

Policy Title: Student Code of Conduct

Purpose: This policy provides for the standard of academic and personal conduct expected of students of the University.

Defined Terms:

Responsible Parties: Vice President of Employee & Student Affairs, Director of Student Experience

The Policy:

1. The Director of Student Experience administers the Student Code of Conduct.
2. The Director of Student Experience will represent Oak Point University in student disciplinary matters and act as hearing officer for students in their respective programs.
3. The responsibilities of the Director of Student Experience include preparing notices of violation, collecting information, conducting administrative discipline hearings, making decisions related to disciplinary outcomes, and performing other functions as required in the discipline process.
4. Oak Point University *Discipline Panel* hears appeals of disciplinary decisions rendered by the Hearing Officers. The appeal can be initiated by the Respondent(s) or the Complainant(s). The Panel shall consist of three (3) faculty members and one administrator. The Panel is chaired by the administrative member who is appointed by the Director of Student Experience.

Prohibited Conduct:

Any student found to have committed or to have attempted to commit the following misconduct is subject to disciplinary sanction.

1. Academic misconduct, including but not limited to: cheating, plagiarism, unauthorized possession or disposition of academic materials, falsification, or facilitation of acts of misconduct. Plagiarism includes the copying of language, structure, images, ideas, or thoughts of others and is related only to work submitted for credit.
2. Knowingly furnishing false information to any Oak Point University official, faculty member, office, organization or on any Oak Point University applications. Intentionally initiating or causing to be initiated any false report; any warning or threat of fire, explosion, or any other emergency.
3. Forgery, alteration, misuse, mutilation, or unauthorized removal of any Resurrection document, record, identification, educational material, or property.

4. Disruption or obstruction of teaching, classroom or other educational interactions, research, administration or disciplinary proceedings, residential communities, or participation in an activity that disrupts normal college activities, and/or threatens property or bodily harm or intentionally interferes with the right of access to college facilities or freedom of movement of any person on campus.
5. Engaging in behavior or activities that obstruct the right of free speech or expression of any person on campus.

Abusive conduct, including physical abuse, verbal abuse, threats, intimidation, stalking, coercion, and/or other conduct which threatens or endangers the physical or psychological health, safety, or welfare of one's self, another individual or a group of individuals. Abusive conduct includes bullying, cyberbullying, and hazing as defined in ResU's equal opportunity and harassment/discrimination policy.

1. Harassment, meaning verbal or physical harassment on the basis of gender, race, sexual orientation, age, religion, or physical disability. (Refer to ResU's equal opportunity and harassment/discrimination policy.)
2. Sexual misconduct including but not limited to: obscene, lewd, or indecent behavior; deliberate observation of others for sexual purposes without their consent; taking or posting of photographs/images of a sexual nature without consent; possession or distribution of illegal pornography; viewing or posting pornography in public venues; non-consensual sexual contact; engaging in coercion or constraint; or engaging in sexual activity with a person who is incapacitated or otherwise unable to give consent.
3. Failure to comply with the verbal or written directions of any Oak Point University officials, employees or campus security personnel acting in the performance of their duties and in the scope of their employment, or resisting police officers while acting in the performance of their duties, including failure to identify oneself to these persons when requested to do so.
4. Attempted or actual theft of, damage to, use of, or possession of other persons' or Resurrection University's property or identity or unauthorized use of such; unauthorized entry, use, or occupation of other persons' or Resurrection University's facilities, property, or vehicles.
5. Illegal use or possession on Oak Point University property of firearms or simulated weapons; other weapons such as blades larger than pocket knives; ammunition or explosives; dangerous chemicals, substances, or materials; or bombs, or incendiary devices prohibited by law. Use of any such item, even if legally possessed, in a manner that harms, threatens, or causes fear to others.
6. Behavior that infringes upon the rights of others, endangers their well-being or

safety, or results in personal injury to others.

7. Disturbing the peace on college premises.
8. Use, possession, manufacturing, or distribution of alcoholic beverages except as expressly permitted by law or Resurrection policy. Alcoholic beverages may not be used by, possessed by, or distributed to any person under twenty one (21) years of age.
9. Use, possession, manufacturing, or distribution of illegal drugs including but not limited to marijuana, narcotics, methamphetamine, cocaine, opiates, LSD, mushrooms, heroin, designer drugs such as Ecstasy and GHB, or other controlled substances are prohibited. Use or possession of prescription drugs other than for the person prescribed, or for use other than the prescribed purpose are prohibited. Possession or use of drug paraphernalia including but not limited to equipment, products, and materials used to cultivate, manufacture, distribute, or use illegal drugs are prohibited.
10. Using electronic or other means to make a video or photographic record of any person on-campus where there is a reasonable expectation of privacy without the person's consent and when the recording is likely to cause injury, distress, or damage to one's reputation. Such a recording includes, but is not limited to, taking video or photographic images in shower/locker rooms and restrooms. The posting and/or distribution of such unauthorized recording is also prohibited.
11. Abuse of computer facilities or technological resources including but not limited to: unauthorized entry to, or use of computers, access codes, telephones and identifications belonging to Resurrection; unauthorized entry to a file to use, read, transfer, or change the contents, or for any other purpose; interfering or disrupting the work of any Resurrection member; sending abusive or obscene messages or images; disrupting the normal operation of Resurrection computing systems; violating copyright laws; or any other violation of Resurrection's computer use policy
12. Attempting or actively influencing, intimidating, interfering, or coercing any person involved in a potential, actual, or past Student Code of Conduct Referral. This includes, but is not limited to, encouraging or influencing another person to commit an abuse of the Student Code of Conduct, discouraging an individual's proper participation in, or use of, the Student Code of Conduct process, or disturbing or interfering with the orderly process of conducting a proceeding.
13. Intentional disregard of board policies, district regulations, district procedures or college procedures applicable to students.

Assisting, conspiring, or inciting others to commit any act of misconduct set forth in 1 through 19 above.

Jurisdiction: The Oak Point University Student Code of Conduct shall apply to conduct that occurs on Oak Point University premises, Oak Point University-sponsored programs or activities, and to off-campus conduct that adversely affects the Oak Point University community, poses a threat to safety of persons or property, or damages the institution's reputation or relationship with the greater community. The Director of Student Experience shall decide whether the Student Code of Conduct shall be applied to conduct occurring off campus on a case-by-case basis.

Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. The disciplinary process may proceed even if the student withdraws from school while a disciplinary matter is pending.

Student Organizations may be disciplined/sanctioned via the Student Code of Conduct procedures while represented by an officer or member who has been chosen by the membership but who was not directly involved in the incident in question as determined by the Director of Student Experience.

Violation of Law and/or Resurrection Student Code of Conduct: Oak Point University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal and civil 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 arrest and prosecution. Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings at the discretion of the Director of Student Experience. Determinations made or sanctions imposed under this Student Code of Conduct shall not be assumed subject to change because criminal charges arising out of the same set of facts were dismissed, reduced, or resolved in favor of or against the criminal or civil defendant.

Interim Suspensions: In certain limited circumstances, the Dean, the Program Director, or the President, may make an administrative determination that the continued presence of the student could constitute a threat or danger to the Resurrection community, and such person may be temporarily suspended from Oak Point University pending the disposition of criminal or Oak Point University charges.

Interim Suspension may be imposed in the following cases:

1. To ensure the safety and well-being of members of Resurrection;
2. To ensure the preservation of Resurrection property;
3. To ensure the student's own physical or emotional safety and well-being;
4. If the student poses an ongoing threat of disruption or interference with the

normal operations of Resurrection.

Criminal or Civil Charges: Upon the filing of charges in the criminal or civil courts involving an offense of a serious nature, and an administrative determination is made that the charges meet one or more of the conditions listed above, *the President or designee may determine that* the student may be temporarily suspended from Oak Point University pending the disposition of the criminal/civil charges. In these cases, the University may not have access to investigative reports or be in the best position to independently determine the factual nature of the charges without a finding through the courts.

During the Interim Suspension, a student may be denied access to the campus (including classes) and/or all other University activities or privileges for which the student might be otherwise eligible.

The student will be notified, in writing, of the terms of the Interim Suspension and the reasons for this action. The notice will allow for the student to request a hearing to show cause why his or her continued presence on the campus does not constitute a threat and the Interim Suspension should not be imposed.

DISCIPLINARY PROCEDURES

Charges

1. The discipline process can be initiated by police reports or a report from any faculty, administrative staff, student, or other member of the Resurrection University community, or other person/entity from outside of the University community. This process is initiated through the submission of a written account of the incident to the Director of Student Services.

Upon the receipt of a written report, the Director of Student Experience may determine that there is sufficient reason to charge the student with a violation of the Student Code of Conduct and a disciplinary hearing is warranted. The Director of Student Experience may also seek or conduct an additional investigation.

Hearing Notification

1. All charges shall be presented to the student in written form. This letter of notice will provide the student a notice of the alleged violation(s) and set a time for the hearing.
2. The letter of notice may contain specific requirements or restrictions, pending the resolution of the matter through the hearing process as needed to protect the interests of involved students or Oak Point University. The notice letter will be sent to the student's current address listed on Resurrection University's database.

Options for Resolution of Disciplinary Charges: After review of the information contained with the letter of notice, the student has the following options:

1. Accept responsibility for the charges
When the student substantially agrees with the contents of the complaint and accepts responsibility for the infraction, the Director of Student Experience may determine the appropriate level of discipline and other sanctions or restorative resolution outcomes.
2. Dispute the charges
In the event that the student does not accept responsibility for the charges or substantially disagrees with information contained within the report, a discipline hearing will be conducted.

The student must notify the Director of Student Experience by the date indicated in the letter of notice of his/her intent to accept or dispute the charges. Since cases involving disputed charges may require additional investigation or preparation time, either the student or the Director of Student Experience may ask for limited additional time to prepare for the hearing and an appropriate hearing date and time may be re-scheduled.

Hearings

Disciplinary Hearings shall be conducted by the Director of Student Experience according to the following guidelines:

Disciplinary hearings and administrative meetings are considered private educational interactions between the student(s) and Resurrection. The Complainant, Respondent and their advisors, if any, shall be allowed to attend the entire hearing at which information is received (excluding deliberations). Admission of any other person to the hearing shall be at the discretion of the Director of Student Experience. Any advisers allowed may not participate in the disciplinary hearing, act as a representative, or speak on the student's behalf, nor be a witness. These provisions also apply to attorneys. Oak Point University may choose to have counsel present at a hearing in an advisory capacity.

1. Pertinent records, exhibits, and written statements, including student impact statements, may be accepted as information for consideration.
2. The student will have the opportunity to present his/her own version of the incident or events by personal statements, as well as through written statements and witnesses.
3. If a student, with notice, does not appear for the hearing, a decision may be reached taking into consideration the totality of the information related to the charges available at the time of the hearing.

4. Formal rules of process, procedure, or evidence as established and applied in the civil or criminal justice system do not apply to this process.

Decisions

1. After the hearing concludes, the Director of Student Experience will review all pertinent information and make a determination related to each of the charges specified from the Student Code of Conduct. The determination is based on the preponderance of evidence standard-whether it is more likely than not that the Respondent violated the Student Code of Conduct.
2. The Director of Student Experience has the authority to determine the appropriate level of disciplinary action taking into consideration the severity of the infraction, impact on individuals or the community, and the past record of discipline. In addition to the sanctions listed below, the Director of Student Experience may place limits or conditions, restitution, community service, and/or specify participation in educational programs and interventions including but not limited to those related to alcohol or drug use, ethical decision making, personal counseling, community issues, and restorative justice.
3. Written notice of the Director of Student Experience decision will be sent to the student within fifteen (15) business days of the hearing. The notification shall consist of the determination of responsibility, level of discipline imposed, and a complete description of any sanctions or requirements.
4. Decision letters that include information identifying persons listed as victims may not be released by the student to unauthorized third parties. Failure to comply with this requirement could result in additional disciplinary charges.
5. Sanctions: The following sanctions may be applied when appropriate to individual students.
6. No Action: The Director of Student Experience finds that the charges are unsubstantiated or exonerates the student. The decision letter specifies that the charges are cleared and no disciplinary action is taken.
7. Warning or Written Reprimand: A student may be given a warning or written reprimand for minor infractions.
8. General Disciplinary Probation: Probation is for a designated period of time during which the student is required to show appropriate changes in attitude and behavior. Specific sanctions or restrictions may be imposed as a part of this discipline but do not result in loss of good standing with Oak Point University.
9. Discretionary Sanctions: Educational programs or assignments, mediation,

community service, individual assessment, counseling, substance abuse education, intervention or treatment, or other related discretionary sanctions may be offered or required.

10. Restitution: Compensation for loss, damages, or injury. This may take the form of appropriate service or monetary or material replacement.
11. Disciplinary Suspension: Suspension for a distinct period of time and/or the specification that a student must fulfill certain requirements before re-admission or re-instatement will be considered.
12. Deferred Suspension: A suspension may be deferred under special conditions in which the student participates in a designated program as a condition to remain in school under a strict probationary status.
13. Disciplinary Expulsion: *Recommend expulsion to the President:* Expulsion is permanent removal from Oak Point University with no opportunity to return. All students placed on expulsion will have a notation placed on their transcript. Expulsion notation cannot be appealed for removal from transcript. *Expulsion may only be exercised with the approval of the President and the President will issue the notice of expulsion.*

Withholding Degree: Recommend to the President that Oak Point University withhold awarding a degree or certificate otherwise earned until the completion of the process set forth in this Student Code of Conduct, including the completion of sanctions imposed. Withholding of the degree or certificate may only be done with the approval of the President and the President will issue notice of withholding of the degree or certificate.

Further Discipline: Any other discipline deemed necessary by the Director of Student Experience under the circumstances.

Record of Discipline

1. Student disciplinary records will be maintained in keeping with the Federal Family Educational Rights and Privacy Act of 1974 (FERPA) and subsequent amendments and the guidelines for implementation.
2. Notations of disciplinary action on the student's transcript will be made only by the Director of Student Experience. Disciplinary expulsion will be permanently noted on the academic transcript and cannot be removed. Disciplinary suspension is noted on the transcript during the period of suspension and/or until the conditions for re-admission have been met. In the case of suspension, when the conditions for re-admission have been met, the student may petition for admissions clearance and/or removal of the notation whether or not the student intends to return to Oak Point University.



Policy History:

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