/she has rights specified in the Student Rights section.
3. The student will be asked if they received the notice of hearing and the list of charges of student conduct violations. If the student did not receive the letter, the Student Conduct Officer will provide a copy. The list of student conduct

violations will be read for the record.

4. The Student Conduct Officer will read all incident reports and ask the charged student to respond. In addition any additional statements given in the report may be entered with the student having an opportunity to respond.

5. If the complainant/victim chooses to attend the hearing, the complainant/victim will be asked to describe what happened, and the charged student will have the opportunity to respond.

6. Witnesses will be asked to describe what happened, and the charged student will have a chance to respond. All communication between the charged student, complainant, victim and witnesses will be directed to a Student Conduct Officer. The Student Conduct Officers will decide which questions to ask of each person. The Student Conduct Officers may reasonably limit the scope and time devoted to each matter or item of discussion during hearings, as well as the number of persons testifying. The Student Conduct Officer will decide the order of witnesses and when the victim and witnesses will be in the hearing room.

7. The Student Conduct Officer may ask questions of any charged student, victim or witness during the hearing.

8. The formal hearing will conclude with a review of the outcome notification and appeal processes review. At the conclusion of the hearing, the charged student, victim, advisers and witnesses will be asked to leave the room. These individuals will not be present during the deliberations of the Student Conduct Officers.

B. Student Rights

In the hearing notification letter and again at the beginning of the hearing, the charged student will be advised that he/she has these rights. Students with any questions about their rights are encouraged to contact the Division of Student Affairs.

- The student rights in a formal administrative hearing are as follows:
- The student is entitled to be present throughout the hearing, but not during the deliberation of the Student Conduct Officers.
- The student is entitled to remain silent (i.e., not to testify against him/herself), but must be informed that if silence is maintained, the case will be decided on the evidence presented.
- The student has a right to have an advocate present for support. This advocate cannot address any member of the formal hearing unless approved by the Student Conduct Officer.
- The student is entitled to know all evidence and the testimony presented against him/herself and to view pertinent materials supporting the case against him/herself.
- The student is entitled to present pertinent evidence and the testimony of witnesses to substantiate his/her case and to comment upon and respond to the charges against him/herself.
- The student is entitled to make a written appeal of the disciplinary decision within five (5) working day of the date of notification of that decision.

University disciplinary actions are appealed to the Dean of Students.

C. Attendance

All formal hearings will be closed to everyone except those persons specifically provided for in the aforementioned conduct procedures or persons whose presence at the hearing is authorized by the Student Conduct Officer.

A student who cannot attend the hearing scheduled for consideration of his/her case must submit a written statement to the Student Conduct Officer stating the reasons for the conflict and requesting a new hearing date. This statement must be presented to the Student Conduct Officer not less than two (2) working days before the beginning of the hearing. At the discretion of the Student Conduct Officer the hearing may be rescheduled. Only one (1) change of hearing date and time may be granted.

If a student fails to attend a scheduled hearing, the hearing may proceed in the absence of the charged student. Such an absence will not be considered grounds for an appeal.

Where two (2) or more cases involving common occurrences or the same student(s) are pending simultaneously, the Student Conduct Officer may decide to consolidate the hearings of such cases, or hear them separately.

D. Witnesses

The charged student is responsible for arranging for witnesses testifying on his/her behalf to appear at the hearing. Victims, complainants and the Student Conduct Officer may also invite witnesses to appear at the hearing. In the exceptional event that a witness is unable to attend the hearing, the witness may write or record a statement and discuss the statement with the Student Conduct Officer before the scheduled hearing.

The Student Conduct Officer is to be notified by the charged student, victims, complainants or witnesses not less than one (1) working day before the hearing of those persons intending to provide testimony, whether in person or in writing. The Student Conduct Officer may reasonably limit the scope and time devoted to witness statements. Witnesses are typically asked to comment only on the event(s) pertinent to the charges, not the character of the

charged student(s).

E. Evidence

In all cases, the procedures will not be subject to limiting rules of evidence. Evidence will consist of oral and written testimony, incident reports, and any other material directly related to the incident. Other evidence may also be considered and will consist of such things as secondhand reports and circumstantial evidence. The Student Conduct Officer may reasonably limit the scope of evidence considered in the hearing.

F. Adviser/Advocate

The charged student, a victim in a sexual assault case, or any victim who has received permission from the Student Conduct Officer, may have one (1) adviser/advocate present at the hearing. If the student wants to have an adviser present, the student must notify the Student Conduct Officer of this fact in writing no later than two (2) working days before the beginning of the hearing.

Advisers/advocates are normally members of the Western community (i.e., current full-time students, faculty, and staff). This adviser/advocate serves as a support person and is intended to be of direct assistance to the student before and during the hearing. The adviser/advocate may not speak for the student nor address the Student Conduct Officer. If the adviser/advocate is an attorney, the case will be heard as a formal hearing and the Student Conduct Officer may reschedule the time and/or date of the hearing so that Missouri Western State University legal counsel may be present.

H. Decisions and Communications

At the conclusion of the formal hearing, the charged student will be informed as to when the decision will be made and communicated. Disciplinary decisions that result in positive action, university warning or restitution will be made by the Student Conduct Officer and communicated to the charged student in writing within five (5) working days of the conclusion of the hearing.

All other conduct actions will be made after consultation with and approval by the administrators indicated below:

- The Director of Residential Life or his/her designee will be consulted on disciplinary actions of limitation on activities or termination of the housing contract in the Residence Halls.
- The Dean of Students or his/her designee will approve disciplinary actions of limitation on activities on campus (outside of those in the Residence Halls)
- The Dean of Students or his/her designee will approve disciplinary actions of university probation.
- The Vice President for Student Affairs will approve disciplinary actions of university and/or residence halls suspension or expulsion.
- The official receiving the recommendation may accept or lower the recommended disciplinary action. The Student Conduct Officer will communicate the final decision in writing to the charged student within five (5) working days of the conclusion of the hearing. In the event that the written notification is delayed, the charged student will be notified of the delay and informed when the decision will be communicated.

All communications to students will be transmitted in the manner specified in the appropriate part of this procedure. Individual circumstances may permit or require communication by whatever means is necessary to reach the student promptly and reliably. Following reasonable efforts to deliver any communication to a student personally, an indirect or substituted mode of delivery may be attempted. Thus, any delay or failure to reach the student shall not impair the procedure.

Appealing a Conduct Outcome

A. Dean of Students

1. Overview

Students found responsible for a violation of the Code of Conduct may appeal the decision. Appeals are not re-hearings, and they are not granted on the basis of disagreement with the original decision.

The Dean of Students will determine if there are grounds to warrant an appeal.

*Note — for cases in which the Dean of Students makes the disciplinary decision, the Vice President for Student Affairs or his/her designee will assume the appeal role described in this section.

The bases of appeals include the following:

- The student was not given due process.

- New or additional evidence became available.
- The discipline was inappropriate for the violation.
- The decision of the conduct administrator was not based on competent and substantial evidence.

2. Timeline

A student has five working days after letter date of the written notification of a disciplinary decision to file an appeal with the Dean of Students.

Failure to appeal within the five-working-day period waives the right to appeal. Disciplinary actions will not be implemented while an appeal is under consideration unless Special Circumstances apply.

3. Documentation

The appeal must be in writing and must contain the following:

- The completed Request for Appeal Form, which can be obtained from Student Affairs in Blum Union 228 or by the form provided via the electronic mail hearing outcome letter.
- A statement explaining in detail why the student is contesting the findings or the action(s).
- Copies of any documents that will substantiate or clarify the appeal request.

4. Review of an Appeal Request

Within five (5) working days of the receipt of the material pertinent to the appeal, the Dean of Students will notify the student in writing of his/her decision to deny the request for an appeal. If a delay occurs in the receipt of the supporting material, or additional time is needed to review the material, the administrator will notify the student of the delay within five (5) working days of the appeal filing date.

5. Finality of Decision if Denied

The decision by the Dean of Students to deny the appeal shall be final.

6. Appeal Sustained

If the Dean of Students sustains the appeal, the case will be referred to the Appellate Board. The Dean of Students can reverse any sanctions of Special Circumstances at this time.

B. Appellate Board

1. Overview

Appeals sustained by the Dean of Students will be referred to the Appellate Board, appointed by the Vice President for Student Affairs or his/her designee, and shall consist of three (3) members: one (1) faculty member, one (1) staff member, and one (1) student. No member of the university administration, as defined previously, may serve on the Appellate Board. The Vice President for Student Affairs or his/her designee shall designate the Appellate Board chairperson.

2. Timeline

An appeal must be implemented by filing written notice of the appeal to the Appellate Board in the Vice President for Student Affairs' office within five (5) working days after notification of the decision by the Dean of Students. The Appellate Board chairperson will convene a meeting of the board within five (5) working days of receipt of the appeal. The chairperson is to notify the student of the date and time of the board meeting, yet the student may not be required to attend this meeting. If a delay occurs, the chairperson will notify the student of the delay within five (5) working days of receipt of the appeal.

3. Appellate Action

The Appellate Board, upon review of the case, may affirm the decision and sanctions imposed by the Hearing Board; reverse the decision; or reduce, or increase, the sanctions imposed by the Student Conduct Officer and affirmed by the Dean of Students. If the Appellate Board reverses the decision or reduces the sanction, it shall base that decision on one or more of the following reasons:

- The student was not given due process.
- New or additional evidence became available.
- The conduct sanction was inappropriate for the violation.
- The decision of the Student Conduct Officer(s) was not based on competent and substantial evidence.
- For other good cause.

4. Review of an Appeal Request

Within five (5) working days of the Appellate Board meeting, the chairperson will notify the student in writing of the decision of the board. If a delay occurs in the receipt of the supporting material, or additional time is needed to review the material, the chairperson will notify the student of the delay within five (5) working days of the initial meeting of the

board and provide the student with an anticipated date the decision will be finalized.

5. Finality of Decision

The decision of the Appellate Board shall be final. The decision must be submitted to the student in writing and a copy must be delivered or mailed to the student.

6. Legal Adviser to the Appellate Board

The Appellate Board may request of the Vice President for Student Affairs that the university provide the Appellate Board with a legal adviser. Such legal adviser should not be the university's attorney or a member of any firm representing the university. The legal adviser may advise the Appellate Board in connection with its review and in all other aspects of their responsibilities.

CODE OF CONDUCT SANCTIONING LEVELS

Level One Violations

Level one violations are the most serious violations of the Student Code of Conduct and will most likely result in the student's immediate temporary suspension from the university. These violations include but are not limited to the following:

- Violating federal, state or local laws resulting in the student being charged with or found guilty of a felony crime. (With the exception of felony non-support.)
- Assaulting, striking, intimidating, threatening or endangering the wellbeing of another, or sexual contact or sexual intercourse with a person without consent or when that person is incapacitated.

Incident reports and statements with alleged level one violations will be immediately submitted to Student Affairs for review. Formal conduct procedures will be used to adjudicate these violations.

Level Two Violations

Level two violations include any or all violations of the Student Code of Conduct in which students will be more than likely placed on university probation or suspension. These violations include but are not limited to the following:

- Violations of the university alcohol policy.
- Violating the university drug policy.
- Stealing any property or services from another person, group or the university.
- Embezzling, defrauding, or procuring any money, goods, services or thing of value under false pretenses, including the issuance of a check, draft, money order or use of a credit card knowing that it will be dishonored upon presentation for payment.
- Forging, altering or misusing any document, record or identification or causing any false information to be entered upon any record or presented at any proceeding.
- Hazing, any action taken or situation created, to intentionally produce mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities may include but are not limited to the use of alcohol, paddling in any form, creation of excessive fatigue, physical and psychological shocks, quests, treasure hunts, scavenger hunts, road trips or any other such activities, wearing of public apparel which is conspicuous and not normally in good taste, engaging in public stunts and buffoonery, morally degrading or humiliating games and activities.
- Obstructing or disrupting any university processes, including but not limited to instruction, research, study, administration, meetings, ceremonies and student activities.
- Unauthorized possession or use of explosives or other dangerous devices on campus.
- Entering into or upon, or using university facilities including but not limited to access gained by unauthorized or duplicate keys, bugging devices, computer codes or other methods or devices used to afford unauthorized access to restricted areas or information or operation of equipment.
- Multiple violations of academic dishonesty.
- Violations of previous disciplinary sanctions (probation).

Incident reports and statements with alleged level two violations will be submitted to Student Affairs in a timely fashion for review. Level two violations may be adjudicated using formal or informal conduct procedures.

Level Three Violations

Level three violations include any or all violations of the Student Code of Conduct in which students will more than likely be given a warning and/or discretionary sanctions for their behavior. These violations include but are not limited to the following:

- Failure to obey residence hall rules and regulations, whether or not one is a resident (with the exception of those violations that may result in a possible outcome of probation or suspension).
- Violation of team rules or athletic department policies.

Incident reports and statements with alleged level three violations may be adjudicated through Student Affairs, Residential Life or Athletics. Level three violations will be adjudicated using informal conduct procedures.

Off-Campus Violations

Missouri Western students are responsible to adhere to the Code of Conduct at all times not just while on the Western campus. Violations that occur off-campus and are reported to Student Affairs will be adjudicated by the student conduct process. Offenses/violations to be adjudicated include but are not limited to:

- Felony charges, excluding felony non-support
- Alcohol and drug related violations
- Stealing, theft, robbery and fraudulent use of a credit device
- Unlawful use of a weapon or other weapons charges
- Assault and battery
- Property damage
- Loitering/trespassing

Minimum Conduct Sanctions for Drug and Alcohol Violations (sanctions can be increased depending on the situation)

Alcohol Violations (possession/use)

1st Offense

- Written Warning
- \$25 fine
- Education Program
- Parent Notification if minor

2nd Offense

- Disciplinary Probation (1 year)
- \$50 fine
- Initial Substance Screening
- Reflection Paper

3rd Offense

- Removal from housing and possible university suspension
- Prohibited from visiting the residential life area. Violators are subject to prosecution for criminal trespass
- \$75 fine
- Comprehensive substance assessment; requirement to follow recommendations made from assessment

Drug Violations (possession/use):

1st Offense (minimum sanction)

- Disciplinary probation (1 year)
- \$50 fine
- Education Program
- Initial substance screening
- Possible removal from housing
- Parent Notification if minor

2nd Offense

- Removal from housing – possible university suspension
- Prohibited from visiting the residential life area. Violators are subject to prosecution for criminal trespass
- \$100 fine

Drug Violations (sales/distribution):

- Removal from housing/university suspension
- Prohibited from visiting the residential life area. Violators are subject to prosecution for criminal trespass
- \$200 fine

Drug Violations (covert use on another):

- Expulsion from the university
- Prohibited from visiting the residential life area. Violators are subject to prosecution for criminal trespass
- \$200 fine

As previously stated, the Student Conduct Officer is the University Official assigned to adjudicate an incident report. The Vice President for Student Affairs will designate the University Conduct Officer (UCO) for all University violations and the Housing Conduct Officer (HCO) for Residence Hall violations. The Director of Athletics will assign the Athletic Conduct Officer (ACO) for Athletic Department violations, however resident hall students and student athletes will be adjudicated as all students if they violate the Student Code of Conduct.

Residential Hall Students only

Minimum Conduct Sanctions for Limited Access Policy Violations

Residents who do not have their ID during limited access or walk by the limited access desk without producing ID will be documented by limited access desk staff or Residential Life staff for violating the Limited Access Policy.

1st Violation:

- Educational conference with Residence Hall Director

2nd Violation

- Referred to the Student Conduct Process
- Verbal or written warning
- If the violation took place in another hall: loss of visitation rights from area for two-four weeks minimum

3rd Violation:

- Referred to the Student Conduct Process
- Potential disciplinary probation (one semester)
- Reflection paper
- If the violation took place in another hall: loss of visitation rights from area for four-eight weeks minimum

4th Violation:

- Referred to the Student Conduct Process
- Potential disciplinary probation (one year)
- Reflection paper
- Behavioral contract
- If the violation took place in another hall: loss of visitation rights from area for one semester

*Repeated violations where a student disregards, harasses, or intimidates limited access desk staff may result in relocation, removal or loss of privilege to live in the residence halls for the next academic year.

Minimum Conduct Sanctions for Guest Registration Policy Violations

1st Violation:

- Educational conference with Residence Hall Director

2nd Violation:

- Written warning
- Loss of privilege--guest privileges for two weeks minimum

3rd Violation:

- Disciplinary probation (one semester)
- Reflection paper
- Loss of privilege--guest privileges for four-eight weeks

4th Violation:

- Disciplinary probation (one year)
- Reflection paper
- Loss of privilege--guest privileges for one semester
- Behavioral contract

*Repeated violations of this policy where the student disregards limited access desk staff and walks past may result in possible "loss of privilege" to live in the residence halls for the next academic year or removal from housing.

Minimum Conduct Sanctions Guest Registration Policy--Griffon Hall Only

This policy only applies to Griffon Hall visitation from 12 - 8 am. This policy will be strictly enforced. Continuous violation of the Weekend Policy related to visitors of the opposite sex by residents of Griffon Hall will result in removal of this policy for the entire complex.

1st Violation:

- Written warning
- Loss of privilege--guest privileges for two weeks minimum

2nd Violation:

- Written warning
- Reflection paper
- Loss of privilege--guest privileges for three months-one semester

3rd Violation:

- Disciplinary probation (one year)
- Reflection paper
- Removal from Griffon Hall

RESIDENCE HALL GUIDE

2011-2012

Office of Residential Life
Division of Student Affairs
Missouri Western State University
Commons Building
(816) 383-7100

RESIDENCE HALL GUIDE 2011-2012

AS A RESIDENCE HALL STUDENT AT MISSOURI WESTERN STATE UNIVERSITY, we expect you to recognize the strength of personal differences, while respecting institutional values. You are encouraged to think and act for yourself; however, we expect you to understand that the Office of Residential Life has non-negotiable values in which it believes strongly.

These values include **Respect, Civility, Citizenship, Individual and Social Responsibility.**

These values along with the university values of ***Serving others, Quality, Enthusiasm about learning, Freedom to exchange ideas, and Courage to shape the future***, are the hallmark of the university, and will be protected diligently. Each person has the right and ability to make decisions about his or her own conduct. Just as importantly, each person has the responsibility to accept the consequences of those decisions.

When individual behavior conflicts with the values of the department or university, the individual must choose whether to adapt his or her behavior to meet the needs of the community or to leave the residence halls or the university. This decision, among others, assists each person to determine who he or she is with respect to the rest of society.

Office of Residential Life Policies & Procedures

The following policies and procedures apply to all Western students and guests while visiting the residence halls. Students or staff who suspect or witness any Western students breaking university or residence hall policies should contact the Office of Residential Life and report the incident.

POLICIES

ALCOHOL: Alcoholic beverages are specifically prohibited in the residence halls. The possession of alcohol, empty alcohol containers or items used to facilitate alcohol abuse is prohibited. Items used to facilitate alcohol abuse can include, but are not limited to, beer bong, funnels, and beer pong tables.

AMPLIFIED SOUND: Any outside sound which interferes with others' right to study or sleep is prohibited. Outside music/noise must be kept to levels that do not interfere with these rights. Directing or playing stereo speakers outside a residence hall window is prohibited.

BALCONIES: Balconies should be kept clean and clear of garbage and debris. Hanging of banners, signs or other marketing materials is prohibited. Only personal furniture manufactured as "indoor/outdoor" furniture may be moved out on the balcony. Climbing on the rails to gain access to the second and third floor balcony is prohibited. Misuse of this policy will result in restricted access to the balcony.

CANDLES/INCENSE: Decorations with open flame or which present a fire hazard, such as candles, wick lamps, incense, etc. are prohibited in student rooms and common areas. However, candles with unburned or removed wicks are allowed for decorative purposes. Electric candle warmers are also prohibited.

COMPUTER LABS: Computer labs located in Leaverton, Vaselakos and Scanlon Halls are for the express use of the students living in those halls. Students wishing to use the labs will be required to show identification to a computer lab assistant for entry. Requests for one-time use by guests or visitors must be made in advance to the buildings Residence Hall Director during general business hours (M-F 9 am-4:30 pm).

DECORATIONS: Students are required to comply with published decorating guidelines. While deciding to make your room unique, please cooperate with the interests of your suite/roommates, and use good judgment to ensure personal safety as well as the safety of others living in your residence hall. The following guidelines must be followed at all times:

Student Rooms and Common Areas:

- Students must utilize 3M command adhesive brand products when hanging any items. This includes heavier objects in their room or on their door.
- Residents may not add attachments of any type to residence hall light fixture, including paint, tissue paper, crepe paper, tinfoil or any other material.
- NO materials, whether flammable or nonflammable, may be suspended from, attached to, or draped beneath the ceiling.
- Drawings, paintings, writing or any other form of mural on residence hall walls are prohibited.
- Any damage that occurs from adhering items to the door, ceiling floor or walls will be charged to you when you move out of the room.

Room and Suite doors:

- Juda, Logan or Beshears Suite Doors: Residents may not post, hang, or otherwise attach any material to the outside of their suite.
- All room doors (includes Griffon Hall, Leaverton and Vaselakos outside apartment doors): Residents will be allowed to post one memo board (those composed of pressed fiber board), not to exceed 11" x 14" per room, on the outside of the door.

Six personal items, such as pictures or decorative items may be hung on bedroom doors as long as it does not violate University Code of Conduct or the Housing Posting Policy and does not cover more than 50% of the door. RAs may also hang door decs (name tags) on residents' doors to assist in community building. Please speak with your Residence Hall Director if you question your compliance with this policy.

- Gift wrapping doors is strictly prohibited.

- Residents seeking temporary exemptions to this policy (birthday, anniversary, special occasions, community building, etc.) may request temporary exemption from their Residence Hall Director, stating the reason for the request and the duration of time for which the exemption is sought.

Furniture and Decoration Arrangement:

- No public area decoration may hinder the use of, or restrict access to, hallways doorways, stairs, corridors, or fire-related equipment.

Seasonal/Holiday/Religious Decorations:

- Only ARTIFICIAL holiday trees are approved for residence hall use. The use of electric decorative holiday lights is restricted to "miniature Italian lights" that are either "U.L." (Underwriter's Laboratory) or "F.M." (Factual Mutual) approved.
- Kwanzaa, Hanukkah, Christmas, etc: candles are not permitted in residence halls due to fire hazard. Many students observe these celebrations using electric candles or by making arrangements with their Residence Hall Director to use candles in a designated location, at an approved time, as part of an appropriate holiday observance.
- Other Holidays and/or religious ceremonies: Students are encouraged to observe holidays that are meaningful to them provided their practices or ceremonies do not violate established policies or create a safety concern for other residents and property.

DRAPERIES: Only university curtains or draperies that are purchased from a proper vendor (Target, Walmart, etc.) may be used in student rooms and suite/apartment common areas. Blankets, towels, or other materials not classified as draperies are prohibited.

DRUGS: Illegal use, possession, and/or distribution of drugs, controlled substances or drug paraphernalia without the express permission of a licensed physician may result in dismissal from the residence halls as well as other student conduct or police action.

Students found in the presence of drug use are subject to the Student Conduct Process. Drug paraphernalia are items that are fashioned for the purpose of facilitating (bowls, bongos, etc.) or disguising drug use will also be considered a violation of the drug policy. Evidence of drug use can include, but is not limited to, smell, smoke, seeds and residue.

ELECTRICAL APPLIANCES: If electrical appliances are used it is expected that safe conditions be maintained.

- All electrical appliances must be UL approved.
- Only UL-approved power strips may be used to extend appliance cords to electrical outlets.
- Halogen lamps are prohibited in the residence halls.
- "No Boundaries 5-Light Multicolored Floor Lamp" (Wal-Mart) and other lamps with a similar plastic shades are prohibited with use of standard incandescent bulbs. Residents must either replace the bulbs with "cool to the touch" compact florescent bulbs that burn at a lesser temperature or remove the shade/lamp.
- For safety reasons using black light bulbs in university fixtures is prohibited.
- Refrigerators are permitted in student rooms providing they do not exceed 4.5 cubic feet and draw more than 1.5 running amps. No more than one refrigerator per student is allowed.
- All electrical cooking and heat-producing appliances are prohibited.* These appliances include, but are not limited to, hot plates, hot oil fryers, popcorn makers, space heaters, sun lamps, toasters, toaster ovens, other appliances with open heating coils, George Foreman® grills and other skillet-style or other hot-plate style items.

*[NOTE: Due to the kitchens in Griffon Hall, toasters, coffee pots and toaster ovens will be allowed in Griffon Hall. All other appliances must be approved by the Director of Griffon Hall.]

- Allowed cooking appliances include microwaves, auto shut off coffee makers and hot pots.

ESCORT POLICY: All guests or visitors, student or nonstudent must be escorted by their hosts at all times while in the residence hall.

EXPLOSIVES: The possession and/or use of explosive materials is prohibited in residence halls. The university assumes that possession of explosives and /or highly flammable materials in any form implies intent to use them. The possession and/or use of explosives is dangerous and constitutes a serious fire hazard. Consequently, the penalties for possession and/or use of explosives may be severe. Students found in violation of the explosives policy are subject to cancellation of their residence hall contract and/or suspension from the university.

FALSE BOMB THREAT: The penalties for the transmission of a false bomb threat are severe. The recommended sanction for such action is suspension from the university. The Office of Residential Life reserves the right to remove anyone found in violation of this policy from the residence halls and immediately cancel their residence hall contract. In addition, the University Police Department may pursue criminal charges which could lead to one year imprisonment and a \$1,000 fine.

FIRE SYSTEM: Sounding false fire alarms, tampering with the fire fighting or safety equipment including extinguishers, smoke detectors, sprinklers, exit signs, pull stations, fire exit alarms, and stairwell fire doors etc. is a serious offense. Those found in violation of setting off a false fire alarm will be removed from the residence halls and fined. The university may pursue criminal charges.

FAILURE TO COMPLY: Failing to respond to a reasonable request by a university official including residential life staff is a violation of university policy.

FIREWORKS: The possession and/or use of fireworks are prohibited in residence halls. The university assumes that possession of fireworks implies intent to use them. The use of fireworks is dangerous and constitutes a serious fire hazard. Consequently, the penalties for possession and/or use of fireworks may be severe. The University Police Department may seek criminal charges against individuals violating this policy which could lead to a \$1000 fine and subject to cancellation of their residence hall contract and/or suspension from the university.

FIREARMS & WEAPONS: Students shall not possess or use on residence hall property firearms, including concealable firearms, ammunition and other implements used as weapons and other items classified as weapons in the Missouri Revised Statutes. Students found violating this policy may be immediately removed from the residence halls and may result in expulsion from the university. Toys which resemble weapons are also prohibited in the residence halls, including air pistols, paintball guns, squirt guns, etc.

FURNISHINGS & FIXTURES: All university furnishings, including beds, must remain assembled and in their designated room. University furniture is not allowed on balconies or walkways. Only personal furniture manufactured as "indoor/outdoor" furniture may be moved out on the balcony. Waterbeds are not allowed in student rooms. Common area furniture and equipment are not to be removed from the common space (i.e. lounges, lobbies, conference rooms, study lounges, suite/apartment common rooms). Removal of any university furniture will be considered theft. Changes to any lighting, electrical or wall fixtures are prohibited.

GUEST POLICY: Guests are defined as an on-campus resident, Missouri Western student or a nonstudent and will be referred to as "guests" therein. Guests are expected to act appropriately in accordance with residence hall and university policy while within the residence hall complex. Failure to abide by the following guidelines may lead to loss of visitation privileges to certain halls or the entire residence complex and/or criminal action.

Residence Halls Guest Visitation (see special rules for Griffon Hall below):

No guests of the opposite sex are allowed to be present beyond 12am Sunday through Thursday, or stay beyond 3am Friday and Saturday in a resident room, suite, or apartment.*

Scanlon Hall Guest Visitation:

- Wings: All guests must be escorted by their host between 12am and 8am seven days a week.
- Student ID Card: Each Scanlon resident will be issued a University ID with a hologram validating their residency in Scanlon. As the University ID cardholder agreement expresses, it must be carried at all times and presented upon request by a University official.

***Griffon Hall Guest Visitation:**

- *Griffon Hall only: Overnight guests of the opposite sex are allowed in Griffon Hall on Friday and Saturdays only. See "Overnight Guest Policy-Griffon Hall Only."*

Resident Host Responsibility:

- All guests must be accompanied by their resident host at all times.
- All guests must register from 12am to 8am. Guest Registration Forms (Guest Passes) can be approved at any residence hall front desk beginning at 12pm (noon) each day. The resident host must be present when their host registers.
- Guests who are found to be unregistered may be asked to leave the residence complex.
- A host may not have more than three guests registered at one time due to room capacity limits.
- Roommate/suitemate agreements will always supersede one's right to host guests. Issues or concerns should be worked out between roommates and/or suitemates.
- If agreed upon, residents are allowed to have overnight guests of the same sex for short periods of time. Guests of the same sex may not be registered for more than two nights a week, nor may they stay for two nights a week more than twice a month.
- The resident is required to register his/her guest of the same sex each night of his/her stay and must be issued a Guest Registration Pass dated for each night of their stay.
- Guests not accompanied by their host found in violation of the policy and/or are creating a disturbance in the residence hall community will be asked to leave the residence complex by University staff.
- By inviting a guest or visitor into his/her room or residence hall, the host accepts full responsibility for the actions of the guest. Therefore, the host is responsible for ensuring that his/her guest(s) are informed of and adhere to all university policies.
- The resident host will be held responsible for the damages and conduct of his/her guest while in the residence halls.
- All guests 18 years of age or older will be required to provide an acceptable form of picture identification. No guests under the age of 18 will be allowed to register unless they are immediate family members. Immediate family members under the age of 12 must receive prior special permission from the Residence Hall Director to stay overnight.
- Acceptable forms of picture identification: Drivers License, State ID card, US Military ID Card, Bank ID Card, Passport, US Citizen's ID Card, School ID (current validation), Alien Registration, Receipt Card, Firearms Registration Card.

Guest Registration:

- Guest Registration Forms (Guest Passes) can be approved at the residence hall front desk between 12pm and 12am and Night Check-In Desks from 12am-3am, Sunday – Wednesday and 12am-4am Thursday – Saturday.
- After hours Guest Registration Forms may be approved at the Commons Building for all residence halls from 3am-8am Sunday – Wednesday and 4am-8am Thursday - Saturday.
- Guests who are found to be unregistered will be asked to leave the residence complex. The resident host must be present when their guest is registering.
- Guests of the same sex may not be registered for more than two nights a week, nor may they stay for two nights a week more than twice a month.
- If a guest arrives before Night Check In begins, his/her host is to ensure that the guest is registered by going to the lobby of their residence hall (Leaverton, Vaselakos, Griffon or Scanlon) or the Commons Building if in Logan, Juda, or Beshears Halls prior to 12am.
- Damage and/or policy violations resulting from the behavior of the guest(s) is the responsibility of the guest(s), as well as that of the host.
- Resident hosts are expected to escort their guests at all times throughout the residence hall and residence complex.
- A resident may not register another resident from the same hall as a guest.
- Residents hosting a guest(s) are required to inform their guest of their responsibility to maintain possession of the Guest Registration Pass.
- From 12am-8am guests will be asked to leave the residence complex, which includes courtyards if unescorted, do not have a valid guest pass, and/or are involved in policy violation.

Overnight Guest Policy - Griffon Hall Only:

- On Friday and Saturday and in Griffon Hall only, guests of the opposite sex will be allowed to register and stay overnight.
- Guest registration takes place at the Griffon Hall front desk and guests must be registered by 12am.
- No guests under the age of 18 will be allowed to register unless they are immediate family members. Immediate family members under the age of 12 must receive special permission from the Residence Hall Director to stay overnight.
- Guests may not be registered for more than two nights a week, nor may they stay for two nights a week more than twice a month.
- The resident host is required to register his/her guest each night of his/her stay and must be issued a Guest Registration Pass dated for each night of their stay.
- Roommate/suitemate agreements will always supersede one's right to host guests. Issues or concerns should be worked out between roommates and/or suitemates.

GRILLS: The use of grills is not allowed in the residence halls or on balconies. Grills are provided in each courtyard for residence hall student use only. Outside groups wishing to use the courtyard/grills must fill out a request for use (See Facility Request). Lighter fluid or combustible fluid is prohibited in student rooms, common areas and balconies.

HARASSMENT: The Office of Residential Life and Missouri Western State University neither condones nor accepts harassment of any person or group of any kind and will investigate all allegations of harassment. Should the Office of Residential Life have evidence that an individual has harassed another student or group of students in the residence halls, the harasser is subject to relocation to another residence hall or cancellation of their residence hall contract. See also Code of Conduct #9 for more information on the university's stance on harassment.

Harassment can be the following

- Verbal, non-verbal, or physical.
- Exclusion based upon personal or group differences.
- Intimidation or humiliation based on personal or group differences.
- Abusive language, threats, or similar acts of bigotry, racism, sexism, or discrimination.
- Jokes, comments, gossip or graffiti that perpetuate personal or group myths, fallacies, prejudices, or stereotypes.
- Any subtle or direct references, based on race, sex, age, disability, sexual orientation, national origin, or religion, which demean, exclude, intimidate, or adversely affect an individual or group.
- Unsolicited e-mail or telephone calls containing abusive language, threats, causes, discomfort, derogatory, or sexual in nature.
- Unsolicited, deliberate or repeated sexually derogatory statements, gestures or physical contact which are objectionable to the recipient and which cause discomfort or humiliation.
- Pressure from a person of either sex against a person of the opposite or same sex.
- Unwelcome sexual behavior or words including demands for sexual favors accompanied by implied or overt threats concerning an individual's educational or employment status.
- Conduct that is criminal in nature such as rape, sexual assault, stalking and similar offenses.

ID CARD: Students must carry their university ID with them at all times, including in the residence halls. Students are responsible for providing it when requested by a university official (faculty or staff). Lost or stolen IDs can be replaced at the Parking Services Office, Blum Union 102 during general business hours.

HORSEPLAY: Includes but not limited to: water guns, water balloons, water fights, mud fights and snowball fights. All are prohibited in or around the residence halls and courtyards.

ILLEGAL ROOM ENTRY: Entering a student room without the express permission and presence of the student who resides in that room is prohibited. Inappropriate room entry includes, but is not limited to, borrowing another student's key to access their room, forcing a door open, entering a room through a suite bathroom.

KEYS: Upon checking into the halls each resident is issued keys to gain access to their suite/room. These keys remain the property of the university. Keys should not be duplicated, modified or loaned to another person. Students punching a hole in their key card will be charged for its replacement. Many stores sell a plastic key card holder that can also be used as a key chain. For security purposes residential life staff must be notified immediately about lost or stolen keys. Unauthorized use or possession of a room key is prohibited. Residents failing to return keys for checkout will be charged for their replacement and core change.

For more information on key replacement refer to Residence Hall Procedures "Lockouts, temporary keys, core change and key card/key replacement."

LAUNDRY: Laundry facilities are provided for residence hall students only.

LIMITED ACCESS POLICY: The lobbies of Leaverton, Vaselakos and Scanlon Halls are monitored by the night operations staff (days/times determined at the beginning of each academic semester). During limited access hours, all residents must show proof of their residence (i.e. validated university ID) in order to enter their hall. Hall staff have the right to ask anyone (resident or guest) entering the lobby and/ or already in the hall to show proof of identification. Residents who are not in possession of their ID when entering their building after limited access hours begin may be documented for violating the Limited Access Policy and must verify their residency to gain entry to the building. All individuals who do not reside in the hall in which entry is desired must follow the guest registration guidelines indicated in the "Guest Policy."

LITTERING: Littering in/on or around the residence halls is prohibited. Littering constitutes the throwing, dumping or depositing of trash in places other than the trash container provided. Students found violating this policy can be assigned a conduct fine of \$50.

LOTTERIES: As established by the statutes of the State of Missouri, raffles and lotteries cannot be held, nor can chance tickets be sold without a license. Therefore, no individual(s) or organization(s) may hold a raffle or lottery, or sell chance tickets, in the residence halls or on the university campus.

PETS: Pets (other than fish) are not allowed. Students violating this policy will be charged a fee to cover the cleaning and treatment of carpet and furniture.

PRANKS: "Pranking" or playing a practical joke on another person is considered a form of harassment and can lead to injury, inappropriate behavior, and acts of retaliation that can be detrimental to the residence hall community. Any type of pranking is prohibited in the residence halls and can result in cancellation of the housing contract.

QUIET HOURS: 10 pm to 10 am Sunday - Thursday, and midnight to 10 am Friday and Saturday. The courtyard in the suites is included in the quiet-hour policy. Stereos, radios, televisions and any other noise which tends to disturb an adjoining suite/apartment, whether next door or above or below, will subside during quiet hours. Courtesy Hours exist 24 hours a day, every day, and will be enforced. Residence halls should be sufficiently quiet at all times so students who wish to study or sleep may do so without interference. Students asked to be quiet have a responsibility to comply with the request. The university reserves the right to relocate or remove students after continued violation of this policy. During finals week 24-hour quiet hours are in effect.

RIOTOUS BEHAVIOR/FIGHTING: Can be defined as individual or group participation in a disturbance with the purpose to commit or incite any action that presents a clear and present danger to others, causes physical harm to others, or damages property. Riotous behavior is subject to criminal prosecution, removal from the residence halls and or university. Proscribed behavior in the context of riotous behavior includes, but is not limited to:

- Knowingly engaging in conduct designed to incite another to engage in riotous behavior.
- Actual or threatened damage to or destruction of university property or property of others, whether done intentionally or with reckless disregard.
- Failing to comply with a directive to disperse by university officials, law enforcement or emergency personnel.
- Intimidating, impeding, hindering or obstructing a university official, law enforcement or emergency personnel in the performance of their duties.
- This rule shall not be interpreted as proscribing peaceful demonstrations, peaceful picketing, a call for a peaceful boycott, or other forms of peaceful dissent.
- Engaging in play-fighting/arguing that could be misinterpreted as an actual fight and/or verbal argument.
- Fight Clubs are prohibited.

ROOM CAPACITY: Due to fire code the following room capacity guidelines have been set for student rooms:

- Scanlon - no more than a total of three guests per resident present in room. Eight maximum.
- Suites, Leaverton, and Vaselakos rooms: No more than a total of three guests per resident present in room. Eight maximum

- Griffon Hall: No more than a total of three guests per resident present in room. Four maximum.
- Leaverton and Vaselakos common spaces: 12 maximum.
- Suite and Griffon Hall commons spaces: 14 maximum.
- Requests to temporarily waive this policy for special occasions (i.e. birthdays, celebrations, etc.) must be made with the Residence Hall Director at least seven days prior to the event.

ROOM/SUITE/Common Area Cleanliness: All students are responsible for the cleanliness of their individual bedrooms and bathrooms, and are collectively responsible for the cleanliness of the common area of the suite/apartment and balcony, where applicable. Failure to maintain cleanliness may result in the assessment of a cleaning fee. Cleaning fees can range from \$5 to \$100 based on assessment by Office of Residential Life staff. Should there be a bug and/or rodent infestation because of uncleanliness you may be charged for a pest control service call. Students wishing to use any outside service agency in the residence halls (i.e., cleaning services) must get written permission from the Office of Residential Life. See "Health & Safety Inspections" under "Residence Hall Procedures."

SMOKE-FREE HALLS: All residence complex buildings have been designated as smoke free. Students who choose to smoke outside of the building must move away from the entrance door or move to a designated smoking area.

SOLICITATION: Only official registered campus organizations are permitted to canvass door-to-door. Those wishing to canvass must make a formal request to the Director of Residential Life at least seven days prior. Canvassing for sales/profit is prohibited.

If approved, the organization must contact the front desk in the area in which they wish to canvass. They also must abide by all hall and university regulations and abide by the wishes of residents who do not wish to participate. Residents may not carry on any organized business for remunerative purposes from their room.

SPORTS IN THE HALLS & COURTYARDS: Sports or sports-related activities within the residence halls and courtyards (e.g. rooms, lounges, hallways, stairwells or other public areas including the courtyards) are prohibited. Playing sports in a confined area such as a hallway can lead to student injury and/or damage to private or university property. These activities are allowed on and around the basketball courts, grassy area behind Beshears or on the balcony side of the suites and in between Vaselakos and Leaverton Halls.

SPRINKLER SYSTEMS: The sprinkler may not be touched, hit, or have anything hung from it. Should a sprinkler be set off, whether accidentally or intentionally, the resident will be responsible for all costs associated with the incident, including any damage caused as a result.

STAIR TOWERS (suites): In order to maintain safety please do not block the stairs or balcony walkways.

WINDOWS: Climbing in or out of a room or suite windows is prohibited. In order to protect those individuals who may be walking outside the residence hall, no object of any kind may be thrown, dropped, pushed out of, placed outside of, and/or allowed to fall from any residence hall window. All screens, if so equipped, must be kept on the windows. Due to fire safety considerations and the significant amount of damage done to residence hall room/suite windows, the Office of Residential Life prohibits the posting or hanging of material on either side of the residence hall windows. Drawing, painting, and or writing on windows are prohibited except for university celebrations (i.e., Homecoming).

RESIDENCE HALL PROCEDURES

ABANDONED PROPERTY: Residents are required to remove all of their personal belongings from their room when they check out. In the event this does not take place, residence hall staff will inventory, pack and store the student belongings. The student will be charged an initial \$25 packing and handling fee above and beyond the \$25 improper check-out fee (if appropriate). Belongings will be stored for 30 days at a rate of \$1.70 per day or \$50 for the month. After 30 days the belongings will be donated to charity or disposed of.

CABLE TELEVISION: Cable TV is provided to every room free of charge. A channel lineup list can be found on the Residential Life website. Problems with cable service in your room should be reported to Telephone Services at 383-7171.

HALL CLOSINGS: The halls will close for semester break (4-5 weeks in Dec./Jan.). Students are required to vacate the halls during this break, but do not need to remove all personal belongings. The residence halls remain open for the Thanksgiving and Spring Breaks for those students willing to pay an additional fee. Students wishing to stay for breaks must fill out a Vacation Housing Form which can be picked up at the Commons front desk. Vacation Housing Forms will be accepted no later than the last business day prior to the beginning of break. During these breaks staff will check each room for safety reasons. Garbage not properly discarded will be billed at \$10 per bag per person. Students wishing to remain on campus over the summer months must complete and turn in a Summer Accommodation Application. Summer Accommodation Applications are available at the Commons front desk. Note: Only students enrolled in summer classes may live in on-campus housing during the summer months. For specific dates the residence halls are closed please see Residential Life website.

HANDBOOK CHANGES: The university reserves the right to change any of the policies and/or regulations in this guide and will notify students of any such changes in their campus mailbox and building postings.

HEALTH & SAFETY INSPECTIONS: Monthly bedroom/ bathroom/ common area inspections will be conducted by members of the hall staff to ensure the safety and sanitation of each room. Inspections will be announced, and will occur between the hours of 10 am and 10 pm on the scheduled days. It is not necessary for residents to be present during the inspection.

See the terms and conditions of the housing contract for more information. Residents in rooms or common areas designated as "unacceptable" will have 48 hours to clean or face conduct sanctions, cleaning charges and/or fines.

LOCKOUTS, TEMPORARY KEYS, CORE CHANGES, KEY CARD/KEY REPLACEMENT

Lockout: If a resident is locked out of their room/suite they can contact their front desk or the Commons front desk when other desks are closed. Residents are allowed two lockouts without a charge. On the third lockout and every lockout thereafter a \$10 lockout fine will be placed on the resident's student account. Residents requesting a lockout must be able to provide identification at the time of lockout or after entry into their room.

Key Card Replacement: Lost key cards can be replaced by filling out a Key Request and Lock Out Form at your front desk. A \$10 charge will be placed on the resident's account for card replacement. Replacement key cards are made after 5 pm the day they are requested (Monday-Friday). Residents who believe their card has been stolen should contact Residential Life staff immediately so their card can be deactivated.

Core Change: for the purposes of resident safety, lost keys should be reported to Residential Life staff immediately. A core change can be requested from your residence hall front desk. The charge for a key core change is \$35 during general business hours (Monday-Friday, 9 am-5 pm) or \$50 after hours after consultation with the Office of Residential Life professional staff on duty.

Temporary keys: If a **hard room key** is lost, stolen or misplaced the student may request a temporary hard key. Temporary hard keys can be signed out at the Commons front desk (suites area) or Scanlon Hall, Griffon Hall, Leaverton and Vaselakos front desks by filling out a Key Request and Lockout Form. By filling out the form the resident agrees to return the key within 72 hours. The student is billed a \$35 core change charge should the key not be returned within this timeframe. If a resident believes their room key has been stolen they should report it to Residence Life staff so a core change can be ordered immediately.

Mail Key: When a resident checks into their room they are issued a mailbox key. . If a mailbox key is misplaced, stolen or lost, they may request a replacement mailbox key. Requests for replacement mailbox keys can be made at your front desk by filling out a Key Request and Lockout Form. The resident's account will be billed \$10 for a key replacement. Desk staff and resident assistants cannot pull mail from the mailroom or mail boxes. Exceptions to this policy will only be granted to those residents who are waiting for a replacement mail key to arrive.

MAIL SERVICE: US and Campus mail is picked up and delivered to your residence hall daily by 5 pm except for Saturdays, Sundays, holidays and when the residence halls are closed. Complaints about mail service can be directed to your Residence Hall Director via a Postal Inquiry Form. Postal Inquiry Forms are available at all Residence Hall front desks and the Commons front desk.

MAIL BOX STUFFING: Registered student organizations are prohibited from stuffing mailboxes with any type of commercial advertising, including coupons. Products or services by commercial agencies must be delivered through the US mail service unless otherwise authorized by the Director of Residential Life.

Mailboxes will be stuffed if: The event is open to all residence hall students and is sponsored by a university department or a student organization; does not display profanity or alcohol or illicit substances; is size appropriate; and has been approved by the Student Life Director.

MAINTENANCE REQUESTS: Maintenance concerns can be reported by anyone at anytime by filling out a written maintenance request at their building front desk. Please be sure to give detailed information about the problem being addressed. Emergency issues such as heat/AC, broken/unsecured windows, electric and water issues should be reported to a Residential Life staff member immediately.

POSTINGS: The Office of Residential Life recognizes the need for a balance between students' need for information and the maintenance of a residence hall community environment. The posting policy serves to create this balance. In order to post materials in the residence halls the following guidelines must be adhered to:

- All materials posted must be approved and stamped/initialed by the Student Life Director.
- Once materials have been approved and stamped, contact the Residence Hall Director in each area to arrange posting of approved posters/flyers.
- The Residence Hall Director will indicate recommended locations to hang materials. • Posters must utilize appropriate 3M adhesive products such as masking tape or blue painters tape. Duct, scotch, electrical, packing, putty tack are prohibited. Posting with tacks/staples is allowed only on approved bulletin boards.
- Postings are not allowed on outside doors or windows.
- No materials, whether flammable or nonflammable, may be suspended from, attached to or draped just beneath the ceiling.
- Materials promoting or displaying any alcohol or alcohol manufacturers, illegal drugs or offensive language will not be posted.
- Materials posted without permission will be taken down.
- Materials posted will remain up for no more than two weeks.

REPORTING A CONCERN

Emergency Medical or Police Assistance:

For emergencies dial Emergency Assistance 911 or University Police - 816-271-4438.

Reporting Non-emergencies and/or Housing

Concerns: For none-emergencies, yet concerns needing immediate attention call either your Residence Hall front desk or the Commons front desk at 383-7100. The Commons desk is open 24 hours, seven days a week.

For ongoing concerns contact your Residence Hall Director (RHD) by leaving them a written message at your building front desk, or an email, or by leaving them a telephone voice message. Unsure of who your RHD is? Contact your RA or the Commons front desk at 383-7100.

The Office of Residential Life administrative offices are located in the Commons Building and can be reached by calling 383-7100.

Comments, suggestions for improvements are encouraged and can be reported via the housing website at <http://www.missouriwestern.edu/reslife/>, or through suggestion boxes at each front desk, or by attending Residence Hall Association, the voice for all students living in the residence halls.

ROOM CHANGES: Room changes cannot be made until after the 10th day of classes each semester. Students may request a room change by filling out the Room Change Request Form available at all front desks. The official room change process generally lasts until the fourth week of the semester. Students needing a room change after the official room change process has closed must make a request to their Residence Hall Director. These requests may not be approved until there has been a serious attempt made to adjust the room situation. In addition, students granted room changes after the official room change period may be assessed a room change processing fee. Students receiving approved room changes must officially checkout of their room with their Residence Hall Director. Failure to do so will result in a \$25 improper checkout fee, in addition to charges for key/key card replacement and core change.

ROOM SEARCHES: As is stated in the terms and conditions of the housing contract, the university reserves the right to search student rooms and property for reasons of health, safety, or potential violation of campus policy. When possible, but not required, the student will be present for the search of their room.

SPACE RESERVATIONS: Registered student organizations or campus departments wishing to reserve space in and around the residence halls, including the courtyard, grills, basketball court, and volleyball court, must submit an online request ten working days in advance. All requests will be reviewed by the Director of Housing along with The Residence Hall Association during their weekly general assembly meetings. Requests for space inside the Commons Building must submit a request electronically at least three working days in advance. A request form can be found on the Residential Life website.

TELEPHONES: Problems with telephone service and /or voicemail service should be reported to Telephone Services at 383-7171. Hearnes Center first floor, Information Technology Services.

STUDENT CONDUCT PROCESS

Conduct which violates university and/or residential life policy may require a student to participate in the Student Conduct Process. Generally, violations taking place in the residence halls will be handled by the Office of Residential Life staff. In situations where there is a potential of dismissal or expulsion, the student conduct case will be forwarded to the Dean of Students for adjudication. Below is a description of the standard Student Conduct Process for students living in the residence halls:

1. If a student allegedly violates University/ Residence Hall Policy an incident report is generally written, though other forms of written reports may be used. Staff will ask students for information and document the circumstances in the incident report. Once complete the incident report will be submitted to the Office of Residential Life within 24-48 hours. Each incident report is reviewed by the Director of Residential Life. Based upon the information provided, a decision will be made to either take no further action, or to have the students involved meet with a conduct officer.
2. If necessary, students will be notified through campus mail to schedule a meeting with a conduct officer. Residence Hall Directors also serve as conduct officers, and will generally meet with students who have violated policy in their residence area.
3. At the meeting the student will have the opportunity to examine the possible violations, give a plea and discuss their behavior in regards to the incident.
4. After all information has been presented, the conduct officer will assess whether there is sufficient information to determine if a student did/did not violate University/Residential Life Policy. If the student is found responsible for violating University/Residential Life Policy, an informal disposition will be assigned. The student will receive in writing the finding of the informal disposition and if necessary outline the sanctions assigned.

APPEALS: Those wishing to make an appeal of the outcome of their informal or formal disposition must submit his/her appeal in writing to Student Affairs within five working days of receipt of the outcome. (Please see Student Handbook, Student Conduct Process--Appealing a Conduct Outcome for more information on this topic.)

Minimum Conduct Sanctions for Drug and Alcohol Violations (may include parental notification)

Alcohol Violations (possession/use):		
1st Offense	2nd Offense	3rd Offense
Written Warning	Disciplinary Probation (1 year)	Removal from housing and possible university suspension
\$25 fine	\$50 fine	Prohibited from visiting the residential life area.

		Violators are subject to prosecution for criminal trespass
E-Chug	Initial Substance Screening	\$75 fine
		Comprehensive substance assessment; requirement to follow recommendations made from assessment
	Reflection Paper	

Drug Violations (possession/use):	
1st Offense (minimum sanction)	2nd Offense
Disciplinary probation (1 year)	Removal from housing – possible university suspension
\$50 fine	Prohibited from visiting the residential life area. Violators are subject to prosecution for criminal trespass
Choices Seminar	
Initial substance screening	\$100 fine
Possible removal from housing	

Drug Violations (sales/distribution):	Drug Violations (covert use on another):
Removal from housing/university suspension	Expulsion from the university
Prohibited from visiting the residential life area. Violators are subject to prosecution for criminal trespass.	Prohibited from visiting the residential life area. Violators are subject to prosecution for criminal trespass
\$200 fine	\$200 fine

Minimum Conduct Sanctions for Limited Access Policy Violations

Residents who do not have their ID during limited access or walk by the limited access desk without producing ID will be documented by limited access desk staff or Residential Life staff for violating the Limited Access Policy.

Minimum Conduct Sanctions for Limited Access Policy Violations			
1st Violation	2nd Violation	3rd Violation	4th Violation
Educational conference with Residence Hall Director	Referred to the Student Conduct Process	Referred to the Student Conduct Process	Referred to the Student Conduct Process
	Verbal or written warning	Potential disciplinary probation (one semester)	Potential disciplinary probation (one year)
	If the violation took place in another hall: loss of visitation rights from area for two-four weeks minimum		Reflection paper
			Reflection paper
		If the violation took place in another hall: loss of visitation rights from area for four-eight weeks minimum	If the violation took place in another hall: loss of visitation rights from area for one semester

*Repeated violations where a student disregards, harasses or intimidates limited access desk staff may result in relocation, removal or loss of privilege to live in the residence halls for the next academic year.

Minimum Conduct Sanctions for Guest Registration Policy Violations

Minimum Conduct Sanctions for Guest Registration Policy Violations			
1st Violation	2nd Violation	3rd Violation	4th Violation
Educational conference with Residence Hall Director	Written warning	Disciplinary probation (one semester)	Disciplinary probation (one year)
		Reflection paper	Reflection paper
	Loss of privilege- guest privileges for two weeks minimum	Loss of privilege-guest privileges for four-eight weeks	Loss of privilege-guest privileges for one semester
			Behavioral contract

*Repeated violations of this policy where the student disregards limited access desk staff and walks past may result in possible loss of privilege to live in the residence halls for the next academic year or removal from housing.

Minimum Conduct Sanctions Guest Registration Policy-Griffon Hall Only

This policy only applies to Griffon Hall visitation from 12 - 8 am. This policy will be strictly enforced. Continuous violation of the Weekend Policy related to visitors of the opposite sex by residents of Griffon Hall will result in removal of this policy for the entire complex.

Minimum Conduct Sanctions Guest Registration Policy-Griffon Hall Only		
1st Violation	2nd Violation	3rd Violation
Written warning	Written warning	Disciplinary probation (one year)
Loss of privilege-guest privileges for two weeks minimum	Reflection paper	Reflection paper
	Loss of privilege-guest privileges for three months-one semester	Removal from Griffon Hall

Minimum Conduct Sanctions for Riotous Behavior

Minimum Conduct Sanctions for Riotous Behavior	
1st Violation	2nd Violation
<ul style="list-style-type: none"> Disciplinary probation (one year) Possible removal from housing or university suspension 	<ul style="list-style-type: none"> Removal from housing, possible university suspension or expulsion
<ul style="list-style-type: none"> Reflection paper 	<ul style="list-style-type: none"> Prohibited from visiting the residential life area. Violators are subject to prosecution for criminal trespass.
<ul style="list-style-type: none"> Community service 	

Please note that the above sanctions indicate typical minimum responses for active involvement in conduct situations. Depending on the severity of the violation, sanctioning levels and guidelines can and will be more aggressive. Passive violators while still in violation of the Code of Student Conduct may receive reduced sanctions if in otherwise good standing with regard to student conduct. Those being removed from housing will continue to be held to the terms and conditions of their housing contract.

HOUSING CONTRACT POLICIES

CANCELING THE HOUSING CONTRACT AND CHECKOUT PROCEDURES

Contract Cancellation: A student who checks into a space in on-campus housing is liable for the housing charge for an entire academic year unless otherwise noted on the contract. Any request for release from the housing contract must be made to the Contract Release Committee. Moving out of the residence halls does not cancel the housing

contract. Reviewable reasons for a contract release include marriage, graduation, transferring to another school, discontinued enrollment, significant financial distress, health issues or other circumstances which are determined by the university to be beyond the control of the student. Contract Release applications can be picked up at the Commons desk and should be filled out and submitted with supporting documentation to the Office of Residential Life.

Checkout: To properly and officially check out of the residence halls, residents must do the following:

1. Arrange a checkout appointment with their Residence Hall Director at least 48 hours prior to checkout.
2. Remove personal property from their side of the room. Remove trash and/or unwanted materials (i.e. coat hangers, cardboard boxes, etc.). Sweep, vacuum, and or wipe down all surfaces on their side of the room and bathroom.
3. Have room inspected by a member of the Residential Life staff.
4. Provide forwarding address and turn in all keys (Mail Box, Room and Card Key).
5. Sign their Room Condition Report. Residents who do not officially check out will be charged an improper checkout fee (\$25) along with corresponding room damages found by Residential Life staff.

DAMAGES: The student shall reimburse the Office of Residential Life for all damage to, or loss of, any fixtures, furnishings or university property furnished under the contract caused by negligence of the student or his/her guest. If the damage cannot be directed to a specific student, the damage expenses will be prorated among the residents of the suite/apartment/floor/building.

PERSONAL PROPERTY: The University will not be responsible for the loss or damage to any of the students' personal property. To insure that property does not get stolen, please keep all doors shut and locked at all times. Immediately report any concerns with your room lock or outside door locks or missing keys. The University Police Department offers a program called Operation ID, which tags property with an ID number, making it more recoverable if stolen.

PRORATION: Damage to public areas not assignable to specific individuals may be prorated and assessed to students residing on that floor or in that hall. These charges will be posted monthly and residents have 48 hours to appeal posted charges. Appeals must be submitted in writing to the Residence Hall Director in charge of the area.

REMOVAL & REFUNDS: In the event that a violation of university rules or regulations leads to removal from the halls, or when a student ceases to be enrolled as a regular student for at least nine credit hours (except by reason of involuntary military service), such student shall immediately vacate his/her accommodations, if requested to do so by a university official. If vacated, the university will be under no obligations to refund any payment.

TERMS AND CONDITIONS OF THE HOUSING AGREEMENT – Signed by Residents

The following Terms and Conditions are included as part of the agreement between MWSU and the residents of MWSU housing. The term “University” or “MWSU” shall mean Missouri Western State University. The term “I” shall mean the applicant/parent or guardian guaranteeing this agreement. This is an agreement for housing and dining accommodations. I cannot apply for housing only; I must select a dining plan.

I agree to rent a room at the rate as specified by MWSU per semester and to pay for my room and board (meal plan) at the rate as specified by MWSU per semester. Residents are responsible to make payment according to the policies and procedures of the University Business Office. Failure to follow these policies and procedures may result in removal from or removal of the applicant’s person or possessions from the residence halls.

The University reserves the right to increase these charges at the beginning of any semester. Notification of such increase will be given to the applicant or parent or guardian at least fifteen (15) days before the start of the semester for which the rate increase is applicable. I may not alter or amend this application without agreement of both parties. The inability of the University to grant my assigned preferences shall not void this application.

All attorney’s fees, other costs and charges necessary for the collection of any unpaid balance shall be assessed against the applicant.

UNIVERSITY ON CAMPUS HOUSING POLICY:

1. Entering freshmen (as classified by the Office of Admissions) who have not previously attended this University must reside in University-operated residence halls for their first two semesters in residence. The University may make exceptions for certain categories of students based upon guidelines related to marital status, proximity of home to campus, age, and other pertinent factors. Any exemption to the University On Campus Housing Policy must be approved in writing by Office of Residential Life prior to the beginning of the contract period for which the exemption is requested. If a student wishes to appeal a decision concerning their petition for an exemption to the University On Campus Housing Policy, information on the appeals procedure may be obtained from Office of Residential Life.

2. Assignment Policy: The University reserves the right to make assignment of space, to authorize or deny room and roommate changes, to consolidate vacancies and to require a student to move from one room or residence hall to another. The University further reserves the right to require a student to vacate the residence halls on a temporary or permanent basis for: failure to meet financial obligations to the University, exhibiting behavior not conducive to the living-learning environment established in the residence halls, or failure to remain in good standing with the University. Residents who withdraw from the University are required to vacate the residence halls within three calendar days.

Room changes are considered after the students involved have made a serious attempt to adjust to the situation. It is the policy of the University to assign roommates without regard to race or creed. **No room changes** may be made during the first ten days of classes at the beginning of each semester.

Meal Plan: Students residing in the residence halls are required to contract for a meal plan. Students may request a change in dining plan options through the end of the second week of classes for the semester or session covered by this application. After this period students may not make changes to their meal plan.

3. Cancellations and Refunds Policy: This agreement cannot be cancelled or modified by a student if he or she attends MWSU during any part of the agreement period except as hereinafter set forth.

Cancellations:

a. If an application for an academic year is made (which is the default term of the application), the agreement is binding for both fall and spring semesters. A student who checks into a space in on-campus housing is liable for the housing charge for the academic year. If a wait list exists, a student who never checks in and fails to cancel this agreement may be held liable for room charges as they have held a space from another student. Any request for release from the terms and conditions of the agreement must be made in writing to the Contract Release Committee. This student, faculty, and staff committee will review each request and supporting evidence and determine if a partial refund of fees is appropriate. Requests for release will only be considered for the fall semester if filed by November 1, and for the spring semester if filed by April 1.

b. **A \$100.00 cancellation fee** will be assessed (\$100.00 damage deposit will be retained) when a student cancels their agreement. For first-time residents only, this fee will be waived and the deposit returned if the agreement is canceled in writing by June 1. The damage deposit will be refunded within 60 days of written notification of cancellation.

c. **Wait List:** Students placed on a wait list will not be subject to the cancellation fee until such accommodations are provided by MWSU. Priority is based on the date in which we receive the housing application with the required \$100 deposit. Students placed on a wait list are not guaranteed an assignment.

Refunds: - For students residing in a MWSU residence hall for the full term of this agreement, refund of the damage deposit will be made on or before sixty days (60 days) from the date of contract termination less deduction for damage and other unsatisfied obligations.

a. **Academic Suspension** – Students who are academically suspended are prorated the cost of room and board at the time of check out. Student’s deposit is refunded (minus any cost for damages) and not charged a cancellation fee.

b. Voluntary Cancellation - the entire housing fee will be retained and additional charges for damages or other fees may be assessed. Dining charges will be refunded on a prorated basis.

c. Nonpayment of Fees - failure to meet the required payment procedure deadlines prior to the beginning of the semester or period covered by this application will constitute a voluntary cancellation by the student (see Cancellations and Refunds policy above).

d. Disciplinary Suspensions - the housing fee will be retained and additional charges for damages or other fees may be assessed. Dining charges will be refunded on a prorated basis.

CONSOLIDATION OF RESIDENCE HALL SPACES:

4. Students in double occupancy rooms who have not contracted for single occupancy and do not have a roommate will be offered three consolidation options: 1) pay a single room rate, 2) obtain a roommate, or 3) change rooms. The consolidation policy goes into effect after the point each semester when the halls are not filled to 100% capacity. It remains in effect until October 15 in the Fall and March 15 in the Spring. After those dates, residents are not given the consolidation options and Office of Residential Life will consolidate spaces as specified in this agreement under “**Assignment Policy**”, Term and Condition #2.

5. Residence Hall and Dining Service Opening and Closing Dates: During official University vacation periods, the residence halls are closed, meals are not served, and students must vacate the premises. At the discretion of the Office of Residential Life, Thanksgiving and Spring Break housing may be available, although no meals are served. In such cases, a mandatory nonrefundable charge is assessed to all students who request permission to stay during these break periods. Refer to the Western Calendar or the Office of Residential Life web site at www.missouriwestern.edu for opening and closing information. Room and meals will be available according to the MWSU Student Activities Calendar, which is subject to change by the University without notice.

6. Room Entry: MWSU or its agents may inspect students’ rooms and possessions on a regular basis or at any time there are grounds to believe that the student has violated MWSU rules and regulations or other applicable state, federal, or local laws. University staff will enter rooms as necessary for maintenance reasons. While the staff will announce themselves before entering, these entries will be unscheduled.

7. Room Furnishings and Services: MWSU will furnish a bed, mattress, study desk, chair, wardrobe, dresser in all permanent spaces. Students must furnish their own bedding including linens, blankets, and pillow. MWSU will not provide maid service in student accommodations. Students will be responsible for cleanliness of bedroom, living room, bath and balcony. In the event of failure to keep their accommodations clean, MWSU may have such accommodations cleaned at the student’s expense.

8. Fire, Theft or Damage: MWSU shall not be responsible for the loss of or damage to any of the student’s personal property from any cause whatsoever. The student shall reimburse MWSU for all damages to the structure in which he or she is housed and all damage to, or loss of any fixtures, furnishings, or personal property furnished under this agreement caused by malice or negligence on the part of the student or their guest. Damage to public areas not assignable to specific individuals may be prorated and assessed to students residing on that floor or in that hall. In the event the accommodations assigned to the student are destroyed or otherwise made unavailable and MWSU does not furnish equivalent accommodations, the contract agreement shall terminate and all rights and liabilities of the parties hereto shall cease and the rights of MWSU and students to payments previously made by them shall be prorated on the basis of the period for which accommodations were made available to the student.

9. Rules and Regulations: The student shall comply with all the rules and regulations of MWSU and the hall in which they reside. University rules and regulations are specifically made a part of this agreement by reference. These rules and regulations are included in the Student Handbook each year and are subject to change. In the event that a student ceases to be enrolled in 9 credit hours at MWSU, such student shall immediately vacate his or her accommodation, if requested to do so by MWSU and, if vacated, MWSU shall be under no obligation to prorate the room fee. Students wishing to remain in the residence halls while enrolled in less than a 9 credit hour load must receive permission from the Office of Residential Life.

10. Immunizations: Students wishing to live in the residence halls are required to have certain immunizations and disease tests. Students must submit proof of these immunizations and tests to the Esry Student Health Center. Students who do not have the immunizations and tests or do not present an appropriately documented and signed medical or religious exemption form, may be denied housing and or forced to vacate the residence halls (such removal would be considered a disciplinary suspension under the Refunds section). A current list of required immunizations and tests is available at Esry Student Health Center.

11. Scholarships: Residents receiving Western scholarships totaling more than \$2,500 per semester are required to live and sleep in the residence halls. Western scholarships will be reduced to a maximum of \$2,500 per semester for those students choosing to live off campus. Many Western scholarships, including Golden Griffon, Western Merit Achievement, Edith Brown, Scanlon, Western Leadership, Western Gold and Neighboring States, require students to live and sleep in the residence halls. Students receiving these scholarships and choosing to live off-campus will have these awards canceled.

12. Move In/Move Out: Students may move into the residence halls at the date and time published by the University provided their financial obligations have been met. Any request for early move-in must be approved by the Office of Residential Life. Students must move out of their rooms within 24 hours of their last day of academic work or as listed

on the University calendar. Residents must follow check-out procedures, available at the Office of Residential Life, before vacating the halls. Failure to do so will result in a minimum \$25 improper check-out fee.

13. Housing Application: The University reserves the right to reject the application/agreement of any student who has been convicted of a crime or who has pled guilty to a crime or otherwise may pose a potential danger to University facilities or students. Residents are under a continuing duty to report convictions of a crime, even if adjudication or sentence has been withheld. If you have been convicted of a crime, or pled guilty to a crime please provide the following information on a separate page: case number, nature of crime, when and where the crime occurred, outcome, current status of the case. This information must be submitted by the applicant, or in the event of a conviction occurring after the submission of the application, it should be provided in writing to the Director of Residential Life within ten (10) days of the conviction. The University further reserves the right to REVOKE any application either before or after the application has been accepted.

14. Class Registration: Residents must be registered for at least 9 credit hours for the fall semester by the first Friday in August and/or for the spring semester by the first Friday in January or their contract may be canceled and assessed cancellation charges in accordance with charges outlined in the Terms and Conditions.

15. Unclaimed Space: Failure to claim the assigned housing space by 4:30 p.m. on the first day of classes of the semester may result in cancellation of the contract unless prior notification is received by the Office of Residential Life. The student will be assessed cancellation charges in accordance with charges outlined in the Terms and Conditions.

16. Failure to meet the terms and conditions of this agreement may result in revocation of the agreement and the student's eviction from the residence halls.

"Western is an equal employment and educational opportunity institution."