

- placed on Mandatory Administrative Leave.
8. If the student wishes to return to the university, they will be required to present written evidence of treatment for the condition originally identified and a recommendation by a mental health professional as to whether or not the student would be able to function in the university and/or the residence halls. The Vice President for Student Services may require a re-evaluation by the Director of the Counseling Center, Director of Student Health Services, and if relevant, a certified Alcohol and Drug Counselor. Depending on the outcome of this re-evaluation, the Vice President for Student Services will either continue the Mandatory Administrative Leave or may readmit the student with or without qualification.

Approved by the HSU Board of Trustees while in session August 25, 1994. Revised March 13, 2006.

## **Section 12. University Academic Integrity Discipline Policy**

Paragraph 1. An instructor may dismiss or suspend from a class any student who is disruptive, is violating a university regulation, or is engaged in academic dishonesty. If deemed appropriate, the instructor may refer the student to the Dean of Students for university disciplinary action.

The following lists of behaviors are examples that constitute academic dishonesty:

1. Examination Behavior — any use of external assistance during an examination shall be considered academically dishonest unless expressly permitted by an instructor;
2. Fabrication — any intentional falsification or invention of data or citation in an academic exercise will be considered a violation of academic integrity;
3. Plagiarism — the appropriating and subsequent passing off of another person's work as one's own. If the work of another is used, acknowledgement of the original source must be made known using a recognized referencing practice. If another's words are borrowed in whole or in part and merely recast in the student's own words, proper acknowledgement must, nonetheless, be made;
4. Other types of academic dishonesty — a) submitting a paper written or obtained from another; b) using a paper or essay in more than one class without the instructor's permission; c) using another person to complete homework assignments or take-home exams without the knowledge and consent of the instructor; and d) sharing or using information through computers or other electronic networks without the consent of the instructor.

In order that all students are treated equally when caught in any of the above situations, the following guidelines will apply:

- a) The faculty member may assign a grade of "F" to the assignment
- b) The faculty member may drop the student from the class with a grade of "F" (no "W" or "WP" grades will be assigned in these cases)
- c) Subsequent offenses in any of the above may result in suspension from the University  
Students caught engaging in academic dishonesty will be reported to the department chair and the dean, at which time a letter will be sent from the dean outlining action taken. The letter will be copied to the instructor of the course and the chair of the student's declared major.

Approved by the Board of Trustees, May 9, 1973, amended June 22, 1990, June 10, 1992, June 7, 2001, February 12, 2004.

## **Section 13. Code of Conduct**

### **Introduction**

The Code of Conduct of Henderson State University is intended to protect the rights, personal security, and property of individuals and groups within the University community, as well as the University itself. In addition, the Code of Conduct prohibits behavior which is detrimental to learning or group living or is

contrary to the goals of the University. The Code of Conduct informs the University community of the expected behavior, describes prohibited conduct, and details the disciplinary procedures and sanctions applicable for violations of this Code.

### **Expected Behavior**

The University expects that all students will conduct themselves lawfully, maturely, and responsibly. Student behavior may not interfere in any way with the appropriate functions of the University, nor will student behavior be allowed to infringe upon the rights and privileges of any other person.

The University Code of Conduct does not replace or reduce the requirements of any civil or criminal laws. Members of the University community continue to have responsibilities as citizens. The campus is not a sanctuary from the general law, nor is one relieved from responsibility under this Code of Conduct when off campus for such acts as may be related to or impact the University community. The University may initiate action under this Code of Conduct at its discretion.

The Henderson community can be a healthy, safe, enjoyable, and productive place only if it has the good will and cooperation of all its members. Rather than restricting the rights of students, this Code of Conduct ensures that those rights are shared by all. It calls simply for respecting the property of other students and the University; safeguarding individuals from harassment or physical harm; obeying the laws which apply to all communities; and respecting the rights of all to engage in social, educational, and recreational activities without disruption.

### **Jurisdiction**

The following conduct regulations apply to student acts in or on University property or within the jurisdiction of the University Police. Additionally, the University reserves the right to adjudicate acts that occur one semester prior to and one semester following any student's enrollment. The University reserves the right to sanction students for serious acts of misbehavior which may be detrimental to the University community, regardless of where those acts may occur.

### **Prohibited Conduct**

The following actions are prohibited whether attempted or performed singularly or in concert with others:

1. Fighting, assault, sexual assault, rape assault, or battery.
2. Illegal manufacture, sale, possession, or use of any controlled substance.
3. Illegal manufacture, sale, possession, or use of any alcoholic beverage.
4. Verbal or nonverbal harassment and/or threats with the intent to intimidate.
5. Theft and/or possession of stolen property, theft of services, bribery, embezzlement, or temporary removal of property from its assigned position.
6. Disruption of University operations, lawful assembly, or meetings.
7. Disorderly or boisterous/noisy conduct which may cause alarm, resentment, or anger in others.
8. Vandalism, malicious destruction, arson, damage, or misuse of public or private property, including library materials.
9. Use or possession of firearms and ammunition, incendiary devices, smoke devices, clubs, dangerous knives, explosives, bows and arrows, or other dangerous weapons.
10. Participating in hazing.
11. Public intoxication.
12. Academic dishonesty, including but not limited to, cheating and plagiarism.
13. Knowingly furnishing false information to the University with the intent to deceive and/or withholding information on applications for admission, readmission, or registration.
14. Forgery, alteration, or misuse of University documents, records, identification cards, or papers.
15. Failure to comply with directions of or failure to present identification to University personnel, University Police officers, or Residence Life staff.
16. Intentionally disregarding directions or citations issued by University Police officers or interfering with officers who are acting in the performance of their duties.
17. Unauthorized entry into or use of University facilities, systems, or equipment.
18. Gambling in violation of state statutes.

19. Submitting a check not covered by sufficient funds to a campus official or service.
20. Unnecessary or unusual noise.
21. Violations of University residence hall rules/regulations.

#### **Due Process**

The University guarantees the right of a fair and impartial hearing to any student charged with a violation of the Code of Conduct. No student shall be subjected arbitrarily to any disciplinary action for any offense without being given a fair hearing. Students will be given written notice of the charges against them prior to a hearing, adequate time to prepare a defense, and the opportunity to present evidence and witnesses on their own behalf.

The only exception to this practice may occur in the case of an Interim Suspension (see the appropriate section of the Code). Any student being charged with a violation has the rights delineated under Judicial Process.

#### **Judicial Process**

Overall disciplinary authority is vested in the Vice President for Student Services. The Dean of Students has been designated by the Vice President to administer the Code of Conduct. The Dean of Students functions as the campus Judicial Officer and has overall responsibility for the judicial process. This process includes the University Judicial System and the Residence Hall Judicial System.

A student charged by the University with violating the Code of Conduct must schedule a hearing with the Dean of Students by the date specified in their letter of charges. A student charged with a violation specific to the residence hall must schedule a hearing with the Residence Life Judicial Officer. A student has options in scheduling hearings:

1. The student may admit to the alleged violation and request that the Dean of Students/Residence Life Judicial Officer assign an appropriate disciplinary sanction.
2. The student may deny the alleged violation. In this instance, the student may choose to have the case heard by the Dean of Students/Residence Life Judicial Officer or the University Judicial Committee/Residence Life Judicial Council. A finding of responsibility by the hearing body will be forwarded to the Judicial Officer for sanctioning.

#### **Procedural Guidelines**

A student charged under the Code of Conduct is entitled to the following rights:

1. To receive written notification of the specific charges.
2. To have a hearing before the appropriate person or body.
3. To be given adequate time in which to answer or prepare a defense.
4. To be accompanied at the hearing by a person of their choice other than an attorney. Legal counsel may be present at hearings ONLY if the student is also facing criminal or civil charges. The person accompanying the student, including the legal counsel, may not address the hearing body, question witnesses, or participate in any way other than to support/advise the student charged.
5. To remain silent during the hearing.
6. To examine all evidence, hear all testimony, and to ask questions of the witnesses present at the hearing.
7. To present evidence and witnesses in one's own behalf.
8. To have a copy of the minutes of formal hearings provided at the student's expense.
9. To receive a timely decision by the hearing body and appropriate sanctions imposed by the same.
10. To receive an explanation of the appeal process.

#### **Appeal Process**

Appeals must be filed, in writing, to the appropriate office within two working days upon receipt of the

sanction/disposition of the case. An appeal of a disciplinary decision must be based upon one of the following:

- a) Inappropriate sanction; i.e., extremely punitive, not consistent with precedent;
- b) Finding of guilt was not supported by substantial evidence;
- c) Failure to follow due process or any other part of the University judicial process or rules;
- d) Presence of significant new evidence which could affect the disposition of the case.

The Dean of Students will hear appeals from the Residence Life Judicial Officer (designee appointed by Vice President for Student Services) and the Residence Life Judicial Council.

All other appeals will be heard by the Vice President for Student Services.

#### **Interim Suspension**

In serious cases, the Vice President for Student Services (or in the absence of the Vice President, the Dean of Students) may use an Interim Suspension to immediately exclude a student from the residence hall and/or classes and all other University privileges or activities, pending a hearing. An Interim Suspension will be imposed only when the student's continued presence on the campus constitutes a danger to property, to self, or to others.

The student will be given notice of reason for the Interim Suspension and the time and place of a preliminary hearing. The purpose of the preliminary hearing is to provide an opportunity for the student to demonstrate why he or she does not constitute a danger to property, to self, or to others. An Interim Suspension does not nullify the student's right to due process as defined in this Code.

#### **Disciplinary Sanctions**

- A. Educational Sanction: Specific educational requirements directly related to the violation committed. The requirement will be clearly defined. Such educational requirements may include, but are not limited to, completion of an alcohol education workshop, a diversity awareness workshop, essays, reports, etc.
- B. Hall Probation: An official notice that the student's conduct is in violation of residence hall policies and/ or University regulations and that more stringent disciplinary action, including removal from housing, may result if future violations occur.
- C. Restitution Payment for financial injury due to theft, destruction of property, or deception.
- D. Loss of Privileges and Entitlements: The withdrawal of specified privileges for a definite period of time. The restrictions involved will be clearly defined.
- E. Conduct Warning: A written statement of disapproval of the student's conduct.
- F. Community/University Service: Completion of a specified number of hours of community/University service. The type of community/University service must be approved by the Dean of Students.
- G. Personal Probation: This probation period requires students to meet periodically with a designated University official to discuss and explore alternatives to the kind of behavior which resulted in the judicial referral.
- H. Conduct Probation: Exclusion from participation in privileged or extracurricular institutional activities as set forth in the probationary notice for a period of time not exceeding two (2) academic years. During this time, the student is not eligible to campaign for or to hold office in student organizations, receive honors, or represent the University in intercollegiate athletics or other extracurricular activities.
- I. Deferred Suspension: The sanction of Suspension may be placed in deferred status. If the student is found in violation of any University regulation during the time of Deferred Suspension, the Suspension takes effect immediately without further review. Additional disciplinary action appropriate to the new violation may also be taken. During this period, the student is not considered in good standing and is subject to the following restrictions:
  - (1) Ineligibility to hold office in any student organization recognized by the University or to hold any elected or appointed office of the University.

- (2) Ineligibility to represent the University to anyone outside the University in any way, including representing the University at any official function, in intercollegiate athletics, or in any other forms of intercollegiate competition or representation.
  - (3) Possible imposition of additional restrictions or conditions, depending on the nature and seriousness of the misconduct.
- J. Suspension: Separation of the student from the University for a definite period of time. The student is not guaranteed readmission at the end of such period of time but must reapply to the University.
- K. Expulsion: Permanent and complete separation of the student from the University.

\* In cases involving suspension or expulsion the student is restricted from being in or on University property or in attendance at University functions for the time specified by the sanction. Any exceptions to this must come from the Dean of Students or the Vice President for Student Services.

## **University Judicial System/Process**

(2) Revised and approved by the Henderson State University Board of Trustees, June 11, 1998.

### **ALMA MATER**

Breathe, stalwart pine trees, memories of living shadows;  
 Whisper, acorn bearers, from the living fountain;  
 Beauty and friendship, eternal as the holly,  
 Into all thy children, Alma Mater, Henderson!

Spirit of strong men, wrought through storm and silence,  
 Into communion eternal as the heavens;  
 Romance and tragedy, in victory and in losing  
 Thou turnest all to gain, Alma Mater, Henderson!  
 From childhood's weakness, thou with love of mother;  
 Through youth's daring with love and friends;  
 Into full manhood for church and state and nation  
 Thou leadest us upward, Alma Mater, Henderson!  
 As through the ages, joy and living friendship,  
 Mix crucifixion's red with gray of truth;  
 Out of gray ashes rise up men and women  
 new born, strong, adoring, Alma Mater, Henderson!